

HUMAN RESOURCES POLICY FOR: Faculty, Staff, and Custodians
SUBSECTION: Drug Free and Alcohol Abuse 404
REVISION DATE: August 31, 2018

Employees are expected and required to be fully able to perform their job duties free from alcohol and drugs. Employees whose actions suggest they are under the influence of drugs and/or alcohol will not be permitted to continue to work in any capacity whether working on or off the premises. Delaware Valley University, as a condition of continued employment, may require any staff or custodial employee whose actions reasonably suggest they are impaired and/or is under the influence of alcohol and/or drugs to submit to a urine and/or blood sample for testing, at the expense of the University, and sign a form consenting to the testing and release of the results to the University. Refusal to submit to the required testing will be considered a positive test result.

When a serious near miss, accident or injury occurs that results in (a) death, (b) injury to self or others requiring third-party medical treatment other than basic first aid, (c) property damaged estimated to exceed \$500.00, the University may require that, as a condition of continued employment for staff and custodial employees, submit a urine and/or blood sample for testing and sign a form consenting to the testing and the release of results to the University. Refusal to submit to the required testing will be considered a positive test result.

Employees will not be permitted to return to work until the test results are received. If an employee is found in violation of university policy, federal or state laws, or local ordinances, the circumstances accompanying each individual case will be considered when determining the consequences.

The University recognizes that employees with alcohol and/or drug-related problems should be encouraged to seek help in dealing with such problems. Employees are encouraged to use counseling services available through, the EAP (Employee Assistance Program) or health insurance plans, as appropriate, when facing alcohol and/or drug-related problems. For additional EAP resources and services provided you can call 1-855-283-1915 or visit www.mylifevalues.com (Username and Password: RESOURCES).

Employees who seek assistance and enter a treatment facility may be eligible for paid time off during their inability to work through use of available paid time off and/or the University Short Term Disability program and in compliance with the Family Medical Leave Act. Depending upon individual

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dosage, could impair work performance or pose a risk of harm to the employee, to others, or to
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can impair work performance or pose such a risk. If the lawful use of lawful prescription or
nonprescription drugs does limit or otherwise imp]OE š Z u %o o }Ç [•]o]š Ç š } %o OE (}OE u š

premises or property owned or controlled by the person charged. Penalty for a first violation is \$1,000; \$2,500 for each subsequent violation; imprisonment for up to one year for any violation.

4. It is a crime for any person under twenty-one years of age to possess an identification card falsely identifying that person as being twenty-one years of age or older, or to obtain or attempt to obtain liquor or malt or brewed beverages by using a false identification card. Penalties are stated in (2) above.

5. It is a crime intentionally, knowingly or recklessly to manufacture, make, alter, sell or attempt to sell an identification card falsely representing the identity, birth date, or age of another. Minimum fine is \$1,000 for first violation; \$2,500 for subsequent violations; imprisonment for up to one year for any violation.

6. It is a crime to sell, offer for sale, or attempt to sell alcoholic beverages. Penalties are as stated in (1) above.

7. It is a crime knowingly, willfully and falsely to represent that another is of legal age to obtain liquor or malt or brewed beverages. Penalty is a minimum fine of \$300 and imprisonment for up to one year.

8. It is a crime to hire, request or induce any minor to purchase liquor or malt or beverages. Penalty is a minimum fine of \$300 and imprisonment for up to one year.

9. Sales without a license or purchases from an unlicensed source of liquor or malt or brewed beverages are prohibited.

10. It is unlawful to possess or transport liquor or alcohol within the Commonwealth unless it has been purchased from a State Store or in accordance with Liquor Control Board regulations. The University will cooperate with the appropriate law enforcement authorities for violations of any of the above-mentioned laws by an employee.

11. The use in any advertisement of alcoholic beverages of any subject matter

1. The Controlled Substance, Drug, Device and Cosmetic Act, 35 Pa. C.S.A. 780- 101 et seq., sets up five schedules of controlled substances based on dangerousness and medical uses. Penalties for first-time violators of the Act range from thirty days imprisonment, \$500 fine, or both for possession or distribution of a small amount of marijuana or hashish, not for sale, to fifteen years or \$250,000 or both for the manufacture or delivery of a Schedule I or II narcotic. A person over eighteen years of age who is

3. The Vehicle Code, 75 PA, C.S.A. 3101 e