

Drug and Alcohol Policy

Policy/Procedure

This policy applies to all college employees.

Consistent with this policy, and Dickinson's Drug Free College policy, administrators, faculty and staff are prohibited from engaging in any of the following activity:

- The unlawful manufacture, cultivation, possession, distribution, dispensation, and use of any drug on any college-owned property, at any college activity or activity offered by an organization recognized by the college, or during any college-sponsored event or travel.
- The possession of unlawful drug paraphernalia.
- Reporting to work under the influence of alcohol, illegal drugs or illegal use of controlled substances.¹

"Under the influence" means that the employee is affected by alcohol or drugs or the combination of both in any detectable manner. This may be established by professional opinion, a scientifically valid test, or, in some cases, by observation of impairment of physical or mental ability, such as slurring of speech, difficulty in maintaining balance, etc. With respect to alcohol, an employee is under the influence if the employee's blood alcohol level is 0.04 or greater.

- Refusing to submit to any alcohol or drug test conducted under this Policy.

Additional information about the College's position on drug and alcohol use, including available options for counseling and treatment for drug and alcohol problems, can be found in Dickinson's Drug Free College policy, http://www.dickinson.edu/info/20226/student_life/1226/drug_free_college_community

Reasonable Suspicion Drug and Alcohol Testing

When the college has reason to suspect illegal drug or alcohol use in violation of this policy, the college will require the employee(s) to submit to drug and/or alcohol testing. This may exist in a variety of circumstances, including but not limited to: (1) where an employee manifests physical or behavioral symptoms or reactions of being under the

¹ Nothing in this policy is intended to supersede employment policies setting higher expectations and standards for employment-related alcohol and drug use based upon specific requirements of various positions. Positions where higher standards may be in place include but are not limited to those involving the operation of heavy equipment, child care positions, and employees in the Department of Public Safety.

influence commonly attributed to the use of illegal drugs or alcohol, which could include appearance, conduct, speech, or odor, or (2) the college otherwise receives reliable information indicating that an employee or group of employees may be engaging in conduct that violates this policy. Reasonable suspicion that a person is under the influence will be determined by college management which includes (1) supervisors or department chairs in consultation with the leader of a particular division or his or her designee or (2) the leader of a division or his or her designee.

Pre-employment, Post Accident and Follow Up Drug and Alcohol Testing

The college may require pre-employment drug and alcohol testing prior to employment for certain safety sensitive positions. The college may require post-accident drug and alcohol testing in any instance in which serious injury or loss of property occurs. The college may require follow up drug and alcohol testing as a condition of continued employment in instances where this Policy has been violated.

Refusal to Test

Refusal to submit to the types of drug and alcohol tests employed by the college will be grounds for refusal to hire applicants, and for discipline of employees, up to and including termination of employment. A "refusal to test" is defined as any conduct that would obstruct the proper administration of a test. A delay in providing a urine or breath specimen may constitute a refusal. If an individual cannot provide a sufficient urine specimen or adequate breath, he or she will be evaluated by a physician of the college's choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either urine or breath), the individual will be considered to have refused to test.

Reporting Violations

Each employee is required to immediately report any violation of this policy to their immediate supervisor. An employee who fails to report such a violation is subject to disciplinary action, up to and including termination of employment. Employees must notify their immediate supervisor within five (5) days, of any conviction for violation of an alcohol or drug offense.

Inspection of Work Areas, Possessions, and Vehicles

Where the college has reason to suspect that an employee is in violation of this policy, he or she may be asked to submit immediately to a search of his or her person and/or to make his or her work areas, briefcase, purse, packages, personal belongings, desk, vehicles, or any other receptacle he or she uses or has access to, available for inspection. Such search or inspection typically will be conducted in the presence of at least one witness other than the college representative performing the search or inspection. Entry onto college premises (including parking lots) constitutes consent to search and inspection. Refusal to consent to search or inspection shall be considered grounds for which an employee may be disciplined, up to and including termination of employment.

Consequences of Policy Violation

Any employee who engages in prohibited conduct as set forth herein will be subject to disciplinary action, up to and including termination of employment. The employment of any individual who tests positive for alcohol and/or illegal drugs, or who refuses a test under this policy, will be subject to disciplinary action, up to and including termination of employment. Under appropriate circumstances, counseling and treatment may be options considered for violations of this policy. Any discipline imposed under this policy will be determined in compliance with the requirements set forth in the Employee Handbook or the Academic Handbook, as applicable.

Any questions regarding this policy or the college's drug and alcohol testing program should be directed to Human Resource Services.

Related Information

History/Revision Information

Responsible Division/Office: Human Resource Services

Effective Date: January 1, 2015

Revised: April 14, 2015

Last Amended Date:

Next Review Date:

Also Found In: Administrative and Support Staff Handbook