



# **UNIVERSITY OF NAIROBI**



## **PREVENTION OF ALCHOHOL DRUG ABUSE**

### **POLICY**

**FEBRUARY 2011**

**(Revised August 2015)**

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## **Foreword**

Alcohol and drug abuse is a serious problem that could affect employee safety and the security of overall operations of the University of Nairobi. The University makes no moral judgment about an employee's lifestyle choices, but it has a "second chance policy" which is about the use of alcohol and controlled drugs or substances in our workplace. It considers this a major operating policy and it shall be enforced on a non-discriminatory basis.

To carry out the policy, the University reserves the right to conduct alcohol and drug abuse testing following the procedures and guidelines contained in the relevant rules, laws, statutes and regulations of Kenya and international bodies and agencies. The University will demonstrate fairness and adhere to legality or propriety of drug testing. The referral and drug-testing programmes shall use recognized centres and professionals. Random testing will be conducted in such a way that every 12 months, at least half of the workforce will be tested, while, at all times, the University shall seek to maintain confidentiality of the results of the testing. Tested employees will have access to their test records and to records pertaining to their treatment, however.

Employees who refuse to be tested or who test positive for illegal drugs will be considered medically unfit for duties until they have entered and completed a recognized drug treatment programme. The costs of such a programme will be paid for by the University in line with terms of service an employee and the rules governing the medical cover of a student.

Not every employee who tests positive for alcohol and drug abuse has an automatic right to be offered an opportunity for rehabilitation, however. The University has developed the Employee Assistance Programme and the Student Assistance Programme for providing referral opportunities and carrying out prevention of alcohol and drug abuse education and training for all employees and students. The university management, supervisory staff, union officials, student leaders, the welfare officials and the Employee Assistance Programme as well as the Student Assistance Programme co-ordinators shall be given the relevant training to achieve the objectives of the policy.

As it engages in this important exercise of preventing alcohol and drug abuse in our institution, the University expects staff and students to cooperate in ensuring that we have an alcohol and drug free academic and working environment.

**Peter M. F. Mbithi, EBS, PhD**  
**Vice Chancellor and Professor of Veterinary Surgery**

*Acronyms and Abbreviations*

EAP/SAP: Employer Assistance Program/Student Assistance Program

## **Definition of Terms**

**Alcohol and Drug Abuse:** a recurrent and maladaptive pattern of use of alcohol and drugs that causes adverse social, psychological, occupational or physiological consequences

**Alcohol:** an intoxicating agent in beverage, ethyl, or any other low molecular weight substance. This could also include abuse of medications containing spirit.

**Client:** a student or an employee or a dependant who accepts the assistance of the Employee Assistance Programme/Student Assistance Programme (EAP/SAP) and has experienced a critical incident as defined below

**Controlled Substances:** Chemicals such as opiates, amphetamines, khat, nicotine, alcohol, enlisted in the Narcotics and Psychotropic Substances (Controls Act, 1994)

**Critical Incident:** a traumatic event that produces a strong emotional reaction that could affect one's ability to cope with day to day activities

**Dependant:** a spouse or child, or both, of an employee of the University

**Dependence or Addiction:** a state arising from a repeated administration of a drug on periodic or continuous basis resulting in psychological or physical reliance

**Drug:** a chemical substance that produces physical, mental, emotional or behavioural change in a user ("drug" is synonymous with "substance" in the policy document)

**Drug Paraphernalia:** equipment, product or material used or intended for use in concealing an illegal drug or a product intended for use in injecting, ingesting, and inhaling

**EAP/SAP Practitioner:** an individual—such as a social worker, occupational health nurse, physician, and volunteer peer referral agent trained in EAP/SAP—qualified through training or certification in the techniques of assessment of problems and of intervention, particularly in respect of alcohol or drug, or both, abuse. This includes (but not limited to).

