

LOUISIANA COMMUNITY & TECHNICAL COLLEGE SYSTEM

Internal Policy

Title: Workers Compensation Post-Accident Drug Testing Policy

Authority:	System President Executive Order No. BJ 08-69 La. R.S. 49:1001, et seq. La. R.S. 39:1535(8)(12) La. R.S. 23:1081 and Louisiana Administrative Code Title 40, Part I, Chapter 15	Original Adoption:	July 1, 2015
		Effective Date:	July 1, 2015
		Last Revision:	Initial

I. AUTHORITY:

Executive Order No. BJ 08-69 provides for the promulgation by executive agencies of written policies mandating drug testing of employees, appointees, prospective employees and prospective appointees in accordance with La. R.S. 49:1001, *et seq.*

La. R.S. 39:1535(8)(12) provides that the Office of Risk Management ("ORM") may promulgate rules and regulations to establish procedures governing risks and injuries sustained where a participating or covered entity of the State may be liable for damages.

La. R.S. 23:1081 and Louisiana Administrative Code Title 40, Part I, Chapter 15 allows an employer to test an employee for drugs and alcohol when the employee receives a personal injury from an accident arising out of and in the course of his employment.

II. APPLICABILITY:

In addition to any drug testing policy adopted the LCTCS pursuant to Executive Order No. BJ 08-69, this policy shall also apply to all persons having an employment relationship with the LCTCS, whether classified, unclassified, student employees, interns, full-time, part-time, or temporary (hereinafter "employee(s)"), when the employee's agency is provided workers' compensation coverage through the LCTCS/ORM.

III. DRUG TESTING:

All employees who are entitled to assert a claim pursuant to the workers' compensation laws of Louisiana shall be subject to, and shall cooperate in, post-accident drug testing. With or without prior notification, any employee in an accident that occurs during the course and scope of employment shall be required to submit to drug and/or alcohol testing as soon as practicable under La. R.S. 23:1081, whether or not a compensable injury is immediately claimed by the employee, where an accident occurs under any circumstance, regardless of fault, which necessitates, or should reasonably necessitate, medical attention to the employee as determined by the employee, the employee's supervisor(s), or the department head, regardless of whether the employee actually desires, agrees to, seeks, or receives medical attention.

IV. DRUG AND ALCOHOL TESTING PROCEDURES:

Testing shall be performed as provided for in the Louisiana Administrative Code Title 40, Part I, Chapter 15.

Testing shall be performed at the most practical hospital or medical facility. The LCTCS reserves the right to require employees to submit to additional testing, if wanted.

A representative of the LCTCS shall transport the employee being tested to and from the testing site. Under no circumstance should any employee who is believed to be impaired or under the influence of any drug or alcohol be permitted to operate a motor vehicle.

V. VIOLATIONS:

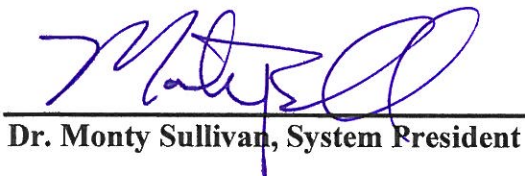
Employees found to test positive or failing to promptly submit to testing under this policy may be subject to dismissal or denial of their Workers' Compensation benefits pursuant to La. R.S. 23:1081.

Employees and supervisors may also be subject to discipline, up to and including dismissal, in accordance with the LCTCS drug-free policy for failing to cooperate with, or to apply, the post-accident drug testing requirements outlined in this policy.

AUTHORIZING SIGNATURES

 7/8/15

Joseph F. Marin, Senior Vice President for Finance and Administration



Dr. Monty Sullivan, System President