

MCIT: What to Do When Substance Use Affects an Employee's Job Performance

Disclaimer

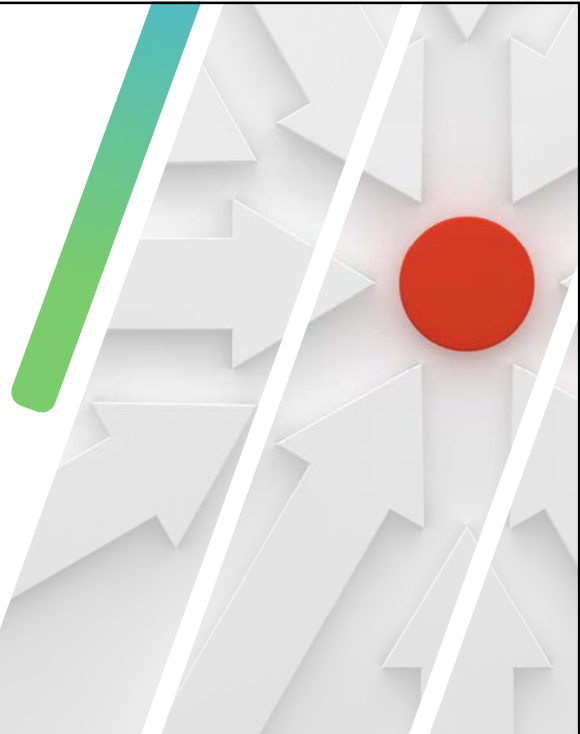
➤ I am not an Attorney or Legal Professional. This training is intended to inform supervising staff about the topic. It is not intended to provide legal advice. If you have any legal questions- please seek guidance and support from HR and/or Legal Counsel.

➤ I am a DOT Substance Abuse Professional and Clinical Social Worker with experience working in the field of Substance Use.



Objectives

- Understand the Impact of Substance Use on Job Performance
- Recognize Signs and Symptoms of Substance Use
- Legal and Ethical Considerations
- Implementing a Drug-Free Workplace Program
- Communication and Training
- Intervention Strategies
- Support and Rehabilitation
- Performance Management and Documentation
- Review and Continuous Improvement



Impact of the Problem

Substance use negatively affects the workplace through:

- lost productivity
- workplace accidents and injuries
- employee absenteeism
- low morale
- increased illness



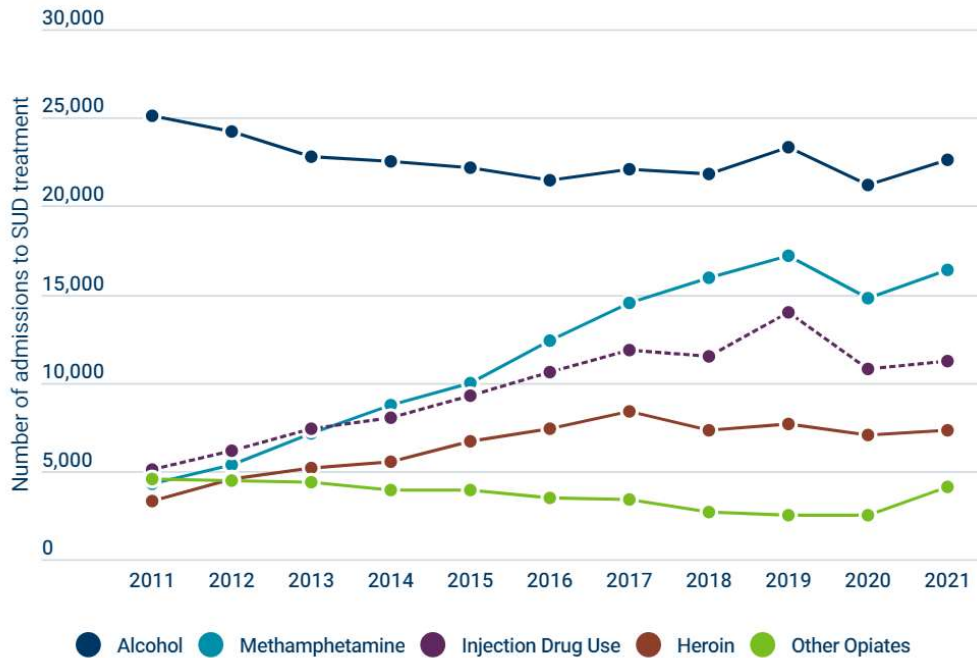
Substance Use Disorder Treatment

Only 1 in 10 people with a substance use disorder receive treatment in the U.S.



