



Origination 05/2006
Last Approved 04/2022
Effective 04/2022
Last Revised 04/2022
Next Review 04/2023

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Area Human Resources
Applicability Aspirus Inc, AMG, AWH, PAC
References Courier, NEO Contracts, Orientation

Drug and Alcohol Free Workplace Policy

PURPOSE:

THROUGH ASPIRUS' COMMITMENT TO EXCELLENCE TO PROVIDE QUALITY HEALTHCARE AND COMPASSION FOR PEOPLE, IT RECOGNIZES ITS RESPONSIBILITY TO PROVIDE A DRUG AND ALCOHOL FREE WORKPLACE.

THE INTENT OF THIS POLICY IS:

- TO PROTECT OUR CUSTOMERS (EMPLOYEES, PATIENTS, FAMILIES, ETC.) FROM THE IMPACT OF THOSE WHO MAY BE IMPAIRED BY REASON OF THEIR USE OF ALCOHOL OR OTHER DRUGS.
- TO PROVIDE A PROCESS FOR IDENTIFYING INDIVIDUALS WHO MAY BE IMPAIRED BY ALCOHOL OR OTHER DRUGS, OR DIVERTING CONTROLLED DRUGS FROM THEIR INTENDED PURPOSE.

AREAS AFFECTED:

All Employees of AWH, ACI, AI, PAC

DEFINITIONS:

Drugs: For the purpose of this policy, the term "drugs" refers to prescription and non-prescription drugs (including legal and illegal substances) or other substances that are likely to impair the employee's ability to perform his/her duties.

Employee: For the purpose of this policy, an employee shall be defined as all classified/unclassified employees assigned and paid through the Aspirus payroll system to perform work including regular,

contract, student, volunteer, and temporary staff.

Impairment:

- For the purpose of this policy, an employee shall be deemed "impaired" by the use of **drugs** if a test for the presence of drugs in the employee's system results in a positive finding per established laboratory parameters. The laboratory determines "positive findings" if a sufficient concentration of a drug is present in the sample tested.
- For the purpose of this policy, an employee shall be deemed "impaired" by the use of **alcohol** if a test for the presence of alcohol results in any level whatsoever of blood alcohol concentration in the employee's system.

Reasonable Cause: "Reasonable cause" used herein includes any identifiable pattern of behaviors or performance which may cause a person to question whether an employee is physically or emotionally able to perform his/her job. Another factor that may provide a basis for reasonable cause is excessive tardiness or absences. (See Supervisor Checklist attached).

Reasonable Suspicion: "Reasonable suspicion" used herein includes the actual presence of behaviors or performance that lead to the concern that an employee is physically or emotionally unable to perform his/her job. It also includes actual observation of such behaviors as drinking alcohol, using some other drug, or possessing them while on Aspirus premises. (See Supervisor Checklist attached).

POLICY:

Aspirus will not tolerate drug and/or alcohol use on the job, the sale or transfer of illicit drugs or alcohol, or the possession of drugs or alcohol on company premises. An exception to this may be if alcohol is received as a gift during the holidays; in these situations the receipt of the alcohol should be reported to your department leader, the alcohol must remain sealed, and be removed from the premises at the end of the business day. Aspirus employees found in violation of this drug and alcohol policy will be subject to corrective action, up to and including termination.

PROCEDURE:

- I. In order that the drug and alcohol policy of Aspirus be adequately enforced, an employee may be required to undergo testing for alcohol or drugs in the following circumstances:
 - A. **Post Offer:** Prospective employees are required to submit to the following.
 1. Prior to undergoing testing the prospective employee will be requested to sign the consent to test form for prospective employee testing. The agreement to submit to testing shall be voluntary on the part of the prospective employee.
 2. Any prospective employee who refuses to submit to testing, who refuses to sign the consent form, chain of custody form, or who tests positive for the presence of controlled substances and/or **illegal drugs** will not be considered for employment. All positive results are evaluated by a Medical Review Officer (MRO) and final determination is reviewed with Employee Health Medical Director.

