

Chapter 3 – General Institution

AP 3552 – Drug-Free Workplace Procedures

A. Standards of Conduct

Employees at Chemeketa Community College serve as public employee role models for students and community citizens. That role carries an obligation to not only honor all statutes relating to the illegal use of drugs, or abuse of alcohol, but also to model good health habits as public servants.

Federal laws require the college to maintain a drug-free workplace to continue qualifying to receive federal funds. The college is committed to helping employees as needed to address any violation of the drug and alcohol policies or procedures.

*Education and any necessary treatment are goals in addressing issues around drug and alcohol issues. Inappropriate behavior and violation of drug and alcohol policies or procedures may result in some type of punishment. However, disciplinary action is not the purpose of the drug and alcohol policies and procedures. **Education, health, and safety are the primary objectives around these drug and alcohol issues.***

Chemeketa Community College is committed to maintaining employee safety, health, and efficiency by prohibiting in the workplace persons who are impaired, or under the influence, or who illegally manufacture, use, dispense, possess, or distribute alcohol or other drugs. All employees of the college must abide by these procedures and associated policies and procedures relating to alcohol and other drug abuse.

Employees have an obligation to notify the college and provide documentation, if they are under any prescribed medication, which could compromise safety issues or adversely affect their performance.

Denial can be a major roadblock to effectively addressing any issues around abuse of drugs or alcohol. Employees are encouraged to cooperate with college officials in honoring these procedures and the related policies and procedures. **Cooperation usually results in more leniency; denial usually results in more disciplinary action.**

B. Educational Aspects

1. Stages in a Relationship with Drugs (Below are the four possible stages or types of alcohol or other drug use):

a. Experimentation

- “Trying” a mood altering substance to experience “how it feels.”

- b. Use
- Using a mood altering substance for a specific purpose. This could be either MEDICINALLY OR SOCIALLY.
 - The individual in this stage maintains control of WHEN they use, HOW OFTEN they use and HOW MUCH of a substance they use.
- c. Misuse/Abuse
- The individual begins LOSING CONTROL of WHEN they use, HOW OFTEN they use and HOW MUCH of a substance they use.
 - Can be either MEDICINAL or SOCIAL.
 - DISCOMFORT will occur when the individual's "drug of choice" is unavailable.
 - Individual will begin experiencing ADVERSE CONSEQUENCES as a result of their relationship with a particular substance.
- d. Chemical Dependency/Addiction
- In addition to the above-mentioned experiences, the individual at this stage will continue TO USE, MISUSE and ABUSE a substance DESPITE ADVERSE CONSEQUENCES.
 - Once an individual reaches this stage, it is not possible to return to "controlled use" as described in the first two stages.

REMEMBER: Addiction is an illness no one chooses to have. It is involuntary and marked by a resistance to give up the drug(s).

2. Consider the high cost of drug abuse:
- Absenteeism
Employees who use drugs are 2 times (i.e. 200% more likely) more likely to have absences of eight days or more per year.
 - Productivity
Drug-using workers are one-third less productive (i.e. 33% less productivity).
 - Safety
Workers who use drugs are 3.6 times more likely to injure themselves or another person in a workplace accident (i.e. 360% more likely to have accidents).
 - Worker's Compensation
Employees who use drugs are 5 times (i.e. 500%) more likely to file worker's compensation claims.
 - Medical Costs
The medical costs of drug users are 3 times (i.e. 300% higher) more than for other employees.

3. The impact of drug abuse on employee behavior:

Facts	Impact
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Employee Health Drug and alcohol abusers tend to neglect their nutritional, sleep, exercise and other health maintenance needs. Drug abusers engage in high-risk activities (share needles, unsafe sex, physically dangerous stunts, use of multiple drugs). Drug abuse has other physical and psychological consequences, some rapid and severe, including sudden death.	Higher health benefit usage. Increase in number of sick days taken. More absenteeism. More tardiness Hyperactivity and/or lethargy. Moodiness.
Productivity Employees who abuse drugs or alcohol on the job are physically and mentally impaired. Drug abuse reduces both employee motivation and the ability to do a good job.	Reduced output. Increased error rate. Lower product or service quality. Reduced customer satisfaction.
Decision-making Employees who abuse drugs don't make good decisions. They don't think clearly and often overestimate their contributions to work tasks.	Reduced innovation. Reduced creativity. Reduced competitiveness. Poor strategic decisions. Difficulty in concentration and learning new tasks. Confusion.
Safety The common physical effects of drug and alcohol abuse on the job are subtle impairments of vision, hearing, attention span, muscle coordination, alertness, and mental acuity.	Arriving for work in impaired condition. More accidents. More workers' compensation claims.

