



Ohio Administrative Code

Rule 3364-25-105 Employee drug and alcohol abuse.

Effective: November 1, 2018

(A) Policy statement

It is the university of Toledo's objective to provide the highest quality health education, research, and services, with a responsibility to do so in a safe environment. Employees under the influence of drugs and/or alcohol while on the job create serious safety and health risks to themselves, patients, guests, co-workers, and the university. The university subscribes to a zero tolerance stance regarding drug and/or alcohol abuse. The university prohibits the unlawful manufacture, distribution, dispensing, possession, or use of any controlled substance including the unsanctioned use of alcohol, on university property, or as any part of its activities. The term "controlled substance" means a controlled substance in schedules I through V of Section 202 of the Controlled Substance Act, 21 U.S.C. 812. This includes all illegal drugs and legal drugs used without a physician's order. It does not prohibit taking prescribed medication as directed by a physician. Marijuana prescribed or recommended by a physician pursuant to state law remains an illegal drug listed on schedule I of the Controlled Substances Act ("CSA"), and the use, possession, or distribution of medical marijuana is prohibited.

(B) Prohibited activities under the policy:

(1) Alcohol: The use, possession, or being under the influence of alcohol while performing job responsibilities is prohibited and is subject to corrective action up to and including termination of employment. Employees suspected of being under the influence may be tested following rule 3364-25-105.1 of the Administrative Code (drug and alcohol testing).

(2) Illegal drugs: The use, sale, purchase, transfer, possession, or being under the influence of an illegal drug (and/or the use, sale, purchase, transfer, possession, or being under the influence of a legal drug for illegal purposes) is prohibited. Employees engaging in the use, sale, purchase, transfer, possession, or being under the influence of an illegal drug will be subject to corrective action up to and including termination and possible criminal prosecution. Marijuana, even if prescribed or



recommended pursuant to state law, remains illegal under federal law and the university considers it to be an illegal drug for purposes of this policy. Employees suspected of being under the influence may be tested following rule 3364-25-105.1 of the Administrative Code (drug and alcohol testing).

(3) Legal drugs: The use, or being under the influence of any legally obtained drug while performing job responsibilities is prohibited to the extent such use or influence may affect the safety of patients, guests, or co-workers. Employees are responsible for advising their supervisor whenever they are taking prescribed medication under the direction of a physician which may adversely affect their job performance or the safety of themselves or others. When the use of a prescribed medication may adversely affect job performance, it is in the best general interest of the employee, co-workers, and the university that sick leave or personal leave be used. Employees misusing or illegally using legal drugs will be subject to corrective action up to and including termination of employment.