

## **7.1 DRUG-FREE WORKPLACE**

PAU maintains a workplace free of drugs and alcohol pursuant to the federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990. Consistent with this policy, PAU has established the following rules about the use, possession and sale of controlled substances and alcohol by its employees. Compliance is a condition of all who wish to work or study at PAU.

1. The illegal use, sale, manufacture, dispensation, distribution or possession of controlled substances while on the job or on PAU property is prohibited and will result in disciplinary action, up to and including immediate termination of employment. Similarly, reporting for work under the influence of controlled substances is prohibited and will result in disciplinary action, up to and including termination of employment.
2. If you are arrested for a drug-related offense and are awaiting trial, you will be suspended without pay (1) until all charges against you are dismissed; (2) until you plead guilty; or (3) until your trial results in a verdict. If you plead guilty, your employment with PAU will be terminated.
3. As a condition of employment, employees must notify PAU within five (5) days of any conviction for any violation of any criminal drug statute, where the violation occurred in the workplace. PAU must notify the federal agencies from which it has grants within ten (10) days of receiving notice of such a conviction from an employee or some other source.
4. The illegal use of controlled substances off duty and off PAU premises is unacceptable. It can have a poor effect on your job performance. Conviction for the illegal use, sale or possession of narcotics, drugs, or controlled substances off duty or off PAU property may also result in disciplinary action, up to and including termination of employment.
5. Alcohol may not be consumed on PAU property during working hours, except for PAU sponsored social functions. PAU policy prohibits the use of alcohol on PAU property or during working hours, as well as reporting to work under the influence of alcohol. Violation of this policy will result in disciplinary action, up to and including termination of employment. The only exceptions to this policy are those occasions when we hold a social gathering, and alcoholic beverages are provided. However, in this situation, your consumption of alcohol should be reasonable under the circumstances, and you are expected to comply with our rules prohibiting unlawful sexual harassment and other forms of unlawful harassment. Otherwise, drinking during meal breaks or at any other time while on duty is inappropriate.
6. Managers and supervisors should be attentive to the performance and conduct of those who work with them and should not permit an employee to work in an impaired condition or otherwise in violation of this policy. When management has reasonable suspicion to believe that an employee is working in violation of this policy, prompt action will be taken.
7. The legal use of controlled substances, such as prescription drugs prescribed by a licensed physician or over-the-counter medications that you buy at the store, is not prohibited by this policy. However, if you cannot safely perform all of the

essential functions of your job because you are taking prescription or over-the-counter medicine, PAU may require you to see a doctor, at PAU's expense. You may be discharged or required to take a leave of absence if the doctor concludes that you cannot safely perform the essential functions of your position because you are using prescription or over-the-counter medicine.

8. Before an employees engages in misconduct or other unacceptable acts, upon request, PAU will attempt to reasonably accommodate by a leave of absence for an employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program.
9. It is the responsibility of an employee to seek help before his or her alcohol or controlled substances problems cause job performance, misconduct or lead to disciplinary action. An employee's decision to seek assistance will not be used as the basis of discipline.
10. Every employee must specifically acknowledge receipt of this policy and agree, as a condition of employment, to abide by its terms.