

SUBSTANCE ABUSE POLICY

SUMMARY

Wake Forest University is committed to maintaining a safe and healthful environment for employees of the University community by promoting a drug-free workplace, including one that is free of the effects of drug and alcohol abuse. This policy prohibits the unlawful manufacture, possession, use, distribution, sale or purchase of non-prescribed controlled substances and intoxicants in the University workplace and describes the appropriate action to take in the event that an employee exhibits behavior consistent with alcohol or drug impairment in the workplace. The University adheres to applicable law, including the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act Amendments of 1989, and this policy is intended to implement the requirements for a drug-free workplace as required by federal law.

This policy applies to all Wake Forest faculty and staff, and to students who are employed by Wake Forest while working in their capacity as a student-employee. Student-employees who violate this policy may also be referred for review and possible disciplinary action under the terms of the applicable student code of conduct or other applicable policies.

STANDARDS OF CONDUCT

As a condition of employment, each employee of Wake Forest University is required to comply with the terms of this policy:

1. The sale, distribution, dispensation, manufacture, possession or use of illegal drugs is prohibited, regardless of whether the employee is on duty or off duty.
2. The use of alcohol in a work setting that impairs job performance is prohibited. Distribution of alcohol to persons under the age of twenty-one and possession or use of alcohol by persons under the age of twenty-one on Wake Forest University property, or as part of any Wake Forest University activity is prohibited.
3. Reporting for work while under the influence of alcohol or illegal drugs is prohibited.
4. The use of, or being under the influence of, any controlled substance, including prescription drugs, if such use or influence may affect the safety of yourself, co-workers, students, members of the public, your job performance or the safe and efficient operation of University facilities is prohibited.
5. Before reporting to work under the influence of prescription or over-the-counter medications, employees in safety-sensitive positions must inquire whether the drug manufacturer or the employee's physician warns against driving, operating machinery or performing other work-related safety-sensitive tasks. (Safety-sensitive positions are those in which impairment by drugs or alcohol could threaten the health or safety of the employee, co-workers, or others). If such warnings exist, the employee taking the medication must inform their supervisor of such restrictions before reporting to work

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under the influence of such substances. When informing a supervisor of such restrictions, the employee should not identify the medication(s) being used or the reason for its use. The University will evaluate and respond to this information on a case-by-case basis. Responses may include, among other things, temporary job reassignment or modifications, a request for additional medical documentation and consultation, and/or an instruction that the employee not work until the restriction is removed. Any employee reporting to work in a safety-sensitive position without first advising the University about warnings accompanying lawfully prescribed or obtained medications will be subject to disciplinary action up to and including possible termination of employment. An employee's lack of knowledge concerning such warnings will not excuse a violation of this rule where an employee has failed to make the inquiries required by this rule.

6. The University may require drug and/or alcohol testing in the circumstances set forth below. Employees who are subjected to drug and alcohol testing will be provided with a written Initial Notice of their rights prior to each test they are required to take.
7. In order to fulfill our obligations under the Drug Free Workplace Act, employees are required to notify Human Resources in writing of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

Required Drug and Alcohol Testing

When in the judgment of the supervisor, in consultation with Human Resources, a determination is made that there may be unauthorized use or possession of alcohol, controlled substances or the use or possession of illegal drugs, or if behavior or work performance of an employee indicates an employee may be under the influence while at work, the following procedure shall be used. The University shall transport or make arrangements for the transport of the employee to and from the collection site, and to the employee's home after testing is completed. An employee who is required to submit to a test will be suspended after the completion of the drug and alcohol tests, pending receipt of the test results. The University also reserves the right to evaluate the employee's conduct that triggered the drug and/or alcohol test, to determine if the conduct in and of itself warrants discipline, up to and including termination.

Testing Methods and Procedures

Drug tests will be conducted by collection of urine specimens. The University will test for amphetamines (including methamphetamine), cocaine, cannabis, opiates, PCP and their metabolites. Employees who test positive will be contacted by a Medical Review ("MRO") to discuss whether there is any legitimate explanation for the positive test result. Employees may provide any information which may be considered relevant to the test, including identification of prescription or nonprescription drugs currently or recently used, or other relevant medical

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information. If the MRO determines that there is a legitimate medical explanation for the confirmed positive test result, the MRO will report the test result as negative. If the MRO determines that there is no legitimate explanation for the confirmed positive test result, the result will be verified by the MRO as a confirmed positive test. If an employee refuses or fails to make himself/herself available to speak with the MRO, the MRO may verify a test as positive without having communicated directly with the tested individual.

