PURPOSE

This policy provides guidance to employees of the University of Nevada, Reno Facilities Services Department (FSD) regarding drug and alcohol testing and related procedures.

SCOPE

This policy applies to all FSD employees and is intended to provide clarification to applicable sections of the Nevada Administrative Code and the Administrative Manual.

GENERAL

Drug and alcohol testing is a tool available to supervisors when the supervisor has reasonable suspicion an employee is under the influence of drugs or alcohol. Drug and alcohol testing is also required when an employee sustains an injury requiring medical treatment, operates a motorized vehicle in any manner that causes bodily harm to self or others, operates a motorized vehicle in such a manner as to cause an estimated $500 worth of property damage or more, or operates a motorized vehicle in such a manner that causes two property damage accidents within a one year period.

Drug testing is a pre-employment requirement for designated FSD positions. Drug testing is also a pre-employment requirement for shuttle bus drivers as mandated by the Federal Motor Carrier Safety Administration, which mandates testing for all commercial driver licenses (CDL) holders. Shuttle bus drivers must submit to random drug and alcohol testing as a condition of employment.
The respective appointing authority may delegate responsibilities outlined in this policy.

**STUDENT PRE-EMPLOYMENT DRUG AND ALCOHOL TESTING**

Designated FSD student recruitment announcements contain notification to applicants about the pre-employment screening for controlled substances. The student positions selected for pre-employment screenings for controlled substances are those affecting public safety. If the student position requires this screening, the student applicant must complete the screening within forty eight hours of being offered the position.

**REASONABLE SUSPICION DRUG AND ALCOHOL TESTING**

A supervisor may direct an employee to submit to drug and alcohol testing when the supervisor has reasonable suspicion the employee is under the influence of drugs or alcohol. In general, reasonable suspicion is specific and documented by observations or facts concerning the appearance, behavior, speech, or body odors of an employee. Factors that constitute reasonable suspicion include, but are not limited to, any of the following:

- Unsteady gait
- Slurred speech, inability to coherently converse or understand
- The odor of alcohol or drugs on the person
- Dilated or pinpoint pupils
- Drowsiness, hyperactivity, confusion, anxiety, or distorted sense of time
- Flat emotions or exaggerated emotions
- Difficulty focusing eyes and/or attention
- Any abnormal conduct or erratic behavior that is not otherwise explainable
- Observation of the consumption of alcohol or the possession or use of a controlled substance
- Observation of the consumption of alcohol or the possession or use of a controlled substance reported by a credible source
- Admission of drug or alcohol impairment or use by the employee
- Unreasonable refusal of otherwise warranted medical treatment

**POST-ACCIDENT DRUG AND ALCOHOL TESTING**

A supervisor may direct an employee to submit to drug and alcohol testing if the employee is involved in an accident and meets any of the following conditions:

- The employee sustains an injury requiring medical treatment, even if treatment is not provided for an acute injury.
- The employee operates a motorized vehicle in any manner that causes bodily harm to self or others.
• The employee operates a motorized vehicle in such a manner as to cause an estimated $500 or more worth of property damage.
• The employee has two property damage accidents within a one year period.
• The employee exhibits any factors constituting reasonable suspicion, as described above.

PROCEDURES FOR DRUG AND ALCOHOL TESTING

Procedures for reasonable suspicion and post-accident testing are generally the same, except as noted below.

• The Notification of Administrative Leave memorandum does not apply to student employees.
• Student employees do not receive paid administrative leave when sent home pending results of a drug and alcohol test.

The Decision to Test

• When impairment is suspected, the supervisor should attempt to have observations corroborated by asking another supervisor to observe the employee’s behavior.
• Immediately remove the employee from any task or work area with the potential to cause harm to the employee or others; do not allow the employee to operate vehicles or machinery; Call UNR Police Services (745-6195) if the employee attempts to leave the area or is uncooperative.
• Contact the respective Senior Director (Maintenance Service or Planning and Construction employees) or Director for Administrative Services employees) and transport the employee to the respective office location (Facilities Maintenance Services, Facilities Services, or Parking and Transportation Services).
• Call Nevada Drug and Alcohol Testing, Inc. (DAT) at (775) 356-5554 to request on-site testing.
• Separate the employee from other employees and keep the employee under observation until DAT arrives.

