

Utah Tech University Policy

323: Employee Physical Examinations



- I. Purpose
- II. Scope
- III. Definitions
- IV. Policy
- V. References
- VI. Procedures
- VII. Addenda

I. Purpose

- 1.1 This policy outlines the procedure if an employee is required to complete a physical or mental test as a condition of future or continued employment with Utah Tech University (“the University”).

II. Scope

- 2.1 This policy applies to all University employment, as required.

III. Definitions

- 3.1 **Physical Examination:** an examination performed by a qualified and licensed physician to document and quantify an individual’s bodily fitness, especially for a specified activity or service.
 - 3.1.1 **Lift Test:** a specific physical examination that determines whether an individual is able to lift a specific weight as part of a job duty requirement.
 - 3.1.2 **Drug Test:** a specific physical examination of biological material (such as urine, hair, saliva, or sweat) performed by a qualified and licensed provider and/or clinic to detect the presence of specific drugs and determine prior drug use.
- 3.2 **Mental Examination:** a structured assessment performed by a qualified and licensed psychiatrist or psychologist to document and quantify an individual’s behavioral and cognitive functioning.

IV. Policy

- 4.1 The Vice President and/or the President may require any faculty or staff member to obtain a physical, mental, or drug examination as a condition

of employment or if doubt exists as to the ability of the employee to meet reasonable physical and mental health requirements of the position.

- 4.2 In addition to the above, the University has the option to require drug testing under the following conditions:
 - 4.2.1 Where there is “reasonable suspicion” that an employee is using illegal drugs.
 - 4.2.2 When an employee in a safety sensitive position is involved in an on-the-job accident. An employee may be tested for alcohol within 8 hours following an accident and tested for drugs within 32 hours following an accident.
 - 4.2.3 As part of, or as a follow-up to, counseling or rehabilitation for illegal drug use.
 - 4.2.4 In compliance with the federal Drug Free Workplace act of 1988, 41 U.S.C. 701 through 767, or other federal and state required drug policies.
- 4.3 Random drug testing may be performed on employees who hold or are applying for safety sensitive positions. These include, but are not limited to, flight instructor/pilots and those persons holding or seeking positions that require a Commercial Driver’s License.
 - 4.3.1 Random drug testing may be performed just before or just after employees operate a vehicle in a safety sensitive position.
 - 4.3.2 Fifty percent (50%) of employees in safety sensitive positions must be tested for controlled substances and twenty-five percent (25%) must be tested for alcohol.
- 4.4 Employees or prospective employees undergoing drug testing will submit a urine sample, according to guidelines determined by the testing agency.
- 4.5 Positive test results, indicating a violation of government and/or the University’s drug-free workplace policies, require disciplinary sanctions against an employee and/or participation in a rehabilitation/education program.
 - 4.5.1 First run negative test results will be rerun with the opportunity for the employee or prospective employee to supply information that the person considers relevant to the test, including identification of currently or recently used prescription and non-prescription drugs or other related medical information.

4.5.2 Positive test results for prospective employees will result in applicant rejection.

4.6 Failure to comply with the above drug testing requirements (section 4.2 – 4.5) may result in immediate termination of employees or automatic rejection of prospective employees.

4.7 Results of an examination will be submitted to the Human Resources Office for record keeping (in accordance with HIPAA regulations) and disclosed to the division head responsible for the hiring decision and/or supervision of the employee.

4.8 The cost of such examinations requested by the University shall be borne by the University. The University shall select health professionals and/or health clinics; special accommodations for the employee may be made upon request and approval.

4.9 The President reserves the right to adopt such health standards as conditions to employment or continuation thereof as may be necessary to ensure the health, safety, and welfare of students.

4.10 In any case where the question of an employee's health is an issue with reference to their continued employment, the medical opinion of three qualified health professionals shall be the final and determining judgment.

V. References

5.1 University Policy 324: Drug-Free Workplace

VI. Procedures

6.1 New hires must complete and successfully pass any pre-employment requirements prior to beginning work with the University. Such requirements will be stipulated in the offer letter of employment given to the employee by the University.

6.2 Vice Presidents and/or the President requesting examinations of existing employees will work with their associated division personnel, Human Resources, and the University's General Counsel to facilitate the required testing.

VII. Addenda – N/A

Policy Owner: Executive Director of Human Resources
Policy Steward: Human Resources, General Counsel

History:

Approved 10/27/95

Revised 11/4/16

Editorial Change 3/2/17

Editorial 07/01/2022