**Employee Assistance Programme (EAP) and Student Assistance Programme (SAP):** EAP/SAP means a confidential counselling programme that offers assessment, short-term counselling, and referral services to employees and students for a wide range of drug, alcohol, and mental health problems, and monitors the progress of employees and students while in treatment

**Employee:** a person who works or renders services to the University on full-time or part-time, regular or temporary or contractual basis and who undertakes duties, responsibilities, or functions as the University may assign

**Fitness for Duty:** a state of being suitable for a job or a task; to determine fitness for duty, a medical evaluation may take the form of drug or alcohol, or both, testing.

**Illegal Drug:** a substance or derivative thereof the use, possession, sale, transfer, attempted sale or transfer, manufacture, or storage of which is regulated or not sanctioned by any law; any substance such as a prescription used for any reason other than a legitimate medical purpose and inhalants prohibited by law such as marijuana or cannabis in all its forms

**Premises:** grounds (that is, land or buildings) the University owns, rents or leases

**Property:** items or belongings—such as vehicles, equipment, machines, buildings, lockers, desks, and closets—the University owns, rents or uses in its functions

**Reasonable Cause or Reasonable Suspicion:** Incidents supported by evidence that is strong enough to establish that a policy violation has occurred

**Referral:** an oral or written recommendation to an employee or student by a manager, a supervisor, or a student welfare officer to use EAP/SAP or comparable services to assist in resolving personal or work-related problems that may affect one's performance as an employee or a student

**Rehabilitation:** a process of medical or psychotherapeutic treatment of alcohol and drug abuse whose overall intent is to enable a patient to stop the abuse, so avoiding its related complications

**Short-Term Counselling:** discussion, normally up to three sessions that are conducted by the EAP/SAP, leading to an identification of a client's problems and referral to appropriate resources

**Student:** a person learning or conducting research, or both, in the University

**Under the Influence:** a state of having a blood alcohol concentration of 0.10 or more or the state of not having the normal use of mental or physical faculties resulting from the voluntary introduction of an alcoholic beverage or drug, or both, into the human body.

## **1.0 Introduction**

The World Drug Report of 2014, jointly prepared by the United Nations Office on Drugs and Crime, the World Health Organization, the Joint United Nations Programme on HIV/AIDS and the World Bank, observes that we continue to witness a rising and worrying trend in the consumption and abuse of drugs globally. Coupled with this trend are the valuable human lives and productive years of many persons being lost. The report indicates that in 2012, between 162 million and 324 million people, corresponding to between 3.5% and 7%, of the world population aged between 15 years 64 years, had used an illicit drug — mainly a substance belonging to the cannabis, opioid, cocaine or amphetamine-type stimulants group — at least once in the previous year.

The World Health Organization global status report on alcohol and health of 2014 indicated that in 2012, 3.3 million deaths, or 5.9% of all global deaths (7.6% for men and 4% for women), were attributable to alcohol consumption. The report shows that alcohol contributes to over 200 diseases and injury-related health conditions, most notably alcohol dependence, liver cirrhosis, cancers, and injuries. In 2012, 5.1% of the burden of disease and injury worldwide (139 million disability-adjusted life years) was attributable to alcohol consumption.

In Kenya, alcohol and drug abuse are the major social problems, with serious public health ramifications. Most of the consumers are young aged between 10 and 19 years old. The most commonly abused drugs are alcohol, tobacco, marijuana (bhang), glue, miraa (khat), and psychotropic drugs (NACADAA, 2011). The University of Nairobi is aware that there is alcohol and drug abuse in its community, for people abusing alcohol and drugs are attended to in the University Health Services, are identified during disciplinary proceedings or have been caught by the security personnel in the premises.

This policy document is the University's response to the threat of alcohol and drug abuse to its operations and functions. The policy emphasizes the synergistic effects of alcohol and drug education and prevention, peer counselling, treatment, and rehabilitation—as much as it emphasizes occupational health and safety as important strategies for enhancing an alcohol-free and drug-free environment. The policy seeks to reduce the impact and incidence of alcohol and drug dependence to foster productivity in the University.

