

December 1, 2022

Dear Faculty and Staff Colleagues:

**Drug-Free Workplace Notice:**

The University of Alabama in Huntsville is committed to providing a drug-free environment for its faculty, staff, and students. As a part of that commitment, the University annually informs its employees and students about federal, state, and local laws relating to unlawful possession and use of drugs and alcohol, pertinent institutional policies, health risks associated with alcohol abuse and illegal drug use, and treatment services available. This information is also provided annually pursuant to the University's obligations under the federal Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

Current University policy prohibits the unlawful possession, use, or sale of alcoholic beverages, controlled drugs not prescribed by a physician, and illegal drugs/substances by students and employees anywhere on University property. As a recognized exception to this general policy, alcohol may be consumed under certain circumstances in the Tom Beville Center, in connection with special events at which the use of alcohol beverages is approved by the President, and in a student's residence in University Housing as long as the student is twenty-one years of age and no underage person(s) are present in the room. Any violation of federal, state, or local drug or alcohol laws, including those pertaining to underage drinking, is also contrary to institutional policy and will subject the offender to arrest and prosecution and to disciplinary action consistent with applicable University procedures. For students, such discipline may include probation, suspension, and expulsion. For employees, disciplinary action may include dismissal, as well as lesser sanctions. Additionally, an employee or student may be referred for prosecution under applicable local, state, or federal laws.

Under Alabama law, the possession, purchase, consumption, or transportation of alcoholic beverages by a person under twenty-one years of age is punishable by a fine of up to \$100 and by up to thirty days in jail (Ala. Code § 28-1-5). Also, for a first offense, unlawful possession of a controlled substance (that is, an illegal drug) may be punished by imprisonment up to five years and imposition of a \$7,500 fine, and unlawful distribution of controlled substances is punishable by imprisonment up to twenty years and a \$30,000 fine (Ala. Code §§ 13A-12-211, 212; 13A-5-6, 11). Subsequent offenses may result in more stringent punishment (Ala. Code § 13A-5-9). Possession and distribution of marijuana are subject to separate statutory penalties.

Under federal law, for a first offense, unlawful simple possession of a controlled substance (including marijuana) is punishable by a fine up to \$10,000 and up to one-year imprisonment (21 U.S.C. § 844a). Unlawful distribution, with the exception of distribution of a small amount of marijuana for no remuneration, of a controlled substance (including marijuana) may result in fines of up to \$10 million and up to life imprisonment, depending on the circumstances and the quantity and type of controlled substance distributed, with greater penalties for subsequent offenses (21 U.S.C. § 841, Prohibited acts A). For a more complete summary of federal laws and penalties for illegal drug use, see <https://www.dea.gov/drug-information>.

Employees are reminded that, as a condition of their employment, they are obligated to notify the UAH Office of Human Resources of any criminal drug related conviction occurring on University property, no later than five days after such conviction. Further, due to the high safety and/or security nature of some work, designated employees hold positions which require the reporting of and/or abstention from legal drugs. Such employees are notified in writing that if they hold such a position, they must remain compliant as a condition of employment, and must notify Human Resources immediately of any occurrence of noncompliance.

Alcohol consumption causes a number of marked changes in behavior. Even low quantities consumed can significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Consumption of low to moderate amounts of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse. Drinking moderate to high quantities of alcohol causes marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Consumption of very high quantities causes respiratory depression and death. If combined with other depressants of the central nervous system, much lower amounts of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Mothers who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and intellectual disability. In addition, research indicates that children of alcoholic parents are at greater risk than other youngsters of becoming alcoholics.

The chart included with this memorandum describes some of the possible health risks associated with the use of controlled substances. Cocaine use has been connected to kidney damage, stroke, lung and heart diseases, seizures, and intense psychological problems. Many forms of narcotics are highly addictive to users. Marijuana use creates certain dysfunctions related to thinking, learning, and recall; aggravates asthma, bronchitis, and emphysema; contributes to fertility problems; and contributes to the development of lung cancer.

Non-prescribed, abusive use of drugs can have an adverse effect on overall health and well-being. Extended drug and/or alcohol use may result in substance dependence

and loss of control of an individual's life. Drug and alcohol abuse is detrimental to your health, studies, and career.

Employees are expected to utilize good judgment and discretion when partaking of alcohol and legal drugs in general, especially prior to reporting to work, driving on campus, and operating University equipment. If you have a problem with drug or alcohol abuse, you are encouraged to seek help. There are a variety of education and treatment programs available in the Huntsville community. The University's Employee Assistance Program (EAP) is also available as a resource for our employees and their family members. For further information about their services, please call toll free in Alabama 800-925-5327.

**Whistleblower Policy Notice:**

If you are a UAH employee and you are working on any federal grant or contract, then you are subject to the whistleblower rights and remedies in the federal "Pilot Program for Enhancement of Contractor Employee Whistleblower Protections." You may not be discharged, demoted, or otherwise discriminated against as a reprisal for "whistleblowing." Whistleblowing is defined as making a disclosure that the employee reasonably believes is evidence of any of the following: gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety; or a violation of law, rule, or regulation related to a federal contract or grant (including the competition for, or negotiation of, a contract or grant). To qualify under the statute, the employee's disclosure must be made to: a Member of Congress or a representative of a Congressional committee, an Inspector General, the Government Accountability Office, a federal employee responsible for contract or grant oversight or management at the relevant agency, an official from the Department of Justice or other law enforcement agency, a court or grand jury, or a management official or other employee of UAH who has the responsibility to investigate, discover, or address misconduct.

Sincerely,



Charles L. Karr  
President

Attachment