

POLICY AND REGULATIONS MANUAL

TITLE: DRUG FREE WORKPLACE

PURPOSE: Harris Health System has a vital interest in maintaining a safe, healthy, and efficient working environment free of alcohol, illegal drugs, and unauthorized prescription drugs.

POLICY STATEMENT:

It is the policy of the Harris Health System (Harris Health) to maintain a workplace free of drugs and alcohol. The use of drugs and alcohol in the workplace presents a significant risk to employees and others. Employees may seek counseling and treatment for substance abuse problems through Harris Health's Employee Assistance Program or other treatment or rehabilitation program.

POLICY ELABORATIONS:

I. DEFINITIONS:

- A. **REASONABLE CAUSE:** An explainable belief based upon scientific facts or incidents and the reasonable conclusions drawn from those facts or incidents. Facts or incidents, which determine reasonable suspicion or probable cause, may include, but are not limited to the following:
1. Observation of drug, volatile chemical or alcohol use;
 2. Observation of drugs, drug paraphernalia, volatile chemicals, or containers on the person or within an area under the immediate control of the employee;
 3. A pattern of abnormal or erratic behavior;
 4. Observation of physical symptoms of drug, volatile chemical, or alcohol use such as incoherent speech, glassy or bloodshot eyes, or poor coordination, or reflexes; or
 5. Test results confirming use of drugs, volatile chemicals, or alcohol.
- B. **SAFETY-SENSITIVE POSITIONS:** A "Safety Sensitive" position involves job duties, which if performed with inattentiveness, errors in judgment, or diminished coordination, dexterity, or composure may result in mistakes that could present a real or imminent threat to the personal health and safety of the patient, employee, coworkers, or the public. Employees who operate a vehicle as a part of their job duties or who provide healthcare

services directly to patients, nurses, pharmacists, and registered drug technicians are always in safety-sensitive positions.

II. STANDARDS:

- A. Harris Health prohibits the unlawful manufacture, distribution, dispensation, sale, possession, concealment, purchase, or use of any controlled substance, volatile chemicals, illegal drugs, or alcohol in the workplace, including Harris Health, provided parking areas or in any other Harris Health facility. Employees who violate this policy are subject to immediate termination.
- B. Prescription drugs and other medications may be used in the workplace only as directed by a physician and so long as the physician determines that the medications or their side effects will not impair the employee's work performance.
- C. Any employee who is convicted of a criminal drug law violation (state or federal) will be terminated. A supervisor who has knowledge of an employee's conviction must report the conviction to Harris Health's Vice President of Human Resources immediately. A supervisor who knowingly fails to report will be subject to disciplinary action, as defined in Harris Health's Employee Discipline policy.
- D. Any employee who drives a vehicle owned or leased by Harris Health and who is convicted of "driving while intoxicated" (DWI) while on or off duty will be terminated.
- E. Harris Health reserves the right to adopt additional policies relating to drugs and alcohol in the workplace.

III. REASONABLE CAUSE (PROBABLE CAUSE REASONABLE SUSPICION):

Testing for alcohol and drugs will be performed when Harris Health has reasonable cause to suspect an employee is under the influence of a substance prohibited by this policy.

POLICY AND REGULATIONS MANUAL

IV. TESTING:

Testing of employees or applicants shall be performed at laboratories selected and approved by Harris Health. The facility conducting the test must adhere to and maintain written procedures to ensure privacy, prevention of tampering, and chain-of-custody of all test samples. Such procedures shall meet legal evidentiary standards. Methods of be state-of-the-art as certified by the selected and approved laboratory.

V. RANDOM DRUG TESTING FOR “SAFETY SENSITIVE” POSITIONS:

Employees in safety-sensitive positions are subject to random drug testing.

VI. DISCIPLINE AND RETURN TO WORK:

- A. Any employee suspected of being impaired while working on behalf of Harris Health from drugs or alcohol shall be suspended without pay until test results have been obtained. **If** test results are negative, the employee will be compensated for time lost from work.
- B. Employees who refuse to submit to testing will be terminated immediately.
- C. Employees with positive test results for alcohol or unauthorized drug use will be terminated.

VII. CONFIDENTIALITY OF RECORDS:

All information relating to the drug or alcohol tests is confidential and must be maintained in a separate file.

HARRISHEALTH SYSTEM

POLICY AND REGULATIONS MANUAL

Policy No: 3025
 Page Number: 4 of 5
 Effective Date: 05/31/07
 Board Motion No: 07.5-267

REFERENCES/BIBLIOGRAPHY:

Drug Free Workplace Act of 1988.

Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. § 31306.

Texas Commercial Driver's License Act of 1986.

Texas Transportation Code Ann. Chapter 522, as amended.

Harris Health System Policy and Procedure 6.20 Employee Discipline Policy.

