Introduction

To ensure broad communication, certain key University policies are published on an annual basis in a special policy section of the Record. These policies are also available in a number of other places, including the human resources website at http://hr.wustl.edu/. All members of the University community are essential to the continued endeavor for excellence in the teaching, research, service and patient-care missions. Establishing and sustaining an open, positive working and learning environment for faculty, staff and students is a shared responsibility. These key policies are intended to promote and support such an environment. Please become familiar with the content of each of these policies and the resources available to you.

Washington University is committed to the maximum use of all human resources and the goal of equal opportunity. Every effort shall be made to ensure that all employment decisions, University programs and personnel actions are administered in conformance with federal and state laws and equal opportunity principles.

I want to take this opportunity to reaffirm the University’s commitment to equal opportunity in all aspects of our daily operations, including recruitment, hiring, training and promotion in all jobs without regard to race, color, age, religion, gender, sexual orientation, gender identity or expression, national origin, veteran status, disability or genetic information. Should you have questions regarding any of these policies, please feel free to contact Human Resources.

Legislative Chandler
Vice Chancellor for Human Resources

Drug and Alcohol Policy

Introduction and Policy Statement

Washington University is committed to maintaining a safe and healthful environment for members of the University community by promoting a drug-free environment as well as a campus free of the use of alcohol. Violations of this policy will be handled according to existing policies and procedures concerning the conduct of faculty, staff and students. This policy is adopted in accordance with the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act.

Standards of Conduct

Washington University strictly prohibits the unlawful drug and alcohol use, possession, distribution, dispensation, possession or use of controlled substances or alcohol on University property or as part of any University activity. All faculty, staff and students must comply with this policy as a condition of their employment or enrollment. Faculty and staff members are prohibited from reporting to work under the influence of alcohol or illegal drugs, including legally obtained prescription medications, which impair one’s ability to perform normal work activities. All faculty and staff members must notify their immediate supervisor(s) within five (5) days of any criminal drug statute conviction for a violation occurring in the workplace or in the conduct of University business.

Violations

Violations of the standards of conduct will be dealt with on a case-by-case basis following the policies and procedures applicable to, at appropriate, faculty, staff or students. Sanctions may include, among other things, reprimand, warning, suspension, probation, revocation of on-campus housing, driving a university-owned vehicle.

Early recognition and treatment of drug or alcohol abuse are important for successful rehabilitation, and for reduced personal, family, and social disruption. Washington University encourages the earliest possible diagnosis and treatment for drug and alcohol abuse, however, the decision to seek diagnosis and accept treatment for drug or alcohol abuse is the responsibility of the individual. The University encourages faculty, staff and students to seek assistance in dealing with a substance abuse problem, or those problems of a family member, by contacting available resources. University resources include Student Health Services (Danforth Campus, 314-935-6666), and the Employee Health (314-362-7333), and the Psychological Services Center (314-935-6555), the Department of Psychiatry (314-362-7002), and the Employee Assistance Program (444-365-4907 – toll-free).

Numerous non-University counseling programs exist in the St. Louis metropolitan area. Consultation with on-site professional helps to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses 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 restlessness, 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 heart.

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

Legal Sanctions

Drugs: 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.

Section 195.214 of the Missouri statutes makes it a class A felony to distribute or deliver controlled substances on or near University property. Possession of controlled substances or drug paraphernalia with the intent to manufacture, distribute, or dispense is a class B felony. 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 B (PDF).

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 (Section 6301.560). Forfeiture of benefits or compensation otherwise payable to an employee when the use of alcohol or non-prescribed controlled drugs is the proximate cause of the employee’s injury. At a minimum, the Act provides for a reduction in benefits or compensation when the employee is injured while using alcohol or non-prescribed controlled drugs.

Testing Requirement for Commercial Drivers Licenses (CDLs)

To meet requirements of the U.S. Department of Transportation (DOT), the University has established a drug and alcohol testing program for its employees who are drivers of its commercial motor vehicles requiring commercial drivers licenses (CDLs), and who perform safety-sensitive functions, e.g., operate a vehicle requiring the display of hazardous material placards. This drug and alcohol testing program also applies to applicants selected for hire who operate a designated safety-sensitive position. Participation in the drug and alcohol testing program is a condition of employment for these positions.