## **2.0 Policy Statement**

In keeping with its vision, mission, and core values, the university seeks to be a world-class educational and research institution committed to academic excellence, transformation of the lives of Kenyans and service to the society with distinction. Its main objective is to produce holistic graduates and responsible citizens. The university has recognised the detrimental effect which alcohol and drug abuse can have on employees—as well as their dependants—and students, which in turn will result in health hazards, destruction of property, poor performance and poor productivity. For this reason, the university both prohibits the illegal use or selling of illicit drugs on its premises and reserves the right of control of the selling and consumption of alcohol on its premises: No alcoholic beverages therefore may be sold or consumed on university premises without the its prior written approval.

In carrying out the objectives of the policy, the university shall

- a. adhere to rules and regulations as provided for in the Health and Safety and HIV/AIDS policies,
- b. observe all protocols related to alcohol and drug testing procedures and treatment, and
- c. be guided by the rules and regulations governing the conduct of staff and students.

### **3.0 Justification**

The abuse of alcohol and drugs is a national problem. In its usual role of being an effective catalyst, the University shall seek to provide technical support at all levels of implementation of the society's prevention of alcohol and drug abuse initiatives. This shall be mainly in the areas of research, training, advocacy, capacity building, monitoring and evaluation.

The University's businesses and workplaces are increasingly experiencing declining productivity because of problems related to alcohol and drug abuse. Uncontrolled consumption of alcohol and prohibited drugs is a rising trend which in turn has encouraged increased criminal behaviour, and indiscipline among employees and students together with increasing absence from work or lectures.

Apart from the laws and related regulations, the university does not have in place elaborate mechanisms for addressing indiscipline cases related to alcohol and drug abuse. There is no policy that clearly states how care and support programmes can be implemented for people affected by drug and alcohol abuse. The treatment and rehabilitation of affected employees—as well as their dependants—and students has been done without following a clear policy direction. An alcohol and drug abuse policy helps to give direction on how such cases can be handled within the given rules, laws and regulations governing the conduct of staff and student. It creates the necessary structures, programmes, mechanisms and opportunities for care and support.

Activities on the prevention of alcohol and drug abuse in the University are not properly monitored, co-ordinated, planned, implemented, or evaluated. Yet, since its inception, the University has been a leading world-class institution in producing top cream human resources for national and international development. Consequently, the policy endeavours to strengthen mainstreaming of activities, programmes and efforts for the prevention, treatment and rehabilitation of people who abuse alcohol and drugs.

### **4.0 Scope**

The policy provides guidelines and sets standards for preventing and managing alcohol and drug abuse in the university and applies to employees—as well as their dependants—and students in the university along with the wider Kenyan community.

### **5.0 Objectives**

The University alcohol and drug policy aims to use available resources to develop efficacious, high quality, safe and cost-effective services to meet the requirements of the University community to prevent, diagnose and treat problems related to alcohol and drugs. As a result, its specific objectives are to

- a. promote a safe and healthy working environment for staff and students,
- b. minimize any alcohol and drug related risks to the University community
- c. outline appropriate management actions where staff or students are suspected of having problems of abusing alcohol or drugs,
- d. provide information on the effects of alcohol and drugs and to enhance an understanding of the likely symptoms of their abuse,
- e. encourage and provide care and support for employees—as well as their dependants—and students with problems of abusing alcohol or drugs to seek assistance,
- f. create an atmosphere, which encourages honesty and gives staff and students and the management the confidence to deal with an individual's problems of abusing alcohol or drugs by following clearly laid-down procedures,
- g. provide a link action on alcohol and drug abuse issues with occupational health and safety initiatives and programmes, and
- h. provide procedures for dealing with problems, testing and referral related to abusing alcohol or drugs.

## **6.0 The Legal Framework**

The policy concurs with Kenyan statutes as well as relevant legislation on alcohol and drug abuse such as

- a. the Constitution of Kenya, 2010,
- b. the Narcotic Drugs and Psychotropic Substances(Control) Act,
- c. the National Agency for the Campaign Against Drug Abuse Authority Act,
- d. the Alcoholic Drinks Control Act,
- e. the University of Nairobi Act,
- f. the Employment Act, 2007,
- g. the Universal Declaration of Human Rights, and
- h. the Helsinki Protocol on Human Research.

