

Texas A&M AgriLife Research Rules

34.02.01.A1 | Drug and Alcohol Abuse and Rehabilitation Programs

Revised: May 3, 2021

Next Scheduled Review: May 3, 2026

[Click Here to Review Revision History](#)



RULE SUMMARY

Texas A&M AgriLife Research (AgriLife Research) promotes and is committed to providing its employees a drug and alcohol-free workplace and protecting the safety, health, and well-being of all employees in accordance with The Texas A&M University System (System) policies and regulations, and this rule.

This rule is required by System Regulation 34.02.01, *Drug and Alcohol Abuse and Rehabilitation Programs*.

PROCEDURES AND RESPONSIBILITIES

1.0 NOTIFICATION TO TEXAS A&M AGRILIFE (AGRILIFE) HUMAN RESOURCES

The AgriLife Chief Human Resources Officer or designee will be notified by the administrative head of the unit of possible violations of the System policy, regulation, or this rule, and advice will be secured **PRIOR** to any employee drug or alcohol testing. AgriLife Human Resources will inform the System Office of General Counsel (OGC) of possible violations and obtain advice from OGC before any action is taken.

2.0 EDUCATION AND EMPLOYEE ASSISTANCE

2.1 AgriLife Research is committed to providing alcohol and drug-free awareness education and treatment resources to its employees.

2.2 Alcohol and Drug-Free Awareness Information

- A. As part of its commitment to a drug and alcohol-free workplace, AgriLife Research has established an Alcohol and Drug-Free Awareness Program. This program will inform employees annually about: (1) AgriLife Research's policy of maintaining an alcohol and drug-free workplace; (2) legal sanctions for the unlawful manufacture, possession, use, dispensation, or distribution of illicit drugs and alcohol on AgriLife property or as part of any AgriLife activity; (3) health risks associated with the use of illicit drugs and abuse of alcohol; and (4) available drug or alcohol counseling, treatment, rehabilitation or re-entry programs available to employees, including employee assistance programs. The information for this program is included in [AgriLife Alcohol and Drug-Free Awareness and Prevention Program Information](#).
- B. The Resources section of the *AgriLife Alcohol and Drug-Free Awareness and Prevention Program Information* provides information on treatment available to AgriLife Research employees and family members, which includes access to an Employee Assistance Program (EAP).
- C. As part of the annual alcohol and drug-free awareness training, a copy of the *AgriLife Alcohol and Drug-Free Awareness and Prevention Program Information* and *The Texas A&M System Prevention of Alcohol Abuse and Illicit Drug Use* will be distributed to each employee. This distribution may be done electronically. For employees who do not have access to electronic media, units will print and distribute copies directly to those employees.

- D. Other beneficial training may be developed using materials included in the *AgriLife Alcohol and Drug-Free Awareness and Prevention Program Information*, or from Texas A&M University, state or local government, or commercial sources.

3.0 DISCIPLINARY ACTION

Disciplinary action or sanctions (consistent with local, state, and federal law) will be imposed on employees who violate the System policy, regulation, or this rule. A record of the disciplinary action or sanctions will be placed in the employee's personnel file. Disciplinary actions and/or sanctions may include—but are not limited to—completion of an appropriate rehabilitation or assistance program, suspension, or termination of employment, other disciplinary action, or referral to authorities for prosecution.

4.0 EMPLOYEE DRUG AND ALCOHOL TESTING

All employee alcohol and drug testing will follow the procedures in [System Regulation 34.02.01, *Drug and Alcohol Abuse and Rehabilitation Programs*](#).

- 4.1 Drug testing of employees required to have a commercial driver's license must comply with Federal Highway Administration and Department of Transportation regulations and are conducted in the following situations: 1) pre-employment; 2) post-accident; 3) reasonable suspicion; 4) random; and 5) return-to-duty and follow-up.
- 4.2 Drug testing of employees in a position funded by a federal grant or contract with drug testing requirements is conducted under the following circumstances: (1) when there is reasonable suspicion that an employee uses illicit drugs, (2) when an employee has been involved in an accident or unsafe practice, (3) as part of or as a follow-up to counseling or rehabilitation for illicit drug use or, (4) as part of a voluntary employee drug testing program. See System Regulation 34.02.01 for additional restrictions or requirements under the terms of federal grants or contracts.

5.0 VIOLATION REPORTING REQUIREMENTS

- 5.1 As a condition of employment, employees must report any criminal drug statute conviction for a violation occurring in the workplace or while conducting AgriLife Research business, to the administrative head of the unit, through their supervisor, no later than 5 days after the conviction. The administrative head of the unit must report the conviction to the Director no later than 2 days after notification from the employee.
- 5.2 For an employee who is directly engaged in performing work on a federal contract or grant, the Director must notify the contracting federal agency within 10 days after receiving notice from an administrative head of the unit, or otherwise receiving actual notice of a conviction and, within 30 days must impose appropriate disciplinary actions or sanctions on the employee involved as detailed in System Regulation 34.02.01.

6.0 REVIEW AND REPORTING REQUIREMENTS

- 6.1 A biennial review of the drug and alcohol abuse prevention program must be conducted to report:
 - A. the effectiveness of the program;
 - B. the consistency of sanction enforcement;
 - C. the number of drug and alcohol-related violations and fatalities that occur on AgriLife property or at AgriLife activities and reported to AgriLife officials, and the number and type of sanctions that are imposed for such reported violations and fatalities on AgriLife property or at AgriLife activities;
 - D. whether any changes are needed to the program and implementation of those changes.
- 6.2 Upon request, each item outlined above, as well as the biennial review, will be made available to the U.S. Secretary of Education or designee, other applicable governmental agencies, and the general public, if requested in accordance with System Regulation 34.02.01, *Drug and Alcohol Abuse*.

RELATED STATUTES, POLICIES, OR REQUIREMENTS

[System Policy 34.02](#), *Drug and Alcohol Abuse*

[System Regulation 34.02.01](#), *Drug and Alcohol Abuse and Rehabilitation Programs*

[AgriLife Alcohol and Drug-Free Awareness and Prevention Program Information](#)

[The Texas A&M System Prevention of Alcohol Abuse and Illicit Drug Use](#)

[20 U.S.C. § 1011i](#)

[20 U.S.C.A. § 1094](#)

[21 U.S.C.A. § 812](#), *The Controlled Substances Act*

[41 U.S.C. §§ 701-707](#), *The Drug-Free Workplace Act of 1988*

[34 C.F.R. 86](#) (Authority: 20 U.S.C. 1145g), *The Drug-Free Schools and Communities Act of 1989*

[48 C.F.R. 252.223-7004](#), *The Drug-Free Work Force Rules for Department of Defense (DOD) Contractors*

[Tex. Health & Safety Code, Ch. 481](#), *Texas Controlled Substances Act*

DEFINITIONS

Refer to System Regulation, [34.02.01](#), *Drug and Alcohol Abuse and Rehabilitation Programs*, for definitions.

CONTACT OFFICE

Questions regarding this procedure should be referred to AgriLife Human Resources at 979-845-2423.

REVISION HISTORY

Approved: October 20, 2000

Revised: June 8, 2016

July 22, 2019

Revised: May 3, 2021

Next Scheduled Review: May 3, 2026