

Dixie State University Policy

324 Drug-Free Workplace



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I. Purpose

- 1.1 In compliance with state and federal statutes, Dixie State University (DSU) is committed to a drug-free, alcohol-free, and smoke-free workplace.

II. Scope

- 2.1 This policy applies to all employee classes, both full-time and part-time, at Dixie State University.

III. Definitions

- 3.1 See DSU Policy 155: Alcohol, Tobacco, and Other Drugs for definitions.

IV. Policy

- 4.1 The University expects all employees to report to any work assignment unimpaired and fully able to perform their duties safely, efficiently, and inoffensively.
 - 4.1.1 Unsatisfactory job performance, poor attendance, or poor behavior caused by alcohol or substance abuse will not be tolerated.
- 4.2 The unlawful manufacture, distribution, dispensing, possession, or use of controlled substances and/or the unauthorized manufacture, use, sale, dispensing, or possession of alcohol in the workplace is expressly prohibited.
 - 4.2.1 The workplace includes University property, University vehicles, or any other location at which an employee is performing official duties for the University.
- 4.3 The University will impose disciplinary sanctions upon any employee who is

determined to have violated this policy.

- 4.3.1 Employees found working under the influence of drugs or alcohol will be suspended without pay for at least five (5) working days (see Policy 372: Corrective & Disciplinary Action).
- 4.3.2 All policy violators, if employment is to be continued, must satisfactorily participate in an alcohol, drug, or substance abuse assistance or rehabilitation program.
- 4.3.3 Termination is a possible disciplinary action, if deemed appropriate by the supervisor, the division vice president, and the Human Resources Director.
- 4.4 In compliance with the State of Utah Clean Air Act, smoking is prohibited in all buildings and within 25 feet of all buildings on campus.
- 4.5 Smoking is prohibited in any University owned vehicle.

V. References

- 5.1 Utah Clean Air Act, Utah Code 26-38-1 to 9.
- 5.2 Drug Free Workplace Act of 1988, 41 U.S.C. 701 through 767.
- 5.3 DSU Policy 155: Alcohol, Tobacco, and Other Drugs
- 5.4 DSU Policy 323: Employment Physical Examinations
- 5.5 DSU Policy 372: Corrective & Disciplinary Action

VI. Procedures

- 6.1 Administrative Officials and/or supervisors may require drug testing for any employees whose impairment would cause a personal or public hazard.
- 6.2 When a supervisor has reasonable grounds to suspect that an employee is not fit for duty, the supervisor shall see that the employee is removed from the workplace to a safe environment.
 - 6.2.1 An employee's refusal to comply with a supervisor's request to be removed from the workplace under the conditions of this policy shall be considered insubordination and will result in further disciplinary action, with possible termination.
 - 6.2.2 As soon as possible, after it is suspected that the employee is not fit for

duty because of the drug related impairment, the supervisor should meet with the employee and others as needed to determine whether there is sufficient evidence of a violation of this policy.

- 6.2.3 The supervisor must document supportive evidence.
- 6.3 It is mandatory that an employee who is convicted in a court of law for a workplace violation of this policy provide notification of the conviction to the Human Resources Office within five (5) days of the conviction.
 - 6.3.1 The University is required to impose sanctions on an employee convicted of a workplace violation within 30 days of the conviction.
 - 6.3.1.1 Minimum sanctions include participation in an education or rehabilitation program and mandatory probation for at least 90 days with weekly supervisory reviews.
 - 6.3.1.2 All convictions resulting from buying, selling, transferring, or trafficking controlled substances in the workplace will be cause for mandatory termination.
- 6.4 It is the responsibility of employees to report to their supervisors any prescribed medical treatment by a licensed physician with a controlled substance which might impair their ability to perform their work in a safe and efficient manner.
 - 6.4.1 Impacts on the employee's ability to perform should be assessed and appropriate action taken to ensure safety.
- 6.5 Employees who have an alcohol or substance abuse problem are encouraged to seek confidential assistance through the Human Resources Office.
 - 6.5.1 The University will not discipline an employee for voluntarily seeking assistance. However, future performance, conduct, and attendance must remain satisfactory.

VII. Addenda – N/A

Policy Owner: Executive Director of Human Resources
Policy Steward: DSU Human Resources

History:
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