



# POLICY

| Category                                      | Approval  |                |         |
|---|-----------|----------------|---------|
| Series 100: Foundations and Basic Commitments | Effective | Administration | Board   |
|   | 2/22/10   | 12/4/09        | 2/22/10 |
|   | Revised   | For Review     |         |
|   | 8/10/15   | 2023           |         |

**DRUG FREE WORKPLACE**

**MTC 113**

The unlawful manufacture, distribution, dispensation, possession, use or being under the influence of a controlled substance on property of the College or while an employee of the College is engaged in an activity assigned as part of his or her employment with the College is prohibited. Employees of the College are required to notify the President of any conviction of violating any criminal statute regulating controlled substances within five (5) days of the conviction if the violation occurred on property of the College or while the employee was engaged in an activity assigned to his or her employment with the College. Federal law requires the President to provide notice of such conviction any granting or other appropriate government agency within ten (10) days of receiving notification from the employee.

Compliance with this Policy is a condition of employment with the College.

Any disciplinary action taken by the College due to a violation of this policy will follow procedures and processes outlined in state or federal statute to employee rights. Within thirty (30) days of receipt of information that an employee has violated this Policy, appropriate disciplinary action will be taken by the College which may include termination of employment or a requirement that the employee satisfactorily participate in and complete an approved drug or alcohol abuse assistance or rehabilitation program with such participation being at the employee's expense.

The College recognizes that employees who are suffering from a chemical dependency or substance abuse problem should be encouraged to seek professional assistance, and any employee requesting assistance shall be referred to an appropriate agency or treatment facility. Expenses incurred are the responsibility of the employee.

Smoke Free Schools

The negative effects of smoking on persons who smoke and persons occupying smoking areas are well documented. Mitchell Technical College is committed to encouraging healthful living styles and healthful working environments.

Mitchell Technical College will be tobacco/smoke free in all buildings, vehicles, and work areas. Outside designated smoking areas at each MTC building may be provided. These are the only locations where tobacco and smoking are permitted. This includes all tobacco and smoking-type products, including e-cigarettes.

A copy of this Policy shall be given to all present and future employees.

Legal Ref.: Public Law 100-690, Drug-Free Workplace Act of 1988, Drug-Free Schools & Communities Act.

8/10/15 – Policy changed to federal definition of controlled substances. Employees in violation of this policy will notify the President who will notify any granting or appropriate federal agency. Language was added to prohibit tobacco and smoking-type products, including e-cigarettes.