Wait For DAT to Arrive

Appointing Authority

• Explains process to employee.
• Issues an Administrative Leave Memorandum.
• Marks the test type only (reasonable suspicion or post-accident) on the Forensic Drug Testing Custody and Control Form (Quest Diagnostics Form); balance of form is completed by the DAT representative.
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Employee
• Completes the required contact information on the Administrative Leave Memorandum
• Completes the Reasonable Suspicion/Post-Accident Alcohol/Drug Test Consent Form (TS-76)

Supervisor(s)
• Completes the Report Form for Suspected Alcohol/Drug Impairment (TS-77).
• If the test is a result of an accident or injury, completes the applicable reports:
  o Vehicle Accident Report (UMR-002); and/or
  o Property Loss Report (URM-003); and/or
  o Notice of Injury or Occupational Disease (C-1).
• Collects any university owned property, such as telephones, radios, keys, laptop computer, identification.

Once DAT Arrives
The DAT representative will:
• Request to see identification of the employee
• Complete the Forensic Drug Testing Custody and Control Form
• Conduct the alcohol test and provide immediate results
• Accompany the employee to the restroom and oversee the urine sample collection process
• Provides copies of the completed Forensic Drug Testing Custody and Control Form and results of the alcohol test to both the employee and to the appointing authority

What if the Employee Refuses to Consent to the Test?
• Appointing authority advises the employee that refusal is grounds for dismissal and then documents the refusal on the Reasonable Suspicion/Post-Accident Alcohol/Drug Test Consent Form
• Provide copies of the Administrative Leave Memorandum and the Reasonable Suspicion/Post-Accident Alcohol/Drug Test Consent Form to the employee

What if the Employee Requires Emergency Medical Care?
• Provide immediate and appropriate care first and foremost
• Inform medical personnel of your desire for post-accident alcohol and drug testing, which they will conduct as appropriate
• Follow up with appropriate paperwork

After the Test/Refusal to Test
• Provide copies of the Administrative Leave Memorandum, the Reasonable Suspicion/Post-Accident Alcohol/Drug Test Consent Form, the Forensic Drug Testing Custody and Control Form, and the results of the alcohol test, if applicable, to the employee
• Arrange transportation home for the employee  
  o The supervisor(s) may transport the employee in a State vehicle  
  o Allow the employee to call a relative or friend to pick them up  
  o If the employee refuses the above options, they may request a taxi, but the employee is responsible for the fare; if the supervisor is unable to transport the employee, then the University will pay for the taxi  
  o If the employee is combative, uncooperative, or attempts to drive, request assistance from UNR Police Services for the transport  
• Send original copies of the Administrative Leave Memorandum, Reasonable Suspicion/Post-Accident Alcohol/Drug Test Consent Form, the Report Form for Suspected Alcohol/Drug Impairment, the Forensic Drug Testing Custody and Control Form, and the results of the alcohol test to the Director, Employee Relations. Provide copies to the FSD HR Specialist for the department’s electronic record.  
• If applicable, send original copies of the Vehicle Accident Report (UMR-002); and/or Property Loss Report (URM-003) and/or Notice of Injury or Occupational Disease (C-1) to Director, Risk Management; provide copies to the FSD HR Specialist for the department electronic record.  
• Appointing authority  
  o Retains copies of all documents in personnel file maintained by the appointing authority and documents any relevant observation in a supervisory note to file  
  o Provides notification of the test to the AVP for Facilities Services and Director, Employee Relations  
  o Notify the Leave Keeper of Administrative Leave status for the employee  

TEST RESULTS  

Negative Test  
The appointing authority is notified by BCN Human Resources upon receipt of a negative test (without the presence of a controlled substance) result. The employee is notified and required to return to work at the start of the next scheduled shift.  

Positive Test  
A test result indicating the presence of a controlled substance is referred by DAT to a Medical Review Officer (MRO). The MRO contacts the employee directly and attempts to reconcile the test results with any current, legal prescriptions issued to the employee by a physician. A failure to reconcile results, or the unwillingness or inability of the employee to provide a prescription, will yield a positive result. Positive test results could result in the rejection of the employment application, are subject to disciplinary action up to and including termination, and are addressed on a case-by-case basis. Positive test results for student employees will additionally result in a referral to the Office of Student Conduct by the Human Resources Department.  

Secondary Testing  
If a screening test indicates the presence of a controlled substance, the appointing authority shall advise the employee that they may have the same sample tested, at their expense, by a laboratory
certified by the United States Department of Health and Human Services, of their choice. The employee must remit payment in advance of the test.

