

sentences, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes, whether or not any such conviction is later expunged.

- G. Employee: includes faculty, other academic, unclassified, classified, graduate assistants, student employees and any other person having an employment relationship with the University.
- H. Employee assistance program: refers to a program sponsored by LSU to direct employees to trained professionals who can help with drug and alcohol dependency, misuse or abuse by providing counseling and referral services to the employee.
- I. Fitness for duty: for purposes of this policy, means employees suspected to be unfit to perform some or all of their employment duties as a result of the use or reasonably suspected use of substances, such employees will be subject to mandatory substance

The Employee Assistance Program provides free initial diagnosis and screening. Subsequent sessions are the financial obligation of the employee and may qualify for coverage in the State Employees Group Benefits Program and most Health Maintenance Organizations for those who are members. Twelve Step groups for employees recovering from substance abuse problems are available on campus and in the community.

V. PROHIBITIONS

To establish and maintain a safe and secure work environment, LSU prohibits an employee being on the job while having alcohol in his/her body that is above prohibited alcohol concentration levels, and LSU prohibits the use of or presence of illegal drugs or other dangerous substances in the bodies of its employees while on duty, on call, and/or engaged in LSU business on or off LSU premises. LSU further prohibits the sale, purchase, transfer, concealment, transportation, storage, possession, distribution, cultivation, manufacture, and dispensing of illegal or unauthorized drugs or related paraphernalia while on duty, on call, and/or engaged in work for LSU on or off LSU premises.

The prohibitions of this policy extend to the following:

- A. Illegal drugs, unauthorized controlled substances, abuse of inhalants, look- alike drugs, designer and synthetic drugs, and any other unauthorized drugs, abnormal, or dangerous substances which may affect an employee's mood, senses, responses, or motor functions, or alter or affect a person's perception, performance, judgment, or reactions while working, including those drugs identified in Schedules I through V of Louisiana R.S. 40:964 or Section 202 of the Controlled Substances Act, 21 U.S.C. 812.
 1. NOTE: Prohibited drugs and drug uses include:
 - a. Any drug which is not legally obtainable.
 - b. Any drug which is legally obtainable but has not been legally obtained; or
 - c. Legally obtained (prescription) drugs not being used for prescribed purposes or being used in excess of prescribed dosages or in a manner inconsistent with published warnings.
- B. Misuse of alcoholic or intoxicating beverages or substances; and
- C. Drug related paraphernalia as defined in R.S. 40:1031, including any unauthorized material or equipment or items used or designated for use in testing, packaging, storing, injecting, ingesting, inhaling, or otherwise introducing into the human body those substances covered by this policy.

VI. ALCOHOL MISUSE POLICY

Alcohol misuse is prohibited. Alcohol misuse includes: 1) use of alcohol on the job; 2) use of alcohol during the four hours before performance of safety-sensitive and security sensitive functions; and 3) having a prohibited alcohol concentration level in the individual's blood system while on the job. Any employee exhibiting behavior and/or appearance characteristic of alcohol misuse or whose job performance appears to be impaired by alcohol or who is involved in an accident in which the misuse of alcohol is suspected may be required to submit to a test for the presence of alcohol. In addition, each applicant for employment or each employee who is required to obtain a commercial driver's license (CDL) must be tested for drugs, alcohol, or

error in judgment; or where substance abuse could jeopardize the safety and well-being of employees, other personnel, or the general public, or cause significant damage to University property.

- C. Post-Accident/Incident – this is drug/alcohol screening performed following an accident that occurs during the course and scope of an employee’s employment that a) involves circumstances leading to a reasonable suspicion of the employee’s drug use or alcohol misuse, b) results in a fatality, c) results in or causes the release of hazardous waste or materials, or d) involves an on-the-job injury or potentially serious accident, injury, or incident, in which safety precautions were violated, equipment or property was damaged, or careless acts were performed. Such testing is required of any employee who is directly involved in such an incident, and whose action or inaction is suspected to have been a causative factor. Supervisors should direct questions about whether drug screening is appropriate for a given accident/incident to LSU Administrative Services and Risk Management (ASRM).
- D. Rehabilitative – this is drug/alcohol screening required pursuant to the terms of the rehabilitation agreement for those employees participating in substance abuse after-care treatment for up to sixty (60) months.

