



# SAINT LOUIS UNIVERSITY

*2022 DRUG FREE SCHOOLS and Communities Act Notice to Employees*

## **UNIVERSITY DRUG AND ALCOHOL ABUSE PREVENTION POLICY**

Saint Louis University is committed to maintaining a safe, healthful, and efficient environment which enhances the welfare of our employees, students, patients, and visitors. It is the policy of the University to maintain an environment which is free of impairment from substance abuse by any of its employees.

Early recognition and treatment of drug or alcohol abuse are important for successful rehabilitation, for economic return to the University, and for reduced personal, family, and social disruption. Saint Louis University will attempt to assist employees in overcoming drug or alcohol abuse. However, the decision to seek diagnosis and accept treatment for drug or alcohol abuse is the individual employee's responsibility.

The University encourages employees to seek assistance in dealing with a substance abuse problem, or those problems of a family member, by contacting the available counseling and treatment programs listed in this policy, his/her supervisor, or human resources. No employee will be terminated solely because of seeking counseling and rehabilitation.

In accordance with the Drug Free Workplace Act and Drug Free Schools and Communities Act, Saint Louis University prohibits the unlawful manufacture, distribution, dispensation, possession, sale or use of illicit drugs or alcohol in the workplace, on University premises, or as part of University activities. Additionally, the University maintains a policy for substance abuse testing that prohibits applicants or employees from testing positive for the presence of illicit drugs or alcohol in their system at specified levels. All employees are expected to abide by these standards of conduct as a condition of employment. For purposes of this policy, unlawful conduct involving illicit drugs or alcohol is governed by the laws in effect where the employee is working.

Saint Louis University maintains programs and operation in Missouri, Illinois and Madrid, Spain. The legal drinking age in Missouri and Illinois is 21. Knowingly furnishing alcohol to a person under the age of 21 is also prohibited by state law. The legal drinking age in Madrid, Spain is 18. Employees who are of legal drinking age are expected to consume alcohol in a mature and responsible manner while on University premises or attending University activities. The University prohibits the consumption of alcohol by any employee when the consumption adversely affects job performance and/or endangers the physical well-being of any person.

Employees violating standards of conduct in this policy will be disciplined up to and including, discharge in a manner which is consistent with the procedures governing discipline and discharge of staff and faculty and any applicable local, state, or federal laws. Employees may be referred to the University's Employee Assistance Program or other suitable counseling/treatment resources for evaluation and treatment in these instances. When warranted, disciplinary sanctions may include requiring an employee to successfully complete such a program. Employees who undergo counseling and treatment for drug or

alcohol abuse must meet all standards of conduct and job performance. Persons who violate this policy may be referred to law enforcement authorities for arrest and prosecution.

To comply with the Drug Free Workplace Act, Saint Louis University requires all employees to notify the University of any criminal drug statute conviction involving a violation occurring in the workplace no later than five days after such a conviction. The University will notify the appropriate federal contracting agency within 10 days after receiving notice of a conviction of any employee working under a federal contract or grant.

SCOPE: This policy applies to all faculty and staff employed by Saint Louis University including, but not limited to, employees working at the St. Louis campus, Saint Louis University Madrid campus, and all other locations owned or used by the University in connection with its programs and activities. This policy also applies to all employees of contractors and sub-contractors, visitors, patients, and guests while they are on University premises or present at University activities.

## AUTHORIZED USE OF PRESCRIBED MEDICINE

Employees undergoing prescribed medical treatment with any drug which interferes with their work activity must report this treatment to their supervisor. Prescribed medicine should be kept in its original container, which identifies the drug, date of prescription, and prescribing doctor.

The manufacture possession, sale, distribution, and use of controlled substances are prohibited by federal, state, and local law; punishments range from fines to life imprisonment. Criminal sanctions for violation of laws related to unlawful possession and distribution of illicit drugs and alcohol are provided below.

