



## **MANAGER GUIDELINES SUSPECTED ALCOHOL OR DRUG USE**

### **WSU POLICY**

Washington State University (WSU) prohibits the unlawful possession, use, or distribution of illicit drugs or alcohol on university-controlled property and prohibits the use of controlled substances in the workplace. NOTE – some substances may be “legal” to consume outside of WSU property but are still unlawful on campus. WSU complies with the Federal Drug-Free Workplace Act of 1988 and strictly enforces State of Washington laws. See [Executive Policy #20](#).

### **OTHER APPLICABLE LAWS AND POLICIES**

Other laws and policies include, Drug-Free Schools and Communities Act Amendments of 1989 RCW 46.25 Uniform Commercial Driver’s License Act, SPPM 7.10: Requirements for Driving Vehicles on University Business, BPPM 60.50: Corrective and Disciplinary Action, BPPM 60.21: Reasonable Accommodation, WSU Collective Bargaining Agreements

### **HUMAN RESOURCE SERVICE TEAM INFORMATION**

Contact your [HRS Service Team](#) if an employee is suspected of being under the influence of alcohol or drugs on the job because they smell of alcohol and/or drugs and/or are exhibiting behaviors such as slurred speech, uncoordinated movement, gait stupor, excessive giddiness, unexplained periods of exhilaration and excitement, and/or impaired judgment. **If your HRS Service Team is unavailable, contact 509-335-4521 to be routed to an appropriate HRS Contact.**

If the employee is covered under a collective bargaining agreement, refer to applicable Contract Article. In addition to the HR Service Team, you may also contact HRS Labor Relations at [hrs.labor@wsu.edu](mailto:hrs.labor@wsu.edu) or (509) 335-4521.

### **CONSIDERATIONS FOR COURSE OF ACTION**

The precise course of action taken is dependent on the specifics of the situation. The supervisor/manager is to consider the seriousness of each situation.

For example:

- Is the employee’s or others’ safety a concern?
- Is there concern for damage to university property?
- Did the supervisor/manager witness the employee consume, possess, or distribute drugs or alcohol? If not the manager/supervisor, did someone else? How was it reported?
- Did the employee voluntarily disclose they are under the care of doctor and taking prescription medication?
- Did the supervisor/manager witness the employee consume an alcoholic beverage?
- Is/was there an odor detected on the employee, associated with someone having consumed an alcoholic beverage or other substance?

- Have you met with the employee directly and/or witnessed at the time of the reported concern and asked about the behavior?
- Is the behavior causing performance issues or disruptions to the workplace?
  - If the behavior is not causing performance issues, it is still something to address, but this is helpful information for processes.

Depending on the scenario, the supervisor/manager may immediately call 911, contact law enforcement on a non-emergency basis, temporarily reassign duties, and/or send the employee home, as applicable using appropriate judgement to determine steps using this document as a guide. Scenarios may include, but are not limited to:

- The employee is exhibiting unsafe behavior toward themselves or others.
- The employee is driving under the influence of drugs or alcohol.
- The employee has damaged university property.
- You directly witnessed consumption of drugs or alcohol while the employee was on their shift.

**Do not send the employee to transport themselves home if you are concerned they are under the influence of alcohol and/or drugs (see below for options).**

#### RECOMMENDED PROCESS

- Contact your HRS Service Team or the HRS front desk to be routed accordingly.
  - Depending on the scenario, the supervisor/manager may take action up to sending the employee home or immediately contacting law enforcement.
  - **Do NOT send an employee home without proper transportation who is suspected to be under the influence of drugs or alcohol.** See notes below.
- If it is reported to you an employee may be consuming and/or under the influence of drugs or alcohol, it is recommended you immediately make an observation of the employee's behavior so you have first hand knowledge of their appearance/behavior/performance, and bring a secondary witness when possible. Consult with your HR Service Team prior to making the observation, if needed.
  - If it is apparent the employee should not be performing their regular duties:
    - Meet with the employee in a private setting. When possible, do not meet with the employee alone, including another supervisor is preferred. If you are concerned about issues of safety or believe the employee would be more comfortable, they may have another individual present at the meeting.
    - Let the employee know you noticed the smell, performance deficiencies and/or erratic behavior (noting what you have directly observed or it was reported to you) that are consistent with or similar to those of someone under the influence of drugs or alcohol. For example:
      - I noticed you are slurring your words today, is there anything you need to share with me?
      - I noticed your eyes are bloodshot and you are swaying when you are walking or standing up. Is there anything you need to share with me?
      - I noticed or it was reported you [describe observations, i.e. smell of alcohol or other substance] and you are not completing assigned tasks efficiently which is unusual for you. Is there anything you need to share with me?

