Drug and Alcohol Abuse

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General Description

Policy Summary:

Trinity University recognizes its responsibility to provide a healthy environment within which faculty and staff may work in a drug-free workplace. If an employee is found in violation of Trinity or state alcohol and drug abuse policies, the circumstances of each individual case are considered when determining the consequences.

Purpose:

The University seeks to maintain safe, healthy work and learning environments free of the unlawful manufacture, distribution, possession, or use of controlled substances or the abuse of alcohol. Drug and alcohol abuse affects the responsible conduct of business, teaching, and learning, and therefore will not be tolerated.

This policy is based on the following objectives:

1. Maintaining a safe and healthy environment for all students and employees.
2. Maintaining the good reputation of the University and its employees within the community.
3. Minimizing accidental injuries to persons or property.
4. Keeping absenteeism and tardiness at a minimum and to improve the effective performance of job duties and productivity of all employees.
5. Providing options to employees in securing alcohol or substance related abuse rehabilitation.
6. Complying with the federal Drug-Free Workplace Act of 1988, the Drug-Free Schools and Communities Act Amendments of 1989, and other applicable legislation, and,
7. Adopting and implementing a program to prevent use of illicit drugs and abuse of alcohol by employees.

Policy Content

Standards of Conduct

1. The unlawful manufacture, distribution, possession or use of illicit drugs or abuse of alcohol is strictly prohibited.
2. Employees should report to work fit for duty and free of any adverse effects of illegal drugs or alcohol.
3. Sanctions may be imposed on employees (consistent with local, state, and federal law), up to and including termination of employment and referral for prosecution, for violation of the law and/or these standards of conduct.
4. The University shall conduct a biennial review of its drug and alcohol abuse prevention program. It shall determine and put in report format: (1) the effectiveness of the program, and (2) the consistency of the enforcement of sanctions imposed pursuant to the program. It shall also evaluate whether any changes are needed and shall implement any such changes.
5. The University shall have available for review by the Secretary of Education, or designee, other applicable governmental agencies, and the public, if requested, copies of all documents distributed to employees under the drug and alcohol abuse prevention program, and also copies of the biennial review.
6. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees lawfully using and possessing prescribed medications must consult with their doctors about the medications' effect on their fitness for duty and ability to work safely, and they must promptly disclose any work restrictions to their supervisor.

Alcohol and Drug-Free Awareness Program

The University will establish or participate in an alcohol and drug-free awareness program to inform employees about: (1) the dangers of alcohol and drug abuse; (2) the University policy of maintaining a workplace and learning environment free from drug and alcohol abuse; (3) any available alcohol and drug counseling, rehabilitation, and employee assistance programs; and (4) the penalties that may be imposed upon employees for alcohol and drug abuse violations.

Suspicion of Usage

1. If a supervisor reasonably suspects that usage of a controlled substance or of alcohol has affected an employee’s job performance or endangers the employee or others, the supervisor should immediately remove the employee from the unsafe situation and then notify HR, the appropriate department head, or other designated administrative official.

Reasonable Suspicion typically arises from:

- Complaints from co-workers, students or others who observed or witnessed concerning behavior.

- Independent firsthand observation and/or interaction with the employee by the supervisor and another manager or HR staff.
- A situational assessment with HR to determine if reasonable suspicion exists and what if any further action is required.
- Observations of employee behavior when they are suspected of being under the influence of illegal drugs or alcohol and any meetings between the employee and the supervisor or other designated administrative official to address the behavior, and/or its resolution shall be documented.

2. Should job performance issues persist, or should the employee fail to meet the terms of any applicable disciplinary sanctions, the employee may be subject to further disciplinary action up to and including termination.

Assistance for Employees

Trinity will assist and support employees who voluntarily seek help for drug or alcohol addiction before becoming subject to discipline or termination under this or other University policies. Such employees will be allowed to use accrued paid time off, placed on leaves of absence, referred to treatment providers and otherwise accommodated as required by law. Employees may be required to document that they are compliant with prescribed treatment plans. After performance-related disciplinary action has been initiated under this policy, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and may face possible discipline, up to and including discharge subject to the Family and Medical Leave Act or the Americans with Disabilities Act.

