



## Administrative Policies and Procedures

| Procedure Number | Subject                | Effective Date | Revised Date |
|------------------|------------------------|----------------|--------------|
| HR-1.4.24        | Substance Abuse Policy | 07/01/07       |              |

### 1.0 Purpose

Persons who are impaired by substance abuse endanger patients, themselves, and their fellow workers. By prohibiting substance abuse, and by establishing a program to determine whether employees are engaged in substance abuse, this policy seeks to prevent its risks and ill effects. This policy replaces all existing policies concerning substance abuse and drug testing of employees.

### 2.0 Definitions

2.1. Substance abuse shall mean:

- a. The use or possession of any drug in a manner prohibited by law; and
- b. The use of alcohol or any legal drug or other substance in such a way that the users performance as a health care provider is impaired.

2.2. Impaired shall mean that a persons mental or physical capabilities are reduced below their normal levels (with or without any reasonable accommodation for a disability).

2.3. A positive drug test shall mean any drug test whose results indicate that the employee has committed substance abuse, according to the current NIDA standards and the definitions in this policy. No test results shall be reported as positive without a gas chromatography / mass spectrometry analysis.

2.4. A negative drug test shall mean any drug test whose results do not indicate a positive drug test.

2.5. Reasonable cause shall mean that evidence which forms a reasonable basis for concluding that it is more likely than not that a person has engaged in substance abuse. Facts which could give rise to reasonable cause include, but are not limited to:

- The odor of alcohol or drugs;
- Impaired behavior such as slurred speech and decreased motor coordination;
- Marked changes in personality or job performance; and
- Unexplained accidents.



### **3.0. Work Rules**

3.1. Substance abuse is prohibited. Any employee who engages in substance abuse at work or on campus may be discharged. Employees who engage in substance abuse off campus and not during working hours may be discharged if their substance abuse does affect, or is likely to affect, their ability to perform their official duties.

3.2. Employees who refuse to participate in a drug test required under this policy may be discharged.

3.3. In no event should employees perform their official duties while they are impaired.

3.4. If an employee is convicted (or given first offender treatment, or pleads nolo contendere) in any court for a crime which constitutes substance abuse, they must report this to their supervisor. Employees who fail to do so may be discharged.

### **4.0. Drug Testing Procedures**

4.1. The drug tests required by this policy shall be performed in accordance with the current procedures of the laboratory with which the State has contracted to perform drug testing. These procedures shall ensure that the sample identified to an employee actually contains materials from that employee, that the samples are protected from tampering, and that the analysis of them is done in accordance with reasonable and accepted medical standards.

4.2. The tests shall screen for the use of drugs whose use is either illegal, or which are prone to abuse, as determined at the discretion of the State contract laboratory. If the drug test is being performed pursuant to reasonable cause to believe that an employee is abusing a particular drug or substance, then the test shall also screen for that particular drug or substance.

4.3. The results of a classified employee's drug test shall be communicated by the laboratory to the Director of Human Resources, who shall notify the employee and the employee's supervisor of any positive drug test. The results of a faculty member's drug test shall be communicated by the laboratory to the Vice President of Academic Affairs, who shall communicate the results to the faculty member and their Department Chair.



4.4. The laboratory may bill the budget unit of the applicant or employee for the tests performed pursuant to this policy.

## **5.0. For Cause Drug Testing**

5.1. All employees shall undergo a drug screening test when reasonable cause exists to believe that they have committed substance abuse.

5.2. If any employee has reason to believe that an employee is engaged in substance abuse in violation of this policy, they should report this fact to the supervisor of the apparently abusing employee.

5.3. If a supervisor has reasonable cause to believe that an employee under their supervision is engaging in substance abuse in violation of this policy, then they should seek permission to perform a drug test. To document this process, For Cause Drug Testing Authorization form should be completed.

5.4. Authorization for a drug test for cause must be obtained from both:

1. The Director of Human Resources (or designee); and,
2. One of the following, as appropriate:

-The Department Head or higher authority, for all Employees, or,

-The highest-ranking BC administrator.

5.5. If authorization for a drug test for cause is given, then the employee shall be directed to provide a sample for testing immediately. The Human Resources Division and the employee's supervisor shall coordinate with the laboratory to arrange the test. Pending the results of such a test, employees shall be placed on paid administrative leave, and they shall be removed from duty. Supervisors should advise impaired employees that they should not drive. It is the responsibility of the impaired employee to arrange for their own safe transportation from BC.

6.6 Employees with a positive for cause drug test may be discharged.

## **6.0. Random Drug Testing**

6.1. All employees who are Security Officers or who hold Commercial Drivers Licenses for their official duties shall be subject to random drug testing.



6.2. Once a month, Human Resources shall randomly pick no fewer than one Security Officers and/or holders of Commercial Drivers Licenses for drug testing. Human Resources shall provide a list of the chosen employees to the Director of Security (or the Directors designee), who shall ensure that the chosen employees and their supervisors are notified and that the employee submits to the drug test as directed. In no event shall the employee to be tested receive notice of the test earlier than the day or shift during which they are to be tested.

## **7.0. Counseling and Rehabilitation**

7.1. It is recognized and accepted that early treatment is the key to rehabilitation for substance abusers. Employees are encouraged to voluntarily request counseling or rehabilitation before their substance abuse leads to disciplinary or work related problems. If, prior to an arrest for substance abuse, an employee notifies their immediate supervisor that they illegally use a controlled substance, marijuana, or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse and education program, such employee shall be retained for up to one year as long as the employee successfully follows the treatment program. If the employee fails to successfully follow the program, they must be discharged. No statement made by an employee to their supervisor in complying with this program shall be admissible against the employee in any proceeding. The rights granted in this section shall be available to an employee only once during a five year period, and shall not apply to an employee who has been asked to provide a sample for cause, or an employee who has refused a drug test, or tested positive for controlled substance, marijuana, or a dangerous drug.

## **8.0. Appeals**

8.1. Employees who are disciplined for substance abuse may appeal the discipline under the relevant classified employee or faculty policies.