

## Appendix -- Safety Sensitive Positions

- A. Safety sensitive position means any position designated in writing by the University as a safety sensitive position in which a person performing the position while under the influence of marijuana may constitute a threat to health or safety, including without limitation a position:
- i. That requires any of the following activities:
    - i. Carrying a firearm;
    - ii. Performing life-threatening procedures;
    - iii. Working with confidential information or documents pertaining to criminal investigations; or
    - iv. Working with hazardous or flammable materials, controlled substances, food, or medicine; or
  - ii. In which a lapse of attention could result in injury, illness, or death, including without limitation a position that includes the operating, repairing, maintaining, or monitoring of heavy equipment, machinery, aircraft, motorized watercraft, or motor vehicles as part of the job duties.<sup>[10]</sup>
- B. The positions listed in Schedule A, below, are safety sensitive.
- C. In addition, positions designated as safety sensitive in Workday are safety sensitive.
- i. Additional positions may be listed in Schedule A and designated as safety sensitive in Workday upon approval of the appropriate vice chancellor in consultation with Human Resources based on a determination that substance-abuse tests for those positions are job-related and justified by a specifically identified business necessity or as otherwise required by law.
    - i. Such determinations shall be made in a consistent manner across similar positions within a given unit.
- D. Safety sensitive position also means any position involving a safety sensitive function pursuant to federal regulations governing drug and alcohol testing adopted by the United States Department of Transportation or any other rules, guidelines, or regulations adopted by any other federal or state agency—regardless of whether the position is listed in Schedule A or designated as safety sensitive in Workday.<sup>[11]</sup>