

Drug Free Workplace

MAP No. 30-18

State of Alaska
Department of Health & Social Services
Division of Public Assistance
FIELD SERVICES
MANAGEMENT ADMINISTRATIVE PROCEDURES

Approved by:

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Chief of Field Services

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PURPOSE

To provide supervisors comprehensive guidance for dealing with situations related to drugs and alcohol in the workplace and to limit liability related to well intended but potentially dangerous responses.

BACKGROUND

The Drug Free Workplace Act of 1988 requires federal grantees to keep their workplace drug free to remain eligible for federal funds. The Division of Administrative Services for the State of Alaska issued a reminder notice on February 17, 1993, which states in part:

It is the policy of the State of Alaska to provide a drug free workplace. Any employee who unlawfully manufactures, distributes, dispenses, possesses, or uses a controlled substance in the workplace or during work hours is subject to disciplinary action up to and including dismissal. This is independent of any criminal action concerning the offense.

The State is committed to helping employees find resources for drug or alcohol counseling and rehabilitation. Substance abuse on State property will not be tolerated. Off-duty misconduct involving controlled substances or alcohol is prohibited where it threatens the reputation, integrity or operation of the employing agency.

Employees are required to notify the employer no later than five calendar days following a conviction for any criminal drug offense occurring in the workplace.

As a condition of employment, employees in agencies receiving federal grants covered by the Drug Free Workplace Act of 1988 must abide by the terms of this policy.

Each DPA employee plays a role in helping Alaskans achieve an improved quality of life and the highest level of self-sufficiency. Many members of our client population are struggling with the impacts of drug and alcohol abuse. We have a special responsibility to these citizens and preserve the credibility of the Division to provide services to this population.

POLICY

It is the policy of the Division of Public Assistance that all work places and facilities be drug free. Any drug or alcohol use on the job, or that affects job performance, or reflects on the image of the division, or interferes with achievement of it's mission, will not be tolerated.

PROCEDURES

Supervisors are not responsible to:

1. Diagnose substance abuse problems
2. Treat substance abuse problems
3. Counsel employees on substance abuse problems

Supervisors are responsible to:

1. Observe and document unsatisfactory work performance or behavior that may be attributed to drug or alcohol use or abuse

Examples of unsatisfactory work performance that may be attributed to drug or alcohol use or abuse:

- An employee exhibits a pattern of unscheduled leave use
- An employee smells of alcohol and/or drugs
- An employee acts in a manner consistent with impairment which is outside the normal pattern of behavior

2. Talk to the employee about work and performance problems and convey expectations
3. Educate employees about the Drug-Free Workplace Act
4. Convey to employees, on a periodic basis, the Division's ongoing commitment to a drug free work place

If an employee appears to be under the influence of drugs or alcohol on the job, or smells of drugs or alcohol at work, the supervisor must take the following steps:

1. Immediately meet with the employee. Include another supervisor or lead worker as witness whenever possible.

2. Advise the employee of your concern and relate to the employee the specific observation.
3. If it appears the employee is not ready and able to work or continue to work, relieve them of duty, without pay. "Ready and able to work" includes the ability to convey an appropriate image of the Division as well as make sound and safe judgements.
4. Call Health and Social Services Labor Relations for advice. Each case is a little different and must be handled on a case-by-case basis.
5. At the earliest possible time, take appropriate action. This may start with counseling the employee about unacceptable performance behavior exhibited at work. It may include disciplinary action up to, and including dismissal. Document the actions and rationale.

Some general rules to consider if you must relieve an employee from duty or where an employee voluntarily chooses to leave work and where drug and/or alcohol-related conduct is suspected:

1. Under no circumstances do we allow an employee to drive him or herself away from the work-site.
2. Under no circumstances do we allow a supervisor or other employee to drive an employee (relieved under these circumstances) away from the work site. Every effort must be made to get a family member, friend or taxi to transport the employee from the work site. Only an unimpaired driver may transport an employee. If there is any smell consistent with drugs or alcohol present on the driver, or if you have the slightest suspicion that the driver is impaired, DO NOT let them transport the relieved employee. We do not make conclusions about the level of impairment. We report and document only those things we observe: what we see, hear, smell, taste and feel.
3. If the employee disobeys a supervisor's directive and drives a vehicle from the work site, or gets in a vehicle of a potentially impaired driver, you are to attempt to get the license number of the vehicle and must immediately notify law enforcement. Thereafter, immediately document and report the situation to your supervisor or manager.

Failure to follow these policies and procedures may result in discipline