### Missouri Law

**Drugs:** Missouri Revised Statutes Chapter 579 makes it unlawful for any person to distribute, deliver, manufacture, produce or attempt to distribute, deliver, manufacture, or produce a controlled substance or to possess with intent to distribute, deliver, manufacture, or produce a controlled substance. Any person who violates or attempts to violate this section with respect to any controlled substance except 35 grams or less of marijuana is guilty of a class D felony. Additionally, it is a class A felony to distribute or deliver a controlled substance on or near University property. Persons convicted of this offense can be sentenced to imprisonment for not less than 10 years. Conviction for possession of illicit drugs may result in up to 7 years of imprisonment and a maximum fine of \$10,000, unless the offense involves more than 10 grams but less than 35 grams of marijuana, which entails up to 1 year in prison and a fine of \$2,000. Anyone who violates this law with respect to distributing or delivering 35 grams of marijuana may be guilty of a Class E felony.

**Alcohol:** Missouri's Liquor Control Law makes it illegal, among other things, for a person under the age of 21 years to purchase, attempt to purchase, or possess any intoxicating liquor (Mo. REV.STAT. 311.325). Violation of this provision can result in a fine between \$50 and \$2000 and/or imprisonment for a maximum term of one year. County and municipality ordinances contain similar prohibitions and sanctions.

### Illinois Law

**Drugs:** The Illinois Controlled Substances Act (720 ILCS 570/201) makes possession of a controlled substance a felony criminal offense under Illinois law. Generally, possession convictions result in a Class 4 felony with a sentence of 1-3 years in prison or a fine of \$25,000.

Conviction for possession of illicit drugs results in a Class 1 felony with 6 to 30 years' imprisonment and a fine up to \$200,000, unless the offense involves a smaller amount (100 grams or less) of certain drugs, which elicits 4 to 15 years in prison or a fine of \$25,000.

The Illinois Drug Paraphernalia Act (720 ILCS 600/2) makes it a Class A misdemeanor to knowingly possess drug paraphernalia. The law does not distinguish between the types of drug paraphernalia used except for methamphetamine manufacturing materials. The penalties for possessing a pipe to smoke marijuana are the same as a needle to shoot heroin, even though heroin is regarded as a more dangerous drug.

**Alcohol:** It is against Illinois law to sell or distribute alcoholic beverages to persons under 21 years of age or to anyone who is intoxicated. Violation is a Class Aa minimum fine of \$500. Persons under 21 who possess alcoholic beverages on the street or in a public area may be subject to a Class A misdemeanor.

**Federal Law:** The Federal Controlled Substances Act prohibits the knowing, intentional, and unauthorized manufacture, distribution, or dispensing of any controlled substance or the possession of any controlled substance with intent to manufacture, distribute, or dispense. Drugs: A detailed description of the penalties associated with illegal drug trafficking is provided in the chart, Federal Trafficking Penalties, published by the U.S. Department of Justice's Drug Enforcement Administration as found in Appendix A.

**Alcohol:** As a Catholic, Jesuit educational institution, Saint Louis University expects its employees to develop a well-reasoned philosophy on the use of alcoholic beverages. The University is obligated to respect the civil law and its attempt to protect the rights of others which are threatened by illegal or immoderate drinking on University premises or at University activities.

### **Madrid Campus**

Saint Louis University employees assigned to work at the Madrid Campus are reminded they may be subject to arrest and legal sanctions for drug and alcohol offenses under Spanish laws and regulations.

The Missouri Workers' Compensation Act requires the forfeiture of benefits or compensation otherwise payable to an employee when the use of alcohol or illicit drugs is the proximate cause of the employee's injury. At a minimum, the Act provides for a reduction in compensation or death benefit when the employee is injured while using alcohol or illicit drugs. Employees who have been involved in a work-related accident will be asked to take drug and alcohol testing.

## **EMPLOYEE ASSISTANCE PROGRAM**

Saint Louis University is concerned with the well-being of its staff members and their families and is aware that personal problems can influence job performance. Staff members, their family members or any member of the staff member's household are encouraged to contact the Employee Assistance Program (EAP). The EAP provides employees and their families access to professional licensed counselors on a confidential and cost-free basis. Confidential professional counseling is provided through ComPsych at no personal cost for staff and their families who are coping with a personal or family crisis.

Call (800)859-9319 to make an appointment or visit: [www.guidanceresources.com](http://www.guidanceresources.com) for more information.

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There are numerous, serious health risks associated with the use of illicit drugs and alcohol. Substance abuse, when left untreated, may lead to damaged vital organs such as the liver, brain, and kidneys. Other problems normally associated with substance abuse include nausea, vomiting, loss of memory, slurred speech, blurred vision, and violent acts of aggression. These effects often can lead to poor job performance, loss of jobs, arrests, arguments with family and friends, and serious accidents.

