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<th>Title</th>
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<td>ALCOHOL TESTING OF NIGHT RIDE PERSONNEL</td>
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**Approval Signature**

James L Whalen

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<th>Last Revision Date</th>
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<td>May 17, 2021</td>
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I. Purpose:

The purpose of this policy is to establish uniform guidelines for periodic random alcohol testing of Night Ride student employees.

To protect the University of Cincinnati’s interests as well as constitutional rights of individual employees while providing the citizens of the community a safe environment.

Specifically, the policy is designed to:

• Develop a fair and equitable method for administering a random alcohol testing program.

• Protect the public, coworkers, and the involved employee from alcohol related accidents.

• Prevent losses in time, productivity, and unnecessary expenses that may result from employees performing their duties under the influence of alcohol.

• Limit the potential for lawsuits against the University of Cincinnati as a result of careless or negligent acts by employees who have consumed alcohol.

• Discourage the use of alcohol while engaging in Night Ride duties.

II. Policy:

The University of Cincinnati’s Police Division encourages any member who believes they have a substance abuse problem to seek help through the Employees Assistance Program (EAP).

III. Definitions:

Abuse - the misuse of

Alcohol - ethyl alcohol or ethanol

Substance – alcohol.

IV. Procedure:

A. A random selection process will be utilized to identify Night Ride employees chosen for alcohol testing.

1. All Night Ride employees will be subject to quarterly alcohol testing.
2. At the beginning of each academic year, all current University Night Ride student employees’ numbers (M numbers) will be put in the periodic random alcohol testing system.

3. Quarterly the Standards & Strategic Development Section Commander or designee will randomly select employee numbers who will be screened for alcohol during the month.

4. Once the Night Ride student employee arrives for duty, the Standards & Strategic Development Section Commander or designee in private will notify the Night Ride student employee that they are to be screened for alcohol prior to starting their duties.

5. The Standards & Strategic Development Section Commander or designee will obtain the Night Ride student employee’s driver’s license and their UC employee identification card to verify their identity.

6. The Standards & Strategic Development Section Commander or designee will administer the breath alcohol screening in a private area.

7. A University of Cincinnati Police Division sworn supervisor will witness the screening.

8. If the result of the alcohol screening is negative, the Standards & Strategic Development Section Commander or designee will document the result and the Night Ride student employee will continue with their normal work assignment.

9. If there is a positive result for alcohol, the Standards & Strategic Development Section Commander or designee will wait for 15 minutes and perform a second screening.

10. If the results of the second alcohol screening are negative, the Standards & Strategic Development Section Commander or designee will document the result and the Night Ride student employee will continue with their normal work assignment.

11. If the results of the second alcohol screening are positive, the Standards & Strategic Development Section Commander or designee shall arrange for the suspected Night Ride student employee to be transported to University Health Services (UHS) for an alcohol confirmation screening.

12. If UHS personnel are not available, On-site Drug & Alcohol Collection Specialists (ODACS, Inc.) will respond to the place of employment. Either UHS or ODACS Inc. personnel will, at that time, confirm and document the
existence of reasonable suspicion for testing (positive screening results).

13. The Night Ride student employee will be asked to consent to the alcohol confirmation screening process and release the resulting information to UHS, the Chief of Police and Human Resources.

14. A Night Ride student employee who refuses to consent will be advised that a refusal shall have the same effect as a positive test result, and may result in disciplinary action up to and including termination of employment.

15. All appropriate chain-of-custody procedures will be observed by UHS and ODACS Inc.

B. Results of the confirmation screening for employees under the legal age to consume alcohol:

1. If the results of the confirmation alcohol screening are negative, the Standards & Strategic Development Section Commander or designee will document the results and the Night Ride student employee will continue with their normal work assignment.

2. If the confirmation screening is positive for alcohol and the Night Ride student worker is under the legal age to consume alcohol, the Night Ride Student worker will relieved of their work assignment for the shift, transported to their residence and advised they will be contacted by the Community Safety Manager for further guidance.

3. If the Standards & Strategic Development Section Commander or designee has reasonable suspicion that the Night Ride student employee is intoxicated to the point that he or she presents a risk of physical harm to themselves, EMS will be contacted to assess the employee and the employee will be left in the care of a responsible third party.

4. The Standards & Strategic Development Section Commander or designee will document the results of the confirmation screening.

C. Results of confirmation screening for employees above the legal age to consume alcohol.

1. If the results of the confirmation alcohol screening are negative, the Standards & Strategic Development Section Commander or designee will document the results and the Night Ride student employee will continue with their normal work assignment.

2. If the confirmation screening result is below .04 BAC it will be considered a
negative test, the Night Ride Student worker will be relieved of their work assignment for the shift, transported to their residence and advised to report for the next scheduled work shift. The Night Ride student employee will not be subject to disciplinary action.

3. If the confirmation screening result is .04 BAC or above, it will be considered a positive test. The Night Ride Student worker will be relieved of their work assignment for the shift, transported to their residence and advised they will be contacted by the Community Safety Manager for further guidance.

4. If the Standards & Strategic Development Section Commander or designee has reasonable suspicion that the Night Ride student employee is intoxicated to the point that he or she presents a risk of physical harm to themselves, EMS will be contacted to assess the employee and the employee will be left in the care of a responsible third party.

5. The Standards & Strategic Development Section Commander or designee will document the results of the confirmation screening.

D. The Standards & Strategic Development Section Commander or designee will notify the Community Safety Manager, Police Captain (responsible for Night Ride), Assistant Chief and Chief of Police of any positive confirmation screening, prior to the end of that work day.

E. The Community Safety Manager will coordinate any follow-up disciplinary process in accordance with University of Cincinnati policies and procedures.
References

- University of Cincinnati Human Resource Policy 15.02, 15.03 and 15.06