

 HAMILTON COUNTY
PUBLIC HEALTH

 **RECOVERY FRIENDLY**
HAMILTON COUNTY

Recovery Friendly Hamilton County User Manual 1.0



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Thank you for joining our Recovery Friendly Hamilton County (RFHC) family of organizations. Your commitment to prioritizing the mental and physical health of your employees is admirable. It is estimated that over 60% of Americans aged 18 and older with a substance use disorder are part of the workforce (SAMHSA, 2022). The human and economic toll of addiction is far too great to go unchecked among our region's remarkably talented labor force.

In joining RFHC, you are helping Hamilton County Public Health in its mission to beat the stigma of substance use disorder, champion recovering citizens, and offer the hope and tools necessary to overcome the disease of addiction. We value your partnership and look forward to serving the needs of your invaluable team members.

Greg Kesterman
Health Commissioner
Hamilton County Public Health



A Personal Message from Cody Nagle— Recovery Friendly Workplaces Advocate



“My name is Cody Nagle. I am a woman in long term recovery from a crippling addiction to heroin and cocaine. I am also a former White House advisor for the Office of National Drug Control Policy, and I recently completed law school.

I start with that because they are not mutually exclusive. At least they shouldn't be. The problem is, to many people they are. No one can imagine a life that leads to both places.

I began using drugs and alcohol when I was 13. No one in my life was a drinker or smoker, but I had always felt different. Sort of uncomfortable. So, alcohol was a total social game changer for me. It didn't take long for it to become problematic.

My parents sent me to my first inpatient treatment program a few months after my 15th birthday. One of those expensive programs out in the wilderness where they break you down and try to rebuild you as a new person. I remember graduating from that program and immediately looking for cigarettes and beer.

By 16 I was essentially homeless and smoking crack cocaine - which eventually turned to heroin and IV drug use. My first real arrest was a few months after my 18th birthday.

From there it was an ongoing cycle of jails and treatment centers. I would be arrested for drug possession or some other drug related offense, and I would spend 30, 60, 90 days in jail. Sometimes they would order me to go to inpatient treatment, sometimes they would let me out after I served a short sentence.

I always went back to using. I didn't know anything else. I had spent my formative years in abandoned buildings and withdrawing on the floor of jail cells.

When I was 26, I was arrested for the final time. It was my 19th arrest. When the police found me, I was sitting in my car on the side of the road, shooting up drugs I bought from some guy I found walking down the street. I remember the officer telling me that if he left me there, I would die. He was right.

I was offered drug court (again, I had tried that twice already). This time was different, and I ended up completing the program. If you ask me now what made the difference, I don't think I could give you an honest answer. It was just the right time for me.

I survived what so many of my friends have not.

Coming out of a life of substance use and trauma, there don't seem to be many next steps available. How do you get your life back when you never really had a life to begin with? What do you do with your time when you used to spend all that time trying to survive.

The problem is, when you are 26, with a lengthy criminal record, no work experience and literally no one who will vouch for you as a reference, employment seems impossible. I had to find employers who were not going to do a background check. Small companies where I would do very low wage work. I was lucky to find that.

This continued through the first six years of my sobriety. I was a great employee. I am smart and capable. I am reliable and trustworthy. But I know if I had been asked for a background check, or if I ever discussed my past with my employers, I would be fired.

Work ethic and dependability have less meaning when they are attached to a felony record and a history of substance use.

The first time I was able to open up about my experiences in a professional setting was a revelation to me. I finally felt free to talk to the people I spend most of my days with. I told them about the things I had experienced and the work I had been doing behind the scenes for the last 6 years; trying to help other people find recovery. From that point on, I have had opportunities that most people don't get. Especially not people like me. I was able to take control of my story, and use it to begin to change minds, and change the narrative around recovery in the workplace. I was even recruited to work with the White House Office of National Drug Control Policy to use my experience in shaping national objectives and engagement.

All it took was an employer who was willing to put aside preconceived notions about what people in recovery look like, or what they can do. After that I truly blossomed in my profession.

Almost everyone can attest to the devastation that active SUD causes in the lives of those who suffer and the people around them- including their employer and coworkers.

Employment is a critical piece of personal identity. It allows for growth in areas that no other activity can. Having a job can literally save your life when you struggle with substance use disorder. And, as many people in my position, and the people who hire us can confirm, those in recovery are incredible employees and an asset to any company.

The goal of Recovery Friendly Workplace initiatives is to channel the brilliance and passion of people who are in recovery and use it to transform the workplace. It is also an opportunity for employers to offer their workforce the chance to offer help to their employees who are silently suffering with a substance use disorder."

How to Use This Manual

We are happy to have you join our community of Recovery Friendly organizations! In generating this user manual, our goal was twofold; we wanted to devise a recovery friendly workplace (RFW) toolkit coupled with a menu of service offerings from which your organization may solicit during this sustained partnership. These offerings are designed to help your workplace maintain a recovery friendly ethos and address the sizable human and economic losses wrought by substance use disorder.

Though we consider this manual to be a very helpful resource, we understand that no single document or toolkit will comprehensively outline every aspect of a sound RFW program for each and every industry. There are many other RFW “toolkits” available, some of which may exceed ours in scope and potentially cater better to your organizational needs. For information and access to additional toolkits, please see the resources section below (page 159). In addition to this manual, we highly recommend that your organization review the U.S Department of Labor’s Recovery Ready Workplace Toolkit: <https://www.dol.gov/agencies/eta/RRW-hub/Toolkit>.

As you read through this manual, take note of those specific service offerings and details that align most closely with your organization’s recovery friendly objectives. Afterwards, reach out to us with your questions and requests so that we can get to work for you. The RFW movement has grown considerably over the past 5 years, granting our staff members access to a dense network of RFW professionals across the country. If you are looking for a specific resource or insights that are not otherwise clearly visible to you in this manual, chances are we can find them with some quick, cross-country networking and research. Every step that your organization is willing to take to become more recovery friendly—no matter how small—is a step in the right direction!

Please note that we consider this manual to be a dynamic, “living” document. It will be updated over time to reflect changes and improvements to our service offerings, as well as those of our community partners. As a dynamic document, the preferred viewing format will remain digital. This will allow us to ensure that the embedded links are navigable and easy to update as changes with providers and service offerings inevitably occur. We will provide printed copies only upon request. The point of contact for your workplace will be given digital updates as they become available. Please contact us at recoveryfriendly@hamilton-co.org or (513) 801-6205 if you need to change your point of contact, or if you have any general questions, concerns, or requests.

DISCLAIMER:

The guidance & insights provided by our Recovery Friendly Workplace Advocate(s) are for informational purposes only and should not be used as a substitute for consultation with a legal or medical professional, or another competent adviser. We encourage our designees to consult with an Ohio licensed attorney for the purpose of resolving any workplace specific legal issues that may arise as a result of substance misuse.

Chapter 1

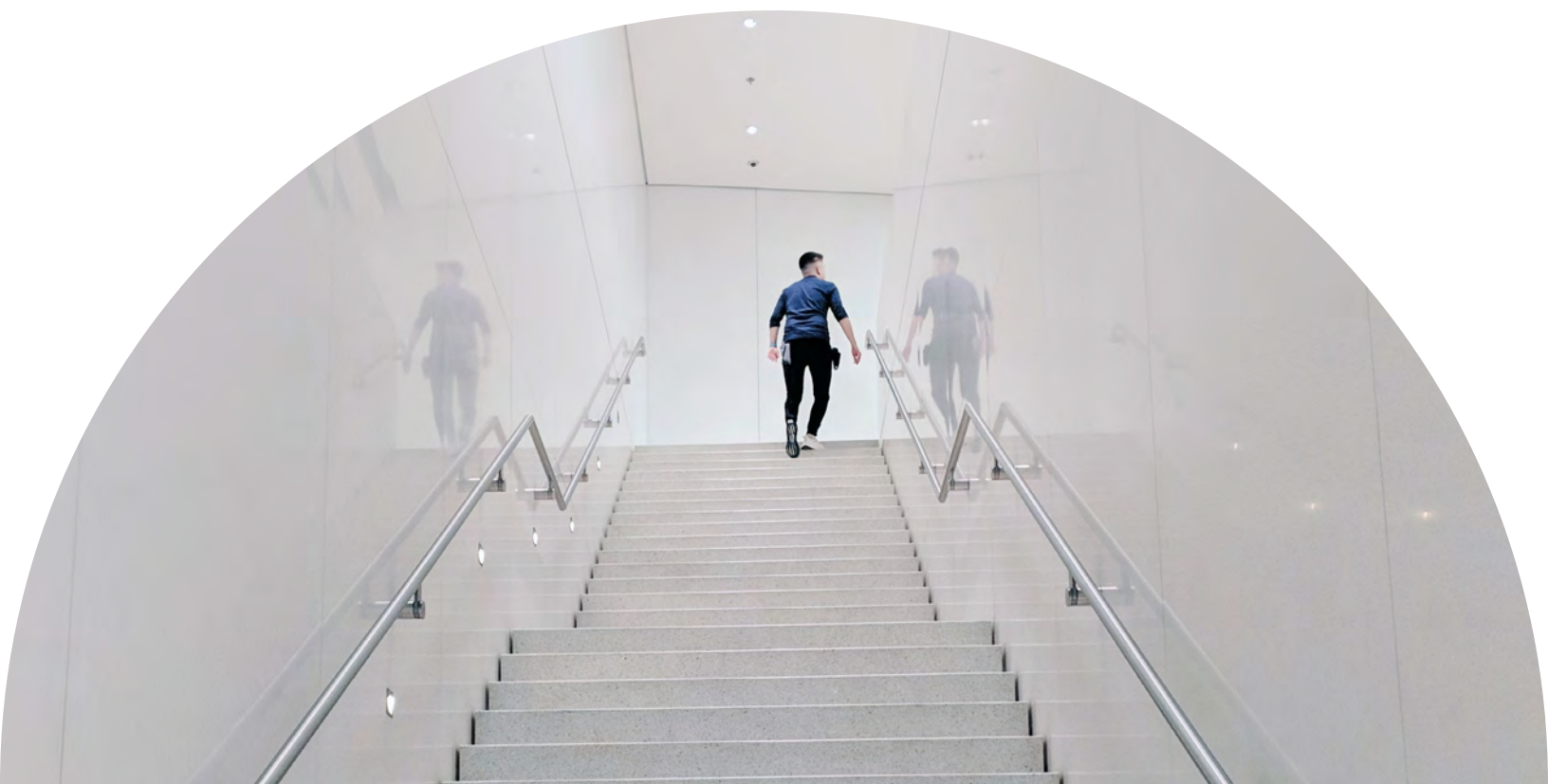
Introduction & Acknowledgements





What Does it Mean to be a Recovery Friendly Workplace (RFW)?

Recovery Friendly Workplaces are those which support their communities by recognizing recovery from substance use disorder as a strength and by being willing to work intentionally with people in recovery. Recovery Friendly Workplaces encourage a healthy and safe environment where employers, employees, and communities can collaborate to create positive change and eliminate barriers for those impacted by addiction. In receiving our endorsement, you have already helped to alleviate the stigma of substance use disorder and recovery and are on your way to offering life-saving resources to your employees.



Recovery Friendly Hamilton County: A Brief History



Recovery Friendly Hamilton County (RFHC) operates within the Harm Reduction Division of Hamilton County Public Health (HCPH). HCPH has been serving the public health related needs of our community since 1919.

HCPH's Harm Reduction Division was formed in 2019 (our 100th anniversary!) using funding from the Center For Disease Control and Preventions' (CDC) Overdose Data Data to Action (OD2A) grant. From its inception, the Harm Reduction team has worked to mitigate the devastating impact of SUD in our community through a variety of channels and programs.

The Harm Reduction Team's early workforce efforts focused on development and job training programs for people in recovery, as well as providing harm reduction supplies and resources to retail businesses identified as serving at-risk populations. In 2021, the Harm Reduction team began looking for new ways to bring more support and resources to the great workplaces across our community. This period of brainstorming led to the development of RFHC. Through multi-state networking and cooperation, Community Health Coordinator Tyler Meenach led the charge to develop and refine the operational standards of RFHC, which launched in June 2022. Within its first year, RFHC had attracted over 30 Hamilton County businesses and won a Workforce Champion Award from the Workforce Council of Southwest Ohio! Your workplace is now a part of our ongoing story.

For more information about HCPH's Harm Reduction Division, please visit:

<https://www.hamiltoncountyhealth.org/services/programs/harm-reduction-program/>

Our Partners, and Yours!

The Harm Reduction team could not have built such an impactful and innovative program without the support of our many partners throughout Hamilton County. Our esteemed partners have not only increased awareness of RFHC, but also serve a critical function in providing many of the resources we promote for our designees. They are here for you just like us! Contact us at recoveryfriendly@hamilton-co.org if you would like us to facilitate a direct connection between you and an RFHC champion with one of the below organizations. For more information about how these organizations individually support RFHC, consult section 3: The RFHC Menu of Offerings. (page 37)



OhioMeansJobs Cincinnati – Hamilton County works everyday to connect job seekers and employers. By bringing together business, government and the community into a collaborative unit, OhioMeansJobs Cincinnati-Hamilton County is able to create a more skilled and better trained workforce. The collaboration results in more successful employers, increased tax revenues generated by new or better jobs for previously unemployed or underemployed individuals, and improved social services through reduced reliance on public assistance.

Website: <https://www.omj-cinham.org/>



Hamilton County Mental Health and Recovery Services Board (MHRSB) provides leadership in public behavioral health care as the authority charged under [ORC §340](#) with planning, funding, managing, and evaluating behavioral health care in Hamilton County. MHRSB is statutorily prohibited from providing direct care to clients and instead contracts with numerous non-profit agencies to provide direct care in a community-based setting.

Website: <https://www.hcmhrsb.org/>



The Hamilton County Addiction Response Coalition (HCARC) is a group of community members, leaders, advocates and experts dedicated to ending the opiate epidemic in our community. We are a collective force of resources that provide access to care, when and where people need it most. We connect prevention options to treatment specialists to public health officials to law enforcement – bringing together the right resources for real results that make a real difference. Together, we deeply and holistically treat this illness, and address its impact on Hamilton County. Together, we save lives and strengthen families. And together, we fight addiction for the health and wellness of all.

Website: https://www.hamiltoncountyohio.gov/government/open_hamilton_county/projects/office_of_addiction



Talbert House is empowering children, adults and families to live healthy, safe and productive lives. The agency's network of services focuses on prevention, assessment, treatment and reintegration. Services are provided at multiple sites throughout Southwest Ohio.

The organization has a culture of innovation that thrives on the creation of new services to meet the complex needs of clients, their families and the community while maintaining effectiveness, excellence and professionalism. Talbert House values an integrated system of high-quality care focused on best practices, easy access to services and providing a full range of services in a cost-effective and efficient manner.

Website: <https://www.talberthouse.org/>



United Way
of Greater Cincinnati

United Way of Greater Cincinnati is a registered 501c3 nonprofit organization dedicated to building long-term solutions and aligns systems to help families in our community thrive. We do that by bringing people and organizations together to solve problems holistically, using family input and data-driven decisions. Our services and solutions focus on quality education, health and basic needs, which are the building blocks to financial sustainability and economic mobility. Like the challenges people face, we view these areas as unique and interconnected, with no one single solution.

Website: <https://www.uwgc.org/>



WORKFORCE
INNOVATION
CENTER

The Workforce Innovation Center drives companies to adopt practices that empower employees, the community, and their businesses to thrive. We aim to lead an inclusive capitalism approach to growing businesses by mitigating barriers to employment.

Website: <https://workforceinnovationcenter.com/>



Addiction
Services **Council**
Navigating the Path to Lifelong Recovery

Addiction Services Council is a non-profit, community-based organization with the conviction that alcoholism, drug addiction, and other addictive disorders are treatable illnesses, that those affected, including family members, can and do recover, and that quality recovery resources should be accessible and affordable to everyone in need of help. We are dedicated to fighting the Nation's #1 health problem – alcoholism and drug addiction and their devastating consequences on individuals, families and communities. We have been helping clients to navigate recovery by providing professional resources on alcohol, tobacco, and drug-related issues; programs and services aimed at improving the quality of life for the residents of Cincinnati and surrounding areas.

Website: <https://addictionservicescouncil.org/>

Our Ambassadors

The following 15 workplaces were the first to receive Recovery Friendly Hamilton County designation. We thank them for their early partnership, which was instrumental to the development of this program.

**TORN LIGHT
RECORDS**



Special Messages from our Ambassadors

To My Fellow Recovery Friendly Hamilton County Designees,

One of our core values here at Refresh Collective is SYNERGISTIC SERVICE. This means that we cultivate strong, long-term partnerships with like-minded organizations to collaboratively serve our community.

We have experienced this sense of togetherness and collaborative service working with Recovery Friendly Hamilton County from our very first meeting!

There have been many situations with program interns and employees where we felt we were learning on the fly, and having this relationship and resource available to us allowed us to serve our team, staff and clients confidently!

At the end of the day, we know that Recovery Friendly Hamilton County cares for and serves the same people we do, those folks who are on the road toward lasting recovery, and it has been invaluable to have such a strong team in our corner as we forge ahead!

Sincerely,

Lee Harrill
Cincinnati Cincy Director
Refresh Collective



At JBM Packaging we are committed to providing a safe, trigger free environment for our Team Members in recovery to work in every day. Recovery Friendly Hamilton County has been a huge asset in ensuring our success. The professional resources, classes, and connections with other recovery friendly champions that they provide are invaluable. Knowing that there is a network of support helps us stay the course. Huge thanks to the Recovery Friendly Hamilton County team!

Sincerely,
Allison Steele
Better Lives Coach and Learning & Development Specialist
JBM Packaging



Chapter 2

Getting Started: Laying the Groundwork for a Recovery Friendly Workplace



Getting Started:

Your organization has fulfilled its requirements to be a Recovery Friendly Hamilton County designee. Where do you go from here? This section will provide you with the key insights and supportive evidence you will need to start fostering a recovery friendly culture within your workplace.

Building A Meaningful Recovery Friendly Workplace: What Does the Data Tell Us?

Let's start by looking at the key research findings from a recent Workplace Recovery Survey conducted by ForsMarsh. This executive summary highlights the key takeaways from the 2022 survey. This information will help you understand some critical factors to consider when instituting your workplace's RFW program.

For access to the full report, visit <https://www.forsmarsh.com/2023/03/23/2022-workplace-recovery-survey/>

- Explicit messaging matters. People said they are more likely to feel comfortable disclosing substance use problems or asking for help with a substance use disorder (SUD) when their manager has directly stated that employees can share these concerns with them.

Consider how often your organization reminds your personnel about your Recovery Friendly Hamilton County status. Once a year may not be enough to affect real change.

- Direct managers play a vital role. Employees reported that they are more willing to disclose problems with substance use and their recovery status to their direct manager than to anyone else in their organization.

How well do your managers understand the disease of addiction?

Consider additional training opportunities for your staff such as those outlined on (page 43).

- People may be unfamiliar with their employee benefits, in particular those related to SUD.

Consider how often your personnel are reminded about your key employee benefits.

Are you connected with an Employee Assistance Program (EAP)? How often do you advertise these benefits?

- Employees want more paid leave, including paid leave for SUD treatment.

What does your organization allow? Does your workplace have feasible room for expansion in this area?

- People in recovery are more likely to take action when they notice a coworker may be struggling with SUD.

Would your employees feel comfortable sharing their recovery status in the workplace?

What work have you done to beat the stigma of SUD and recovery in your workplace?

Have you identified any recovery champions among your personnel?

Consider training opportunities outlined on (page 43).

Taking Ownership Of Your Recovery Friendly Culture

At Hamilton County Public Health, we are here to help you lay the sustainable foundations for a recovery-friendly culture. However, our recovery-friendly workplace advocates can only go so far. As non-affiliated consultants, our access to your personnel and ability to influence your workplace standards is understandably limited. For best results, your internal leadership has to acknowledge the value and importance of a recovery friendly ethos and strive to build a meaningful program grounded in the principles outlined herein. If possible, consider identifying an internal recovery champion (person with lived experience) at the onset of your new RFW program*.

Consider the following input from Recovery Friendly Workplace champion Jonathan D. Rosen:



Jonathan D. Rosen, M.S., CIH, FAIHA
Certified Industrial Hygienist

**National Clearinghouse For Worker Safety
and Health Training, operated by MDB, Inc.**

“Many employers and unions are like closed societies and don’t give “outsiders” the time of day, especially in this time of short staffing and high stress work environments.

A key to success for recovery friendly workplace advocates is to connect with “**champions**” in a workplace from management and labor who will make establishing the recovery friendly workplace program **a priority and build support for it among the leadership and the workforce**. Champions will know the site-specific workplace culture and policies and be trusted by coworkers. The most effective recovery friendly workplace advisors understand that their role is to spark the program through facilitation, education, and advocacy. **Management commitment and union and worker participation in the development and implementation of the program are foundational elements.**”

*Recovery status is a deeply personal and unique matter which no employee can—or should—be required to disclose for the purpose of building an internal recovery friendly implementation team. Engagement in implementation efforts—and disclosure of recovery status—should be strictly voluntary.

Understanding the Basics of Addiction and Recovery

It behooves your organization to have a firm, scientifically informed concept of addiction and recovery. This is imperative in order to establish RFW values in your workplace. Let's dive in...

Several of the informational portions below were adapted from the Colorado Recovery Friendly Workplace Toolkit. Thank you to Dr. John M. Narine, DBA, CEAP for his expert guidance. We would like to thank the Colorado Consortium for Prescription Drug Abuse Prevention for allowing other entities to replicate portions of their first rate manual, (<https://corxconsortium.org/wp-content/uploads/Colorado-Recovery-Friendly-Workplace-Toolkit-2022.pdf>), which has proven to be universal in its applicability to the national RFW movement.

“Addiction” is the condition of an individual who has lost control over their use of a substance or engagement with a problematic behavior. Although an addiction can be quite problematic, it is treatable and can be managed effectively and overcome. Studies show leaders who educate themselves on why people use substances and how it can progress to addiction are more effective in understanding how to support employees in recovery.

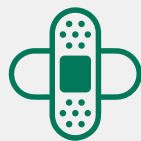
Why Do People Use or Return to Use?

Most people can relate with the idea of wanting to alter their mood when experiencing unwanted feelings, such as stress, anxiety, grief, and more. For some, that may look like over-eating. For others, that may be shopping or drinking a glass of wine. The National Institute on Drug Abuse (NIDA) provides four main reasons why individuals typically use substances:



To feel good

Substances produce intense feelings of pleasure and euphoria that can increase the desire for a person to continue “the chase” for this feeling.



To feel better

People who experience anxiety, stress, depression or any uncomfortable or unwanted emotion may use alcohol or other substances to change how they feel.



To do better

The pressure to improve performance or focus at work can play a role in experimenting or continuing substance use.



Curiosity and social pressure

The need to feel accepted by co-workers, such as participating in a work happy hour, can increase the pressure of partaking in substance use.

Different Levels of Use and Behaviors

While there are employees who do not use substances, there are employees who do, and may be using legally or illegally. Examples of frequently used substances include alcohol, marijuana, nicotine, opioids (heroin, fentanyl, and prescription pain medication), amphetamines (cocaine, methamphetamine), benzodiazepines, barbiturates, LSD, ketamine, and/or other prescription medication or illicit drugs.

The following is a general overview of different levels of substance use to assist in understanding the various ways your employees may be using substances:



Experimental Use

This involves trying out substances for the first time. For example, experimentation can occur when feeling pressured by work culture or social groups.

If introduced when the individual is vulnerable, the chance of increased use is greater.

Does your organization serve alcohol at work functions? Consider our policy guidelines on [\(page 65\)](#)*



Social Use

This is a common stage among employees. In this stage, supervisors might hear of employees going out to bars together, engaging in a happy hour culture and may occasionally come to work hung over.

While this type of use may not appear to cause disruption to a “normal” or manageable lifestyle to some, coming to work hung over generally results in decreased productivity and increased safety risks for the organization.



Problematic Use

In this stage, motivation to work declines and behavior changes become obvious. Employees with problematic use are more likely to show up to work under the influence and impaired. These employees exhibit a noticeable decline in performance such as missing deadlines, increased absenteeism, and a tendency to be tardy to work or meetings.

For these employees, pre-occupation with substance use begins to eclipse duties and other interests, such as relationships and responsibilities.

Additionally, secretive behaviors and isolation may begin.



Addiction / Substance Use Disorder

In this stage, the continued use of substances becomes uncontrollable and persists regardless of negative consequences.

Severe physical, emotional and mental declines are noticeable.

Poor performance, job loss, and increased health care expenses are present. Family and friends may be alienated. Financial and legal problems often occur, and suicidal or self-destructive behaviors may be present.

Addiction Is a Medical Condition

Strictly speaking, “addiction” is a medical condition. In 1987, the American Medical Association officially designated “addiction” as a disease, a disease which changes the way the brain functions, prioritizing desires over responsibilities, often interfering with the ability to work, go to school, and have good relationships with friends and family.

“Substance use disorder” is the clinical term used to describe the disease of addiction. It is a recurrent use of alcohol and/or other substances that leads to harmful consequences, including significant impairment, health problems, and failure to meet major responsibilities at work, school, or home.

Addiction does not discriminate based on a person’s socioeconomic bracket, gender, age, race, educational background or position within an organization.

Most importantly, addiction is a treatable condition comparable to someone with cancer, diabetes, or depression and recovery is the expected outcome of treatment.

Causes & Factors

The exact cause(s) of a substance use disorder, or “addiction,” are not known, but experts have pinpointed the following areas that increase the risk of addiction:

Family history: Often, a link to family history and genetic predisposition exists.

Environmental factors: This includes family life, school, peer pressure, societal pressures, and exposure to addictive substances.

Developmental factors: Research has indicated when substance use begins early in life (prior to age 18), there is a greater likelihood of it evolving into addiction.

Other factors, including:

- History of traumatic experiences or post-traumatic stress disorder (PTSD)
- On-the-job injuries
- Emotional hardship
- Depression
- Stress
- Low self-esteem

Recovery

Recovery is a process of change through which individuals improve their health and wellness, live self-directed lives, and strive to reach their full potential.

This definition does not describe recovery as an end state but rather a continuous process of progression in one's life and can apply to a history of substance use, mental health concerns, and/or physical challenges. Complete symptom remission is neither a prerequisite of recovery nor a necessary outcome of the process.

Four Pillars of Recovery

There are four pillars which are universal in creating and sustaining a life in recovery:



Health

Learning to overcome, manage, or more successfully live with symptoms and making healthy choices that support one's physical and emotional well-being.



Home

A stable and safe place to live.



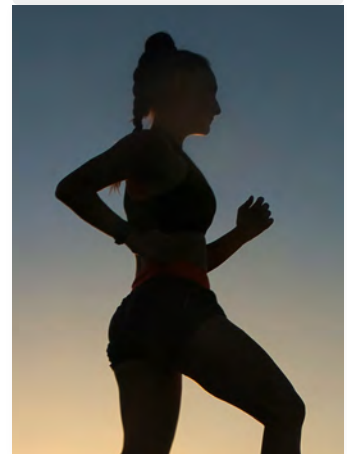
Community

Relationships and social networks that provide support, friendship, love, and hope.



Purpose

Meaningful daily activities, such as a job, school, volunteer work, or creative endeavors; increased ability to lead a self-directed life; and meaningful engagement in society. This is where your organization comes in!



