



# EL PASO COMMUNITY COLLEGE PROCEDURE

For information, contact Institutional  
Effectiveness: (915) 831-6740

**DH-1 Compliance with the Drug-Free Workplace Act of 1988**  
(Working Draft: Considered official)

**APPROVED:** July 31, 1989      **REVISED:** ~~September 1, 1995~~  
Year of last review: ~~2021~~      **August 1, 2024**  
~~2024~~  
**AUTHORIZING BOARD POLICY:** DH

Classification: Institutional

Responsible Vice President or Associate Vice President: ~~Associate Vice President of Compliance Financial and Administrative Operations~~ Associate Vice President of Human Resource Management and

Designated Contact: Executive Director of Human Resources

**OBJECTIVE:** To establish procedures to ensure compliance with the Drug-Free Workplace Act of 1988.

**PROCEDURE:**

- I. The Drug-Free Workplace Act of 1988 (Pub. Law 10 ~ 690, Title V, Subtitle D.) requires institutions which are applicants and/or recipients of federally funded grants and contracts to certify that they will institute affirmative steps to prohibit the unlawful manufacture, distribution, possession, and use of controlled substances in the workplace. The Drug-Free Workplace Act and implementing regulations apply to the grant and contracting activities of all federal funding agencies.
- II. The following actions will be taken to ensure compliance with implementing the regulations of the Drug-Free Workplace Act.
  - A. The District will publish a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance (as defined in state and federal law) is prohibited on District premises or at any District-related activities/events, and specifying the actions that will be taken against an employee for violation of such prohibition. The statement will be distributed to all current employees by the Human Resources Department. This statement will also be included in information provided to each new employee and included in such publications as the *Employee Handbook*.
  - B. In compliance with federal regulations, the statement will notify each employee that as a condition of employment with the District the employee will abide by the terms included in the "Drug-Free" statement.
  - C. Employees will notify the District through their immediate supervisor of any criminal drug statute conviction for a violation occurring on District premises or at a District-related activity/event no later than five days after such conviction.
  - D. Drug testing will be performed as part of the investigation and reporting of any employee accident or injury occurring during the employee's work hours, to include travel between EPCC premises as part of the duty day.
  - ~~D.E.~~ The President will notify the federal funding agency within ten days after receiving such notice from an employee or otherwise receiving actual notice of such conviction regarding an employee who is engaged in the performance of a grant.
  - ~~E.F.~~ The District will take one of the following actions within 30 days of receiving notice with respect to any employee who is so convicted:
    - 1. Take appropriate personnel action against such an employee up to and including termination from employment; or
    - 2. Require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health, law enforcement, or other appropriate agency.

~~F.G.~~ The District will continue the established drug abuse prevention and drug-free awareness program initiated in 1987 to inform employees about:

1. The dangers of drug abuse in the workplace
2. The District's Policy of maintaining a drug-free workplace
3. Drug counseling, rehabilitation, and assistance programs that are available
4. The penalties that may be imposed upon employees for drug abuse violations occurring on District premises or at District-related activities/events

~~G.H.~~ The District will make a good faith effort to continue to maintain a drug-free workplace through implementation of these and other procedures.