Security Drug and alcohol abuse can lead to financial difficulties for the abuser. Employees using illegal drugs are subject to arrest and imprisonment. Drug abusing workers often buy and distribute drugs in the workplace.	Theft of inventory or other assets. Criminal activity in the workplace. Legal problems that interfere with work responsibilities.
Employee Morale The presence of drug-involved employee leads to strained relations among co-workers who usually are aware of the situation. College inaction appears to condone illegal activity and results in employee perception of an uncaring attitude by the employer.	Higher turnover rate. Diminished quality of work. Reduced team effort. Poor co-worker relationships.

4. Alcohol and Drug Abuse Programs

The college supports programs for the prevention of alcohol and controlled substance abuse by college employees as well as assistance programs for those with problems related to controlled substance abuse. Supervisors will facilitate employee participation in drug and alcohol awareness training sessions; employees are encouraged to attend.

Evaluation, counseling, and referral services are available, and assistance is provided on a confidential basis. In addition, the college shall continue to provide drug-free awareness programs to inform employees of the dangers of drug abuse; existence of and content of this policy for maintaining a drug-free workplace, availability of drug counseling, rehabilitation, and employee assistance programs; and penalties that may be imposed for drug-abuse violations occurring in the workplace.

Part-time hourly, adjunct faculty, and student employees should consult with their supervisors for referral to available treatment programs. Salaried employees (who are eligible) are encouraged to seek assistance for alcohol and controlled substance dependence problems through the college Employee Assistance Program.

C. Evaluation

- Any employee who has reasonable suspicion, or determines that another employee has violated Chemeketa's policies or procedures regarding alcohol or drug abuse, may report that to his/her supervisor or to the supervisor of the employee believed to be abusing drugs or alcohol.
- Reasonable suspicion of employee use of a controlled substance shall be based upon any of the following:

- Significant changes in physical characteristics, such as, but not limited to: change in balance or coordination, dilated pupils, bloodshot eyes, flushed skin on face, grimacing or being dazed, clinched teeth, slobbering, and odor of alcohol on breath.
- Significant changes in behavioral characteristics such as, but not limited to: slurred speech, incoherent talking, aggressive posturing, attacking verbal statements or yelling or shouting, blaming others, lack of awareness, rapid unproductive movement, showing anger inappropriately, impatience, and excessive movement.
- Observed abnormal behavior or impairment in mental or physical performance.
- Direct observation of use in the workplace.
- Reliable information concerning use in the workplace.
- A work-related accident in conjunction with a basis for reasonable suspicion as listed above.
- A pattern of behavioral or personality changes.
- The opinion of a medical professional.

3. Work indicators of possible drug or alcohol abuse:

- Unauthorized absences
 - Patterns of absences
 - Maximum use of sick leave each month
 - Monday and Fridays
- Following payday
 - Following holidays
 - Using unscheduled vacation time
 - Leaving work early
 - Returning from breaks late
 - Being away from work station
- Frequent trips to the restroom and/or drinking fountain
- Confusion and/or difficulty in concentration
- Difficulty in completing complex assignments
- Less productive (quality and/or quantity) during the early part of a shift
- Unusual pattern of “near misses” and/or safety violations
- Accident prone—Seems to have an abnormal number of “job related” injuries
- Alternate periods of high and low levels of productivity. Quality and/or quantity of work changes
- Rule violations

4. Personal health indicators of possible drug or alcohol abuse:

- Change in personal appearance
- Unattended personal hygiene
- Unpredictable change in morale and/or moods
- Unusual signs of nervousness, depression, or other emotional symptoms

5. Social indicators of possible drug or alcohol abuse:

- Over-reaction to real or implied criticism
- Becoming more or less social for no apparent reason
- Change in friends