As evidenced by the fourth pillar, employment is an essential element for sustaining recovery and maintaining financial independence. Work is one of the best predictors of positive outcomes for individuals with a history of substance use. Individuals who are employed compared to those unemployed are more likely to demonstrate:

- Lower rates of returning to problematic substance use
- Higher rates of long-term recovery
- Less unlawful activity
- Fewer parole violations
- Improvements in quality of life
- More successful transition from residential treatment back into the community

The pathways of recovery can look different for each employee and may include professional clinical treatment, use of medications, support from family and friends, faith-based approaches, peer support, and other methods. The following list highlights common pathways to recovery that when supported by employers, increases the opportunity for healthy and productive employees:

- **Managed Use Model or Harm Reduction:** Approaches to help individuals manage their substance use to minimize harmful consequences (e.g., education to prevent alcohol poisoning, overdose, blood-borne pathogens, sexually transmitted infections, etc. Our Harm Reduction team at HCPH strives to facilitate this pathway everyday.
- **Medication-Assisted Recovery:** The use of medication in combination with counseling to manage physiological and behavioral aspects of addiction.
- **Mental Health Services:** Group and/or individual services such as counseling and therapy.
- **Natural Change:** Being able to change unhealthy habits into healthy habits without outside assistance.
- **Peer-Based Recovery Support Services:** Nonclinical, peer-led services from an individual with lived experience, such as recovery coaching and community/mutual support groups (12-step groups are an example of this).
- **Treatment:** Residential or outpatient programs that include medical, therapeutic, social treatment and supports.

“Work is one of the best predictors of positive outcomes for individuals with a history of substance use.”

What is Stigma?

According to the National Institute on Drug Abuse (NIDA), Stigma is a discrimination against an identifiable group of people, a place, or a nation. Stigma about people with SUD might include inaccurate or unfounded thoughts like they are dangerous, incapable of managing treatment, or at fault for their condition.

Jerome Adams
Former U.S. Surgeon General

“The biggest killer out there is stigma. Stigma keeps people in the shadows. Stigma keeps people from coming forward and asking for help. Stigma keeps families from admitting that there is a problem.”



How Can You Help Fight Stigma in Your Workplace?

We hope you recognize how much work you've already undertaken to beat stigma in your workplace by joining this initiative. However, much work needs to be done if you really want to reduce the impact of this silent killer. Consider the following ways you can help reduce stigma in your workplace:

- Provide education regarding the myths and misconceptions about the disease of addiction and other mental health disorders. **Consider training opportunities outlined in (page 43).**
- **Share success stories and positive depictions of individuals in recovery.** According to the U.S. Department of Labor, "Employees who are openly in recovery and who share their stories can be among the most powerful stigma reduction messengers." We are happy to help you generate examples if you cannot locate any internal recovery champions.
- **Share information regarding recovery support.** Advertise the services available through Recovery Friendly Hamilton County and your EAP if applicable. Reach out for assistance if you need helping finding additional resources.
- **Use mindful language.** Consider the guide below—reproduced with permission of NIDA—when discussing the topics of addiction and recovery in the workplace. Consider reviewing your substance use policies to determine if they contain any stigmatizing language.

INSTEAD OF...	USE...	BECAUSE...
Addict	• Person with substance use disorder	• Person-first language.
User	• Person with Opiate Use Disorder or person with opioid addiction (when substance in use is opioids)	• The change shows that a person "has" a problem, rather than "is" the problem.
Substance or Drug Abuser	• Patient (where applicable)	• The terms avoid eliciting negative associations, punitive attitudes, and individual blame.
Junkie	• Person in active use; use the person's name, and then say "is in active use."	
Alcoholic	• Person with alcohol use disorder	
Drunk	• Person who misuses alcohol / engages in unhealthy / hazardous alcohol use	
Former Addict	• Person in recovery or long-term recovery	
Reformed Addict	• Person who previously used drugs	

INSTEAD OF...	USE...	BECAUSE...
Habit	<ul style="list-style-type: none"> • Person with substance use disorder 	<ul style="list-style-type: none"> • Inaccurately implies that a person is choosing to use substances or can choose to stop. • “Habit” may undermine the seriousness of the disease.
Abuse	<ul style="list-style-type: none"> • For illicit drugs: Use • For prescription medications: Misuse • Used other than prescribed 	<ul style="list-style-type: none"> • The term “abuse” was found to have a high association with negative judgments and punishment. • Legitimate use of prescription medications is limited to their use as prescribed by the person to whom they are prescribed. Consumption outside these parameters is misuse.
<ul style="list-style-type: none"> • Opioid substitution replacement therapy • Medication-assisted treatment (MAT) 	<ul style="list-style-type: none"> • Opioid agonist therapy • Pharmacotherapy • Addiction medication • Medication for a substance use disorder • Medication for opioid use disorder (MOUD) 	<ul style="list-style-type: none"> • It is a misconception that medications merely “substitute” one drug or “one addiction” for another. • The term MAT implies that medication should have a supplemental or temporary role in treatment. Using “MOUD” aligns with the way other psychiatric medications are understood (e.g., antidepressants, antipsychotics), as critical tools that are central to a patient’s treatment plan.
Clean	<ul style="list-style-type: none"> • For toxicology screen results: Testing negative • For non-toxicology purposes: Being in remission or recovery • Abstinent from drugs • Not drinking or taking drugs • Not currently or actively using drugs 	<ul style="list-style-type: none"> • Use clinically accurate, non-stigmatizing terminology the same way it would be used for other medical conditions. • Use of such terms may evoke negative and punitive implicit cognitions.
Dirty	<ul style="list-style-type: none"> • For toxicology screen results: Testing positive • For non-toxicology purposes: Person who uses drugs 	<ul style="list-style-type: none"> • Use clinically accurate, non-stigmatizing terminology the same way it would be used for other medical conditions. • May decrease patients’ sense of hope and self-efficacy for change.

Communicating The Importance of a Recovery Friendly Workplace.

Does anyone in your workplace need convincing on the importance of RFW practices and principles? Consider the following details surrounding the cost of substance use disorder in the workplace and the benefits associated with Recovery Friendly Workplace practices.


The Economic Cost of Problematic Substance Use in the Workplace:

According to the Colorado Recovery Friendly Workplace Toolkit, in 2020, substance use cost U.S. employers and taxpayers \$696 billion in absenteeism, low productivity, and healthcare costs. Studies show that employees who problematically use substances:

- Are absent about 50% more than their co-workers; an average of 24.6 days per year.
- Cost employers anywhere between \$2,600 and \$14,000 annually per employee associated with absenteeism, turnover, lost production, workplace injuries, and health care.
- Have resulted in an increase of 30% in unnecessary costs to employers in the past 3 years.

A Substance Use Cost Calculator for Employers

The National Safety Council has a Substance Use Cost Calculator for Employers. This online tool estimates the total expense in lost production time, job turnover & retraining, and healthcare costs related to substance use for employers in all states, including Ohio. To use this tool, enter your state, your number of employees, your industry, and the calculator will estimate how many employees and dependents use substances (this number is based on data from the National Survey on Drug Use and Health and the Bureau of Labor Statistics). The results may surprise you!



NSC Employer Cost Calculator SUBSTANCE USE

To use this calculator, please visit:

<https://www.nsc.org/forms/substance-use-employer-calculator>



Losses Associated With Substance Use Disorder in The Workplace: a Closer Examination

Workplace Injuries & Worker's Comp

Research on occupational safety suggests that on-the-job substance use can increase accidents and injuries. Additional studies reported similar findings on work injuries. In recent years, the U.S. Surgeon General reported that the U.S. spends about \$35 billion a year to treat the disease of addiction and another \$85 billion annually to treat the injuries, infections, and illnesses associated with substance use.

Absenteeism and Presenteeism

Whether calling out for the day or leaving work early, lost workdays due to substance use are costly. Employees who problematically use substances are absent about 50% more than their co-workers. Managers, team leads, or co-workers pick up the slack, request overtime, and subject themselves to a decline in job duties. "Presenteeism" costs businesses about ten times more than absenteeism. "Presenteeism" refers to workers who are physically present on the job but are either impaired or incapable of performing their job duties. Production loss is the result of absenteeism and presenteeism.

Turnover

Employee turnover is another cost related to substance use and is taken seriously because: (1) it's expensive; (2) it disrupts a business's productivity; and (3) it may become increasingly difficult to recruit and train. The Society for Human Resource Management (SHRM) reported that employee turnover can cost organizations about six to nine months of an employee's annual salary, and the National Safety Council (NSC) found that workers who use substances problematically are 40% more likely to report having more than one employer in the last year. A 2020 Retention Report by the Work Institute revealed that 3 in 4 employee turnovers are preventable.

Healthcare Costs

Many businesses' healthcare costs are a concern and continue to rise as substance use goes unaddressed. A National Safety Council (NSC) report cites workers who problematically use substances cost employers about 61% more in healthcare than workers who are in recovery from the disease of addiction.

The Human Cost

Many of us have seen and know firsthand the human toll the disease of addiction can take. Motor vehicle crashes, legal trouble, domestic abuse, workplace accidents, health problems, and economic hardship are just a few outcomes. Unfortunately, the ultimate price is the loss of an employee's life. If you or a member of your personnel are dealing with grief from the loss of a loved one or colleague, reach out to recoveryfriendly@hamilton-co.org for information about confidential grief counseling services.

The Issue is Far More Common Than Most Might Realize:

It is estimated that over 60% of Americans aged 18 and older with a substance use disorder are part of the workforce (SAMHSA, 2022).

A report from the Substance Abuse and Mental Health Services Administration stated that alcohol or other drug addiction affects:



1 in 8

workers in the
mining industry



1 in 7

workers in the
construction industry



1 in 8

workers in the
manufacturing industry



1 in 8

workers in the
services industry

The National Survey on Drug Use & Health (2020) reports that more than **40.3 million people in the U.S. are affected by the disease of addiction**. Many of them go to work each day.

How many work for you?

Understanding these statistics can prove instructive to those who may not understand the importance of recovery-centric practices in the workplace.

Benefits Associated With Recovery Friendly Workplaces: a Closer Examination

Successful Recovery Friendly Workplaces not only enhance the lives of employees in recovery, they also improve the financial situation of the company. While some cost savings might be more direct than others, improvements in employee morale, attendance, productivity, and engagement may be evident right away.

Employers who have implemented successful Recovery Friendly Workplaces report:

- Decreases in absenteeism, accidents, downtime, turnover, and theft
- Decreases in the use of medical benefits
- Increases in retention rates and appropriate use of personal time off
- Improvements in health status, morale, and productivity
- Better value out of their payroll
- A positive return on investment
- More employees willing to come forward and ask for help!

Now let's examine some resources to help you reap these benefits...

Chapter 3

The Recovery Friendly Hamilton County Menu of Offerings





As you review each section, please take note of those specific services that you would like to request. Reach out any time at: recoveryfriendly@hamilton-co.org

Linkage To Care



24/7 linkage to care for your employees.

Page [37](#)

Consultation



Access to a recovery friendly workplace advocate.

Page [39](#)

Promotion



Free recognition for your workplace.

Page [40](#)

Training



Training resources to bolster your recovery friendly practices.

Page [43](#)

Harm Reduction Supplies



Life saving supplies to enhance your workplace's first-aid kit.

Page [46](#)

Wraparound Services



Employment stability tools for your valuable personnel.

Page [51](#)

Recruitment Tools



Access to optional recruitment avenues.

Page [53](#)

Cost Saving Connections



Reimbursement opportunities for adopting recovery friendly practices.

Page [55](#)

RFHC Policy Guide V.1.0



A user-friendly guide to RFW policies.

Page [59](#)

RFHC Policy Worksheets V.1.0



A user-friendly guide to RFW worksheets.

Page [109](#)





Linkage To Care:

One of our primary motivations in designing Recovery Friendly Hamilton County (RFHC) was to bridge the gap between the phenomenal workplaces and SUD treatment organizations of our community.

We want to ensure that your staff are knowledgeable of the SUD treatment options available to them as well as their loved ones. The RFHC resource posters provided to your workplace during the onboarding process should be situated in accessible spaces at each of your organization's physical sites. We recommend a breakroom or the spaces where you post your federal and state labor law information. You may have to get creative depending on your work environment.

Digital copies may also be provided to your remote employees. To request more posters, reach out at recoveryfriendly@hamilton-co.org. These resource posters are also available in Spanish.

What follows is a breakdown of the critical linkage to care resources noted on our posters. Please note that there are far more resources available in our region than we have specified below. Please consult with us for information about providers closest and/or best suited to your workplace or consult the resource list at the end of this manual: ([page 159](#)). We also recommend that you remind your personnel about any of your extant resources such as an EAP provider.

Ensure That Your Employees Hear Direct, Frequent Invitations to Share Concerns About Substance Use Disorder!

As a leader, you understand that one email or town-hall meeting is never enough to reach your employees. We, and the partners listed below, are just as eager as you are to help your valued team members. However, we can't help them if they don't know our services exist. If you are in a human resources role, you especially understand the importance of driving a message home.

Finding a suitable SUD treatment provider is just a click or phone call away with any of the below organizations.

Recovery Health Access Center (RHAC) Hotline:

513-475-5650



In July 2003, the Recovery Health Access Center (RHAC), a 24/7 phone helpline was established at ASC staffed by trained professionals to help navigate the path to lifelong recovery for thousands of individuals. For RFHC, ASC provided a unique RHAC hotline number: (513) 475-5650. This unique number allows us to track critical data regarding utilization rates for RFHC constituent members. Please note that HCPH does not receive any personal identifying information regarding these linkages to care.

Visit at: <https://addictionservicescouncil.org/>

United Way 211:



United Way
of Greater Cincinnati

We're here to help — **24 hours a day, seven days a week, 365 days a year** — wherever life takes you.

DIAL 211 to speak to a trained professional who can connect you to essential community services, a gateway to help. Our certified information and referral specialists are trained to listen, engage, ask questions, assess your needs and connect you to a community resource from our large database of local providers. We serve the following areas: Adams, Brown, Hamilton and Clermont Counties in Ohio; Boone, Kenton, Campbell and Grant counties in Kentucky.

****THIS IS NOT A CRISIS HOTLINE. IN CASE OF AN EMERGENCY, PLEASE CALL 911 IMMEDIATELY.****

Visit at: <https://www.uwgc.org/>

Recovery Connections:



A recovery networking forum and resource archive suited for both recovery professionals and the general public. This forum is overseen by personnel with Hamilton County Public Health.

Visit at: recoveryconnections.hcph.org

Relink:



Quickly connecting people in need with local community resources across a spectrum of care for Addiction Recovery, Anti-Human Trafficking, and Incarceration Reentry and includes commonly searched basic needs like housing, food, clothing, employment, and mental health.

Visit at: relink.org

Central Clinic:



As the front door to the Hamilton County public behavioral health system, Central Connection's primary mission is to provide a standardized entry to a system of care that ensures that services are available, accessible, and of high quality. Central Connection staff are available 24/7/365 to answer calls and connect consumers to appropriate services.

Visit at: centralclinic.org

513-558-8888 24/7



Consultation:

Do you have a specific concern related to substance use disorder and/or recovery in the workplace? Reach out for assistance, we love a challenge! Your Recovery Friendly Workplace advocate is connected with a dense network of RFW professionals across the country who can help us find the answers to your questions.

Example consultation scenarios:

1. You suspect that an employee may be struggling with substance use disorder and would like consultation on how to broach the subject without isolating them.
2. You're looking for a local, cost-effective provider of drug screens in the community.
3. You're noticing workplace gossip that stigmatizes those in, or seeking, recovery and would like to pursue new training/protocol options.
4. You want to get better affiliated with your local treatment provider(s).
5. You want assistance revising your staff handbook to include information about Recovery Friendly Hamilton County.
6. You want to have a recovery-centric community gathering at your workplace and are looking for good networking opportunities to help spread the word.

DISCLAIMER:

Though we are eager to help, please be advised that the guidance and insights provided by our Recovery Friendly Workplace Advocate(s) are for informational purposes only and should not be used as a substitute for consultation with a legal or medical professional, or another competent adviser. We are happy to assist you in finding the right kind of counsel for inquiries which exceed our scope of practice.



Promotion:

We are proud that you have chosen to join our community, and you should be too! The overarching goal of Recovery Friendly Hamilton County is to beat the stigma surrounding addiction and recovery in our community and the nation at large. By joining this initiative, you are helping us in this mission. Your brands are powerful—carrying weight in our thriving, business rich community and beyond. We are happy to promote your new Recovery Friendly Hamilton County designation, and we encourage you to do the same. What follows are a variety of ways that you can promote your new RFHC status.

Press Release:

Consider promoting your new RFHC status via a press release. Below you will find an example of a press release from one of our ambassador organizations—The Health Collaborative. Please reach out to HCPH's media relations officer, Mike Samet (Mike.Samet@hamilton-co.org), before releasing anything to the media.



THE HEALTH COLLABORATIVE

The Health Collaborative (THC) has joined Hamilton County Public Health, the Hamilton County Administration, the Board of County Commissioners, and more than a dozen local businesses in the Recovery Friendly Hamilton County Initiative (RFHC).

The initiative aims to ensure employees and their families receive the resources and support they need to engage in and recover from substance use disorder.

RFHC saw its beginnings at Hamilton County Public Health (HCPH) where equipping local employers with the tools and resources they need to address substance use disorder (SUD) was prioritized among their personnel. It is estimated that over 75% of Americans with an SUD are part of the workforce. The human and economic toll of addiction is far too great to go unchecked in the workplace.

In addition to providing resources to help employers fight SUD, HCPH wanted to embark on a countywide campaign that would champion and support those already in recovery as well as battle the stigma of addiction. Through extensive research and interagency coordination, RFHC has become one of many recovery-friendly workplace initiatives taking a foothold across the nation.

In the coming months, THC's human resources department will provide a variety of resources to staff including information about local substance use disorder and recovery programs.

Social Media Post:

Consider promoting your new RFHC status via a social media post. Please use the sample text below. You may also include the RFHC logo or other relevant images in your post. If you have yet to receive a digital copy of the RFHC logo, please make requests to: recoveryfriendly@hamilton-co.org.



[Name of organization] is so excited to announce that we are now participating in the Recovery Friendly Hamilton County (RFHC) initiative! This initiative is spearheaded by Hamilton County Public Health.

Recovery Friendly Workplaces (RFWs) promote the health, safety, and well-being of employees by providing support to those who have been impacted by substance use disorder (SUD). This includes those in recovery, those who are seeking help, and those who may be indirectly impacted due to having a loved one with an SUD. Through this initiative, we will be connected to resources, tools, and strategies that help us create a culture that challenges the stigma around SUD and makes it easier for those who have been impacted to come forward and access the help they deserve.

We hope you will join us in taking a moment to celebrate this milestone for our workplace. If you are not yet familiar with the RFHC initiative, we also encourage you to learn more or even sign up to participate at <https://www.hamiltoncountyhealth.org/services/for-businesses/recovery-friendly-hamilton-county/>.

Display The RFHC Logo:

What's the significance of our logo? The checkmark symbolizes our endorsement of your workplace as meeting our recovery friendly requirements. The road within the checkmark symbolizes the "Road of Recovery," an important visual metaphor for people who have, or are working to, overcome substance use disorder. Recovering citizens are resourceful, resilient, and ready to work! We want our symbol to bring them a feeling of pride for their strength and tenacity. Though you are not required to display the provided logo decals on your premises, doing so can speak directly to your staff about the importance you place on their health and well-being. Display the RFHC logo with pride and help end the stigma of addiction and recovery! Reach out anytime to request more vinyl decals.



Our Website:

Following your orientation session, we will display your preferred company logo on our website under "Designees": recoveryfriendlyhc.org. Please reach out anytime to request updates or adjustments to your logo—we want to represent your brand well.



Training:

Training is a critical component of building and sustaining a recovery-friendly culture within your workplace. Between our offerings at Hamilton County Public Health and the offerings of our community partners and other regional vendors, we'll find the best options for you!

Our Offerings:

At HCPH, we can offer your workplace the following suite of ready-built trainings at no cost. Trainings can be held in-person, or virtual on the teleconference platform of your choosing. If you have a training request that does not fall within the scope of our service offerings, we will gladly assist you by researching options through our community partners.

- **Handling Reasonable Suspicion with Care**

An informational session designed to provide employers with insight into reasonable suspicion best practices. This training draws from the collective wealth of the recovery friendly workplace movement to instruct staff on commonly shared reasonable suspicion insights & guidelines.

- **Narcan® (Naloxone) Usage (supplies included)**

Participants will learn about harm reduction programming throughout Hamilton County. Participants will learn how to recognize and respond to an opioid overdose and administer naloxone. Participants may also watch a prerecorded Naloxone training produced by HCPH: <https://www.youtube.com/watch?v=-iOYesgMz5U>. Participants may also choose to learn about and receive fentanyl test strips during this training. More information beginning on [\(page 47\)](#).

- **An Introduction to Substance Use Disorder & Recovery:**

A primer or “101” session on the fundamentals of addiction & recovery.

- **Overview of Harm Reduction Services**

This training defines harm reduction and its principles and provides an overview of the programming efforts of the Harm Reduction division at HCPH.

- **Stigma Reduction in the Workplace (Stories Over Stigma)**

Beat the stigma in your workplace! Hear remarkable stories of triumph from individuals with lived experience of substance use disorder & recovery.

- **Recovery Friendly Hamilton County Orientation**

We are more than willing to provide additional orientation sessions for other parties in your organization, including those who may have taken over a role previously held by your former liaison to the RFHC program.

- **Recovery Friendly Workplace Safety Panel**

Recorded on 10/28/23, this training will allow you to hear from a multifaceted panel of subject matter experts on the practicalities and fundamentals of recovery-friendly workplace customs.

Click on the following link to view (turn on closed captions): <https://youtu.be/ewYVZ4slnfE>

- **Virtual RFHC Policy Training**

Presented by our policy developer Shonda Sullivan, SPHR, MBA, this virtual training module will provide you with an overview of our three RFW example policies. Click on the following link to view: <https://youtu.be/SK0ShwZDUVc>

- **Virtual RFHC Forms & Documentation Training**

Presented by our policy developer Shonda Sullivan, SPHR, MBA, this virtual training module will provide you with an overview of our five RFW example worksheets. Click on the following link to view: <https://youtu.be/kVc5rrzbOiM>

- **Customized Trainings**

Not seeing what your organization needs in this list? Let us know what you are seeking, and we may be able to generate a new training designed with your workplace in mind. For requests that exceed our scope of practice, we will identify an appropriate 3rd party vendor to fit your needs.

DISCLAIMER:

The guidance & insights provided by our Recovery Friendly Workplace Advocate(s) during these trainings are for informational purposes only and should not be used as a substitute for consultation with a legal or medical professional, or another competent adviser. We encourage our designees to consult with an Ohio licensed attorney for the purpose of resolving any workplace specific legal issues that may arise as a result of substance misuse.



Free Online Modules:

Coordinating training for your organization is no easy task. If recurrent schedule conflicts and other logistical barriers are keeping you from soliciting one of the trainings noted in this manual, consider the following free, 24/7-access online modules.

Recovery Ohio's Recovery Friendly Employer Training Modules:



Just Click the Link Below:

<https://recoveryohio.gov/resources/all-resources/recovery-friendly-employer-modules>

Peruse and consider assigning any number of these high quality, RFW-centric training modules to your staff (follow link above). These modules were developed via a partnership between the Ohio Department of Job and Family Services, Recovery Ohio (an initiative of Ohio Governor Mike DeWine), the Ohio Chamber of Commerce, and the training consulting firm Working Partners. Training topics include the following:

1. The Impact of Opioids in the Workplace
2. A Legally-Sound Drug-Free Workplace Programs
3. Crafting a Policy That's Right for Your Business Operation and Culture
4. The Why, When & How of Workplace Drug Testing
5. Responding to an Employee's Harmful Use of Drugs
6. Building a Healthy & Productive Workforce by Supporting Employees in Recovery
7. Navigating My Recovery at Work
8. A Dose of Reality for Employees

Other Vendors:

Our region is home to many excellent service providers and trainers operating in the fields of addiction, recovery, and drug-free safety. Reach out to us anytime for help finding the right vendor for your organization's training needs. Please note that training opportunities through 3rd party providers may come with associated fees. For information about potential reimbursement opportunities, see (page 55).

Drug-Free Safety Program (DFSP) Vendors:

Looking to enhance your organization's DFSP program? Find a local provider with this online directory: <https://info.bwc.ohio.gov/for-employers/workers-compensation-coverage/dfsp-vendor>.

- Courtesy of the Ohio Bureau of Workers' Compensation.

Harm Reduction Supplies:

Augment your company's first aid kit with life saving harm reduction supplies and training. Supplies and training are both available free of charge.

Life-Saving Narcan®:
What It Does and
Why You Need It





Naloxone/Narcan®

What is Naloxone (otherwise known as Narcan®)?

Naloxone is an opioid reversal medication that treats opioid overdoses. There are different forms of naloxone, but we at HCPH distribute 4mg nasal spray. This is easy to administer and comes in packs of two doses. Once administered, naloxone attaches to opioid receptors in the brain. This reverses and blocks the effects of the opioids but does not clear them from the system. Naloxone is highly effective and very safe to use. Once administered, it is important to stay with the person to ensure EMS follows up with them. Additionally, a person may reexperience overdose after some time, as opioids tend to stay in the system longer than naloxone.

How Do I Recognize an Opioid Overdose?

Opioids cause respiratory depression, meaning they can slow or stop breathing. A person who is experiencing an opioid overdose may be struggling to breathe or not be breathing at all. Other signs of overdose are pale or ashy skin, blue lips or fingertips, and small pupils. There may also be paraphernalia present in the vicinity.

What Should I Do If I See Someone Overdosing?

If you see someone that you believe is experiencing an overdose, you should check to see if they are responsive and call 911 before doing anything else. You can confirm they are unresponsive by tapping on their shoulder, shouting “are you okay?” or rubbing their sternum. If they are unable to speak to you, they are unresponsive. We recommend carrying naloxone, which can be administered to reverse an opioid overdose.

Why Should I Carry Naloxone?

Opioid overdose is something that impacts many in our community. Naloxone is a harm reduction tool that can reverse overdoses and save lives—including those of your valued team members and other members of the public with whom you interface. Naloxone has greatly decreased the number of overdose deaths in our community.

Request a Training Today!

Interested in learning more and obtaining a kit(s) for your workplace? HCPH provides trainings and naloxone kits free of charge. Text NARCAN to 22999 to access our mail order services or reach out to schedule a training.

Download our HCPH Overdose Rescue App

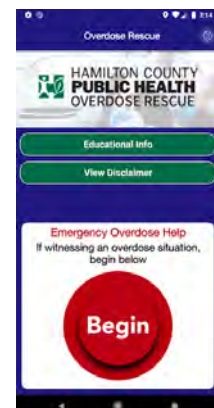
This app is provided by Hamilton County Public Health to assist in an opioid related overdose emergency. In any medical emergency including overdoses, always call 911. Download by searching for “HCPH Overdose Rescue” wherever you download apps.

Email for more information or to request Naloxone: narcan@hamilton-co.org

Phone for more information or to request Naloxone: 513-309-1522

You can also receive naloxone by visiting this address:
<https://redcap.research.cchmc.org/surveys/?s=K9JT3C8H37K4W7CP>

You can also order Naloxone from Harm Reduction Ohio:
<https://www.harmreductionohio.org/get-naloxone/>



Understanding the Good Samaritan Law:

Are you concerned about the legal ramifications regarding Naloxone usage? We understand and are here to help.

All 50 states have Good Samaritan laws that protect people who are acting in good faith to assist someone in need of help. This includes people who carry and administer naloxone. Each state has slightly different language, but in Ohio, people who carry and use naloxone to assist someone are protected from legal action as long as the following conditions apply:

- They obtain naloxone under conditions specified by the Ohio Revised Code (see link below). If you get naloxone from HCPH, over the counter, Harm Reduction Ohio, or any other legitimate provider, you're covered
- Administer the naloxone to an individual who is apparently experiencing an opioid-related overdose
- Attempt to call emergency services as soon as practical either before or after administering the naloxone

Under specific Ohio laws around service entities and emergency use situations, businesses that choose to have naloxone on site are not liable like other first aid items that are provided for employee use.

