

Identifying Impairment in the Workplace and Employer Next Steps



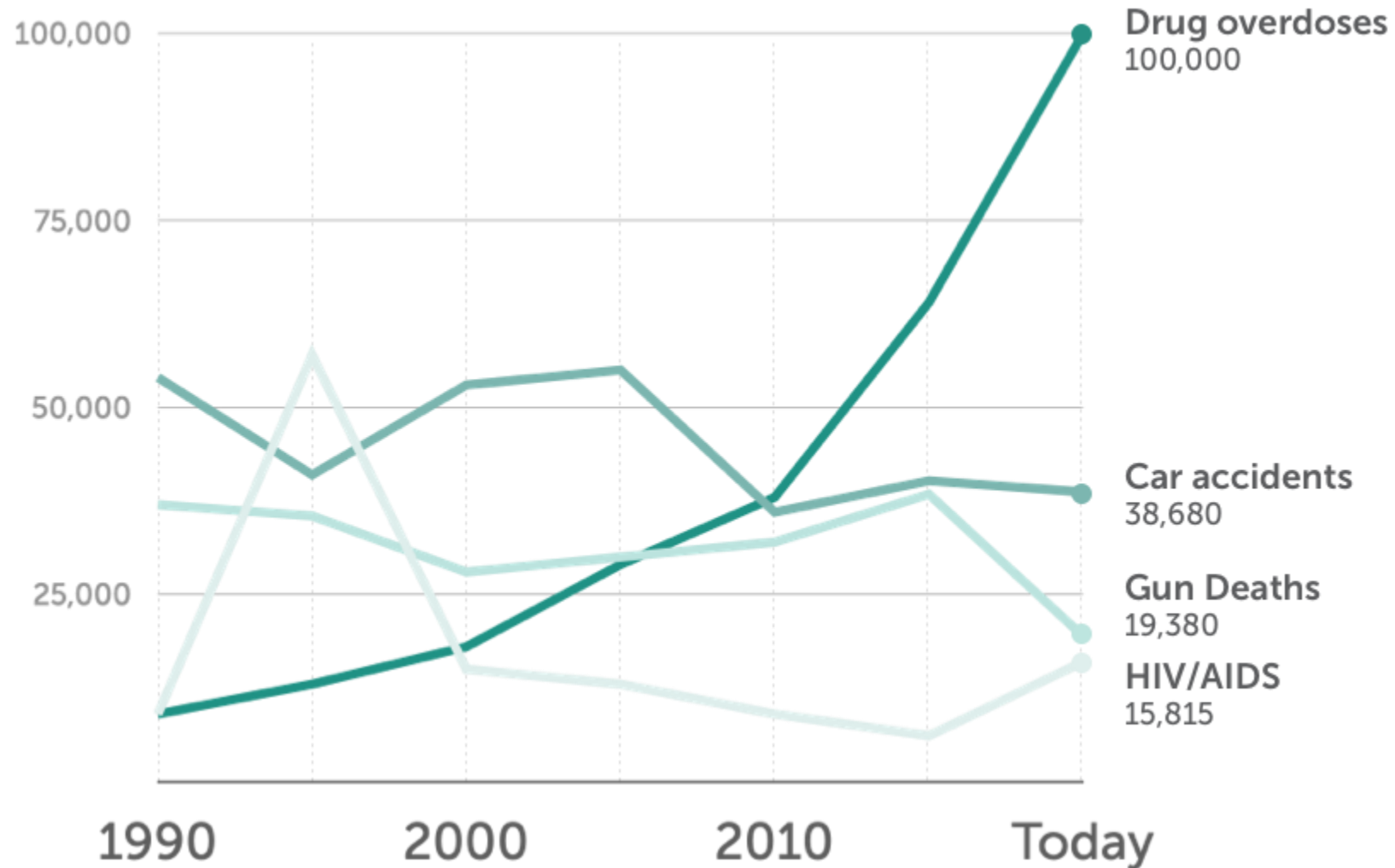
Kathy Strain

Cost of Substance Use

National Crisis



2020 Overdose Deaths



Understanding the Opioid Crisis in the Workplace

75%

of employers report that opioid use has
impacted their workplace

17%

of employers feel prepared to handle
opioid use in the workplace

63%

of people surveyed who self-reported misuse of
prescription pain medications are employed full or part-time

