

Workplace Substance Abuse Procedure

Date September 2021

Version 1.0

Review Date September 2024



Contents

	Section	Page
1	Introduction	3
2	What is Substance Abuse	3
3	Role of the Employee	3
4	Role of the Manager	4
5	Role of Human Resources	4
6	Role of Finance	5
7	Role of Occupational Health	5
8	Guidance on dealing with a Substance Abuse Problem	5
9	Testing	7
10	Confidentiality	7
11	Training	7
Appendix 1	Checklist of Action	8

1. INTRODUCTION

- 1.1 The following procedure has been developed to support the Workplace Substance Abuse Policy, to facilitate a consistent approach to managing such incidents in Libraries NI and to clarify the roles of employees, line managers, Human Resources, Finance and Occupational Health. Care should be taken by all concerned to ensure that personal or other relevant information on individual employees is maintained and stored confidentially.
- 1.2 It is recognised that circumstances differ and that each case must be treated sensitively.
- 1.3 Line Managers and employees are required to familiarise themselves with the procedures.
- 1.4 Advice on the operation of the Policy and Procedures is available from Human Resources.
- 1.5 These procedures apply to all Libraries NI employees irrespective of protected characteristic, grade or position.

2. WHAT IS SUBSTANCE ABUSE?

- 2.1 Substance Abuse is defined as a pattern of harmful use of any substance for mood altering purposes, either intermittent or continual, which impairs an employees' work performance, interferes with attendance and/or the reputation of Libraries NI.
- 2.2 In this Procedure, "substance abuse" refers to the use of alcohol, illegal drugs, the misuse of prescribed and/or "over the counter" drugs and substances including solvents, legal highs, etc. Substance misuse may lead to social, physical, emotional and job related problems and, through the user's actions, other people.

3. ROLE OF THE EMPLOYEE

Employees must not:

- possess any illegal substance or abuse drugs, alcohol, solvents or any other potentially abusive substance
- supply or attempt to supply any person with any illegal substance
- attend work under the influence of alcohol, drugs or other substance. (The procedure does not restrict the appropriate use of prescribed or over-the-counter medication)

Where prescribed or over-the-counter medication is likely to affect work performance, particularly safety at work, employees are required to make this known to their Line Manager/Human Resources and provide supporting medical evidence, who may then seek advice from Occupational Health.

Employees should note that while they are free to do what they choose in their own time, as an employee of Libraries NI it is a requirement under their Terms and Conditions of employment to ensure they do not engage in any spare time activity which would bring into

question their loyalty and reliability, in any way weaken public confidence in the conduct of the Libraries NI business or in any other way prevent the efficient performance of their official duties.

Employees are reminded that inappropriate behaviour outside working hours (including at Libraries NI functions) may constitute misconduct in some circumstances and will be dealt with in accordance with Libraries NI Discipline Procedure.

All employees have a responsibility to adhere to these procedures and a duty to co-operate with management to ensure implementation and adherence of same.

Employees are reminded that all Libraries NI premises are drug and alcohol free workplaces.

Employees have the right to be accompanied at any formal meetings by their Trade Union representative or work colleague. Legal representation is not permitted.

4. ROLE OF THE MANAGER

- to ensure that all employees are informed of the Workplace Substance Abuse Policy and Procedure and ensure this forms part of the Induction process for new employees/promotees
- to report/record and implement these procedures in a fair, consistent and confidential manner
- to liaise with employees regarding arrangements for referral to the Occupational Health Service and/or other agencies
- to ensure employees are aware of Health and Wellbeing interventions, initiatives and programmes
- to support, as far as it is reasonably practicable, any rehabilitation programme which may be recommended by the Occupational Health Service and/or other agencies.

Under the direction of Human Resources, Managers have a responsibility for implementing these procedures.

5 ROLE OF HUMAN RESOURCES

- to monitor the application of these procedures and ensure that there is a fair and consistent approach to all employees
- to advise, assist and support managers in the implementation of these procedures in support of the employee
- to arrange medical referrals and act as liaison between managers and the Occupational Health Service
- to provide advice and support to managers and employees on health and wellbeing issues and the availability of Employee Assistance Programmes, e.g. Inspire Workplaces
- to actively promote rehabilitation and support employees and managers when considering any recommended reasonable adjustment to facilitate a return to effective working
- to assist managers to actively identify suitable alternative work within Libraries NI for employees where reasonable adjustment as recommended by Occupational Health Services cannot be accommodated in their current role and/or location.

6. ROLE OF FINANCE

- to provide available information on the cost of any related absence
- to monitor financial expenditure on any related absence.

7. ROLE OF OCCUPATIONAL HEALTH

- provide advice and guidance on how best to help an employee with a substance abuse problem
- liaise with medical professionals to monitor an employee's progress throughout a period of absence/treatment
- provide confidential advice to employees
- assist in the provision of Health and Wellbeing information to raise awareness of Substance Abuse.

8. GUIDANCE ON DEALING WITH SUBSTANCE ABUSE PROBLEM

- 8.1 Employees with a substance abuse problem have the same rights to confidentiality and support as they would have if they had any other medical or psychological problem. As far as reasonably possible, substance abuse as identified by a medical practitioner may be treated initially as a health issue.
- 8.2 The movement into Libraries NI Discipline Procedure will be dependent on the circumstances of each case and Management should seek advice from Human Resources before initiating the formal Discipline Policy & Procedure.
- 8.3 Managers should ensure that any employee presenting with a substance abuse problem which affects their work has access to appropriate advice, information and help in getting treatment. Employees who think they have such a problem are encouraged to seek help voluntarily at the earliest opportunity.

