

PROCEDURE 407-4
VOLUNTARY ADMISSION OF SUBSTANCE ABUSE
Effective 05-01-2021, Resolution No. 014-21

Employees who voluntarily admit to drug or alcohol abuse or dependence and seek treatment will be granted a leave of absence subject to the terms of this procedure. Employees may also be placed on leave and required to obtain treatment.

“Voluntary admission” means that the employee discloses the drug or alcohol misuse or dependence before:

- The employee reports for any safety-sensitive duty;
- The employee is on notice of a requirement to submit to a drug or alcohol test; and
- The County has reason to believe that the employee is or may be in violation of the Drug-Free and Alcohol-Free Workplace Policy or applicable Department of Transportation regulations.

Return to Work

The employee who has been granted or placed on leave to obtain treatment and will be returned to work upon:

- Verification that the employee has received an evaluation by a substance abuse professional approved by the County, has successfully completed all recommendations of the substance abuse professional including any recommended treatment and rehabilitation, and has passed a return to duty drug and/or alcohol test. A passing test means no detectable level of an unauthorized controlled substance or alcohol. The employee must complete all recommended treatment and rehabilitation within a reasonable amount of time to be eligible to return to work.
- Signing a Return to Work Agreement, which will include any follow-up drug and/or alcohol testing recommended by the substance abuse professional or the County.

Unless the employee is subject to Department of Transportation (DOT) regulations, where the employee’s leave of absence and treatment is related solely to alcohol abuse or dependence, application of the return to work requirements will be determined by the Human Resources Department in conjunction with the employee’s department/agency/office on a case by case basis considering all relevant factors including the nature of the employee’s job.

Required Leave

Employees may be placed on leave and required to obtain treatment where the employee’s substance abuse may affect job performance or safety. Such action must be approved by the Department of Human Resources after consideration of all relevant factors including the nature of the employee’s job.

Use of Paid Leave/Costs of Treatment

Whether leave is voluntary or required, the employee must first use any available paid time off. The remaining leave will be unpaid. Treatment may be covered by the employee benefit plan. However, the employee is ultimately responsible for any treatment costs not covered by insurance.

Employees who voluntarily admit to drug or alcohol abuse or dependence will not be subject to corrective action for the substance abuse provided that they satisfy all return to work requirements, but may be subject to corrective action for conduct related to their drug or alcohol use.

Confidentiality

Information provided by an employee or substance abuse professional will be treated as confidential medical information and will be maintained by the Department of Human Resources separate from the personnel file. Access to this information is limited to those who have a legitimate right or need to know in compliance with relevant laws and County policies.