

**The University of West Florida
Drug-Free Workplace/Drug-Free Schools
Policy Statement**

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or the unlawful possession and unlawful use of alcohol is harmful, and is prohibited in and on the University of West Florida campus, the University's owned or controlled property, or as part of any of its activities. Any University of West Florida employee determined to have violated this policy shall be subject to disciplinary action for misconduct, which action may include termination and/or referral for prosecution. No employee is to report to work or class, or **any university activity** while under the influence of illegal drugs or alcohol. Violation of these policies by an employee will be reason for: (1) evaluation/treatment for a drug/alcohol use disorder, and/or (2) disciplinary action up to and including termination in accordance with applicable collective bargaining agreements for employees and other policies and procedures; and/or (3) referral for prosecution consistent with local, State, and Federal law.

Employees are advised of the following Florida State Laws regarding the unlawful possession or distribution of illicit drugs and alcohol:

Florida Statutes, Chapter 893.147: Use, possession, manufacture, delivery or advertisement of drug paraphernalia.

1. **Use or Possession of drug paraphernalia:** It is unlawful for any person to use, or to possess with intent to use, drug paraphernalia:
 - a. To plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain or conceal a controlled substance in violation of this chapter; or
 - b. To inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this chapter. Any person who violates this subsection is guilty of a misdemeanor of the first degree, punishable as provided in s.775.082, s.775.083, or 1s.775.084.

2. **Manufacture or delivery of drug paraphernalia:** It is unlawful for any person to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia, knowing, or under circumstance where one reasonably should know, that it will be used:
 - a. To plant, propagate, cultivate. Grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain or conceal a controlled substance in violation of this act; or
 - b. To inject, ingest, inhale, or otherwise introduce into the human body a controlled substance in violation of this act. Any person who violates this subsection is guilty of a felony of the third degree, punishable as provided in s.775.082, s.775.083, or s.775.084.

Florida Administrative Code 6C6-3.021:

Alcoholic Beverages: Possession and use of alcoholic beverages on university premises shall comply with state law. Consumption of alcoholic beverages in public places on campus is prohibited except in those areas and under those conditions specified in 6C6-3.021(s) (3) and (4). All buildings and grounds on the campus are considered to be public places, except residence halls. As provided in Florida Statutes Chapters 561 (Beverage Law: Administration), 562 (Beverage Law: Enforcement), 563 (Beer), 564 (Wine) and 565 (Liquor), it is illegal for anyone to manufacture, distribute, or sell alcoholic beverages without a license obtained under Florida Law.

The use of illegal drugs and abuse of alcohol can lead to serious health problems, effects on one's mental, physical and personality characteristics and death. Substance abuse can adversely affect an employee's job performance and jeopardize the safety of co-workers and the public.

The University of West Florida has an Employee Assistance Program offered through the Office of Human Resources. Employees who are in need of treatment/counseling are referred to local agencies. Payment is the responsibility of the employee and care is coordinated by the Office of Human Resources with the individual's health insurance plan. Employees who do not have health insurance are referred to various volunteer groups within the area and are assisted in enrolling in a health plan at the next available enrollment period. Emergency short term services can normally be coordinated at no cost. All assistance/referrals are strictly confidential and do not become a part of the employees personnel file.

In order to comply with Federal Drug-Free Workplace Act, the University of West Florida requires that an employee employed on a grant or contract notify the employer of any criminal drug statute conviction of a violation occurring in the workplace no later than five (5) days after such conviction. The University must notify any Federal-contracting agency within ten (10) days of having received notice that an employee engaged in the performance of such contract or grant has had a criminal drug statute conviction for a violation occurring in the workplace. The University will take discipline action on any employee who is so convicted or require the employee's satisfactory participation in a drug abuse assistance or rehabilitation program.