## **7.0 The Conduct of Staff and Students**

Recognising that there are or there can be employees—as well as their dependants—and students who are affected by problems of abusing alcohol or drugs, the policy provides for care, support and prevention programmes. Catering for these programmes, the University will be guided by the terms of service for staff and regulations governing the conduct of staff and students. The policy contains provisions that uphold the principle of non-disclosure in handling cases related to abusing alcohol or drugs in regard to their conduct, care, support and prevention.

### **7.1 Employment, Job Security and Principle of Non-Disclosure**

The University management is committed to a policy of non-discrimination and non-disclosure, as these provisions on employees—as well as their dependants—indicate:

- a. Employees—as well as their dependants—will not be stigmatised or discriminated against on the basis of alcohol and drug abuse status.
- b. The protection of employees—as well as their dependants—will be enhanced through the provision of education, training, information and sensitization on alcohol and drug abuse.
- c. Employees—as well as their dependants—will be accorded counselling, rehabilitation, voluntary testing and treatment as are provided for in their terms of service.

### **7.2 Students' Protection and the Principle of Non-Disclosure**

- a. No student will be denied admission, will be stigmatized or discriminated against on the basis of alcohol and drug abuse.
- b. The University will not use one's alcohol and drug abuse status to deny a student bursaries or scholarships or admission into halls of residence.
- c. The University will provide counselling, rehabilitation and treatment to students affected by problems of abusing alcohol or drugs while they are in session.
- d. Every student will be expected to exercise personal responsibility to protect oneself against tendencies related to abusing alcohol or drugs.
- e. no student will use alcohol and drug abuse as a reason for failing to perform duty, complete assignments, attend lectures, undertake field trips or write examinations.
- f. Students will be encouraged to form alcohol and drug abuse post-test groups and peer support groups.

### **7.3 Employee/Student Conduct in Respect of Alcohol and Drug Abuse**

Guided by rules governing the conduct for staff and students, the policy states that:

- a. No prohibited drugs will be grown, manufactured, trafficked, sold, possessed, or used in the University; consequently, employees—as well as their dependants—and students are strictly prohibited from engaging in unlawful manufacture, distribution, possession, or use of prohibited substances on University of Nairobi grounds and premises.
- b. Staff and students who violate provisions of the policy will be disciplined according to the provisions of the rules, laws and safety regulations governing the conduct of staff and

- students in the university. As appropriate, law-enforcement agencies will be notified when criminal activity occurs or is suspected.
- c. Staff and students have the responsibility to immediately report any incident of related to abusing alcohol or drugs occurring in their workplace to their supervisor, their head of department, a student affairs officer or a security officer.
  - d. The use of marijuana, cocaine, opiates, amphetamines, solvents and phencyclidine by staff and students is prohibited at all times. To this end, staff and students will be tested for these listed drugs in the following circumstances: during post-accident, occasions of reasonable suspicion, during random checks, times of return to duty and during follow-up situations.
  - e. Drunkenness while performing duties is prohibited.
  - f. Use of medication that causes drowsiness or loss of self-control should be reported to a supervisor.
  - g. No employee or student will be allowed to perform any of these activities under the influence of alcohol or drugs: report for duty or during on-call hours or remain on duty with an alcohol concentration of 0.04 millimetres or greater.
  - h. No employee and/or student will be allowed to perform any activities or under the influence of alcohol and/or drugs until he/she undergoes an alcohol and/or drug test
  - i. An employee or a student who refuses to submit to any required alcohol or any prohibited or controlled drug test will not be allowed to perform any activities or functions of the university until an intervention report by a medical practitioner appointed by the university is received.
  - j. Cases of prohibited behaviour by staff or students include reporting on duty, remaining on duty, or performing any function when one has tested positive for alcohol or a drug or when one has adulterated or substituted a test specimen for alcohol or a drug. An employee or a student who goes through a successful intervention will be allowed to resume duty.

#### **7.4 Education, Training, and Publicity**

The University will therefore establish an education and training programme for its staff and students, as the policy recognizes that education and training is an important and effective instrument for the prevention of abusing alcohol and drugs. The programme must include a general education component—as well as training for students, employees, supervisors, heads of departments and officers authorized by the University to make reasonable suspicion determinations

The University will provide the training for supervisors and officers who are authorized to make reasonable suspicion determination on the physical, behavioural, and performance indicators of probable drug abuse and training on the physical, behavioural, speech, and performance indicators of probable alcohol abuse at least once every year.