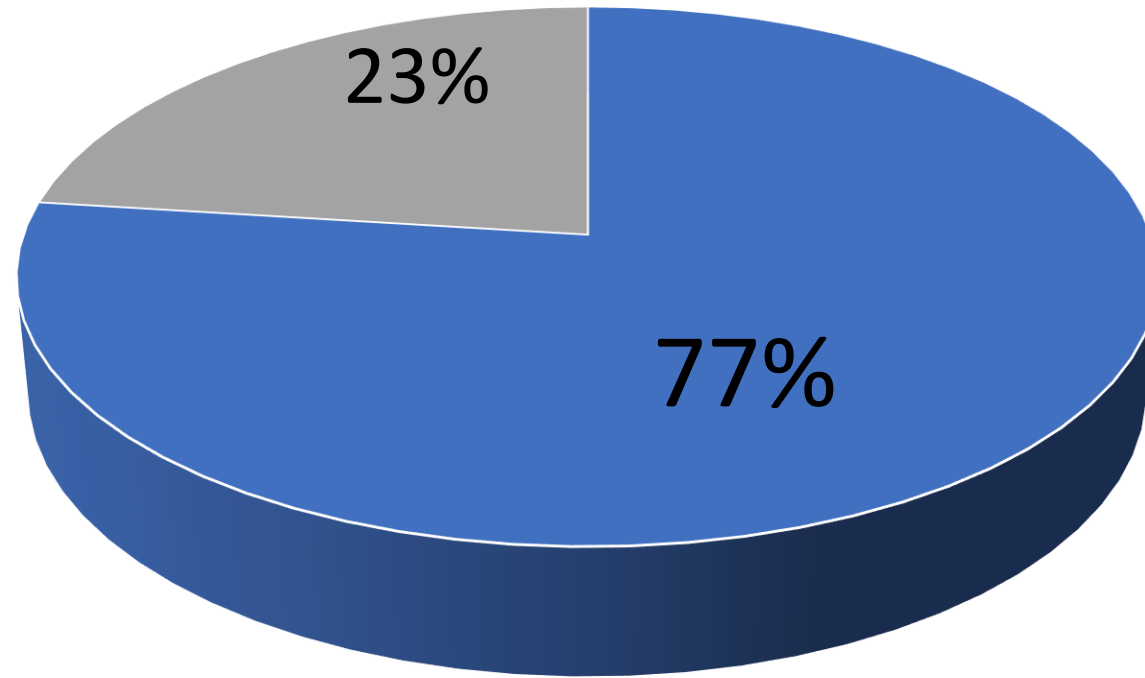
**Approximately 95,000
Americans Die from
Alcohol-related deaths
Each Year**



Employees using Substances

- Most common illicit drugs used among employees are marijuana and cocaine
- Most common legal Substance causing impairment – Alcohol
- Laborer / Shift work
- High functioning vs. Healthy





More than 70% of people using illicit drugs and/or binge drink in America are employed.

