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## **Drug Free Workplace**

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### **POLICY STATEMENT**

It is the intent and policy of Yavapai College ("College") to maintain a drug and alcohol-free working environment for its employees in compliance with the Drug Free Workplace Act of 1988. As a condition of employment, College employees must abide by this policy in the following ways:

1. Employees are required to report for work on time and free of the influence of illegal drugs or alcohol.
2. The College prohibits the unlawful manufacture, distribution, dispensing, possession or use of controlled substances, as well as the abuse of alcohol, on College premises, while conducting College business (whether on or off campus), or at any time which would interfere with the effective conduct of the employee's work with the College.
3. In the event that an employee's work performance could be impaired and/or cause a danger to others in the work area as a result of using prescription or over the counter medication, the employee shall will report its use to his/her supervisor.
4. Drug and alcohol testing will be conducted when an employee's supervisor has 'reasonable suspicion' to believe that an employee is impaired to any degree while at work.
  - a. The determination that reasonable suspicion exists shall be based on any one or more of the following:
    - i. Direct observation by a supervisor or an employee using or possessing drugs and/or alcohol.
    - ii. Observation of a pattern of abnormal and/or erratic behavior by an employee that is indicative of probably drug and/or alcohol use.
    - iii. Specific physical, behavioral, speech and/or performance indicators of probably drug and/or alcohol use or possession by an employee.
    - iv. Information regarding drug and/or alcohol use, possession, or arrest/conviction of an employee obtained from a reliable and credible source and verified by the College.
  - b. All drug and alcohol screening will be performed in accordance with applicable law. If the employees tests positive upon confirmation of the test, a copy of the test results will be provided to the employee.
  - c. In all situations where reasonable suspicion of drug/alcohol is present, it is critical that the employee be provided with transportation to the medical testing site and

that transportation from the testing site to the employee's home afterwards, or back to work, be arranged. If necessary, the college is responsible for paying for the cost of arranged transportation. All initial testing costs will be incurred by the college, and all results of drug/alcohol tests will be kept confidential.

5. Employees needing help in dealing with drug or alcohol problems are encouraged to seek assistance, either through their own resources or by requesting help or referral through his/her supervisor or Human Resources. Conscientious efforts to seek such help will not jeopardize any employee's job or status, and will not be noted in any personnel file. However, the seeking of such help does not prevent corrective action under this or any other College policy or handbook for a policy violation or impaired job performance. This means that employees who already have exhibited or who subsequently exhibit job performance deficiencies attributable to ongoing substance abuse or who have violated or subsequently violate College policy or procedures will not be exempt from corrective action solely on the basis that they have sought help.
6. Each employee must, as a condition of employment, abide by the terms of this policy and its subsections, and must report any conviction of a crime involving the violation of drug or alcohol laws occurring in the workplace to that employee's supervisor within five (5) calendar days after the conviction, as mandated under the Drug-Free Workplace Act of 1988 (41 USC Section 702 et seq.). Failure to report such conviction to the supervisor will subject the employee to appropriate corrective action.
7. If an employee of the College, who is funded through a federal funding agency, is convicted of a criminal drug statute for conduct in the workplace, the College will notify any contracting or granting or federal agency from which the College is currently receiving grants. This notice will be in writing and made within ten (10) days of the date the College receives notice of the conviction.
8. Violations of this policy by employees will result in corrective action which may include but is not limited to removal from campus, referral for treatment or counseling, referral for prosecution, and termination of employment with the College. In addition, the College will refer violations for prosecution as appropriate and as provided by local, state and federal law.

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## **RELATED INFORMATION**

[Drug-Free Workplace Act of 1988 \(41 USC Section 702 et seq.\)](#)

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## **POLICY HISTORY**

Formerly Policy 2.6.2, Adopted 4/1/2007

Revised 1/25/2011

Revised 11/6/2012

Renumbered to Policy 2.32 in 10/2014

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