



Policy # NEW Drug and Alcohol Use

Policy Title: Drug and Alcohol Use
Policy #:
Policy Category: Human Resources

Executive Policy Owner: Chief Compliance Officer
Approval Authority: CEO and Board of Trustees

EFFECTIVE DATE: 01/27/2021	Original Effective Date: 01/27/2021
	Last Revision Date:
	Date of Last Legal Review:
Related Policies: Additional Resources:	
Applicable Standards:	EMSA Drug Free Workforce
Applicable Statutes/Regulations/Law:	

Purpose:

To promote a drug and alcohol-free workplace.

Policy:

EMSA is committed to providing a drug- and alcohol-free workplace that protects the health and safety of all employees and the public it serves. Alcohol and drugs are not allowed on company property at any time.

Procedural Guidelines:

EMSA is a federal contractor or grantee, and as such, must comply with the Drug Free Workplace Act of 1988. This means that all employees must be free from the influence of drugs or alcohol to work at EMSA. EMSA may test an employee, or potential employee, for illegal inappropriate drug or alcohol use during the pre-employment process, for reasonable suspicion, fitness for duty, follow-up, or post-accident. Refusal to submit to testing will be deemed insubordination and may result in immediate termination.

Physical symptoms of intoxication, direct observation of illegal/illicit drug use or possession, a pattern of abnormal or erratic behavior or other credible information that the company has corroborated independently constitute reasonable suspicion on the part of the Authority, and the employee therefore would be required to submit to testing.

Failure of a drug test may result in disciplinary action, up to and including dismissal. Candidates or employees who dispute a failed drug screening and will be given an opportunity to take a re-test. The re-test can be at the candidate's or employee's expense. Should a candidate for employment fail the drug screen, they will be provided the opportunity to re-apply for employment in following thirty (30) days. The employee will have to successfully pass a drug screen prior to being employed in order to work at EMSA.

The Authority does not desire to intrude into the private lives of its employees but recognizes that an employees' involvement with drugs and alcohol is detrimental to workplace and undermines the public's



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confidence in EMSA and its employees. Therefore, EMSA reserves the right to take appropriate disciplinary action for drug use, diversion, sale or distribution while on or off company premises. EMSA will immediately terminate an employee who is convicted of manufacturing, selling, possessing, distributing, diverting and/or stealing controlled substances. If an employee is charged with manufacturing, selling, possessing, distributing, diverting and/or stealing controlled substances or any charge related to controlled substances, the employee will be suspended without pay for thirty (30). If a dismissal of the charges or an acquittal is not rendered within the thirty (30) days, the employee will be terminated.

Employees must disclose any arrest, criminal conviction, deferral agreement/judgment, deferred sentence, or plea bargain involving a felony or misdemeanor to Human Resources and [their direct supervisor] no later than five (5) calendar days of any of the aforementioned action(s).

Any employee taking a legal drug, other prescribed medication, or supplement that is known to affect or impair judgment or work performance must notify his/her supervisor or manager prior to reporting to work. The employee will be asked to provide a physician's authorization to return to work once the medication dosage has been exhausted.

All information, including drug-testing collection, medical records, and test results, will remain confidential and kept separately in a medical file. The release of any drug-testing information will be on a strict need-to-know basis. Release of records will occur only if required by law or with the written consent of the employee, or if permitted under other company policies.

Marijuana or Marijuana Based Product Use:

Many states, including Oklahoma have legalized the use of marijuana for medical use. Employees should be aware that marijuana is still illegal under federal law and that EMSA must comply with the Drug Free Workplace Act of 1988. Many EMSA employees are in "safety-sensitive" positions and are not permitted to use marijuana. Employees should be aware that the Company is not required to accommodate any use of marijuana by employees at the workplace for employees who perform safety-sensitive positions. In addition, employees may not be under the influence of any intoxicating substance, including marijuana, while working.

Cannabidiol (CBD) and other Marijuana based products are not regulated by the Food & Drug Administration (FDA). These products may contain tetrahydrocannabinol (THC), which is the psychoactive ingredient found in Marijuana. Because these products are not regulated by the FDA, the labelling on these products may not be accurate and may contain levels of THC that can cause impairment. Employees must be aware that their use of these products may impact their performance and safety. Additionally, employee in safety-sensitive positions, who test positive for the presence of THC due to their use of CBD products will be disciplined and/or terminated consistent with this policy.

Medication Monitoring

EMSA will actively monitor and audit the use of all medications related to patient care. This audit will include monitoring of medications to ensure that the provision of medications and use are consistent with all statewide patient treatment protocols. This will include all medication (both prescription and non-prescription medications) and controlled substances.

Any medication use, or patterns of medication use, that are suspect, will be investigated. Should there be any misappropriation or diversion of medications by personnel, the employee will be subject to discipline, up to, and including termination from employment. Additionally, EMSA will cooperate with all



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local, state, and federal authorities and their efforts to criminally and civilly investigate medication related crimes.

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