Substance Use Can Happen to Anyone



**{ 40 Million
or >1 in 7**

**AGES 12 AND OLDER HAVE
A SUBSTANCE PROBLEM...**

**...THIS IS MORE THAN THE
NUMBER OF AMERICANS WITH:**



**HEART CONDITIONS
(27 Million)**



**DIABETES
(26 Million)**

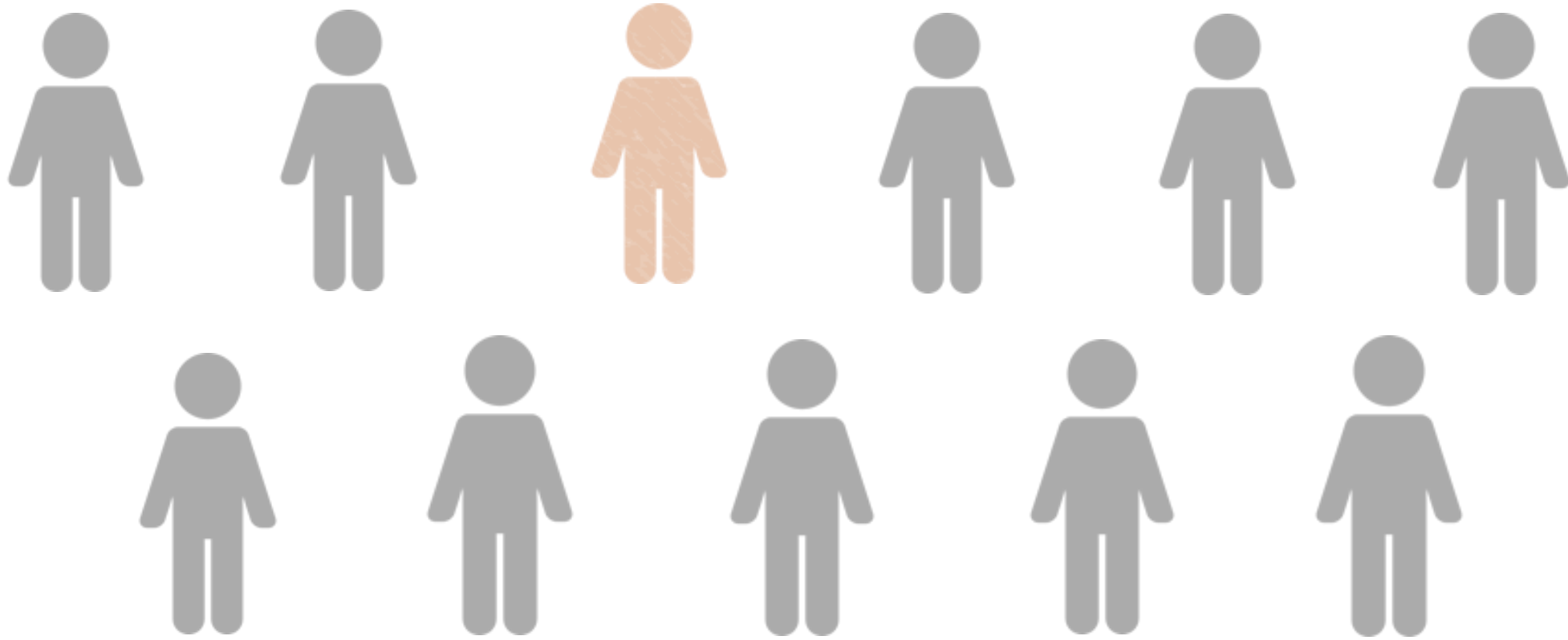


**CANCER
(19 Million)**

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Cost to Employer

One in 12 workers has an untreated substance use disorder. Average cost to employer: \$8,817 annually per worker



Substance Use Impacts Everyone

- Safety
- Work Relationships
- Morale
- Public Relations
- Productivity
- Decision Making
- Security
- Employee health

Substance Use Disorder in Families:

1 in 3 adults
report

substance use
or addiction
within their

42%

Of employees admit being less productive
or distracted at work due substance use or
addiction in their families



Supervisor's Role

What can I do?

Supervisor's Responsibilities

- Support and Adhere DFWP program
- Reduce stigma in the workplace
- Refer employees to EAP
- Know your team - Notice that something seems off
- Do not have to have all the answers
- Do not have to diagnose the employee
- Do not provide counseling/therapy
- Do not have to be a police officer

Stigma

**Stigma against mental
health and substance use
conditions prevent
people from life-saving
treatment.**

Addiction: Brain Disease

- Medical disorder
- Affects Brain tissue
- Changes Behavior
- The Limbic System and the Cortex.

Source: NIDA (the science of addiction) and Addiction Policy Forum



Language Matters

“Person first” language focuses on the person not the disorder.



Say this:

- Person with a substance use disorder
- Person living in recovery
- Person living with an addiction



Not that:

- Addict, junkie, druggie
- Ex addict
- Battling from (demons) an addiction

Language Matters

“Person first” language focuses on the person not the disorder.



Say this:

- Chooses not to at this point
- Medication is a treatment tool
- Had a setback
- Positive/Negative



Not that:

- Non-compliant
- Medication is a crutch
- Relapsed
- Clean/Dirty

Workplace Policy

Best practices



Drug-Free Workplace Policy

- Creates clear guidelines and expectations
- Encourages employees struggling to get help



Drug-Free Workplace Policy

- Clearly state purpose
- Use clear and concise language
- Define terms (ie; reasonable suspicion, under the influence)
- Drug testing procedure (including transportation to lab and to employee's residence)
- Consequences of violating policy
- Confidentiality
- Resources (EAP)
- Signature page to certify employee has received copy



Questions to Consider

- What is the purpose of the policy and the program?
- Who is covered by the policy?
- When does the policy apply?
- What behavior is prohibited by the policy?
- Does the policy include reasonable suspicion searches?
- Does the policy include drug testing?
- What are the consequences for violating the policy?
- Is there a return-to-work agreement?
- How is the employee's confidential information protected?
- Who is responsible for enforcing the policy?
- How is the policy communicated to the employees?
- Are employees required to let the employer know of drug related convictions?
- Does it address Medical Marijuana in the workplace?
- What type of assistance does the employer offer for the employee seeking treatment?

Reasonable Cause

Tools

Reasonable Cause Resources

dfwpa.org

Resource
Tab



Reasonable Cause Guidelines and Sample Forms for Supervisors

This document contains DFWPA Sample Program forms for employers to refer to as they create the appropriate documents for their company's policy and program.

