



## Policy on Alcohol and Drug Use in the Workplace

It is a University policy that the unlawful use, possession, manufacture, dispensation or distribution of alcohol and controlled substances\* in all campus work locations is prohibited. No employee will report for work or will work impaired by any substance, drug or alcohol, lawful or unlawful. "Impaired" means under the influence of a substance such that the employee's motor senses (i.e. sight, hearing, balance, reaction, or reflex) or judgment either are or may be reasonably presumed to be affected. Employees are further prohibited from consuming controlled substances or alcohol within six (6) hours before operating a Commercial Motor Vehicle (CMV) and within eight (8) hours following an accident involving a CMV.

Medical testing may be done if the University has a reasonable suspicion that an employee is unable to perform job duties due to the misuse of alcohol, controlled substances, or prescription drugs. The Omnibus Transportation Employee Testing Act of 1991 (OTETA) also requires the University to conduct pre-employment, pre-assignment (promotion), reasonable suspicion, post-accident, random, follow-up and return to duty alcohol and drug testing on all employees whose positions require the possession of a Commercial Drivers License (CDL).

Employees who unlawfully manufacture, distribute, dispense, possess, or use a controlled substance will be subject to disciplinary procedures consistent with applicable laws, rules, regulations and collective bargaining agreements. Sanctions may include termination of employment and referral for prosecution. Other corrective action may include satisfactory participation in an approved drug rehabilitation program.

Employees must notify the Office of Human Resources Management of any criminal drug statute conviction for a violation occurring in the workplace, or at the work site, no later than five (5) working days after such conviction. The University will notify appropriate federal agencies of such a conviction within 10 days of receiving notice of a conviction.

An Employee Assistance Program (EAP) is available on campus for employees who wish to seek assistance in dealing with drug and alcohol related problems. EAP is a confidential information, support, and referral service. Please call 442-5483 to reach the EAP coordinator. The University's Policy on Alcohol and Drug Use in the Workplace is in compliance with the Drug Free Workplace Act of 1988, the Drug Free Schools and Communities Act Amendments of 1989, the Omnibus Transportation Employee Testing Act of 1991 and the New York State Vehicle and Traffic Law. Adherence to this policy is a condition of employment at the University at Albany. Questions concerning this policy should be referred to the Office of Human Resources Management at 437-4700.

**\*The term "controlled substance" means a controlled substance in Schedule I through V of Section 202 of the Controlled Substance Act (21 USC812).**

Office of Human Resources Management  
University at Albany  
Albany, NY 12222 (518) 437-4700 (Voice) 437-4731 (Fax)  
Office Hours: M-F, 8:30am to 5:00pm, Summers, 8:00am - 4:00pm