A detailed description of the health risks associated with abuse of controlled substances is provided in the chart below, Commonly Abused Drugs, published by the National Institute on Drug Abuse.

<b>FEDERAL TRAFFICKING PENALTIES</b>				
DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500-4999 grams mixture	<b>First Offense:</b> Not less than 5 years, and not more than 40 years. If death or serious injury, not less than 20 or more than life. Fine of not more than	5 kilograms or more mixture	<b>First Offense:</b> Not less than 10 years, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
Cocaine (Schedule II)	28-27 grams mixture		280 grams or mixture	

Fentanyl (Schedule II)	40-399 grams mixture	<p>\$5 million if an individual, \$25 million if not an individual.</p> <p><b>Second Offense:</b> Not less than 10 years and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.</p>	400 grams or mixture	<p><b>Second Offense:</b> Not less than 20 years, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an Individual, \$75 million if not an individual.</p> <p><b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.</p>
Fentanyl Analogue (Schedule I)	10-99 grams mixture		100 grams or mixture	
Heroin (Schedule I)	100 - 999 grams mixture		1 kilogram or more mixture	
LSD (Schedule I)	1-9 grams mixture		10 grams or mixture	
Methamphetamine (Schedule I)	5-49 pure or 50-499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule I)	10 - 99 grams pure or 100 - 999 grams mixture		100 grams or more pure or 1 kilogram or more mixture	
DRUG/SCHEDULE	QUANTITY	PENALTIES		
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric	Any amount	<p><b>First Offense:</b> Not more than 20 years. If death or serious injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2million if an individual, \$10million if not an individual.</p>		
Flunitrazepam (Schedule IV)	1 gram	<p><b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 years or more than life. Fine\$500,000 if an individual, \$2.5 million if not an individual. <b>Second Offense:</b> Not more than 20 years. If death or serious bodily injury, not more than 30 years. Fine \$1million if an individual, \$5million if not an individual.</p> <p><b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p> <p><b>Second Offense:</b> Not more than 10 years. Fine not more than \$500,000 if an individual, \$2 million if not an individual.</p>		
Other Schedule III drugs	Any amount	<p><b>First Offense:</b> Not more than 5 years. Fine not more than \$250,000 if an individual, \$1 million if not an individual.</p>		
All other Schedule IV drugs	Any amount	<p><b>First Offense:</b> Not more than 1 year. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<p><b>First Offense:</b> Not more than 1 year. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		
All Schedule V drugs	Any amount	<p><b>First Offense:</b> Not more than 1 year. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.</p>		

## FEDERAL TRAFFICKING PENALTIES - Continued

DRUG	QUANTITY	1 <sup>ST</sup> OFFENSE	2 <sup>ND</sup> OFFENSE *
Marijuana (Schedule 1)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants.	Not less than 10 years or more than life. If death or serious bodily injury, not less than 20 years, or more than life. Fine not more	Not less than 20 years or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an

		than \$10 million if an individual, \$50 million if other than an individual.	individual, \$75 million if other than an individual.
Marijuana (Schedule 1)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants.	Not less than 5 years or more than 40 years. If death or serious bodily injury, not less than 20 years or more than life. Fine not more than \$5 million if other than an individual, \$25 million if other than an individual.	Not less than 10 years or more than life. If death or serious bodily injury, life imprisonment. Fine not more \$20 million if an individual \$75 million if other than an individual.
Marijuana (Schedule 1)	More than 10 kg. hashish; 50 to 99 kg marijuana mixture.  More than 1kg of hashish oil, 50 to 99 plants.	Not less than 20 years. If death or serious bodily injury, not less than 20 years or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not less than 30 years. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule 1)	Less than 50 kg marijuana (but does not include 50 or more marijuana plants regardless of weight);  1 to 49 individual marijuana plants.	Not more than 5 years. Fine not more than \$250,000, \$1 million if other than an individual	Not more than 10 years. Fine \$500,000 if an individual, \$2 million if other than an individual
Hashish (Schedule 1)	10 kg or less		
Hashish Oil (Schedule 1)	1 kg or less		

\* The minimum sentence for a violation after two or more prior convictions for a felony drug offense is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual