



# Drug and Alcohol Testing Guidelines

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## Introduction

### Purpose

In accordance with federal law and University policy, Clemson requires drug and alcohol testing of all personnel (employees and student workers) in safety-sensitive positions. In support of Clemson University's [Drug and Alcohol Testing Policy](#), these guidelines provide procedural information for safety-sensitive personnel and their supervisors. While the guidelines do not create policy, adherence to the procedural information within is required in order to comply with University policy and the rules and regulations established by the United States Department of Transportation (DOT).

### Policies

Clemson University expects all personnel in safety-sensitive positions and managers/supervisors who oversee safety-sensitive personnel to know and adhere to the policies and procedures outlined in the Drug and Alcohol Testing Policy and these supporting guidelines. Please contact the Office of Human Resources (OHR) with questions or to confirm whether a position is designated safety-sensitive and covered in the testing pools.

### Definition of Safety-Sensitive Positions/Personnel

These guidelines (and the Drug and Alcohol Testing Policy from which they derive) apply to personnel in positions designated as safety-sensitive. Safety-sensitive positions at Clemson University are broken down into two groups: 1) positions requiring a Commercial Driver's License (CDL) and 2) certain positions in the Department of Public Safety (police, fire and EMS).

- Because of their safety-sensitive designation, personnel in both groups are subject to the University's Drug and Alcohol Testing Policy and are included in the drug and alcohol testing pools. In accordance with U.S. Department of Transportation regulations, issued under the Omnibus Transportation Employee Testing Act of 1991, the CDL employee group includes employees in positions that require a commercial driver's license (CDL) and operation of a commercial motor vehicle (CMV). Provisions of this policy applicable to CDL employees are to comply with DOT regulations. In addition, Clemson University, under its own authority may require adherence to requirements that go beyond federal requirements.
- The Police, Fire and Emergency Medical Services (EMS) personnel group includes safety-sensitive positions within the Clemson University Department of Public Safety. Provisions of this policy applicable to this group are not required by federal DOT regulations but are applicable under Clemson University's own authority as an employer.
  - The following job classifications within the Department of Public Safety are not considered safety-sensitive and are not subject to testing under the Drug and Alcohol Testing Policy:
    - Administrative Coordinator - Chief's Receptionist
    - Administrative Specialist II - Records Clerk
  - Student workers employed by Clemson University's Fire and EMS whose job duties are the same as or similar to the job duties of safety-sensitive employees' positions are considered safety-sensitive personnel and are subject to random drug testing according to the rules set forth in the Drug and Alcohol Testing Policy and these guidelines.

Safety-sensitive Functions defined for CDL and Police/Fire/EMS Personnel

**CDL Employees:** For the purpose of this document and per University policy, a CDL employee is performing a safety-sensitive function at the following times:

- All time on University property, public property, or other property waiting to be dispatched to drive
- All time inspecting, servicing or conditioning any Commercial Motor Vehicle (CMV)
- All CMV driving time
- All time other than driving time in or upon any CMV
- All time loading or unloading a vehicle, supervising or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving receipts for shipments loaded or unloaded
- All time spent performing driver requirements relating to accidents
- All time repairing, obtaining assistance for, or remaining with a disabled vehicle

**Police, Fire, and EMS Personnel:** For the purpose of this document and per University policy, a Police, Fire, and EMS employee/student worker is performing a safety-sensitive function at all times when on University property, public property, or other property while on duty or waiting to be dispatched for duty.

## Drug and Alcohol Use Restrictions for Safety-Sensitive Personnel

For a **CDL employee**, any breath alcohol test indicating an alcohol concentration of 0.02 percent but less than 0.04 percent requires standing down from safety-sensitive functions either for 24 hours or until the start of the employee’s next shift (whichever is longer). A result of 0.04 percent or higher requires standing down from safety-sensitive duties until the employee has been provided resources on solving alcohol problems, has been evaluated by a substance abuse professional, has complied with treatment recommendations, and has passed a return-to-duty screen. In addition, the positive breath alcohol test result must be reported to the Department of Motor Vehicles.

CDL employees are prohibited from the following:

- Performing any safety-sensitive function with an alcohol concentration of 0.02 percent or greater\*
- Reporting to work or remaining on duty with an alcohol concentration of 0.04 percent or greater\*
- Conducting safety-sensitive duties within four hours of using alcohol
- Reporting to work or remaining on duty following a positive drug test
- Using alcohol on the job
- Use of controlled substances except when the use is pursuant to the instructions of a trained medical practitioner who has advised the employee that the substance does not adversely affect the employee’s ability to safely operate a CMV. This prohibition applies at any time, whether the employee is on or off the job.
- Using alcohol within eight hours following an accident that requires a post-accident drug/alcohol test or until a post-accident test is completed (whichever occurs first)

\*Note that Clemson prohibits employees from reporting to work under the influence of alcohol, regardless of alcohol concentration.

A breath alcohol test indicating an alcohol concentration of 0.04 percent or higher is considered a positive test for **police, fire, and EMS personnel**.

In addition, all safety-sensitive personnel are prohibited by Clemson University’s independent authority as an employer from the following:

- Possessing, selling, using, or transporting illegal drugs, including otherwise legal drugs not prescribed for the employee/student worker or used in a manner inconsistent with their labeling and including synthetic drugs that are designed to mimic the effects of illegal drugs, whether on or off duty and regardless of location
- Recreational consumption of alcohol under the age of 21, whether on or off duty and regardless of location
- Reporting for work under the influence of alcohol, regardless of alcohol concentration

- Refusing to submit to an initial drug test, post-accident test, random drug test, reasonable suspicion drug test, returning to duty drug test or follow-up drug or alcohol test as required under Clemson’s Drug and Alcohol Testing Policy and these guidelines
- Submitting an adulterated sample
- Concealing knowledge of another employee/student worker’s using or being under the influence of drugs or alcohol
- Falsifying a medical qualification form from a medical provider or pharmacist
- Ingesting any Rx or OTC medications in amounts beyond the recommended dosage, such that job-related performance is or may be affected

## Drug and Alcohol Testing Procedures

Clemson University contracts with an approved independent drug-testing provider to conduct drug and alcohol testing. This provider contracts with testing facilities in the area. All such facilities must meet all legal requirements for a qualified and secure testing process. For CDL employee testing, this means a laboratory certified by the U.S. Department of Health and Human Services’ National Laboratory Certification Program and specimen collection sites that meet all DOT regulatory requirements.

When an employee/student worker reports to a designated testing facility for any required testing, that individual must present a valid, government-issued, unexpired photo identification. If appropriate identification is not presented, the testing facility will not conduct the testing.

The home department of the employee/student worker will pay the entire cost of the drug testing for pre-employment, post-accident, random and reasonable suspicion testing. In circumstances where return to work and/or follow-up testing is required, the employee/student worker may be required to pay for the testing.

### Types of Tests

To the extent possible, testing is to be conducted during the employee/student worker’s normally scheduled work hours.

The following tests may be required for safety-sensitive personnel:

<b>Type of Test</b>	<b>Drugs (Urine)</b>	<b>Alcohol (Breath)</b>
Pre-employment	Yes	No
Random	Yes	Yes (CDL Only)
Reasonable Suspicion	Yes	Yes
Post-accident	Yes	Yes
Return to Duty	Yes	Yes
Follow-up	Yes	Yes
Weapons Use Incident	Yes (Police Department Only)	Yes (Police Department Only)

**Pre-employment:** All final candidate(s) for employment or final candidate(s) for transfer or promotion to a safety-sensitive position are subject to screening for use of drugs.

**Post-Accident:** Testing for use of substances in violation of this policy and for alcohol is conducted under the following circumstances:

**Police, Fire, and EMS Personnel:** After accidents that occur in University vehicles if the driver's performance could have contributed to the accident.

**CDL Employees:** DOT-mandated post-accident testing will occur within 8 hours (alcohol testing) or 32 hours (substance use testing) of the accident, if any of the following criteria are met:

- The CDL employee receives a citation
- There is a fatality, even if the driver is not cited for a moving traffic violation
- Disabling damage occurred, requiring towing of a vehicle from the scene
- Anyone involved in the accident sustains bodily injury and, as a result, immediately receives medical treatment away from the scene of the accident

Post-accident alcohol tests should be conducted within two hours of the accident, and in no case should a post-accident alcohol test be conducted more than eight hours after the accident. Post-accident drug tests must be conducted within 32 hours. If the required tests are not conducted within the foregoing timeframes, the supervisor must prepare and maintain a record of the reasons the tests were not promptly administered.

Safety-sensitive personnel who have been in an accident must remain readily available for such testing, including refraining from all alcohol use until all testing is complete, or they may be deemed to have refused to submit to testing.

**Reasonable Suspicion:** Reasonable suspicion testing occurs when a trained supervisor or manager observes behavior that is characteristic of alcohol or drug misuse.

- Reasonable suspicion testing may only be conducted after consultation with OHR's Employee Relations team.
- If an employee/student worker's behavior or appearance suggests alcohol or drug misuse in violation of this policy, a reasonable suspicion test should be conducted.

In addition, for **CDL Employees:**

- If a required alcohol test cannot be administered within two hours of the determination that reasonable suspicion testing should occur, the supervisor must prepare and maintain a record of the reason the test was not promptly administered.
- Whether or not an alcohol test has been performed, the employee must be removed from performing safety-sensitive duties for 24 hours, unless a test was performed and the employee's AC was less than .02 percent.
- Alcohol testing must be based on observations leading to reasonable suspicion that arise just before, during or just after the employee's performance of safety-sensitive duties.
- Illicit or controlled substance testing may occur at any time upon suspicion.
- A written record must be made of the observations leading to an alcohol or controlled substances reasonable suspicion test, and signed by the supervisor or University official who made the observations, within 24 hours of the observed behavior, or before the results of the alcohol or controlled substances tests are released, whichever is earlier.

**Random:** Random testing is conducted on a random, unannounced basis for drugs and/or alcohol.

- Each year, the number of random **alcohol** tests conducted by the University must equal at least 10 percent of the number of employees/student workers subject to testing.
  - CDL employees will be grouped together separately for testing purposes and tested at an annualized rate of 10 percent of the CDL employees subject to testing.
- Each year, the number of random **drug** tests conducted by the University must equal at least 25 percent of the number of employees/student workers subject to testing.
  - CDL employees will be grouped together separately for testing purposes and tested at an annualized rate of 50 percent of the CDL employees subject to testing.
- For CDL employees, the annualized rates of alcohol and drug testing may vary year-by-year based on program changes issued by the Federal Motor Carrier Safety Administration (FMCSA).
- Everyone in the testing pool(s) has an equal chance of being selected and tested each time random testing is performed.
  - There is a high probability that some employees/student workers will be selected multiple times throughout the year. After each selection, the employee/student worker's name is returned to the same pool.
- An outside vendor, not Clemson University, determines which personnel are selected for random testing. The selections shall be made by a scientifically valid method, such as a random number table, or a computer based random number generator matched to an identifying number for each employee/student worker.
- For CDL employees, each employee selected must be tested during the selection period.
- For CDL employees, random testing for alcohol must be done while the driver is performing safety-sensitive duties, just before performing safety sensitive duties, or just after performing safety sensitive duties.

**Return to Duty and Follow-up:** Return to Duty and Follow-up testing is conducted when an individual who has violated the alcohol or drug standards as defined in the Drug and Alcohol Testing Policy returns to performing safety-sensitive duties.



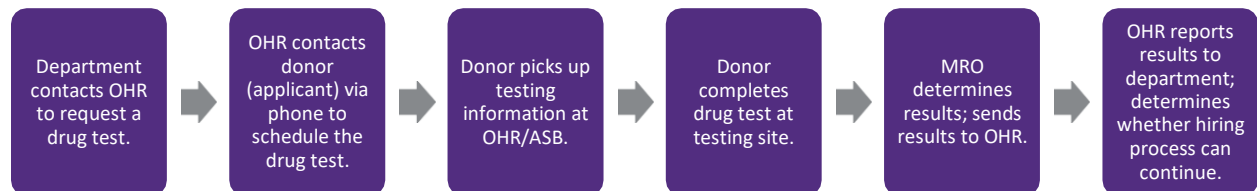
- For CDL employees, after a Substance Abuse Professional (SAP) has determined that the employee has successfully complied with prescribed education and/or treatment, prior to any return to safety sensitive duties, the employee must have a negative return to duty drug test result and/or an alcohol test with an alcohol concentration of less than .02 percent.
- For CDL employees, the SAP will determine the number and frequency of follow-up tests after the employee has successfully complied with the SAP’s recommendations for education and/or treatment.
- Follow-up tests are unannounced and the SAP will require at least six tests must be conducted in the first 12 months after an employee returns to duty.
- Follow-up testing may be required for up to 60 months following the return to duty.
- Return to duty and follow-up testing for Police, Fire, & EMS personnel will be unannounced and will be at the University’s discretion.

**Weapons Use Incident (Police Department Only):** A drug and alcohol test is conducted any time a weapon is discharged.

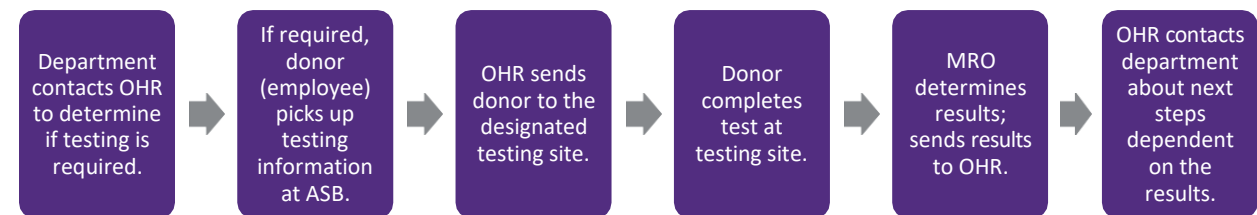
### The Testing Process

Once a supervisor or department has determined the need to request a urine and/or breath test, the supervisor or department should contact OHR to initiate the process. OHR will work with the supervisor or department to arrange pickup of necessary paperwork and determine which testing site may be used to conduct the test.

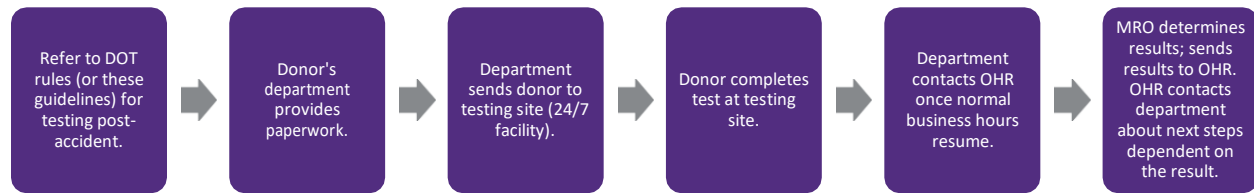
#### Pre-employment:



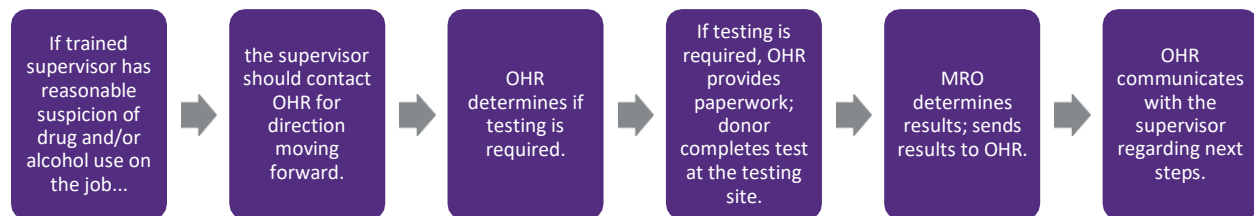
#### Post-Accident during normal business hours:



**Post-Accident after normal business hours:**



**Reasonable suspicion (requires OHR approval):**



**Conducting Tests**

**Alcohol:** Per DOT, CDL employees are required to complete breath testing using evidential breath testing (EBT) devices. Clemson University under its own authority has prescribed the same process for Police, Fire, and EMS personnel.

- Two breath tests are required to determine if a person has a prohibited alcohol concentration. Breath tests will be conducted by individuals trained to use EBT devices.
- A screening test is conducted first. Any result less than 0.02 percent alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 percent or greater, a second, confirmation test must be conducted.
- Safety-sensitive job functions are prohibited for any employee/student worker with an alcohol concentration of 0.02 percent or higher.
- Under independent authority, the University may impose discipline for any positive alcohol concentration.

For CDL employees, a positive test exceeding 0.04 percent must be reported to the Department of Motor Vehicles.

**Drugs:** Drug testing is conducted by analyzing a urine specimen. DOT regulations require the following procedures be used for CDL employees. Clemson University under its own authority has prescribed the same process for Police, Fire, and EMS personnel, except as provided below.

- Specimen collection procedures and chain of custody requirements ensure that the specimen's security, proper identification and integrity are not compromised.
- A split specimen procedure is used to conduct the drug screening tests:
  - Each urine specimen is subdivided into two bottles labeled as primary and split.
  - Both specimens are sent to the laboratory.

- Only the primary specimen is opened and used for the urinalysis.
- The split specimen remains sealed at the laboratory.
- If the analysis of the primary specimen confirms the presence of illegal controlled substances, the employee/student worker has 72 hours to request that the split specimen be sent to another certified laboratory for analysis.
- All urine specimens are currently analyzed for the following drugs:
  - Marijuana (THC metabolite)
  - Cocaine
  - Amphetamines and Methamphetamines
  - Opioids (hydrocodone, hydromorphone, oxycodone, oxymorphone, codeine, morphine, and 6-acetylmorphine (heroin)), and
  - Phencyclidine (PCP)
- Testing is conducted using a two-stage process.
  - First, a screening test is performed.
  - If the test is positive for one or more of the drugs, a confirmation test is performed.
- Negative results are reported to the physician designated as a Medical Review Officer (MRO) as a negative. Specimens confirmed positive are reported to the MRO for review and analysis before they are reported to the University. The laboratory may also report the specimen as dilute, adulterated, substituted, or invalid.
- Employees/student workers who want a split specimen tested must contact the MRO within 72 hours of notification of a positive result. Split specimen testing is for the presence of drugs with no cut off levels and/or for adulterants, dilution, or substitution.
- Under independent authority, the University may take disciplinary action up to and including termination from employment for positive or negative dilute tests results.

**CDL Employees** only, laboratories are required by DOT regulations to conduct validity testing to determine whether the specimen has been adulterated, diluted, or is otherwise invalid.

- A dilute positive is treated as a positive result and no retest is required.
- If a specimen is reported negative dilute, the MRO may direct a recollection under direct observation. When direct observation is required, DOT regulations require that the observer request the employee to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist and lower clothing and undergarments to show, by turning around, that they do not have a prosthetic device designed to defeat the test.
- If the MRO reports the specimen is negative dilute but no direct observation retest is required, then the test is treated as negative and no retest is required.

For **Police, Fire, and EMS personnel**, a positive dilute result is treated as positive with no retest required. For negative dilute results, the University may in its discretion require retesting. Direct observation testing will not be conducted for Police, Fire, and EMS employees.

## Refusal to Submit to an Alcohol or Drug Test

For **CDL employees**, DOT regulations require that employees who refuse to submit to an alcohol or drug test are prohibited from performing safety-sensitive functions. Under independent authority, refusal to submit to an alcohol or drug test may result in disciplinary action up to and including termination from employment for any employee.

An employee/student worker is considered to have refused to submit to an alcohol or controlled substances test if the individual acts in one or more of the following ways (not all-inclusive list):

- Fails to provide adequate breath for testing without a valid medical explanation provided by a medically licensed professional after he or she has received notice of the requirement for breath testing in accordance with the provisions of the Drug and Alcohol Testing Policy
- Fails to provide adequate urine for controlled substances testing without a valid medical explanation provided by a medically licensed professional after he or she has received notice of the requirement for urine testing in accordance with the provisions of the Drug and Alcohol Testing Policy
- Refuses to wash his or her hands after being directed to do so during collection of a urine sample
- Admits to the collector of a urine sample that he or she has adulterated or substituted the specimen
- During a directly observed collection of a urine sample, fails to follow the observer's instructions to raise his or her clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if he or she has any type of prosthetic or other device that could be used to interfere with the collection process
- Possesses or wears a prosthetic or other device that could be used to interfere with the collection process
- Behaves in a confrontational way that disrupts the collection process or otherwise engages in conduct that clearly obstructs the testing process

## Sanctions

Employees/student workers who violate the Drug and Alcohol Testing Policy (or these supporting guidelines) may be disciplined, up to and including termination of employment.

If the University, after considering relevant circumstances, agrees to allow an employee/student worker in violation of the Drug and Alcohol Testing Policy to continue employment, continued employment is subject to the following conditions:

- The University may refer the employee/student worker for alcohol and/or drug abuse counseling.
- The University may require the employee/student worker to be re-tested for alcohol or drugs before allowing the employee/student worker to return to duty.
- The University may require the employee/student worker to authorize a rehabilitation facility to report periodically to the University during the course of treatment/counseling.
- The University may require the employee/student worker to submit to unannounced follow-up alcohol and/or drug testing for a period of up to five years.
- The University may require the employee/student worker to pay the costs associated with the return-to-work and follow-up testing.

- In addition, CDL employees must complete the return-to-duty and follow-up requirements imposed by the SAP.

Disciplinary action, up to and including termination, may be considered for one or more of the following:

- Violation of any of the drug and alcohol use restrictions listed in the Drug and Alcohol Use Restrictions for Safety-Sensitive Personnel section of this document
- Refusal to or failure to participate in a counseling or treatment session (for personnel whose continued or future employment is conditional upon the successful completion of a counseling or rehabilitation program)
- Indication by a return to duty test sample that the employee/student worker has continued illegal use of drugs or is otherwise in violation of the Drug and Alcohol Testing Policy
- Refusal to test
- Failure to appear for a test for an illegitimate reason
- Submission of an adulterated sample for testing

Any candidate for employment who refuses to take or tests positive on a pre-employment drug test will not be given further consideration for that position.

### Legitimate Reasons for Failing to Appear

For certain situations, there are limited, legitimate reasons for failing to appear for a urine and/or alcohol testing. For example:

- The employee/student worker selected for testing is known to be unavailable during the selection cycle (e.g., legitimate extended absence, long-term illness, etc.). In such cases, the supervisor should document the reason and request an alternate.
- The employee/student worker selected for testing does not received notice because of approved leave. In such cases, the employee/student worker should be permitted to test during his or her next shift within the random selection period.
- The employee/student worker has been placed on light duty by a licensed medical professional and is not performing safety-sensitive duties. In such cases, an alternate is requested.
- After being notified of a requirement to report for testing, the supervisor *requires* the employee/student worker to remain on duty for an emergency-type, job-related situation. In such cases, the employee/student worker and the supervisor are to document the failure to appear in writing and submit the record of the employment-related failure to appear to the Office of Human Resources. In such cases, the employee/student worker should be permitted to test during his or her next shift within the random selection period.

### Confidentiality and Recordkeeping

The results of drug and/or alcohol tests are kept confidential to the extent consistent with the purposes of the policy. Generally, only the OHR Employee Relations team, the appropriate supervisors in the employee/student worker's chain of command, and the tested employee/student worker may receive or view the results of a drug and/or alcohol test, except as otherwise noted in these guidelines.

Should an employee/student worker fail a drug or alcohol test, an OHR Employee Relations manager will meet with the individual to cover the following:

1. Inform the individual of the test results

2. Determine what disciplinary action, if any, should be taken
3. Explore the possibilities for the individual to participate in an appropriate substance abuse rehabilitation program

As an employee benefit, the University provides access to an employee assistance program (EAP). The EAP is available to employees including graduate student workers, their dependents, and members of their household for confidential assistance with drug and alcohol concerns.

The University is required to keep detailed records of its alcohol and drug-testing program.

## Required Reporting

### Safety-sensitive Personnel Reporting Requirements

#### Rx/OTC Medications

Safety-sensitive personnel are responsible for obtaining a medical qualification from a licensed practitioner while using an Rx/OTC medication that could potentially affect job performance. The employee/student worker has the following responsibilities for each such medication:

- Notify the trained medical practitioner prescribing/recommending medication of the safety-sensitive nature of his or her job duties. This includes the prescribing medical provider for Rx medications or licensed pharmacist for OTC medications.
- In the event that any side effects with potential to affect the performance of job duties are indicated from the use of a Rx/OTC medication, the employee/student worker is responsible for contacting the Office of Human Resources [at (864) 656-2000] to request a medical qualification form and a copy of the position description, which are to be provided to the prescribing physician for Rx medications or licensed pharmacist for OTC medications.
- If a personal licensed physician is not available, the Sullivan Center on campus is available to help the employee/student worker determine how medication may affect their ability to perform job duties. The employee/student worker will need to provide the Sullivan Center with 1) a position description and 2) the Rx/OTC medication/bottle. The cost of the assessment is the responsibility of the employee/student worker.
- Once the medical qualification has been determined, the employee/student worker must obtain an updated medical qualification if there is a change to the medication (i.e., brand, dosage, frequency).

#### Criminal Drug Convictions

As a condition of employment, all University employees/student workers (including safety-sensitive personnel) agree to notify the University within five calendar days of any criminal conviction for the workplace manufacture, distribution, dispensation, possession, or use of illegal drugs and/or prescription drugs not prescribed for the individual's use or prescription drugs not used as prescribed. For the purposes of these guidelines, "conviction" means a finding of guilt, imposition of a sentence, a plea of no contest, or a plea of guilty.

## Employer Reporting Requirements

### To State and Federal Grantor/Contracting Agencies and Law Enforcement Authorities

As required by the state and federal Drug Free Workplace Acts, Clemson University notifies all state and federal grantors/contracting agencies of workplace criminal drug convictions within ten days after receiving notice from the employee/student worker or otherwise receiving actual notice of the conviction.

The University notifies law enforcement authorities whenever illegal drugs are found in the workplace.

### To the Department of Motor Vehicles (CDL Positions only)

South Carolina law requires the University to report to the South Carolina Department of Motor Vehicles (DMV) the following information regarding Commercial Driver's License (CDL) positions:

- Candidates or employees who refuse to submit to a drug or alcohol screen
- Candidates or employees whose urine samples are confirmed positive for illegal drugs, as indicated in the Conducting Test section of this document
- Employees whose BAT sample is confirmed positive with an alcohol concentration of 0.04 or greater
- Candidates or employees who submit altered, diluted or substituted specimens

CDL holders who are reported to the DMV pursuant to the law may be disqualified from driving a commercial motor vehicle until the driver is evaluated by an SAP and has received from the SAP a certification of completion of an alcohol or drug treatment program. Further, a CDL holder who is reported more than three times in a five-year period may be disqualified from operating a commercial motor vehicle for life.

## Release of Information

### To an Employee/Student Worker

The results of a drug and alcohol test are to be made known to the employee/student worker any time a test result is positive. Notification should include a statement that the test indicated a positive result and a listing of any and all drugs indicated.

### To a Job Candidate

The results of a pre-employment drug test are to be made available to those candidates requesting the information, in writing, within 60 calendar days of being notified of the University's disposition of the candidate's employment application.

### To State and Federal Agencies

See the Employer Reporting Requirements section above for a description of mandatory reporting from the employer to state and federal agencies.

## Drug and Alcohol Awareness

Clemson University has established a Drug and Alcohol Policy containing information on drug and alcohol treatment and counseling programs as well as information regarding the health risks and effects of drugs and alcohol. Employees and graduate student workers in need of counseling or treatment are encouraged to utilize the University's Employee Assistance Program (EAP). The goal of this program is to

provide confidential resources that enable employees/student workers to maintain or enhance productivity despite problems that may arise. The University asks that all employees review the information in the Drug and Alcohol Policy. Questions regarding the material should be directed to the Office of Human Resources.

Personnel in safety-sensitive positions have the following additional requirements to be completed via a Receipt of Notification through the University's training platform:

1. Certify that they received, read and understand the Drug and Alcohol Testing Policy and the Drug and Alcohol Policy
2. Complete and submit a Release of Information form for use in the event of injury, where the employee/student worker cannot provide information after an accident

## Training and Additional Resources

All current and new safety-sensitive personnel receive information about the testing requirements and available resources and assistance for alcohol or drug misuse. Upon entry into the testing pool, employees/student workers receive training on policy, testing procedures, and resources for dealing with substance abuse issues.

All employees responsible for supervising and managing **CDL employees** must complete at least two hours of training on reasonable suspicion symptoms and indicators used in making determinations for reasonable suspicion testing. Training includes the detection of substance abuse and the enforcement of the testing policy. Periodic, on-going training also may occur.

All employees responsible for supervising and managing **police, fire, and EMS personnel** must complete training on alcohol and drug misuse symptoms and indicators used in making determinations for reasonable suspicion testing. Supervisors and managers receive information on the detection of abuse problems and the enforcement of the testing policy pertinent to these safety-sensitive positions. Periodic, on-going training also may occur.

All recruitment advertising (i.e., job postings) for safety-sensitive positions must include the statement "Drug and/or Alcohol screening is a condition of employment" at the bottom of the advertisement/posting with the EEO statement. All final candidates for employment in a safety-sensitive position have access to the Drug and Alcohol Testing Policy on the Office of Human Resources website.

## Roles and Responsibilities

### Office of Human Resources (OHR)

OHR is responsible for the following:

- Providing guidance on Clemson University's Drug and Alcohol Testing Policy to safety-sensitive personnel and their supervisors/departments
- Maintaining the drug and alcohol testing pools
- Facilitating all drug and/or alcohol testing associated with the policy
- Providing training for safety-sensitive personnel and their supervisors



- Providing testing results to and follow-up actions for any employee/student worker who fails a drug or alcohol test
- Providing the hiring department with the results of pre-employment drug screens

### Supervisor/Department

The duties of the supervisor/department include:

- Ensuring all offers of employment are contingent upon successful completion of pre-employment drug testing
- Initiating pre-employment drug screening as soon as a conditional offer of employment has been made to a finalist
- Ensuring that the finalist does not begin employment until OHR has notified the hiring department that the test is complete, and the finalist is cleared for employment
- Working with OHR to maintain accurate testing pools, including the prompt addition or removal of personnel when appropriate
- Informing OHR when an employee/student worker who has been selected for a random drug screen is on approved light duty, so an alternate can be requested
- Informing and requiring personnel to submit to drug and/or alcohol testing when directed by OHR, in compliance with DOT regulations and/or University policy
- Reporting to OHR when an employee/student worker is believed to be under the influence of drugs or alcohol
- Reporting to OHR when informed that an employee/student worker is under medical care and taking an Rx/OTC medication that has the potential to affect his/her ability to safely and effectively perform the functions of the position
- Completing all required OHR training and ensuring safety-sensitive personnel have also completed the required training
- To the best of his or her ability, notifying the available employee/student worker that he or she must report to the testing site immediately for testing (while ensuring that operational responsibilities are covered)
- Contacting OHR as soon as possible following any accident or following the discharge of a firearm/weapon on the job
- Ensuring safety-sensitive personnel maintain required licensure, including CDL, if applicable

### Safety-Sensitive Personnel (Employees and student workers)

Safety-sensitive personnel are covered by the Drug and Alcohol Testing Policy and, as such, are responsible for the following:

- Prior to performing any job duties, reporting to the supervisor the use of prescription or over the counter drugs that will or may affect the individual's ability to function safely on the job
- Adhering to the written instructions by the prescribing physician and/or manufacturer regarding the dosage and use of the Rx/OTC
- *Immediately* submitting a sample for drug or alcohol testing when called upon to do so by his or her supervisor
  - *Immediately* does not mean within a few hours. *Immediately* means that, after notification, all of the individual's actions must lead directly to an immediate specimen collection in an appropriate manner

- Alerting his or her supervisor and/or OHR immediately after an accident on the job or following the discharge of a weapon on the job

## Definitions

<b>Accident</b>	An incident involving a motor vehicle in which there is either a fatality, an injury treated away from the scene, or a vehicle towed away from the scene
<b>Alcohol Test</b>	A test administered by a breath alcohol technician (BAT) on the breath specimen of an employee/student worker using appropriate lab or evidential breath testing device (EBT)
<b>Breath Alcohol Technician (BAT)</b>	A person who instructs and assists individuals in the alcohol testing process and operates an evidential breath testing device (EBT)
<b>Commercial Driver's License (CDL)</b>	A special license required of individuals who drive a Commercial Motor Vehicle (CMV) that meets one or more of the following criteria: <ul style="list-style-type: none"> <li>• Meets or exceeds 26,001 lbs. gross vehicle weight</li> <li>• Transports 16 or more passengers, including the driver</li> <li>• Transports hazardous materials as determined by the Hazardous Materials Act, 49 USC 5101, and is required to placard the vehicle under the Hazardous Materials Regulations, 49 CFR chapter I, subchapter C</li> </ul>
<b>Confirmation Test</b>	For alcohol testing, a confirmation test is a second test, following a screening test with a result of 0.02 grams or greater of alcohol per 210 liters of breath, that provides quantitative data of alcohol concentration.  For controlled substances testing, a confirmation test is a second analytical procedure to identify the presence of a specific drug or metabolite that is independent of the screen test in order to ensure reliability and accuracy.
<b>Controlled Substance</b>	A drug, substance, or immediate precursor in Schedules I through V in South Carolina of Laws Sections 44-53-190, 44-53-210, 44-53-230, 44-53-250, and 44-53-270
<b>Drug Test</b>	The compulsory production and submission of urine by an employee/student worker or prospective employee/student worker in accordance with University procedures for testing for controlled substances including, but not limited to, marijuana, cocaine, <b>opioids</b> , amphetamines, and/or phencyclidine
<b>Employee</b>	Any person in a non-student position at Clemson University who receives compensation from the University and where the University has the right to control and direct how the work is performed.
<b>Employee Assistance Program (EAP)</b>	A program available to employees and their dependents/household members that provides a variety of health and wellness, counseling, referral, and consultation services to assist with work/life issues. More information on this program can be found <a href="#">HERE</a> .

<b>Evidential Breath Testing device (EBT)</b>	A device approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath at the 0.02 and 0.04 alcohol concentrations, placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices" (CPL), and identified on the CPL as conforming with the model specifications available from NHTSA's Traffic Safety Program
<b>Medical Review Officer (MRO)</b>	A licensed physician knowledgeable of substance abuse disorders and trained in the procedures necessary to competently interpret and evaluate drug and alcohol tests
<b>Reasonable Suspicion</b>	A quantity of proof or evidence that is more than a hunch but less than probable cause. Reasonable suspicion must be based on specific, objective facts and any rationally derived inferences from those facts about the conduct of any individual that would lead a reasonable person to suspect that an individual is using or under the influence of drugs or alcohol while on duty.
<b>Substance Abuse Professional (SAP)</b>	A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning evaluation, treatment, follow-up testing, and after-care

## Forms and Resources

[Drug and Alcohol Testing Policy](#)

[Deer Oaks EAP](#)

[ArcPoint \(testing provider\)](#)

[After hours testing info](#)

[ODAPC Random Testing](#)

## Quick Reference for Testing Locations

### In-Network Locations

<b>ARCPoint Labs of Anderson</b> <ul style="list-style-type: none"><li>•Urine &amp; BAT test</li><li>•M-F 8:30AM-5PM</li><li>•864-332-9880</li><li>•1704 E Greenville St Anderson, SC 29621</li></ul>	<b>ARCPoint Labs of Greenville</b> <ul style="list-style-type: none"><li>•Urine &amp; BAT test</li><li>•M-F 8:30AM-5PM</li><li>•864-326-2221</li><li>•355 Woodruff Rd Greenville, SC 29607</li></ul>	<b>AnMed Health Clemson Location</b> <ul style="list-style-type: none"><li>•Urine test only</li><li>•M-F 8AM-4PM</li><li>•864-633-1021</li><li>•885 Tiger Blvd, Clemson, SC 29631</li></ul>
<b>AnyLabTestNow</b> <ul style="list-style-type: none"><li>•Urine test only</li><li>•M-F 7:30AM-1PM</li><li>•864-888-0027</li><li>•10802 Clemson Blvd, Seneca, SC 29678</li></ul>	<b>Accurate Diagnostics</b> <ul style="list-style-type: none"><li>•Urine and BAT test</li><li>•M-F 8:30AM-5PM</li><li>•864-332-4044</li><li>•1488 Pearman Dairy Rd Anderson, SC 29625</li></ul>	<b>Baptist Easley Hospital</b> <ul style="list-style-type: none"><li>•Urine test only</li><li>•<b>after hours location</b></li><li>•864-442-7694</li><li>•200 Fleetwood Drive, Easley, SC 29640</li></ul>

### Out-of-Network Location

<b>Upstate Medical Associates</b> <ul style="list-style-type: none"><li>•Urine &amp; BAT test</li><li>• M-Thursday 8AM-11AM, 1:45PM-4PM</li><li>• Friday 8AM-11AM</li><li>•864-886-2000</li><li>•15575 Wells Hwy, Seneca, SC 29678</li></ul>
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