3. Any prospective employee that refuses to provide an adequate urine specimen, or provides an adulterated specimen, will not be considered for employment.
4. A dilute urine specimen will be evaluated and the prospective employee may be referred to his/her personal physician for medical evaluation at their own cost. The prospective employee will not be allowed to start employment until the result of the testing is complete. If there is not a medical reason for the dilute specimen the job offer may be rescinded.
5. Any prospective employee that tests positive for any controlled substance and/or **illegal drug** will be eligible to reapply for employment at Aspirus after a 6-month period of time has elapsed since the previous positive test result.

B. **Reasonable Suspicion or Cause:** When an employee exhibits behavior that leads the supervisor to believe there is reasonable cause or suspicion that an employee is impaired while on the job; or that an employee's off-the-job use of drugs or alcohol creates a pattern that is adversely affecting the employee's job performance (reasonable cause); and/or an employee has an accident in which safety precautions are violated or careless acts pose or result in injury to any person or damage to property:

1. The supervisor must ensure the safety and well-being of our customers (employees, patients, families, etc.).
2. During business hours (7:00am-4:30pm), contact the Employee Health Department at 1-800-283-2881, ext. 72785. If Employee Health cannot be reached, contact Human Resources, ext 72800.
3. During non-business hours, take employee to nearest Aspirus affiliated Occupational Health clinic or Emergency Room. If one is not available in your area, take the employee to one of the following in your area:
 - Phelps/Land O' Lakes – Aspirus Eagle River Hospital Emergency Room
 - Rhinelander – Aspirus Rhinelander Hospital Emergency Room
 - Phillips – Flambeau Hospital Emergency Room in Park Falls
 - Medford – Aspirus Medford Hospital Emergency Room
 - Antigo – Aspirus Langlade Hospital Emergency Room
 - Wisconsin Rapids – Aspirus Riverview Hospital Emergency Room
 - Marshfield – Marshfield Clinic Medical Center Emergency Room
 - Keweenaw – Aspirus Keweenaw Hospital Emergency Room

Note: If travel is required, the supervisor (or designee) must transport the employee to the facility. **Do not** allow the employee to drive or travel unaccompanied.

4. The employee will be asked to sign a written consent form under the terms of which the employee gives Aspirus permission to obtain specimens for testing for the presence of drugs or alcohol. If the employee refuses to give consent to testing or otherwise fails to cooperate in any way with the testing procedure, the employee shall be subject to disciplinary action up to and including termination.
 5. Under no circumstances will the employee be allowed to drive themselves home. If the employee leaves with the apparent intent to drive, the supervisor should notify local law enforcement. The supervisor should not attempt to physically restrain the employee. The supervisor must also notify Employee Health for consultation and assistance when these investigatory procedures are initiated.
 6. During the initial drug testing at the time of reasonable suspicion or cause, if an adulterated urine specimen is provided, an immediate observed collection will be completed. This one additional test will be performed and if the additional test is adulterated, the employee may be referred to their personal physician for medical evaluation, at the employee's cost. Until the medical evaluation is complete by the MRO, the employee will be placed on unpaid leave of absence. If there is no medical basis for an adulterated specimen, the employee will be subject to disciplinary action up to and including termination.
 7. Employees who are tested are required to authorize release of test results to Aspirus. Results sent to Employee Health will be kept confidential. Release of information to unauthorized persons or entities requires written consent from the employee, unless otherwise required by law.
- II. At the time of reasonable cause or suspicion, the supervisor shall relieve the employee of duty pending further investigation. The supervisor should tell the employee they are under suspension pending completion of the investigation. Under no circumstance is the employee to return to work until clearance is received from the Employee Health and the Human Resources Departments, regardless of the initial results from the clinic or emergency room. The employee will remain in pay status unless the investigation reveals a policy violation justifying disciplinary action. The supervisor will arrange transportation home for the employee at Aspirus' expense.
 - III. In the event the test for drugs or alcohol reveals that the employee is impaired, the employee will be referred to EAS (or other approved program) and put on unpaid leave of absence until the completion of a substance abuse assessment. In the event that a professionally licensed employee's ability to perform their professional duties is impaired by alcohol and/or drug use, his/her supervisor must be notified. The employee may be reported to the State of Wisconsin Department of Safety and Professional Services per recommendation from EAS based on their assessment of the employee. If the determination is made that a report to the State is required, the employee may choose to self-report or the supervisor will need to complete a supervisory report, but not both.
 - IV. Upon completion of the investigation and initial assessment by EAS (or other approved program), the employee will be required to sign a Return to Work Contract and complete return to work drug and alcohol testing, with negative results. Any MRO confirmed positive result

