



CONTROLLED SUBSTANCE ABUSE IN THE WORKPLACE NOTIFICATION

Dear Student Employee:

Please find the attached National Louis University's policy on maintaining a Drug-Free Workplace and common questions asked about this policy.

Please note that as a condition of Student Employment with NLU, an employee must sign this notification, agree to read the attached policy and abide by the following:

- (1) The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is strictly prohibited in the workplace.
- (2) An employee will report to NLU any conviction under a criminal drug statute for conduct in the workplace not later than five days after the conviction.

(Please detach and return with your completed student employment documents, to the Office of Student Finance, Student Employment Coordinator)

I, _____, certify that I have read National Louis University's policy entitled "CONTROLLED SUBSTANCE ABUSE IN THE WORKPLACE" and will abide by the condition contained therein. I am fully aware that non-compliance will result in sanctions imposed on me by the university.

Student Employee Signature

Date

NLU ID #

CONTROLLED SUBSTANCE ABUSE IN THE WORKPLACE NOTIFICATION

POLICY

1. It is the Policy of National Louis University to ensure that all its workplaces are free from the illegal use, possession, or distribution of controlled substances by its employees.

APPLICATION

1. The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited anywhere in the school or on the grounds at all NLU locations. Failure to comply with this policy will result in one or more of the following sanctions:

- A. Requirement to attend drug awareness seminars provided by NLU.
- B. Requirement to participate in a certified rehabilitation program.
- C. Suspension without pay.
- D. Termination.

2. All employees must sign an agreement stating that as a condition of employment, the employee will:

- A. abide by the terms of this policy and
- B. notify the Office of Human Resources of National Louis University of any criminal drug statute conviction for the violation occurring in the workplace no later than five days after that conviction.

3. National Louis University will provide information to employees regarding the dangers of drug use in the workplace in the form of information brochures,

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NOTE: Per Section 224, 227 and 401.5 of the Illinois Unemployment Insurance guidelines, any work positions that are paid and classified as student employee, such as Federal Work-Study, College Employment, Graduate Assistant and Harrison Fellow, etc. are not eligible for unemployment compensation, once the position has ended. Participation in the Federal Work Study program does not constitute bona fide National Louis University employment status.

lectures, seminars, workshops and the like. Employees will be allowed to schedule time during working hours, with their supervisor's approval, to participate in these activities.

1. Question - What grants and contracts are covered under the Act?

Answer - With minor exceptions, all grants, regardless of dollar amount, are subject to the requirements of the Act. The term "grant" is defined to include a cooperative agreement. Contracts are subject to the Act only if (a) they have a value of \$25,000 or more (b) they constitute procurement contracts (including purchase orders) awarded pursuant to provisions of the Federal Acquisition Regulations (FAR). Grants and contracts are not covered if they are to be performed entirely outside the territorial limits of the United States.

2. Question - Under what circumstances will an existing contract become subject to the requirements of the Drug-Free Workplace Act?

Answer - Grants and contracts awarded prior to March 18, 1989, are not subject to the requirements of the Act; recipients will not be required to produce a drug-free workplace certification in order to continue receiving payments under an existing grant or contract. If a grant application or contract proposal is not submitted prior to that date, then the award winner will be required to produce a drug-free workplace certification before actual reward. If a grant or contract awarded prior to March 18, 1989, is renegotiated or significantly modified after that date, certification will be required at that time.

3. Question - Are subcontractors and sub grants within the scope of coverage

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for an employer?

Answer - Generally speaking, subcontracts and sub grants are not within the scope of coverage of the Drug-Free Workplace Act.

4. Questions - Do either the Drug-Free Workplace Act or its implementing regulations published on January 31, 1989, require contractors or grantees to conduct drug tests of employees?

Answer - No. But the DOD rule might (see question 5).

5. Question - What is the status of the September 28, 1988, Department of Defense (DOD) interim rule detailing drug-free workforce requirements on the select group of contractors?

Answer - The DOD rule became effective October 31, 1988. It applies to selected Defense contractors and their employees in sensitive positions. Contractors covered by the DOD rule most likely also are covered by the Drug-Free Workplace Act and implementing regulations. If your institution administers Defense contracts, you should pay careful attention to the DOD rule which, under certain limited circumstances, mandates employee drug testing.

6. Question - Are alcohol or tobacco products considered drugs within the meaning of "controlled substances" according to the Drug-Free Workplace Act or DOD rule?

Answer - No. However, virtually every controlled substance from the worst street drugs to mild prescription drugs are included.

7. Question - Are all employees of an institution covered under the Drug-Free
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Workplace Act or only those actually performing a federally sponsored contract or grant?

Answer - It depends. The Act literally applies only to employees “directly engaged in the performance of work pursuant to the provisions of the grant or contract.” If a grant or contract is awarded directly to a department, division, or unit of a college or university, then only employees of that subdivision are technically covered. In practice, however it is often difficult to segregate employees performing federally supported work, and most of the institutions that have already adopted drug-free workplace policies have elected to include all employees.

8. Question - Are Pell Grants covered under the Drug-Free Workplace Act?

Answer - Neither the Act nor the implementing regulations address this grant program specifically. We have been advised informally by the United States Department of Education that individuals who apply for Pell Grants will be required to complete a drug-free certification prior to award.

9. Question - If an institution employee goes home and uses unlawful drugs, is

the institution responsible under the Drug-Free Workplace Act for the employee’s actions away from the job site?

Answer - The law prohibits unlawful manufacture, distribution, possession, and the use of unlawful drugs in the workplace. Employers are not responsible for the conduct of their employees outside the workplace.

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Confidential- “CONTROL SUBSTANCE ABUSE FORM” UPDATED July 2011- LH