Authentic employees will receive training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and on signs and symptoms that may indicate prohibited drug use. At the same time, employees will receive training regarding signs and symptoms which may indicate alcohol abuse.

Publicity will be enhanced to avail the relevant details on alcohol and drug information and the contents of the policy will be widely circulated in soft and hard copies to staff and students.

##### **7.4.1 Preventing Alcohol and Drug Abuse through Education and Training**

The policy has designed an educational programme specifically designed for disseminating information, delivering facts and stimulating a critical perception of the whole situation that defines alcohol and drug abuse. The programme should enable its recipients to distinguish between facts and myths so that they can make informed decisions and choices on alcohol and

drug abuse. Further, the programme will be used to develop necessary life skills to deal with issues like HIV/AIDs, stress, peer pressure and frustrations of life which are often said to be major contributors of the spread of alcohol and drug abuse. At the same time, Awareness campaigns, discussions of factors that often contribute to alcohol and drug abuse will be instituted and encouraged.

#### **7.4.2 Opportunities for Rehabilitation and Training**

The University will establish employee and student (EAP/SAP) assistance programmes for rehabilitation and referral cases. The policy will provide for the training of administrators, supervisors, managers, EAP/SAP coordinators, academic staff and the student leaders to

- a. identify individuals with alcohol and drug abuse problems,
- b. assess the working environment to identify problems and issues related to abusing alcohol or drugs, and
- c. assist staff and students to form clubs and peer-groups to assist the university to create an enjoyable and inspiring working and learning environment.

#### **7.4.3 Publicity and the Development of Educational and Training Materials**

There will be deliberate endeavours to produce materials for creating awareness on alcohol and drug abuse. Posters, charts and graphs carrying awareness messages will be posted at strategic points for staff and students to read and information storage materials like disks will be made available for constant use and updates of information. Peers and rehabilitated persons will be encouraged to engage in participatory education by so as To reach out to the community outside the university. The university will utilize modes of publicity at its disposal to relay information related to abusing alcohol or drugs. These modes include avenues such as notice boards, public talks and lectures, pamphlets, e-mails, publications such as Comrade and Varsity, and forums such as the pension scheme and CHUNA. Departmental heads, school heads, peers and common services providers such as the University Health Services, and the Students' Welfare Authority as may effectively serve as channels of information related to abusing alcohol or drugs.

#### **7.5 Confidentiality Rules**

The dignity, privacy and confidentiality of individuals throughout the testing and treatment process will be protected. Medical officers will be involved in the testing exercises, but laboratory reports or test results will not be recorded in the general personnel file of neither an employee nor a student. Drug or alcohol test information will be recorded in a separate confidential file that will be kept under the control of only the EAP/SAP coordinator in charge of the testing. Information regarding individual test results and rehabilitation will not be disclosed to any person without the consent of an employee or a student except in these circumstances:

- a. when it is required by another alcohol and drug abuse professional,
- b. where it is required by law, for a judicial process or for an administrative process, and
- c. where there is a dispute of the test between the employer and an employee or a student.

Except in these circumstances, for information to be released in all cases these conditions will be adhered to.

- a. An employee, dependants or student must sign a consent release form any time the information is required or released to employees—as well as their dependants—and students, union official and subsequent employers.
- b. The specimen collecting officer, alcohol or drug testing officer, the referring officer and medical officer must sign form B and C to keep employees—as well as their dependants—and students treatment, rehabilitation and alcohol and drug testing records strictly confidential.

The University will meet the costs for all the tests including back to work and follow-up while the employee or the student will pay for the test one orders in case of a dispute .

## **7.6 Assessment of Alcohol and Drug Abuse**

Employees—as well as their dependants—and students will be encouraged to practise abstinence in relation to alcohol or drugs and people who are or get into problems of abusing alcohol or drugs will be accorded an opportunity of treatment and rehabilitation.

