

11.2 DRUG AND ALCOHOL POLICY

The University recognizes that alcohol, illegal drug and controlled substance abuse in the workplace has become a major concern. The University believes that prohibiting the use or influence of alcohol, illegal drugs and controlled substances in the workplace will improve the safety, health and productivity of our employees. The objective of the University's policy is to provide and maintain a safe and healthy workplace for all employees and to protect the students of the University.

Accordingly, the improper use, abuse, possession, distribution, manufacture, dispensation, purchase, transfer or sale of alcohol, controlled substances or illegal drugs by employees when on work time, on duty, on University premises or in other circumstances where an employee could adversely affect the University's reputation is prohibited. Employees must not report for duty, be on University premises or represent the University while under the influence of alcohol, illegal drugs or controlled substances.

On occasions where alcoholic beverages are served in conjunction with certain business or social events related to University business, employees should drink moderately and must be fit to perform their duties and other responsibilities in a safe and efficient manner. In addition, those who sponsor events where alcohol will be served may not advertise that alcohol will be present at the event.

An employee's use of a prescription or over-the-counter medicine can pose a significant risk to the safety of the employee and of others. Employees must report the use of medically authorized drugs or other substances that may impair job performance to their immediate supervisor and may be required to provide properly written medical authorization from a physician to work while using such authorized drug. It is the employee's responsibility to determine from the physician whether or not the prescribed drug would impair his/her job performance.

The University reserves the right to conduct employee drug and alcohol testing. The University has adopted a policy of reasonable suspicion drug and/or alcohol testing.

Reasonable Suspicion Testing. Employee drug and/or alcohol testing may be conducted whenever the University has a reasonable suspicion that an employee or a group of employees is under the influence of alcohol, illegal drugs or controlled substances.

Consent, Cooperation and Consequences. Individuals taking a drug and/or alcohol test must sign a consent form for the test that allows release of the test results to the University. Any employee who refuses to consent to drug and/or alcohol testing, tampers with a sample, tests positive or otherwise violates this policy may be placed on leave with or without pay until an appropriate disciplinary action is determined, which may be up to and including termination.

Inspections, Searches and Investigations. The University also reserves the right to inspect and search all University property for alcohol, controlled substances or illegal drugs or related paraphernalia.

Rehabilitation. The University attempts to provide employees the opportunity to deal with drug and alcohol related problems. Any employee who voluntarily requests assistance in dealing with a drug and/or alcohol problem is urged to seek professional counseling for an assessment and, if appropriate, to enter a treatment program. Generally, employees who self-refer to such programs before work performance problems arise will not be disciplined. Professional counseling and treatment programs for drug and/or alcohol problems may be available through University-provided health insurance. Any cost not covered by health insurance is

the employee's responsibility. Generally, discontinuation of any involvement with drugs and/or alcohol is an essential requisite for participation in any treatment program.

As a result of disciplinary action arising from a drug and/or alcohol problem or as a condition of continued employment, an employee may be required to participate in a drug and/or alcohol treatment program. An employee who is so required will first be evaluated for drug and/or alcohol use by an accredited professional. An employee may be required to participate in follow-up care as part of a comprehensive drug and/or alcohol treatment program. Depending upon the nature of the conduct that led to the employee's mandated participation in a drug and/or alcohol treatment program, the employee may be required to submit to random blood and urine screening for drugs and/or alcohol for a specified period of time and to meet various performance standards that are imposed as a condition of continuing employment.

The University reserves the right to determine whether reasonable suspicion exists, the level of discipline to be applied and whether an employee should be given the opportunity to participate in a drug and/or alcohol treatment program.

Definitions. For the purposes of this policy, the following definition of terms is provided:

A. Alcohol: Means ethyl alcohol (ethanol). References to use or possession of alcohol include use or possession of any beverage, mixture or preparation containing alcohol.

B. Controlled substances: Means any substance (other than alcohol but including prescription medicine) that has known mind or function- altering effects that may impair or affect the ability to perform work, the access to which is controlled by law.

C. Illegal drugs: Any form of drug, narcotic, hallucinogen, depressant, stimulant, cannabis or other substance capable of creating or maintaining impairment or otherwise affecting one's physical, emotional or mental state; the sale, purchase, transfer, use or possession of which is prohibited by law.

D. Employee: Any individual who performs work for the University is subject to the provisions of these guidelines.

E. University premises: University premises includes all University property, facilities, parking lots, garages, workplaces, storage structures and University-owned vehicles and equipment.

F. Under the influence: A detectable level of alcohol, illegal drugs or controlled substances in an employee's blood or urine reported by the laboratory, or use of alcohol, illegal drugs or controlled substances that results in any noticeable or perceptible impairment of the employee's mental or physical faculties or job performance.

G. Reasonable suspicion: An observation or observations of an employee's condition or performance that indicates controlled substance, illegal drug or alcohol use that may impair an employee's faculties. Examples include altered work performance, appearance (including, for example, noticeable odor of an alcoholic beverage or marijuana), behavior or speech or involvement in or relation to an accident or incident or a "near miss" while in the course and scope of employment that results in or has the potential to result in physical injury or property damage.

Any questions about this policy should be referred to the Human Resources Office.