More information is available on the Ohio Department of Health website:
<https://odh.ohio.gov/know-our-programs/oh-against-od/good-samaritan-law>

For an overview of state Good Samaritan Laws, please visit: <https://legislativeanalysis.org/wp-content/uploads/2020/10/Naloxone-summary-of-state-laws-FINAL-9.25.2020.pdf>

See:
Ohio Board of Pharmacy guidance on administration and community distribution of naloxone.

A Message From Dr. L. Casey Chosewood



Dr. L. Casey Chosewood, MD MPH
Director, Office for Total Worker Health

Naloxone is safe and effective, with little to no risk or liability, and it's proven to save lives. It's now available as an over-the-counter medication so there are no barriers to getting it into every workplace in the nation. It's an important tool for workplaces to be prepared and to show important support for their customers, visitors, and workers.

Review additional information from The National Institute for Occupational Safety and Health (NIOSH) regarding Naloxone in the workplace. Follow this link:

<https://www.cdc.gov/niosh/docs/2019-101/pdfs/2019-101.pdf?id=10.26616/NIOSH PUB2019101>

Fentanyl Test Strips

Fentanyl has been in the drug supply nationwide for more than a decade. According to the CDC, fentanyl is the cause behind most U.S. overdoses. Using fentanyl test strips to test for the presence of fentanyl is an important step in making safe decisions around a person's drug use.

Under Ohio law, fentanyl test strips are legal to possess and use for the purposes of testing substances for the presence of fentanyl. Wide-spread access to test strips is one of several important strategies to ensure the health and safety of people who use drugs.

Hamilton County Public Health partners with several local businesses to carry fentanyl test strips for anonymous public dissemination—including RFHC designee Madtree Brewing Company!

Media coverage of this partnership: <https://www.youtube.com/watch?v=0XCTngWrreE>.

If you're interested in receiving fentanyl test strips for your business, reach out at recoveryfriendly@hamilton-co.org or scan this QR Code:



More information about Hamilton County Public Health's harm reduction services can be found at: <https://www.hamiltoncountyhealth.org/services/programs/harm-reduction-program/>



Wraparound Services:

Do you have an employee who is struggling financially? Many individuals emerging from addiction into a life of recovery face financial struggles. Our partners at Ohio Means Jobs of Cincinnati – Hamilton County may be able to provide the right employment stability tools to help. Please see the information below regarding available Prevention, Retention, and Contingency funds.



Cincinnati -
Hamilton County

Please reach out to us if you want assistance making a warm connection with Ohio Means Jobs. Their staff are eager to assist you and your employees!

<https://www.omj-cinham.org/>

Prevention, Retention, and Contingency (PRC) Program:

What PRC Is:

PRC is designed to help families residing in Hamilton County overcome immediate employment-related barriers. Our goal is to help families achieve or maintain self-sufficiency by lessening the need for ongoing public assistance.

All PRC applications are now completed online:

<https://hcjfonbase.jfs.hamilton-co.org/AppNet/UnityForm.aspx?key=UFKey>

- Fill out the application completely.
- Verifications/documentation must be uploaded with the application prior to hitting submit.
- Applications without verifications/documentation may be rejected without review.

PRC Program Eligibility - PRC applicants must:

- Be age 18 or older.
- Have at least one dependent child under the age of 18 in the household or be at least 6 months pregnant.
- Meet income requirements.
- Be employed or have an employment offer sufficient to meet ongoing needs.

PRC Application Requirements

Documentation of financial eligibility must be submitted with the application. If documentation is not received with the application, it cannot be processed.

Documents include:

- Pay stubs or similar proof of household income received within the last 30 days;
- Employment verification letter;
- Employment offer letter;

**Documentation of need must be submitted with the application.
If documentation is not received with the application, it cannot be processed.**

- Rent: Eviction notice, landlord statement of amount owed, Vendor Registration form completed by the landlord.
- Deposit: Verification of coming out of homelessness as documented by a referral partner or natural disaster or infestation and a Vendor Registration form completed by the new landlord.
- Utilities: Current bill(s).
- Baby Items: Birth verification of a child under 18 months of age or pregnancy statement documenting pregnancy of at least 6 months.
- School Supplies: Verification of school enrollment.
- Work Uniforms/Scrubs: verification of employment related uniform requirement
- Beds and Bedding: Verification of coming out of homelessness, natural disaster or infestation.
- Gas cards/bus passes: Documentation of employment or a job offer.

Ohio Means Jobs of Cincinnati – Hamilton County offers many other great employment stability tools. Please reach out today and let us build a bridge between your organization and theirs!

Recruiting:

Advantages of Hiring People in Recovery:

Why Employ Individuals in Recovery?

It's no secret that individuals impacted by addiction have gone through their share of obstacles in life. Those that have overcome this adversity can offer unique strengths that can't be found in other candidates. According to a White House proclamation from President Joe Biden in 2022, there are an estimated 22+ million people in recovery—succeeding in establishing healthier homes, lives, and workplaces.



There are 22+ million people in recovery.

Qualitative and quantitative research reveals people in recovery are an asset to their organizations because of their drive to have a better life, increased commitment and dedication to the job, and abilities to maintain engagement, performance, and productivity. At RFHC, we like to say that recovering citizens are resourceful, resilient, and ready to work!

In fact, studies* show that each employee in recovery:

- **Is absent approximately 13.7 days fewer each year** compared to those not in recovery and 3.6 days less than the general workforce.
- **Saves employers an average of \$8,500 annually** in turnover, absenteeism, presenteeism, and healthcare costs.
- **Saves employers an average of \$500 annually** in health plan usage costs compared to those not in recovery.

Note: You are not required to hire individuals in recovery to take part in this program. Chances are you already have hired out of the recovery population, and we don't encourage that you ask people to self-identify in the application or interview process. This program is designed to honor recovery, combat stigma, and provide resource navigation to employees and their loved ones.

*NIH Recovery Friendly Workplace Landscape Analysis (2023).

https://tools.niehs.nih.gov/wetp/public/hasl_get_blob.cfm?ID=14183&file_name=WTP_RFW_Report_072423_508.pdf



Recruiting:

Workforce Innovation Center Career Board



The Workforce Innovation Center and the Cincinnati USA Regional Chamber provide a Career Board and related Employer Perks Page to make visible open roles across the area and the benefits and perks that employers offer. This includes listing all employers that are Recovery Friendly designated, as part of the Workforce Innovation Center's strong connection to Recovery Friendly Hamilton County. Our Recovery Friendly Workplace Advocates promote this career board among recovery and SUD treatment professionals across our region.

Career Board: <https://workforceinnovationcenter.com/resources/employer-perks/>

Housed at the Cincinnati USA Regional Chamber, the Workforce Innovation Center can also help you get connected with leadership programs, member benefits, and premier regional events. For more information reach out at atreasure@cincinnatiachamber.com or (513) 579-3111. <https://workforceinnovationcenter.com/>. You can also ask us to facilitate a connection for you.



Audrey Treasure, Vice President & Executive Director Workforce Innovation Center (Partner Organization)



A message from Audrey:

The Workforce Innovation Center is a consulting firm made up of expert advisors dedicated to helping companies achieve their talent and culture goals to fuel business success.

- We improve employee retention, reduce turnover, diversify workforces, and foster better cultures.
- We deliver customized solutions with proven results.
- Our work produces better outcomes for employees and employers, enabling our community to thrive.

We also collaborate with community partners to make connections to benefit employers, employees, job seekers and the region as a whole. Learn more about those partners through the Workforce and Talent Ecosystem Map.



Cost Saving Connections:

We are happy to promote the Ohio Bureau of Workers' Compensation Substance Use Recovery and Workplace Safety Program! The Substance Use Recovery and Workplace Safety Program provides funding to assist employers in hiring or retaining workers in recovery. The program is designed to help employers more effectively manage substance use issues in their workplace while promoting a safe and healthy workforce. By having substance use policies and procedures in place, employers lessen the impact of substance use disorders on their workforce while keeping employees in recovery at work.



Brought to you in partnership with Recovery Ohio, this program provides funding to help employers more effectively manage substance use issues in their workplace. Eligible employers can enroll in the program and get reimbursement for:

1. Development and legal review of employer policies and procedures about substance use issues.
2. Training for employees to understand substance use and their employer's related policies.
3. Training to equip supervisors and managers to better manage employees in recovery.
4. Drug testing for prospective and current employees for those employers with recovery-friendly "second chance" testing policies.
5. Access to a free employee wellness incentive program, our Better You! Better Ohio! program.

The enrollment process is easy and starts with eligibility. A representative will take you through the step-by-step process for enrollment and reimbursement.

The Ohio Bureau of Workers' Compensation has many terrific opportunities. Please reach out today and let us build a bridge between your organization and theirs!

Reach out directly: Kathleen.D.1@bwc.ohio.gov

Substance Use Recovery and Workplace Safety Program Information Continued.

Substance Use Recovery and Workplace Safety Program

In partnership with Governor DeWine's **RecoveryOhio** initiative, this program reimburses employers for eligible expenses incurred in the previous twelve months. Specifically, this program reimburses employers for:

- Up to \$2,000 per year for the development and review of employer policies and procedures about substance use issues.
- Up to \$5,000 per year for employee and supervisor training to understand substance use and their employer's related policies.
- Up to \$1,500 per year for substance use testing for prospective and current employees for employers with recovery-friendly "second chance" testing policies.

Employers have jobs to fill but hesitate to hire workers with a substance-use history and in active recovery. Many of these workers want to work, but need the opportunity. Working together we can achieve positive results for everyone.

Ohio | Bureau of Workers' Compensation



Sign my company up!

To enroll and for more information, click [here](#) or visit bwc.ohio.gov

For general questions:

BWCSURWSP@bwc.state.oh.us



Ohio | Bureau of Workers' Compensation

Governor Mike DeWine
Administrator/CEO John Logue

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www.bwc.ohio.gov



03/08/2023

Substance Use Recovery and Workplace Safety Program Information Continued.

JOBS WORK! Grow Your Business, Save a Life

One of the best recovery tools for addiction is a job.



The nation's addiction epidemic touches us all, including the business community.

Employers have jobs to fill but hesitate to hire workers with a substance-use history. Workers recovering from addiction want to work but aren't given the chance. Other workers might be addicted but go undetected, putting workplace safety at risk.

"What we know from our experience is that when people want to recover from an addiction and you give them the tools, they will recover. We have several workers in recovery, including supervisors, who are committed, loyal and do very well here."

— Bart Frost, HR and Safety Director,
Taylor Lumber, Scioto County.

are re-engaged in meaningful work as part of Ohio's workforce, succeeding in their recovery, and successfully engaging in the community.

Workforce toll: In a survey of more than 3,200 businesses and nearly 1,500 community leaders, the Ohio Chamber of Commerce found more than half are suffering consequences of substance misuse, including **absenteeism, decreased**

productivity, and shortage of workers.

The Substance Use Recovery and Workplace Safety Program can help.


In partnership with Governor DeWine's **RecoveryOhio** initiative, this program reimburses employers for eligible expenses incurred in the previous twelve months. Specifically, this program reimburses employers for:

- Up to \$2,000 per year for the development and review of employer policies and procedures about substance use issues.
- Up to \$5,000 per year for employee and supervisor training to understand substance use and their employer's related policies.
- Up to \$1,500 per year for substance use testing for prospective and current employees for employers with recovery-friendly "second chance" testing policies

The goal is to help everyone succeed! Employers boost production without compromising safety; workers

Working together, we can turn this around.

Ohio | Bureau of Workers' Compensation

 **Sign my company up!**
To enroll and for more information, click [here](#) or visit bwc.ohio.gov

For general questions:
BWCSURWSP@bwc.state.oh.us

Substance Use Recovery and Workplace Safety Program Information Continued.

Substance Use Recovery and *Workplace Safety Program*

Reimbursable Expenses Chart

<p>Employer policy development and/or review, including any external legal review of the policy</p> <p>Required documentation</p>	<p>Actual cost up to an annual maximum of \$2,000 for policy development or review</p> <ul style="list-style-type: none"> • Invoice from vendor. • Proof of payment to vendor. • Copy of old and new policies.
<p>Employee and supervisor training</p> <p>Required documentation</p>	<p>Actual cost up to an annual maximum of \$5,000 for employee and supervisor training</p> <ul style="list-style-type: none"> • Invoice from vendor. • Training curriculum. • Proof of attendance. • Proof of payment to vendor.
<p>Drug testing</p> <p>Required documentation</p>	<p>Actual cost up to a maximum of \$100 for an individual lab drug test, including pre-employment, post-accident, random, reasonable suspicion, return-to-duty, and follow-up testing.</p> <p>Total annual maximum of \$1,500</p> <ul style="list-style-type: none"> • Invoice from vendor. • Proof of payment to vendor. • Copy of workplace substance use policy or second chance agreement.

Reimbursement shall be the actual cost up to the amount specified for each of the above properly documented services, subject to the parameters contained within the Substance Use Recovery and Workplace Safety policy.

BWC reserves the right to audit employer use of program funds received. Reimbursement requests must be submitted within one year from date services were provided to the employer.

Annual cost calculated based on the state's fiscal year (July 1 – June 30)



**Bureau of Workers'
Compensation**

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4/10/2023



RFHC Policy Guide V.1.0

Policies provide a roadmap for achieving your organization's mission. Substance use related policies that align with your workplace culture and principles are one cornerstone of a successful Recovery Friendly Workplace. These policies and worksheets are critical to promote healthy and productive organizations and reduce or eliminate the negative impacts of workplace substance use as well as any barriers to achieving and maintaining recovery.

In January 2023, Hamilton County Public Health was awarded an Injury & Violence Prevention grant from the Safe States Alliance. The allotted funds allowed us to invest in the substance use disorder and recovery policy/worksheet templates that follow. We would like to thank Shonda Sullivan, SPHR, MBA, Matthew Rich, Esq, and Dr. Richard Ryan, MD for their invaluable contributions to this work.

Please note that your organization is under no obligation to examine and/or modify your existing policies in order to join or sustain your partnership with RFHC. In furnishing you with this policy package, we hope to provoke conversation among your leadership and facilitate your potential movement along the recovery friendly continuum. Some agencies may find these policies and worksheets too restrictive for their particular industry. Conversely, some agencies may find these policies too lenient for their industry. The onus falls upon you and your administrative & legal team(s) to determine which elements may or may not suit your workplace.

We consider these templates to be living, dynamic documents which will see periodic adjustments over time. As laws (federal, state, and local) and mores change throughout history, inevitably policy standards and procedures will follow suit.

If your company decides to alter your policies to more closely align with your recovery friendly mission, consider using the following statement to communicate your intended policy changes with your personnel:

“Our company has made a commitment to become a Recovery Friendly Workplace.

We are an equal opportunity employer. This means we value the diversity, inclusion and health and safety of all employees, including those in recovery from a physical, mental health, or substance-related concern.

It also means we are committed to reducing any stigma associated with problematic substance use and mental health concerns in our organization.

As we become a Recovery Friendly Workplace, please know that we will be communicating policies and practices intended to bring about positive results within our workplace and the community. If you have any questions about this effort, please contact [Name of contact.]”

For a video tutorial on these policies and worksheets, visit: https://www.youtube.com/playlist?list=PLunfj_tTyk035T_fbDCH1qQbLnF6wuJUF

For additional policy tools beyond the following package, including policy examples from other progressive RFW employers, please reach out to us at recoveryfriendly@hamilton-co.org.

Important Information

This policy and worksheet package should not substitute for independent legal review of local, state and federal laws applicable to your agency. Consult an attorney prior to the implementation of any new policy or worksheet.

HCPH recognizes that every employer has a different history of dealing with issues of substance use disorder as it affects the workplace, especially where those issues concern recovery from substance use disorders. HCPH further recognizes that each employer's unique history warrants consideration when confronted by similarly situated individual cases. Accordingly, this toolkit is meant as a bridge from past practices and as a guide and resource to assist employers in implementing recovery-aligned workplace policies.

Before implementing practices recommended by the toolkit or as issues are encountered that implicate those practices, HCPH recommends consulting legal counsel, as nothing in the toolkit is intended to provide legal advice or counsel either generally or in individual circumstances. By furnishing this resource, HCPH does not assume any liability for any claims made by any individuals or entities, including the recipient of the toolkit, for consequences that may relate to the toolkit, its implementation, or specific handling of employee matters guided by the toolkit or policies recommended thereby. As a condition of HCPH's agreement to furnish the toolkit to a participating employer, any employer that has requested and received the toolkit thereby releases and agrees to defend and indemnify HCPH, its officers, directors, employees, agents, and insurers, as the case may be, from any and all claims, costs, damages, or liability that may arise from policies implemented after receipt of, on the basis of, or otherwise influenced by, the toolkit.



Recovery Friendly Workplace: Policy Templates

This policy package is part of the HCPH Recovery Friendly Workplace (RFW) Toolkit. These policies & worksheets are foundational to any employer's efforts to become or advance as a recovery-friendly workplace. The policies and worksheets in this package are intended to serve as templates for employers. A PDF version of this policy and worksheet package is included herein. You will be sent the MS Word version separately. Each form includes blank fields and placeholders to allow for customization. Employers may directly edit the Word documents as needed. Each form also contains notes to the employer throughout. These notes elaborate or clarify specific policy components or language, help guide employers with decision-making, provide some benchmark data and references, and generally educate and inform employers of current RFW best practices. These notes are best viewed from the Word version of the policies, from a computer screen as opposed to print, as some notes are collapsed in the printed version and unable to be read in full.

The PDF versions of these policies and worksheets included in this manual are helpful for print circulation, viewing, and discussion. These policies help drive conversation within organizations, as leadership teams should meet to determine their stance on individual policy components. We recommend consulting with your preferred legal counsel before implementing new policies or policy changes. Policy development and administration is generally a joint effort between human resource teams, legal teams, select members of leadership, and sometimes labor unions and other parties. Employee feedback can also be a valuable part of policy development. Before implementing these policies, we recommend employers create accompanying training and standard operating procedures to ensure all responsible parties are aligned, have clear direction, and are well-informed on moving forward.

This package includes three policies – Substance Use Policy, Drug & Alcohol Testing Policy, and Second Chance Policy, and five worksheets – Consent to Drug & Alcohol Test, Reasonable Suspicion Checklist, Release of Information, Second Chance Agreement, and Return to Work Agreement. In addition to these policies & worksheets, employers may update their Data Privacy, Confidentiality, Discipline, Family Medical Leave, Reasonable Accommodation, and other policies. We listed all relevant policies that may require updating within each of the three included policies. These other policies are expansive, with a focus outside the RFW initiative.

The templates in this package were inspired by legislation and initiatives implemented in several states across the United States: Alaska, California, Connecticut, Colorado, Illinois, Indiana, Kentucky, Missouri, New Hampshire, New Mexico, and Ohio. Additionally, they were informed by recommendations by the National Safety Council (NSC), Society for Human Resource Management (SHRM), Equal Employment Opportunity Commission (EEOC), Substance Abuse & Mental Health Services Administration (SAMHSA), Department of Labor (DOL), and Bureau of Workers Compensation (BWC). These templates were reviewed by human resource leaders with employer interest, practicality, and ease of application in mind. They also underwent legal review by an Ohio-licensed attorney and review by a licensed physician specializing in substance use disorder treatment. These templates are not substitutes for independent legal review of local, State, and Federal laws applicable to your agency.

HCPH is confident that these policy and worksheet templates will greatly advance employers' efforts in building and maintaining a recovery-friendly culture, are progressive, protect employer interests, fully support employees at all recovery stages, and ensure physical and psychological workplace safety. This package was designed with the widest array of workplaces in mind but may contain elements that are unsuitable for certain industries, i.e., civil service. Readers are advised to consider elements appropriate to their respective industries.

By furnishing this resource, HCPH does not assume any liability for any claims made by any individuals or entities, including the recipient of the toolkit, for consequences that may relate to the toolkit, its implementation, or specific handling of employee matters guided by the toolkit or policies recommended thereby. As a condition of HCPH's agreement to furnish the toolkit to a participating employer, any employer that has requested and received the toolkit thereby releases and agrees to defend and indemnify HCPH, its officers, directors, employees, agents, and insurers, as the case may be, from any and all claims, costs, damages, or liability that may arise from policies implemented after receipt of, on the basis of, or otherwise influenced by the toolkit.

Substance Use Policy

COMPANY NAME is committed to providing a safe, productive, and healthy working environment for our employees, **contractors, clients, customers, partners, vendors, volunteers, and visitors**. Employees under the influence of impairment-causing substances, such as drugs or alcohol, can pose serious health and safety risks to themselves and those around them. COMPANY NAME is committed to preventing and eliminating illegal and unauthorized drug and alcohol use in the workplace. COMPANY NAME is committed to helping employees overcome substance dependency and misuse by providing benefits, tools, resources, and a recovery-friendly culture.

We recognize that substance use disorder is a chronic illness and disorder characterized by the misuse of lawful substances and use of unlawful substances which interferes with virtually all components of one's life. In the workplace this can interfere with the safety, productivity, and performance standards employers put in place. The purpose of this policy is to notify employees of COMPANY NAME'S rules regarding substance use, provide guidance on managing and addressing substance use in the workplace, and inform employees of the support options available to them. This policy is part of a policy package that provides a framework for building and maintaining a recovery-friendly culture. For information about our status as a recovery-friendly employer and what that means for our employees, please see the HCPH Recovery Friendly Toolkit. In addition, managers and supervisors should refer to **standard operating procedures and training** for specific instruction.

This policy was developed after research and review by HR practitioners, legal counsel, and medical professionals and is based on prevailing best practices at the state and national levels.

Scope

This policy applies to all current employees of COMPANY NAME—including but not limited to individuals in full-time, part-time, temporary, permanent, seasonal, internship, **externship, volunteer, or contract roles**. To the extent reasonable and possible, this policy also applies to COMPANY NAME's vendors, partners, clients, customers, and visitors. Contractors, vendors, partners, clients, customers, and visitors are not eligible for the benefits and support provided under this policy's Employee Support & Assistance and Accommodation components.

Employer:

Update this list as appropriate for your organization.

Employer:

Update this with whatever information is relevant to your organization.

Employer:

It is your discretion which roles will be subject to this policy. Practice varies among companies and we recommend you do what works best for your organization given that there is no clear standard.

Policy Elements

1. Impairment from drugs or alcohol while on the job is prohibited.
 - a. “Drugs” includes illegal drugs/substances, legal drugs/substances, inhalants, and prescribed medications or substances. For a more detailed description of “drug,” see Ohio Administrative Code (OAC) 123-76-01.
 - b. “On the job” includes while on COMPANY NAME property, facility, office, or site; while conducting business on behalf of or as an agent or representative of COMPANY NAME, regardless of location or time; or while operating a company vehicle, equipment, or machinery.
 - c. “Impairment” means impairment of the ability to perform one’s job or maintain desired behavior according to outlined, written, implied, and/or prevailing standards. Impairment includes the inability to perform in accordance with such standards and the inability to perform in accordance with such standards without appropriate treatment, monitoring, or supervision. For more information about what defines and who determines impairment, please see the Reasonable Suspicion section of our policy: Drug & Alcohol Testing.
2. Reporting to work with illegal drugs or alcohol in your system is prohibited.
3. Alcohol use on the job is prohibited, except as detailed below.
 - a. On occasion, employees may participate in work functions where alcohol is served or **present**. Employees are expected to exercise sound judgment when consuming alcohol. When making consumption decisions, you can refer to general blood alcohol content guidelines. However, every individual is responsible for knowing their tolerance level and managing their behavior to maintain professional conduct and communication and limit the risk of impairment. A failure to act professionally and responsibly is a violation of policy.
 - b. Employees are responsible for ensuring their guests at work events are aware of and abide by this policy in full.
 - c. Consumption of alcohol at a work function is not a condition of employment or a job requirement. Employees are never expected to imbibe and will not be discriminated against for refusing to be served alcohol or abstaining. If you believe you were treated differently or discriminated against for abstaining from alcohol, please notify HR immediately.

Employer:

Ideally, alcohol will not be served or present during RFW work functions. However, we understand that this will not be the case for all of our RFW constituents. Where alcohol continues to be present during work functions, please consider providing alternatives and safe spaces for those in recovery in addition to the other suggestions outlined herein.

- d. Should you consume alcohol while at a work function, please notify a supervisor or Human Resources (“HR”), and we will secure transportation to your home (based on the address on file). We will contact your emergency contact, provide transportation ourselves, or contact a rideshare or taxi service. Should there be an associated expense, COMPANY NAME will cover that expense up to **\$X.00**. Any amount beyond that may be deducted from your paycheck.
 - e. If this occurs on more than one occasion, you will be referred to our Second Chance Program and may be subject to discipline. Policy abuse will be viewed as a conduct issue and treated accordingly.
 - f. Should you exit an event seemingly impaired, against our recommendation, and operate a motor **vehicle**, we will contact law enforcement. You will be referred to our Second Chance Program and may be subject to discipline.
 - g. Should the presence of alcohol at work functions compromise your recovery/sobriety, please notify HR immediately so that we can assist you in navigating those challenges.
4. Employees should not misuse any alcohol-containing substance or use it in any way other than directed **outside of that served at work functions is prohibited while on the job. Employees may not bring unsealed alcohol to work functions, even after hours or outside regular office locations.**
- a. Employees are discouraged from gifting colleagues sealed alcohol so as to not unintentionally disrupt recovery efforts.

Employer:

Your options: (a) instruct employee to arrange for their own transportation and have a designated driver or transportation plan in place prior to the event; (b) offer to arrange for transportation should it be required, but not cover any portion of any expense; (c) offer to personally provide transportation (by a member of the team); (d) offer to arrange for transportation and cover all or a portion of the expense.

Many employers do not cover any portion of this expense. Should you decide to cover the expense, we recommend you list a maximum amount. Anything beyond that will be the responsibility of the employee.

Employer:

According to the Centers for Disease Control and Prevention, “Safe driving requires focus, coordination, good judgment, and quick reactions to the environment. Any alcohol or other drug use impairs the ability to drive safely.”

Employer:

There is an exception for employees that work from home and may have unsealed alcohol at their home. However, employees must still abide by all other portions of this policy regarding alcohol use while “on the job.”



5. Employees are permitted to possess and use valid prescription substances and over-the-counter medications while on the job. This includes prescribed medications for a substance use disorder (commonly referred to as MAT or MOUD), including but not limited to buprenorphine, methadone, and naltrexone products. This does not include medical **marijuana**.
 - a. Employees must follow the usage guidelines by the prescribing physician or manufacturer's label.
 - b. It is the employee's responsibility to consult with their medical provider to determine the effect of a prescribed drug on their ability to perform their job duties safely and efficiently.
 - c. Employees taking prescribed medication must carry it in a container labeled by a licensed pharmacist or be prepared to produce the container if asked.
 - d. Employees may not possess or use prescription medication prescribed to another individual while on the job.
 - e. Should an over-the-counter medication or prescribed substance cause impairment (including extreme drowsiness), impact one's ability to perform their job effectively in any way, or compromise the safety of self or others, the employee must notify their supervisor or HR as soon as possible. Employees should inform the nearest colleague in an emergency or in cases of current impairment and request assistance.
 - i. COMPANY NAME may change an employee's job assignment or take other appropriate action while an employee is under such medication-related impairment.
 - ii. As a result of impairment, employees may be subject to drug and alcohol testing and/or a Fitness for Duty evaluation. Please see those separate policies for additional information.
6. Illegal substance use or possession (in any amount) on the job is prohibited. The presence of illegal substances in any detectable amount through drug testing is not permitted. Any illegal substance in your possession, including drug paraphernalia, will be turned over to an appropriate law enforcement agency and may result in criminal prosecution. To see the Ohio Revised Code definition of drug paraphernalia, click here: [https://codes.ohio.gov/ohio-revised-code/section-2925.14#:~:text=\(A\)%20As%20used%20in%20this,producing%2C%20processing%2C%20preparing%2C%20testing](https://codes.ohio.gov/ohio-revised-code/section-2925.14#:~:text=(A)%20As%20used%20in%20this,producing%2C%20processing%2C%20preparing%2C%20testing)
7. Employees are prohibited from selling, purchasing, or manufacturing alcohol or drugs while on the job, except for occasionally purchasing over-the-counter medication from a reputable, established retailer when needed.
8. Employees are prohibited from transferring or dispensing illegal drugs while on the job.

This document includes template language for both allowing/disallowing medical marijuana. Please alter this template language accordingly to fit your situation.

Employer:

Most employers in states that allow for medical marijuana use do not permit use while on the job.

While the federal government continues to classify marijuana as an illegal substance, Ohio does permit use and possession for medical purposes.

Your options:

- A. Do not permit possession or use while on the job (OTJ) and do not allow substance to be present during testing.
- B. Do not permit possession or use on the job. Silent on use while not on the job. Need to determine how to handle drug test results if outside use permitted. Do you remove from drug test completely? Or do you still test for and then question employee and request they have a medical ID card (even if OTJ use is not occurring)?
- C. Do not permit use on the job, but can possess on the job. You are allowing possession as you recognize the need off the job. Need to determine how to handle drug test results if outside use permitted. Do you remove from drug test completely? Or do you still test for and then question employee and request they have a medical ID card (even if OTJ use is not occurring)?
- D. Allow possession and use on the job.

There is an exception for employees that work from home and may be in possession of medical marijuana. However, employees must still abide by all other portions of this policy regarding medical marijuana use while "on the job."

If option (d) is selected, employer may still want to screen for marijuana in drug testing so that you can determine employees that use without medical authorization to do so.

Most safety-related and risk-management agencies recommend employers prohibit the use of medical marijuana when in safety-sensitive positions.

See below where I include language if an employer DOES want to allow for the use of medical marijuana.

Should you prohibit outside use/presence in one's system, we recommend you make clear that it is prohibited outside working hours to the extent that you regard the behavior as impairing the employee's ability to perform on the job or as threatening to the reputation and mission of your company. You may also choose to prohibit it, in any event, regardless of the above.

Linked is a list of questions you may want to consider when drafting this part of your policy:

<https://www.dentons.com/en/insights/articles/2023/january/17/managing-medical-marijuana-in-safety-sensitive-workplaces>.

9. (If not permitting medical marijuana): COMPANY NAME does not permit employees to possess or use medical marijuana on the job and employees may not report to work **impaired** from medical marijuana. Although Ohio law allows for the possession of certain quantities and for the controlled use of medical marijuana, doing so is not permitted on COMPANY NAME property or while performing work as an agent or representative of COMPANY NAME at any time or location. Marijuana remains illegal as a matter of federal law, and as a Schedule I drug, the use, possession, cultivation, or sale of marijuana violates federal policy. For purposes of this policy, we refer to any THC-containing product as “marijuana.” Employees are permitted to use products or derivatives that **do not contain THC** and are not known to result in impairment. Please consult with HR before using any related product to avoid the risk of violating this **policy**.
- a. Although COMPANY NAME does not permit the use of medical marijuana, we do not discriminate against employees known to possess a medical marijuana use recommendation by a medical professional (aka prescription). Such employees must still abide by all components of this policy.

10. Ohio law categorizes marijuana as Controlled Substance II and allows individuals to possess and use medical marijuana if certain conditions are met. House Bill 523 legalized medical marijuana, and the Ohio Medical Marijuana Control Program (MMCP) allows people with certain medical conditions, upon the recommendation of an Ohio-licensed physician certified by the State Medical Board, to purchase and use medical marijuana. For a definition of medical marijuana, click here: [https://codes.ohio.gov/ohio-revised-code/chapter-3796#:~:text=\(2\)%20%22Medical%20marijuana%22,used%20for%20a%20medical%20purpose.](https://codes.ohio.gov/ohio-revised-code/chapter-3796#:~:text=(2)%20%22Medical%20marijuana%22,used%20for%20a%20medical%20purpose.)

(If permitting medical marijuana): COMPANY NAME **will permit** employees to possess and use medical marijuana in accordance with state law while on the job, provided:

- a. They are not in a safety-sensitive position.
- b. Use does not impact their ability to perform their essential job functions and meet all performance and conduct standards.
- c. Use does not interfere with the safety and well-being of other individuals.
- d. It is taken as prescribed.
- e. The employee possesses a Marijuana Card issued by a qualifying medical professional and provides such card to HR for copy and **retention**.

Refer to the **Substance Classification Chart** at the end of this policy for more information.

Employer:

An additional requirement you could add might be that employees may only use medical marijuana if their provider certifies that there is not an equally effective, non impairment-causing treatment, OR if the prescribing provider certifies that the amount prescribed falls below quantities that typically cause impairment. However, this may be difficult for a provider to substantiate given the variables involved.

Employer:

This is sample language that explicitly prohibits medical marijuana use. If you prohibit use, we recommend you be clear and direct to eliminate any chance of confusion/questions given Ohio law.

This statement technically doesn't prohibit an employee from using medical marijuana while outside the job, however, should an employee be found to have marijuana in their system during drug testing—where it can remain for several weeks—they would test positive and technically be in violation of this policy. You will need to ensure your stance on medical marijuana aligns this policy with your drug testing policy and second chance program conditions.

One consideration: will you not allow for the presence of marijuana in one's system in any amount? Or will you only be concerned about the presence if there is impairment, reasonable suspicion, or accident/incident?

This is a new area of exploration for business and HR leaders. Each organization must determine what works best in their environment and meets their safety and recovery-friendly workplace goals.

Employer:

Is any amount of THC permissible? If so, what amount is considered a trace amount and thus allowable? We recommend you check with your third-party drug testing agency.

Employer:

Most organizations take an all or nothing stance, which you may decide to do. Above we outlined several options for your consideration. In addition, we included language here that specifies THC versus non-THC products.

The most safe and simple approach, with no administrative burden, is to eliminate all forms regardless of THC content. However, you may find this doesn't align with your recovery-friendly goals and vision. Most drug tests check for THC only, so non-THC products would be permissible. We suggest you list example products here and check with your third-party drug testing provider.

The goal is to be inclusive and accommodating, but also be clear and concise.

Employer:

If you allow for medical marijuana use on the job or in one's system, we recommend you do so fully informed on how this could impact your participation in/adherence to the Drug Free Workplace Act and the Drug Free Safety Program through the Bureau of Workers Compensation. This could also impact health insurance options and rates, as well as rates for short and long-term disability. We recommend you check with all benefits providers to ensure you are making an informed decision.

Employees In Safety-Sensitive Positions

Employees in safety-sensitive **positions** (defined later in this policy) are subject to this policy the same as employees in non-safety sensitive positions. However, employees in safety-sensitive positions may have tighter restrictions regarding the use of medical marijuana and alcohol, or other **impairment**-causing substances. COMPANY NAME has a zero-tolerance policy regarding impairment-causing substances for employees in these **positions**.

According to Ohio Revised Code, safety-sensitive positions are designated by the employer. They could be dangerous to the physical well-being of or jeopardize the security of the employee, co-workers, customers, or the general public through a lapse in attention or judgment. Examples include (LIST FOR YOUR COMPANY) truck drivers, heavy equipment operators, or individuals dealing with hazardous chemicals.

Employees in safety-sensitive positions are required to notify their supervisor and HR if they are prescribed (and plan to use) medication that includes a warning label “Avoid driving or operating heavy machinery,” “May cause drowsiness,” or similar. COMPANY NAME will determine what accommodations, if any, may be provided.

Substance Use Testing

Employees may be subject to substance testing throughout their employment at COMPANY NAME. Please consult our policy: **Drug & Alcohol Testing** for more information.

Employer:

Related to safety-sensitive positions are safety-sensitive industries. If you are in a safety-sensitive industry, like transportation, aviation, or national security, you must abide by different federal government regulations regarding establishing and maintaining a drug-free workplace.

Click here to see considerations for safety-sensitive industries: <https://www.samhsa.gov/workplace/employer-resources/safety-security-sensitive>

Employer:

If you permit the use of medical marijuana, outline here if individuals in safety-sensitive positions are held to a different standard/have different rules. Most safety- and risk-management agencies recommend that employees in safety-sensitive positions be prohibited from using medical marijuana or have it in their system in any amount while on the job.

Employer:

You can take a zero-tolerance approach in terms of alcohol. Or, if you allow employees in these positions to consume alcohol, we recommend you clearly communicate when and under what conditions they can consume and how much time should elapse before they can return to their work.

Consider: “Employees who consume alcohol in accordance with this policy should not perform safety-sensitive work within X hours following consumption, even if the employee does not appear to be impaired.

Consider: “Employees in safety-sensitive roles who will report to work or return to duties within X hours, may not consume more than X drink/ounces of alcohol at company-sanctioned events or otherwise.”

Substance Use Disorder

We recognize that substance dependency is a serious medical issue and that substance use disorder is prevalent throughout the general workforce. According to DSM-5, a substance use disorder (SUD) involves patterns of symptoms caused by using a substance that an individual continues taking despite its adverse effects. The impact is far-reaching and nearly impossible to measure. We are committed to supporting employees who have substance use disorder, are in recovery, or wish to enter recovery. We know that addiction is a condition that can be treated and managed.

- Employees experiencing substance use or dependency challenges are encouraged to disclose this to a member of HR immediately so that COMPANY NAME can provide appropriate support and assistance.
- Employees that proactively disclose the presence of substance use disorder or challenges with substance use or dependency will not be negatively impacted based on that disclosure alone.
- Employees will still be subject to disciplinary action and consequences for violating policy or conditions of employment, regardless of the disclosure of substance use disorder or a substance use or dependency issue.

Before any policy violation or disciplinary action, employees who come forward voluntarily to identify they have a substance problem will receive support and assistance as defined in this policy and be treated with a degree of confidentiality equal to any medical **condition**. These individuals will be referred to a qualified treatment provider (QTP) for assessment and evaluation. The level of support and benefits received through the Second Chance Program (“SCP,” as described below) will be determined based on the recommendation of the QTP. Each employee is responsible for seeking assistance from the SCP before alcohol and drug problems lead to employer intervention. However, the employee may still receive employer support and accommodation as outlined in our Second Chance Policy should intervention occur.

Employer:

Second chance programs designed by several U.S. states all rely on drug tests to trigger entry into the program and the provision of benefits. However, we note that an employee could still have substance use disorder and face substance use and dependency challenges while not presently having a substance in their system. That being the case, a drug test is not always an appropriate determining factor for whether the employee should receive support and assistance.

We recommend you consider relying on the assessment and evaluation results of a qualified treatment professional as opposed to a drug screen. However, we recognize that most QTPs may rely on drug screens when making their decision.

We suggest you discuss this with your QTP and see what they recommend.

Employee Support & Assistance

Employees who are eligible to participate in our Second Chance Program may receive the **below** support and assistance:

- Continued ability to use their **accrued paid time off** for evaluation, treatment, or recovery.
- Up to X hours of unpaid time off to undergo evaluation and assessment (unpaid leave of absence).
- Up to X hours of unpaid time off to complete a treatment program (unpaid leave of absence).
- Up to X hours of paid time off to undergo evaluation and assessment (paid leave of absence).
- Up to X hours of paid time off to complete a treatment program (paid leave of absence).
- Up to X hours of wellness leave to undergo evaluation and assessment (active employment).
- Up to X hours of wellness leave to complete a treatment program (active employment).
- Up to X hours of unpaid time off to participate in recovery activities (unpaid leave of absence), such as support groups, counseling sessions, or mental health time off.
- Up to X hours of unpaid time off to participate in recovery activities (unpaid leave of absence), such as support groups, counseling sessions, or mental health time off.
- Up to X hours of paid time off to participate in recovery activities (paid leave of absence), such as support groups, counseling sessions, or mental health time off.
- Up to X hours of paid time off to participate in recovery activities (paid leave of absence), such as support groups, counseling sessions, or mental health time off.
- Up to X hours of wellness leave to participate in recovery activities (active employment), such as support groups, counseling sessions, or mental health time off.
- Up to X hours of wellness leave to participate in recovery activities (active employment), such as support groups, counseling sessions, or mental health time off.
- Family Medical Leave. See our FMLA policy for more information.
- Financial assistance with the cost of **assessment**.

Employer:

This is a list of options from which you can choose.

Employer:

Consider allowing employees to take time by the hour as opposed to by the day.

Consider expanding the list of acceptable reasons for each paid leave category to ensure these uses of time are included.

Employer:

If you participate in the Basic-level Drug-Free Safety Program through the Bureau of Workers Compensation (Ohio), you **MUST** provide this list, among other things.

a) Pre-establish a working relationship with a qualified treatment provider/ employee assistance professional to whom you can refer employees for assessment;

b) Pay the costs of a substance assessment of an employee who tests positive, comes forward voluntarily to indicate he or she has a substance problem, or is referred by a supervisor;

c) Commit to not terminate the employment of an employee who tests positive for the first time, who comes forward voluntarily to indicate he or she has a substance problem, or who is referred by a supervisor for an assessment.

- Financial assistance with the cost of treatment.
- Support through our Employee Assistance Program (EAP)
- Support through Worker Peer Support Programs
- A list of local support groups such as Alcoholics Anonymous (AA), Narcotics Anonymous (NA) and Smart Recovery (SR).
- **A list of local treatment centers** and specialists (Addiction Treatment Locator, Assessment & Standards Platform; or FindTreatment.gov, and/or relink.org).
- Recovery coaching services (by phone).

¹ EAP Support might include: 24-hour/7-day hotline counseling services, either in-person or by phone or computer; short-term counseling; referral to specialty treatment; resource identification services; provider identification services; crisis support; and more. EAP participation and utilization details are confidential, except if our EAP provider is used as the QTP for a Second Chance Agreement. See our policy: Second Chance Program for more information.

² Worker Peer Support Programs are comprised of employees who have experienced substance use or mental health challenges and sought treatment and are in recovery. They are formally trained to help co-workers facing similar issues. It does not replace professional medical and treatment services but instead serves as an extra support system.

- A Return-to-Work Plan.
- Flexible hours and work schedules.
- Guarantee that a position remains available upon your return to work. This may or may not be the exact position you were in previously.
- Short-term **disability** insurance coverage that provides some salary replacement while out for treatment.

“Treatment” could include inpatient treatment, outpatient treatment, ongoing counseling, group participation, and more.

For additional information about our SCP, please see policy: Second Chance Agreement. Participation in the SCP will not adversely affect an employee’s career advancement or employment, nor will it guarantee or protect employment. The SCP is a process used in conjunction with discipline, not a substitute for discipline. COMPANY NAME assumes no responsibility for the drug or alcohol rehabilitation of any employee.

Employer:

If you participate in the Basic-level Drug-Free Safety Program through the Bureau of Workers Compensation (Ohio), you **MUST** provide this list, among other things.

Employer:

It is important to note that not all STD policies provide benefits for employees seeking addiction treatment. We recommend you check with your insurance provider.

Reasonable Accommodation

The Americans with Disabilities Act (ADA) protects employees with disability, diseases, or medical conditions from discrimination by employers. It also affords employees the right to request and receive reasonable accommodation so that they can successfully perform their job. The ADA considers substance use disorder a covered condition. While current alcohol or illegal drug use is not protected, individuals in recovery are protected. An employer may not discriminate against a “qualified individual with a disability” for obtaining treatment for that disability or for the side effects of that treatment. According to the EEOC’s Technical Assistance Manual, “Persons addicted to drugs, but who are no longer using drugs illegally and are receiving treatment for drug addiction or who have been rehabilitated successfully, are protected by the ADA from discrimination based on past drug addiction.” However, a drug test that shows that the employee is using an illegal substance qualifies as “using drugs illegally” and bars the employee from ADA protections.

More specifically:

- Medical marijuana, while legal for qualifying individuals in Ohio, is illegal under federal law and not protected under the ADA. Therefore, COMPANY NAME is not required to accommodate its use.
- Individuals who are lawfully using opioid medication, are in treatment for opioid addiction and are receiving medication for substance use disorder, or have recovered from their addiction, are protected from disability discrimination.
- COMPANY NAME recognizes that employees with alcoholism may receive reasonable accommodation.
- Employees who have successfully completed a supervised drug or alcohol rehabilitation program and no longer engage in substance use may be deemed a qualified individual with a disability.
- Employees participating in a supervised rehabilitation program and no longer engaging in substance use may be deemed a qualified individual with a disability.

COMPANY NAME provides reasonable accommodations for employees covered by the ADA. This could **include** job restructuring, part-time or modified work schedules, a leave of absence, flexible use of leave time, light-duty assignment, support meeting attendance, job reassignment, or the ability to work from home. The list of available accommodations will vary based on various internal factors, but COMPANY NAME is committed to providing the protections and accommodations required under the ADA fairly and consistently.

Please see our policy: **Reasonable Accommodation**, for information about how to request accommodation steps in the accommodation process, and employer and employee responsibility.

Managers/supervisors of COMPANY NAME should recognize which types of conversations regarding substance use could make employees eligible for accommodations.

Employer:

For additional guidance on reasonable accommodation, visit the The Job Accommodation Network (JAN), a service of the Department of Labor’s Office of Disability Employment Policy.
<https://askjan.org/index.cfm>.

Employer:

For ideas for accommodating someone with substance use disorder:
<https://askjan.org/disabilities/Drug-Addiction.cfm>

For ideas for accommodating someone with alcoholism:
<https://askjan.org/disabilities/Alcoholism.cfm>

Family Medical Leave

COMPANY NAME, a private company with over 50 employees (OR **a public employer**), is required to offer eligible employees Family Medical Leave. For more information about eligibility criteria and FML requirements and benefits, please see our policy: **Family Medical Leave**.

Treatment for substance dependency or misuse may be a serious health condition if the conditions for inpatient care and/or continuing treatment are met. Family medical leave ("FML") may only be taken for addiction treatment provided by a health care provider or by a provider of health care services on referral by a health care provider. Absence because of the employee's use of the substance rather than for treatment does not qualify for FML.

COMPANY NAME will not take action against employees for exercising their right to take FML for substance use disorder treatment. An employee may also take FML to care for a covered family member receiving substance use disorder treatment. COMPANY NAME will not take action against an employee for providing care for a covered family member receiving treatment for substance use disorder.

Employer:

If you are required to provide employees with benefits and protection under Family Medical Leave, please indicate which description best fits your organization.



Disciplinary Action or Consequence

Failure to Comply

Any employee who fails to comply with this policy will be subject to disciplinary action, up to and including the termination of their employment with cause. In addition, managers or supervisors that fail to report policy violations may be subject to disciplinary action.

Investigation

COMPANY NAME will investigate and deal with all complaints or incidents related to substance use at work fairly, respectfully, and in a timely manner. Information provided about an incident or complaint will not be disclosed except as necessary to protect workers, investigate the complaint or incident, take corrective action, or as otherwise required by law.

See our policy: **Complaint & Investigation**, for more information.

Crimes Involving Drugs

COMPANY NAME does not desire to intrude into the private lives of its employees but recognizes that employees' off-the-job involvement with drugs and alcohol may impact the workplace. All employees who are convicted of, plead guilty to, or are sentenced for a crime involving a controlled substance or alcohol are required to report the conviction, plea, or sentence to HR, in writing, within five working days of the conviction, plea, or sentence. COMPANY NAME reserves the right to take appropriate disciplinary action, including and up to termination, for drug use, sale, distribution, or other drug statute convictions. COMPANY NAME may also require the offending employee to participate in an appropriate rehabilitation or counseling program in addition to receiving discipline or some other penalty.

COMPANY NAME may take disciplinary action, including and up to termination, for employee involvement with the sale, use, distribution, transfer, possession, (and other) of drugs or alcohol that leads to adverse publicity for COMPANY NAME.

Employer:

If you are subject to the Drug Free Workplace Act you must include this component, or a variation of, in this policy.

Inspections

COMPANY NAME reserves the right to inspect all portions of its premises for drugs, alcohol, or other contraband or paraphernalia. COMPANY NAME reserves the right to search company property such as desks, offices, cubicles, closets, drawers, cabinets, lockers, and other work areas at any time and for any reason. COMPANY NAME reserves the right to search vehicles brought onto the property and an employee's or visitor's personal property, including but not limited to purses, briefcases, backpacks, lunch boxes, toolboxes, and bags when COMPANY NAME has reasonable suspicion that this policy has been violated. COMPANY NAME will search personal items for a valid reason, as determined by COMPANY NAME. HR will be notified before any search takes place when possible. Searches will be performed by HR, a member of management, or safety or security personnel. Refusal to consent to such searches may be considered insubordination and a violation of this policy.

Please see our policy: **Inspections**, for more information.

Responsibility & Enforcement

- The human resource (HR) department is responsible for policy administration, interpretation, and enforcement.
- Every employee is responsible for promptly reporting suspected violations of this policy to HR.
- Every employee is responsible for ensuring third-party vendors, partners, contractors, and visitors know this policy and their individual responsibility to comply.
- Managers are responsible for staying informed on the details of this policy, understanding how to apply this policy, fulfilling their relevant managerial responsibilities such as maintaining documentation, addressing potential policy violations, seeking information to make informed decisions, connecting employees to HR and other resources, keeping HR and other appropriate members of manager informed, and more.
- COMPANY NAME may bring violations of this policy to the attention of appropriate law enforcement authorities.

Confidentiality

Information and records related to substance use disorder, drug and alcohol use and dependency, risk assessment, reasonable accommodation requests, and fitness for duty examination will be maintained in secure files separate from normal personnel files and kept confidential to the extent required by law. Such records and information may be disclosed among managers and supervisors on a need-to-know basis. They may also be disclosed when relevant to a grievance, charge, claim, or other legal proceeding. In addition, information may be shared within the applicable chain of authority or chain of communication to the extent they need it to perform their responsibilities in support of the employee. Nothing in this policy may be construed as a promise or guarantee of confidentiality.

See our policy: **Privacy & Confidentiality**, for more information.



Related Policies

- Fitness for Duty/Risk Assessment
- Drug & Alcohol Testing
- Inspections Policy
- Second Chance Policy
- Privacy & Confidentiality Policy
- Reasonable Accommodations Policy
- Paid Leave Policy
- FMLA Policy

Related Laws

- Drugfree Workplace Act of 1988
- Family Medical Leave Act
- Americans With Disabilities Act
- Controlled Substances Act
- Department of Transportation Regulations
- National Labor Relations Act
- Occupational Safety & Health Act
- Union Regulations
- Workers' Compensation Regulations
- Regulations Applicable to Law Enforcement
- Regulations for safety-sensitive positions established by the Department of Defense and the Nuclear Regulatory Commission

Substance Classification Chart

Substance Type

Workplace Rules

Alcohol

(Must consult with HR if there are other legal, non-medical, impairment-causing substances)

- May not possess if unsealed unless served at a work function.
- May possess sealed.
- May only consume at company-sanctioned social events, provided they exercise reasonable professional judgment.
- Must cease use if impairment occurs.
- No employee may sell, purchase or transfer these substances on company property. No employee may be impaired while working.

Illegal, non-medical substances that cause impairment. (e.g., cocaine, heroin)

- May not possess.
- May not have any detectable amount in one's system.
- May not use.
- No employee may use, sell, purchase, possess, or transfer these substances on company property. No employee may be impaired while working.

Medically authorized substances that cause impairment, used with a prescription. (e.g., medical cannabis with THC content)

Substance Type

Workplace Rules

Prescription drugs or medical substances used legally (e.g., medical CBD-based cannabis)

- May possess if prescribed and in original container.
- May use as directed. Legally and responsibly.
- Must notify COMPANY NAME representative if impairment occurs and consult with your treating physician.

Over-the-counter medical substances

- May possess.
- May use as needed.
- Must cease use if impairment occurs.

Important Information

This policy should not substitute for independent legal review of local, State and Federal laws applicable to your agency. Consult an attorney prior to the implementation of any new policy.

HCPH recognizes that every employer has a different history of dealing with issues of substance use disorder as it affects the workplace, especially where those issues concern recovery from substance use disorders. HCPH further recognizes that each employer's unique history warrants consideration when confronted by similarly situated individual cases. Accordingly, this toolkit is meant as a bridge from past practices and as a guide and resource to assist employers in implementing recovery-aligned workplace policies.

Before implementing practices recommended by the toolkit or as issues are encountered that implicate those practices, HCPH recommends consulting legal counsel, as nothing in the toolkit is intended to provide legal advice or counsel either generally or in individual circumstances. By furnishing this resource, HCPH does not assume any liability for any claims made by any individuals or entities, including the recipient of the toolkit, for consequences that may relate to the toolkit, its implementation, or specific handling of employee matters guided by the toolkit or policies recommended thereby. As a condition of HCPH's agreement to furnish the toolkit to a participating employer, any employer that has requested and received the toolkit thereby releases and agrees to defend and indemnify HCPH, its officers, directors, employees, agents, and insurers, as the case may be, from any and all claims, costs, damages, or liability that may arise from policies implemented after receipt of, on the basis of, or otherwise influenced by, the toolkit.

Drug and Alcohol Testing

COMPANY NAME is committed to maintaining a safe and healthy work environment for all employees, and we believe that a comprehensive drug testing policy is essential to achieving this goal. Our drug and alcohol testing policy is designed to promote safety, prevent accidents, and maintain productivity while treating employees with respect and dignity. This policy describes COMPANY NAME'S procedures for conducting pre-employment, random, post-accident, and reasonable suspicion drug and alcohol ("substance") testing.

In a recovery-friendly workplace like ours, positive drug tests present an opportunity to engage employees and support them in addressing substance use and dependency issues whenever possible. This policy aligns with our recovery-friendly culture and is consistently and universally implemented as described herein. For information about our status as a recovery-friendly employer and what that means for our employees, please see the HCPH Recovery Friendly toolkit. In addition, managers and supervisors should refer to standard operating procedures and training for specific instruction.

This policy was developed after research and review by HR practitioners, legal counsel, and medical professionals and is based on prevailing best practices at the state and national levels.

Scope

This policy applies to all current employees of COMPANY NAME—including but not limited to individuals in full-time, part-time, temporary, permanent, seasonal, internship, **externship, volunteer, or contract roles**.

This policy also applies to all job candidates once they have received a written conditional offer of employment.

Employer:

It is at your discretion which roles will undergo drug testing, specifically whether you will test interns, externs, volunteers and independent contractors. Practice varies among companies and we recommend you do what works best for your organization given that there is no clear standard.

Please note that in order to participate in the Ohio Drug-Free Safety Program under the Bureau of Workers Compensation, you must test all employees.

Policy Elements

COMPANY NAME will issue drug and/or alcohol tests to prospective and existing employees throughout the employment relationship to ensure compliance with our Drug & Alcohol Policy. Below we outline when, to whom, and why we issue drug and alcohol tests.

Employer:

This policy is written with offsite drug testing as the default. Should you provide onsite drug or alcohol testing – directly or through a third-party – you can update this policy template accordingly.

Employer:

Determine this amount based on the distance from work location to testing facility and the estimated time to complete testing. This number should be the same for all employees from the same location.