If the MRO reports to the Company that a negative drug test was dilute, the employee will be directed to take another test immediately. If the employee refuses to take a second test, this constitutes a refusal to test.

If the MRO verifies a drug test result as positive, the employee may request a confirmatory retest of the original specimen at a different laboratory at their own expense. Such a request must be made within the time frame specified in the written notice that will be provided to the employee.

Alcohol tests will be conducted by collection of breath specimens. A confirmed alcohol test of .04% BAC or greater shall be considered positive.

Confidentiality

All drug and alcohol test results that are reported to the University will remain and are considered confidential. Results will only be disclosed within the University and to its agents (such as the MRO) on a need-to-know basis and as allowed by law and retained in a secure location with controlled access. Drug and alcohol test results and related information will be kept in a file separate and apart from the employee's employment file. Generally, the University will not disclose test result reports and other information acquired in the testing process without written consent of the individual tested. Nonetheless, applicable law may provide that evidence of a positive test result on a confirmatory test may be used: in relevant judicial, administrative, or arbitration proceedings; as required by applicable law, regulation, or order; for the purpose of evaluation or treatment of the individual to a substance abuse treatment facility; or as otherwise authorized by law.

DISCIPLINARY SANCTIONS

Wake Forest University may impose corrective actions on employees who violate the above standards of conduct. Progressive corrective action involves steps ranging from verbal counseling to written corrective actions, suspension (normally used in conjunction with an investigation), demotion, and dismissal. Wake Forest University may require evaluation and

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successful completion of an appropriate rehabilitation program as a disciplinary sanction.

Employees who refuse to submit to testing required by this policy may be subject to corrective action, including possible termination. “Refusal to submit to a test” includes, but is not limited to: excessive delay in reporting for a required test; refusing or failing to provide a specimen, or refusing or failing to attempt to provide a specimen without an adequate medical explanation; adulteration or substitution of a specimen, or attempting to adulterate or substitute a specimen; failing to complete any paperwork required by the collection facility; failing to remain at the testing site until the test is completed; failing or refusing to submit to a second test that may be required by the collector or the University; or, failing to cooperate with any aspect of the testing process.

Employees who test positive for drugs or alcohol may be subject to corrective action, unless the University offers the employee an opportunity to be evaluated and obtain treatment.

Conduct that is in violation of this policy may also be a violation of federal, state, and local laws. The University may refer concerns regarding possible illegal activities to law enforcement, licensing and credentialing agencies when appropriate, and as authorized by law.

VOLUNTARY IDENTIFICATION AND REHABILITATION

Early recognition of substance abuse is important for successful rehabilitation. Wake Forest University encourages individuals with a chemical dependency problem to voluntarily seek assistance. An individual’s job will not be jeopardized solely because the individual voluntarily seeks assistance in the treatment and recovery from chemical dependency if the individual seeks treatment prior to any selection for testing, policy violation or disciplinary action. Eligibility to participate in any subsequent rehabilitation programs will be at the discretion of Wake Forest University and consistent with applicable laws.

Any faculty or staff member, if given the option to participate in a rehabilitation program after a policy violation, will comply with the treatment and rehabilitation requirements set forth below or resign from the position with Wake Forest University. Any such individual electing treatment and rehabilitation will:

1. Agree to be evaluated for a possible substance abuse problem.
2. Satisfactorily participate in a substance abuse assistance or rehabilitation program approved for such purpose by a federal, state, or local health law enforcement or other appropriate agency at the individual’s expense, if treatment is deemed appropriate after evaluation. Wake Forest University Employee’s Medical Plan may provide coverage for certain counseling or rehabilitation services.

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3. Provide evidence satisfactory to Wake Forest University of participation in an approved program appropriate to the treatment recommendation.
4. Participate in follow-up drug and/or alcohol testing upon returning to work, and for a period of time following completion of the rehabilitation program, as recommended by the treating substance abuse professional.
5. Failure to comply with these requirements may result in dismissal.

