

# Substance Abuse

## Policy Option 1

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«\_CompanyName» recognizes that individuals, sometimes to an extent that their abilities and senses are impaired, use substances such as alcohol and drugs. Our position regarding substance abuse is the same whether alcohol, marijuana, illegal drugs, prescription drugs, or controlled substances are involved [“substances”].

This policy is implemented because we believe that the impairment of any «\_CompanyName» employee due to his or her use of substances is likely to result in the risk of injury to other employees, the impaired employee, or to third parties, such as customers or business guests. Moreover, substance abuse adversely affects employee moral and productivity.

“Impairment” or “being impaired” means that an employee’s normal physical or mental abilities, or faculties, while at work have been detrimentally affected by the use of substances.

The employee who begins work while impaired or who becomes impaired while at work is guilty of a major violation of company rules and is subject to severe disciplinary action. Severe disciplinary action can include suspension, dismissal, or any other penalty appropriate under the circumstances. Likewise, the use, possession, transfer, or sale of any substance on company premises or in any «\_CompanyName» parking lot, storage area, or job site is prohibited. Violations are subject to severe disciplinary action. In all instances, the disciplinary action to be administered shall be at the sole discretion and determination of the company.

Employees who are taking prescription drugs shall report this to their supervisor/manager. This is for the protection of the employee and for safety purposes in case of an adverse reaction to the drug while at work, so the employee is not falsely accused of taking an illegal substance.

When an employee is involved in the use, possession, transfer, or sale of a substance in violation of this policy, the company may notify appropriate authorities. Such notice will be given only after such an incident has been investigated and reviewed by the employee’s supervisor/manager, the personnel director, and the [PRESIDENT].

«\_CompanyName» is aware that substance abuse is a complex health problem that has both a physical impact and an emotional impact on the employee, his or her family, and social relationships. A substance abuser is a person who uses substances, as defined above, for non-medical reasons, and this use detrimentally affects job performance or interferes with normal social adjustments at work. Substance abuse is both a management and a medical problem.

A supervisor/manager who suspects a substance abuse case should discuss the situation immediately with his or her supervisor/manager. Because each case is usually different, the handling and referral of the case must be coordinated with the supervisor/manager and the personnel director.

We have resources available to assist an employee who requests help with substance

abuse. The employee must ask for help. The company will not require it. Should disciplinary action be pending against an employee who asks for help, the company will assist to the extent of its resources assuming that the employee remains employed. Nonetheless, regular disciplinary action will proceed. If the employee is terminated, the company will be unable to continue any program. Voluntary, successful participation in a recovery or rehabilitative program by an employee may be a mitigating factor in any disciplinary action, depending on the facts and circumstances of each individual case. In some cases, disciplinary action may be suspended, or the employee placed on probation pending a successful completion of a recovery program.

Employees who are placed on a rehabilitation program because of performance or behavior problems due to substance abuse are subject to dismissal for failure to successfully complete the program or change their performance or behavior.

Applicants who have a past history of substance abuse and who have demonstrated an ability to abstain from the substance, or who can provide medical assurance of acceptable control, may be considered for employment as long as they are otherwise qualified for the position for which they are applying.

Management has chosen to adopt an alcoholic beverage policy in keeping with the concern for and the risks associated with alcohol use. Alcoholic beverages shall not be served or used on «\_CompanyName» premises at any time. Alcoholic beverages have no part in and shall not be used in conjunction with any company business meeting.

Social activities held off-premises and paid for on a personal basis are not affected by this policy. If management considers it appropriate, light alcoholic beverages may be served at company-sponsored events held off premises and for purely social reasons. The service must be managed in good taste and with good judgment. No alcoholic beverages should be served at any company event where children are present.

The company is concerned with its employee's privacy, especially when matters regarding medical and personal information are involved. As long as the information is not needed for police or security purposes, the company shall maintain employee medical and personal information in confidence and release this information to authorized company personnel on a "need to know" basis. An exception to this policy is when the employee signs a release for the transfer of such information on forms acceptable to the company to designated persons or agencies.

Nothing contained in this section shall eliminate or modify the company's right to terminate any employee at any time for any reason.

## **Policy Option 2**

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«\_CompanyName»'s [PERSONNEL DEPARTMENT] is responsible for assisting every employee who has personal problems which may, or do, impact his or her work performance or attendance at work. Such problems may include alcohol or drug abuse and psychological problems. Sometimes, the problems are multi-faceted and have family relationships as a cause. An example of this would be severely ill parents who cannot care for themselves.

Any psychological or physical problem that affects an employee's work performance or

causes an abnormal work atmosphere is the concern of management.

The [PERSONNEL DEPARTMENT] maintains a referral service for employees with problems such as the ones mentioned above. Counseling and referrals are provided on a confidential basis as long as the employee is not pending any disciplinary action. Employees who admit that they might have an alcohol or drug problem will be assured of assistance as long as they accept the help provided. They must agree to abstain from the substance involved, and not violate any company rules or prohibitions by misconduct related to alcohol or drug use or otherwise violate any company rules or prohibitions.

If an employee is terminated for any reason the employee assistance program shall cease and the company will not be obligated to provide further assistance.

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**Note:** Nothing contained in this policy shall eliminate or modify the company's right to terminate any employee at any time for any reason.

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