1. Prior to any and every drug & alcohol test, employees must sign a Consent to Drug & Alcohol Screen form. HR or their direct supervisor will provide this form directly to employees.
2. Employees will be provided with the opportunity to test during their normal work hours and will receive their regular rate of pay. Should that not be possible, the employee will be compensated for the time spent testing, up to **X hours** per test issuance/incident. Prospective employees are not paid for their time.
3. Employees will be paid for the travel time to the testing site and their return travel should they be permitted to return to work.
4. The cost of all initial testing will be covered by COMPANY NAME, including confirming any positive test result by gas chromatography or another standard testing method determined by the testing facility.
5. Employees are responsible for covering the cost of any re-test they request.
6. In the case of random drug tests, employees may report to work immediately after testing. In all other cases—Post-Accident or Reasonable Suspicion testing—the employee may not return to work until testing results have been interpreted and released to COMPANY NAME and all internal investigation is complete as determined by HR. Tested volunteers and students will be temporarily relieved from service.
7. Existing employees are placed on unpaid administrative leave pending the results. Should the results prove to be negative, employees will receive back pay for the times/days on leave.
8. Prospective employees may not begin employment until testing results are confirmed to be negative.
9. COMPANY NAME will use a certified laboratory. See Test Procedures below.
10. COMPANY NAME will utilize a Medical Review Officer (MRO). See Test Procedures below.
11. After the test results are received, a date and time will be scheduled between HR and the employee to discuss the test results; this meeting will include HR, a member of management on occasion, and a union representative (upon request), if applicable.
12. COMPANY NAME may consider test results generated by law enforcement or medical providers as work rule violations.

Pre-employment Testing

13. Pre-employment testing will not be administered until the employee is issued a conditional offer of employment.
14. Upon receipt of an offer of conditional employment, candidates must complete required drug testing within **X hours**.
15. Under no circumstances shall any individual begin employment without having completed and obtained a negative result upon the testing described in this policy.
16. Pre-employment testing will not include an alcohol screen.

Employer:

This is generally 1-3 days.



Random Testing

Tests using an unpredictable selection process are the most effective for deterring illicit drug use. We will **randomly** test employees for illegal drug use or prescription drug misuse.

17. Employees will not receive prior notice of testing.
18. Employees are selected through **computerized random number generators**. Each employee is equally likely to be chosen. Being selected for testing on one occasion shall neither increase nor decrease the likelihood of the same employee being selected for testing on future occasions.
19. HR will notify employees if they are selected.
 - a. If a selected employee is unavailable for a legitimate reason as defined below, HR will document the circumstances for failure to test.
 - b. No employee or representative of COMPANY NAME can bypass or replace selected employees unless the employee is traveling out of town, has pre-approved leave/time off, or is on a leave of absence, in which case HR can utilize the same tool above to select a replacement randomly.
 - c. Neither employees nor any person acting as the employee's representative can waive participation in drug or alcohol testing.
20. Employees must complete testing as soon as is reasonably possible, to be at most X hours of being notified.
21. **X%** of COMPANY NAME'S workforce will be tested randomly throughout the year.
22. COMPANY NAME commits to performing regular adverse impact testing on our substance screen process.
23. Employee will be responsible for getting to and from the testing facility.
24. Employees in **safety-sensitive positions** or those that require driving may be subject to more frequent testing.
25. Employee should return to work immediately following testing in a reasonable amount of time as determined by HR.

Employer:

Determine how often you will conduct random tests. Quarterly? Monthly? You may utilize a random number generator to help select the day.

Employer:

Instead of a computerized random number generator onsite, you may retain the services of a testing facility to maintain a current list of employees and to make a selection of participants when needed.

Employer:

A minimum of 15% is required for employers that participate in the Drug Free Safety Program through the Bureau of Workers Compensation.

Employer:

You can test some positions more frequently, but individuals must still be selected at random. If there are only a few people in the selected position, we advise against more frequent testing. Generally, with larger groups, you can conduct random testing in a safety-sensitive area more frequently with the justification that the consequences of abuse of the policy in those areas may involve loss of life/injury rather than just poor work performance or loss of productivity.

We recommend you consult your legal counsel if you determine to test positions on different schedules.

Post-Accident Testing:

Testing employees involved in workplace accidents or unsafe practices can help determine whether alcohol or other drug use contributed to the incident. Testing is done to promote the safety and health of employees, not as a penalty for accident involvement.

Employer:

This amount is at your discretion.

26. Employees are subject to testing when they cause or contribute to accidents that:
 - a. Result in a workplace injury that requires offsite medical attention (beyond first aid) to any person.
 - b. Are subject to a potential claim of Worker's Compensation.
 - c. Involve an accidental death of and/or caused by an on-duty employee.
 - d. Involve a company-owned vehicle or vehicle owned by an employee using that vehicle while conducting business at the time of the accident.
 - e. Results in property damage of **\$X** or more. This includes damage to COMPANY NAME vehicle, machinery, equipment, or property.
 - f. Involve at least one on-duty employee and one non-employee member of the public.
 - g. Persons tested could include those operating a motorized vehicle (including a forklift, pickup truck, overhead crane, or aerial/man-lift) and found to be responsible for causing the accident.
27. Employees must complete testing as soon as possible, at most within X hours of being notified of their requirement to test.
28. A positive result on a substance screen following an accident that results in a workplace injury to the test employee may, under Ohio law, void the employee's ability to be compensated for the injury via the State Bureau of Worker's Compensation system.
29. Under no circumstances will the employee be allowed to drive themselves to the testing facility. Instead, a member of management must transport the employee or arrange for transportation to the testing site and home.

Reasonable Suspicion Testing

30. Reasonable suspicion of drug and/or alcohol use may be based on: (1) observable phenomena, such as direct observation of drug use or possession and/or the physical symptoms of being under the influence of a drug or alcohol; (2) a pattern of abnormal conduct or erratic behavior in the workplace; (3) information provided by reliable and credible sources regarding the covered individual's violation of this policy and/or our Drug & Alcohol Policy; (4) newly discovered evidence that an individual tampered with a previous drug test; or (5) conviction for a drug-related offense.
31. Reasonable suspicion testing shall also include incident-based accident or unsafe practice testing wherein employees involved in on-the-job accidents or who engage in unsafe on-duty job-related activities that pose a danger to themselves, others, or the overall operation of the agency may be subject to testing.
32. When (1) or (2) are the reasons for testing, observations must be made by at least two members of management, including HR, safety, and security personnel.
 - a. **HR** must be consulted before sending an employee for testing.
 - b. Below is a sample list of observations that may lead to reasonable suspicion testing. These factors are intended to be considered in the aggregate, such that the presence of one or more may lead to testing. For example, someone simply using mints or chewing gum would obviously not be subject to reasonable suspicion testing in the absence of other factors present:
 1. Odors: alcohol, body odor, urine, feces, using mints, gum, or other concealers
 2. Movements: unsteady, fidgety, dizzy, tremors, loss in dexterity
 3. Eyes: dilated, constricted, or watery eyes, closed, bloodshot, droopy, glassy, or involuntary eye movements
 4. Appearance:
 - a. Face: flushed, sweating, pale, confused, or blank look
 - b. Progressive deterioration in personal appearance and hygiene
 - c. Lack of cleanliness
 5. Speech: slurred, slow, distracted mid-thought, inability to verbalize thoughts, rambling, shouting, rapid, whispering
 6. Emotions: argumentative, agitated, unusual irritability, drowsy

Employer:

You may also include onsite Legal personnel or employment law attorneys as personnel that can authorize testing.

7. Actions (yawning, twitching):
 - a. Sudden unexplained changes in behavior which adversely impact work performance and/or errors in judgment, deterioration in performance, and quality of work.
 - b. Increases in the effort and time required for ordinary tasks.
 - c. Violation of safety policies.
 - d. Calling in sick frequently; unexplained tardiness; early departure; extended breaks; frequent disappearances from the worksite; long, unexplained absences; improbable excuses.
 - e. Unreliability in keeping appointments and meeting deadlines.
8. Inactions: sleeping, unconscious, no reaction to questions.
9. Walking: slow, jerky, falling, staggering, stumbling, swaying, unsteady.
10. Standing: rigid, swaying, sagging knees, staggering, unable to maintain posture.
11. Demeanor or conduct: opposite or exaggerated, erratic, inappropriate comments, inappropriate gestures, drowsy or sleepy, crying, fumbling, nervous, belligerent, threatening, profane, hyperactive, sarcastic, talkative, excited, confusion, lying.
 - a. Personality changes or disorientation.
 - b. Memory lapses.
 - c. Isolation.
 - d. Problems with interpersonal relations with co-workers.
33. Supervisors and managers shall be trained to address the misuse of lawful substances and use of illegal substances by employees, to recognize facts that give rise to reasonable suspicion, and the proper procedures for documenting facts and circumstances to support a finding of reasonable suspicion as required by collective bargaining agreements.

- Failure to receive such training shall not invalidate otherwise proper reasonable suspicion testing.
34. When reasonable suspicion testing is warranted, management, HR, or a member of COMPANY NAME's legal team will meet with the employee to explain the observations.
35. Employees must complete testing as soon as possible, not exceeding X hours of being notified of their requirement to test.
36. Under no circumstances will the employee be allowed to drive themselves to the testing facility. Instead, a member of management must transport the employee or arrange for transportation to the testing site and home.

Return-to-Work Drug & Alcohol Testing. Employees returning to work according to a **Second Chance Agreement** or following an absence due to illness or injury may be subject to testing. See our policy: **Second Chance**, for more information.

Employer:

This is required by the Drug Free Safety Program under the BWC (Ohio), should you choose to participate. It is also required under the Second Chance Program we recommend you implement.

Substances Covered by Testing

COMPANY NAME will test employees for the use of the following:

- Amphetamines
- Barbiturates
- Benzodiazepines
- Opiates
- Cannabinoid
- **THC**
- Cocaine
- Methadone
- Methaqualone
- Phencyclidine (PCP)
- Propoxyphene
- and chemical derivatives of these substances.
- **Ethanol (only for post-accident testing and reasonable suspicion testing)**

Employees and candidates must advise the testing lab of all prescription drugs taken in the 30 days immediately prior to testing. They must be prepared to show proof of such prescriptions to lab personnel upon request. Employees will have **X hours** to submit proof. Failure to produce proof results in a report of a positive test to COMPANY NAME. If proof is provided and the third-party test reader still has concerns regarding appropriate use in general and/or permitted use, given one's work responsibilities, the test will be reported as "negative with a safety concern."

Employer:

We recommend you check for prescription drug use only in cases of reasonable suspicion, post-accident testing or return-to-work testing.

Employer:

Marijuana/THC testing requirements and prohibitions vary by state. It is important to stay advised of state law.

Employer:

You determine this list. You may consult with your testing facility for guidance.

You can typically issue a 5 to 25-panel test. A 10-panel or more will cover most opioids. We recommend testing include that for fentanyl, oxycodone, oxymorphone, hydrocodone and hydromorphone as these are most commonly misused.

Employer:

This number is at your discretion. Many employers provide up to 3 days.



Testing Methods & Procedures

All testing will be conducted by a licensed independent medical laboratory, which will follow testing standards established by the state or federal government. Testing will be conducted on **a urine sample** provided by the employee or candidate to the testing laboratory under procedures set by the laboratory to ensure the individual's privacy while protecting against tampering/alteration of the test results. Participating individuals may provide specimens in private unless they appear to be submitting altered, adulterated, or substitute specimens.

Testing will conform to scientifically acceptable collection, identification, handling, and analytical methods, including confirmation of any positive test by a method consistent with industry standards. In addition, the testing will include a documented chain of custody, a screening test; and a confirmation test performed by a certified laboratory for any screening test reported positive.

Upon arriving at the collection site, the employee will be asked to sign a waiver consenting to the test. The procedure for sample collection shall allow privacy for the test subject. Storage and transportation shall be performed to reasonably preclude sample contamination or adulteration. Reasonable efforts will be made concerning the dignity of the individual tested.

The testing lab will retain samples per state law, so an employee may request a retest of the sample at their own expense if the employee disagrees with the test result.

Any individual who tests positive for drugs will be contacted by a Medical Review Officer ("MRO") (a health care professional with expertise in toxicology) before the result is reported to COMPANY NAME. Employees will be given the opportunity to discuss legitimate explanations for the positive drug test. In addition, the MRO may conduct any investigation they deem necessary, including but not limited to interviewing the individual testing positive, reviewing the individual's medical history and medical records to determine if the positive result was caused by a legally prescribed medication, requiring proof of a legal prescription; requiring a re-test of the original specimen; and/or verifying that the laboratory report and the specimen are correct. The MRO will be required to conduct themselves per guidelines published in the Medical Review Officer's Manual published by the Department of Health and Human Services.

Training technicians will test breath specimens **using federally approved breath alcohol testing devices capable of producing printed results that identify the employee. If an employee's breath alcohol concentration is .04 or more, a second breath specimen will be tested approximately 20 minutes later. The results of the second test will be determinative. Alcohol tests may, however, be a breath, blood, or saliva test at the company's discretion.**

Tests will seek only information about the presence of drugs and alcohol in an individual's specimen and will not test for any medical condition.

Employer:

This is most common, but you may also choose to use hair follicle testing, breathalyzer, blood or sweat testing.

Employer:

Check with your testing facility to see if this is the case or if your Consent to Test form is sufficient.

Employer:

Optional to include this section depending on how and if you will test for alcohol.

If alcohol testing occurs, we recommend you indicate the concentration amount that will result in a positive test finding. Consult with your third-party testing provider.

Right to Review & Explain Test Results

COMPANY NAME will provide a copy of test results upon written request to candidates and employees who test positive. Employees have the right to discuss their test results with testing laboratory personnel and COMPANY NAME HR. These discussions are considered confidential. Laboratory personnel will share disclosed information with COMPANY NAME personnel as appropriate. The employee may share any relevant information, including identification of current or recently used prescription or non-prescription drugs or other relevant medical information.

Right to Request Re-Test

Individuals with positive test results may ask the MRO to have their split specimen sent to another federally certified laboratory to be tested at the applicant's or employee's expense. Such requests must be made within **X hours** of notice of test results. If a confirmatory re-test requested by the employee or applicant fails to reconfirm the original test result, the MRO will cancel the original test, and the test will be treated as a negative result.

In no event should a positive test result be communicated COMPANY NAME until such time that the MRO has confirmed the test to be positive

This retest is at the expense of the individual unless the original test result is called into question by the retest.

Employer:

This is at your discretion. Some companies provide 3-5 days. We recommend a shorter time period and providing employees with an information package about re-testing cost and process to help expedite their decision-making.



Consequences of Positive Test

For purposes of this policy, a positive drug or alcohol test shall consist of the presence of any detectable amount of an illegal drug or **alcohol** in any amount in the employee's system when tested. Employees who test positive will often be offered participation in our Second Chance Program. Please see our policy: Second Chance, for more information.

The Americans with Disabilities Act (ADA) protects employees with disability, disease, or medical condition from discrimination by employers. It also affords employees the right to request and receive reasonable accommodation so that they can successfully perform their job. While the ADA considers substance use disorder a covered condition, current alcohol or illegal drug use is not protected. Employees are encouraged to disclose substance use disorder or issues with substance use and dependency before being approached for testing.

Employer:

See note above about indicating what amount of alcohol in one's system would lead to a positive test result.

- Pre-Employment Test
 - The employment process will be suspended until the candidate satisfactorily completes the required steps of the Second Chance Program.
- Random Test
 - The employee will be invited to participate in our Second Chance Program.
- Post-Accident Test
 - The employee may be invited to participate in our Second Chance Program pending the outcome of any disciplinary action resulting from the employee's involvement in said workplace accident.
- Reasonable Suspicion Test
 - The employee may be invited to participate in our Second Chance Program pending the outcome of any disciplinary action resulting from the performance and conduct issues that first prompted reasonable suspicion testing.

Individuals participating in our Second Chance program may not return to work until cleared by a qualified treatment provider and after achieving a negative result on a return-to-work substance screen.

Inspection

As a result of a positive test, COMPANY NAME reserves the right to:

- Inspect all portions of its premises for drugs, alcohol, or other contraband or paraphernalia.
- Search company property such as desks, offices, cubicles, closets, drawers, cabinets, lockers, and other work areas.
- Search vehicles brought onto the property as well as an employee's or visitor's personal property, including but not limited to purses, briefcases, backpacks, lunch boxes, toolboxes, and bags.

HR will be notified before any search takes place, when possible. Searches will be performed by HR, a member of management, or safety or security personnel. Refusal to consent to such searches may be considered insubordination and a violation of this policy.

Please see our policy: Inspections, for more information.



Disciplinary Action or Consequence

Any employee or prospective employee who fails to comply with this policy will be subject to disciplinary action, up to and including the termination of their employment with cause.

Employees who refuse to participate in testing and fully cooperate with testing personnel are subject to discipline, up to and including termination. Refusal to test or abide by the rules of the testing process as outlined by COMPANY NAME or the third-party testing center makes the employee ineligible for participation in our Second Chance Program. Employees who refuse to be tested must sign a Refusal To Test form, which informs them that upon refusing to test COMPANY NAME will terminate employment. Prospective employees who refuse to test or fully cooperate with testing personnel will not be eligible for employment, and their offer will be rescinded.

Employees and prospects will be subject to disciplinary action, up to and including termination of employment, if they:

- Refuse to sign the Consent to Test form AND the Refusal to Test form (employees must sign one)
- Refuse test.
- Fail to follow testing procedures.
- Fail to report to the testing facility in the permitted time.
- Fail to cooperate with laboratory personnel or COMPANY NAME personnel.
- Attempt to adulterate, dilute, or otherwise tamper with a test specimen.
- Fail to provide a suitable sample (and testing personnel determines that it is intentional).

An existing employee who has completed or is in the process of completing the second chance program will be subject to termination for the above.

Re-Application & Rehire

The company **will not rehire** any employee who was terminated for cause. This includes individuals removed from service due to their inability to comply with policy, including this one, our Second Chance policy or our Drug & Alcohol Use policy. See our policy: Rehire.

Employer:

We suggest consulting with your legal counsel regarding your stance on, and criteria for rehire. Should you decide to allow for rehire following policy violation after an individual is terminated for cause, there are potential legal risks we recommend you consider.

Responsibility & Enforcement

- The human resource (HR) department is responsible for policy administration, interpretation, and enforcement.
- Every employee is responsible for promptly reporting suspected violations of this policy to HR.
- Every employee is responsible for ensuring third-party vendors, partners, contractors, and visitors know this policy and their individual responsibility to comply.
- Managers are responsible for staying informed on the details of this policy, understanding how to apply this policy, fulfilling their relevant managerial responsibilities such as maintaining documentation, addressing potential policy violations, seeking information to make informed decisions, connecting employees to HR and other resources, keeping HR and other appropriate members of manager informed, and more.
- COMPANY NAME may bring violations of this policy to the attention of appropriate law enforcement authorities.

Confidentiality

Information and records related to substance use disorder, drug and alcohol use and dependency, risk assessment, reasonable accommodation requests, reasonable suspicion checklists, post-accident reports, and fitness for duty examination will be maintained in secure files separate from normal personnel files and kept confidential to the extent required by law. Such records and information may be disclosed among managers and supervisors on a need-to-know basis. They may also be disclosed when relevant to a grievance, charge, claim, or other legal proceeding initiated by, or on behalf of, an employee or applicant. Information may be shared within the applicable chain of authority or chain of communication to the extent they need it to perform their responsibilities in support of the employee. Nothing in this policy may be construed as a promise or guarantee of confidentiality.

See our policy: [Privacy & Confidentiality](#), for more information.



Related Policies

- Drug & Alcohol Policy
- Fitness for Duty
- Inspections Policy
- Second Chance Policy
- Privacy & Confidentiality Policy
- Re-Employment Policy
- Workplace Accident Policy
- Workers Compensation Policy

Related Laws

- Drugfree Workplace Act of 1988
- Americans with Disabilities Act
- Department of Transportation regulations
- National Labor Relations Act
- Occupational Safety & Health Act
- Union regulations
- Workers' compensation regulations
- Regulations applicable to law enforcement
- Regulations for safety-sensitive positions established by the Department of Defense and the Nuclear Regulatory Commission
- The Fourth Amendment

Important Information

This policy should not substitute for independent legal review of local, State and Federal laws applicable to your agency. Consult an attorney prior to the implementation of any new policy.

HCPH recognizes that every employer has a different history of dealing with issues of substance use disorder as it affects the workplace, especially where those issues concern recovery from substance use disorders. HCPH further recognizes that each employer's unique history warrants consideration when confronted by similarly situated individual cases. Accordingly, this toolkit is meant as a bridge from past practices and as a guide and resource to assist employers in implementing recovery-aligned workplace policies.

Before implementing practices recommended by the toolkit or as issues are encountered that implicate those practices, HCPH recommends consulting legal counsel, as nothing in the toolkit is intended to provide legal advice or counsel either generally or in individual circumstances. By furnishing this resource, HCPH does not assume any liability for any claims made by any individuals or entities, including the recipient of the toolkit, for consequences that may relate to the toolkit, its implementation, or specific handling of employee matters guided by the toolkit or policies recommended thereby. As a condition of HCPH's agreement to furnish the toolkit to a participating employer, any employer that has requested and received the toolkit thereby releases and agrees to defend and indemnify HCPH, its officers, directors, employees, agents, and insurers, as the case may be, from any and all claims, costs, damages, or liability that may arise from policies implemented after receipt of, on the basis of, or otherwise influenced by, the toolkit.

Second Chance Policy

COMPANY NAME recognizes that nearly 9% of all employed adults have current alcohol or illicit drug use disorders, and another 9% report that they are recovering or have recovered from a substance use problem (SAMHSA). Therefore, COMPANY NAME supports employees, as outlined in this policy, seeking professional treatment and actively participating in recovery programs and efforts. COMPANY NAME will strive to avoid penalizing employees with substance use or alcohol use disorders or a history thereof and will instead endeavor to support these employees on their recovery journey.

COMPANY NAME encourages employees to voluntarily seek help with drug and alcohol problems before employer intervention, policy violation, or other extenuating **circumstances**.

COMPANY NAME provides employees (and candidates) a “second chance” after testing positive for drugs or alcohol or if they self-disclose the need for treatment and are recommended for treatment **following evaluation by a treatment specialist**. Through agreement, some employees (and candidates) that test positive may continue (or begin) employment if they agree to certain conditions. These conditions, set by COMPANY NAME and based on best practice, include but are not limited to completion of evaluation or assessment by a medical professional or treatment specialist, participation in a treatment program, counseling, future monitoring through drug and alcohol testing, and more.

This does not mean employees eligible for or participating in our Second Chance Program are not susceptible to discipline, up to and including termination. The existence of a Second Chance Agreement does not supersede, replace or interfere with the existing procedures for correcting poor performance, attendance, conduct issues, and maintaining a safe workplace. A Second Chance Agreement will not change the existing collective agreements between COMPANY NAME and the Union. At-will employees remain at-will. Second Chance Agreements will be offered consistently and under the same conditions, but only in some situations described herein.

COMPANY NAME believes that the health and wellness of our team members are of the utmost importance, and we are dedicated to building a culture that honors and celebrates personal recovery. As a recovery-friendly workplace, our team members are free to be successful without fear of stigma or discrimination. This policy was developed after research and review by HR practitioners, legal counsel, and medical professionals and is based on prevailing best practices at the state and national levels.

Employer:

Consider directing employees to the RFHC resource posters during routine personnel updates.

Employer:

Second Chance programs designed by several U.S. states rely on drug tests to trigger entry into the program and the provision of benefits. Proactive self-disclosure by an employee then leads to substance testing and thus eligibility for program participation. However, we recognize that some employees may self-disclose after ceasing the use of harmful substances. In these cases, employees could test negative, but still need the support and assistance provided through your Second Chance Policy.

We encourage employers to consider what options they make available for these employees.

An assessment by a Qualified Treatment Professional (QTP) could lead to a recommendation for treatment, even without a positive drug test. We suggest you discuss with your QTP.

Scope

This policy applies to all current employees of COMPANY NAME, including but not limited to individuals in **permanent** full-time and part-time roles. This policy also applies to all prospective employees once they have received a written conditional offer of employment.

Employer:

Given that a SCP can be a useful retention tool, it may not prove beneficial for the employer to provide SC benefits to non-permanent employees. This is for you to decide.

Consider what benefits you might extend to individuals in temporary roles, seasonal positions, including interns.

Many benefits outlined in this policy are benefits typically provided to permanent employees or other groups based on predetermined criteria (e.g., FMLA, ADA, insurance coverage).

Depending on the extent of your recovery-friendly commitment, you may want to extend benefits beyond the usual groups.



Policy Elements

Conditions Under Which One Is Eligible for Program Participation:

1. Existing and prospective employees may be offered a Second Chance Agreement when:
 - a. Existing employees test positive on a drug or alcohol **test (first incident)**
 - b. Prospective employees test positive on a pre-employment drug test (first incident)
 - c. Existing employees self-disclose the presence of a substance use issue and test positive or are recommended for treatment following the evaluation by a third-party qualified treatment provider.
2. Employees may be ineligible if **XXXXXX**
3. Employees must sign the Second Chance Agreement (SCA) presented by COMPANY NAME within **X days** of being given the agreement.
4. Managers, without employee disclosure or request, may not recommend the exploration of a Second Chance Agreement or make assumptions about substance use history.
 - a. When performance issues are present, managers may inform employees of general support services available by providing employees with a packet of information (prepared by HR).
5. In cases of policy violations, employee injury, property damage, or other events, employees will remain subject to discipline by COMPANY NAME, which could result in termination of employment regardless of participation in the Second Chance Program (SCP).

Employer:

You may want to consider if there are certain post-accident scenarios under which employees would not be offered participation in the Second Chance Program and instead, may face immediate termination.

Employer:

There is no standard practice yet regarding second and third incidents. Many existing policies remain silent on this topic or determine on a case-by-case basis.

Factors for you to consider include:

- Length of time between incidents.
- Whether employee self-disclosed or not.
- If workplace accident or injury occurred.
- Date of completion of treatment program.
- Employee's ongoing participation in recorded recovery activities.
- General employee performance, conduct and attendance.

Employer:

Consider if there any scenarios under which an employee would be ineligible to participate in your Second Chance Program.

Employees are subject to discipline for all policy violations, and prevailing advisement is that discipline occurs concurrent with Second Chance Program steps, however, we suggest you consider whether there are eligibility requirements to the SCP. Generally, attendance and performance would not be eligibility criteria due to the fact that both of those areas are often impacted by substance use. Tenure is not eligibility criteria, as new hires are invited to participate in the program through the pre-employment testing process.

We raise this only for your consideration as we recognize some employers may use eligibility criteria in order to phase implementation of a Second Chance Program.

Employer:

This is at your discretion. We recommend 1-2 days.

Program Terms:

6. Upon confirmation of a positive substance test, eligible employees will be provided with the opportunity to participate in our Second Chance Program.
 - a. Employee must schedule an evaluation/assessment with a qualified treatment provider (**QTP**) within **X days** of contract signing. The evaluation/assessment must be complete within X days of the contract signing.
 - i. Clinical assessment is the diagnostic process to assess whether an individual who tests positive for alcohol or other drugs needs prevention/intervention services or treatment for a substance use disorder (SUD). The assessment often involves more than a single counseling session and may also include the application of a written assessment tool. The QTP will determine the level of the individual's condition and what services are recommended.
 - b. Employee must sign the appropriate medical release authorization to allow COMPANY NAME to receive information from the QTP. Between the agreement between COMPANY NAME and the QTP, the QTP will proactively send status updates to COMPANY NAME. The QTP will share the following:
 - i. Employee attendance and progress report;
 - ii. Whether an employee complies with QTP recommendation;
 - iii. The amount of time off work required for the employee to comply with the treatment plan;
 - iv. A timeline of when the counselor projects the employee will be ready to resume duty;
 - v. Announcement that the QTP authorizes the employee to resume duty;
 - vi. Any limitations, accommodations, or modifications that the employee may need;
 - vii. Employment-relevant information related to ongoing treatment plan components, such as follow-up substance testing;
 - viii. COMPANY NAME will not receive any personal information shared between the employee and the counselor, nor medical information or details, unless they are directly relevant and necessary and consented to by the employee.

