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| **5.42** | **Drugs and Alcohol Free Workplace *(Reaffirmed 12-2-1991; Revised 7-30-20012, 11-4-2013)*** It is the objective and goal of East Central College to provide a drug and alcohol-free environment. |

**Procedures:**

#### 5.42.1 Federal Law Compliance

It is the College's intent and obligation to meet compliance with the Drug-Free Work Place Act of 1988, Public Law 100-690, and update to the Drug-Free School Community Act of 1989, Public Law 101-226 to provide a drug-free, healthy, and safe work environment.

#### 5.42.2 Explanation and Consequences of Prohibitive Behavior

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance, narcotics or alcoholic beverages on the College premises or off-campus sites (including College vehicles and any private vehicles parked on College premises or off-campus sites) or College-sponsored functions is absolutely prohibited. This includes reporting to work under the influence of alcohol or illegal drugs and/or having a detectable level of alcohol or an illegal drug present in one's system while on the job, operating College vehicles or on any College premises. Violations will result in disciplinary action, up to employment termination, and may have legal consequences. All employees and applicants are required to comply with the Drugs and Alcohol Policy as a condition of employment.

Instance of violations could result in the involvement of civil law enforcement authorities. Violations include, but are not limited to, possessing illegal or nonprescribed drugs and narcotics or alcoholic beverages at work; being under the influence or using those substances while working; or dispensing, distributing, or illegally manufacturing or selling them on College premises.

Employees subject to the Drug-Free Workplace Act who are convicted of any criminal drug violation occurring in the workplace must report the conviction in writing to the Human Resources Office within five days, and the Human Resources Office will take appropriate action as required by law.

#### 5.42.3 Drug and Alcohol Testing

Employees may be asked to take a test if there is reasonable suspicion to believe that an employee is under the influence of an illegal drug and/or alcohol. The following circumstances could cause reasonable suspicion:

1. Observed drug or alcohol use.

1. Apparent physical state of impairment.

1. Incoherent mental state.

1. Marked change in personal behavior that is otherwise unexplainable.

1. Deteriorating work performance that is not attributable to other factors.

1. An accident where there is reasonable suspicion that drugs or alcohol may be a factor.

1. Any circumstances which cause a reasonable suspicion that an employee is under the influence of illegal drugs and/or alcohol.

The test will determine the presence of drugs, narcotics, or alcohol, unless such tests are prohibited by law. Employees who agree to take the test must sign a consent form authorizing the test and the College's use of the test results for purposes of administering its discipline policy. It is a violation of this Policy to refuse consent for these purposes or to test positive for alcohol or illegal drugs. Policy violations will result in discipline and may result in termination. Tests that are paid for by the College are the property of the College, and the examination records will be treated as confidential and held in separate medical files.

#### 5.42.4 Employer and Employee Responsibilities *(Revised 11-4-2013)*

1. Supervisors should report immediately to the division Vice President and Human Resources Office any action by an employee that might pose a danger to himself/herself or others. The Director of Human Resources, the division Vice President, and the College President or his/her designee will determine whether the employee should be examined by a physician or clinic and/or tested for drugs and alcohol. Employees believed to be

under the influence of drugs, narcotics, or alcohol will be required to leave the premises and, to the extent allowed by law, may be suspended without pay. Alternate transportation must be arranged by the employee. If the employee is unable to secure transportation, alternate transportation will be provided at the employee’s expense (i.e. taxi). At no time will a current employee be allowed to transport the employee who is under the influence.

Employees are to report to the division Vice President or Director of Human Resources any suspicious behavior of a co-worker, employee, student or campus visitor that may be alcohol or drug related without fear of retaliation. To the extent possible, the report will be handled in a confidential manner.

1. Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek help through the Employee Assistance Program. Authorization to return to work will be required. Employees who participate in a treatment program will be expected to meet existing job performance standards and established work rules.

1. Nothing in this statement is to be interpreted as constituting a waiver of management's responsibility to maintain discipline or the right to take disciplinary measures in the case of poor performance or misconduct.

1. It must be understood that this Policy has no bearing whatsoever on what employees do on their own time unless it reflects on their job performance.

#### 5.42.5 Alcohol and Drug-Free Awareness Program *(Revised 11-4-2013)*

The College will inform employees as deemed necessary about:

1. The dangers of alcohol and drug abuse in the workplace.

1. The College's policy and procedures for maintaining an alcohol and drugfree workplace.

1. Any available drug counseling, rehabilitation and employee assistance programs.

1. The penalties that may be imposed upon employees for alcohol and drug abuse violations occurring in the workplace.

**5.42.6** **Treatment *(Revised 11-4-2013)***

Employees who suspect that they may have an alcohol or drug dependency problem are encouraged to seek diagnosis and follow through with the treatment that is prescribed by qualified professionals in order to arrest the problem. Employees having these problems will receive treatment that is extended under

the College’s health benefit plans and are encouraged to seek additional and/or alternate treatment that may be available at the employee’s own expense.