

**NORTH GEORGIA
COLLEGE & STATE UNIVERSITY
POLICY AND PROCEDURE MANUAL**

P & P NO 861.0

EFFECTIVE
DATE January 1, 2006

REVISED
DATE _____

SUBJECT: Substance Abuse Policy

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- 2.0 Definitions
- 3.0 Work Rules
- 4.0 Drug Testing Procedures
- 5.0 Pre-Employment Drug Testing
- 6.0 Reasonable Cause for Drug Testing
- 7.0 Random Drug Testing

1.0 Policy

Persons who are impaired by substance abuse endanger students, themselves, and their fellow workers. By issuing this policy prohibiting substance abuse, and by establishing a program to determine whether employees are engaged in substance abuse, North Georgia College & State University (NGCSU) seeks to prevent its risks and ill effects. This policy replaces all existing policies concerning substance abuse and drug testing of employees.

2.0 Definitions

Substance abuse shall mean:

- a. The use or possession of any drug in a manner prohibited by law; and
- b. The use of alcohol or any legal drug or other substance in such a way that the user's performance is impaired.

Impaired shall mean that a person's mental or physical capabilities are reduced below their normal levels (with or without any reasonable accommodation for a disability).

A positive drug test shall mean any drug test whose results indicate that the employee has committed substance abuse, according to the current National Institute on Drug Abuse (NIDA) standards and the definitions in this policy.

A negative drug test shall mean any drug test whose results do not indicate a positive drug test.

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Reasonable cause shall mean that evidence which forms a reasonable basis for concluding that it is more likely than not that a person has engaged in substance abuse. Facts which could give rise to reasonable cause include, but are not limited to:

- The odor of alcohol or drugs
- Impaired behavior such as slurred speech and decreased motor coordination
- Marked changes in personality or job performance
- Unexplained accidents.

The individuals covered by this policy shall include all Public Safety Officers, all employees whose job requirements include having a commercial driver's license (CDL), or finalist candidates seeking to fill vacancies replacing the aforementioned employees.

3.0 Work Rules

Substance abuse is prohibited. Any employee who engages in substance abuse at work or on campus may be discharged. Employees who engage in substance abuse off campus and not during working hours may be discharged if their substance abuse does not affect, or is likely to affect, their ability to perform their official duties.

Employees who refuse to participate in a drug test required under this policy may be discharged.

It is the responsibility of a supervisor to advise an impaired employee that he or she should not drive. It is the responsibility of the impaired employee to arrange for his or her own safe transportation from NGCSU.

Under no circumstances should employees perform their official duties while they are impaired.

If an employee is convicted (or given first offender treatment, or pleads nolo contendere) in any court for a crime, which includes substance abuse, he or she must report this to his or her supervisor. An employee who fails to do so may be discharged.

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4.0 Drug Testing Procedure

The drug test required by this policy shall be performed by Student Health Services or a laboratory with which NGCSU has contracted to perform drug testing. These procedures shall ensure that the sample identified to an employee actually contains materials from that employee, that the samples are protected from tampering, and that the analysis of them is done in accordance with reasonable and accepted medical standards.

The results of an employee's drug test shall be communicated by Student Health Services or the contracted laboratory to the Director of Human Resources, who shall notify the employee and the employee's supervisor of the results.* Student Health Services or the contracted laboratory will bill the budget unit of the finalist applicant or employee for the tests performed pursuant to this policy.

* In order to confirm positive test results, tests will be repeated by the laboratory with which NGCSU has contracted, no matter which entity performed the initial test.

5.0 Pre-Employment Drug Testing

All covered employees, as defined in section 2.0 of this policy, shall undergo a drug-screening test prior to beginning work as an employee of North Georgia College and State University.

The Office of Human Resources shall be responsible for ensuring that all applicants for covered positions provide a sample for drug testing before they report for duty.

Any applicant who fails to provide a sample for pre-employment drug testing will not be hired. Any applicants with a positive pre-employment drug test will not be hired. Such persons shall not be eligible for employment by NGCSU for a period not less than two years.

6.0 Reasonable Cause for Drug-Testing

All covered employees, as defined in section 2.0 of this policy, shall undergo a drug-screening test when reasonable cause exists to believe that they have committed substance abuse.

If any employee has reason to believe that a covered employee is engaged in substance abuse in violation of this policy, he or she should report this fact to the supervisor of the covered employee.

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If a supervisor has reasonable cause to believe that a covered employee under his or her supervision is engaging in substance abuse in violation of this policy, then he or she should seek permission to perform a drug test. Authorization for a drug test for reasonable cause must be obtained from the second-line manager.

If authorization for a drug test for cause is given, then the employee shall be directed to immediately provide a sample for testing. The Office of Human Resources and the employee's supervisor shall coordinate with Student Health Services to arrange the test. Pending the results of such a test, the employee shall be placed on paid administrative leave.

Employees with a positive drug test may be discharged.

7.0 Random Drug Testing

All covered employees, as defined in **2.0** of this policy, shall be subject to random drug testing. In no event shall the employees to be tested received notice of the test earlier than the day or shift during which they are to be tested.