This program requires pre-employment drug testing as well as DOT mandated random testing of current employees who are required to have CDLs.

Loss of Workers’ Compensation Benefits

The Missouri Workers’ Compensation Act requires the forfeiture of benefits or compensation otherwise payable to an employee when the use of alcohol or non-prescribed controlled drugs is the proximate cause of the employee’s injury. At a minimum, the Act provides for a reduction in benefits or compensation when the employee is injured while using alcohol or non-prescribed controlled drugs.

Accidents Involving University-Owned Vehicles

The university reserves the right to require that an employee undergo immediate drug and/or alcohol testing if the employee is involved in a traffic accident while driving a university-owned vehicle.

Inspections

When the university has reasonable grounds to suspect that an employee unlawfully manufactured, distributed, possessed or used controlled substances, alcohol or drug paraphernalia on university property or at any of its activities, the university reserves the right to inspect the employee’s living quarters or workplace, or any property under the control of the employee.
Washington University Policies

Discrimination and Harassment

Policy Statement
Washington University is committed to having a posi- tive learning and working environment for its stu- dents, faculty, and staff. This policy prohibits discrimi- nation and harassment on the basis of race, color, national origin, age, religion, sex, sexual orientation, gender identity or expression, veteran status, disabili- ty or genetic information. Such conduct may also violate federal, state or local law.

What is Discrimination?
Discrimination is generally defined as a materially adverse action affecting the terms and conditions of employment or academic status that is taken because of an individual's race, color, national origin, age, religion, sex, sexual orientation, gender identity or expression, veteran status, disability or genetic infor- mation.

What is Harassment?
Harassment is a form of discrimination. It is gener- ally defined as unwelcome conduct, on or off cam- pus, that is based on race, color, national origin, age, religion, sex, sexual orientation, gender identity or expression, veteran status, disability or genetic infor- mation, (1) that is subjectively and objectively offen- sive, (2) has the purpose or effect of unreasonably interfering with an individual's work or academic performance and creating an abusive, hostile or intimidating environ- ment for work or learning. Whether particular con- duct constitutes harassment often depends on the totality of the circumstances.

Sexual harassment is a form of discrimination based on sex. It may include unwelcome sexual advances or other nonconsensual conduct of a sexual nature, when

(1) submission or rejection of such con- duct is used as a basis or threatened basis for evalu- ation, grades, or advancement, or

(2) such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance and creat- ing an abusive, hostile or intimidating work or academic environment. Sexual violence is a form of sexual harassment and includes physical sexual acts perpetrated against a per- son's will or when, due to a person's use of drugs and/or alcohol, cognitive impairment or other disability, it would be apparent to a reasonable observer that the person is inca- pable of giving consent.

Harassment can be written, oral, visual or physical. Some conduct obviously constitutes harassment, such as comments or behavior that are derogatory or inflammatory and submission to a sexual advance. But whether particu- lar conduct constitutes harassment will often depend on the individual facts, including the participants' reasonable understanding of the sit- uation, their past dealings with each other, the nature and performance and want to discuss the matter in a more serious offense under the University's Sexual Violence, as well as some complaints that include allega- tions of sexual harassment or refer them to other University offi- cials for such response.

Confidentiality
The University will strive to protect, to the greatest extent possible, the confidentiality of persons report- ing discrimination and harassment and those accused of such conduct. However, the University cannot guarantee complete confidentiality where it would conflict with the University's obligation to investigate meaningfully or take corrective action. Even when some dis- closure to the University's student or to the University's employees, it will be limited to the extent possible. The University will, to the extent permitted by law, keep confidential all records of complaints and proceedings. The University resists the right, independent of or in conjunction with other complaint or reporting processes, to take inter- est in remedial measures appropriate to the situation, in accordance with applicable University policies. Examples include, but are not limited to, altering of reporting structures or job duties, temporary suspens- sion, no-contact orders, temporary housing or course/ classroom assignment changes, medical and counseling services, restrictions of campus activities, or other aca- demic support services and accommodations.

