# 1500.475 ALCOHOL AND DRUG-FREE WORKPLACE PROCEDURE

This procedure is in addition to any related articles in applicable collective bargaining agreements as they relate to an alcohol and drug-free workplace.

## A. PURPOSE:

The college is committed to protecting the safety, health, and well-being of all employees, students, and other individuals in our workplace and educational environment. We recognize that alcohol abuse and drug use can pose a significant threat to this commitment. This procedure is intended to help the college meet the requirements of its alcohol and drug-free workplace policy, hereafter called “the policy,” and create an awareness program that balances our respect for individuals with the need to maintain an alcohol and drug-free workplace and educational environment.

## B. APPLICABILITY:

This procedure applies to all students and employees of the college.

## C. HEALTH RISKS:

Employees and students should be aware that it is dangerous to use and abuse alcohol and other drugs, and that many illnesses and deaths have been medically related to the use and abuse of illegal drugs and alcohol. The following nonexclusive list of health risks have been identified with the use and abuse of illicit drugs and alcohol: memory loss, depression, fetal alcohol syndrome, problem pregnancy, sclerosis, circulatory problems, insomnia, heart failure, respiratory arrest, cardiac arrest, seizures, coma, anxiety, paranoia, irritability, fatigue, mental illness, death.

## D. PRESCRIPTIONS AND OVER-THE-COUNTER DRUGS:

Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications is responsible for consulting the prescribing health care provider and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor) to avoid unsafe workplace practices.

Employees whose work performance is temporarily impacted by prescription or over-the-counter drugs may be reassigned if productive alternate work is available. If no alternate work is available, the employee may be required to take leave in accordance to the applicable collective bargaining agreement, rules, regulations and college policy/procedure.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of the alcohol and drug-free workplace policy to intentionally misuse and/or abuse prescription medications.

## E. NOTIFICATION OF CONVICTION/SUSPENSION:

Employees must report any conviction under criminal drug statute for violations occurring in or on college owned or controlled property, or while conducting college business. An employee must notify their supervisor and/or human resources within five days of the conviction. The college will take appropriate action within 30 days of notification. If the employee is supported by federal funds, the college must notify the appropriate federal agency within 10 days of the employee's conviction.

Employees whose position requires that they drive a state vehicle or a personal or rented vehicle on state business must notify their immediate supervisor of any revocation or suspension of their driver’s license on the first work day following the license suspension or revocation.

## F. CONSEQUENCES:

One of the goals of the college’s alcohol and drug-free workplace awareness program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. Employees of the college are responsible for resolving any alcohol or drug abuse problems they have. If, however, an individual violates the alcohol and drug-free workplace policy, the consequences can be serious.

### 1. Students and employees of the college who violate the laws underlying the policy may be subject to arrest and conviction under the applicable criminal laws of local municipalities, the state of Washington or the United States.

### 2. Students of the college who violate the policy are subject to discipline in accordance with the college’s student discipline policy 400.115.

### 3. Employees of the college violating the policy are subject to disciplinary action in accordance with state regulations, bargaining unit agreements, or other appropriate policies and procedures of the college.

While the college will make every reasonable effort to assist employees who make it known that they have an alcohol or drug abuse problem, it will not intrude upon the private decisions of its employees who are responsible for resolving any alcohol or drug abuse problems they may have. The college may require the employee to participate in and satisfactorily complete an approved drug abuse assistance or rehabilitation program as a condition of continuing employment. Unresolved job performance problems that result from alcohol or drug abuse are grounds for disciplinary action, including dismissal.

## G. INFORMATION AND AVAILABLE SERVICES:

The college recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. The college encourages students and employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem. Furthermore, the college encourages students and employees to use the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.

### 1. Students and employees should contact the campus counseling center for drugs and substance abuse counseling and referral information.

### 2. Employees can also consult with human resources for general information on college and other resources to help address alcohol and drug abuse problems, and to assist individual employees and supervisors regarding corrective performance procedures.

### 3. Employees afflicted by alcoholism or drug dependency will have the same options that employees with other illnesses have to participate in prescribed treatment programs, including the use of paid leave and unpaid leave of absence.

### 4. Employees should consult their health insurance plan to determine the coverage that may be available to them. However, the ultimate financial responsibility for recommended treatment belongs with the employee.

## H. CONFIDENTIALITY:

All information received by the college relating its alcohol and drug-free workplace policy and procedure is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

## I. SHARED RESPONSIBILITY:

A safe and productive alcohol and drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

### 1. All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

### 2. Each employee must report to work in a condition fit to perform their assigned duties unimpaired by alcohol or drugs.

