



Drug-Free Workplace 7.30

Office of Human Resources

Applies to: Faculty, staff, graduate associates, and student employees

POLICY

Issued: 10/16/1992

Revised: 09/12/2011

Edited: 02/03/2012

The university supports and maintains a drug-free work and living environment to provide for the health and safety of students, employees, and visitors. This policy prohibits: the unlawful manufacture, distribution, dispensation, possession, or use of alcohol, illegal drugs, intoxicants, or controlled substances; inappropriate use of prescription drugs at work; unauthorized use of alcohol by university employees on university premises or in university vehicles on or off campus; and working under the influence of alcohol or while unlawfully using controlled substances. The consumption of alcohol at events when the university has authorized such use is permitted. Use must be sanctioned by the university, permitted by the appropriate state agency when applicable, and only individuals of legal drinking age may consume alcohol at such events. This policy provides minimum standards; university departments or contracts may impose stricter standards.

Definitions

Term	Definition
Controlled substances	Include and are not limited to: A. narcotics, such as propoxyphene, opium, heroin, morphine and synthetic substitutes; B. depressants, such as chloral hydrate, barbiturates, benzodiazepines, and methaqualone; C. stimulants, such as cocaine (and any derivatives) and amphetamines; D. hallucinogens, such as LSD, mescaline, PCP, peyote, psilocybin, Ecstasy, and MDMA; E. cannabis, such as marijuana and hashish; and F. any chemical compound added to federal or state regulations and denoted as a controlled substance.
Criminal drug statute conviction	When an employee is convicted of or pleads guilty to a drug statute under federal, state, or local laws or regulations.
Medical Review Officer (MRO)	Physician officially designated by regulated agency with specific training in Department of Transportation drug and alcohol regulations and drug testing requirements.
Reasonable suspicion testing	Testing that is conducted after there is reasonable cause for suspicion of using or being under the influence of drugs or alcohol while at work.
University premises	Any building or land owned, leased, or used by the university.
University vehicle	Any vehicle owned, leased, or operated by the university.

PROCEDURE

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I. Drug/Alcohol Testing

Federal, state, and/or local laws and regulations regarding drug/alcohol testing and monitoring will be followed when applicable. All information pertaining to an individual's drug/alcohol tests or results will be kept as confidential as possible, with only individuals who have a need-to-know being provided information or as required by law. All testing conducted under this policy will be done in accordance with standards established by the Office of OSU Employee Health Services. There are four situations when the university may conduct tests as defined within this policy:

- A. Pre-employment testing. Applicants to specific safety-related and other designated positions at Ohio State will be drug tested after receiving a final offer of employment and prior to beginning work. Applicants will be notified at the time of application that testing for drugs is a requirement of the employment process. Offers of employment are contingent upon successfully passing a drug test in such situations.

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- B. Random testing. This testing occurs with safety-related and other designated positions as required by law and under individual agreements with the university. Employees in this group are subject to random testing as a condition of continued employment.
- C. Ordered testing. Departments within the university can establish testing standards that are more rigorous than outlined in this policy, with the approval of the Office of Human Resources, Employee and Labor Relations (e.g. testing required by federal regulations, licensure boards, other legal or regulatory entities, etc.).
- D. Reasonable suspicion testing.
 1. Drug/alcohol testing of employees may be conducted if there is reasonable suspicion of working under the influence of alcohol or drugs. Testing must be based on objective facts or circumstances including and not limited to, aroma of alcohol on breath, directly observed using drugs or drinking alcohol, erratic/strange behavior in the workplace, self-disclosure of selling or taking drugs or alcohol, diversion of medications, or upon verification of a drug or alcohol related conviction.
 2. Testing may be ordered by a supervisor, chair, or other university administrator, in consultation with [OHR Employee and Labor Relations](#), when feasible. Individuals testing positive should be referred to the [Ohio State Employee Assistance Program](#) (Ohio State EAP) or a Substance Abuse Professional (SAP) if an external expert is used for evaluation. The evaluation will determine and recommend if substance abuse treatment or education is appropriate and/or necessary. Employee and Labor Relations and the designated Medical Review Officer (MRO) will review the recommendation. The MRO may determine that treatment is a requirement for any current employee who has an alcohol or drug problem that affects job performance.
 3. If the supervisor or manager is unclear that testing is merited, they should consult with their senior human resource professional and a counselor from the Ohio State EAP at the next possible opportunity to explore the best options moving forward.
- E. Refusal to undergo reasonable suspicion testing. An employee will be subject to corrective action up to and including termination if the employee refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen, sends an imposter, or refuses to cooperate in the testing process in such a way that prevents completion of the test.

II. Arranging A Drug/Alcohol Test

When a supervisor, chair, or other university administrator believes that reasonable suspicion exists for drug/alcohol testing, they must follow the established process.

III. Self-Disclosure of Convictions

Employees are required by federal regulations to report any drug or alcohol related convictions occurring in the workplace to the university. These must be reported consistent with the Self-Disclosure of Criminal Convictions and Background Check Policy. This information may subject the employee to corrective action, random testing requirements and may be reported to the appropriate licensing authority.

IV. Notifying University Police

Any individual observed unlawfully manufacturing, distributing, dispensing, using, or possessing alcohol or possessing controlled substances on university premises is to be reported immediately to the University Police. Regional campuses and extension operations should contact campus police, security and/or local law enforcement.

V. Corrective Action

Corrective action may include actions up to and including termination, required participation in an evaluation by Ohio State EAP or an external Substance Abuse Professional (SAP), and/or follow through with an education/treatment program. If an employee refuses to participate or does not satisfactorily complete a required education/treatment program the employee may be subject to corrective action up to and including termination.