Disciplinary and Remedial Actions
Potential disciplinary and remedial consequences for vio- lation of this Policy include but are not limited to the following:

- an apology to the victim
- required counseling or training
- oral or written reprimand
- loss of salary or benefit, such as sabbatical or research or travel funding
- fine
- transfer or change of job, class or resident assign- ment
- suspension, probation, demotion, termination, dis- missal or expulsion

For student offenders, any of the other sanctions set forth in the University Judicial Code may also be invoked.

Retaliation and Protection of Rights
The University will not tolerate retaliation against per- son who report discrimination or harassment or those who testify, assist or participate in any investiga- tion, proceeding or hearing involving a complaint of dis- crimination or harassment. In this context, retaliation means behavior engaged in because of a person's partici- pation in the reporting or investigation of an allegation of discrimination or harassment that adversely affects that person's terms or conditions of employment or edu- cation. Any such retaliation – or any encouragement of another to retaliate – is a violation of this Policy, regard- less of whether the particular claim of discrimination or harassment is substantiated. If you believe you have been subjected to such retaliation, you may use the procedures described above to seek redress.

The University seeks to protect the rights of all persons, assuming and accused, to fair procedures. Actions of discrimination or harassment may have injurious or far-reaching effects on the careers and lives of accused and individuals. Allegations of discrimination or harassment must be made in good faith and not out of malice. Knowingly making a false or frivolous allegation of dis- crimination or harassment, whether in a formal or infor- mal context, will be treated as a serious offense under this Policy. If you have a reasonable basis to believe that a complaint of discrimination or harassment was not made in good faith, you may use the procedures of this Policy to seek redress.

Obligations of Vigilance and Reporting
The University can respond to specific instances and allegations of discrimination and harassment only if it is aware of them. The University therefore encourages any- one who believes that he or she has experienced discrimi- nation or harassment to promptly come forward with inquiries, reports or complaints and to seek assistance from the University. In addition, any University employ- ees who become aware of an event of discrimination or harassment or by or against a person under his or her supervisory authority, and any faculty mem- bers or students who become aware of instances or allegations of dis- crimination or harassment against a student, must report it to those charged with responding to such reports, such as a Coordinator, department head, director, or similar administrator. It shall be the responsibility of those individuals to respond to reports of discrimination and harassment or refer them to other University offi- cials for such response.
Any department head, director, or other similar admin-
istrator who becomes aware of information indicating a significant likelihood of discrimination or harassment must report such information to the Coordinator. These administrators must respond not only when they receive a specific complaint or report alleging improper activ-
ity, but also when such matters come to their attention informally. Unconfirmed or disputed allegations should
be clearly labeled as such and reports should indicate any
steps already taken to investigate or otherwise respond.
Administrators may wish to consult with a Coordinator prior
to investigating or otherwise responding to any situ-
ation involving alleged discrimination or harassment.

Education
Education is the best way to prevent discrimination and
harassment. Please contact the Coordinator to find out
more about available training programs and for informa-
tion and guidance on how to handle issues involving dis-
crimination and harassment.

Other Policies and Procedures
This Policy and its associated procedures supersede any
existing University, school, departmental or other policies and
procedures concerning prohibited discrimination and harassment.

Washington University Code of Conduct

Statement of General Principles
This code applies to the following members of the
Washington University community: (a) individuals who
are paid by Washington University when they are work-
ing for the University—this category includes faculty and
staff; (b) consultants, vendors, and contractors when they
are doing business with the University; and (c) individu-
als who perform services for the University as volunteers.
The Code of Conduct refers to all these persons collective-
ly as “members of the University community” or “commu-
nity members.”

Integrity and Ethical Conduct
Washington University is committed to the highest ethical
and professional standards of conduct as an integral part
of its mission, the promotion of learning. To achieve this
goal, the University relies on each community member’s ethical behavior, honesty, integrity, and good judgment. Each
community member should demonstrate respect for
the rights of others. Each community member is account-
able for their actions.

This Code of Conduct describes standards to guide us in
our daily University activities, standards we believe are
already being followed.

Compliance with Laws and University
Policies
The University and each community member must trans-
act University business in compliance with all laws, regu-
lations, and University policies related to their positions
and areas of responsibility. Managers and supervisors are
responsible for teaching and monitoring compliance in their
areas.

Procedures for Reporting Violations or
Concerns
The University’s compliance effort focuses mainly on
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