

Alcohol and Controlled Substances in the Workplace Policy Number

Type of Policy: Human Resources

Last Revised: January 6, 2023

Review Date: September 4, 2025

Contact Name: Nicole M. Field

Contact Title: Director of Human Resources and Affirmative Action

Contact Email: fieldnm@cobleskill.edu

Reason for Policy: In compliance with the Drug-Free Workplace Act of 1988 and the NYS Policy on Alcohol and Controlled Substances* in the Workplace, SUNY Cobleskill will not tolerate the unlawful possession, manufacture, use, distribution, or dispensation of any alcohol or controlled substances on campus property or as part of any of its activities. In addition, in keeping with the longstanding policy of the State of New York, employees are prohibited from on-the-job use of, or impairment from, alcohol or controlled substances.

According to the State of New York, "Use and abuse of alcohol and drugs has a detrimental effect on the productivity, attendance, and health of our workforce. As a public employer, we must be vigilant in protecting the safety and welfare of the public with whom we interact and the employees with whom we work."

Prevention and treatment, together with protecting the safety and welfare of our employees, are the college's highest priorities regarding substance abuse. The Employee Assistance Program (EAP) is available to all employees, and provides programming and appropriate referrals to chemical dependency services.

Policy Statement: It is SUNY Cobleskill's policy that the unlawful use, possession, manufacture, dispensation or distribution of alcohol and controlled substances in all campus work locations is prohibited. No employee will report for work or will work impaired by any substance, drug or alcohol, lawful or unlawful. "Impaired" means under the influence of a substance such that the employee's motor senses (i.e. sight, hearing, balance, reaction, or reflex) or judgment either are or may be reasonably presumed to be affected. Employees are further prohibited from consuming controlled substances or alcohol within six (6) hours before operating a Commercial Motor Vehicle (CMV) and within eight (8) hours following an accident involving a CMV.

Medical testing may be done if SUNY Cobleskill has a reasonable suspicion that an employee is unable to perform job duties due to the misuse of alcohol, controlled substances, or prescription drugs. The Omnibus Transportation Employee Testing Act of 1991 (OTETA) also requires SUNY Cobleskill to conduct pre-employment, pre-assignment (promotion), reasonable suspicion, post-accident, random, follow-up and return to duty alcohol and drug testing on

all employees whose positions require the possession of a Commercial Drivers License (CDL).

Employees who unlawfully manufacture, distribute, dispense, possess, or use a controlled substance will be subject to disciplinary procedures consistent with applicable laws, rules, regulations and collective bargaining agreements. Sanctions may include termination of employment and referral for prosecution. Other corrective action may include satisfactory participation in an approved drug rehabilitation program.

Employees must notify the Office of Human Resources Management of any criminal drug statute conviction for a violation occurring in the workplace, or at the work site, no later than five (5) working days after such conviction. The University will notify appropriate federal agencies of such a conviction within 10 days of receiving notice of a conviction.

An Employee Assistance Program (EAP) is available on campus for employees who wish to seek assistance in dealing with drug and alcohol related problems. EAP is a confidential information, support, and referral service. Please call 255-5327 to reach the EAP coordinator. The University's Policy on Alcohol and Drug Use in the Workplace is in compliance with the Drug Free Workplace Act of 1988, the Drug Free Schools and Communities Act Amendments of 1989, the Omnibus Transportation Employee Testing Act of 1991 and the New York State Vehicle and Traffic Law. Adherence to this policy is a condition of employment at SUNY Cobleskill. Questions concerning this policy should be referred to the Office of Human Resources at 255-5423.

***The term "controlled substance" means a controlled substance in Schedule I through V of Section 202 of the Controlled Substance Act (21 USC812).**

Policy History:

Revision Date	Author/Owner	Description of the action on the revision date
January 6, 2023	Nicole M. Field	Revision of policy and format
September 4, 2025	Nicole M. Field	Review of policy