Employer:

Your EAP provider may offer QTPs to help deliver these services to your employees, or they may be able to refer you to QTPs that meet your needs. It is important that you form a relationship with a QTP in advance of rolling out this program so that you and the provider(s) can align on general program structure and expectations, communication requirements, and more. A pre-existing relationship with a QTP is required to participate in the Drug Free Safety Program through the Bureau of Worker's Compensation (Ohio).

Employer:

This is at your discretion. We recommend 1-2 days. "Must schedule" means have scheduled an appointment. Consider that there may be a waiting period before employee can get in for assessment.

Consider:

What if employee is not able to attend appointment, due to QTP's availability, for days/weeks?

If multiple provider options are readily available, you can limit the amount of time granted during which appointment must occur.

If multiple provider options are not readily available, in what ways will you help the employees and under which circumstances will the SCA expire?

- c. Employees may not return to work until they are released by a QTP, as described below.
 - d. Employees will/will **not** receive pay during this time.
 - e. Employees will immediately be placed on leave for up to **X** consecutive work days to participate in a rehabilitation or treatment program. Leave typically ranges from X to X days depending on the recommendation of the QTP.
 - f. Prospective employees not recommended for further treatment will be re-tested and can resume the hiring process if negative.
 - g. Upon completion of treatment, QTP will authorize the employee's return to work.
7. Employee must comply with the treatment plan developed by the QTP.
- a. Should QTP determine that treatment is necessary, the employee will have **X days** to enter a substance addiction treatment program, receive inpatient care, outpatient care, etc.
 - b. The QTP will make either education or treatment recommendations for the employee. If the QTP determines that the employee does not have an SUD that requires treatment, education may be recommended, which often can be completed after the employee has returned to work. In other cases, a number of self-help meetings – such as Alcoholics Anonymous (AA), Narcotics Anonymous (NA), or SMART Recovery – may be recommended.
 - c. Depending upon the individual's condition, they may continue working while attending traditional outpatient treatment, including individual and group counseling, family therapy, educational groups, and other therapies.
 - d. Employees who need a higher level of assistance may be referred to a higher level of care, such as intensive outpatient treatment or partial hospitalization. In these situations, they can live at home (and possibly even keep working) while attending counseling sessions most days or evenings.
 - e. An employee with a severe SUD may be referred to residential or inpatient treatment.

Employer:

See our Drug & Alcohol Use Policy for an explanation of benefits. There is no best practice regarding how or if to compensate employees while they seek and undergo treatment. To the extent they are eligible, employees may use STD benefits. They may be eligible for protection under FMLA. You may allow them to use their accrued PTO (all forms). You may grant a new form of leave—wellness leave—of which this is an allowable use. You may determine to not pay employees, and place them on unpaid leave. In any case, we recommend that you continue their health insurance benefits during this period. It is your discretion whether you will allow the employee to continue to accrue paid time off and other benefits during this absence if unpaid.

We recommend you check with all your benefits providers and discuss how various types of leave affect benefits eligibility.

Employer:

Once you select a QTP with whom to partner, we recommend you solicit their input on this number so that you can set an appropriate maximum amount. In addition, the QTP will provide a recommendation for each participant on a case-by-case basis. It is important that benefit offerings are consistent and/or based on individual medical need as determined by a third-party professional.

Employer:

See above recommendation. Typically, it takes 1-2 days to enter a treatment program.

8. If absence from work is necessary for the treatment or rehabilitation, COMPANY NAME may designate the absence as a Family and Medical Leave Act (FMLA) absence in accordance with our FML policy. Available accrued sick, vacation and personal leave may be used concurrently with the FMLA leave.
9. If absence from work results from a diagnosis of substance use disorder, alcoholism, or any other recognized related disability, short-term disability benefits may be awarded. Please see our policy Short-Term Disability for more information and contact HR with questions.
10. Employee must comply with all COMPANY NAME rules, policies, and practices and meet performance standards throughout the Second Chance Agreement and beyond.
11. All medical consultation and treatment costs will be the employee's responsibility and the employee's insurance (as applicable).
12. COMPANY NAME agrees to hold employment/positions for employees participating in our SCP, similar to how we do for employees under FML. Please see our policy: Family Medical Leave for more information. However, employees are subject to a change in job duties and responsibilities. The same is true for prospective employees.

Return to Work Conditions

1. Once an employee or prospective employee completes the required steps of the treatment plan and is recommended to return to or start work by the QTP, the employee must:
 - a. Complete a substance test with a negative result.
 - b. Successfully complete COMPANY NAME'S Return-To-Work/Fitness for Duty assessment
2. Employee must sign a Return-To-Work Agreement.
3. Employees will resume work activities with any necessary **accommodations** as determined by the QTP in consultation with COMPANY NAME personnel.
4. Employee, HR, and their manager must hold a return-to-work meeting where all parties discuss concerns, appropriate support measures, transition plans, and post-return plans.
5. Return-to-Work may not mark the completion of the treatment plan. QTPs may recommend that employees continue to seek treatment and engage in counseling, group meetings, and other support measures as a condition of being eligible to return to work.
6. Employees will be tested for drug and/or alcohol use for up to **X** months after signing the Return-to-Work Agreement on an unannounced basis to determine if they comply with our Drug & Alcohol Use Policy.

Employer:

Consider how you can help ease the employee's transition back to work. Contemplate how to reduce stress, new work demands or responsibilities, new travel expectations, and other changes and requests that could interfere with recovery efforts.

Consider something along the lines of a probationary period—60-90 days—whereby no major changes will occur.

Employer:

You may set this amount based on your preference. There is no prevailing standard practice. We see companies set it to 12, 24 or even 60 months.

Consider what is reasonable and feels supportive rather than penalizing or discriminatory.

Employee Support & Assistance

Employees who are eligible to participate in our Second Chance Program **may receive:**

- Continued ability to use their **accrued paid time off** for evaluation, treatment, or recovery.
- Up to X hours of unpaid time off to undergo evaluation and assessment (unpaid leave of absence)
- Up to X hours of unpaid time off to complete a treatment program (unpaid leave of absence).
- Up to X hours of paid time off to undergo evaluation and assessment (paid leave of absence).
- Up to X hours of paid time off to complete a treatment program (paid leave of absence).
- Up to X hours of wellness leave to undergo evaluation and assessment (active employment).
- Up to X hours of wellness leave to complete a treatment program (active employment).
- Up to X hours of unpaid time off to participate in recovery activities (unpaid leave of absence), such as support groups, counseling sessions, or mental health time off.
- Up to X hours of unpaid time off to participate in recovery activities (unpaid leave of absence), such as support groups, counseling sessions, or mental health time off.
- Up to X hours of paid time off to participate in recovery activities (paid leave of absence), such as support groups, counseling sessions, or mental health time off.
- Up to X hours of paid time off to participate in recovery activities (paid leave of absence), such as support groups, counseling sessions, or mental health time off.
- Up to X hours of wellness leave to participate in recovery activities (active employment), such as support groups, counseling sessions, or mental health time off.
- Up to X hours of wellness leave to participate in recovery activities (active employment), such as support groups, counseling sessions, or mental health time off.
- Family Medical Leave. See our FMLA policy for more information.
- Financial assistance with the cost of assessment.
- Financial assistance with the cost of treatment.

Employer:

This is a list of options from which you can choose.

Employer:

Consider allowing employees to take time by the hour as opposed to by the day.

Consider expanding the list of acceptable reasons for each paid leave category to ensure these uses of time are included.

- Support through our Employee Assistance Program (EAP) ¹
- Support through Worker Peer Support Programs ²
- A list of local support groups such as Alcoholics Anonymous (AA), Narcotics Anonymous (NA) and Smart Recovery (SR).
- **A list of local treatment centers** and specialists (Addiction Treatment Locator, Assessment & Standards Platform; or FindTreatment.gov and relink.org).
- Recovery coaching services (by phone).
- A Return-to-Work Plan.
- Flexible hours and work schedules.
- Guarantee that a position remains available upon your return to work. This may or may not be the exact position you were in previously.
- Short-term **disability** insurance coverage that provides some salary replacement while out for treatment.

Employer:

If you participate in the Basic-level Drug-Free Safety Program through the Bureau of Workers Compensation (Ohio), you **MUST** provide this list, among other things.

Employer:

It is important to note that not all STD policies provide benefits for employees seeking addiction treatment. We recommend you check with your insurance provider.

“Treatment” could include inpatient treatment, outpatient treatment, ongoing counseling, group participation, and more.

Participation in the SCP will not affect an employee’s career advancement or employment, nor will it guarantee or protect employment. The SCP is a process used in conjunction with discipline, not a substitute for discipline. COMPANY NAME assumes no responsibility for the drug or alcohol rehabilitation of any employee.

Reasonable Accommodation

Upon return to work, eligible employees may require accommodation. This could include modified work duties, schedules, telecommuting, and more. There may be a temporary need to move an employee to light duty, non-hazardous, or non-safety-sensitive work as they continue their treatment and/or recovery.

See the Reasonable Accommodation section of our policy: **Drug & Alcohol Use**.

Disciplinary Action or Consequence

Any employee or prospective employee who fails to comply with this policy will be subject to disciplinary action, up to and including the termination of their employment with cause. Managers or supervisors who fail to report incidents or suspicions of policy violation may be subject to disciplinary action. Employment will be terminated if the employee does not follow the treatment and recovery plan outlined by their QTP.

COMPANY NAME will investigate and deal with all complaints or incidents related to substance use at work fairly, respectfully, and timely. Information about an incident or complaint will not be disclosed except as necessary to protect workers, investigate, take corrective action, or as otherwise required by law.

The existence of a Second Chance Agreement does not supersede, replace or interfere with the existing procedures for correcting poor performance, attendance, conduct issues, and maintaining a safe workplace.

Employees who elect not to participate in the Second Chance Program following a positive drug or alcohol screen must be informed that by refusing, they are voluntarily ending their employment with COMPANY NAME. Prospective employees that refuse to participate will not be eligible for employment, and their offer will be rescinded.

Employees who participate in the SCP but are unable to adhere to plan requirements will be provided with the below upon their exit:

- Continued access to EAP benefits, for themselves and their family, for three months after their employment ends.
- A list of nearby treatment programs, providers, specialists, counselors, etc.
- A list of local support groups.
- Ability to access resume and interview coaching.
- Local labor market facts and figures.
- A list of local or online free or low-cost training and education programs.

Responsibility & Enforcement

- The human resource (HR) department is responsible for policy administration, interpretation, and enforcement.
- Every employee is responsible for promptly reporting suspected violations of this policy to HR.
- Every employee is responsible for ensuring third-party vendors, partners, contractors, and visitors know this policy and their individual responsibility to comply.
- Managers are responsible for staying informed on the details of this policy, understanding how to apply this policy, fulfilling their relevant managerial responsibilities such as maintaining documentation, addressing potential policy violations, seeking information to make informed decisions, connecting employees to HR and other resources, keeping HR and other appropriate members of management informed, and more.
- Managers have the right to initiate corrective actions and conversations when appropriate, and when a personal problem—including the possibility of substance misuse or illegal substance use—may be affecting performance, managers may use constructive confrontation. However, a manager's responsibility for monitoring job performance and conduct does not extend to diagnosing or resolving substance use challenges or involving oneself in employees' personal lives.
- Managers are responsible for being able to:
 - Develop, document, and communicate objective job performance standards;
 - Observe and document incidents and examples of unsatisfactory work performance or behavior;
 - Recognize symptoms of drug or alcohol addiction or misuse;
 - Discuss work-related problems with employees;
 - Determine whether equipment, lack of training, or working conditions are affecting performance;
 - Set appropriate time limits for improvement of performance;
 - Appropriately inform employees of the consequences of continued poor performance;
 - Inform the employee of the availability of assistance for personal problems and encourage the use of these resources;
 - Help individuals re-enter the workplace after treatment and rehabilitation.
- COMPANY NAME may bring violations of this policy to the attention of appropriate law enforcement authorities.

Confidentiality

Information and records related to substance use disorder, drug and alcohol use and dependency, risk assessment, reasonable accommodation requests, reasonable suspicion checklists, post-accident reports, and fitness for duty examination will be maintained in secure files separate from regular personnel files and kept confidential to the extent required by law. Such records and information may be disclosed among managers and supervisors on a need-to-know basis. They may also be disclosed when relevant to a grievance, charge, claim, or other legal proceeding initiated by or on behalf of an employee or applicant. In addition, information may be shared within the applicable chain of authority or chain of communication to the extent they need it to perform their responsibilities in support of the employee. Nothing in this policy may be construed as a promise or guarantee of confidentiality.

Title 42 of the Code of Federal Regulations (CFR), Part 2, prohibits disclosing any information identifying an individual as having a substance use disorder unless the patient provides written consent. For this reason, employees must sign a Consent to Release Information form that permits the sharing of information related to treatment, by one's QTP, to COMPANY NAME. In addition, QTPs should also follow all HIPPA requirements regarding information with COMPANY NAME.

See our policy: **Privacy & Confidentiality** for more information.



Related Policies

- Return-to-Work/Fitness for Duty
- Drug & Alcohol Policy
- Drug & Alcohol Testing Policy
- Privacy & Confidentiality Policy
- Family Medical Leave Policy
- Short-term Disability Policy
- Americans with Disabilities Act
- Drug-Free Workplace Act

Related Laws

- Drugfree Workplace Act of 1988
- Family Medical Leave Act
- Americans with Disabilities Act
- HIPPA
- 42 CFR Part 2

Important Information

This policy template should not substitute for independent legal review of local, State and Federal laws applicable to your agency. Consult an attorney prior to the implementation of any new policy.

HCPH recognizes that every employer has a different history of dealing with issues of substance use disorder as it affects the workplace, especially where those issues concern recovery from substance use disorders. HCPH further recognizes that each employer's unique history warrants consideration when confronted by similarly situated individual cases. Accordingly, this toolkit is meant as a bridge from past practices and as a guide and resource to assist employers in implementing recovery-aligned workplace policies.

Before implementing practices recommended by the toolkit or as issues are encountered that implicate those practices, HCPH recommends consulting legal counsel, as nothing in the toolkit is intended to provide legal advice or counsel either generally or in individual circumstances. By furnishing this resource, HCPH does not assume any liability for any claims made by any individuals or entities, including the recipient of the toolkit, for consequences that may relate to the toolkit, its implementation, or specific handling of employee matters guided by the toolkit or policies recommended thereby. As a condition of HCPH's agreement to furnish the toolkit to a participating employer, any employer that has requested and received the toolkit thereby releases and agrees to defend and indemnify HCPH, its officers, directors, employees, agents, and insurers, as the case may be, from any and all claims, costs, damages, or liability that may arise from policies implemented after receipt of, on the basis of, or otherwise influenced by, the toolkit.

Employee acknowledges and agrees that Employee is voluntarily choosing to explore treatment as part of a Second Chance Agreement in lieu of other potential employment consequences, and Employee assumes any and all risks associated with the receipt of such treatment, which will be provided by a third-party not connected to or affiliated with Employer as an agent or representative, but through a referral arrangement.

Release of Information

PURPOSE: This form is used to record an employee's permission for COMPANY NAME to share employee information with approved third parties related to the employee's participation in COMPANY NAME's Second Chance Program and the resulting treatment, recovery, and return to work plans.

INSTRUCTIONS: This form is to be provided to the employee by HR as part of the Second Chance Agreement. Failure or refusal to sign this form invalidates the Second Chance Agreement and thus makes the employee ineligible for participation and to receive the support and benefits provided therein. The employee is responsible for notifying HR of new care team members. This form may need to be updated and reissued periodically throughout the duration of the Second Chance Agreement.

This form, with the original signature, is to be retained by HR. HR will provide a copy to the employee and, if needed, the below parties.

PART 1: Employee Information

INSTRUCTIONS: To be completed by HR.

Employee Name: _____

Department: _____

Job Title: _____

Employee ID: _____

Email Address: _____

Phone: _____

Meeting Date & Time: _____

Meeting Location: _____

HR Representative's (Your) Name: _____

Job Title: _____

PART 2: Authorization

I, EMPLOYEE NAME, an employee of COMPANY NAME, authorize COMPANY NAME to share information regarding my treatment and recovery activities related to my participation in the Second Chance Program with the below parties. I authorize the below parties to share information regarding my treatment and recovery activities with COMPANY NAME. This authorization expires **DATE**.

Employer:

This authorization should continue as long as the Second Chance Agreement is valid and employee is subject to those terms and conditions.

I acknowledge the following:

- Representatives of COMPANY NAME, as determined by COMPANY NAME, will receive information regarding:
 - my participation in the Second Chance Program
 - my cooperation with the treatment, recovery, and return to work plans established by my QTP or other medical professional.
- Third parties, such as an EAP provider, a qualified treatment provider (QTP), an intake coordinator, physicians, treatment specialists, and other members of my treatment team and related individuals will receive information regarding:
 - my participation in the Second Chance Program
 - my cooperation with the return-to-work plans established by my employer, QTP, or other medical professional.
- COMPANY NAME will receive information regarding my treatment and recovery journey to the extent it enables COMPANY NAME representatives to provide appropriate support, benefits, workplace adjustments, or accommodations.
- Information shared with all parties may include confirmation of my active participation, attendance records, treatment schedule and longevity, and more. Information shared with my employer will be limited only to information regarding the above and will not include personal information disclosed by me to my treatment team. Details of my current and past health and wellness status, life events, and other sensitive information will remain confidential and will not be shared with my employer.
- Information will be obtained by COMPANY NAME'S HR representative or my Return-to-Work Coordinator and shared with other members of management as appropriate and needed.
- COMPANY NAME will make every effort – as is reasonable – to maintain confidentiality. All treatment records related to my Second Chance Program participation will be treated as medical records and housed and retained accordingly. COMPANY NAME will abide by any relevant ADA and HIPAA record-keeping requirements.

Provider Type	Provider Name	Contact Information
Primary Doctor/Physician		
Alcohol/Drug Counselor		
Psychologist or Psychiatrist		
Other Mental Health Professional		
Other Behavioral Health Professional		
Peer Support Specialist		
Recovery Coach		
Group Meeting Coordinator/Host		
Sponsor		
Sober Living Personnel		
Probation Officer		
Other 1		
Other 2		
Other 3		

PART 3: Employee Signature

Employee Name (Print): _____

Employee Signature: _____

Date: _____

Witness Name (Print): _____

Job Title: _____

Witness Signature: _____

Date: _____

Reasonable Suspicion Checklist

PURPOSE: This checklist is used to document reasonable suspicion of a potential violation of COMPANY NAME'S Drug & Alcohol Use policy –specifically when there is suspicion that an employee is substance-impaired. It is used to determine if reasonable cause exists to order the employee undergo Drug & Alcohol Testing. This checklist may also be standard protocol for any work-related accident or incident.

INSTRUCTIONS: This checklist is to be initiated and completed by a manager or supervisor immediately upon suspecting or being notified of a potential violation of the Drug & Alcohol Use policy or other qualifying event. Supervisors are required to observe the employee directly. Following or simultaneous to their observation, they must secure a second observation from another supervisor, manager, team lead, or an **individual** in Human Resources, Safety, Legal, or Risk Management. Observation must be made firsthand by all parties and may involve interaction with the employee under observation.

All observers must complete a separate copy of this form. Should two observers not concur that sufficient reasonable cause exists to order drug and alcohol testing, the supervisor should secure a third observer. Contact Human Resources upon completion of this form, regardless of the **outcome**.

Should reasonable cause be established, HR will order the employee to complete a drug and alcohol test per COMPANY NAME'S Drug & Alcohol Testing policy. This is an opportunity to help employees struggling with the disease of substance use disorder. Second Chance agreements should be established when and where they are possible.

Important!

If the employee is in a safety-sensitive area, performing safety-sensitive work, or appears to be a safety concern for themselves or others, remove them from work immediately. Escort them to a safe location and complete your observation. Upon completion of your observation, secure a second observer.

Employer:

Identify which individuals are authorized to complete the reasonable suspicion checklist. This should be someone in a leadership position or in other defined roles.

Ideally, the first observation is performed by the employee's direct supervisor, as they are most familiar with the employee and can more easily spot unusual or uncharacteristic behavior. The direct supervisor may also be familiar with existing conditions or medical issues that may impact the employee. However, if a direct supervisor is not present, another individual (as defined above) may document the first observation.

Employer:

HR should always be notified upon completion of this form. If reasonable cause/suspicion is established, supervisor should wait for HR to notify employee. Supervisor may engage with employee directly to complete this checklist and to make necessary observations.

PART 1: Employee Information

Employee Name: _____

Department: _____

Job Title: _____

Location: _____

Observation Date & Time: _____

Is the employee performing a safety-sensitive duty? Yes (if so, reassign immediately) No

PART 2: Observer Information

Your Name: _____

Email Address: _____

Job Title: _____

Phone: _____

Are you the employee's direct supervisor? Yes No

Do you certify that the below is true and accurate to the best of your knowledge and observation? Yes No

PART 3: Summary of Initiating Event

Select which of the initiating events below led to the completion of this checklist.

- Direct observation (by you) of substance use.
- Reported observation of substance use (by another employee).
- Direct observation (by you) of substance or paraphernalia possession.
- Reported observation of substance or paraphernalia possession (by another employee).
- Direct observation (by you) of abnormal, questionable, or concerning behavior.
- Reported observation of abnormal, questionable, or concerning behavior (by another employee).
- Employee confession of alcohol/drug use.
- Employee involvement in work-related incident or accident.

PART 4: Observation Checklist

Document all pertinent behavior, physical signs, and symptoms that lead you to reasonably believe the employee has recently used or is under the influence of alcohol or another prohibited substance. Place a checkmark next to any of the following **currently** exhibited by the employee.

Movement

Walking

- Appears normal
- Using objects or others for support
- Stumbling
- Unable to walk
- Unsteady
- Staggering
- Arms raised for balance
- Falling
- Unusual gait
- Other (described below)

Standing

- Appears normal
- Swaying
- Wide stance
- Unable to stand
- Rigid
- Dizziness
- Sagging at knees
- Other (described below)

Body

- Appears normal
- Fumbling
- Jerky
- Nervous
- Delayed or slow
- Hyperactive
- Reduced reaction time
- Dropping objects
- Fidgety
- Unable to grasp objects
- Clumsy/uncoordinated
- Shaking hands, body tremors/twitches
- Other (described below)

Physical

Breath

- Appears normal
- Irregular or difficulty breathing
- Alcoholic odor
- Chemical odor
- Marijuana odor
- Heavy use of breath spray
- Dry mouth, swallowing, or lip-wetting
- Other (described below)

Face

- Appears normal
- Flushed
- Pale
- Sweaty
- Confused or blank look
- Excessive salivation /slobbering
- Grinding teeth
- Frequent sniffing
- Other (described below)

Body

- Appears normal
- Excessive sweating
- Clamminess
- Runny nose or sores around nostrils
- Body odor, feces, or urine
- Chemical odor
- Alcohol odor
- Marijuana odor
- Slobbering
- Other (described below)

Eyes

- Appears normal
- Bloodshot
- Watery
- Droopy
- Glassy
- Closed
- Dilated/Constricted Pupils
- Contracted Pupils
- Unfocused, blank stare
- Involuntary or unusual movement
- Other (described below)

Speech

- Appears normal
- Whispering
- Slurred
- Shouting or loud
- Incoherent, nonsensical
- Changes in speed or volume
- Silent or mute
- Exaggerated enunciated
- Rambling
- Talkative/Rapid Speech
- Distracted mid-thought/ Scattered
- Slow
- Other (described below)

Appearance

- Appears normal
- Partially dressed
- Inappropriately dressed
- Disheveled clothing
- Dirty or stained clothing
- Unkempt appearance
- Bodily excrement stains
- Visible puncture marks or tracks
- Burnt rope smell on clothes, hair, body
- Other (described below)

Behavior

Demeanor

- | | | |
|---|---|---|
| <input type="checkbox"/> Appears normal | <input type="checkbox"/> Weak, fatigued, or lethargic | <input type="checkbox"/> Withdrawn |
| <input type="checkbox"/> Uncooperative | <input type="checkbox"/> Euphoric | <input type="checkbox"/> Agitated; overreacts to minor things |
| <input type="checkbox"/> Impolite, sarcastic, argumentative | <input type="checkbox"/> Overly excited, high emotion, animated | <input type="checkbox"/> Disoriented |
| <input type="checkbox"/> Threatening | <input type="checkbox"/> Difficult to arouse | <input type="checkbox"/> Other (describe below) |
| | <input type="checkbox"/> Delayed response | |

Actions

- | | |
|---|---|
| <input type="checkbox"/> Appears normal | <input type="checkbox"/> Careless operation of equipment |
| <input type="checkbox"/> Hostile, fighting, physically abusive | <input type="checkbox"/> Baseless Panic |
| <input type="checkbox"/> Profanity | <input type="checkbox"/> Anxious |
| <input type="checkbox"/> Threatening | <input type="checkbox"/> Vomiting or retching |
| <input type="checkbox"/> Verbally abusive or harassing | <input type="checkbox"/> Hallucinations |
| <input type="checkbox"/> Tearful or crying | <input type="checkbox"/> Excessive laughter |
| <input type="checkbox"/> Excessive yawning | <input type="checkbox"/> Fainting |
| <input type="checkbox"/> Hyperactive or manic | <input type="checkbox"/> Frequent or excessive use of breath freshener or odor concealer |
| <input type="checkbox"/> Sleeping, head bobbing | <input type="checkbox"/> Abandoning work station, unnecessary time away, unexplained disappearance |
| <input type="checkbox"/> Resisting communication, Noncommunicative, or Unresponsive | <input type="checkbox"/> Inappropriate wearing of sunglasses, over clothes or general concealment of self |
| <input type="checkbox"/> Inappropriate verbal response to questioning or instructions | <input type="checkbox"/> Difficulty in handling work situations and responsibilities |
| <input type="checkbox"/> Forgetful | <input type="checkbox"/> Avoiding supervisors and/or coworkers |
| <input type="checkbox"/> Paranoid | <input type="checkbox"/> Discussions about death, suicide, harming others |
| <input type="checkbox"/> Mood swings | <input type="checkbox"/> Discussions about obtaining/using drugs/alcohol |
| <input type="checkbox"/> Short attention span | <input type="checkbox"/> Changes after breaks or lunch |
| <input type="checkbox"/> Secretive | <input type="checkbox"/> Other (described below) |
| <input type="checkbox"/> Unsafe acts | |

PART 5: Summary of Observation

Describe the behaviors or indicators you observed and checked above. Focus on behavior, odor, appearance, speech, and the other above categories. Detail what you observed, where you observed it, who was present, during what activity, and when. Be as specific as possible. Remain focused on facts and observations. Avoid conjecture, assumption, and diagnosis. You may attach a separate page if needed.

PART 6: Witnesses

List the names of all witnesses to the employee's conduct below. Include a summary of witness statements guided by the below-suggested questions. You may attach a separate page if needed.

1. What did you observe?
2. When did you observe it?
3. Where did you observe it?
4. Are there other witnesses that may share your observation?
5. Have you observed behavior like this from this employee previously?

Employer:

This section can be delayed if there is an urgent need to remove the employee from their job and test.

PART 7: Determination of Reasonable Cause

Answer the following questions to determine if you have reasonable cause to order the employee to undergo drug and alcohol testing. Complete this section independently. Once complete, converse with the other observer(s) and compare your assessments. If two observers do not reach an agreement on whether reasonable cause is established, a third observation must take place and be performed by another party.

- | | |
|---|--|
| 1. Has some form of impairment been shown in the employee's appearance, actions, and/or work performance? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. Would one reasonably believe the impairment could result from using drugs and/or alcohol? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Is the impairment current? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. Are the facts reliable? Did you personally witness the situation and make direct observations? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 5. Are the facts capable of documentation? | <input type="checkbox"/> Yes <input type="checkbox"/> No |

If you answered "yes" to all the above, you have established reasonable cause to administer a drug and alcohol test.