A list of randomly selected employees in jobs which are subject to the periodic unannounced sampling procedure will be generated from HRM. HRM will send an appropriate notice to the appropriate supervisor who will notify the employee(s) to report to testing. and D.TTJ 0 pa (c)4 (e)

A test confirmed as positive through this dual testing procedure indicates the presence of a drug or its metabolite at or above the cutoff level prescribed by this policy. The applicable standards for cutoff levels for drugs are defined by the "Mandatory Guidelines for Federal Workplace Drug Testing Programs," 53 F.R. 11979; "Programs for Chemical Drug and Alcohol Testing of Commercial Vessel Personnel," 46 C.F.R. Parts 4, 5, and 6; and "Procedures for Transportation Work Place Drug Testing Programs," 49 C.F.R. Part 40. R.S. 1001, et seq. The applicable standards for cutoff levels for alcohol are set by the Omnibus Transportation Employee Testing Act of 1991. Test results shall be documented and maintained with confidentiality. Positive test results and samples will be maintained in accordance with any legal requirements.

X. SEARCHES/INSPECTIONS

In furtherance of this policy, employees are hereby notified that at any University facilities and work sites or the property of the University, there is no expectation of privacy. Under appropriate circumstances and in accordance with the law, the University, with or without law enforcement authorities, reserves the right to conduct unannounced searches and inspection of LSU facilities and properties, including vehicles.

XI. ENFORCEMENT

Each alleged violation of this policy will be handled on a case

c-IBB1w 1508 (16/05/17) (0)

LSU respects the individual rights of its employees. Any employee involvement in the LSU Employee

EXHIBIT I

Drug Free Workplace

The federal Drug Free Workplace Act of 1988 contains specific requirements relating to University employees who are engaged in the performance of a federal grant or contract as follows:

Each such employee must receive a copy of the University policy providing a drug free workplace, which shall be provided through the official promulgation of this Policy Statement and such other means as may be appropriate, and each such employee:

- A. Agrees as a condition of employment to abide by the terms of the drug free workplace policy.
- B. Must notify the LSU Office of Human Resource Management of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.

The University is required to:

- A. Notify the granting agency; within 10 days after receiving notice of conviction as above, or otherwise receiving notice of such conviction which notification shall be by the LSU Office of Human Resource Management.

- B. Within 30 days after receiving such notice, impose a sanction on, up to and including termination,er(n)]TJ ()Tj 5gem3u0 Td (1118 (t)2 (er1c -0.004 Tw 1m)-3 (i)16 (.016 Tww 0.560.004

EXH II

- i. When there is a reasonable suspicion that an employee uses illegal drugs; or
 - ii. When an employee has been involved in an accident or unsafe practice;
 - iii. As a part of or as a follow-up to counseling or rehabilitation for illegal drug use;
 - iv. As a part of a voluntary employee drug testing program.
- b. The Contractor may establish a program to test applicants for employment for illegal drug use.
- c. For the purpose of administering this clause, testing for illegal drugs may be limited to those substances for which testing is prescribed by section 2.1 of Subpart B of the "Mandatory Guidelines for Federal Workplace Drug Testing Program," (53 FR 11980 (April 11, 1988), issued by the Department of Health and Human Services. "(d) Contractors shall adopt appropriate personnel procedures to deal with employees who are found to be using drugs illegally. Contractors shall not allow any employee to remain on duty or to ~~EMC004 Te2 (o)-462ment isecill8 Tw [c Tw g2 3.ac Tw l.004 Tw -34.97 -1.~~