Among adult Minnesotans, alcohol remains the primary substance used at the time of admission to Substance Use Disorder (SUD) treatment. Continuing previous year trends, methamphetamine has been the second leading substance used at admission to treatment.

2022



[Download data](#)

Source: Minnesota Department of Human Services, Drug and Alcohol Abuse Normative Evaluation system (DAANES)

Alcohol

- Alcohol is used more often and by more people than any other drug, and alcohol contributes to more deaths, injuries, and illnesses than any other drug.
- Some workplaces inadvertently perpetuate a pro-alcohol environment by normalizing drinking and scheduling events around alcohol/environments.



Scope of Mental Illness.

In the U.S.

- 1 in 5 of us meets the criteria for having a mental health condition. * 1 in 4.87 in MN
- 1 in 25 of us live with a serious and persistent mental illness. This can account for a lifespan shorter than average by 10-25 years.
- 8% of us have a diagnosable substance use disorder.
- 1 out of every eight emergency room visits involve a mental health or substance abuse disorder.
- #1: Depression is the leading cause of disability worldwide.

. 2022

Mental Health Continuum Model



<ul style="list-style-type: none"> • Normal mood fluctuations • Calm & takes things in stride • Good sense of humour • Performing well • In control mentally • Normal sleep patterns • Few sleep difficulties • Physically well • Good energy level • Physically and socially active • No or limited alcohol use/ gambling 	<ul style="list-style-type: none"> • Irritable / impatient • Nervous • Sadness / overwhelmed • Displaced sarcasm • Procrastination • Forgetfulness • Trouble sleeping • Intrusive thoughts • Nightmares • Muscle tension / headaches • Low energy • Decreased activity/socializing • Regular but controlled alcohol use / gambling 	<ul style="list-style-type: none"> • Anger • Anxiety • Pervasively sad / hopeless • Negative attitude • Poor performance / workaholic • Poor concentration / decisions • Restless disturbed sleep • Recurrent images / nightmares • Increased aches and pains • Increased fatigue • Avoidance • Withdrawal • Increased alcohol use / gambling is hard to control 	<ul style="list-style-type: none"> • Angry outbursts / aggression • Excessive anxiety / panic attacks • Depressed / suicidal thoughts • Over insubordination • Can't perform duties, control behaviour or concentrate • Can't fall asleep or stay asleep • Sleeping too much or too little • Physical illnesses • Constant fatigue • Not going out or answering phone • Alcohol or gambling addiction • Other addictions
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Workforce Data

- of individuals with alcohol or illicit drug use continue to maintain employment, as many employees with alcohol or other drug problems can continue to remain "functioning."
- Companies and organizations can no longer ignore the realities and repercussions of alcohol and other drugs in the workplace.

2017

Workforce Data

- Positivity rates for marijuana in the general U.S. workforce, (*based on more than 6 million urine tests*) continued an upward climb, increasing 8.3% (3.6% in 2020 versus 3.9% in 2021), the highest positivity rate ever reported in the DTI.
 - Over five years, positivity for marijuana in the general U.S. workforce increased 50% (2.6% in 2017 versus 3.9% in 2021).

Workforce Data

- Over the last five years in general U.S. workforce urine drug testing, **pre-employment positivity increased 17.4%** (4.6% in 2017 versus 5.4% in 2021); while **post-accident positivity increased 26%** (7.7% in 2017 versus 9.7% in 2021).