Reasonable Cause Established

NEXT STEP: Contact HR immediately.

Prepare to meet with the employee along with HR, as HR may order the employee to undergo testing.

Reasonable cause NOT established

If both observers, or 2 of 3 observers, do not establish reasonable cause, the observation period ends. The employee's supervisor or the primary observer (if not supervisor) will submit all forms to HR. No further action required.

Federal Criteria for Reasonable Suspicion

According to the Code of Federal Regulations, 219.300 a combination of one or more observable signs and symptoms of drug or alcohol use must be observed to establish reasonable suspicion.

Determination of reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, body odors or speech (ABBS) of the employee. The observations may include indications of the chronic and withdrawal effects of controlled substances.

In making a determination of reasonable suspicion, additional factors may include, but are not limited to the following:

- Pattern of unsatisfactory job performance or work habits.
- Occurrence of a serious or potentially serious work-related accident that may have been caused by human error or flagrant violations of safety, security, or other operating procedures.
- Evidence of illegal substance use, possession, sale, or delivery while on duty and/or possession of drug paraphernalia.
- Information provided by either a reliable or credible source independently corroborated or having corroborative evidence from a supervisor.

PART 8: Signatures

Observer (Your) Name (Print/Typed)

Observer (Your) Signature

Date:

Employee Name (Print/Typed)

Employee Signature

Date:

Addendum A: Employee's Response

Document the employee's explanation or reasons for their conduct.

- Employee admitted to alcohol and/or prohibited drug use or possession
- Employee disclosed other substance or prescribed medication use or possession
- Employee provided an alternate explanation for the behavior
- Employee did not explain the behavior

Employer:

If an employee meeting must occur to complete this checklist and to determine reasonable suspicion, meet employee in private with another observer. If reasonable suspicion has already been established, meet employee with HR.

- Share your observations with the employee.
- Ask employee for an explanation.
- Act on medical concerns immediately.
- Explain that HR and supervisors are required to act when there is reasonable suspicion.
- Inform employee that company policy requires testing.
- Be mindful that underlying conditions not related to substance use could contribute to reasonable suspicion.

Addendum B: Relevant Factors

This section documents other potentially relevant behavior, conduct, performance, and other signs that lead you to reasonably believe the employee has recently used or is under the influence of alcohol and/or a prohibited substance or may struggle with substance use. The items you check below may not be present today but may be true in recent history and contribute to your suspicion and concern. In isolation, none of the items below are cause for reasonable suspicion. The items below, in combination, may not be cause for reasonable suspicion.

Quality & Quantity of Work

- Appears normal
- Clear refusal to do assigned tasks
- Significant increase in errors
- Repeated errors despite increased guidance
- Behavior that disrupts workflow
- Decreased efficiency or productivity
- Inconsistent quality or quantity
- Procrastination on significant decisions or tasks
- More than usual supervision is necessary
- Failure to perform regular duties
- Not following tasks
- Other (described below)

Interpersonal Work Relationships

- Appears normal
- Significant change in relations with co-workers, supervisors
- Frequent or intense arguments
- Physical abusiveness
- Intentional avoidance of supervisor
- Complaints by co-workers or subordinates (angry, outbursts, temper tantrums)
- Demanding, rigid, inflexible
- Other (described below)

General Performance

- Excessive or unauthorized absences in the last 12 months
- Excessive or unauthorized tardies in the last 12 months
- Unbelievable excuses for attendance issues
- Frequent Monday/Friday absences, after-pay-day absences, or other patterns
- Frequent unexplained disappearances while on the job
- Excessive use or extension of breaks or lunch
- Interferes with or ignores established procedures
- Excessive safety concerns in the last 12 months
- Change in attitude/unconcern regarding work quantity/quality
- Negative change in an employee's prior patterns of work performance
- Involvement in multiple workplace accidents, incidents, or injuries in the last 12 months.

Consent to Drug & Alcohol Test

PURPOSE: This form is used to record an employee's consent (or refusal) to be tested for the presence of drugs, alcohol or other prohibited substances in accordance with COMPANY NAME'S Drug & Alcohol Use Policy and Drug & Alcohol Testing policy.

INSTRUCTIONS: This form is to be provided to an employee by HR once reasonable cause for drug and alcohol testing has been established. This form should be provided to the employee as soon as possible following completion of the reasonable suspicion observation checklist.

This form, with the original signature, is to be retained by HR. HR will provide a copy to the employee and if needed, the testing facility.

Important!

If reasonable suspicion occurs in combination with other behaviors that constitute a policy or work rule violation, and if that violation will result in termination, reasonable suspicion testing may not be necessary.

If the individual is 17 years of age or younger, the parent or guardian must be contacted to provide consent.

PART 1: Employee Information

INSTRUCTIONS: To be completed by HR.

Employee Name: _____

Department: _____

Job Title: _____

Employee ID: _____

Email Address: _____

Phone: _____

Meeting Date & Time: _____

Meeting Location: _____

HR Representative's (Your) Name: _____

Job Title: _____

PART 2: Initiating Event

INSTRUCTIONS: To be completed by HR. Select which of the below led to the order to test and briefly explain the reason for testing.

<input type="checkbox"/>	Candidate application for employment
<input type="checkbox"/>	Random selection of employee in accordance with Drug & Alcohol Testing policy
<input type="checkbox"/>	Employee involvement in accident, incident or other safety-related occurrence
<input type="checkbox"/>	Reasonable cause based on COMPANY NAME'S Reasonable Suspicion Checklist
<input type="checkbox"/>	Return to work
<input type="checkbox"/>	Condition of continued participation in Second Chance Program

PART 3: Employee Consent & Acknowledgement

INSTRUCTIONS: To be completed by the employee.

I, (employee name) as an employee of COMPANY NAME, have been informed that:

- An authorized representative of COMPANY NAME has ordered me to undergo drug or alcohol testing in accordance with COMPANY NAME'S Drug & Alcohol Testing policy.
- I may refuse my consent to submit to the drug/alcohol test, with consequence.
- I will be subject to disciplinary action up to and including termination of employment and/or withdrawal of any provisional employment offer I have received from COMPANY NAME if I refuse the test, adulterate or dilute the specimen, substitute the specimen, send an imposter, or refuse to cooperate in the testing process in such a way that prevents completion of the test.
- My refusal to complete this form fully may be recognized as a refusal to consent to testing and result in the above consequences.
- I must arrive at the testing facility within **X** hours.
- If the initiating event is accident-related:
 - Transportation to and from the testing facility will be secured for **me**
 - I am not permitted to transport myself to the designated testing facility
 - I cannot return to work until authorized to do so by HR
 - I will be compensated at my regular rate of pay for my time spent testing and for my travel time to the testing facility
 - I **will/will not** be paid for my time away from work while we wait for my test results.

Employer:

This policy is written with offsite drug testing as the default. Should you provide onsite drug or alcohol testing – directly or through a third-party – you can update this policy template accordingly.

Employer:

The amount of time provided to an employee is dependent on the type of test administered and which substances are being tested. We recommend you check with your testing facility for a recommendation.

Generally, you want employees to report for testing immediately; the shorter the time frame, the better.

Employer:

OR..."I will be instructed to make arrangements for my safe transportation to the designated testing facility and to my home or another location of my choosing. I may not return to my workplace."

Employer:

Existing employees will be placed on unpaid administrative leave pending the results. Should the results be negative, employees will receive back pay.

Also, worker's compensation benefits may apply here.

- If the initiating event is reasonable cause:
 - Transportation to and from the testing facility will be secured for **me**
 - I am not permitted to transport myself to the designated testing facility
 - COMPANY NAME may notify law enforcement should I attempt to operate a vehicle
 - I cannot return to work until authorized to do so by HR
 - I will be compensated at my regular rate of pay for my time spent testing and for my travel time to the testing facility
 - I **will/will not** be paid for my time away from work while we wait for my test results.
- If the initiating event is pre-employment:
 - I must transport myself to and from the designated testing facility
 - I will not be compensated for my time, in any way
- If the initiating event is random selection:
 - I must transport myself to and from the designated testing facility
 - I must return to work immediately after testing completion
 - I will be compensated at my regular rate of pay for my time spent testing and for my travel time to and from the testing facility if I return during work hours
 - I will be compensated for up to **X** hours
- My test results will be provided to an independent Medical Review Officer with Testing Facility Name.
- A positive test result could result in disciplinary action up to and including termination of employment, or withdrawal of my application for employment and/or withdrawal of any provisional employment offer I have received from COMPANY NAME'.
- I may request a re-test within **X** days of receiving my results. If I request a re-test, I am responsible for all associated costs.
- I agree to hold harmless and release from all claims COMPANY NAME and its agents (including the above-named facility) from any liability arising in whole or part out of the collection of specimens, testing and the appropriate use of the information from such testing.

Employer:

OR..."I will be instructed to make arrangements for my safe transportation to the designated testing facility and to my home or another location of my choosing. I may not return to my workplace."

Employer:

Existing employees will be placed on unpaid administrative leave pending the results. Should the results be negative, employees will receive back pay.

Employer:

Determine this amount based on the distance from work location to testing facility and the estimated time to complete testing. This number should be the same for all employees from the same location.

Employer:

This is at your discretion. Some companies provide 3-5 days. We recommend a shorter time period and providing employees with an information package about re-testing cost and process to help expedite their decision-making.

<input type="checkbox"/>	<p>I have read the form and AGREE to undergo testing for drugs and/or alcohol.</p> <p>I hereby consent to allow a specimen of my hair, urine, or blood to be tested in accordance with COMPANY NAME's Drug & Alcohol Testing policy.</p> <p>I consent to allow the laboratory testing service to make the results of the drug test available to COMPANY NAME.</p>
<input type="checkbox"/>	<p>I have read the form and REFUSE to undergo testing for drugs and/or alcohol.</p>
<input type="checkbox"/>	<p>HR ONLY: Employee was incoherent or non-communicative. Consent could not be obtained.</p> <p>Medical emergency personnel were notified <input type="checkbox"/> Yes <input type="checkbox"/> No</p>

PART 4: Testing Location & Transportation

Facility Name: _____

Facility Address: _____

Driving Directions: _____

Parking Info: _____

Facility Contact & Phone Number: _____

Employee transported to collection site by: _____

Time of transport: _____

PART 5: Employee Signature

Employee Name (Print): _____

Employee Signature: _____

Date: _____

HR Name (Print): _____

Job Title: _____

HR Signature: _____

Date: _____

Second Chance Agreement

PURPOSE: This document represents an agreement between COMPANY NAME and an employee. This document outlines the terms and conditions of COMPANY NAME's **Second Chance Program**.

COMPANY NAME provides employees (and candidates) a “second chance...”

- after testing positive for drugs or alcohol, or
- if they self-disclose the need for treatment and are recommended for treatment following evaluation by a treatment specialist/qualified treatment provider (QTP).

As an alternative to termination of employment for violation of COMPANY NAME's Drug & Alcohol Use Policy, eligible employees may participate in the Second Chance Program, which provides them various forms of support provided they abide by and complete the treatment and recovery plan established by a qualified treatment provider.

COMPANY NAME believes that employee health and wellness are of the utmost importance and is dedicated to building a culture that honors and celebrates personal recovery. We know that substance use disorder is complex and we will make reasonable efforts to support employees at all stages of their recovery journey. However, the existence of a Second Chance Agreement does not supersede, replace or interfere with the existing procedures for correcting poor performance, attendance, conduct issues, and maintaining a safe workplace. There will be some situations where termination of employment is unavoidable.

INSTRUCTIONS: This form is to be provided to the employee by HR when one of the above conditions is met, along with other eligibility requirements for participation in COMPANY NAME's **Second Chance Program**. This form should be provided to the employee as soon as possible. The employee will have X days to consider this agreement. The employee, the employee's direct supervisor, and a representative of HR must sign this form.

This form, with the original signature, is to be retained by HR. HR will provide a copy to the employee and, if needed, members of the employee's external treatment and recovery team. The employee's direct supervisor will not receive a copy of this form, but it will be made available for viewing at request. As a Recovery Friendly employer, we strive to provide these agreements whenever they are feasible.

PART 1: Employee Information

INSTRUCTIONS: To be completed by HR.

Employee Name: _____ Department: _____

Job Title: _____ Employee ID: _____

Email Address: _____ Phone: _____

Meeting Date & Time: _____ Location: _____

HR Representative's Name: _____ HR Job Title: _____



PART 2: Initiating Event

INSTRUCTIONS: To be completed by HR. Select which of the below is the basis for this agreement.

Employee voluntarily shared that they experience substance use or misuse issues.

Employee requested support through COMPANY NAME's Second Chance Program.

Date request made: _____

Request Made To (Name & Title): _____

Employee voluntarily shared that they experience substance use or misuse issues.

Manager referred Employee to COMPANY NAME's Second Chance Program.

Date request made: _____

Request Made To (Name & Title): _____

Employee tested positive for drugs or alcohol as part of a random selection drug and alcohol screen.

Date of Test: _____

Employee tested positive for drugs or alcohol as part of a post-accident drug and alcohol screen.

Date of Test: _____

Date of Accident: _____

Employee tested positive for drugs or alcohol as part of a reasonable suspicion drug and alcohol screen.

Date of Test: _____

Applicant tested positive for drugs during the pre-employment or selection/hiring process.

Date of Test: _____

Summarize the initiating event below. List any policies or workplace rules that were violated and any discipline issued.

Employer:

You may create a separate form for applicants as the benefits granted vary from those given to employees.

It may include language such as:

As a prospective employee I am responsible for all costs associated with my treatment and will not be compensated. Following the completion of my treatment or at the recommendation of my QTP, and after testing negative, I may resume the hiring process.

PART 3: Second Chance Program Benefits & Support

INSTRUCTIONS: To be reviewed and understood by the employee.

Eligible, participating employees of COMPANY NAME's Second Chance Program may receive the below benefits and support. The level of support and benefits received through the Second Chance Program will be determined based on the recommendation of the qualified treatment provider and other criteria as determined by COMPANY NAME. This may vary by individual.

I, Employee Name, as an employee of COMPANY NAME and an eligible participant of the Second Chance Program, understand and may receive the following:

1. COMPANY NAME is committed to my health, safety, and well-being. This agreement is being offered to me as a demonstration of that commitment and as a tool to help support my treatment and recovery journey.
2. A custom treatment plan developed by my team of treatment specialists and medical professionals that may recommend services such as inpatient care (detox), a residential treatment program, outpatient care, counseling, group meetings, and more.
3. Company-sponsored health insurance coverage of some portion of the cost of evaluation and/or treatment (if currently insured and part of plan benefits).
4. Financial assistance from my employer to cover some of the cost of evaluation and/or treatment and recovery.
5. A communications plan that allows for ease of direct communication and information sharing between my employer and my treatment team.
6. A commitment to privacy and confidentiality by my employer regarding my participation in the Second Chance Program, my treatment plan, and my recovery plan. COMPANY NAME will make every reasonable effort to maintain my privacy and to protect my information. This document and other related information may be shared with select, appropriate representatives of COMPANY NAME, including but not limited to my direct supervisor, my Return-to-Work Coordinator, and members of HR on an as-needed basis only.
7. Continued ability to use my accrued paid time off for evaluation, treatment, or recovery.
8. Up to **X hours** of **paid**/unpaid time off to undergo evaluation and assessment (leave of absence).

Employer:

Once you select a QTP with whom to partner, we recommend you solicit their input on this number so that you can set an appropriate maximum amount. In addition, the QTP will provide a recommendation for each participant on a case-by-case basis. It is important that benefit offerings are consistent and/or based on individual medical need as determined by a third-party professional.

Employer:

See our Drug & Alcohol Use Policy for an explanation of benefits. There is no best practice regarding how or if to compensate employees while they seek and undergo treatment. To the extent they are eligible, employees may use STD benefits. They may be eligible for protection under FMLA. You may allow them to use their accrued PTO (all forms). You may grant a new form of leave—wellness leave—of which this is an allowable use. You may determine to not pay employees, and place them on unpaid leave. In any case, we recommend that you continue their health insurance benefits during this period. It is your discretion whether you will allow the employee to continue to accrue paid time off and other benefits, during this absence if unpaid.

We recommend you check with all your benefits providers and discuss how various types of leave affect benefits eligibility.

9. Up to X hours of paid/unpaid time off to complete a treatment program (leave of absence).
11. Up to X hours of paid/unpaid time off to participate in recovery activities (leave of absence), such as support groups, counseling sessions, or mental health time off.
12. Up to X hours of wellness leave to undergo evaluation and assessment (active employment).
13. Up to X hours of wellness leave to complete a treatment program (active employment).
14. Up to X hours of wellness leave to participate in recovery activities (active employment), such as support groups, counseling sessions, or mental health time off
15. Family Medical Leave (if federally mandated conditions are met).
16. Support through COMPANY NAME's Employee Assistance Program (EAP).
17. Support through COMPANY NAME's Worker Peer Support Program.
18. A list of local support groups such as Alcoholics Anonymous (AA), Narcotics Anonymous (NA) and Smart Recovery (SR).
19. A list of local treatment centers and specialists (Substance Use Disorder Treatment Locator, Assessment & Standards Platform, or FindTreatment.gov and relink.org).
20. Recovery coaching services (by phone).
21. A Return-to-Work Plan that will assist with my transition back to the workplace.
22. Job or worksite accommodations and adjustments as appropriate, reasonable, and determined by my qualified treatment provider, supervisor, and HR.

23. Guarantee that a position remains available upon my return to work. This may or may not be the same job I was in previously, or one that is nearly identical (equivalent). A nearly identical job will:
- offer the same shift or general work schedule, and be at a geographically proximate worksite (i.e., one that does not involve a significant increase in commuting time or distance);
 - involve the same or substantially similar duties, responsibilities, and status;
 - include the same general level of skill, effort, responsibility and authority;
 - offer identical pay, including equivalent premium pay, overtime and bonus opportunities, profit-sharing, or other payments, and any unconditional pay increases that occurred during FMLA leave; and
 - offer identical benefits (such as life insurance, health insurance, disability insurance, sick leave, vacation, educational benefits, pensions, etc.).
24. Short-term disability insurance coverage that provides some salary replacement while I am out for treatment.
25. Continued opportunity to advance my career without judgment or discrimination.



PART 4: Requirements for Participation in the Second Chance Program

INSTRUCTIONS: To be reviewed and understood by the employee.

I, (employee name), as an employee of COMPANY NAME, have been informed that:

1. My continued eligibility to participate in COMPANY NAME's Second Chance Program depends on the recommendation of a yet-to-be-determined QTP. I understand that should the QTP find that I do not require treatment, my participation in this program may be denied/revoked. My QTP will determine the duration of my treatment and recovery plans.
2. My participation in this program may be an alternative to involuntary separation of employment. My employment could still end for other reasons or pending outcome of any current or future investigations or newly discovered facts surrounding the event that led to program participation.
3. This Agreement is contingent upon my continued participation in, adherence to, and completion of the treatment plan, recovery plan, and return-to-work plan established by my QTP (and, in some cases, employer). My failure to fully participate, complete, or adhere to my treatment or recovery plan may lead to termination of employment, discipline, or program removal.
4. Regardless of my participation in the Second Chance Program, I remain subject to the same rules, working conditions, and disciplinary procedures as other employees. I agree to comply with all company rules, policies, practices, and procedures and understand that this agreement in no way prevents my employer from taking disciplinary action, including ending my employment or revoking eligibility for participation in this program, for violations, performance, or conduct issues. I remain an at-will employee.
5. I must sign this agreement within **X** days of receipt.
6. I must schedule an evaluation/assessment with a **QTP** within **X** days of receipt of this contract.
7. If my QTP recommends, I will have X days to enter a substance use disorder treatment program, receive inpatient care, outpatient care, etc.

Employer:

Your EAP provider may offer QTPs to help deliver these services to your employees, or they may be able to refer you to QTPs that meet your needs. It is important that you form a relationship with a QTP in advance of rolling out this program so that you and the provider(s) can align on general program structure and expectations, communication requirements, and more. A pre-existing relationship with a QTP is required to participate in the Drug Free Safety Program through the Bureau of Worker's Compensation (Ohio).

Employer:

This is at your discretion. We recommend 1-2 days. "Must schedule" meaning have scheduled an appointment. Consider that there may be a waiting period before employee can get in for assessment. What if employee is not able to attend appointment, due to QTP's availability, for days/weeks? If multiple provider options are readily available, you can limit the amount of time granted during which appointment must occur. If multiple provider options are not readily available, in what ways will you help the employees and under which circumstances will the SCA expire?

Employer:

You may want to consider if there are certain post-accident scenarios under which employees would not be offered participation in the Second Chance Program and instead, may face immediate termination.

Employer:

Consider if there any scenarios under which an employee would be ineligible to participate in your Second Chance Program?

Employees are subject to discipline for all policy violations, and prevailing advisement is that discipline occurs concurrent with Second Chance program steps, however, we suggest you consider whether there are eligibility requirements to the SCP. Generally, attendance and performance would not be eligibility criteria due to the fact that both of those areas are often impacted by substance use. Tenure is not eligibility criteria, are new hires are invited to participate in the program through the pre-employment testing process.

We raise this only for your consideration as we recognize some employers may use eligibility criteria in order to phase implementation of a Second Chance Program.

Employer:

There is no standard practice yet regarding second and third incidents. Many existing policies remain silent on this topic or determine on a case-by-case basis.

Factors for you to consider include:

- Length of time between incidents
- Whether employee self-disclosed or not
- If workplace accident or injury occurred
- Date of completion of treatment program
- Employee's ongoing participation in recorded recovery activities
- General employee performance, conduct and attendance.

Employer:

This is at your discretion. We recommend 1-2 days.

8. My QTP will regularly inform COMPANY NAME, as my employer, of the status of my participation in treatment and recovery activities and adherence to my treatment and recovery plans. Information shared by my QTP will be limited only to information regarding the above and will not include personal information disclosed by me to my treatment team. Details of my current and past health and wellness status, life events, and other sensitive information will remain confidential and will not be shared with my employer. I must authorize my qualified treatment provider and my employer to share information about the status of my participation in treatment and recovery activities and adherence to my treatment and recovery plans. I am required to sign the Consent to Share Information form and may be required to sign other related documents.
9. I may be required to provide status updates to my employer, submit proof of plan adherence (which could take various forms), and secure signatures or slips from individuals on my care team. I may be required to document attendance at mandatory appointments and other required appearances.
10. This agreement will remain in effect until the end date established on my RTW Plan. If I do not require a RTW Plan, this date will be determined by my QTP, other treatment team members, and employer.
11. It is my responsibility to inform COMPANY NAME of my specific needs or to seek out any additional help that I require to help me complete my treatment, recovery, or return-to-work plans. COMPANY NAME may not be required to fulfill my requests. I am responsible for working with my QTP and employer to adjust those plans as needed and sharing adjustments with all parties.
12. I will be subject to drug & alcohol testing upon request and without warning for **X** years from the date of this signed agreement.
13. A positive test may require a follow-up evaluation with a QTP or other treatment specialist and/or result in employment termination, revoked eligibility for program participation, or other consequences.
14. I am responsible for my evaluation, treatment, and recovery costs. My company-sponsored insurance may or may not cover some of the costs, and my employer may or may not provide direct financial assistance.
15. I am responsible for proactively and regularly working with HR to better understand and utilize the benefits available to me and how to use such benefits. This includes utilizing paid and unpaid leave – such as sick leave, vacation leave, personal leave, wellness leave, FMLA, unpaid leave of absence, paid leave of absence, and more – to attend evaluation, treatment, and recovery activities.
16. I will abstain from alcohol and/or other drugs except when prescribed by a physician informed of my history of substance use/misuse.

Employer:

You may set this amount based on your preference. There is no prevailing standard practice. We see companies set it to 12, 24 or even 60 months

Consider what is reasonable and feels supportive rather than penalizing or discriminatory.

17. Should recurrence of substance use occur, I will notify my QTP immediately. Should substance use or impairment occur while on the job, I will notify my QTP and employer immediately.
18. I understand that recurrence of substance use could result in ineligibility to continue participating in the Second Chance Program and represent a breach of contract for this Second Chance Agreement. I may not receive another Second Chance Agreement. My employer may evaluate the circumstances under which I recurred substance use, the length of my sobriety, my work performance, recommendations from my QTP and other service providers engaged in my treatment and recovery plan.
19. This document and all associated records will be linked to my personnel file and maintained according to the company's records retention standards.
20. I understand that COMPANY NAME assumes no responsibility for the drug or alcohol rehabilitation of any employee.



PART 5: Employee Signature

My signature and selection of one of the options below represents my acceptance or rejection of this agreement and all it entails. Should I accept the terms of this agreement, this contract goes into effect upon my signing. If I fail to select one of the options below or to sign, it will be treated as a rejection of this agreement. A rejection of this agreement will represent a tendering of my resignation, and my employment will not continue, effective immediately.

- I opt to participate in COMPANY NAME's Second Chance Program and abide by all herein this agreement.
- I decline to participate in COMPANY NAME's Second Chance Program. I understand that not participating in the program means I am resigning immediately.
- HR USE ONLY: Employee refused or failed to sign this document by the above deadline.

Employee Name (Print): _____

Employee Signature: _____

Date: _____

Supervisor Name (Print): _____

Supervisor Signature: _____

Date: _____

HR Representative Name (Print): _____

Job Title: _____

Signature: _____

Date: _____

Return to Work Agreement

PURPOSE: This agreement between COMPANY NAME and an employee participating in COMPANY NAME's Second Chance Program outlines the plan for the employee once they return to work following a treatment-related absence. The plan includes the responsibilities of the employer and the employee to help ensure the employee successfully reintegrates into the workplace and can continue their treatment and recovery journey.

COMPANY NAME believes that employee health and wellness are of the utmost importance and is dedicated to building a culture that honors and celebrates personal recovery. We know that substance use disorder is complex and we will make reasonable efforts to support employees at all stages of their recovery journey. However, the existence of a Second Chance Agreement does not supersede, replace or interfere with the existing procedures for correcting poor performance, attendance, conduct issues, and maintaining a safe workplace. There will be some situations where termination of employment is unavoidable.

INSTRUCTIONS: This form is to be provided to the employee by HR before the employee's return to work following a treatment-related absence as part of the Second Chance Program. The employee may not return to work until:

- Authorized to do so by their QTP
- Completing an alcohol and/or drug screen with negative results
- Signing this agreement

This agreement is an essential guiding document and should be shared with the employee's direct supervisor and all others who will support the employee on their treatment and recovery journey. HR will partner with the employee's qualified treatment provider (QTP) and other members of the treatment team to customize this agreement.

This form, with the original signature, is to be retained by HR. HR will provide a copy to the employee and, if needed, give the employee's designated QTP or other treatment team member a copy. As a Recovery Friendly Employer, we strive to provide these agreements when and where they are possible.

PART 1: Employee Information

INSTRUCTIONS: To be completed by HR.

Employee Name: _____

Department: _____

Job Title: _____

Employee ID: _____

Email Address: _____

Phone: _____

Dates of Leave: _____

Return to Work Date: _____

RTW Plan Start Date: _____

RTW Plan End Date: _____

PART 2: Employer Information

INSTRUCTIONS: To be completed by HR.