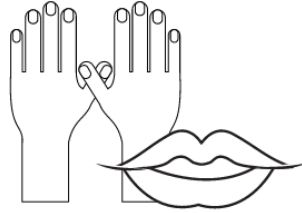
- Reasonable Cause Steps, Intervention Tips, & Script for Supervisor Intervention
- Observed Behavior Reasonable Cause Record
- Recognizing Job Performance Problems Checklist
- Reasonable Suspicion Checklist



Signs of an Opioid Overdose



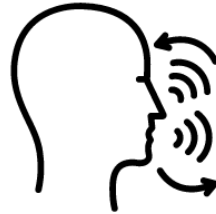
Unable to wake-up



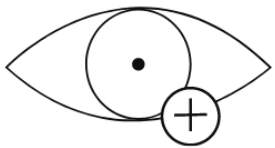
Discoloration of nails or lips



Breathing is shallow or absent



Gurgling or Snoring



Pin-point pupils



Cold/Clammy skin

Call 911 Immediately



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Employee Assistance Program

- Voluntary service for employees and their families to address personal and/or work related challenges
- Confidential – information cannot be shared without written consent from employee
- Separate from personnel file
- No cost to employee
- 24/7 service



Return to Work Agreement

Tools and Techniques

Return-to-Work Agreement (RTW)

A return-to-work agreement is a written agreement that documents and defines the employer's expectations for an employee's conduct and job performance as well as the consequences for violating the terms set in the agreement. This is often used in Lieu of termination.

Sample Return-to-Work Agreement



Sample Return to Work Agreement

By signing this agreement I, **[insert employee name]**, accept and agree to the following terms and conditions that will govern my continued employment with and my return to work with **[insert employer name]**.

I. Treatment

1. I acknowledge that my work performance and/or behavior have resulted in the need for intervention and have provided a basis for the termination of my employment with **[insert employer name]**. As a consequence, and in order to avoid **[the termination of my employment] [suspension]**, I voluntarily accept the terms of this agreement.
2. I agree to submit to an immediate evaluation by a health care professional of the employer's selection.
3. I will follow all treatment recommendations of said professional, including, without limitation, entry into a residential treatment program.
4. I understand that I am responsible for all costs associated with the treatment program to the extent they are not covered by insurance.
5. I will authorize regular progress reports to be made to the employer during treatment **[tailor to specific consent or requirement]**.

II. Return to Work

1. Upon completion of the recommended treatment program, I understand that **[insert employer name]** will return me to **[employment] [position]**.
2. Upon my return, I will review all aftercare requirements and recommendations with **[my Human Resources Coordinator] [my Department Head]** (on a need to know basis).



Employees in Recovery

What is Recovery?

Recovery from SUD is a process of change through which individuals:

- Improve their health and well-being
- Live a self-directed life
- Strive to achieve their full potential

Source: [Mentalhealth.gov](https://www.mentalhealth.gov/); recovery is possible



What is Recovery?

Four Components of Recovery



Health



Home



Purpose



Community

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Recovery in the Workplace

- 22.2 million U.S. adults are in recovery
- Most contribute successful recovery to supportive family, **employers**, sponsors, support groups
- For every \$1 spent on SUD treatment, society benefits by more than \$12

Credit: The Partnership for Drug Free Kids; The New York State Office of Alcoholism & Substance Abuse Services; Closing the Addiction Treatment Gap-Open Society Foundations



Benefits to the Employer

- Workers in recovery miss 13.7 fewer days than workers with an untreated SUD and...
- 3.6 less days than an average employee
- Help employer avoid \$8,175 in turn over, replacement and health care costs

Recovery in the Workplace

- People in recovery contribute to the workforce
- Absenteeism is down
- Health care costs are down
- Reduction in criminal activity
- Better influences at home

Credit: The Partnership for Drug Free Kids; The New York State Office of Alcoholism & Substance Abuse Services; Closing the Addiction Treatment Gap-Open Society Foundations



Recovery Ready

Getting started



Why Become a Recovery Ready Workplace?

- Improved Employee Retention
- Improved Employee Morale
- Improved Attendance and Productivity
- Improved Community Connections
- Decreased Injuries and Accidents
- Decreased Worker's Compensation Claims
- Promotes a Healthy Workplace Culture

Goals of a Recovery Ready Workplace

- Foster a safe and recovery friendly environment
- Engage employers and staff in recovery-informed education
- Implement Recovery Friendly Workplace Best Practices
- Retain Healthy and Productive Employees
- Promote Recovery in Local Communities
- Create Recovery Ready workplaces



How to Become a Recovery Ready Workplace?

- Add a recovery support statement to your DFW policy
- Invest in the Health and Wellness of Employees
- Support and Invest in Individuals in Recovery
- Provide Meaningful Employment with Purpose
- Provide resources to support mental health and substance use challenges

Resources

dfwpa.org



Thank You!

Disclaimer

Information provided by Drug Free Workplace PA is based on industries best practices and in no way should be considered legal advice.