The university will provide an integrated approach to treatment through engaging the services of relevant medical practitioners, certified alcohol and drug treatment providers, psychiatrists, social workers, and counsellors.

### **7.6.1 Risk Assessment Processes**

The policy will introduce screening, risk assessment and diagnostic processes which are intended to help patients to identify and avoid situations which tend to trigger possible relapses. Coerced treatment will be encouraged for employees—as well as their dependants—and students suspected to be suffering from alcohol and drug abuse disorders. Here, an attempt will be made to establish factors that motivate the patient to engage in alcohol and drug abuse risk behaviour.

Primary reinforcers, types of abuse, routes of administration, duration and frequency of use will be identified. The extent to which the risk behaviour has affected a patient's capacity for productivity is determined. The goal of these tasks is often to stimulate the patient's efforts to enhance capacity for the development of self-efficacy and control over possible unconscious emotional conflicts.

### **7.6.2 Exploration of Addiction Treatment**

An assessment of patients for drug dependency will be undertaken. Those who are dependent on alcohol and drug abuse will be referred to rehabilitation centres or kept in special homes or environment for specialised attention. These actions will be geared towards transforming the patient's previous beliefs, behaviour and attitudes and creating hope for positive living; here, treatment and rehabilitation personnel will the patients to identity and set new priorities, values and standards of conduct and ways of life. Withdrawal symptoms, medical complications and impaired psychological functioning will be explored with the patients.

## **7.7 Counselling for Alcohol and Drug Abuse**

- a. A response to a request for service should occur as soon as possible, preferably in one working day.
- b. Counselling of up to three sessions for each new case should be completed within two weeks after a referral.
- c. A follow-up with EAP/SAP co-ordinators will be mandatory and as directed by a co-ordinator.
- d. Where employees or students have been involved in a critical incident the initial counselling will be initiated by one's immediate supervisor.
- e. Where a dependant has been involved in a critical incident counselling will be initiated by the EAP.

## **7.8 Testing for Alcohol and Drug Abuse**

### **7.8.1 Exclusion Criteria**

Testing will not involve these two situations: employees will NOT undergo pre-employment alcohol and drug testing and students will NOT undergo pre-enrolment alcohol and drug testing.

### **7.8.2 Indications for Testing**

When the University administration, management and the University Health Services have reasonable suspicion that an employee, an employee's dependant or a student has violated policy regulations relating to abusing alcohol or drugs, a requirement for testing will be necessary. An employee, an employee's dependant or a student will be asked to submit to a test under these conditions:

- a. when a trained supervisor determines that a reasonable suspicion exists based on specific, contemporaneous, articulate observations concerning appearance, behaviour, speech, or body odours of the bonafide employee or student,
- b. when a trained supervisor has a reasonable suspicion that the employee has used a prohibited drug, or misused alcohol, and
- c. when a physical, on-the-job observation of behaviour related to abusing alcohol or drugs occurs or is detected in an employee.

Tests for alcohol abuse can be administered within two to five hours following the reasonable suspicion determination or the effects of alcohol or a drug may disappear.

### **7.8.3 Types of Testing**

These conditions establish who may be screened and under what circumstances the drug and alcohol screening may occur.

- **Random Testing**

The University will randomly select a sufficient number of authentic employees and students for testing each calendar year. An employee or a student selected for random testing must have an equal chance of being tested each time selections are made. Random testing will meet two criteria:

- a. It will be made through a computerized random number generator programme matched with employees' or students' identifying numbers. The programme will be provided by a contracted third party administrator for the drug programme.
- b. An authentic employee or student will be notified of selection for random testing for alcohol or drugs, and the University will ensure that the employee or the student proceeds to the test site immediately. An authentic employee or student will only be randomly tested for alcohol and drugs during official times.

- **Post-Accident Testing**

As soon as possible following an accident, an alcohol and drug test will be administered to an employee or a student whose performance either has contributed or cannot be completely discounted as a contributing factor to the accident. Post-accident testing is subject to three criteria:

- a. An alcohol or a drug test will be administered immediately following the accident. If the test is not administered within the required time, then the employer will stop efforts to administer the test.
- b. An EAP/SAP co-ordinator will file and maintain a report stating the reasons the test was not administered promptly.
- c. An employee or a student who is subjected to a post-accident test will be required to remain readily available for the testing; the employer may consider a failure to do so as a refusal to submit to testing.