upon initial return to work will lead to termination. Once the Return to Work contract is signed, the employee will be required to adhere to the terms of the contract determined by Human Resources and Employee Health or the employee will be subject to disciplinary action up to and including termination. The contract shall include mandatory-unannounced drug and/or alcohol testing. Specifications on the terms of the contract will remain individual including the rate and duration the employee is subject to drug and alcohol testing. Any MRO confirmed positive result during any mandatory-unannounced drug and/or alcohol testing will lead to termination.

- V. During the mandatory-unannounced drug and/or alcohol, if an adulterated urine specimen is provided, an immediate observed collection will be completed. This one additional test will be performed and if the additional test is adulterated, the employee may be referred to their personal physician for medical evaluation, at the employee's cost. Until the medical evaluation is complete by the MRO, the employee will be placed on unpaid leave of absence. If there is no medical basis for an adulterated specimen, the employee will be subject to termination.
- VI. In most instances, an employee's request for a leave of absence to obtain treatment for substance abuse will be granted by Aspirus, except the treatment will not delay a decision to discipline and/or discharge an employee for policy or work performance violations. The terms of the employee's absence for treatment will be determined in consultation with Human Resources.

Employees who successfully complete treatment and wish to return to work may do so subject to conditions mutually established between the employer and the employee. These conditions will be established by the employee's department according to guidelines and consultation provided by Human Resources and in consultation with the employee, treatment provider, EAS (or other approved program), and Employee Health Services.

- VII. Aspirus will follow all necessary chain of custody procedures that include all positive test results being reviewed by an Independent Medical Review Officer (MRO).
- VIII. Prescribed medication may be taken on duty provided it does not impair work performance or jeopardize the safety of patients, employees or property. If in question, Aspirus reserves the right to seek a medical opinion for the purpose of determining an employee's fitness for duty. Results will be sent to Employee Health and placed in the employee's medical file. Release of information to unauthorized persons or entities requires the express written consent from the employee, unless otherwise required by law. In the event that an employee requires an accommodation, they are advised to notify Human Resources or Employee Health.
- IX. Aspirus reserves the right to conduct searches of employees, employee lockers, and other property if it is suspected that the employee has alcohol, drugs, or dangerous materials on company property (including authorized parking lots).
- X. Persons who are on-call have the potential to report for duty and are required to abstain from alcohol and/or illegal substance consumption.
- XI. Off-duty persons **who are not on-call**, but who are requested to come in to work, may fear their drug use and/or blood alcohol content exceeds a safe level. Such persons must refuse to work regardless of their level of use. Such persons will not be subject to discipline.
- XII. To ensure the accuracy and fairness of our testing program, all testing will be conducted according to Substance Abuse and Mental Health Services Administration (SAMHSA)

guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

REFERENCE:

- Reporting & Investigating Caregiver Misconduct – Aspirus-wide Policy ID #7349
- Employee Assistance Services (EAS) – Aspirus-wide Policy ID #7470
- Medical Staff Support Committee Policy-Practitioner Health Issues – Aspirus Wausau Hospital Policy ID #6219
- Mandatory Reporting Requirements for Licensed Health Professionals – Aspirus Keweenaw Policy ID #101104
- Physician Health – Aspirus Keweenaw Policy ID #137644

SUPERVISOR CHECKLIST

Please see attached: Supervisor Checklist

ONBASE POLICY ID: 7466

Policy No.: 07-84-113; 07-04-236 (2/17/05); 07-68-213 (9/18/03); 07-92-464 (8/2/03)

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Attachments

[Supervisor Checklist](#)

Approval Signatures

Step Description	Approver	Date
Policy Owner	Elizabeth Porter: HUMAN RESOURCES BUSINESS PARTNER	04/2022