

Drug and Alcohol Free Workplace Notification

Dear Employee:

Please review the National Louis University Policy, Drug and Alcohol Free Workplace, which is a commitment to maintain a drug free workplace. Please note as a condition of employment with NLU, an employee must acknowledge they have read, understand and will abide by this policy. Please refer to the [University Portal](#) to acknowledge this Policy. An employee will notify the Office of Human Resources any conviction under a criminal drug statute for conduct in the workplace, no later than five days after the conviction.

Notification

In compliance with the Drug and Alcohol Free Workplace Act of 1988, National Louis University is committed to maintaining a drug and alcohol free workplace in order to ensure the safety and productivity of employees and the quality of the services it provides. To support this commitment, NLU prohibits the consumption of alcohol during work hours, and the manufacture, possession, use, or distribution of illegal drugs at any time on University premises or when conducting university-related business. All National Louis University students, faculty, and staff are expected to comply with all local, state, and federal laws and ordinances. Failure to do so may result in criminal persecution and/or University disciplinary action.

National Louis University is committed to maintaining a drug-free environment for students and employees. Any employee who would like to receive additional information or confidential assistance may contact the Office of Human Resources at (847) 947-5275 or the university's employee assistance provider, [Perspectives](#), 24 hours a day, 7 days a week.

Employees should refer to the Drug & Alcohol Free Workplace Policy on the [Community website](#) for additional information. For additional information regarding NLU's Drug and Alcohol Prevention Program, including impacts of abuse and educational guidelines, please refer to the Drug and Alcohol Prevention program document posted on the Community website.

Education and information about the dangers of drug abuse in the workplace and on University property will be disseminated to every new employee, distributed annually at a minimum through University email, posted electronically and on bulletin boards to all staff and faculty and coordinated service offerings/counseling with our employee assistance provider.

Common Questions about the Drug and Alcohol Free Workplace Act

Q: What grants and contracts are covered under the Act?

A: With minor exceptions, all grants, regardless of dollar amount, are subject to the requirements of the Act. The term “grant” is defined to include a cooperative agreement. Contracts are subject to the Act only if (a) they have value of \$25,000 or more or (b) they constitute procurement contracts (including purchase orders) awarded pursuant to provisions of the Federal Acquisition Regulations (FAR). Grants and contracts are not covered if they are to be performed entirely outside of the territorial limits of the United States.

Q: Under what circumstances will an existing contract become subject to the requirements of the Act?

A: Grants and contracts awarded prior to March 18, 1989, are not subject to the requirements of the Act; recipients will not be required to produce a drug-free workplace certification in order to continue receiving payments under an existing grant or contract. If a grant application or contract proposal is not submitted prior to that date, then the award winner will be required to produce a drug-free workplace certification before the actual reward. If a grant or contract awarded prior to March 18, 1989, is renegotiated or significantly modified after that date, certification will be required at that time.

Q: Are subcontractors and sub grants within the scope of coverage for an employer?

A: Generally speaking, subcontractors and sub grants are not within the scope of coverage of the Act.

Q: Do either the Drug-Free Workplace Act or its implementing regulations published on January 31, 1989, require contractors or grantees to conduct drug tests of employees?

A: No, but the DOD rule might (see next question).

Q: What is the status of the September 28, 1988, Department of Defense interim rule detailing drug-free workplace requirements on a select group of contractors?

A: The DOD rule became effective October 31, 1988. It applies to selected Defense contractors and their employees in sensitive positions. Contractors covered by the DOD rule most likely are also covered by the Drug-Free Workplace Act and implementing regulations. If your institution administers Defense contracts, you should pay careful attention to the DOD rule which, under certain limited circumstances, mandates employee drug testing.

- Q: Are alcohol or tobacco products considered drugs within the meaning of “controlled substances” according to the Drug-Free Workplace Act or DOD rule?
- A: No. However, virtually every controlled substance from the worst street drugs to mild prescription drugs is included.
- Q: Are all employees of an institution covered under the Drug-Free Workplace Act or only those actually performing a federally sponsored contract or grant?
- A: It depends. The Act literally applies only to employees “directly engaged in the performance of work pursuant to the provisions of the grant or contract.” If a grant to contract is awarded directly to a department, division or unit of a college or university, then only the employees of that subdivision are technically covered. In practice however, it is often difficult to segregate employees performing federally supported work, and most of the institutions have already adopted drug-free workplace policies have elected to include all employees.
- Q: Are Pell Grants covered under the Drug-Free Workplace Act?
- A: Neither the Act nor the implementing regulations have addressed this grant program specifically. We have been advised informally by the United States Department of Education that individuals who apply for Pell Grants will be required to complete a drug-free certification prior to receipt of the award.
- Q: If an institution employee goes home and uses unlawful drugs, is the institution responsible under the Drug-Free Workplace Act for the employee's actions away from the job site?
- A: The law prohibits the unlawful manufacture, distribution, possession and use of unlawful drugs in the workplace. Employers are not responsible for the conduct of their employees outside of the workplace.