



UWG Drug-Free Workplace Policy

As a recipient of Federal funds, University of West Georgia supports and complies with the provisions of the Drug-Free Workplace Act of 1988. University of West Georgia expects faculty and staff to meet appropriate standards of performance, to observe basic rules of good conduct and to comply with Institutional Policies and Procedures. As an employer, University of West Georgia aggressively promotes and requires a drug free workplace among its faculty and staff. Institutional Policy prohibits the unlawful manufacture, distribution, dispensation, possession or use of illegal drugs by employees of the University of West Georgia.

An employee convicted for felony and/or misdemeanor drug violations of a criminal drug statute will be subject to strong disciplinary action up to and including termination of employment, or may be required, at the discretion of the University, to participate satisfactorily in a drug abuse or rehabilitation program.

In accordance with the Drug-Free Workplace Act of 1988, all University employees must as a condition of employment (i) abide by the University's policy on controlled substances, and (ii) inform the University of any conviction for violation of a criminal drug statute, which occurs in the workplace, within 5 days after such conviction.

This policy shall be communicated to new faculty by appropriate Department Chairs and to classified employees by the **Director of Human Resources**.

STANDARDS OF CONDUCT

University of West Georgia prohibits the unlawful possession, manufacture, distribution, dispensation, and use of illicit drugs and alcohol on the institutional premises in accordance with the Drug-Free Communities and Schools Act Amendments of 1989 (Public Law 101-226).

APPLICABLE LEGAL SANCTIONS FOR UNLAWFUL USE OF ILLICIT DRUGS OF ALCOHOL

The Georgia Penal Code defines "CONTROLLED SUBSTANCES" in Drug schedules I-V, Official Code of Georgia Annotated (O.C.G.A.), Sections 16-13-35 to 16-13-39, covering 14 pages of text, including a long list of chemical compounds, opiates, hallucinogens, derivatives, isomers, and other materials. The State Board of Pharmacy may add new material to the list as required.

An even broader category of dangerous drugs is defined in O.C.G.A. Section 16-13-71, covering 41 pages of text describing hundreds of chemicals and other compounds. The Georgia General Assembly may add drugs to the list as required

Criminal Punishment - State of Georgia:

"First Offender" A person never before convicted of possession of a small amount of material may at the discretion of the judge, be afforded the first offender treatment, resulting in no entry of a plea of guilty and no record of any conviction, if the defendant successfully completes a court-monitored comprehensive rehabilitative program (O.C.G.A. 16-13-2 (a)).

Possession of one ounce or less of marijuana may result in imprisonment for 12 months and/or a fine not to exceed \$1,000, or "public works" not to exceed 12 months (O.C.G.A. 16-13-2 (b)).

Possession of more than one ounce of marijuana is a felony and is punishable by confinement of not less than one year or more than 10 years (O.C.G.A. 16-13-30j (2)).

Trafficking in Marijuana is a felony. Depending on the amount, confinement ranges from 5 to 15 years with fines from \$25,000 to \$200,000 (O.C.G.A. 16-13-31(c)).

The penalty for violation of the dangerous drug section is as for a misdemeanor (O.C.G.A. 16-13-79).

The penalties for violation of the "controlled substances" provision are numerous and they vary, depending on the drug schedule under which the substance is listed, whether the act charged includes trafficking, and how much of the substance is involved. Penalties range from 5 to 30 years and include life for a second conviction of transferring narcotic (Schedule II).

Possession of an alcoholic beverage by any person under age 21 may result in confinement, not to exceed 30 days, or a fine of not more than \$300, or both.

—Georgia law specifies property, which is subject to seizure by the state under public condemnation action, if such property was used in a criminal violation.

Federal Sanctions for Drug Offenders:

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Title 21, United States Code, Sections 841-858 describe the acts and criminal penalties and civil and criminal forfeiture provisions established by Congress, covering 28 pages of text.

Title 21, U.S.C. Section 812, contains five schedules of "controlled substances". Schedule I describes certain opiates; Schedule II contains opium, cocaine, and other addictive substances; Schedule III lists amphetamine, phencyclidine (PCP) and other like matter; Schedule IV involves barbiturates; Schedule V concerns codeine and atropine sulfate, among other preparations. The Attorney General of the United States is authorized to add items to the several schedules.

The manufacture, or distribution of various controlled substances, depending upon their Schedule sequence and the amount of substance involved, is punishable by confinement ranging from not less than neither 5 nor more than 40 years and fines from \$2,000,000 to \$10,000,000.

The penalties for "simple possession" of illegal drugs from not more than 1 to 20 years, depending upon the substance schedule, amount possessed, and the number of convictions (Title 21 Section 844).

The distribution, manufacture, or possession with intent to distribute a controlled substance is punishable by twice the sanction provided in Section 841(b) (not less than 10 nor more than 80 years, depending upon the schedule and amount), where such offense was performed on or within one thousand feet of a college or university. Section a denies certain "federal benefits" to drug traffickers and possessors, such as federal grants, contracts, loans, and professional licenses.

Section 853 provides for forfeiture of possession and title to the federal government of any property used in drug offenses.

HEALTH RISKS ASSOCIATED WITH THE USE OF ILLICIT DRUGS AND ALCOHOL

Drug and alcohol abuse result in significant health problems for those who use them. Drug and alcohol use in the workplace contribute not only to lost productivity, but also cause tremendous costs related to absenteeism, accidents, health care, loss of trained personnel, and employee treatment programs. Drug and alcohol abuse cause physical and emotional dependence. Users may develop a craving for these drugs or alcohol and their bodies may respond to the presence of drugs in ways that lead to increased drug and alcohol use. Certain drugs, such as opiates, barbiturates, alcohol and nicotine create physical dependence. With prolonged use, these drugs become part of the body chemistry. When a regular user stops taking the drug, the body experiences the physiological trauma known as withdrawal. Psychological dependence occurs when taking drugs becomes the center of the user's life. Drugs have an effect on the mind and body for weeks or even months after drug use has stopped. Drugs and alcohol can interfere with memory, sensation, and perception. They distort experiences and cause loss of self-control that can lead users to harm others as well as themselves.

The University Health Service has other information as to the effects of drugs and alcohol.

DRUG AND ALCOHOL COUNSELING, TREATMENT OR REHABILITATION PROGRAMS AVAILABLE TO STUDENTS AND EMPLOYEES:

The University Health Service, Department of Residence Life, Student Development Center, Department of Public Safety and Department of Student Activities has many on-going programs that specifically address alcohol and drug abuse problems. For example, the University Health Service provides numerous hands out pamphlets on the facts of alcohol and drugs and utilizes the Student Development Center resources for counseling services.

Programs are provided promoting healthy lifestyles with emphasis on awareness of the dangers of drugs and alcohol abuse. Employees with substance abuse problems are encouraged to seek professional assistance within the parameters of the institutional personnel policies and procedures.

SANCTIONS:

Faculty, staff and students are expected to adhere to the policies of the university and observe the basic standards of good conduct, meet acceptable performance standards, and observe all local, state and federal laws relative to unlawful use of drugs and alcohol. Penalties for violations of these standards range from warnings and probation to expulsion, loss of academic credit, suspension, temporary or permanent suspension and withdrawal of organization recognition, referral to the legal system for prosecution, demotion, and termination of employment. Detailed sanctions are defined in the student

—handbook,-Board-of-Regents-Policy-Manual,-Faculty-Handbook,-and-Elassified-Employee-Handbook.