

<b>Subject:</b>	<b>Drug and Alcohol Free Workplace Policy</b>
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**1 Purpose:** This rule:

(a) Provides a safe and productive work environment that is free from the effects of unlawful use, distribution, dispensing, manufacture, and possession of controlled substances or alcohol use during work hours.

(b) Identifies, corrects and removes the effects of drug and alcohol abuse on job performance.

(c) Assures the protection and safety of employees and the public.

**2 Approval:** Approved by Dixie Tech Board of Directors on May 2, 2018.

**3 Drug and Alcohol Use:** Dixie Tech employees and volunteers may not unlawfully manufacture, dispense, possess, distribute, use or be under the influence of any controlled substance or alcohol during working hours, on Dixie Tech property, or while operating a Dixie Tech vehicle at any time, or other vehicle while on duty. Employees shall follow comply with this rule outside of work if any violations directly affect the eligibility of Dixie Tech to receive federal grants or to qualify for federal contracts of \$25,000 or more.

**4 Testing:** Employees are required to conduct drug testing in accordance with as directed by the College President, HR Office and/or Safety Chairman for in the following situations:

**4.1** Preemployment hiring or volunteer selection procedures;

**4.2** Postaccident investigations;

**4.3** Reasonable suspicion situations;

**4.4** Preannounced periodic testing;

**4.5** Rehabilitation programs;

**4.6** Random testing in safety sensitive positions; or

**4.7** To comply with the federal Drug Free Workplace Act of 1988, 41 U.S.C. Sec. 8101 et seq., or other federally required drug policies.

**5 Collection of Samples:** It is require that:

**6.1** The collection of samples is performed under reasonable and sanitary conditions.

**6.2** The employee or volunteer shall present reliable identification to the person collecting the samples.

**6.3** An employee, prospective employee, volunteer, or prospective volunteer shall submit a split urine sample for testing or retesting. A split urine sample shall consist of at least 45 ml of urine. The urine shall be divided into two specimen bottles, with at least 30 ml of urine in one bottle and at least 15 ml of urine in the other.

**6.4** With regards to drug testing:

**6.4.1** All sample collection must be performed:

**6.4.1.1** By an entity independent of Dixie Tech, designated by the College President; and

**6.4.1.2** In accordance with Section 34-41-104(1) of the Utah Code.

**6.4.2** Before the result of any drug test may be used as a basis for any action, Dixie Tech shall verify or confirm any positive initial screening test by gas chromatography, gas chromatography-mass spectroscopy, or other comparably reliable analytical methods and shall provide that the employee, prospective employee, volunteer, or prospective volunteer be notified as soon as possible by telephone or in writing at the last-known address or telephone number of the result of the initial test, if it is positive, and told of his option to have the 15 ml urine sample tested, at an expense equally divided between the donor and the employer.

**6.5** Samples are collected and tested:

**6.5.1** To ensure the privacy of the individual being tested; and

**6.5.2** In a manner reasonably calculated to prevent substitutions or interference with the collection or testing of reliable samples.

**6.6** Sample collection is appropriately documented to ensure that:

**6.6.1** Samples are labeled and sealed so as reasonably to preclude the probability of erroneous identification of test results; and

**6.6.2** Employees, volunteers, prospective employees, or prospective volunteers have the opportunity to provide notification of any information:

**6.6.2.1** That any employees, volunteers, prospective employees, or prospective volunteers considers relevant to the test, including identification of currently or recently used prescription or nonprescription drugs or other relevant medical information; and

**6.6.2.2** In compliance with the Americans with Disabilities Act of 1990, 42 U.S.C. 12101 through 12213.

**6.7** Sample collection, storage, and transportation to the place of testing are performed in a manner that reasonably precludes the probability of sample misidentification, contamination, or adulteration.

**6.8** Sample testing conforms to scientifically accepted analytical methods and procedures.

**6.9** Testing shall occur during or immediately after the regular work period of the employee or volunteer and shall be considered as work time for purposes of compensation and benefits.

**6.10** Dixie Tech shall pay all costs of sample collection and testing for drugs required under this policy, including the costs of transportation if the testing of a current employee or volunteer is conducted at a place other than the workplace.

**7 Violation:** If a verified or confirmed positive drug or alcohol test result indicates a violation of this policy, if an employee, volunteer, prospective employee, or prospective volunteer refuses to provide a sample in accordance with this policy, or otherwise violates the written policy, an employer may use that test result, refusal, or violation as the basis for imposing any rehabilitative and disciplinary actions, including:

**7.1** Require the employee to enroll in a rehabilitation, treatment, or counseling and educational program, approved by Dixie Tech as a condition of continued employment or volunteer service;

**7.2** Suspend the employee with or without pay for a period of time;

**7.3** Terminate the employment or voluntary services;

**7.4** Refuse to hire a prospective employee or use the services of a volunteer; and

**7.5** Impose disciplinary measures in conformance with the usual procedures, including employment contracts.

**8 Distribution:** This policy shall be distributed to all employees and volunteers, and made available for review for prospective employees and volunteers.