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Responsibilities

Position or Office	Responsibilities
Office of Human Resources	<ul style="list-style-type: none"> A. Inform all employees of the Drug-Free Workplace policy upon employment through the employment website and annually through usual employee communication mechanisms. B. Consult with units regarding compliance with this policy. C. Provide access to training for supervisors and managers. D. Provide a Drug-Free Workplace awareness program in collaboration with the Ohio State EAP. E. Refer and provide appropriate support for employees after drug/alcohol testing and/or substance abuse education/treatment, facilitate arrangements for testing when there is reasonable suspicion, and consult with departments on individual work agreements for approved returning employees.
Ohio State EAP	<ul style="list-style-type: none"> A. Provide a Drug-Free Workplace awareness program. B. Provide counseling and assessment for faculty and staff.
College/VP Unit	<ul style="list-style-type: none"> A. Supervisors with reasonable suspicion that a substance abuse problem may be resulting in unsatisfactory work performance should review those problems with their department manager. Supervisors should refer the employee to an Ohio State EAP counselor and keep the referral confidential. Workplace performance issues should be documented. If an employee self-reports a substance abuse problem or issue, the employing unit should refer the employee to an Ohio State EAP counselor. B. Supervisors must follow the reasonable suspicion testing process which requires a witness (such as a supervisor, manager or human resource professional) to determine if a drug/alcohol test is merited. C. Consult with OHR Employee and Labor Relations on appropriate corrective action for any violation of this policy, including refusal to undergo reasonable suspicion testing. D. Write an individual work agreement when appropriate, in consultation with OHR Employee and Labor Relations. E. Supervise employees in accordance with individual work agreements. F. Take appropriate actions with the employee within thirty days of notification of an employee's criminal drug statute conviction, in consultation with OHR Employee and Labor Relations. G. Provide access to Office of Human Resources training for supervisors and employees.
Employee	<ul style="list-style-type: none"> A. Report any alcohol/drug related conviction consistent with the Self-Disclosure of Criminal Convictions and Background Check Policy. B. Report any Drug-Free Workplace policy violation that you observe to University Police.
Employee Health Services	<ul style="list-style-type: none"> A. Provide Medical Review Officer services. B. Provide drug/alcohol testing services or contract with outside entities to do so. C. Interpret drug/alcohol test results. D. Maintain records relating to drug/alcohol testing. E. Report drug/alcohol test results to appropriate entities.

Resources

- Drug-Free Workplace Act of 1988, dol.gov/elaws/asp/drugfree/screen4.htm
- Policy 7.30 – Drug-Free Workplace Frequently Asked Questions, hr.osu.edu/policy/resources/730faq.pdf
- Procedure for Requesting Permission to Serve Alcohol, legal.osu.edu/legaltopics.php
- Reasonable Suspicion Testing Checklist, hr.osu.edu/policy/resources/730rstchecklist.pdf
- Reasonable Suspicion Testing Consent form, hr.osu.edu/policy/resources/730rstconsent.pdf
- Reasonable Suspicion Testing Process, hr.osu.edu/policy/resources/730rstprocess.pdf
- U.S. Department of Transportation, Office of Drug and Alcohol Policy and Compliance, dot.gov/ost/dapc



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Training:

- Reasonable Suspicion Testing Training:
 - as an audio/visual presentation, hr.osu.edu/policy/resources/730media/RSTP/player.html
 - as a PowerPoint presentation, hr.osu.edu/policy/resources/730media/RSTP/RSTP.ppt
- Understanding Drug and Alcohol Problems Training:
 - as an audio/visual presentation, at hr.osu.edu/policy/resources/730media/DFWT/player.html
 - as a PowerPoint presentation, at hr.osu.edu/policy/resources/730media/DFWT/DFWT.ppt
 - as a Podcast:
 - Why Have a Drug Free Workplace Policy?
hr.osu.edu/policy/resources/730media/DFWT/podcasts/dfwp_audio_and_transcript_01.zip
 - University Drug and Alcohol Testing
hr.osu.edu/policy/resources/730media/DFWT/podcasts/dfwp_audio_and_transcript_01.zip
 - Use, Abuse, and Addiction
hr.osu.edu/policy/resources/730media/DFWT/podcasts/dfwp_audio_and_transcript_01.zip
 - Recognizing Signs and Symptoms
hr.osu.edu/policy/resources/730media/DFWT/podcasts/dfwp_audio_and_transcript_01.zip
 - Enabling vs. Referring
hr.osu.edu/policy/resources/730media/DFWT/podcasts/dfwp_audio_and_transcript_01.zip

Contacts

Subject	Office	Telephone	E-mail/URL
Policy issues	Employee and Labor Relations , Office of Human Resources	614-292-2800	ohrc@hr.osu.edu hr.osu.edu/elr
Policy issues – health system employees	Employee Relations, Medical Center Human Resources	614-293-4988	
Alcohol use on campus	Office of Legal Affairs	614-292-0611	legal.osu.edu/olaindex.php
Alcohol use on campus	Student Conduct, Office of Student Life	614-292-0748	sja.osu.edu
Counseling and support for faculty and staff	Ohio State Employee Assistance Program, The Ohio State University Health Plan, Inc.	614-292-0748	osuhealthplan.com/ohiostateeap
Counseling and support for students	Counseling and Consultation Service, Office of Student Life	614-292-5766	ccs.osu.edu
Drug/alcohol testing	Employee Health Services	614-293-8146	

History

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