



SAFETY MANAGEMENT MANUAL

2.3 DRUG AND ALCOHOL POLICY

Originator:

Theophilus Moniz III

Approved By:

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1. Purpose

The purpose of this section is to set forth in the Safety Management System the Drug and Alcohol policy on board Woods Hole Oceanographic Institution ships.

2. General

The passage of the Drug-Free Workplace Act of 1988 requires the Institution, as a federal contractor, to certify that it operates a drug-free working and learning environment. Failure to comply with the terms and conditions of the Act may result in the suspension or loss of federal funds or the debarment of the Institution from receipt of any federal funds.

3. Reference

WHOI Drug and Alcohol Policy statement is in the Personnel Practices & Procedures

4. Policy

The Institution prohibits the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in the workplace. As defined, the workplace includes any location where an employee or student is working and receiving funds from the Institution.

All Institution personnel, including students and guests, are affected by this regulation and are expected to comply as a condition of continuing their affiliation with the Institution. Notification of the terms and conditions of the Act are distributed to all Institution personnel and students on an annual basis.

In the event that an Institution employee or student has been convicted of any drug violation in the workplace, that person must notify the Human Resources Manager within five days of the conviction. Appropriate Institution action, from participation in a drug rehabilitation program to disciplinary action up to and including discharge, will take into consideration the nature and severity of the conviction. (See Involuntary Termination, and Substance Abuse, in the personnel section of the Personnel Manual for more information.)

Crewmembers, and members of the embarked scientific party are subject to drug and alcohol testing requirements found in Title 46 Code of Federal Regulation for reasonable cause and in the event of a "Serious Marine Incident" at the discretion of the Master.

Crewmembers are also subject to random drug testing. For the purposes of random drug testing the individuals subject to random drug testing include marine crew, Scientific Shipboard Support technicians, Alvin Group members and selected Port



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Office personnel in management positions including the Director of Ship Operations, Port Engineer, Marine Personnel Coordinator, and Marine Engineer.

If an individual receives a positive drug test result or refuses to submit to requested drug testing, the Institution shall, as soon as is practicable, remove that individual from active duty and place the member on involuntary unpaid marine department furlough or terminate his/her employment. However, the Institution may, in its discretion, continue in active duty any person whose performance is necessary for the preservation of life or property or the protection of the environment. The Institution may, in its discretion, treat a positive alcohol test result or a refusal to submit to alcohol testing in the same manner as a positive drug test result or a refusal to submit to a drug test.

If that individual is a marine crew member and holds a license, certificate or registry, or merchant mariner's credential, the Institution must also report any positive drug test result or refusal to take a test to the USCG Officer in Charge, Marine Inspection. A crewmember in this status faces license and/or document revocation under USCG procedures. Disciplinary action from the Institution is also appropriate.

If the individual affected does not hold a license, certificate of registry, or merchant mariner's credential, there is no obligation to report the positive test results to the USCG (except as part of a response to a request for records by the USCG). The sole exception is in the event of a Serious Marine Incident. Employees who have positive test results are nevertheless subject to appropriate Institution disciplinary action.

5. **Drug Counseling/Rehabilitation**

In recognition that any form of drug abuse is dangerous to the health and well being of all Institution personnel, the Institution has contracted with an Employee Assistance Program provider to conduct periodic educational workshops and to provide counseling as necessary. (See Employee Assistance Program, for a description of services.) Other assistance is also available from the Ombuds/EEO Officer and the Human Resources Office.

The Institution has an obligation to inform the appropriate funding agency in the event of an employee's conviction of a drug violation in the workplace. Such notification must be within ten days of the employee's conviction or within ten days of actual knowledge of such conviction.

The funding agency has the authority to impose sanctions on the Institution if, in the agency's view, the Institution has not demonstrated a good faith effort to be in compliance with the Drug-Free Act. Those sanctions range from suspension of grant



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payments, to grant/contract terminations, to debarment. A debarred grantee or contractor may be declared ineligible to receive federal grants or contracts for as long as five years.

Questions regarding the Institution's drug-free policy are to be addressed to the Human Resources Office. Questions concerning drug counseling or rehabilitation are to be directed to the Ombuds/EEO Officer. The EEO Officer in Human Resources can be contacted at 508-289-2705. The email contact is eeo@whoi.edu.

Should assistance be required in the interpretation of this procedure, please contact your Human Resources Representative.

6. Alcohol Policy

No alcoholic beverages of any type may be consumed on Institution vessels at any time. Unopened and sealed containers of alcohol may be transported on Institution vessels if under the control of the Master. All persons, including scientific staff from other institutions and visitors, are expected to abide by this regulation. It is strictly forbidden for any person on board any vessel managed by the Woods Hole Oceanographic Institution to bring or to have any open containers of alcohol on board the ship, or for any person to possess any container of alcohol on board unless it is under the control of the Master. In addition, no person may drink to the point of intoxication on the vessel, drink on duty or come on duty or watch under the influence of alcohol, at sea or in port.

By regulatory definition, a person with a blood alcohol content of 0.04 percent by volume is considered to be under the influence of alcohol. As guidance to the Master of the vessel, title 33 Code of Regulations, part 95.045 sets forth the following in that a crew member:

- a) Shall not perform or attempt to perform any scheduled duties within four hours of consuming any alcohol;
- b) Shall not be intoxicated at any time;
- c) Shall not consume any intoxicant while on watch or duty; and
- d) May consume a legal non-prescription or prescription drug provided the drug does not cause the individual to be intoxicated.

The Master has the legal responsibility for the safety of the vessel and all personnel on board. As such the Master has the administrative authority to enforce these rules. The Master is authorized to search any part of the vessel at any time for alcoholic beverages and to remove, impound, confiscate or destroy any unauthorized alcoholic beverages found.