OFFICE OF PRIMARY RESPONSIBILITY:

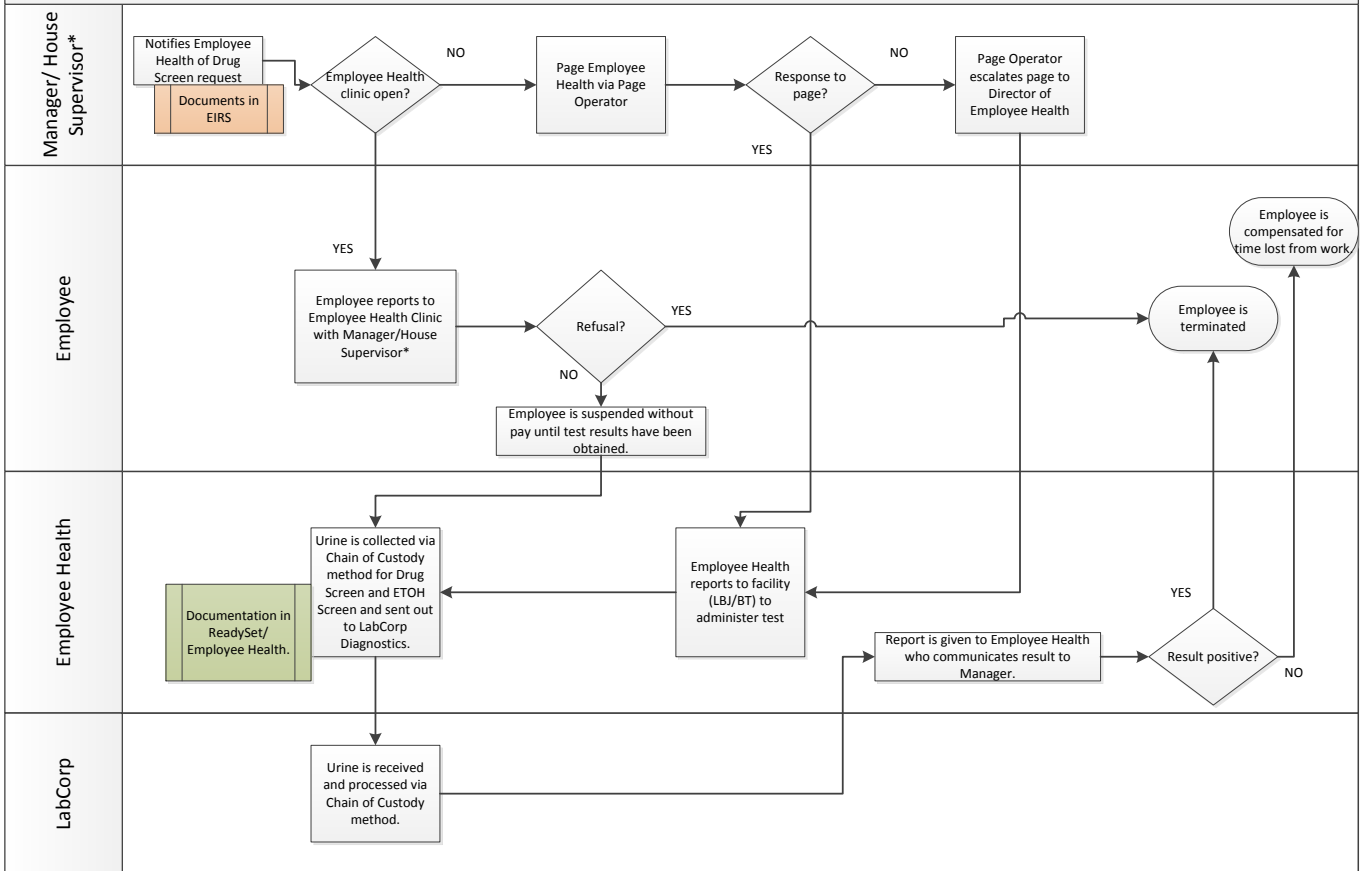
Harris Health System Senior Vice President - Human Resources.

REVIEW/REVISION HISTORY:

Effective Date	Version # (If Applicable)	Review/ Revision Date (Indicate Reviewed or Revised)	Approved by:
05/31/07	1.0	11/1997	Personnel Health
		11/1997	County Attorney (M. Leal)
		11/1997	HCHD Policy & Procedure Committee
			Board of Managers
	2.0	02/15/2005	Policy Review Committee
		Revised 04/30/2007	HCHD Policy Review Committee
			Board of Managers (Motion No. 07.5-267)
	3.0	Approved 10/20/2009	HCHD Policy & Procedure Committee
	4.0	Approved 03/12/2013	Operations Policy Committee
	5.0	Approved 09/08/2015	Operations Policy Committee

ATTACHMENT A: WORKFLOW PROCEDURE

Employee Health Drug Screen Workflow Process – Reasonable Suspicion ver 06-16-15



* House Supervisor for after hours operations.