

Substance-Free Workplace Policy

Providence Shared Services (“ministry”)

Department: Human Resources

Approved by: Chief Human Resources Officer

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Policy Name: Substance-Free Workplace

Scope: This policy applies to all caregivers at the ministry.

Purpose: In keeping with our mission and values, the ministry is committed to providing a workplace free of illegal drug and/or alcohol use and to ensure consistency in the implementation of illegal drug attestation procedures for all applicants who receive conditional offers of employment and all caregivers reasonably suspected of being under the influence.

Terms:

Illegal Drug: Any drug whose use is prohibited or restricted by federal law to include marijuana/THC (psychoactive compounds in cannabis and to include medically prescribed marijuana), cocaine, opiates, amphetamines, phencyclidine (PCP) hallucinogens, methaqualone, barbiturates, narcotics, and any other substance included in Schedules I-V, as defined by Section 812 of Title 21 of the United States Codes and prescription medications that are used in an unauthorized manner.

Impaired: Reduced cognitive or physical abilities which could include but not be limited to: poor judgment, impaired motor senses (sight, hearing, balance, reaction times and reflexes), slurred speech, reduced fine motor skills, erratic behavior, appearing dazed or sedated.

Under the Influence: Caregivers are considered under the influence at work if they have a detectable level of drugs (in excess of trace amounts attributable to secondary exposure) or alcohol in the blood or saliva or have any noticeable or perceptible impairment of mental or physical faculties. The symptoms of influence are not limited to those consistent with misbehavior, or to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance.

Medical Review Officer (MRO): A physician with current MRO certification contracted to review and interpret laboratory tests measuring detectable levels of drugs or alcohol. The MRO can review test results, talk with the caregiver, and consider other information in order to make a reportable determination that a drug and/or alcohol test result is positive, negative or inconclusive.

Policy:

1. The ministry strictly prohibits the use, possession, transfer, distribution, manufacturing, sale, purchase or accepting of any illegal drug at any time while on its property and/or while on duty. The ministry also strictly prohibits any attempt to engage in the conduct described above.
2. These restrictions also apply to the use of alcohol unless provided as part of an on-site ministry-sponsored event for non-working staff. Gifts of alcohol are allowed as part of a gift exchange between caregivers provided the alcohol is not opened or consumed on ministry property.

3. Caregivers are prohibited from reporting to work or remaining on duty while under the influence of or impaired by a drug(s) or alcohol.
4. Caregivers taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to determine whether the medication could impact the ability to safely perform their jobs. Prescription and over-the-counter drugs are allowed when taken in standard dosage and/or according to a physician prescription.
5. Caregivers must report any identified work restrictions to their immediate core leaders prior to commencing work and ensure they are able to safely perform their job functions without risk of harm to themselves or others.
6. Possession, sale, or being under the influence of marijuana is not authorized for purposes of this policy. The legality of marijuana is not a defense to violate this policy. The use of any substance containing detectable amounts of tetrahydrocannabinol (THC) is also prohibited.
7. Violation of this policy may result in corrective action, up to and including termination of employment.
8. Caregivers in positions that are subject to State Department of Transportation (DOT) laws or regulations may be required to meet additional requirements.

Procedures:

1. **Pre-employment/post offer:** New job applicants will be required to complete the post-offer Substance-Free Attestation Form and/or drug screening prior to beginning work at the ministry.
2. **Fitness for duty:** The ministry may require a caregiver to participate in a medical examination to determine fitness for duty. This examination will require the caregiver to provide a saliva, breath and/or blood specimen for drug and/or alcohol testing. Caregivers who refuse to consent to testing will be considered to be under the influence and generally will face termination of employment, even for a first refusal. Consent to testing and search includes a caregiver's obligation to fully cooperate. Upon request, a caregiver must promptly complete any required forms and releases and promptly cooperate in the testing process. The fitness for duty examination may be initiated for any of the following reasons:
 - A. When there is reasonable suspicion that a caregiver is using or under the influence of drugs and/or alcohol
 - B. When a caregiver's conduct is a contributing factor in any accident occurring in the course of work and resulting in a reportable injury or incident
 - C. As part of a caregiver's return to work
 - D. When a caregiver is the subject of a drug diversion investigation and a fitness for duty examination is relevant to that investigation
3. **Investigation and searches:** The ministry expressly reserves the right to search caregiver personal effects, work areas, lockers, desks or file cabinets without prior notice or consent if the ministry reasonably suspects a violation of this policy.
4. **Confidentiality:** The results of any tests and/or information disclosed in the testing process will not be disclosed absent legitimate business reasons or unless otherwise required by law.
5. **Self-referral – Caregiver Assistance:**
 - A. The ministry encourages and expects caregivers who suspects they may have a drug or alcohol problem to seek assistance or treatment before it affects job performance.
 - B. Caregivers with job performance or conduct problems may be subject to corrective action, regardless of whether the problems are caused in whole or in part by the use of alcohol or drugs.
6. **Notice of convictions:**
 - A. Any caregiver who is convicted of violating any federal or state criminal drug statute must notify the ministry within 24 hours of the conviction.
 - B. Any caregiver who is convicted of driving under the influence or driving while impaired must notify the ministry within 24 hours of the conviction if driving is a requirement of their position, assignment, or as required by local/state regulations.
7. **Caregiver responsibility:**
 - A. Unlawful or unauthorized possession or use of drugs or alcohol by any individual within the scope of this policy, or any failure to notify the ministry of convictions as set forth in Section VI, will subject that individual to corrective or disciplinary action up to and including termination of

employment. In addition, for licensed personnel, the ministry may report the violation to the appropriate licensing agency.

- B. It shall be the responsibility of each caregiver who observes or has knowledge of another caregiver whose behavior exhibits an inability to perform job duties or poses a hazard to the safety and welfare of others to promptly report the observation to the immediate core leader. Concerns regarding possible violations by a core leader should be reported to Human Resources. Caregivers reporting concerns about a core leader or other staff will be protected from retaliation for reporting concerns in good faith and should notify their core leader, Human Resources or the Integrity Line if they believe retaliation is occurring.

References: [Substance-Free Workplace Policy Attestation and Acknowledgment Form](#)

Help: For questions about this policy, or assistance with understanding your obligations under this policy, please contact the [HR Service Center](#).

The statements of this policy document are not to be construed as a contract or covenant of employment. They are not promises of specific treatment in specific situations and are subject to change at the sole discretion of the ministry.