Signs to Look for

- ❖ *Even though you must not try to diagnose the problem, there are many signs that may indicate a problem with drugs and/or alcohol and a suggested referral to the EAP may be helpful.*

Leave and Attendance

Performance Problems

Relationships at Work

Behavior at Work

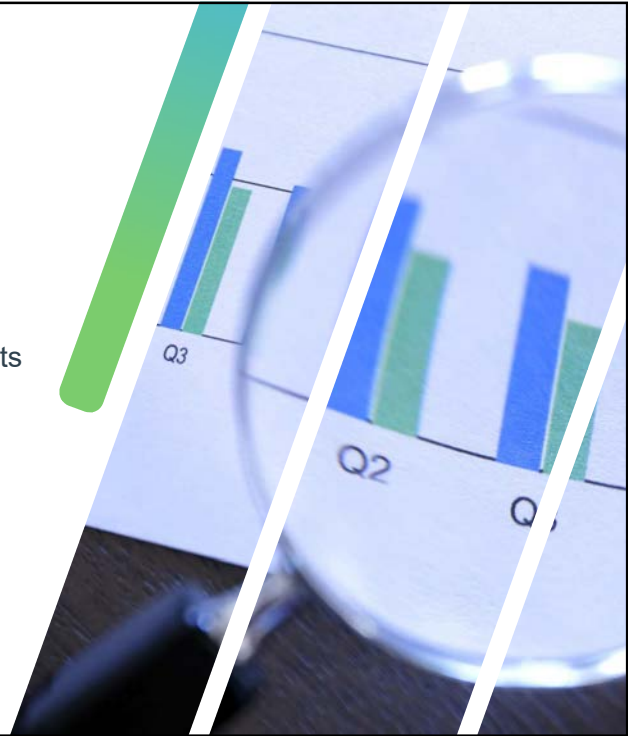
Leave and Attendance:

- Unexplained or unauthorized absences from work
- Frequent tardiness
- Excessive use of sick leave
- Patterns of absence such as the day after payday or frequent Monday or Friday absences
- Frequent unplanned absences due to "emergencies" (e.g., household repairs, car trouble, family emergencies, legal problems)
- The employee may also be absent from his or her duty station without explanation or permission for significant periods of time.



Performance Problems:

- Missed deadlines
- Careless or sloppy work or incomplete assignments
- Production quotas not met
- Many excuses for incomplete assignments or missed deadlines
- Faulty analysis
- In jobs requiring long-term projects or detailed analysis, an employee may be able to hide a performance problem for quite some time.



Relationships at Work

- Relationships with co-workers may become strained
- The employee may be belligerent, argumentative, or short-tempered, especially in the mornings or after weekends or holidays
- The employee may become a "loner"
- The employee may also have noticeable financial problems evidenced by borrowing money from other employees or receiving phone calls at work from creditors or collection companies.



Behavior at Work

The appearance of being inebriated or under the influence of alcohol might include:

- The smell of alcohol
- Staggering, or an unsteady gait
- Bloodshot eyes
- Smell of drugs
- Mood and behavior changes such as excessive laughter and inappropriate loud talk
- Excessive use of mouthwash or breath mints
- Avoidance of supervisory contact, especially after lunch
- Tremors
- Sleeping on duty



Reasonable Suspicion

Reasonable Cause/Suspicion

- Occurs when a company official or supervisor - based on their training - believes the employee shows signs of drug use and/or alcohol misuse.

Here are a few examples:

- Direct observation of drug use
- A report from a reliable source that an employee is using drugs or alcohol
- Evidence an employee has used, possessed, sold, solicited or transferred drugs while on the clock



Stimulants

➤ *Stimulants from medication to are often abused for their effects, from alertness to the euphoric high.*

Common signs of

include:

- Dilated pupils
- Restlessness
- Hyperactivity
- Loss of appetite
- Weight loss
- Sweating
- Deceptive behavior, such as lying or stealing
- “ ” to get more prescriptions
- Using prescriptions more than prescribed
- Using stimulant drugs without a prescription
- Exhibiting excessive energy or motivation
- Aggressive behavior or anger outbursts
- Mood-swings
- Risky or impulsive behaviors
- Jitteriness
- Rapid heartbeat
- Elevated blood pressure
- Hyper-focus
- Flight of ideas
- Racing thoughts
- Anxiety or nervousness
- Increased sense of well-being or confidence

Opiates

➤ *Opiates, also known as “Opioid Painkillers,” include prescription drugs such as , , and . These substances are effective pain relievers when taken as directed by a physician.*

Common signs of opiate

include:

- Needle marks on arms and legs from intravenous (injected) use.
- Constricted, “pinpoint” pupils.
- Having trouble staying awake or falling asleep at inappropriate times.
- Flushed, itchy skin.
- Withdrawing from social activities that were once enjoyed.
- Sudden and dramatic mood swings that seem out of character.
- Impulsive actions and decision-making.
- Engaging in risky activities, such as driving under the influence.
- Visiting multiple doctors to obtain more prescriptions.

