

	<b>Drug-free Workplace Policy</b>	<b>Responsible Administrative Unit:</b> Human Resources
	<b>Issued:</b> <b>Revised: March 12, 2013</b>	<b>Policy Contact:</b> Associate Vice President   Organizational Strategy <a href="mailto:kcurran@mines.edu">kcurran@mines.edu</a>

## 1.0 BACKGROUND AND PURPOSE

Mines is committed to protecting the health, safety, and well-being of all employees, students, and other individuals in our workplace and campus community. Alcohol abuse and drug use can pose significant health, safety, and well-being concerns within the Mines working and learning environment.

**1.1** There are many risks associated with the use of illicit drugs and the abuse of alcohol, including physical and mental impairment, emotional and psychological deterioration, and devastating effects on family, friends, and co-workers. Obvious risks include being charged with driving under the influence, sustaining or causing personal injury, and suffering immediate health risks (hangovers, incapacitation, overdose, convulsions and death). A number of less obvious risks include poor job performance, jeopardizing future career prospects, unwanted and inappropriate sexual activity, slowed reaction times, short-term memory impairment, irritability and depression, and mental confusion. Information about the known effects of alcohol and specific drugs is available from many on-line sources, the Mabel M. Coulter Student Health Center, and the Colorado State Employees Assistance Program (C-SEAP).

**1.2** As a recipient of federal contracts and grants, Mines is subject to federal laws and regulations with respect to drug and alcohol use in the workplace. The Drug-Free Workplace Act of 1988 requires that Mines establish drug and alcohol policies and programs. In addition, former Colorado Governor Roy Romer issued Executive Order D000291 regarding Substance Abuse by State Employees<sup>1</sup>. In accordance with the above, Mines has enacted the following policy applicable to all employees and certain other covered individuals.<sup>2</sup>

## 2.0 POLICY

It is the policy of Colorado School of Mines to maintain a drug-free workplace and campus. The unlawful possession, use, manufacture, or distribution of illicit drugs on the campus, in the workplace, or as part of any School activity is prohibited. In addition, the illegal use of alcohol or misuse of alcohol on the campus, in the workplace, or as part of any School activity is also prohibited.<sup>3</sup> The campus and workplace includes all Mines premises and any premises where Mines activities are conducted.

<sup>1</sup> This Drug-free Workplace Policy is also intended to comply with the Drug-Free Schools and Communities Act of 1989. Additional information about maintaining a drug-free campus community may be found here: [AOD Education and Prevention Policy](#).

<sup>2</sup> As described below including campus volunteers, contractors, and visitors.

<sup>3</sup> Except as authorized under the Board of Trustees [Institutional Alcohol Policy](#).

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- 2.1** The unlawful possession, use, or distribution of illicit drugs and unlawful or unauthorized use of alcohol by employees will result in disciplinary action (consistent with Mines policies, and local, state, and federal laws). While Colorado's Constitution allows for the legal use of marijuana under certain circumstances, because of Mines' status as a federal contractor and grant recipient, and because marijuana use is still prohibited under federal law, the use of marijuana at work, or outside of work if it impairs an employee's ability to perform his or her job, constitutes a violation of this policy.
- 2.2** Discipline, depending upon the circumstances involved, may range from verbal warnings or counseling, written corrective action or disciplinary actions, up to and including termination of employment. In addition to discipline, or in lieu of it, employees may be referred to appropriate counseling or treatment programs (at the employee's expense). Employees found to be in violation of this policy may be required to provide evidence of satisfactory participation in a substance abuse assistance or rehabilitation program.
- 2.3** Violators of the policy may also be referred to the appropriate authorities for prosecution depending on the circumstances of the violation.
- 2.4** It is not the intent of this policy to prohibit the possession or use of legally prescribed controlled substances for medical reasons by the individual for whom the medications are prescribed. Any employee taking prescribed or over-the-counter medications is responsible for consulting the prescribing physician or pharmacist to determine whether the medication may interfere with the safe performance of his or her job. It is the responsibility of the employee to use appropriate personnel procedures (e.g., proper use of sick leave as needed and appropriate, etc.) and to inform his/her supervisor if such medication may temporarily impair the employee's ability to safely and satisfactorily perform assigned duties.
- 2.5** Irrespective of the use of legally prescribed drugs, controlled substances, and the lawful use of alcohol, it is a violation of workplace standards to be at work in an impaired status. If an employee is at work in an impaired status, Mines has the right to take such disciplinary action as Mines deems necessary to ensure work is safely and properly performed. Being unfit for work because of use of drugs or alcohol is strictly prohibited, and is grounds for termination of employment. While this policy refers specifically to alcohol and drugs, it is intended to apply to inhalants and all other forms of substance abuse.
- 2.6** In accordance with the specific requirements of the Drug-Free Workplace Act of 1988, employees who are convicted (including a plea of nolo contendere) of a criminal drug statute violation occurring in the workplace must notify the Colorado School of Mines in writing of their conviction within five (5) days thereafter by informing their supervisors and the Associate Vice

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President of Human Resources.

- 2.7 Employees who are required to obtain Commercial Drivers Licenses in order to drive vehicles heavier than 26,000 pounds, vehicles placarded for the transportation of hazardous materials, and/or vehicles designed to carry sixteen (16) or more persons are subject to a protocol of testing for the use of drugs and alcohol.
- 2.8 As a condition of employment, all Colorado School of Mines employees are required to follow this policy.

### 3.0 REHABILITATION

- 3.1 Mines recognizes alcohol or drug dependencies are treatable conditions. Employees who suspect they have an alcohol or drug dependency problem are encouraged to seek assistance. Successful completion of an appropriate rehabilitation program (including participation in aftercare) may be considered as evidence of eligibility for continued or future employment.
- 3.2 Employees who are concerned about substance use, abuse, and rehabilitation are strongly encouraged to contact their family physicians, their health plan, or the Colorado State Employees Assistance Program. (C-SEAP contacts are confidential and free of charge to the employee.) Health insurance plans may provide coverage for substance abuse programs that address substance abuse and rehabilitation. The Office of Human Resources has information about the health plans. Additionally, the health plan documents can be found at: [http://inside.mines.edu/Employee Benefits](http://inside.mines.edu/Employee_Benefits).

### 4.0 OTHER COVERED INDIVIDUALS

- 4.1 Individuals who are not Mines employees, but who perform work at Mines for its benefit (e.g., independent contractors, temporary employees provided by agencies, visitors engaged in joint projects at Mines, volunteers, etc.) are required to comply with this policy. Mines expects personnel of contractors, common carriers, and vendors working on Mines premises to comply with this Drug Free Workplace Policy. Failure to cooperate with Mines in this regard may result in removal from Mines premises and denial of future entry.

### 5.0 HISTORY & REVIEW CYCLE

This policy is subject to Annual (As Needed) Review.  
December 9, 2014 (Updated links, spelling, history & review cycle added). February 12, 2018 (Updated Policy Contact).