

## **New York State Substance Abuse Policy for Employees- Policy 82423**

### **Policy Statement:**

The purpose of this Substance Abuse Policy is to establish guidelines and expectations for all employees of the New York State government regarding the use of drugs and alcohol in the workplace. The policy aims to create a safe and productive work environment by ensuring that employees are not under the influence of drugs or alcohol while working.

### **Scope:**

This policy applies to all employees of New York State government agencies, departments, and authorities, regardless of their position or employment status.

### **Policy Guidelines:**

#### **1. Prohibited Conduct:**

- a. No employee shall report for duty or perform work duties while under the influence of alcohol, illegal drugs, or unauthorized prescription medications.
- b. The use, possession, distribution, sale, or manufacturing of illegal drugs in the workplace is strictly prohibited.
- c. Consumption of alcohol during working hours or while on duty is prohibited, unless explicitly authorized by the employer for special occasions or events.

#### **2. Prescription Medications:**

- a. Employees who are prescribed medication that may impair their ability to perform their job safely and effectively must inform their supervisor and provide relevant medical documentation.
- b. The use of prescription medications that may affect job performance is permitted only if the medication does not pose a safety risk and if the employee's healthcare provider confirms that it is safe to work.

#### **3. Testing and Searches:**

- a. Employees may be subject to drug and alcohol testing as part of pre-employment screening, random testing, post-accident testing, and reasonable suspicion testing.

b. Employees shall cooperate with such testing, and refusal to comply may result in disciplinary action, up to and including termination.

c. Employees' workspaces and belongings may be subject to search if there is reasonable suspicion of drug or alcohol use on the premises.

#### **4. Consequences for Violation:**

a. Violation of this policy, including being under the influence of drugs or alcohol while working, may lead to disciplinary action, up to and including termination.

b. Employees who voluntarily seek help for substance abuse problems will be provided with information about available resources, which may include Employee Assistance Programs (EAP) and referral to treatment centers.

#### **5. Confidentiality and Privacy:**

a. Information related to an employee's drug or alcohol testing results, medical history, and treatment will be treated as confidential and will only be disclosed on a need-to-know basis.

b. Managers and supervisors are expected to handle such information discreetly and in compliance with applicable laws and regulations.

#### **6. Education and Training:**

a. Regular training sessions will be conducted to educate employees about the dangers of substance abuse and the resources available for assistance.

b. Supervisors and managers will receive additional training to recognize signs of substance abuse, address concerns, and refer employees to appropriate resources.

#### **Effective Date and Acknowledgment:**

This policy will become effective on 8.24.23. All employees will receive a copy of this policy upon its implementation and are required to acknowledge their understanding and compliance with its terms.

**Failure to comply with this policy may result in disciplinary action, up to and including termination. This policy is subject to review and updates as needed to ensure its effectiveness and compliance with relevant laws and regulations.**