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**Luzerne County Policies and Procedures**  
**Regarding Substance Abuse**

**County Procedures:**

1. It is expected that Luzerne County's realistic recognition of alcoholism and drug addiction as illnesses will encourage employees who suspect that they may have a problem, even in its early stages, to take advantage of the professional diagnostic, counseling, and treatment services available through the Employee Assistance Program.
2. Referral procedures have been designed to facilitate both self referrals and supervisory referrals to the Employee Assistance Program.
3. It is the responsibility of supervisors at all levels to implement this policy by remaining alert to all instances of sub-standard work performance, to document these instances, and to bring those to the attention of the employee along with an offer of assistance at the earliest indication of a recurrent pattern. Supervisors are not to attempt to diagnose the nature of the personal problem responsible for poor performance.
4. On-going training and consultation for all levels of supervision will be provided to assure early identification of work performance problems and to assure optimal utilization of the Employee Assistance Program.
5. It is the responsibility of the employee to see assistance through or accept to the Employee Assistance Program and to comply with the recommended Action Plan when personal problems are affecting the employee's work performance. An employee may also seek help on his/her own by contacting the Wyoming Valley Alcohol and Drug Services, Inc., or a similarly licensed drug and alcohol facility. An employee's continued failure to take action to resolve a work-hampering substance abuse problem will be handled in exactly the same way that any other performance problem is handled"
  - a. Failure to accept referral or to comply with the recommended Action Plan together with a continued decline in performance will result in a verbal

warning from the employee's supervisor. The employee has the option to be accompanied by a collective bargaining representative during this process. The employee/supervisor has the option to have a supervisor of equal or higher authority be present. It should be noted that an appropriate supervisor that may be present with the employee/supervisor of concern is determined by the roster of individuals who have filed a State Ethics Form with the Luzerne County Personnel Office.

- b. If, within a reasonable time after the verbal warning, performance has not improved and the employee has failed to take action to resolve his/her problem, a written warning will be given the employee, outlining the performance problem, the expected improvement, and establishment of a time limit for the corrective action. During this formal process, representation by appropriate labor or management personnel (see step a) will be rendered.
- c. If the employee fails to comply with the conditions stated in the written warning, he/she will be disciplined. Such discipline may be, or may lead to, discharge from employment.

It should be noted that any and all of the before mentioned steps may be superseded contingent upon severity of employee or employee/supervisor action.

- 6. The decision to seek or accept assistance through the Employee Assistance Program will in no way be detrimental to an employee's job security or advancement opportunities. It is the supervisor's responsibility to assure that all employees are evaluated only in terms of work performance.
- 7. Participation in the Employee Assistance Program in no way relieves the employee of the responsibility to meet acceptable work performance standards. Treatment or rehabilitation must never be used as an excuse for poor work performance.
- 8. All records pertaining to the Employee Assistance Program will be treated with same degree of confidentiality accorded employee's medical records. Voluntary self-referred employees or family members seeking assistance will be able to do so with complete anonymity.
- 9. Since employee work performance and attendance can be affected by the substance abuse problems of an employee's spouse and/or family members, employees are encouraged to seek assistance or direction from the county's Employee Assistance Program.
- 10. In line with existing personnel practices, sick leave will be provided for employees undergoing treatment or rehabilitation on the same basis as it is granted for other

health problems. It should be noted that Luzerne County is currently developing a formal personnel manual by which this section will conform.

11. Treatment and/or rehabilitation benefits will be provided in accordance with the County's Medical Benefits Plan.
12. Implementation of this policy will not require, or result in, any special regulations, privileges, or exemptions from the company's standard administrative practices applicable to job performance. Likewise, nothing in this statement of policy or in the Employee Assistance Program is to be interpreted as constituting any waiver of management's responsibility to maintain discipline or the rights to invoke disciplinary measures in the case of misconduct which may result from or be associated with the use of alcohol or other drugs.
13. When an employee accepts a referral from a supervisor or Employee Assistance Coordinator and it is a condition of maintaining company employment, the employee must comply with the treatment recommendations of the agency to which they have been directed.
14. Any Supervisor that breaches the confidentiality of an employee or employee/supervisor regarding this policy is subject to penalty as prescribed by any and all statute regarding "Right to Privacy" and also is subject to legal repercussions by the client to whom this policy is addressed.

## **LUZERNE COUNTY POLICY ON SUBSTANCE ABUSE IN THE WORK PLACE**

**WHEREAS**, Luzerne County is concerned with the well-being of its employees and general public, attainment of county government missions, maintenance of employee productivity, and safe work environments; and

**WHEREAS**, illegal or inappropriate use of alcohol and other controller drugs by Luzerne County employee impairs the efficiency and effectiveness of the work force, compromises public health and safety, and undermines attainment of the missions of government agencies, thereby increasing the operating costs of local government; and

**WHEREAS**, Luzerne County will promote a model work place substance abuse policy to foster the development of drug-free work places and encourage creation and use of employee assistance programs.

**NOW, THEREFORE, WE**, the Luzerne County Board of Commissioners, by virtue of the authority vested in us by state statutes and other laws, do hereby establish the following procedures:

1. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol and other controlled drugs by a County employee, either while on duty or in any County work place, is prohibited, such conduct shall subject the employee to appropriate disciplinary action
2. Any employee who is convicted of violating any statute governing the unlawful manufacture, dispensation, possession or use of alcohol or other controlled drugs in any Luzerne County work place shall notify his/her supervisor of such conviction no later than five days after such conviction. A conviction means a finding of guilt (including a plea of nolo contendere, disposition in lieu of trial, probation without verdict or accelerated rehabilitative disposition) or imposition of sentence, or both, by any judicial body charged with responsibility to determine violations of the federal or state criminal drug statutes.
3. Any employee having or suspected of having a problem with alcohol or other controlled drugs, as my be evidenced by poor or diminished work performance, shall be referred to a County approved employee assistance program.
  - a. Employees convicted of drug abuse violations occurring in the work place must satisfactorily participate in a County approved employee assistance program or other rehabilitation program approved for such

purposes by a federal, state, or local health, law enforcement, or other appropriate agency. Any employee convicted of drug abuse violations occurring in the work place who refuses to participate in a County approved employee assistance program shall be subject to appropriate disciplinary actions.

- b. Employees are also encouraged to voluntarily seek help from a County approved employee assistance program.
4. Education and training about the inappropriate use of alcohol and other controlled drugs are important components of this policy. The Luzerne County Board of Commissioners assures such education and training programs in all County offices and agencies. Training will include the consequences of this policy.
5. The Board of Commissioners is responsible for assuring that the Luzerne County Policy on Substance Abuse in the Work Place and information about the County approved employee assistance programs are furnished to all employees.
6. The Board of Commissioners, with the assistance of the County's Drug Policy Advisory Council, shall:
  - a. Monitor and review the implementation of this policy and assure compliance with state and federal statutes and regulations; and
  - b. Coordinate the implementation and revision of this policy with representatives of local labor organizations.
7. Effective Date: August 1, 1990