

Drug-Free Work Force Rules for Employees whose Salaries are Funded by a Department of Defense Contract CO-CE-PR5

Responsible Officer: Vice President for Human Resources

Sponsoring Department: Human Resources

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Errors or changes to: aim@uta.edu

I. Definitions

- A. "Illegal Drugs," as used in this policy, means controlled substances included in Schedule I and II, as defined by Section 802(6) of Title 21 of the United States Code, the possession of which is unlawful under Chapter 13 of that Title. The term "illegal drugs" does not mean the use of a controlled substance pursuant to a valid prescription or other uses authorized by law.
- B. "Employee in a sensitive position," as used in this policy, means an employee who has been granted access to classified information; or employees in other positions that the contractor determines involve national security, health or safety, or functions other than the foregoing requiring a high degree of trust and confidence.

II. Policy

The University of Texas at Arlington will maintain a program for achieving the objective of the Drug-Free Work Force Rules of the Department of Defense. The components of this program include:

- A. An Employee Assistance Program which provides for evaluation, referral, counseling and rehabilitation of employees who use illegal drugs.
- B. Supervisory training on how to recognize signs of impairment, behavioral patterns and physical characteristics of employees who may be using illegal drugs. Training will also include information on making referrals for the treatment of illegal drug use and considerations of appropriate disciplinary actions.
- C. Supervisors must discuss this policy with all employees reporting to them who work on DOD funded grants and contracts; these supervisors must ensure that the employees receive a copy of this policy.
- D. Provisions for treatment, which allow for self-referrals, as well as supervisor referrals. These referrals may be directly to the Employee Assistance Program or through the University's EAP Coordinator. All such referrals will be made with consideration being given to employee confidentiality, as well as the welfare and safety of the workplace.

- E. Provisions for quarterly random drug testing of employees in sensitive positions. This drug testing will be required as a condition of continued employment.
1. Drug testing will be conducted on a controlled and carefully monitored basis. The specimen will be collected by the Chief of Staff (or his delegate) of the University Student Health Center.
 2. Each employee will sign a "consent agreement" before testing begins. The consent form will allow disclosure of test results to the EAP Coordinator and the employee's immediate supervisor and/or department head.
 3. Qualified technical personnel of a reputable laboratory will carry out the testing.
 4. The Chief of Staff shall maintain official documentation of the chain of custody for each specimen.
 5. All drug testing shall be conducted in accordance with the Alcohol, Drug Abuse and Mental Health Administration of the Department of Health and Human Services established guidelines.
 6. Any unexcused absences from the testing procedure may be cause for disciplinary action. This may result in suspension without pay or dismissal.
 7. Every possible step will be taken to ensure the integrity of the testing procedures and to maintain the accuracy and confidentiality of the test results.
- F. The University will take appropriate action related to a positive drug test or other instances when it is determined that the employee is using illegal drugs on or off-duty. This may include suspension without pay or dismissal in accordance with the established disciplinary procedures of the University or referral to the University's Employee Assistance Program. An employee who is not terminated, but referred to the Employee Assistance Program will not be allowed to continue in a safety sensitive position. At the University's discretion, the employee may be reassigned or placed on leave of absence without pay after using paid leave accruals. The employee will remain on leave of absence until the successful completion of the rehabilitation program. Upon the successful completion of such program and when the University determines that the employee is capable of performing the duties of the safety sensitive position, the employee may be returned to the same position or another safety sensitive position of similar status and pay.

