



SUBJECT: 2.10 Alcohol and Substance Abuse

Federal Drug-Free Schools and Communities Act Regulations, Part 86, requires that institutions of higher education include in their annual notification a description of alcohol and other drug programs (prevention, counseling, treatment, rehabilitation, and re-entry) available to students, staff, and faculty. This policy outlines the applicable programs available for LCU employees as well a description of the range of disciplinary sanctions that the institution will impose if the standards of conduct are violated.

Purpose:

1. To establish and maintain a safe, healthy working environment for all employees;
2. To insure the reputation of the University and its employees as good, responsible citizens worthy of the trust placed in them;
3. To reduce the incidence of accidental injury to person or property;
4. To reduce absenteeism, tardiness, and indifferent job performance;
5. To provide assistance toward rehabilitation for any employee who seeks the UNIVERSITY'S help in overcoming addiction to, dependence upon, or problem with alcohol or drugs;
6. To comply with federal requirements for a drug-free environment.

Definitions:

1. Alcohol or alcoholic beverages -- means any beverage that may be legally sold and consumed and that has an alcoholic content in excess of .5% by volume;
2. Prescribed drug -- means any substance prescribed for the individual consuming it by a licensed medical practitioner;
3. Illegal drug -- means any drug or controlled substance, the sale or consumption of which is illegal;
4. He or his -- also means "she" or "hers" in appropriate context.

Employee Assistance Program:

1. Any employee, who feels he has developed an addiction to, dependence upon, or problem with alcohol or substance abuse, is encouraged to seek assistance. Assistance may be sought by writing in confidence to, or asking for a personal appointment with, the Vice President who oversees the employee's department.
2. The Vice President receiving a request for assistance will treat each request for assistance as confidential and only those persons who have an interest or duty to the specific situation.
3. The Vice President or his designee, will be responsible for developing contacts with local hospitals and community organizations offering alcohol or substance abuse treatment programs (e.g., care units, Alcoholics Anonymous, Narcotics Anonymous, community health centers, etc.) and for referring employees seeking assistance to an appropriate treatment organization.
4. Rehabilitation itself is the responsibility of the employee. However, any employee eligible for the University's group medical plan seeking medical attention for alcoholism or substance abuse will be entitled to the special limited alcoholism or substance abuse benefit of the University's group medical plan in effect at the time of the request. In compliance with the Family Medical Leave Act of 1993 (FMLA) any eligible employees enrolled in a formal treatment program will be granted rehabilitation leave. (Up to a total of twelve workweeks of unpaid leave within a twelve-month period.



5. Upon successful completion of treatment, the employee will be returned to active status without reduction of pay or seniority.

Rejection of Treatment or Failure of Rehabilitation - Any employee suffering from an alcohol or substance abuse problem who rejects treatment or who leaves a treatment program prior to being properly discharged will be immediately terminated. No employee will be eligible for this Employee Assistance Program more than one time. The recurrence of an alcohol or drug problem will be cause for termination.

Alcoholic Beverages:

1. No alcoholic beverage shall be brought or consumed upon University premises.
2. Consuming or being under the influence of alcohol while on duty is cause for termination.
3. Any employee whose off-duty abuse of alcohol results in excessive absenteeism or tardiness or is the cause of accidents or poor work will be referred to the Employee Assistance Program for rehabilitation. If the employee refuses or fails rehabilitation, he shall be terminated.

Prescription Drugs:

1. No prescription drug shall be consumed upon university premises by any person other than the one for whom the drug is prescribed by a licensed medical practitioner, and shall be used only in the manner, combination, and quantity prescribed.
2. Any employee whose abuse of prescription drugs results in excessive absenteeism or tardiness or is the cause of accidents or poor work will be referred to the Employee Assistance Program for rehabilitation. If the employee refuses or fails rehabilitation, he shall be terminated.

Illegal Drugs:

1. The use or possession of an illegal drug or controlled substance on or off duty is cause for termination.
2. The sale, trade, or distribution of illegal drugs or controlled substances by an employee to another person is cause for termination and for referral to law enforcement authorities.
3. The "occasional," "recreational," or "off-duty" use of illegal drugs will not be excused.

Employment of Persons Addicted to or Dependent upon Alcohol or Controlled Substances:

1. A person presently using illegal drugs or having a history of alcohol or substance abuse will not be knowingly employed unless there is sufficient evidence of rehabilitation satisfactory to the University.
2. New Hires may be required to take a pre-employment physical examination (including urinalysis and/or blood test). New Hires whose examinations and interviews, combined with general reference and background checks, indicate present alcohol or substance abuse will not be hired.

Safety of Work Force; Work Rules; Blood and Urine Tests - In order to insure the safety of the workplace and the work force, the following rules will apply:

1. Each employee, as a condition of continued employment, will be required, upon request of University supervisory personnel to:
 - a. Submit to search of any vehicle brought upon or parked upon university premises;



- b. Submit to search of any pocket, package, purse, briefcase, toolbox, lunchbox, or other container brought upon university premises;
 - c. Submit to search of desk, file cabinet, etc.
2. Each employee, as a condition of employment and following an incident will, at the request of University supervisory personnel, to submit to blood and or urine tests for determining use of alcohol and or drugs.
3. Each employee, as a condition of employment, also may be required, from time to time, to supply in writing illegal drugs are not being used.

Effective Date-Notice to Employees - State Laws.

1. The policies set forth in this Policy Guides are effective immediately upon notice to employees. Each present employee will be furnished a copy of this policy and will sign a receipt for same. Later-hired employees will be furnished a copy before hiring.
2. These policies will be implemented in a manner that will comply with all applicable federal and state laws.
3. Confidentiality – The results of physical examinations and blood and urine tests will be treated as confidential and distribution of results will be limited to those having an interest or duty on the specific situation.

Contact for Interpretation: Human Resources