

**POLICY STATEMENT ALCOHOL/DRUG FREE
WORKPLACE**

Alcohol and drug abuse and the use of alcohol and drugs in the workplace are of concern to the State of Nevada and to the institutions of the Nevada System of Higher Education (NSHE). These institutions comply with the Omnibus Anti-Drug Abuse Act of 1988 and the Drug-Free Schools and Communities Act of 1989. It is the policy of this State and of NSHE to ensure that its employees do not report for work in an impaired condition resulting from the use of alcohol or drugs; consume alcohol while on duty; or unlawfully possess or consume any drugs while on duty, at a work site or on State or NSHE property, or while driving an NSHE vehicle (NRS 284.406, NRS 284.4065). Any employee who violates this policy is subject to disciplinary action.

1. As provided by statute, any employee who **(a)** exhibits signs and symptoms consistent with alcohol and/or drug intoxication (NRS 284.4065, NAC 284.888); **(b)** is involved in a workplace vehicle accident in accordance with NRS 284.4065(2)(b) and NAC 284.888; **(c)** is involved in a workplace accident for which they seek medical treatment in accordance with NAC 284.888 or who **(d)** applies for a position approved by the Personnel Commission as affecting public safety, is subject to a screening test for alcohol, drugs, or both (NAC 284.886).
2. Employees found to be under the influence of drugs or alcohol while on duty may be referred to the Employee Assistance Program. Nevada Administrative Code 284.884 defines the maximum concentration of alcohol in blood or breath as greater than .02 grams. The Appointing Authority shall take into consideration the circumstances and actions of the employee in determining appropriate disciplinary action.
3. Each employee is required to inform his/her supervisor as soon as possible after consuming any drug which could interfere with the safe and efficient performance of the employee's duties (NRS 284.4063).
4. Any employee who is convicted of violating a federal or state law prohibiting the sale of a controlled substance must be terminated as required by NRS 193.105, regardless of where the incident occurred.
5. Any employee who is convicted of driving under the influence in violation of NRS 484.379 or of any other offense for which driving under the influence is an element of the offense is subject to discipline up to and including termination if the offense occurred while he was driving a State vehicle or a privately owned vehicle on State business.
6. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the workplace is prohibited. Any employee who is convicted of unlawfully giving or transferring a controlled substance to another person or who is convicted of unlawfully manufacturing or using a controlled substance while on duty or on the premises of State/NSHE property will be subject to discipline up to and including dismissal.
7. The term, "controlled substance" means any drug defined as such under the regulations adopted pursuant to NRS 453.146. Many of these drugs have a high potential for abuse. Such drugs include, but are not limited to, heroin, marijuana, cocaine, PCP, and "crack". They also include "legal drugs" which are not prescribed by a licensed physician.
8. In accordance with the federal Drug Free Workplace Act, each employee is required to inform his or her employer in writing within five days after he or she is convicted for violation of any federal or state criminal drug statute when such violation occurred while on duty or on the employer's premises.
9. In accordance with the federal Drug Free Workplace Act, any government agency with which the NSHE holds a contract or grant will be notified within ten days after receiving notice that an employee of the agency was convicted within the meaning used in paragraph 8 above.
10. All of the NSHE health insurance plans include coverage for chemical dependency treatment programs. Coverage differs so please contact your health care provider to find out what benefits are specific to your plan.
11. The NSHE Employee Assistance Program (EAP) also provides help to Nevada System of Higher Education employees and their families with alcohol and/or drug problems. The EAP can be reached by calling 1-877-234-5151. (Español 1-888-732-9020). This assistance is provided by off-campus resources and is completely confidential. Administrative leave may be granted for two visits to the EAP.
12. Faculty and Staff of these institutions may refer students for assistance through the appropriate Student Services office.

This policy is applicable to all employees. Specific federal guidelines, statutory provisions and regulations applicable to this policy are set down in the Drug Free Workplace Act, NSHE Handbook, and Chapter 284 of the Nevada Revised Statutes and Nevada Administrative Code.

The policy does not restrict agencies from augmenting the provisions of this policy with additional policies and procedures which are necessary to carry out the regulatory requirements of the Drug Free Workplace Act. In accordance with the *Governor's Alcohol and Drug-Free Workplace Policy*, all new employees must receive a copy of this policy. They are required to sign a form acknowledging receipt of the policy for inclusion in their personnel file.