

<b>CCHMC Human Resources Policy</b>	<i>Policy Number</i>	<b>ESOH-02</b>
<i>Employee Safety and Occupational Health</i> <b>Drug-Free Workplace</b>	<i>Effective Date</i>	09/26/2022
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## 1.0 PURPOSE

This policy sets forth Cincinnati Children's Hospital Medical Center's (CCHMC) application and administration of the Medical Center's Drug-Free Workplace program.

## 2.0 POLICY

Consistent with the requirements of the federal Drug-Free Workplace Act of 1988, it is the policy of CCHMC to provide a drug-free workplace to help ensure a safe, healthy, and efficient working environment for employees, contractors, patients, and visitors.

## 3.0 DEFINITIONS

3.1 Drug: Any substance regulated by applicable law, typically including but not limited to alcohol, narcotics, stimulants, depressants, hallucinogens, or precursors or antidotes to such substances, and anabolic steroids.

3.1.1 Drug under this policy includes marijuana, which remains illegal under federal law and is listed as a Schedule 1 drug.

3.2 Legally obtained medicine: A drug for which an employee has a current prescription or an over-the-counter health product for which no prescription is required.

3.2.1 Marijuana, even if prescribed validly under state law, is not legally obtained medicine under this policy.

## 4.0 IMPLEMENTATION

4.1 The unlawful manufacture, distribution, possession, or use of a drug by CCHMC employees is prohibited in and on CCHMC's owned, leased, or controlled property.

4.2 Drugs are not permitted on CCHMC owned, leased, or controlled property (except for legally obtained medicine, for patient treatment, by prescription or order of care provider, or as otherwise permitted by this policy).

4.3 Employees may not be under the influence of drugs in the workplace (except legally obtained medicine as noted below).

4.3.1 CCHMC requires new employees to submit to a drug and alcohol screening.

4.3.2 CCHMC will not hire an applicant or retain an employee who uses medically prescribed marijuana.

4.4 No employee may use or be under the influence of legally obtained medicine or any other substance in the workplace to the extent that such use or influence may: affect the safety of the employee, co-workers, patients, or visitors; or impair the employee's job performance, including the safe or efficient operation of medical center equipment. Employees taking legally obtained medicine that may cause impairment must inform their supervisor or Employee Health. (The supervisor or department head must contact Employee Health.)

4.4.1 The employee may be removed from work in order to assess restrictions if necessary.

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- 4.5 If an employee is suspected of using or being under the influence of drugs and/or is unable to perform his/her job in a safe or satisfactory manner, a supervisor, Human Resources, and Employee Health will review the information to determine whether the employee should be referred to Employee Health for mandatory fitness for duty evaluation consistent with Human Resources Policy ESOH-03: Fitness for Duty, and/or disciplinary action up to and including discharge.
- 4.6 Occasions or special events, where the use of alcohol is planned, must be held off CCHMC premises or have express written consent of the President's Office or designee.
- 4.7 Drugs brought or found on CCHMC's premises (except unopened alcohol lawfully possessed) will be confiscated by the person with authority and knowledge of its existence (e.g., supervisor, department head, senior manager, Protective Services) and turned over to Protective Services for proper disposal and/or submission to law enforcement. Protective Services must be informed immediately if an employee has knowledge of any person attempting to distribute or distributing drugs on CCHMC premises.
- 4.8 Consistent with the Drug-Free Workplace Act of 1988:
  - 4.8.1 CCHMC requires that as a condition of continued employment, a CCHMC employee must notify Human Resources within five (5) days of a conviction for any criminal drug statute violation.
  - 4.8.2 CCHMC requires, in addition, that employees notify Human Resources within five (5) days of a felony drug or other felony arrest.
  - 4.8.3 CCHMC will notify the appropriate federal granting or contracting agency within 10 days after receiving notice that an employee working on a federal grant or contract has had a criminal drug conviction for a violation occurring in the workplace.
- 4.9 Violation of this policy may result in mandatory fitness for duty evaluation and/or disciplinary action up to and including termination.

## 5.0 OVERSIGHT

Human Resources will annually review and update this policy as appropriate. Questions regarding this policy shall be directed to Human Resources at 513-803-HR4U (4748) or HR4U@cchmc.org. Authority over this policy resides with the Senior Vice President and Chief Human Resources and Diversity Officer.

## 6.0 REFERENCES

- 6.1 Human Resources Policy WE-00: *Standards of Conduct and Employee Discipline*
- 6.2 Human Resources Policy ESOH-03: *Fitness for Duty*
- 6.3 Medical Center Policy MCP-13: *Possession and Use of Drugs and Alcohol*

<b>REVISION HISTORY</b>	
<b>Original Date</b>	05/01/2010 (Formerly J-00)
<b>Revision Date</b>	4/1/2012, 1/1/2013, 7/1/2015, 9/1/2016, 4/12/2017, 11/06/2017, 8/10/2018, 4/16/2020, 09/26/2022
<b>Review Date</b>	4/16/2020, 05/05/2021