*Note: The intent of these questions are to ascertain if there are extenuating circumstances that the university should be aware of that may be the cause of the behavior. For example, some medications or medical conditions may cause similar behaviors and odors typically associated with the use of alcohol or other substances.*

- Take detailed notes to document the conversation.
- Depending on the employee's response and with advice from HRS:
  - Provide the employee with a copy or inform them of the Alcohol and Drug Policy (Executive Policy # 20) and applicable Contract Article if employee is covered by a collective bargaining agreement, emphasizing WSU prohibits the use of controlled substances and alcohol in the workplace and an employee cannot be under the influence of a controlled substance or alcohol while on the job.
  - If the employee discloses they have a medical condition that is causing the behavior, contact HRS, and refer the employee to HRS Disability Services. (This does not mean that lack of fitness for duty is tolerated in the workplace.)
    - ***Do not discuss medical conditions with the employee.*** Let them know you do not need to know specifics, but they are to contact HRS Disability Services to discuss immediately. Additionally, all medical documentation should be sent to HRS Disability Services and must not be maintained in a department.
  - If the employee discloses that they are an alcoholic or has other substance addiction, their condition may be covered under the Americans with Disabilities Act (ADA). (This does not mean that being under the influence will be tolerated in the workplace.) Contact HRS and refer the employee to HRS Disability Services.
- Remind the employee of appropriate workplace behavior and conduct, but do not verbally counsel or reprimand the employee at this time.
- Encourage the employee to utilize WSU resources such as, but not limited to, the Employee Assistance Program and Human Resource Services.
- If necessary, they may be removed from duties yet be allowed to remain on-site, assigned temporary different duties while options below are pursued. Ensure the employee is not placed in a position to endanger self or others.
- The employee may be directed to leave the worksite subject to an appropriate transportation plan.
  - If it appears the employee could not safely operate their vehicle to get home:
    - Offer to call a cab/ride, family member, a friend, or give the employee a bus schedule to provide a means to get home.
      - Please note, if a coworker requests to drive the employee home, they must request and be approved for an appropriate type of leave from their supervisor. (e.g. annual leave, leave without pay, comp time etc.)
    - If the employee appears intoxicated and refuses to accept the above offer yet insists on leaving the premises, report to law enforcement an employee left the workplace and is believed to be under the influence of drugs and/or alcohol. Provide as much detail as you can such as the

starting location of the employee (parking lot), vehicle type/color/make, and the direction the employee drove.

### **OPERATING A STATE VEHICLE, MACHINERY, OR PERSONAL VEHICLE FOR WORK**

If an employee is suspected of being under the influence of alcohol and/or drugs while driving a state vehicle, the following steps are recommended:

- If the employee is actively operating a vehicle dial 911 to contact the appropriate law enforcement agency.
- Supervisor/Manager contacts their HRS Service Team or the HRS Front Desk at **509-335-4521**.
- Supervisor/Manager contacts the WSU Risk Management office at **(509) 335-6893**.
- If the employee holds a position that requires a Commercial Driver's License (CDL) immediately contact HRS Disability Services for drug and alcohol testing requirements.
- If law enforcement is involved and it is determined by the police the employee is under the influence of alcohol and/or drugs, or their ability to operate a motor vehicle is impaired while operating a WSU vehicle, contact your HRS Service Team or the HRS Front Desk. Note: Law enforcement processes will continue and are separate from the WSU administrative processes.
  - If the employee is issued a citation, it may impact their ability to continue to drive a vehicle while on the job.
  - Corrective or disciplinary action may be warranted.
  - The employee may be subject to arrest and subsequent testing by the police in accordance with the applicable RCW's and WAC's.

Prior to vehicle operation, Managers/Supervisors must inform employees who drive state or personal vehicles for work, including those requiring a Commercial Driver's License, of applicable motor vehicle laws, rules and policies as outlined in SPPM 7.10 Requirements for Driving Vehicles on University Business. **Supervisors should document when they reviewed this policy and provided a copy to the employee.**

### **RESOURCES**

#### **Human Resource Services Offices**

- Everett (509) 335-9436
- Pullman (509) 335-4521
- Spokane (509) 358-7553
- Tri-Cities (509) 372-7302
- Vancouver (360) 546-9595

Additional contact information is available on the HRS website at [hrs.wsu.edu](https://hrs.wsu.edu)

#### **Employee Assistance Program (EAP)**

- [eap.wsu.edu](https://eap.wsu.edu)
- Toll Free Number: 1-877-313-4455
- [des.wa.gov/eap](https://des.wa.gov/eap)

**Environmental Health and Safety:**

- [ehs.wsu.edu](https://ehs.wsu.edu)
- (509) 335-3041

**Office of Compliance and Risk Management**

- [crmo.wsu.edu/](https://crmo.wsu.edu/)
- (509) 335-6893

**Ombuds Office**

- [wsu.edu/~ombuds](https://wsu.edu/~ombuds)
- 509-335-1195

**Police/Security Offices (For emergencies dial 911)**

Pullman, Police Department

- [wsu.edu/police](https://wsu.edu/police)
- Non-Emergency - 509-335-8548

Spokane

- [spokane.wsu.edu/campus-security](https://spokane.wsu.edu/campus-security)
- (509) 358-7995

Tri-Cities:

- [tricities.wsu.edu/safety](https://tricities.wsu.edu/safety)
- (509) 372-7234

Vancouver

- [vancouver.wsu.edu/public-safety/campus-police](https://vancouver.wsu.edu/public-safety/campus-police)
- 360-546-9001