

**LONE STAR COLLEGE SYSTEM DISTRICT
BOARD POLICY MANUAL
Fifth Edition**

addressing the matter reported. Supervisors receiving such a report must immediately contact Office of Human Resources.

Each employee required to drive a College vehicle must possess a valid and appropriate driver's license. Supervisors must certify that employees under their direction are capable of operating all motorized, self-propelled equipment required in the employees' work.

IV.F.8.4. Smoking Prohibited

The College prohibits smoking anywhere inside College buildings, including but not limited to offices, classrooms, restrooms, hallways, and elevators.

The College will post no-smoking signs on each College building at each public entrance and at other strategic locations. The College will designate smoking areas at least 25 feet away from College buildings' entrances.

IV.F.9. Drugs and Alcohol in the Workplace

IV.F.9.1. Policy

The College strives to provide an alcohol- and drug-free workplace and learning environment. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance or unauthorized drug, and the unauthorized possession and use of alcohol are prohibited on College premises.

IV.F.9.2. Definitions

- (a) **College Premises** means buildings or grounds the College owns or controls.
- (b) **In the workplace** or **On-the-job** means on College premises, in a college vehicle, or as part of any College activity.
- (c) **Reasonable Suspicion** means a conclusion based on personal observation of a specific objective instance or instances of employee conduct. Observation must be corroborated and documented in writing that an employee is unable to satisfactorily perform his or her job duties due to the use of drugs or alcohol. Such inability to perform may include, but is not limited to, a drop in the employee's performance level or an indication of impaired judgment, reasoning, and level of attention or behavioral change or decreased ability of the senses.
- (d) **Unauthorized Drugs** refers to any drug that cannot be obtained legally or has been illegally obtained, including prescription drugs obtained without a prescription, over-the-counter drugs not used as instructed, and drugs represented to be illegal.
- (e) **Under the Influence** or **Impaired** means abnormal behavior in the workplace resulting from consuming alcohol or any controlled substance or other drug which may limit an employee's ability to safely and efficiently perform his or her duties or poses a threat to the safety of the employee, other employees, the public, or property.

IV.F.9.3. Alcoholic Beverages at College Events and Activities

The following guidelines are provided for all College employees:

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(a) Employees who serve as student or employee organization sponsors must ensure that any organizational activities conducted on- or off-campus that include alcoholic beverages are conducted in compliance with Texas law, ensuring that:

1. Persons 20 or under are not served or sold alcoholic beverages;
2. Excessive and/or rapid consumption of alcoholic beverages is discouraged; and
3. Alcoholic beverages are not used as prizes or awards in connection with sponsored events or activities.

(b) The public display of alcoholic-beverage advertising or promotion in College buildings or any other College premises is prohibited.

(c) Alcoholic-beverage advertisements or promotions shall not appear in College-controlled or -affiliated publications, including the College's affiliated websites.

(d) Advertising of establishments that sell alcohol (e.g., grocery stores, breweries, etc.) may appear in various College publications if the advertisements:

1. Exclude brand names, logos, prices, visual images, or verbal phrases that promote or encourage alcoholic beverage consumption;
2. Do not encourage any form of alcohol abuse, such as ads that encourage rapid and excessive alcohol consumption; and
3. Includes a statement about responsible drinking.

IV.F.9.4. Employee Who Appears to be Under the Influence on the Job

Any employee whose on-the-job conduct provides a reasonable suspicion that the employee is under the influence of drugs or alcohol may be questioned by the employee's supervisor about the influence of drugs or alcohol on the employee's conduct. A supervisor should contact the Office of Human Resources when the supervisor has a reasonable suspicion that an employee is under the influence of drugs or alcohol before requiring the employee to leave the College or taking other disciplinary action.

A College employee may be required to leave the workplace if the employee admits to being under the influence of drugs or alcohol and the College community's safety is threatened, the effects are disruptive to the work or learning environment, or the employee's ability to perform his or her job is impacted. The supervisor must take reasonable action to prevent the employee from driving.

If the employee denies that he or she is under the influence of drugs or alcohol, yet the conduct provides reasonable suspicion to believe that he or she is, the employee may be required by the supervisor, after consultation with an administrator and the Office of Human Resources, to report to a designated medical facility for drug or alcohol testing. Refusal to consent to a required medical test or a drug or alcohol screening violates this policy.

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An employee is subject to discipline, up to and including termination, for violating this policy. Discipline may include an opportunity to complete an appropriate rehabilitation or therapy program, at the employee's sole expense, before returning to work or before disciplinary action is imposed.

IV.F.9.5. Report of Conviction for Drug-Related Offense

An employee shall notify their supervisor of any conviction for a drug-related offense no later than five days after such conviction. Employees who drive College-owned or -leased vehicles must notify their supervisor of any alcohol-related driving convictions no later than five days after such conviction. Failure to give this notification may result in disciplinary action up to and including termination. A supervisor so notified by an employee should seek advice from the Office of Human Resources before responding to the information.

Within ten days of receiving notice that an employee engaged in the performance of a federal contract was convicted for a drug-related offense occurring in the workplace, the College must provide conviction information to any relevant federal contracting agency.

Within 30 days of receiving notice of an employee conviction for any drug-related offense occurring in the workplace, the College shall either (1) take appropriate personnel action against the employee, up to and including termination; or (2) require the employee to participate satisfactorily in a drug and alcohol abuse assistance or rehabilitation program.

IV.F.9.6. Assistance to Employees Regarding Drug or Alcohol Abuse

Sick leave, vacation leave, and compensatory time may be used during the time that an employee participates in a drug and alcohol abuse assistance or rehabilitation program. Leave without pay may be allowed, at the College's discretion, for employees with insufficient accrued paid leave.

IV.F.9.7. Possession by Police

Any police personnel required to be in possession of alcohol or drugs in the course and scope of their employment are exempt from provisions of this policy pertaining to possession of alcohol or drugs in the workplace. The College's Police Department has procedures for these circumstances.

IV.F.9.8. Off-Duty Conduct

A College employee may be disciplined, up to and including termination, for conduct outside the workplace if that conduct has a significant negative impact on College operations or on the employee's ability to perform his or her job duties.

IV.G. CHANGES IN EMPLOYMENT STATUS

IV.G.1. General Changes

IV.G.1.1. Policy

An employee's employment status with the College may change. This policy addresses some foreseen changes that may affect an employee during the course of employment.