



Drug Free Workplace and Alcohol Testing Policy and Program

1. Policy Statement

Valdosta State University seeks to provide a safe work environment within which to achieve its mission and maximize the skills and talents of its faculty and staff. As a recipient of Federal funds, VSU fully supports and complies with the provisions of the Drug Free Work Place Act of 1988. As an employer, the Valdosta State University will aggressively promote and strive to maintain a drug free work place for its faculty and staff. This policy statement is offered to clarify the University's position on employee drug and alcohol use. The policy and its procedures should not be construed as contractual in any nature.

Drug and/or alcohol use may pose a serious threat to employee health and safety.- As such, Valdosta State University and the University System of Georgia promotes and requires a drug-free workplace among its employees.

The unlawful manufacture, distribution, dispensation, possession or use of illegal drugs by Valdosta State University employees is prohibited. Violations of this policy, to include misdemeanor and/or felony drug convictions during the course of one's employment will result in appropriate disciplinary actions being imposed by the institution. Said penalties may include suspension or termination of employment.

Employees who feel they have a potential substance abuse problem are encouraged to seek professional assistance through or outside of the established Employee Assistance provider (Acentra). The Valdosta State University Counseling Center staff will treat such requests for evaluation or therapy confidentially and provide short term assistance limited to five sessions where indicated. Longer term counseling or therapy. Any counseling or therapy costs will remain the individual's responsibility and/or use of private practitioners or rehabilitation facilities will remain the individual's responsibility is encouraged by the institution.

Faculty, staff members, and student employees of Valdosta State University are expected to adhere to the policies of the institution, observe the basic rules of good conduct and to meet appropriate standards of performance. This policy, as with other institutional policies, including state and federal laws, and Board of Regents policies shall be observed.

New employees of Valdosta State University shall have this policy communicated to them, and said policy shall be included or linked to in the Faculty Handbook, the Classified Employee Handbook, and the Student Handbook.

2. Affected Stakeholders

Indicate all entities and persons within the university affected by this policy:

- | | | |
|---|--|---|
| <input type="checkbox"/> Alumni | <input type="checkbox"/> Graduate Students | <input type="checkbox"/> Undergraduate Students |
| <input checked="" type="checkbox"/> Staff | <input checked="" type="checkbox"/> Faculty | <input checked="" type="checkbox"/> Student Employees |
| <input type="checkbox"/> Visitors | <input type="checkbox"/> Vendors/Contractors | <input type="checkbox"/> Other: _____ |

3. Responsible Office



Drug Free Workplace and Alcohol Testing Policy and Program

It is the University's responsibility to provide testing that follows all Federal and State laws and regulations, and within the provisions of this Program. The University will retain all records related to testing and the testing process in a secure and confidential manner.

The University's Drug and Alcohol testing program administrator (Designated Employer Representative-DER) who is responsible for monitoring, facilitating, and answering questions pertaining to these procedures is:

~~Drug Testing Coordinator~~ Sherry Berry, Employee Relations Specialist
University Center Entrance 5
1205 North Patterson Street
229.333.5709

Employees are responsible for complying with the requirements set forth in this Program. Employees will not use, have possession of, abuse, or have the presence of alcohol or any controlled substance in excess of regulation or program-established threshold levels while on duty.

43. Procedures

Reasons for drug or alcohol testing include pre-employment screening for ALL potential University Police Department (UPD) employees, post-accident, reasonable suspicion, and random drug screening. Pre-employment drug screening is required for ALL potential UPD employees.

Alcohol testing will be conducted at a collection facility pre-approved by the University by a qualified Breath Alcohol Technician or Screening Test Technician. In certain circumstances, it may be necessary to utilize VSU's Department of Public Safety for testing under this procedure. -Only authorized personnel will have access and are the only individuals who can see or hear the test results.

Drug testing will be conducted at a collection facility pre-approved by the University. Specimen collection will be conducted in accordance with 49 CFR Part 40 and any applicable state law. The collection procedures have been designed to ensure the security and integrity of the specimen provided by each employee. The procedures will strictly follow federal chain of custody guidelines.