### 3. Each student is expected to participate fully in the learning process unimpaired by alcohol or drugs.

### 4. In addition, employees are encouraged to:

#### a. Be concerned about working in a safe environment.

#### b. Support fellow workers in seeking help.

#### c. Report dangerous behavior to their supervisor.

### 5. It is the supervisor's responsibility to:

#### a. Inform employees of the alcohol and drug-free workplace policy.

#### b. Observe employee performance.

#### c. Investigate reports of dangerous practices.

#### d. Document negative changes and problems in performance.

#### e. Counsel employees as to expected performance improvement.

#### f. Clearly state consequences of policy violations.

## J. COMMUNICATION:

Communicating the college’s alcohol and drug-free workplace policy to employees and students is critical to a successful alcohol and drug-free workplace and learning environment awareness program. To ensure all employees are aware of their role in supporting the program:

### 1. All employees will receive electronic notification of the college’s alcohol and drug-free workplace policy and procedure at least annually.

### 2. The policy and procedure will be discussed in orientation sessions with new employees.

### 3. All students will receive information on the policy through college publications.

## K. DEFINITIONS:

The following definitions are specific to the terms of this procedure and do not modify or revise similar terms as used in related procedures or collective bargaining agreements.

### 1. **Impaired by drugs or alcohol:** exhibiting behavior, work performance and/or judgment, and/or physical characteristics leading to a reasonable belief that the individual may be impaired because of the use of alcohol or drugs. Examples of characteristics include, but are not limited to:

#### a. **Eyes:** glassy, dilated or constricted pupils, lack of focus.

#### b. **Speech:** slurred, uncharacteristically rapid or very slow and deliberate.

#### c. **Head/body:** staggers, sways while attempting to stand still, has to hold on to furniture or steady self to walk or stand, head bobs, extreme sleepiness, eyelids drooping.

#### d. **Behavioral manifestations:** uncharacteristic aggressiveness, impulsive behavior, fighting.

#### e. Odor of alcohol, marijuana, or other drugs.

#### f. Sudden unexplained mood changes.

#### g. Loud or inappropriately talkative, persistently boisterous, difficulty in concentrating, displays emotions not appropriate to situation, verbally abusive, belligerent.

### 2. **Controlled substance:** any substance or its immediate precursor listed in Schedules I through V of Article II, [RCW 69.50](https://apps.leg.wa.gov/rcw/default.aspx?cite=69.50&full=true), Schedules I through V of §202 of the [Controlled Substances Act (21 U.S.C. 812)](https://www.deadiversion.usdoj.gov/21cfr/21usc/812.htm), and as further defined by regulation at [21 CFR 1308.11 through 1308.15](https://www.deadiversion.usdoj.gov/21cfr/cfr/2108cfrt.htm).

### 3. **Substance abuse:** abuse of controlled substances such that it impairs an employee's ability to safely and effectively perform the functions of his/her particular job and which increases the potential for accidents, absenteeism, substandard performance, poor employee morale or damage to the college’s reputation.

### 4. **Drug:** any substance, whether controlled, medically prescribed, or over-the-counter, which has or tends to have the effect of altering one’s mood or mental functioning, and of interfering with an employee’s ability to perform duties safely and with the exercise of necessary judgment.

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Last reviewed: 9/18/19

Procedure contact: Human Resources

Related policies, procedures and other references:

 500.475 [Alcohol and Drug-Free Workplace Policy](https://www.wvc.edu/humanresources/policies-procedures/500-human-resources/500.475-alcohol-drug-free-workplace.html)

 1400.110 [Code of Student Conduct Procedure](https://www.wvc.edu/humanresources/policies-procedures/400-student-services/1400.110-code-of-student-conduct.html)

[Drug-Free Schools and Communities Act Amendments of 1989 (20 USC §1011i)](https://www.law.cornell.edu/uscode/search/display.html?terms=1011i&url=/uscode/html/uscode20/usc_sec_20_00001011---i000-.html)

[Controlled Substances Act (21 USC 812)](https://www.deadiversion.usdoj.gov/21cfr/21usc/812.htm)

[Federal Commercial Motor Vehicle Act of 1986 (49 USC 311)](https://www.law.cornell.edu/uscode/text/49/subtitle-VI/part-B/chapter-311)

[RCW 69.50 Uniform Controlled Substances Act](https://apps.leg.wa.gov/rcw/default.aspx?cite=69.50&full=true)

[RCW 46.25 Uniform Commercial Driver’s License Act](https://apps.leg.wa.gov/rcw/default.aspx?cite=46.25&full=true)

[49 CFR Part 382 Controlled Substances a nd Alcohol Use and Testing](https://www.law.cornell.edu/cfr/text/49/part-382)

[WAC 296-800-11025 Prohibit Alcohol and Narcotics from Your Workplace](https://apps.leg.wa.gov/wac/default.aspx?cite=296-800-11025)