**Drug and Alcohol-Free Workplace**

Red Lake Nation College is a drug-free workplace in accordance with the Drug-Free Workplace Act of 1988, and prohibits the unlawful manufacture, distribution, dispensation, purchasing, possession or use of controlled substances, or any other thing that could alter job performance adversely or pose a threat to the safety and welfare of the employees or the public in the workplace. Circumvention of this prohibition will be cause for termination of employment.

**Drug and Alcohol Testing Policies and Procedures**

Red Lake Nation College may conduct drug and alcohol testing in the following circumstances:

* Pre-Employment
* Reasonable Suspicion
* Post-Accident
* One-Time College-Wide Testing in the Fall of 2015

**Substances Covered by Drug and Alcohol Testing**

Candidates will be tested for their use of commonly abused controlled substances, including (COC) Cocaine, (AMP) Amphetamines, (mAMP) Methamphetamines, (THC) Marijuana, (OPI) Opiates, (PCP) Phencyclidine, (BZO) Benzodiazepines, (OXY) Oxycodone, (BUP) Buprenorphine, (BAR) Barbituates, (MTD) Methadone, and (ACL) Alcohol.

**Testing Methods and Procedure**

Initial testing methods will be conducted at Red Lake Nation College using a 12-panel saliva drug test kit. Red Lake Nation College will pay for the cost of the testing. The candidate or employee will swab their mouth according to the testing kit instructions in the presence of the Human Resources Director or designated administrative personnel. The employee and the Human Resources Director or designee will, together, write down the results of the test. The employee and Human Resources Director or designee will sign the document indicating these were the results indicated by the test.

**Confidentiality**

The testing results will be placed in the employee’s personnel file and marked “confidential.” Results will only be shared internally, as necessary, with the appropriate supervisors and/or administrators. Individual results will not be shared with any external parties.

**Pre-Employment**

All candidates who are provided with a written offer of employment are required to submit to a saliva drug test before the offer of employment will go into effect.

**Reasonable Suspicion and Post-Accident Drug Testing**

Red Lake Nation College believes that testing employee saliva for drugs can be an effective means of identifying those in need of counseling, treatment, or disciplinary action. The saliva testing process is intended to supplement, not replace, other means by which the use of drugs and/or alcohol can be detected. Red Lake Nation College will require an on-the-job employee to undergo drug and alcohol testing if the College has reasonable suspicion that the employee:

1. Is under the influence of alcohol or drugs;
2. Has violated the provisions of this policy;
3. Has sustained a personal injury or caused another employee to sustain a personal injury; or
4. Is involved in, or causes, a serious accident or performs unusually careless acts.

Reasonable suspicion may result from observation of an employee’s behavior or physical symptoms, including erratic behavior, odor of alcohol or illegal drugs, a pattern of abnormal conduct, deteriorating work performance, excessive absenteeism, and/or a pattern of tardiness. A supervisor or co-worker who observes signs of an employee’s possible substance-related impairment while on work time should document the specific observations and notify the Human Resources Director immediately.

The employee will be notified in writing of the reason for any order to submit to drug testing.

**One-Time College-Wide Drug and Alcohol Testing**

Red Lake Nation College will require one-time drug and alcohol testing of all employees in the fall of 2015.

**Refusal to Undergo Testing**

Candidates for employment who refuse to submit to a drug and alcohol test, who fail to show up for a drug and alcohol test, or receive a positive finding, will no longer be considered for employment. Candidates who receive a positive finding may request a referral to a medical facility designated by Red Lake Nation College for a urine test.

Current employees who refuse to submit to the saliva test, or produce a positive result, will be referred to a medical clinic designated by Red Lake Nation College for a urine test. Refusal to submit to the test will be grounds for termination of employment.

**Use of Drug Test Results**

Red Lake Nation College will take action on a confirmed positive test result. Detection of alcohol or any controlled substances in the saliva will result in a referral to a medical facility chosen by Red Lake Nation College for a urine test. At this time, the employee will have the right to explain the presence of any drug or alcohol in his/her system and, if necessary, substantiate the explanation with medical evidence. If the result of the drug/alcohol test is again positive, with no legitimate and documented medical explanation:

1. The employer will request that the employee undergo a chemical assessment at the employee’s expense and follow the recommendations of the assessment. Counseling statements must specify the corrective actions and time frame required for continued employment and the employee must provide a signed release of information to the Human Resources Director at Red Lake Nation College to receive a copy of the records indicating this information; or
2. The employee may voluntarily resign from employment.

**Rehabilitation**

Red Lake Nation College intends to give the same consideration to persons with chemical dependencies as it does to employees having other diseases. In the case of abuse of controlled substances or alcohol, Red Lake Nation College will encourage the employee to seek treatment and counseling. Normal College leave benefits for which the employee is eligible are available to aid in the rehabilitation process. If the employee does not voluntarily elect to participate in a rehabilitation program, or fails to complete a rehabilitation process, the College will terminate employment of the affected employee.

**Re-Application and Rehire**

Red Lake Nation College understands that individuals who are rehabilitated drug users or engaged in a supervised drug rehabilitation program and are no longer using drugs are protected under the Americans with Disabilities Act. Therefore, Red Lake Nation College will consider the applications of candidates who formerly tested positive for drugs if candidates can subsequently show evidence of rehabilitation.

**Certification**

All employees of Red Lake Nation College are required to sign a certification on an annual basis indicating that they fully understand the College’s Drug-Free Workplace Policy. False certification or violation of the certification shall be grounds for suspension or termination. This certification is required by the regulations implementing the Drug-Free Workplace Act of 1988.