If there is an immediate danger the person should be safely removed from the workplace.

Every effort should be made to ensure the person does not endanger themselves and/or others for example, by driving home.

- 8.4 Employees who, because of the deterioration in their work or behaviour come to the attention of management as having such a problem, will be required to discuss the matter confidentially with a designated member of Human Resources. The employee will also be offered professional advice and help through the auspices of the Occupational Health Services/Employee Assistance Programme.
- 8.5 Time off and conduct during absence will be, as set out under Libraries NI Managing Attendance at Work Policy and Procedures.
- 8.6 Treatment of substance abuse may require long-term support and employees who begin a course of treatment will be given encouragement to continue. Each case will be considered on its own merits in conjunction with professional advice and sympathetic consideration will be given to absences for treatment and rehabilitation

under normal sick-leave provisions, although this cannot be continued indefinitely in the case of chronic conditions.

- 8.7 Should Employees persistently refuse help or fail to complete a treatment programme, and this is reflected in poor performance, attendance and/or behaviour at work, Libraries NI formal Discipline Policy & Procedure will be initiated, which may result in dismissal.
- 8.8 Cases of gross misconduct e.g. possession and/or dealing in drugs/substances will lead to disciplinary action which may result in dismissal.
- 8.9 Possession and/or dealing in drugs or other illegal substances is a criminal offence and will be reported immediately to the police. Such action is mandatory.
- 8.10 Where the job of an employee with a substance abuse problem carries an element of risk from a health and safety perspective, it may be necessary to reassign them to other duties for a temporary period. This may include withdrawal from driving duties.

In such circumstances the employee will usually receive normal pay; however, where there is redeployment to a post of a different/less grade, the employee may be paid at the appropriate rate for that post.

- 8.11 Any employee who attends work showing obvious signs of being under the influence of alcohol, drugs and/or other substances will be deemed unfit for work, in line with Health and Safety, and safely removed from their working environment.

Disciplinary action will be invoked in accordance with the Libraries NI Discipline Policy and Procedures.

- 8.12 When discussing these problems with employees the desire of Libraries NI to assist the employee will at all times be uppermost in the mind of the designated officer. As a result of this discussion the designated officer will offer the employee the opportunity to seek an outside assessment and, if necessary, treatment from an appropriate agency.

The designated officer will make clear to the employee that during any period of treatment all benefits and rights laid down in the contract of employment will be safeguarded.

When the employee is deemed fit to resume work it will normally be in the employee's original post. If that is not possible, every effort will be made to find that employee suitable alternative employment within Libraries NI. Should the employee not be satisfied with the arrangements being offered, the matter will be referred to under Libraries NI Individual Grievance Procedure.

- 8.13 The procedure established by this agreement for assisting an employee with a substance abuse problem is quite distinct from the Discipline procedure. An employee with an identified problem, which affects conduct at work or which prevents the achievement of a satisfactory level of work performance and who refuses the opportunity to receive help, may have the matter referred to the Discipline procedure. Equally if an employee denies the existence of a substance abuse problem or discontinues a course of treatment and then reverts to previous unsatisfactory levels of conduct or performance, the employee may have the matter referred to the Discipline procedure.

- 8.14 An employee who accepts the opportunity to receive help, but whose conduct or work performance afterwards reverts to an unsatisfactory level of work performance / conduct, will have the new situation considered on its merits. If appropriate a further opportunity to re-engage with help and treatment may be offered.
- 8.15 The application of this policy and associated procedures is limited to those instances of substance abuse which affect the health and/or work attendance, performance or conduct of the employee.

The policy does not apply to employees who, because of indulgence in a substance (e.g. alcohol) on random occasions, behave in a manner contrary to the standard of safety and conduct required by Libraries NI. Such instance will be dealt with in accordance with Libraries NI Discipline Procedure.

9. TESTING

- 9.1 Employees seeking support and/or treatment for substance abuse may be required to undergo testing.
- 9.2 Testing will be conducted via an independent provider and will be carried out in a private and confidential manner. Testing may include the provision of saliva swab, blood and/or urine sample, breath test or hair sample.

10 CONFIDENTIALITY

All employer discussions with an employee in connection with the policy and procedures will be strictly confidential. This will equally be the case with any counselling or other treatment undertaken by the employee. While appropriate personnel records will be kept it is accepted that any record of treatment will be the property of the person administering that treatment. No discussion about the employee will take place with another party without the permission of the employee.

11. TRAINING

- 11.1 This procedure is available on the staff intranet.
- 11.2 Specific training will be given to those with responsibility for implementing the policy and procedures. Depending on the level of responsibility and the knowledge and skills considered necessary, training programmes will cover as appropriate, the following:
- basic understanding of the abuse of alcohol, drug and other substances and the rationale of the policy and procedures
 - the nature of substance abuse problems, possible causes and effects
 - the relationships between the consumption/use of substances, problems, occupation, behaviour, efficiency, safety and general work performance
 - the kind of help, such as counselling, available from local agencies.

CHECKLIST OF ACTION

