

The following information addresses the most frequently asked questions about the Human Resources Policy 2.1.25, Drug-Free Workplace. The policy is located on the Office of Human Resources website at <http://www.cotc.edu/depts/HR%20Policies/2.1.25.pdf> .

1. **Who does this policy apply to?**

This policy applied to all employees of the College, including faculty, staff, and student employees.

2. **Why does COTC have a drug free workplace policy?**

The policy complies with the requirements of federal regulation: Federal Grant Recipient– US Service Code Title 41, Public Contracts - Chapter 10, section 702. The purpose of this policy is to promote the safest possible environment for COTC students, employees, and visitors.

3. **How will employees be informed of this policy?**

COTC communicates this policy annually to existing employees. New employees are informed about the policy upon acceptance of a position.

4. **What should be done if the problem involves a student employee?**

The policy applies to student employees. Concerns related to student employees should be resolved by following the steps designated for all other employees.

5. **How does this policy affect employees who do not work at the Newark campus such as extended campus employees?**

The policy applies to all COTC employees. Supervisor/managers should contact the designated resources in their locale. Drug testing should occur at a designated lab. If no designated lab is available, local emergency rooms should be accessed.

6. **What should be done if an employee informs a supervisor/manager that she/he has a drug or alcohol problem or is in a treatment program?**

Drug and alcohol treatment programs are legitimate reasons to use paid or unpaid leave time. Supervisors/managers should advise the employee that The Ohio State University Employee Assistance Programs services are available if the employee is seeking treatment or additional assistance. The supervisor/manager and employee should discuss the impact of alcohol and drug use if the employee is working in a job that poses safety issues.

7. **Are supervisors/managers required to address drug or alcohol related issues that impact work once they become aware of them?**

Yes. Supervisors/managers are required to report any alcohol or drug use in the workplace of which they have knowledge. Failure to do so could expose the supervisor/manager to personal liability and/or disciplinary action. The College may also be exposed to liability if the supervisor/manager acted outside the scope of her/his authority.

8. **What should supervisors/managers do when they suspect that alcohol or drug use is affecting an employee's work performance?**

Supervisors/managers must focus on work performance issues. This includes documentation and counseling about unacceptable performance and behavior. Supervisors/managers should discuss the

facts with the cabinet member and OHR.

9. What behaviors or signs indicate drug and/or alcohol use?

a. Common indirect indicators (if present, may indicate possible drug or alcohol use):

- i. Missed work time
- ii. Long breaks
- iii. Patterns of absence (Monday mornings, Friday afternoons)
- iv. Unexplained mood swings
- v. Sudden changes in performance
- vi. Gradual worsening of performance

If these conditions appear or persist, supervisors/managers should discuss them with the employee and document them as work performance issues. Supervisors/managers may also want to note the impact of the performance or behavior upon the department's ability to meet its goals. For further guidance, supervisors/managers may seek assistance from The Ohio State University EAP or from the COTC Office of Human Resources.

b. Common direct indicators (if present, seek assistance on testing for reasonable suspicion):

- i. Difficulty walking
- ii. Slurred speech
- iii. Smell of alcohol on breath
- iv. Severe confusion or disorientation

These conditions indicate a high probability that the employee is currently under the influence of drugs or alcohol. Certain medical conditions can also cause these symptoms, thus, it is important to troubleshoot the situation before taking action. The supervisor/manager should contact the Office of Human Resources, inform them of the status of the impaired employee, and seek guidance.

10. What should a supervisor/manager do if an employee appears to be under the influence of alcohol or drugs at work?

Supervisors/managers should contact OHR to arrange an alcohol/drug test. The employee must be escorted to the testing by the supervisor/manager, another appropriate available person or campus security. If the employee is still impaired upon conclusion of the test, do not send the employee home on his/her own. The employee should be driven home or a taxi may be called. These steps will protect the employee from injury and the supervisor/manager and College from liability.

11. Can supervisors/managers refuse to allow an employee to be tested?

No. If testing is required by College policy, supervisors/managers must comply with the policy. Failure to follow the policy will result in disciplinary action for the supervisor/manager and will also put College federal grant funding at risk.

12. Should employees be required to be tested for drugs and alcohol if they have an accident at work?

Employees may be tested if there is reasonable suspicion that drugs or alcohol are involved. Having an accident at work is not enough suspicion to test. If you have suspicions, call OHR and discuss your

concerns.

13. Can employees be compelled to go to The Ohio State University Employee Assistance Program to get assessed regarding their drug or alcohol use?

No. This is a voluntary employee assistance program. If the employee agrees to go for a voluntary assessment, you can contact the EAP at 800-678-6265 on their behalf or have them contact EAP directly. If the employee refuses to be assessed, continue to manage the employee's performance and behavior.

14. What steps should be taken if an employee is suspected of using drugs outside of the workplace?

You may refer the employee to The Ohio State University EAP 800-678-6265 for assessment. Employees are responsible for their conduct on their own time unless there is spillover behavior that affects the workplace. For further guidance on this topic contact the Office of Human Resources.

15. What should be done if an employee reports that other faculty or staff are drinking or using drugs?

Any employee who observes another employee use alcohol or illegal drugs while on duty is encouraged to report the employee to their supervisor, OHR, or campus security.

If a supervisor/manager is advised that an employee has been observed using drugs or alcohol while at work, the supervisor/manager must discuss this with the employee. If the supervisor/manager confirms the report is accurate (smell of alcohol, slurred speech, etc.) contact OHR. If a supervisor/manager observes an employee using alcohol or drugs at work, call OHR immediately and campus security, if necessary.

16. What steps should be taken if an employee reports that he/she has been convicted of a drug or alcohol offense occurring in the workplace?

Advise the employee to contact OHR within five business days of the conviction, if the conviction resulted from the use of drugs or alcohol in the workplace.

Resources

- **Office of Human Resources 740-366-9367**
 - Consult related to the use of alcohol and drugs and its impact upon an employee's work performance;
 - Give information and guidance regarding the corrective action process;
 - Determine whether reasonable suspicion exists to conduct a test and provide information about setting up a random or reasonable suspicion test.

- **[The Ohio State University Employee Assistance Program](#) 800-678-6265**
 - Provide confidential assessment and counseling for employees;
 - Answer questions concerning "suspicious" behavior;
 - Assist in referring employees with treatment needs;
 - Provide follow-up support during and after treatment;

- Conduct training for departments, chairs, supervisors, managers or employee groups about drug-free workplace.

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