Counseling and Health Services will maintain a list of local counselors specializing in substance use disorder treatment, peer support services, and substance use educational resources.

Other Regulations

1. Each employee shall be made aware of and provided access to the University's drug and alcohol policy on or before the first day of employment, along with a signed or electronic acknowledgment of receipt of the policy.
2. Any employee whose use of alcohol, drugs, or other controlled substances results in absenteeism, tardiness, impairment of work performance, or is the cause of workplace accidents, will be reported to the immediate supervisor and the Office of Human Resources.
3. Any disciplinary action shall be governed by University policies on discipline and dismissal. A record of the action will be placed in the employee's personnel file.
4. As a condition of employment on government grants or contracts, employees must abide by the required notification statement and report any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction. The employer, in turn, must notify the contracting federal agency within 10 days after receiving notice from an employee or otherwise receiving actual notice of such conviction, and within 30 days must

impose sanctions on the employee involved. Such sanctions may take the form of personnel actions against such an employee, up to and including termination, or requiring the employee to satisfactorily participate in an approved drug abuse assistance or rehabilitation program.

Program Review

Trinity University will conduct a biennial review of the program to determine the effectiveness and implement changes to the program if they are required and ensure that sanctions for violations are consistently enforced.

Terms & Definitions

Terms and Definitions:

Term:	Definition:
Drugs or Other Controlled Substances	Any substance, including alcohol, capable of altering an individual's mood, perception, pain level or judgment.
Prescribed Drug	Any substance prescribed for individual consumption by a licensed medical or dental practitioner. It includes prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured.
Illicit Drug	Chemical substance is: (a) any drug or chemical substance, the use, sale, or possession of which is illegal under any state or federal law, or (b) one which is legally obtainable but has not been legally obtained. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for prescribed purposes.
Controlled Substance	A controlled substance in schedules I through V of section 202 of the Controlled Substance Act (21 U.S.C.S. 812) or whose possession, sale or delivery results in criminal sanctions under the Texas Controlled Substances Act (Art. 4476-13, TCS). In general, this includes all prescription drugs, as well as those substances for which there is no generally accepted medicinal use (e.g., heroin, LSD, marijuana, etc.), and substances which possess a chemical structure similar to that of a controlled substance (e.g., "Designer Drugs"). The term does not include alcohol.
Alcohol	Refers to any alcoholic beverage that is "alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.
Alcohol Abuse	The excessive use of alcohol in a manner that interferes, but not chronically, with (1) physical or psychological functioning; (2) social adaptation; (3) or occupational functioning.

Term:	Definition:
Conviction	A finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.
Cause of Reasonable Suspicion	Shall be established by: (1) observation; (2) actions/behaviors of the individual; (3) witness by supervisor or other reliable individual of possession or use; or (4) any other legal measure used for alcohol or drug detection.
Criminal Drug Statute	A criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.
Sanctions	May include completion of an appropriate rehabilitation or assistance program, or termination from employment, or other disciplinary action, or referral to authorities for prosecution. If an employee has been convicted of a criminal drug statute, sanctions must be imposed within 30 days.
Workplace	Any office, building, classroom, or property (including parking lots) owned or operated by the University, or any other site at which the employee is to perform work.
Employee	Any faculty, staff or student receiving remuneration for services rendered.
Possess	To be contained either on an employee's person or in an employee's vehicle, tools, or areas entrusted to the employee.
Impaired	Under the influence of an illegal drug or alcohol such that the employee is unable to perform his/her assigned tasks properly.

Attachments

Drug and Alcohol Abuse Charts

Revision Management

Revision History Log:

Revision #:	Date:	Recorded By:
v3.1	1/14/2026 9:09 AM	Pamela Mota
v3.0	12/6/2022 9:32 AM	Gary Logan
v2.0	11/17/2022 9:36 AM	Holly Warfel
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Vice President Approval:

Name:	Title:
Brandi Jones	Vice President for People, Culture, and Community