



## **Applicant and Employee Drug and Alcohol Testing**

### **Guidelines and Procedures Implementing State of Colorado and Mesa State College Board of Trustees Policy**

The State of Colorado Substance Abuse Policy promulgated by the Governor recognizes that employees impaired by alcohol or other drugs during work hours may pose safety and health risks to themselves and others. To supplement the State Substance Abuse Policy, Mesa State College (College), acting through its Board of Trustees, has previously adopted a policy restricting drug and alcohol use in the workplace by employees of the College. In association with said policies, the College has issued these implementation guidelines and procedures.

- 1) Mesa State College is a drug-free workplace. As such, we prohibit the possession, use, or distribution of illicit or non-prescribed drugs during work hours and/or on College property. Use or possession of alcohol on work premises is prohibited, except at sanctioned events as approved by the president. At no time should an employee be impaired by alcohol or drugs during work hours.
- 2) The grounds upon which an employee or job applicant may be required to submit to a drug or alcohol test are:
  - a) Testing as a condition of employment for all employees being recommended for certain positions, as set forth in paragraph 5 (b) below.
  - b) Testing of all employees based upon reasonable suspicion.
- 3) In the event of a positive confirmed drug or alcohol test result, or other violation of the State or College drug use policy, the College may, in its sole discretion, take any of the following actions:
  - a) Immediate dismissal of the employee;
  - b) Immediate suspension of the employee, with or without pay, with possible return to work upon such conditions as may be deemed appropriate by the College, or discipline up to and including termination;
  - c) In the case of a job applicant, refusal to hire.
- 4) All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by Mesa State College through its drug and alcohol testing program are confidential communications.

- 5) The circumstances under which an employee or job applicant will be required to submit to drug and alcohol testing are:
  - a) Any and all employees shall be required to submit to testing at any time the College has reasonable suspicion that an employee is using or has used drugs or alcohol in violation of the College's policy.
    - i) Reasonable suspicion shall exist if the College has a belief that an employee is using or has used drugs in violation of the College's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience, and may be based upon, among other things:
      - (1) Observable phenomena, such as direct observation of drug or alcohol use and/or the physical symptoms or manifestations of being under the influence of a drug or alcohol;
      - (2) Abnormal conduct or erratic behavior while at work, absenteeism, tardiness or deterioration in work performance;
      - (3) A report of drug or alcohol use provided by a reliable and credible source and which has been independently corroborated;
      - (4) Evidence that an individual has tampered with a drug and alcohol test during his employment with the College;
      - (5) Information that an employee has caused or contributed to an accident or injury while at work;
      - (6) Evidence that an employee is involved in the use, possession, sale, solicitation or transfer of drugs while working or while on the College's premises or operation the College's vehicle, machinery or equipment.
    - b) All job applicants offered a position identified as safety sensitive by the Vice President for Finance and Administration will be required to submit to drug screening within three business days of the job offer. Those positions include, but are not limited to:
      - i) Custodial Employees
      - ii) Pipe/Mechanical Trades Employees
      - iii) Structural Trades Employees
      - iv) Grounds and Nursery Employees
      - v) Electrical Trades Employees
      - vi) General Laborers
  - 6) The applicant must be screened within three business days of the job offer. Applicants who refuse to consent to drug screening or who test positive for prohibited drugs will have the job offer revoked and will not be eligible for any other positions covered by this policy for a period of one year.

- 7) The consequences of a non-tenured employee's refusal to submit to drug and/or alcohol testing pursuant to Paragraph 5, above, will be dismissal of the employee from employment at the College.
- 8) An employee who receives a positive confirmed drug and alcohol test result may contest the accuracy of that result or explain it.
- 9) The drugs for which the College might test are: Amphetamines, Cocaine metabolite, Marijuana metabolite, Opiates and Phencyclidine, alcohol and other controlled substances. The Administration of the College reserves the right to amend this list.
- 10) All drug screening will be conducted at MCC (Mesa County Consortium) Drug and Alcohol Screening, 1236 N 7<sup>th</sup> Street, Grand Junction, CO or at such other testing service as may be determined by the College. All screening procedures will adhere to federal guidelines that address specimen collection and chain-of-custody requirements. The screening procedure also includes, in the event of a positive drug screen, an automatic confirmation of the original sample by a referenced toxicology lab.