- Unusual and/or inappropriate visitors during the work shift
 - Wage garnishments by creditors
 - Unusual and excessive use of the telephone (especially when conversation seems guarded)
 - Complaints from co-workers
 - Unpaid loans
 - Using or being “under the influence” on the job
 - Unable to “get along” with them
 - “Not pulling their share of the job”
 - Avoids contact with others
 - Patterns of outbursts of anger (especially toward figures of authority)
6. Any employee under suspicion of violating policies or procedures on abuse of alcohol or drugs may be required by their supervisor to take a drug test.
- a. Supervisors shall record the basis for any reasonable suspicion.
 - b. Supervisors shall make a good faith attempt to obtain a second opinion on all reasonable suspicions and have a second witness record that information.
 - c. Supervisors shall follow the testing procedures when a college test is going to be administered and arrange transportation to and from the test site.
 - d. **If employees refuse to be tested, that action will be interpreted by the college the same as an admission to a violation of the drug-free workplace procedures or alcohol and other drug abuse policies or procedures, and subject to whatever action is deemed appropriate by the college.**

D. Testing

1. Whenever applicable, the County Sheriff’s department or other appropriate law enforcement agency may be called to take appropriate action.
2. Whenever the college requires any testing, it will be conducted by an independent laboratory experienced and qualified to conduct such testing (i.e. Lancaster Urgency Care Clinic, Kaiser Permanente, Salem Hospital, etc.) **No random drug testing shall be done.**
3. The sample collected from the employee will be “split” after collection. One portion of the sample will be tested and the other portion will be retained by the laboratory. If the employee disputes the results of the test, he or she may have the laboratory re-test the remaining portion of the split sample, at the employee’s own expense.
4. An employee will be considered to have tested positive for alcohol if the employee has a blood alcohol level of .04 percent or higher.
5. If an employee’s performance is affected by the appropriate use of prescribed medication, the employee will not be subjected to disciplinary action but may be relieved of duty, at the discretion of the supervisor, until the performance or safety issues are resolved to the college’s satisfaction.
6. Confidentiality of testing and test results shall be protected to the extent possible. Only persons with a need to know shall be informed.

E. Treatment and Sanctions

1. Whenever an employee has been found to be in violation of these procedures, or the alcohol and other drug abuse policies or procedures, a further evaluation by qualified outside drug or alcohol professional may be required.

2. Cooperation with any requested professional evaluation and any subsequent treatment program recommended are in the employee's best interest. Honoring these steps is the best way to protect an employee's position with the college.
3. Successfully completing any drug or alcohol treatment program will not be used against an employee in other non-related matters.
4. Abuse of controlled substances (note: controlled substances are drugs available only by approved prescription or age requirements, or considered illegal) or alcohol in the workplace is dangerous and must be avoided. Any employee convicted of violating a criminal drug statute in the workplace must notify his/her supervisor and personnel director no later than five (5) days after such conviction.
5.
 - a. The personnel director shall notify the appropriate federal granting or contracting agency within ten (10) days after receiving notice of the criminal drug statute conviction.
 - b. Within thirty (30) days of an employee's criminal drug statute conviction for violation occurring in the workplace, the college shall: take action with regard to the employee determined to be appropriate, which may include transfer, granting of leave with or without pay, or discipline up to and including termination, and/or require satisfactory participation by the employee in a drug abuse assistance or rehabilitation program.

F. Applicable Legal Sanctions Under Local, State, and Federal Law for Unlawful Possession, Use, or Distribution of Drugs and Alcohol.

Local, state, and federal laws are very complex regarding penalties for possession, distribution, and use of controlled substances (drugs). [See ORS Chapter 475—Controlled Substances; Chapter 161—Crimes and Punishment; Chapter 471—Alcoholic Liquors.] However, the absolute minimum will be a \$500 fine for possession of some "less dangerous" drugs. From that minimum, as the severity of the offense increases, the penalties increase up to \$300,000 fine and 20 years in jail.

A minor in possession of alcohol can result in a fine of up to \$300 with more serious offenses, such as providing alcohol to minors, carrying much more severe penalties. The penalty for providing alcohol to minors can range from a \$350 fine to a \$1,000 fine, a year in jail, and community service. The most severe penalties result from accidents or incidents in which the participants are intoxicated. This category also includes those who may have supplied the alcohol to the participants.

G. Useful WEB Sites

<http://www.cascadecenter.com>

(College's EAP provider)

<http://www.open.org/~mhealth/amh/amhcris.htm> (Marion County Adult Crisis Center)

<http://www.drugfreeamerica.org>

<http://www.bridgeway.com>

<http://www.serenitylane.com>

<http://www.creeksidecounseling.com>

Note: Revised by Joint Employee Association and Administrative Representatives (CAA) and by the Drug and Alcohol Standing Committee during the year 2000.

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Adopted College Council

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Revised