In all cases (except pre-employment testing), employees required to submit to drug or alcohol testing will be notified by their supervisor. In regard to random testing, a representative from Human Resources (HR) will give the corresponding supervisor the 1) employee's name, 2) reason for testing, 3) testing location, and 4) time frame in which the employee has to ensure the testing is completed.

Upon receipt of the information, the supervisor is required to immediately (within 2 hours; or provide explanation as to way they cannot contact the employee in this time frame – i.e. employee is out of the office) contact the employee and then email the Designated Employer Representative confirmation that the employee has been provided the required information. Employee must complete the drug testing procedures within 24 hours of notification. Refusal to submit to drug or alcohol testing will result in termination from employment in accordance with the University's termination procedures. Supervisors



Drug Free Workplace and Alcohol Testing Policy and Program

who fail to deliver the information to their ~~employee~~employees and the DER, will be referred to the Employee Relations Manager.

Pre-employment Screening

The University Police Department (UPD) requires ALL employees in that area to successfully complete a number of pre-employment screenings, including a drug screen, once a conditional offer has been made. This process will be handled by the Chief of University Police. When the conditional offer is made, the potential employee's name should be sent to the DER, along with the date in which the individual will be sent for testing. Upon formal job offer and acceptance, the Chief of University Police will inform the DER, and that employee will be added to the list of those subject to random screening.

Post-accident

The State of Georgia requires all state entities to conduct post-accident testing of employees that:

- are regulated by the US Department of Transportation and its operating authorities
- have been identified by each appointing authority as performing duties that are considered high risk
- because they are also considered high risk employees, the University System of Georgia requires post-accident testing for POST certified employees.

Valdosta State University requires post-accident testing for any employee driving a state vehicle at the time of the accident. The supervisor is responsible for ensuring the employee reports to the designated testing location for post-accident testing within 8 hours of the accident – no more than 2 hours when there is suspicion of alcohol use; on-site testing is available. For on-site post-accident testing, supervisors should call Airport Clinic at (229) 242-9003, select option #2. The department in which the employee works will be charged a \$150 fee for the on-site service. Supervisors should inform the DER when an employee is sent for post-accident testing.

Reasonable Suspicion

All employees shall be subject to drug testing for evidence of being under the influence of alcohol, drugs, or other intoxicating substances in cases of reasonable suspicion.

Any affected employee may be required to submit to drug testing when ~~there reasonable~~is reasonable suspicion reported by the supervisor ~~to believe that~~to indicate that the employee is under the influence of alcohol, drugs, or other intoxicating substances. The determination of reasonable suspicion shall be made by a supervisor (after completing a reasonable suspicion checklist that they can obtain from the university's DER) or other official who is trained to make such determinations and the Chief Human Resources Officer or institutional legal department. With the approval of the Chief Human Resources Officer or institutional legal department, the supervisor can require testing after making specific, well-articulated observations concerning the appearance, behavior, speech or odor of the employee. The supervisor is required to reach out to HR so they, the employee, and the CHRO or designee can meet prior to sending the employee for testing. If it is determined that the employee should be tested due to reasonable suspicion, they will report to Airport Clinic immediately after leaving HR. If ~~the supervisor~~



Drug Free Workplace and Alcohol Testing Policy and Program

~~is unable to transport the employee for testing necessary,~~ on-site testing will be available by Airport Clinic. The department in which the employee works will be charged a \$150 fee for the on-site service.

~~Pre-employment Drug Testing.~~

~~Pre-employment drug testing of candidates selected for certain types of employment is mandated by O.C.G.A. 45-20-111, signed into law following the 1995 session of the General Assembly.~~

~~Valdosta State University shall require pre-employment drug tests of individuals selected for positions which may directly impact the health, safety and welfare of others. Employment categories that are subject to pre-employment screening include: all certified police officer classifications, positions which require a commercial driver's license and all health related positions providing direct patient care in the Student Health Services Division, e.g., physicians, staff nurses, medical technologist, pharmacists, etc.~~

~~New positions created by Valdosta State University will be evaluated to determine the necessity for pre-employment drug screening. Current positions not requiring such screening are subject to re-evaluation and may be added to the list of those effected. All positions requiring pre-employment drug testing must be approved by the Director of Human Resources.~~

