

## **PROVIDENCE HEALTH & SERVICES ALASKA**

<b>Subject: Alcohol and Drug Free Workplace</b>	<b>Number: R630.003</b> <b>Page: 1 of 5</b>
<b>Approved by:</b> <b>Date Signed: 10-7-11</b> <b>Effective Date: 10-21-11</b>  <i>/s/</i> <b>Bruce Lamoureux, Vice President/Chief</b> <b>Executive</b> <b>Providence Health &amp; Services Alaska</b>	<b>Original Effective Date: 8/26/2002</b> <b>Review Date(s): 8/11, 9/10, 8/09</b> <b>Revision Date(s): 8/11, 5/08</b>   <i>NOTE: Revisions are in blue italics</i>
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### **I. PURPOSE/SCOPE**

Providence Health & Services Alaska is committed to maintaining a work environment that is free from the influence of illegal drugs and alcohol to protect the health, safety, and well-being of our employees, contract workers, volunteers, and the people we serve. Providence Health & Services Alaska has therefore adopted this Drug and Alcohol Testing Policy for all employees, contract workers and prospective employees. This policy is not intended as, and should not be construed as, a contract.

Providence Health & Services Alaska reserves the right to contact law enforcement officials regarding any matters subject to this policy.

Providence Health & Services Alaska complies with all federal and state statutes and licensing requirements related to Drug and Alcohol Testing.

### **II. POLICY**

In keeping with the philosophy and mission of Providence Health & Services, Providence Health & Services Alaska prohibits the use, possession, transfer, and sale of alcohol, inhalants and illegal drugs while on duty at any property owned or operated by Providence Health & Services Alaska. It also prohibits reporting for work or duty on behalf of Providence Health & Services Alaska under the influence of illegal drugs, inhalants, or alcohol. This policy applies to all official or unofficial break and meal periods, and all other times during the working day in which an employee *or contract worker* has reported for duty.

Violation of this policy may result in discipline, up to and including discharge.

### III. DEFINITION (S)

- A. "Illegal drugs," means inhalants, street drugs or prescription medications that are used for a purpose or by a person for which they were not prescribed or intended.
- B. "Safety sensitive positions" are all patient care positions and any other positions that have significant risks to others.
- C. "Post-offer applicant" means any person who has been given a conditional offer of employment which is contingent upon successful completion of the new hire screening process.

### IV. GENERAL INSTRUCTIONS

- A. Persons subject to the policy  
  
All employees, post-offer applicants and contract workers of Providence Health & Services Alaska are subject to testing.
- B. When drug testing may be required
  - 1. Post-Offer Applicants and Contract Workers: It is a condition of contract work and employment at Providence Health & Services Alaska that all candidates who have received conditional offers of employment or contract work will be required to undergo a pre-employment or pre-placement drug test. Refusal to comply with this condition may result in the withdrawal of the employment or contract offer.
  - 2. Employees and Contract Workers: All employees and contract workers may be drug tested in the following circumstances:
    - a) Reasonable Suspicion: For purposes of this policy, reasonable suspicion permits testing that may be based on one or more of a number of factors, including, but not limited to smelling of alcohol or marijuana, displaying violent or unusual confrontational argumentative behavior, showing a major personality change, or placing self or another person's safety in jeopardy with intentional or unintentional actions. An employee or contract worker may be requested or required to undergo a

drug and/or alcohol test if there is a reasonable suspicion of alcohol intoxication or use of illegal drugs; or any part of the policy statement above has been violated, or

- b) Has caused a work-related accident or has operated or helped to operate machinery, equipment, or vehicles involved in a work-related accident; or has caused himself or herself or another employee/contract worker or someone who is being cared for to sustain a personal injury. Testing will be required prior to or concurrent with medical treatment when feasible.

D. Right to refuse to be tested

Any person has a right to refuse to be tested. Anyone who refuses to submit to a test or refuses to comply with any requirement imposed by this policy, or engages in behavior which prevents meaningful completion of testing, will have the offer of employment or duty rescinded. Any employee/contract worker engaging in such actions will be subject to disciplinary action up to and including discharge, according to policy.

E. Negative test results

If the result of the initial drug and/or alcohol screening is negative, and the results of a confirmatory test are negative, the contract worker, post-offer applicant or employee is considered to have satisfactorily completed the drug and/or alcohol test.

F. Positive test results

1. Initial Screening:  
If the initial result on drug and alcohol screening is positive, the sample that was tested will automatically be subject to a confirmatory test.
2. Confirmatory test for post-offer applicants and contract workers:  
If the confirmatory test result is also positive, the offer of employment and/or duty will be revoked.
3. Confirmatory test for employees:  
If the confirmatory test result is also positive, the employee may be subject to disciplinary action, up to and including discharge.
4. All confirmatory tests will be reviewed by a Medical Review Officer.

G. Suspensions

Employees will be suspended from work with or without pay pending the receipt of confirmatory testing results for a positive initial screening. Any employee who has been suspended and receives a negative confirmatory test result verified by the Medical Review Officer will be returned to work with full back pay.

H. Treatment Program Testing

An employee who has been referred for a substance abuse evaluation or treatment by Providence Health & Services Alaska, or who is participating in a substance abuse program under an employee benefit plan, may be requested or required to undergo drug and/or alcohol testing without prior notice at any time during the evaluation and treatment period for up to two years following completion of any prescribed substance abuse treatment program.

For employees who have been through a treatment program and work in "safety sensitive" positions, random testing is required for the duration of their employment with Providence Health & Services Alaska.

I. Appeal Rights – Post-Offer Applicants and Employees

1. Any post-offer applicant who tests positive on a confirmatory drug/alcohol test will have three (3) working days following the day on which the applicant is notified of the positive confirmatory test result to submit information to explain the test result.
2. Any employee will have ten (10) working days after being notified of a positive confirmatory test result to explain, in writing and in person in a confidential setting, a positive result.
3. A post-offer applicant or employee who receives a positive confirmatory drug/alcohol test result will have five (5) working days following the day on which he or she is notified of the confirmatory test, to request, in writing, a confirmatory retest of the original sample at the individual's own expense.

- J. An employee has the right to obtain a copy of any positive confirmatory test results within five (5) working days after receipt of a written request to do so, as long as the written request is made within six (6) months after the date of the test.

- K. Providence Health & Services Alaska reserves the right to search, for cause, any area or article that is considered to be campus property for drugs and alcohol. This includes, but is not limited to, lockers, desks and closets.

**V. CROSS REFERENCE**

**None**

**End of Policy**

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This policy replaces this previous policy:  
PHSA Service Area S630.003A, effective date 1/23/1999 (archived); and  
R630.003, effective date [10/11/10](#).