



**POLICIES**

Effective Date: August 1, 2006

Retired:

Revised: June 3, 2010  
(Reformatted)

Approved by: Wayne J. Riley, M.D., MPH, MBA, President & CEO

Subject: Human Resources - Substance Abuse Policy

**SCOPE:** All employees of all Colleges, Divisions, and Schools

**PURPOSE:** To establish and maintain a safe, productive and drug-free work environment.

**POLICY:** Meharry is committed to providing a safe work environment and to fostering the well-being and health of its employees. It is the policy of the College to maintain a workplace that is free from the effects of drug and alcohol abuse.

Employees are prohibited from the illegal use, sale, dispensing, distribution, possession, or manufacture of illegal drugs, controlled substances, narcotics, or alcoholic beverages on Company premises or work sites. In addition, the Company prohibits off-premises abuse of alcohol and controlled substances, as well as the possession, use, or sale of illegal drugs, when these activities adversely affect job performance, job safety, or the Company's reputation in the community.

It is also a violation of the Meharry policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed.

As a condition of employment, employees must abide by the terms of this policy and must notify Human Resources in writing of any charge of a violation of a criminal drug statute occurring in the workplace within five calendar days after such conviction.

It is a violation of this policy to refuse consent for these purposes or to test positive for alcohol or illegal drugs. Policy violations will result in discipline and may result in termination.

**PROCEDURES:**

Employees may be asked to take a test at any time there is reasonable suspicion to determine the presence of drugs, narcotics, or alcohol. Employees that agree



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to take the test must sign a consent form authorizing the test and the Company's use of the test results for purposes of administering its discipline policy.

Tests that are paid for by the Company are the property of the Company, and the examination records will be treated as confidential and held in separate medical files. However, records of specific examinations will be made available, if required by law or regulation, to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.

Reasonable suspicion' is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer's policy drawn from specific objective facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon, but not limited to, the following:

- (A) Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse;
- (B) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
- (C) A report of substance abuse provided by a reliable and credible source;
- (D) Evidence that an individual has tampered with any substance abuse test during his or her employment with Meharry;
- (E) Information that an employee has caused or contributed to an accident while at work; or
- (F) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on Meharry's premises or while operating a Meharry vehicle, machinery, or equipment.

Meharry may also send employees for a substance abuse test under the following circumstances:

- (a) They are involved in on-the-job accidents where personal injury or damage to Meharry property occurs.
- (b) When employees have caused or contributed to an on-the-job injury that resulted in a loss of work-time, which means any period of time during which an employee stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider.



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(c) As part of a follow-up program to treatment for drug abuse.

(d) As part of a routinely scheduled employee fitness-for-duty medical examination where the examinations are required by; law, regulation, are part of Meharry's established policy, or one that is scheduled routinely for all members of an employment classification group.

Employees must report their use of over-the-counter or prescribed medications to the Human Resources Department if the use might impair their ability to perform their job safely and effectively. A determination will then be made as to whether the employee should be able to perform the essential functions of the job safely and properly.

Any employee who is abusing drugs or alcohol may be granted a leave of absence to undertake rehabilitation treatment. The employee will not be permitted to return to work until certification is presented to the Human Resources Department that the employee is capable of performing his job. Failure to cooperate with an agreed-upon treatment plan may result in discipline, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this or other Company policies.

**Alcohol Testing**

The consumption or possession of alcoholic beverages on Meharry's premises is prohibited. (Meharry sponsored activities which may include the serving of alcoholic beverages are not included in this provision.) An employee whose normal faculties are impaired due to alcoholic beverages, or whose blood alcohol level test .08% by weight for non-safety sensitive positions, or .04% for safety sensitive positions, while on duty or conducting Meharry business shall be guilty of misconduct, and shall be subject to discipline up to and including termination.