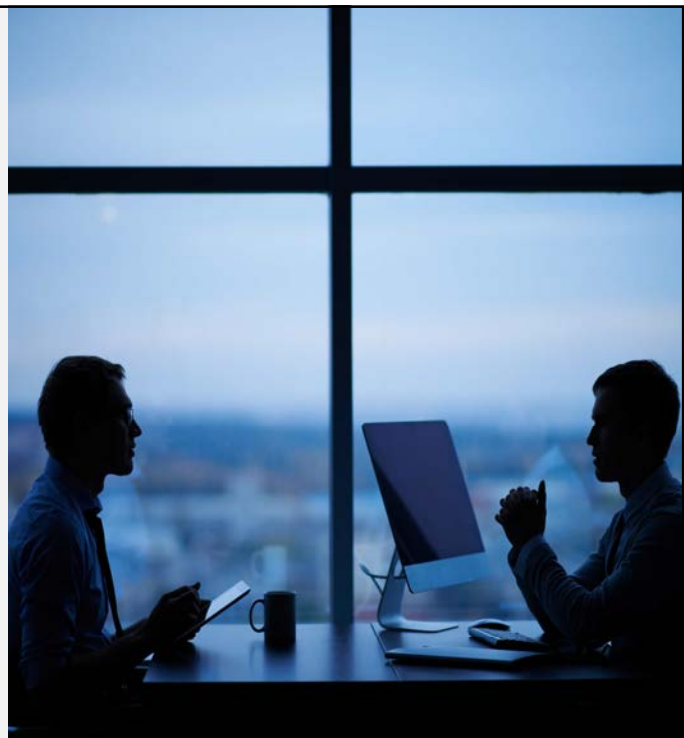
Supervisor Role

- Assigning, monitoring, reviewing, and appraising work and performance- including conduct
- Setting work schedules, approving or disapproving leave requests
- Taking necessary corrective and disciplinary actions when performance or conduct problems surface
- Contacting HR or legal counsel when necessary



Receiving a Complaint

- *Concerns that an employee is under the influence often come from co-workers, clients or vendors – sometimes before you notice.*



Receiving a complaint

- If you receive a complaint, take time to ask what the person observed, when the person observed it, and if others witnessed or commented on this situation.
- You will also want to determine if the behavior is new or has happened in the past (possibly indicating a pattern of behavior).



Alternative language

For example: "I am not sure what is wrong, but I am concerned by your slurred speech and bloodshot eyes."

- *I noticed...*
- *I observed...*



Strategies for Supervisors to Practice Self-Care

- ✓ **Set Boundaries**
- ✓ **Time Management**
- ✓ **Practice Stress Management Techniques**
- ✓ **Physical Health**
- ✓ **Mental and Emotional Health**
- ✓ **Professional Development**
- ✓ **Positive Work Environment**
- ✓ **Realistic Expectations**
- ✓ **Recreation/Hobbies and Social Connection**
- ✓ **Mindful Technology Use**



BEST PRACTICES:

- Discuss the employee's behavior with the employee in the presence of HR or other administration.
- To avoid discrimination claims, be sure and apply the same standards to all employees.
- If you make an exception for an employee who might be going through a personal issue at the time, make sure to document it.
- If you suspect an employee is under the influence, it's best to send them home. Make sure you arrange for transportation for that person.

Intoxication at Work

An area that is often troublesome for supervisors is what to do when an employee is apparently under the influence or intoxicated at work. Agencies have a fair amount of latitude about what to do in these situations. The following is a list of steps you should take in dealing with such a situation. Though not all steps would be appropriate in all situations, most would be applicable.