- **Return-to-Duty Testing**

If an employee or a student has violated the policy in regard to abusing alcohol or drugs, the University will have the sole discretion as to whether or not to reinstate the employee or student to, respectively, duty or college. If the University however determines that the employee or the student has successfully completed a prescribed programme education, treatment or rehabilitation and decides to reinstate one to duty or college, the individual will be required to submit to the pertinent alcohol or drug test. The employee or the student must have a negative alcohol and drug test as a condition for reinstatement to duty or college.

- **Follow-Up Testing**

If the University reinstates an employee or a student to duty or college, one will be subjected to a follow-up test, which will comply with the plan established by the EAP/SAP, but will not contain less than five unannounced follow-up tests in the first 12 months of duty following the employee's or the student's reinstatement. A refusal to take the test or a confirmed positive test

will result in disciplinary action being instituted according to laid-down procedures on the conduct of employees or students.

- **What Constitutes a Test Refusal?**

According to the university, staff and students may be required to undergo alcohol or drug tests. These circumstances will constitute a test refusal by an employee or a student, however:

- a. failing to report to the testing centre for an alcohol or drug test within a reasonable time ,
- b. failing to provide a urine or a blood specimen for testing,
- c. failing to sign the certification of an alcohol or a drug test form,
- d. preventing specimen collecting officers to monitor or observe the specimen provision , and
- e. attempting to alter by stratagems such as switching or adulterating a specimen to affect results of a test results.

## **7.9 Testing Procedures for Alcohol and Drug Abuse**

- **Alcohol and Drug Testing Procedures**

Two important tests will be carried out according to the laid-down procedures by the university: a blood test for alcohol and a urine test for drugs. Employees and students will be subjected to testing procedures as described in the policy. When carrying out these tests, these measures will be observed:

- a. a high degree of accuracy,
- b. reliable (or reproducible) and valid results,
- c. university approved equipment, laboratory facilities and methods for analysis, and
- d. treating blood specimens with "universal precautions

- **Alcohol Test**

A Specimen will be collected in duplicate (at least 5 millilitres of blood each). The specimen container will include some suitable preservative. The preservative should not interfere with the analysis of alcohol which will render the specimen stable for at least 60 days. The analysis of the duplicate specimen will be performed using Gas Chromatography or High Performance Liquid Chromatography. If the blood alcohol concentration of the two specimens is found to be 0.08%, the results are positive.

- **Drug Test**

The drugs to be tested include marijuana, cocaine, opiates, and amphetamines—as well as any prohibited substance. A drug test is normally a two-step process in which a urine specimen collected from an identified individual is divided into two equal portions.

- a. One portion of the urine specimen will be used for an initial drug screen and validity test. This portion is tested using a relatively simple, inexpensive yet highly accurate “screen” (immunoassay) method. If the result is negative the laboratory will report the test as “negative”. If the result is positive, however, a confirmatory test (second test) is conducted on the second portion of the original specimen.
- b. For the second portion of the specimen that is positive within the screen method, a confirmatory test using Gas Chromatography/Mass Spectrometry (GC/MS) or High Performance Liquid Chromatography (HPLC) test will be performed. The test will be considered positive if the amounts of the drug(s) or its metabolites identified by the GC/MS or HPLC test—or both—are above the minimum thresholds. If both portions of the same specimen show positive by these separate testing methods, then results are reported as positive by the laboratory technician.

An employee or a student who refuses to submit to an alcohol or a test will be advised to seek further help from EAP/SAP co-ordinators, failure to which one will be subjected to disciplinary measures.

### **7.10 Detoxification and Rehabilitation**

Detoxification and rehabilitation will be done through referral from EAP/SAP coordinators to an institution approved by the university to provide the services.

