

UTAH SCHOOLS FOR THE DEAF AND THE BLIND

SUBSTANCE ABUSE & DRUG FREE WORKPLACE POLICY

1 PURPOSE

- 1.1 To provide a safe and productive work environment that is free from the effects of unlawful use, distribution, dispensing, manufacturing, and possession of controlled substances or alcohol by employees during work hours.
- 1.2 To identify, correct and remove the effects of drug and alcohol abuse on job performance.
- 1.3 To assure the protection and safety of employees, students, and the public.

2 PROHIBITED CONDUCT

- 2.1 USDB employees are prohibited from unlawfully manufacturing, dispensing, possessing, distributing or using any controlled substance or alcohol during working hours, when on state property, or while operating a state vehicle.

3 DRUG TESTING

- 3.1 When during work hours, there is *reasonable suspicion* that an employee is using an illegal controlled substance or is impaired through the use of a controlled substance or alcohol, an employee may be required to submit to medically accepted testing procedures to determine whether the employee is using a controlled substance or alcohol in violation of this policy.
- 3.2 All drug or alcohol testing will be conducted by a federally certified or licensed physician or clinic, or testing service approved by the Utah Department of Human Resource Management.
- 3.3 Drug and alcohol tests with positive results or a possible false positive result will require a confirmation test.
- 3.4 The Administration may take corrective or disciplinary action if:
 - 3.4.1 There is a positive confirmation test for illegal drugs;

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3.4.2 An alcohol test result shows .08 percent body fluid content or less, depending on management's determination of impairment.

4 SAFETY SENSITIVE POSITIONS

- 4.1 Employees in *safety sensitive* positions, as approved by the Utah Department of Human Resource Management, are subject to drug or alcohol testing without justification of a reasonable suspicion or critical incident. Random drug testing of employees in safety sensitive positions may be conducted by the Schools if authorized by the Executive Director of the Department of Human Resource Management.
- 4.2 USDB positions classified as safety sensitive include:
 - 4.2.1 School Bus Driver/Disabled Students (CDL)
 - 4.2.2 Registered Nurse I, II, III (Safety Sensitive)
 - 4.2.3 The safety sensitive list may be added to upon approval from the Utah Department of Human Resource Management.
- 4.3 Employees in safety sensitive positions whose alcohol test results are .02 or greater, when tested before, during, or immediately after performing safety sensitive functions, must be removed from performing safety sensitive duties for eight hours, or until another test is administered and the result is less than .02.
- 4.4 Employees in safety sensitive positions whose alcohol test results are .04 or greater when tested before, during or after performing safety sensitive duties, may be subject to corrective action or discipline. Employees in positions requiring a CDL license whose alcohol test is greater than .04 will be required to be evaluated and treated by a substance abuse professional.
- 4.5 The USDB will administer testing procedures as outlined in the Department of Human Resource Management Drug and Alcohol Testing Manual (copies of which may be inspected in the USDB Human Resource Office).
- 4.6 The USDB Human Resource Office will keep a separate, private record of drug or alcohol test results. The employee's personnel file will contain a document making reference to the existence of the drug or alcohol test record.

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5 CORRECTIVE ACTION

- 5.1 The Schools may refer employees convicted of a controlled substance use violation or found to be abusing alcohol to a rehabilitation center within 30 days after receiving notice of the occurrence.
- 5.2 The Schools may require an employee referral for rehabilitation depending on the results of a random or ~~for cause~~ test, and the severity of his/her substandard performance or the critical incident.
- 5.3 An employee undergoing rehabilitation will be granted sick leave, annual leave, personal leave, or leave without pay for inpatient treatment.
- 5.4 Employees must sign a release to allow the transmittal of verbal or written progress reports between the USDB and the inpatient/outpatient treatment provider.
- 5.5 An employee may be required to continue outpatient treatment prescribed by a licensed practitioner on the employee's own time and expense.
- 5.6 Upon successful completion of treatment, the employee will be reinstated to work in his/her previously held position, or a position with a comparable or lower salary range.

6 DISCIPLINARY ACTION

- 6.1 Employees who fail to complete the prescribed treatment without a valid reason may be placed under disciplinary action in accordance with state rule or the negotiated agreement.
- 6.2 Any employee who refuses to submit to drug or alcohol testing may be subject to disciplinary action in accordance with state rule or the negotiated agreement.
- 6.3 Employees who violate this policy may be subject to discipline up to and including termination for just cause.
- 6.4 Any employee who is convicted under a federal or state criminal statute which regulates manufacturing, distributing, dispensing, possessing or using a controlled substance for a violation occurring in the workplace will notify the USDB Human Resource Director of the conviction no later than five calendar days after the conviction.
- 6.5 The Superintendent may authorize exceptions to the provisions of this policy.

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TITLE: SUBSTANCE ABUSE & DRUG FREE WORKPLACE POLICY	
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Administrative Staff Institutional Council	Revisions: 6/12/96