

VII-1.10.1 UMCES Drug and Alcohol-Free Workplace Policy

Approved November 9, 2023

I. Purpose

The University System of Maryland (USM) Policy VII-1.10 Policy on a Drug and Alcohol-Free Workplace for Employees requires each USM institution to develop appropriate policy and procedure regarding the implementation and communication of the policy. This University of Maryland Center for Environmental Science (UMCES) Policy VII-1.10.1 has been written in compliance.

II. Definition of Supervisor

For purposes of this policy, "Supervisor" includes persons at all levels of direct supervision, including front line supervisors.

III. Policy

- A. It is the policy of UMCES to make every effort to ensure a drug-free workplace to protect the health, safety, and welfare of its employees, its students, and the public. It is a condition of employment that each university employee comply with the terms of this policy.
- B. University policy prohibits the unlawful manufacture, possession, use, distribution, dispensation, sale, or purchase of non-prescribed controlled substances (drugs), and intoxicants (alcohol) on university premises or at off campus University-sponsored events.

This **does not** include the lawful consumption and/or possession of alcohol by those over the age of 21 at university-sponsored events (on or off campus) or university on-site facilities.

- C. UMCES is committed to recognizing the importance of its employees and students as valuable contributors to achieving its mission, and to restore without prejudice those who may have developed substance dependencies to full and productive roles in its academic community.
- D. UMCES shall provide all employees and students who may have substance dependencies with an opportunity to receive treatment and rehabilitation without disciplinary penalty, provided that:
 - 1. conviction of sale or distribution of controlled substances has not been a precipitating factor in seeking such opportunity; and,
 - 2. the individual cooperates with UMCES in withdrawing from all activities which may be impaired or which impose danger to others due to the dependency, treatment, or the rehabilitation program.

- E. It shall be the policy of UMCES to provide all employees with formal notification of this policy, its implementation, and the opportunities it provides for confidential treatment and

rehabilitation under conditions of the maximum possible job security.

In accordance with State of Maryland Policy, as promulgated in Executive Order 01.01.1989.05 signed by the Governor 7 April 1989, as a condition of employment, all UMCES employees shall be required to acknowledge receipt of this policy by UMCES Human Resources (UMCES HR) for insertion in their permanent personnel files.

IV. Implementation of Drug and Alcohol-Free Workplace Policy

A. UMCES employees and students shall report observed violations of Drug and Alcohol-Free Workplace policy to their immediate supervisor or to UMCES HR. All such reports shall be passed to UMCES HR for review or investigation.

B. All UMCES supervisors shall be responsible for ensuring compliance with the USM Drug and Alcohol-Free Workplace Policy within their respective UMCES units.

1. The Vice President for Administration and Finance shall exercise such authority for employees in University Administration.
2. Any individual (employee or visitor) may elect to bring a matter directly to UMCES HR at any time.
3. Such reports shall be made in complete confidence, and they may be made anonymously.
 - a. UMCES HR shall decide whether such a report is sufficient cause to warrant investigation, but shall be obligated to conduct an inquiry or take other appropriate action concerning any individual who is the subject of two or more independent allegations.
 - b. If investigation confirms substance abuse, dependency, or other violation of Drug and Alcohol-Free Workplace Policy, UMCES HR shall promptly undertake appropriate corrective action.
4. Employees having supervisory authority over an individual shall report UMCES HR any pattern of work performance where the individual has failed to complete assigned duties or shown deteriorating productivity attributable to substance abuse.

If possible, the report should include documentation as to date, time, place, and nature of the incident(s) that are cause for concern.

5. The supervisor shall promptly undertake corrective action upon review of such a report in consultation and advisement from UMCES HR.

V. Notification of Conviction Requirements

- A. An UMCES employee who has been convicted of violating a criminal drug statute in the workplace shall inform their supervisor within five (5) days of receipt of notification.

Failure to make such notification may be cause for termination of the individual's appointment.

- B. The supervisor shall immediately inform all persons in the supervisory chain of command up through the President, as well as the Vice President for Administration and Finance and UMCES HR of such conviction, who shall in turn inform the President of UMCES.
- C. In the event that the President determines that the convicted employee was engaged in the performance of a federal grant or contract during the incident(s) in question, they or their designee shall notify the sponsoring federal agency within ten (10) days of receiving notice of the conviction.

VI. Notification Procedures

- A. All UMCES employees shall receive written notification of the University's Drug and Alcohol-Free Workplace Policy upon hire.

New students shall receive the above documents as part of the informational package they receive when commencing study under the direction of UMCES faculty.

- B. A statement of UMCES Drug and Alcohol-Free Workplace Policy, and a summary of implementation policies and notification requirements, shall be sent to each recipient of a current or new federal grant or contract (upon request).

This document shall be made available to any federal agency upon inquiry regarding UMCES Drug and Alcohol-Free Workplace Policy.