### **7.11 Employee Assistance Programme/Student Assistance Programme**

The university recognizes that it is possible in the work environment to identify employees and students with problems such as problems related to abusing alcohol or drugs, and to motivate them to seek assistance or treatment at an early stage. To this end, it will make available to employees a confidential and voluntary EAP/SAP without prejudice to job security or career progress. It will establish EAP/SAP to identify and provide short-term counselling and referral service for staff and students with personal or work-related problems to resources within the Public Service or the community, when appropriate, and provide follow-up . The University will

- a. appoint an EAP/SAP coordinator in the Office of the Chief Medical Officer whose responsibilities will include managing or coordinating established programmes,
- b. provide clients, who experience a critical incident , with EAP/SAP services that conform to the policy,
- c. ensure that a referral will include an oral or written recommendation to use EAP/SAP services or comparable services to assist in resolving personal or work-related problems that may affect one's duty performance that will be made by an immediate supervisor to the EAP/SAP coordinator. Short-term counselling, leading to an identification of clients' problems and a referral to appropriate resources, normally up to three sessions will be conducted by the EAP/SAP coordinator, and
- d. ensure that the confidentiality and privacy of EAP/SAP information is maintained

The EAP/SAP practitioner will

- a. advise the client, orally or in written format, at the outset of the initial interview, of the confidentiality policy and its limitations which may include court subpoenas; suspected cases of child abuse; or a threat of suicide or illegal activity all done in consultation with the legal counsel while respecting the confidentiality of the individual's identity,
- b. allow clients to view, to the extent possible, the information that concerns them,
- c. abide by the code of ethics that sets out ethical attitudes as expected,
- d. safeguard client information in records gathered in counselling sessions; personal information collected by an agency providing EAP/SAP services under contract will be subject to confidentiality rules, while personal information relating to individual case files of EAP/SAP clients will be released only with the written consent of the client or where the law requires or permits the release of such information
- e. replace with a number—which is cross-referenced to a master file that contains this information separately—personal identifiers such as the client's name, title and address to enhance confidentiality,
- f. ensure that when information is recorded, it will be kept to a minimum and individual case files will be designated sensitive and marked PROTECTED; the case files will receive enhanced protection and must be protected by particular storage and transmittal standards, and
- g. case files will be disposed of in an appropriate manner while maintaining confidentiality

### **8.0 Violation of the Policy**

Employees who violate the policy or who commit any of the prohibited conduct related to drugs or alcohol will be subject to either, one, immediate removal from duty, and or referral to an EAP/SAP coordinator or, two, disciplinary action including immediate placement on unpaid disciplinary suspension will be imposed following the coordinator of EAP/SAP verifying test results.

The University will undertake measures in regard to staff and students who violate the policy. It will provide a mandatory referral to employees who violate the policy or who engage in

prohibited conduct related to alcohol or drugs and will meet any cost incurred for treatment up to the extent permitted by the provisions of the medical scheme. One rehabilitation session will be allowed once a year; subsequent rehabilitation will be paid for by the individual concerned. Students will be referred for rehabilitation but their guardians will be involved in the process.

The policy operates under a second chance guideline that allows staff and students who have violated the rule to reinstatement to their position after successfully completing the return-to-duty process.

### **9.0 Accountability**

In partnership with government departments, agencies and other stakeholders, the Vice Chancellor will be responsible for the implementation of the policy.

### **10.0 Obligations**

- a. There will be established a unit in the Office of the Chief Medical Officer to be called the EAP/SAP Unit.
- b. The functions of this unit shall include implementation of the policy, clinical duties, coordination of the policy, periodically reviewing the policy and instituting advocacy through evidence through research.
- c. The Vice Chancellor shall appoint a programme coordinator and two deputies

### **11.0 Commitment**

Pursuant to the achievement of the objectives of the policy, the University commits itself to

- a. consult regularly with its staff and students on matters related to alcohol or drugs and how to prevent staff and students from abusing alcohol or drugs,
- b. ensure that there exists adequate training on the prevention of abusing alcohol or drugs,
- c. stop abuse of alcohol and drugs, and
- d. maintain a safe and healthy work and study environment for its staff and students.

### **12.0 Funding**

The university will allocate funds for the full implementation of the policy.

### **13.0 Policy Review**

The policy will be reviewed after every five years or as need may arise.