~~Any candidate selected for a covered position must submit to the pre-employment drug test prior to commencing employment or within ten days after commencing employment. The cost of pre-employment drug test will be borne by the employing department. Failure to report positive test results shall disqualify the candidate from employment for a period of two years from the test offer of administrative date.~~

~~Detailed instructions on the drug test procedure will be made available to those departments normally employing individuals who are covered by this policy.~~

Random Drug Screening

Employment "safety sensitive" positions are categories subject to such screening. This includes those in areas such as Public Safety, Healthcare, and Childcare Providers heavy equipment operation, and employees whose duties require a Commercial Driver's License or are required to drive a VSU vehicle per the nature and scope of their duties. Currently, the departments -and employees therein- subject to random drug screening are University Police, Plant Operations, Environmental and Occupational Safety, Parking and Transportation, and Admissions. Employees in these areas -These employees- are considered high risk in that inattentiveness while on duty, or errors in judgment, could result in harm to themselves or others. The Department of Human Resources initiates the random screening and notifies the appropriate departmental employee to supervisor to have selected employees report for testing within 24 hours. Employees -Applicants and/or employees- who refuse to report for a drug test or who test positive for the use of illegal substances will not be eligible for employment, or will be terminated from employment in accordance with the University's termination procedures. Supervisors who fail to deliver the information to their employee and the DER will be referred to the Employee Relations Manager.

***Employees should be aware that while legal in Georgia, use of CBD oil and products could potentially result in a positive drug screening.**

What Constitutes a Refusal?

Expressly declining to submit to drug testing;



Drug Free Workplace and Alcohol Testing Policy and Program

Failure to appear at the named testing location within the specified time frame;
Engaging in conduct that clearly obstructs the testing process;
Failure to cooperate with any part of the testing process;
Failure to provide adequate urine (as determined by the testing location) for testing without an acceptable medical reason;
Leaving the testing location before providing as adequate sample; and/or
The testing laboratory and/or the medical review officer (MRO) determines that a specimen has been adulterated or substituted.

Voluntary Disclosure

Provisions set forth in Section 8.2.17 of the USG BOR policy manual 807.12, Voluntary Disclosure of Drug Use, shall not apply when an employee subject to random drug screening has been selected to report for random drug screening.

If, prior to arrest for an offense involving a controlled substance, marijuana, or a dangerous alcohol, drugs, or other intoxicating substances, an employee notifies their his or her immediate supervisor or HR Representative that they are under the influence of alcohol at work, he or she illegally uses a controlled substance, marijuana, or a dangerous drug, and is receiving or agrees to receive treatment under a drug abuse and education program approved by the President of the institution (or their designee), such employee shall be retained by the institution for up to one year as long as the employee follows the treatment plan. Retention of such employee shall be conditioned upon satisfactory completion of the program and signed acknowledgement that they will be subject to random drug screening in the future. The employee's work activities may be restructured if in the opinion of the immediate supervisor it is deemed advisable. If the nature of the employee's work will not allow for restructuring, termination may result. The rights herein granted shall be available to a University System of Georgia employee only once during a five-year period, and shall not apply to any employee who is selected for random drug screening, has refused to be tested, or who has tested positive for a controlled substance, marijuana, or a dangerous drug.

Other employment categories may be added to those subjected to pre-employment and random drug screening. Human Resources will review the position description(s) of newly created positions and request approval by the President (or their designee) for those determined to be safety sensitive.

54. Resources

Substance Abuse Professionals
<http://saplist.com/>

65. Policy Attributes

<i>Responsible Office(s)</i>	Human Resources and Employee Development, University Center, 1205 N. Patterson St., 229-333-5709, hrstaff@valdosta.edu
<i>Approving Officer or Body</i>	President, President's Office, West Hall Suite 1004, 229-333-5952, president@valdosta.edu



Drug Free Workplace and Alcohol Testing Policy and Program

<i>Date Approved</i>	08/15/2018
<i>Revisions</i>	
<i>Next Review Date</i>	07/02/2022 <u>03/04/2024</u> in process
<u><i>Open Comment Period</i></u>	<u>03/07 to 03/25/2024</u>