**SHUTTLE BUS DRIVERS**

The following additional alcohol and drug testing requirements established by the Federal Motor Carrier Safety Administration also apply to Shuttle Bus Drivers:

- A pre-employment test is required and negative test results must be received before the driver is able to start work
- Random alcohol and drug testing is conducted quarterly for all Shuttle Bus Drivers
- Refusal to consent to random, reasonable suspicion or for-cause testing is grounds for dismissal
- Process for Quarterly Testing
  - Sierra Department of Transportation Consortium maintains a list of Shuttle Bus Drivers
  - Names are drawn at random
  - When drawn, the Director for Administrative Services is notified, and in turn notifies and transports the driver to DAT for testing
  - DAT provides all the necessary paperwork and conducts the test
  - The employee immediately returns to work following the test

**IMPLEMENTATION**

The appointing authority for each FSD unit is responsible for the implementation of this policy within their respective areas of responsibility.

**TRAINING**

All FSD personnel with supervisory responsibilities shall receive training on the Drug and Alcohol Policy within 30 days of employment.

**COMPLIANCE**

Compliance with all UNR and FSD policies is required of each employee. Failure to comply with this policy may result in disciplinary action as outlined in the Nevada Administrative Code, the Nevada System of Higher Education Prohibitions and Penalties, and/or the Nevada System of Higher Education Board of Regents Handbook.
IMPORTANT RESOURCE INFORMATION

Nevada Drug and Alcohol Testing, Inc. (DAT): 356-5554
Saint Mary’s Emergency Room: 235 W. 6th Street, Reno
UNR Employee Relations/Human Resources: 775-784-6978; Mailstop 0240
UNR Police Services: 745-6195 or 911
UNR Risk Management: 682-6107; Mailstop 0241

FORMS AND WEB ADDRESSES

Administrative Leave Memorandum
Sample included below and in the Supervisor Drug and Alcohol Training Materials

Forensic Drug Testing Custody and Control Form (Form Quest Diagnostics)
Form available from BCN Human Resources or from the DAT representative; copies included in the Supervisor Drug and Alcohol Training Materials

Notice of Injury or Occupational Disease (Form C-1)

Property Loss Report (Form URM-003)

Reasonable Suspicion/Post-Accident Alcohol/Drug Test Consent Form (Form TS-76)
http://www.unr.edu/Documents/administration-finance/hr/hr-alcohol-drugs/TS-76consentformbcn.doc

Report Form for Suspected Alcohol/Drug Impairment (Form TS-77)
http://www.unr.edu/Documents/administration-finance/hr/hr-alcohol-drugs/ts-77nshe_specific.pdf.

Vehicle Accident Report (Form URM-002)
http://www.unr.edu/Documents/administration-finance/hr/hr-risk-management/urm002bcnvehicleaccidentreport.pdf
MEMORANDUM

Date: December 31, 2012
To: Employee
From: Appointing Authority
Cc: BCN Human Resources
Reference: Notification of Administrative Leave

Please be advised that, effective immediately, you have been placed on paid administrative leave pending results of a drug and alcohol test.

Placing an employee on paid administrative leave pending an investigation is done in accordance with NAC 284.589 Administrative leave with pay. (NRS 284.065, 284.155, 284.345)1. An appointing authority may grant administrative leave with pay to an employee: (b) for up to 30 days when the appointing authority initiates the leave to obtain the results of an examination concerning the ability of the employee to perform the essential functions of this position.

Your supervisor collects all University of Nevada, Reno property at this time. Employees on paid administrative leave must notify their immediate supervisor prior to entering their primary work area.

During the time you are on paid administrative leave, you are required to be immediately available by phone and available to report promptly to the work site or other work-related location during the business hours of 8:00 am until 5:00 pm, Monday through Friday. If your regularly scheduled shift falls outside of those core business hours, your shift is temporarily changed while you are on administrative leave. Please be aware that this may result in the loss of a shift differential if you currently receive one. Please ensure that we have an updated phone number and address for you by writing it in the space provided at the end of this letter. Being unavailable to your employer while you are on paid administrative leave is grounds to have your paid leave revoked.

For questions on this process, you may contact Janet Damschen, Employee Relations Director for Business Center North Human Resources at 784-6978. If Janet is not available, contact Tim McFarling, Assistant Vice President of Human Resources at 784-8269.

Thank you for your attention.

__________________________________                      ____________
Employee Signature – Acknowledges Receipt                      Date

Employee’s current telephone number ________________________________
Employee’s current address _________________________________________