APPENDIX A – LEGAL SANCTIONS

State and federal laws provide specific penalties for drug and narcotics offenses. Article 5 of Chapter 90 of the North Carolina General Statutes makes it unlawful for any person to manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver those drugs designated collectively as “controlled substances.” A complete list of controlled substances as defined by North Carolina law can be found in the [North Carolina Controlled Substances Act](#). Penalties for violations include imprisonment and fines.

The federal law makes it unlawful for any person to manufacture, distribute, create, dispense or to possess with the intent to manufacture, distribute, or dispense controlled substances. Title 21 of the United States Code provides terms of imprisonment and fines for violations of this act. The nature of the offense and whether the person has committed any previous unlawful acts under this statute will determine the term of imprisonment as well as the amount of the fine.

The penalties for violations of alcoholic beverage regulations are found in Chapter 188 of the North Carolina General Statutes. Such penalties include terms of imprisonment and heavy fines.

There may be other criminal sanctions, penalties and fines associated with substance use, possession or manufacture. This section is not intended to be inclusive of all possible criminal ramifications.

APPENDIX B – HEALTH RISKS

Alcohol - Alcohol consumption causes a number of changes in behavior and physiology. Even low doses significantly impair judgment, coordination, and abstract mental functioning. Statistics show that alcohol use is involved in a majority of violent behaviors on college campuses, including acquaintance rape, vandalism, fights, and incidents of drinking and driving. Continued abuse may lead to dependency, which often causes permanent damage to vital organs and deterioration of a healthy lifestyle.

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Cannabis (Marijuana, Hashish) - The use of cannabis may impair or reduce short-term memory and comprehension, alter sense of time, and reduce coordination and energy level. Users often have a lowered immune system and an increased risk of lung cancer. The active ingredient in cannabis, THC, is stored in the fatty tissues of the brain and reproductive system for a minimum of 28 to 30 days.

Hallucinogens - Lysergic acid (LSD), mescaline, and psilocybin cause illusions and hallucinations. The user may experience panic, confusion, suspicion, anxiety, and loss of control. Delayed effects, or flashbacks, can occur even when use has ceased. Phencyclidine (PCP) affects the section of the brain that controls the intellect and keeps instincts in check. Because the drug blocks pain receptors, violent PCP episodes may result in self-inflicted injuries.

Cocaine/Crack - Cocaine users often have a stuffy, runny nose and may have a perforated nasal septum. The immediate effects of cocaine use include dilated pupils and elevated blood pressure, heart rate, respiratory rate, and body temperature, followed by depression. Crack, or freebase rock cocaine, is extremely addictive and can cause delirium, hallucinations, blurred vision, severe chest pain, muscle spasms, convulsions, and even death.

Amphetamines - Amphetamines can cause a rapid or irregular heartbeat, tremors, loss of coordination, collapse, and death. Heavy users are prone to irrational acts.

Heroin - Heroin is an opiate drug that causes the body to have diminished pain reactions. The use of heroin can result in coma or death due to a reduction in heart rate.

Abuse of Prescription Drugs - Misuse of medicines prescribed by a Health Care Provider for treatment of illness, mental health condition, injury or pain management.

APPENDIX C – COUNSELING, TREATMENT, AND REFERRAL RESOURCES

The following resources are available for individuals with a chemical dependency problem:

Students may seek assistance from:

Counseling Center
Reynolda Hall, Room 117
(336) 758-5273 | <https://counselingcenter.wfu.edu>

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Student Health Service
Wake Forest Wellbeing Center, Lower Level
(336) 758-5218 | <https://shs.wfu.edu>

BASICS - Office of Wellbeing
Wake Forest Wellbeing Center, Lower Level
(336) 758-4371 | <https://go.wfu.edu/aod>

To review the Undergraduate Alcohol and Other Drug policy, visit: <https://go.wfu.edu/aodpolicy>

Faculty and Staff may seek assistance from:

Employee Assistance Program (Personal Assistance Network)
Wake Forest University Baptist Medical Center, Piedmont Plaza
(336) 716-5493

Human Resources
2598 Reynolda Rd.
(336) 758-4700 | <https://hr.wfu.edu>

Faculty, Staff and Students may contact:

University Police
Alumni Hall
(336) 758-5591 | <https://police.wfu.edu/>
911 Emergency Phone Number

Specific information regarding Wake Forest University statistics are available for review.

4851-2614-9881, v. 1