

# -PROCEDURE MANUAL

 <b>ARIZONA WESTERN COLLEGE</b>		<b>PROCEDURE 495.2</b>	
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		<b>Last Revision Date:</b>	11-08-2016
<b>Effective Date:</b>		01-30-2003	
<b>Section:</b>	Human Resources	<b>Subject:</b>	Drug and Alcohol Testing

## PURPOSE

This procedure establishes guidelines for drug and alcohol testing of employees for the protection of the College and its employees and to comply with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989.

## PROCEDURE

1. Conduct
  - 1.1 An employee's job performance must not be impaired by drug or alcohol use.
  - 1.2 If an employee is taking prescription or over-the-counter drugs that may impair job performance, the employee is responsible for informing the immediate supervisor and the Human Resources Benefits representative at the beginning of the work shift. Human Resources will request a physician's letter designating any accommodation or light duty restrictions required as a result of the medication, including duration of duty accommodations. The supervisor will assign the employee to duties that are appropriate and meet the requirements of the accommodation. If an accommodation cannot be made, the individual will need to use available leave and work with Human Resources to make application for a leave of absence such as FMLA, ADA, Medical, or short term disability.
2. Request for Testing
  - 2.1 A supervisor will request a drug and/or alcohol test only under the following circumstances:
    - 2.1.1 The supervisor has reasonable suspicion that an employee's use of drugs or alcohol violates the terms of this procedure and receives confirmation of the suspicion from a police officer at Arizona Western College. If a police officer is not available, a second employee serving in a leadership position such as Manager, Associate Dean, or above may provide confirmation of the reasonable suspicion.
    - 2.1.2 The supervisor has reasonable suspicion that the employee's use of drugs or alcohol contributed to a workplace injury or accident, including a motor vehicle accident.
  - 2.2 Authorization and Notification
    - 2.2.1 The supervisor will immediately notify the Human Resources office of the need for testing. After normal business hours the supervisor will notify Campus Police.
    - 2.2.2 Immediate arrangements will be made for testing to occur as soon as possible and no later than the end of the designated shift.
    - 2.2.3 No random testing will be conducted.

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### 3. Testing Procedures

- 3.1 The individual will be tested at the specified clinic with which Arizona Western College has prearranged services. After hours testing will be done at the local hospital.
- 3.2 The employee will be accompanied to a designated testing facility by a campus police officer or local police when necessary.
- 3.3 The College will pay all costs of the testing.
- 3.4 Test results will be sent to the Human Resources benefits representative. Human Resources will notify the appropriate Vice President of only positive or negative results. All other information will remain confidential under as required by Health Insurance Portability and Accountability Act of 1996 (HIPAA).
- 3.5 The employee has the right to request a written copy of the test results, to be re-tested, and to explain the positive test result in a confidential setting.

### 4. Disciplinary Action

- 4.1 An employee with positive test results will be terminated immediately.
- 4.2 An employee who refuses to submit to testing will be considered as making a voluntary resignation.
- 4.3 The employee may file a grievance.

### 5. Rehabilitation

- 5.1 An employee who voluntarily comes forward to disclose a drug or alcohol problem prior to required testing may be protected under the Americans with Disabilities Act (ADA) and may remain employed with the condition of following a designated treatment plan provided by a physician.
- 5.2 An employee in a formal treatment program who leaves treatment prior to completion of the program will be terminated
- 5.3 An employee who completes a formal treatment program must submit proof of successful completion to the benefits representative of the Human Resources department.