

Policy: **Drug & Alcohol Use**

Policy Number: **I-7**

Responsible for Policy: Human Resources

Approval Date: May 2010

Most recent review: Fall 2012

Date of most recent revision (*if applicable*):N/A

Policy Statement

In compliance with the Drug Free Workplace Act of 1988, Finger Lakes Community College employees are expected and required to report for work on time and in appropriate mental and physical condition to effectively carry out their job responsibilities.

The unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs or controlled substances on College premises or while conducting college business off College premises is absolutely prohibited. Alcohol may be not consumed or ingested by any employee while on duty, while conducting College business, while assigned to drive a College vehicle or while driving a personal vehicle for College business, the sole exception being the lawful use of alcoholic beverages by employees at College-related social events approved in writing by the College President. Alcoholic beverages are allowed on College premises only for special events expressly approved in writing in advance by the College President.

Illegal drugs or controlled substances are never allowed on College premises. Any violation of this policy will result in disciplinary action up to and including termination, and may have legal consequences. The College will comply with all applicable laws regarding drug and alcohol use and testing.

Reason for Policy

It is the College's intent and obligation to provide a drug-free, healthful, safe, and secure work environment.

Applicability of the Policy

This policy applies to all College employees.

Definition

Illegal Drugs or Controlled Substances: non-medically prescribed and include all forms of narcotics, hallucinogens, depressants, stimulants and other drugs whose possession, use or transfer is restricted or prohibited by law. Other definitions as contained in applicable laws and regulations may apply.

Related Document

- Drug Free Workplace Act of 1988
- Omnibus Transportation Employee Testing Act of 1991
- Ontario County Department of Transportation Drug & Alcohol Policy

Procedure: **Drugs & Alcohol Use**

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Effective Date: May 2010

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Procedures

1. The College recognizes alcohol and drug dependency as an illness and major health problem as well as a potential health, safety, and security dilemma. Employees needing help in dealing with such problems are encouraged to use the Employee Assistance Program (EAP) and health insurance plans, as appropriate. Conscientious efforts to seek help will not jeopardize an employee's job; however, violations of College policies or work rules or the deterioration of work performance will not be excused or condoned because an employee has sought assistance.

2. Employees must, as a condition of employment, abide by the terms of the above policy and report to the Office of Human Resources any conviction under a criminal drug statute for violations occurring on or off College premises while conducting College business. A conviction report must be made within five (5) days following the conviction.

3. All supervisory and managerial employees (including department chairs) considering enforcing this policy -- *e.g.*, confronting an employee who reports for work in a condition indicative of being under the influence of illegal drugs or alcohol -- should consult with the Office of Human Resources prior to taking action. If Office of Human Resources personnel are unavailable, Security personnel should be contacted.

4. The College may require an employee to undergo appropriate drug or alcohol testing when there is reason to believe that said employee has used or may be under the influence of alcohol, illegal drugs or controlled substances. Employees who experience significant work performance deficiencies or who become involved in significant incidents or accidents that are reasonably believed to be caused by substance abuse may also be required to undergo appropriate drug testing. All drug and alcohol testing will be conducted by appropriate personnel and submitted to an independent laboratory for analysis.

5. Employee acknowledgement and consent to the policy and procedures set forth herein is a term and condition of continued employment. Refusal to consent to drug and alcohol testing will be considered gross misconduct and may result in disciplinary action up to and including termination.

6. Employees who operate vehicles requiring a commercial driver's license (CDL) are also subject to random drug testing in compliance with the Omnibus Transportation Employee Testing Act of 1991 and applicable NYS and Ontario County Department of Transportation (DOT) regulations. All random testing shall be conducted in accord with Ontario County's DOT Drug & Alcohol Policy.

7. Alcoholic beverages are allowed on College premises only for special events expressly approved in writing in advance by the College President and conform to the following conditions:

- a. Participation is limited to persons specifically identified and approved by the College President;
- b. Serving of alcohol is covered by host liquor liability insurance, done by duly qualified and bonded personnel, and strictly limited to a designated location;
- c. The occasion is not under either the direct or indirect auspices of a student or student-affiliated organization; and
- d. There is attestation that no alcoholic beverages will be served to any individual under the legal drinking age.

Forms/Online Processes

- FLCC Alcoholic Beverage Request form (attached)
- Additional forms, consents & information will be requested from employees as appropriate

**Finger Lakes Community College
Office of Campus Safety
Alcoholic Beverage Request**

Date Submitted _____ Submitted by _____

Name of Event _____ Sponsor of Event _____

Event Date(s) _____ Location _____

Time event will *start* _____ am / pm Time event will *end* _____ am / pm

Who/how many will attend? ___ FLCC employees ___ students ___ community members

What type of food will be served? _____

Beverage(s): ___ Beer ___ Wine ___ Punch (alcoholic) ___ Punch (non-alcoholic)

Means dispensed? ___ Server(s) will be on duty ___ Self-serve

Who is dispensing? _____ How will attendees be proofed? _____

Has this event been held on campus before? ___ Yes ___ No

Have you applied for an alcohol permit via the FLCC Association? ___ Yes (date _____) ___ No

Application for liquor permit must be submitted to the FLCC Association **a minimum of 20 days prior** to the event date. College policy and local ordinance prohibit the consumption or possession of alcohol on campus without prior written notice. Please refer to the FLCC Facility Use policy.

DISPOSITION

Director/Campus Safety _____ Date _____

Remarks _____

Vice President/Finance _____ Date _____

Remarks _____

President _____ Date _____

Remarks _____