- Restrict employee from performing safety-sensitive duties*
- If employee is willing- and it is appropriate: send employee for drug/alcohol testing (Unless the employee is in a job with specific medical or physical requirements, you cannot order the employee to undergo any type of medical examination.)*
- Contact the EAP for a supervisory consultation*
- Give employee EAP information and reiterate that it is a voluntary and completely confidential service.*

Intoxication at Work

- If the employee is disruptive to the workplace, you should remove him or her from the immediate worksite.*
- An employee who is physically resisting should be dealt with by agency security or local police.*
- An intoxicated employee should not be sent home alone or allowed to drive. It would be appropriate to consider having a family member take the employee home. A taxi is also an option. (There could be some serious liability issues involved here so it is important to consult with Human Resources, Employee Relations, and the legal counsel's office).*
- It is important to immediately and accurately document in writing what has transpired. Record all the events that led to sending the employee home, especially if any disciplinary action is necessary. It is important to work with the EAP and employee relations staff and keep them informed of such events because the quality of the information they receive from you impacts on the quality of their advice and service.*



Legal and Ethical Considerations

- Review relevant laws and regulations regarding substance use in the workplace (e.g., ADA, FMLA, OSHA).
- Emphasize the importance of confidentiality and employees' rights.
- ❖ Consult your HR department or legal counsel regarding legal implications in this area.

Implementing a Drug Free Workplace

*A drug-free workplace is not just about **eliminating substance use** on the job. It's about fostering a healthy, safe, and productive environment for all employees.*

- Conduct regular drug testing (if appropriate)
- Develop and inform employees about the policy
- Initiate education and awareness programs
- Foster a supportive workplace culture
- Encourage responsibility and accountability
- Ensure privacy and confidentiality.



Pre-Intervention Strategies

❖ Before meeting with the employee:

- Gather documentation of performance or conduct problems.
- Review the drug workplace policy
- Consult HR
- Consult an EAP Counselor
- Have resources available to employee (EAP/FMLA etc.)

Intervention Strategies

- Ensure private and confidential meeting setting
- Express concern- not accusation
 - “I’ve noticed some changes in your performance and behavior lately”.
- Be compassionate
- Stick to the FACTS
 - “I’ve observed that you have been late to work multiple times and missed some important deadlines”.
- Listen actively
- Offer support and resources
- Outline expectations and consequences
- Follow-up
 - Schedule a follow-up meeting
 - Monitor progress
- Document the conversation
- Maintain confidentiality





Things to Avoid

Examples of supervisory behavior that might be considered enabling include:

- Covering up for the employee
- Lending the employee money
- Allowing the employee's spouse, rather than the employee, to call about the employee's absence
- Failing to give resources, including to the EAP.
- Shifting the employee's work to other employees
- Trying to counsel the employee on your own
- Making excuses to others about the employee's behavior or performance
- Adjusting the employee's work schedule, for example, allowing the employee to continually come in late and make up the hours later.



Support and Rehabilitation

- Have resources readily available
- Know the EAP- the process and how to explain it to employees.
- Provide an opportunity for listening
- Maintain Confidentiality
- Accommodate when possible

Performance Management and Documentation

- Document performance issues objectively and consistently.
- Have examples of documentation methods and forms for supervisors to use. *Confidentiality
- Work collaboratively with the employee to schedule regular check in's.
 - Set manageable goals or checkpoints for employees. SMART goals
- Set clear expectations
- Provide regular feedback
- Facilitate professional development



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Department of Transportation (DOT)

The Department of Transportation's (DOT) rule, 49 CFR Part 40, describes required procedures for conducting workplace drug and alcohol testing for the Federally regulated transportation industry.

DOT SAP RTD Evaluations are included in the MCIT contract with SandCreek.



Your Employee Assistance Program (EAP)

- **Counseling Sessions (6)**
- **Life Coaching**
- **In-the-moment support**
- **Supervisor Support/Consultation**
- **Parent Coaching and Referrals**
- **Elder and Child-Care Referrals**
- **Financial Counseling**
- **Legal Consultations**
- **Critical Incident Response**
- **Crisis Debriefings**



1-800-550-6248

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