Supervisor Name: _____

Job Title: _____

Email Address: _____

Phone: _____

RTW Coordinator: _____

Job Title: _____

Email Address: _____

Phone: _____

The below individuals – employees, partners, vendors, and customers of COMPANY NAME – may have input into the employee's progress and may provide information that will alter the RTW plan:

Name: _____

Job Title: _____

Name: _____

Job Title: _____

Name: _____

Job Title: _____

Name: _____

Job Title: _____

The below individuals – employees, partners, vendors, and customers of COMPANY NAME – may be informed of Employee's participation in COMPANY NAME's Second Chance Program but will not have input into Employee's progress or provide information that will alter the RTW plan:

Name: _____

Job Title: _____

Name: _____

Job Title: _____

Name: _____

Job Title: _____

Name: _____

Job Title: _____

The above individuals will only be informed on a strict need-to-know basis. The information shared will be limited and will never include personal details related to Employee's **health** or wellness status or history. Any person that shares any information regarding another employee's participation in the Second Chance Program will face discipline up to and including termination of employment.

Employer:

This is with employee consent.

PART 3: Initiating Event

INSTRUCTIONS: To be completed by HR. Select which of the below led to participation in COMPANY NAME's Second Chance Program, as indicated in this employee's Second Chance Agreement.

Employee voluntarily shared that they experience substance use or misuse issues. Employee requested support through COMPANY NAME'S Second Chance Program.

Date request made: _____

Request Made To (Name & Title): _____

Employee voluntarily shared that they experience substance use or misuse issues. Manager referred Employee to COMPANY NAME'S Second Chance Program.

Date request made: _____

Request Made To (Name & Title): _____

Employee tested positive for drugs or alcohol as part of a random selection drug and alcohol screen.

Date of Test: _____

Employee tested positive for drugs or alcohol as part of a post-accident drug and alcohol screen.

Date of Test: _____ Date of Accident: _____

Employee tested positive for drugs or alcohol as part of a reasonable suspicion drug and alcohol screen.

Date of Test: _____

PART 4: Second Chance Program Benefits & Support

INSTRUCTIONS: To be reviewed and understood by the employee.

Eligible, participating employees of COMPANY NAME's Second Chance Program are subject to and must abide by the below requirements to continue participation in the program during their Return-to-Work period, as outlined below.

I, EMPLOYEE NAME, as an employee of COMPANY NAME, understand the following:

1. This RTW Plan represents an agreement between my employer and me to assume the responsibilities outlined in this document. This does not represent a promise of continued employment. I remain an at-will employee and am subject to the same performance and conduct standards as all other employees. My employment can be terminated at any time.
2. My employer and my treatment team supply the details of this RTW Plan. My employer is the author of this agreement. This agreement is subject to change and will be updated by my employer periodically throughout said agreement.
3. My QTP will regularly inform, COMPANY NAME as my employer, of the status of my participation in treatment and recovery activities and adherence to my treatment and recovery plans. I must authorize my qualified treatment provider and my employer to share information about the status of my participation in treatment and recovery activities and adherence to my treatment and recovery plans. I am required to update the Consent to Share Information form as needed.
4. I may be required to provide status updates to my employer, submit proof of plan adherence (which could take various forms), and secure signatures or slips from individuals on my care team. I may be required to document attendance at mandatory appointments and other required appearances.
5. This Agreement is contingent upon my continued participation in, adherence to, and completion of the treatment plan, recovery plan, and return-to-work plan established by my QTP (and, in some cases, employer). My failure to fully participate, complete, or adhere to the above plans may lead to termination, discipline, or program removal. I understand my recovery and RTW plans may include participation in aftercare programs, support groups, individual counseling, EAP, practicing appropriate and relevant self-care, establishing a recurrence of substance use prevention plan, and more.
6. I am responsible for informing COMPANY NAME of my specific needs or seeking any additional help I require to help fulfill return-to-work plan requirements. COMPANY NAME may not be required to satisfy my requests. I am responsible for working with my QTP and employer to adjust my plan and share adjustments with all parties.

7. I agree to communicate to my QTP and supervisor any concerns regarding my recovery related to workplace circumstances or other aspects of my employment.
8. I will meet with my RTW Plan Coordinator and/or supervisor, as outlined below, to provide updates to this plan.
9. I will abstain from alcohol and/or other drugs except when prescribed by a physician informed of my history of substance use/**misuse**.
10. Should recurrence of substance use occur, I will notify my QTP immediately. Should substance use or impairment occur while on the job, I will notify my QTP and employer immediately.
11. I understand that recurrence of substance use could result in ineligibility to continue participating in the Second Chance Program and represent a breach of contract for this Second Chance Agreement. I may not receive another Second Chance Agreement. My employer may evaluate the circumstances under which I recurred substance use, the length of my sobriety, my work performance, recommendations from my QTP and other service providers engaged in my treatment and recovery plan.
12. Going forward, I will disclose my treatment and recovery plan to all medical personnel upon receiving any substance that could compromise my sobriety.
13. I will be subject to drug & alcohol testing upon request and without warning for X years from the date of this signed agreement.
14. A positive test may require a follow-up evaluation with a QTP or other treatment specialist and/or result in termination of employment, revoked eligibility for program participation, or other consequences.
15. A commitment to privacy and confidentiality by my employer regarding my participation in the Second Chance Program, my treatment plan, and my recovery plan. COMPANY NAME will make every reasonable effort to maintain my privacy and to protect my information. This document and other related information may be shared with select, appropriate representatives of COMPANY NAME, including but not limited to my direct supervisor, my Return-to-Work Coordinator, members of HR, and other parties.
16. I must sign this agreement within X days of receipt. I am not permitted to return to work until this agreement is signed.
17. This agreement will remain in effect until X.

Employer:

It's important to remember that recovery is not always a linear journey. You may adjust your policies and these documents to reflect that.

Employer:

This is at your discretion. We recommend 1-2 days.

PART 5: Employer Acknowledgement

INSTRUCTIONS: To be reviewed and understood by the employer.

1. If eligible and necessary, COMPANY NAME will provide Employee with reasonable accommodation in accordance with company policy and the ADA.
2. COMPANY NAME will consider providing Employee with reasonable work adjustments that do not result in a significant hardship.
3. COMPANY NAME will provide Employee's direct supervisor and others with access to information and resources regarding substance use disorder, treatment plans, the recovery journey, and more to help educate, build awareness, and skill-build.
4. Employee's direct supervisor will follow the guidance set forth through company policy, agreement, education, and information-sharing to create a high-trust, supportive environment, free from stigma, harassment, and discrimination, to the best of their ability and is reasonable.
5. Your RTW Plan Coordinator and/or direct supervisor will meet with you to discuss plan updates, as outlined below.

PART 6: Return to Work Plan Detail

INSTRUCTIONS: To be completed by the employer, employee, and treatment team.
To be updated periodically, as needed.

<input type="checkbox"/>	Return-to-Work Goal	Permanent	Temporary (dates)
<input type="checkbox"/>	Return to job with no special support, adjustment, or accommodation requests.		
<input type="checkbox"/>	Return to job with accommodation.		
<input type="checkbox"/>	Return to alternate work. Alternate job description attached? <input type="checkbox"/> Yes <input type="checkbox"/> No		

Original job description attached? Yes No

If (2) is selected above, briefly describe the desired support and adjustment below. Detail if adjustment is needed for duties, workspace/environment, and/or work schedule. If temporary, list the expected duration.

If (3) is selected above, briefly describe the desired accommodation below. Detail if accommodation is needed for duties, workspace/environment, and/or work schedule. If temporary, list the expected duration.

If (4) is selected above, briefly describe the desired alternate work of the attached job description. If temporary, list the expected duration.

Please explain below if you cannot perform previous job responsibilities, tasks, and/or core competencies. Attach any relevant documentation, such as job description, competency list, required skills, etc.

Does Employee require a modified work schedule? Yes No

If yes, select which of the below apply:

<input type="checkbox"/>	Reduced-hour work schedule
<input type="checkbox"/>	Part-time work schedule
<input type="checkbox"/>	Flexible start and end times
<input type="checkbox"/>	Flexible break schedule
<input type="checkbox"/>	Remote/off-site

If yes to reduced hours or part-time, how will Employee be compensated?

What is the proposed work schedule, and how does it vary from the existing work schedule?

PART 7: RTW Plan Follow-up Schedule

INSTRUCTIONS: Employee will regularly meet with their RTW Plan Coordinator and/or supervisor throughout this plan. These meetings aim to review plan progress and discuss necessary adjustments. The HR Representative or RTW Coordinator should fill in this section. We care about your recovery journey and look forward to seeing you improve your health and wellness, live a self-directed life, and strive to reach your full potential.

Meetings will occur (frequency):	
Meetings will begin:	
Participants include:	
Meeting location:	
Party responsible for scheduling:	
Employee is required to bring the following to meetings:	

PART 8: Employee Signature

My signature and selection of one of the options below represents my acceptance or rejection of this agreement and all that it entails. Should I accept the terms of this agreement, this contract goes into effect upon my signing. If I fail to select one of the options below or to sign, it will be treated as a rejection of this agreement. A rejection of this agreement will represent a tendering of my resignation, and my employment will not continue, effective immediately.

- I opt to continue to participate in COMPANY NAME's Second Chance Program and abide by all herein in this agreement.
- I decline to continue to participate in COMPANY NAME's Second Chance Program. I understand that by not participating in the program, I am tendering my resignation, effective immediately.
- HR USE ONLY: Employee refused or failed to sign this document by the deadline.

Employee Name (Print): _____

Employee Signature: _____

Date: _____

Supervisor Name (Print): _____

Supervisor Signature: _____

Date: _____

HR Representative Name (Print): _____

Job Title: _____

Signature: _____

Date: _____

Chapter 4

Annual Requirements



How to Retain Your RFHC Membership

Once a year, one of our staff members will check in with your organization's RFHC point of contact to ensure that the following low-lift requirements are met. Though you must meet these requirements to sustain your affiliation with Recovery Friendly Hamilton County, we will not enforce strict deadline requirements. We understand that you and your colleagues are busy, and we want to make this as easy as possible.

1. Ensure supervisors and employees receive education on existing alcohol, tobacco, and other drug policies (ATOD) upon hire and on an annual basis thereafter. It is okay if you do not have these policies in place. While we encourage you to create them—and provide resources to assist—you are not required to do so. This task can be accomplished in a simple email, and most companies are already performing this task by default.
2. Ensure supervisors and employees receive education on the RFHC program and its offerings upon hire and on an annual basis thereafter. This can be accomplished in a simple email update which we will assist you with.
3. Work with your RFHC Coordinator to submit a completed RFHC checklist. We will coordinate this for you. No need to set reminders.

1 Email
+
1 Simple Checklist
=
Done

Chapter 5

Taking it a Step Further



Taking it a Step Further

We hope that you strive to continually improve your organization's recovery friendly workplace culture. What follows are examples of ways that you can bolster your RFW practices and go above and beyond for your valued team members and the community at-large. We are always happy to brainstorm new ideas with you to promote your RFW culture.

Establish an RFW Culture Committee

Consider allowing select members of your personnel to establish a recovery friendly culture or "helping hands" committee. Consider the program operated at Genfoot of America (New Hampshire) under the auspices of plant manager—and RFW advocate—Mark Bonta (watch video at link below).

<https://www.youtube.com/watch?v=KQ7A7LOSgNw>

Invest in an Employee Assistance Program (EAP):

If you don't already have one, consider investing in an EAP. According to SAMHSA, organizations ought to strongly consider adding EAP services for employees if they currently do not. A 2021 report called the Workplace Outcomes Suite, made available by the International Employee Assistance Professional Association, evaluated over 38,000 employees before and after they received services from an EAP. It revealed that for every 100 employees, only 2 counseling cases need to be utilized through EAP for the workplace to break even on their return on investment.

Reevaluate Your Business-Based Well-Being Programs and Services:

Part of being a Recovery Friendly Workplace means understanding employees may need to engage in recovery-focused activities during work hours. Therefore, it is critical to provide employees with time and opportunity to attend community support groups, counseling sessions, or just have a mental day off once in a while when needed—no questions asked. Research shows employers who furnish employees in recovery with options for personal time off, mental health days, and flexible hours and work schedules without requiring a reason found that their employees were willing to take them and re-engaged with their work and team with better focus and performance. Please reach out to us at recoveryfriendly@hamilton-co.org for assistance finding your organization's local sober support meetings.

Connect With a Workforce Practices Ally:

Consider reaching out to our partners at the Workforce Innovation Center for assistance with adopting inclusive practices that empower employees and fuel business growth. The Workforce Innovation Center provides comprehensive assessment services, offers practice recommendations based on data analysis, and helps your team develop an effective implementation plan specific to your workforce. Their team of experienced consultants also provides additional human resources and organizational development solutions – all customized for your unique business needs.

Reach out at atreasure@cincinnatiachamber.com or (513) 686-2946

<https://workforceinnovationcenter.com/>

Follow our RFHC Correspondence

We don't want to flood your inbox, but sometimes we have great updates to share! Keep an eye out for our correspondence for information about upcoming RFHC events, new tools and assets, and other key updates to our programming and services.

Follow Us and Our Partner Organizations on Social Media

Want the latest updates on recovery-centric events in our community? How about community safety updates, or the latest drug trends in our area? Follow us and our many partner organizations ([page 11](#)) on social media to stay abreast of local happenings.

Get Connected With Your Peers

Want to connect with your fellow RFHC peers? Follow our correspondence for information about upcoming gatherings. Keep an eye on our [website](#) to see which businesses have come onboard. We're happy to facilitate a connection between you and our point of contact for another RFHC designated business.

Volunteer

Does your firm have volunteer days? Consider volunteering for a local human services provider with an emphasis on substance use disorder treatment. Ask us for assistance getting connected with the right organizations in our community.

Hire a Peer Recovery Supporter (PRS)

Peer Recovery Supporters are role models, mentors, and advocates for people recovering from SUD or struggling with mental health. Throughout the U.S., they play valuable roles at the companies/organizations where they work. Their job is to help employees successfully work through their recovery and be productive on the job. Studies show they reduce the likelihood of relapse for those they support. For more information, reach out to Tasha Webster at twebster@eastersealsredwood.org or 513-609-8967.

Contribute to Actionable Data

Help us improve our service offerings while gauging the impact of RFW principles in your workplace! Occasionally we will disseminate employer and employee survey tools to our designees. We sincerely appreciate your input and ask that you disseminate relevant surveys amongst your personnel. We are happy to report back your organization's independent results sans identifying information.

Help Spread the Word About RFHC!

The more businesses we onboard, the more lives we can reach. If you have connections with other business leaders who may be interested in our formal designation and service offerings, please help us spread the word. There is no business we aren't willing to help. **Remember that over 60% of Americans aged 18 and older with a substance use disorder are part of the workforce (SAMHSA, 2022).** Warm connections facilitated by RFW champions are critical in the continued growth of this initiative. Consider sending your business connection an email using the sample template below:

“Hi [Name of business Leader],

I wanted to bring to your attention a program called Recovery Friendly Hamilton County/RFHC (<https://www.recoveryfriendlyhc.org/>) operated by Hamilton County Public Health.

Recovery Friendly Hamilton County is a 100% free and very easy-to-use program—and official designation—that is aimed at combatting substance use disorder and promoting recovery in the workplace.

The program lead is very interested in connecting with [name of business] to provide more information. Please reach out to recoveryfriendly@hamilton-co.org to schedule a meeting.

Best,
[Your name]”



Chapter 6

Resources



Additional Resources

Included below are some of the best available resources to help you promote and sustain your recovery friendly workplace ethos. It would be impossible for us to form an exhaustive list of the many great local and national resources available in this domain—additions and modifications are occurring daily. If you cannot find the type of resource that your workplace requires from the list below, or if you would like to see a specific additional resource listed, please reach out to us at recoveryfriendly@hamilton-co.org.

National Recovery Friendly Workplace Allies

Learn from the RFW allies who helped sculpt the RFHC program. Review these links for access to additional RFW information and toolkits. For information about additional RFW initiatives not listed below, please visit: <https://www.recoveryfriendlyworkplace.com/otherstates>.

Recovery Friendly New Hampshire



<https://www.recoveryfriendlyworkplace.com/>

Recovery Friendly Connecticut



<https://www.recoveryworksct.org/>

Recovery Friendly North Carolina



<https://recoveryfriendlync.com/>

Recovery Friendly Nevada



<http://recoveryfriendlynv.com/>

Other Employer Resources/Toolkits

A wide variety of RFW related toolkits and other resources to address substance use disorder and mental health issues in the workplace.

National Safety Council: Opioids at Work Employer Toolkit



This toolkit includes sample policies, fact sheets, presentations, safety talks, posters, white papers, reports, videos and more, so you can implement a workplace program on opioids. These materials will help you understand how opioids impact the workplace, recognize signs of impairment, educate employees on the risks of opioid use, develop drug-related HR policies and support employees who are struggling with opioid misuse.

<https://www.nsc.org/workplace/resources/opioids-at-work-employer-toolkit>

Department of Labor: Recovery-Ready Workplace Resource Hub



A host of RFW-related resources promoted by the Department of Labor.

<https://www.dol.gov/agencies/eta/RRW-hub>

The National Institute for Occupational Health Safety (NIOSH): Opioids in the Workplace



A host of RFW-related resources promoted by NIOSH. NIOSH is part of the Centers for Disease Control and Prevention, in the Department of Health and Human Services.

<https://www.cdc.gov/niosh/topics/opioids/>

West Virginia Chamber: Building a Drug-Responsible Workplace



In this free, online toolkit, The West Virginia Chamber provides education and resources to equip your business to prevent and respond to substance misuse and support employees in recovery.

<https://www.wvchamber.com/Drug-Responsible-Workplace/default.aspx>

Substance Abuse and Mental Health Services Administration (SAMHSA) Drug Free-Workplace Guide



Step-by-step guidance for starting and maintaining drug-free workplace policies and programs:

<https://www.samhsa.gov/workplace>

Center For Workplace Mental Health:



The Center for Workplace Mental Health provides employers with the tools, resources and information needed to promote and support the mental health of employees and their families.

<https://workplacementalhealth.org/employer-resources>

National Institute of Environmental Health Sciences (NIEHS) Opioids & Substance Use: Recovery Friendly Workplace Programs



To respond to issues around the growing opioid epidemic, the NIEHS Worker Training Program (WTP) has developed training, resources, and tools on opioids and the workplace.

<https://tools.niehs.nih.gov/wetp/index.cfm?id=2621>

BeHERE (Behavioral Health & Racial Equity Initiative) Workplace: Opioid Connection



Learn about recovery principles that can help everyone in the workplace, by creating a safe, supportive, and even loving culture.

<https://behereinitiative.org/workplace/recovery-supportive-workplace/>

Ohio Bureau of Workers' Compensation: Recovery Friendly Workplace Overview



To help Ohio businesses encourage employees to seek treatment and maintain recovery, the Ohio Bureau of Workers' Compensation, RecoveryOhio, and the Governor's Office of Workforce Transformation have come together to create the Recovery Friendly Workplace Program. The program provides resources and support for Ohio businesses that support their recovering employees.

<https://recoveryohio.gov/resources/all-resources/workforce-resources>

U.S. Equal Employment Opportunity Commission



The U.S. Equal Employment Opportunity Commission (EEOC) is responsible for enforcing federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex (including pregnancy and related conditions, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information. Did you know that addiction is classified as a disability? Learn more.

<https://www.eeoc.gov/>

Dr. John Narine Consulting, LLC:



DR. JOHN NARINE CONSULTING, LLC

Dr. John Narine Consulting, LLC's mission is to wholeheartedly serve the community by helping to inspire, create, and sustain true, helpful opportunities for employees impacted by substance use and their workplaces.

Dr. John Narine offers consulting services and subject matter expertise based on two major resources: his lived experience in recovery from addiction and independent, published research, bridging the gap between employee well-being and your company's bottom line. He provides customized services that benefit the entire organization with a focus on supporting employees impacted by substance use.

Dr. John Narine is wholeheartedly committed to active participation and the support & delivery of workplace recovery-focused programs to the companies he serves. His experience with managing projects is dedicated to prioritizing the customer's needs while providing the highest quality output in a timely & cost-effective manner.

<https://drjnarine.wordpress.com/>



Food & Beverage Industry Specific Resources

LiveAnotherDay: Resources for Restaurant Workers



A guide to helpful mental health and substance abuse resources for restaurant workers.

<https://liveanotherday.org/resources/restaurant-workers/#:~:text=Giving%20Kitchen%3A%20This%20is%20a.help%20someone%20with%20financial%20difficulties.>

Ben's Friends: Offering A Bridge To Sobriety For F + B Professionals



A restaurant industry support group for people struggling with substance abuse in the foodservice industry, by people who have struggled with substance abuse in the foodservice industry. They host support meetings in person in several states and online for anyone to join.

<https://www.bensfriendshope.com/>

Chow Culinary Hospitality Outreach Wellness



Anyone who's dined in a restaurant has experienced hospitality. From servers and bartenders to dishwashers and chefs, each person working in a restaurant gives their all to make guests feel welcome, cared for and nourished.

Our mission is to return the favor. To care for the people who take such good care of us. To provide a place for restaurant staff to feel supported, heard and appreciated. To facilitate gatherings where we can build meaningful connections with folks who "get it." To lift each other up so we don't lose anyone else to suicide, addiction or struggles surrounding mental health

<https://chowco.org/>

Construction Industry Specific Resources

The Center For Construction Research and Training: Mental Health & Addiction



A large list of resources containing information about opioid deaths, prevention, and pain management alternatives.

<https://www.cpwr.com/research/research-to-practice-r2p/r2p-library/other-resources-for-stakeholders/mental-health-addiction/opioid-resources/>

Construction Safety Week



Resources for mental health, addiction recovery and suicide prevention.

<https://www.constructionsafetyweek.com/safety-culture/mental-health-resources/>



Recovery & Mental Health Resources For Employees

In addition to the employee resources found on your resource posters — and listed on (pages 38) — the following services are also available to guide your employees toward suitable treatment options.

FindTreatment.gov



A confidential and anonymous resource for persons seeking treatment for mental and substance use disorders in the United States and its territories.

<https://findtreatment.gov/>

988



When people call, text, or chat with the 988 Lifeline, they are connected to trained counselors that are part of the existing 988 Lifeline network, made up of over 200 local crisis centers. These counselors are trained to provide free and confidential emotional support and crisis counseling to people in suicidal crisis or emotional distress and connect them to resources. These services are available 24 hours a day, seven days a week, across the United States.

<https://988lifeline.org/current-events/the-lifeline-and-988/>

Ohio Care Line



The Ohio CareLine is a toll-free emotional support call service created by the Ohio Department of Mental Health and Addiction Services. Behavioral health professionals staff the CareLine 24 hours a day, 7 days a week. They offer confidential support in times of personal or family crisis when individuals may be struggling to cope with challenges in their lives. When callers need additional services, they will receive assistance and connection to local providers. Call **1-800-720-9616** to connect

<https://mha.ohio.gov/get-help/get-help-now/ohio-careline>

Hamilton County Mental Health & Recovery Services Board:



Hamilton County Mental Health and Recovery Services Board (MHR SB) provides leadership in public behavioral health care as the authority charged under ORC §340 with planning, funding, managing, and evaluating behavioral health care in Hamilton County. MHR SB is statutorily prohibited from providing direct care to clients and instead contracts with numerous non-profit agencies to provide direct care in a community-based setting

<https://www.hcmhrsb.org/>

Mental Health Access Point:

Mental Health Access Point (MHAP) exists as the front door to the Hamilton County public mental health system. MHAP, a division of Central Clinic, provides assessment, support, and connections for children and adults residing in Hamilton County who are in need of mental health services.



<http://www.mentalhealthaccesspoint.org/>

Hamilton County Public Health Guide:



Hamilton County Public Health published this comprehensive guide (see link below) to streamline access to vital resources and support services available in our area, making it easier than ever for us to collaborate effectively in supporting our shared goals.

Key Features of the Community Services Quick Reference Guide:

1. **Comprehensive Resource Listing:** Our guide includes a wide array of community services and resources, categorized for easy reference. You'll find information on Healthcare Facilities, Social Support Organizations, Employment Assistance, Food Bank Meal Programs, and Transportation Services
2. **User-Friendly Design:** We've structured the guide for quick and easy navigation. It's organized with clear headings and an index for rapid resource location. Most organizations have an interactive and clickable link attached to the listing that will direct you to the agency's website.
3. **Frequently Updated:** To ensure its accuracy, the guide will be regularly updated to reflect any changes in services, contact information, or available programs.

<https://recoveryconnections.hcph.org/discussion/download/449/HCPH%20Community%20Resource%20Quick%20Reference%20Guide%20%282%29.pdf>

211 Resource Guide

A comprehensive online guide to a wide variety of social services in our region.



<https://www.211uwgc.org/>

Rethinking Drinking



“Rethinking Drinking (produced by the National Institute on Alcohol Abuse and Alcoholism/ NIAAA) is designed for U.S. adults who drink alcohol. Rethinking Drinking provides evidence-based information about alcohol and health along with tips, tools, and resources for those who want to cut down on or quit drinking.”

<https://www.rethinkingdrinking.niaaa.nih.gov/>

Recovery & Mental Health Resources For Employees: Outlying Counties

Reach out for information on additional counties not otherwise listed below. You can also visit the Ohio Department of Mental Health and Addiction Services for a larger range of statewide resources: <https://mha.ohio.gov/get-help>.

Warren & Clinton Counties



<https://www.mhrbwcc.org/home/>

Clermont County



<https://ccmhrb.org/>

Butler County:



<https://www.bcmhars.org/>

Northern Kentucky:



<https://nkyodcp.org/>

Still don't see what you're looking for?
Contact us at recoveryfriendly@hamilton-co.org for assistance.

Chapter 7

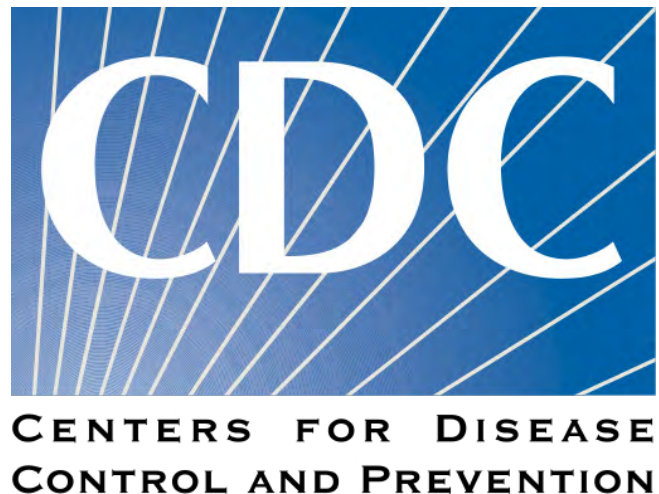
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All the wonderful SUD treatment professionals in Hamilton County & beyond, keep up the great work!



Sources:

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- American Medical Association (AMA)
- Centers For Disease Control and Prevention (CDC)
- Colorado Consortium for Prescription Drug Abuse Prevention
- Department of Labor (DOL)
- Equal Employment Opportunity Commission (EEOC)
- National Institute on Drug Abuse (NIDA)
- National Safety Council (NSC)
- New Hampshire Recovery Friendly Workplace (Including other participating states)
- Ohio Bureau of Workers' Compensation (BWC)
- Ohio Department of Health (ODH)
- Recovery Ohio
- Society for Human Resource Management (SHRM)
- Substance Abuse and Mental Health Services Administration (SAMHSA)
- Other Peer reviewed journals and articles

Disclaimer:

Though we are eager to assist you in bolstering your adherence to recovery-centric practices, please note that the guidance and insights provided by HCPH through the RFHC program are for informational purposes only. They should not be used as a substitute for consultation with a legal or medical professional, or another competent adviser. We encourage our designees to consult with an Ohio licensed attorney for the purpose of resolving any workplace specific legal issues that may arise as a result of substance misuse. If you present us with a question or concern that we feel exceeds our scope of knowledge and services, we will gladly facilitate a connection between you and a qualified professional.

Fair Use Statement:

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**Thank You for
Making a Difference!**

Reach us at
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