

SANILAC COUNTY COMMUNITY MENTAL HEALTH AUTHORITY

ADMINISTRATIVE POLICY

NUMBER: BA163

NAME: WEAPONS AND ILLEGAL SUBSTANCES

INITIAL APPROVAL DATE:	12/02/2020	BY: Administrative Committee
(LAST) REVISION DATE:	01/17/2024	BY: HR Manager
(LAST) REVIEW DATE:	01/18/2024	BY: Policy Committee
DISCONTINUED DATE:	N/A	REPLACE BY: N/A

I. PURPOSE

To inform employees of the Agency’s position as to weapons and illegal substances in the workplace. This pertains to both staff and individuals served.

II. APPLICATION

Populations: **NA**
Programs: **Direct - ALL**
Contracted - ALL

III. WEAPONS, ILLEGAL SUBSTANCES, MEDICATIONS, NICOTINE AND ALCOHOL

Sanilac County Community Mental Health Authority (Sanilac CMH) has a zero tolerance toward the presence of weapons, ammunition (except by law enforcement personnel), illegal drugs or alcohol at Agency sites or programs. Alcohol includes individuals under and over the age of 21. Nicotine use at all Agency building sites is prohibited except in designated smoking areas.

Employees and individuals are expected to exercise common courtesy and to respect the needs and sensitivities of others in regard to nicotine use. Nicotine users have a special obligation to keep Agency premises litter-free and not to abuse break and work rules. Complaints about nicotine use issues should be resolved at the lowest level possible and may proceed through the Agency chain of command. Employees who violate the policy will be subject to disciplinary action. The Agency does not discriminate against individuals based on their use of nicotine.

IV. EMPLOYEE SITUATIONS

Sanilac CMH prohibits its employees from being under the influence of illegal drugs or narcotics and/or from using, selling, dispensing or possessing illegal drugs or narcotics while on the Agency’s premises, in Agency vehicles or while performing any function on behalf of their employer. Any employee that is taking medication prescribed to them or over the counter medications, which may impair their ability to perform work, must notify Human Resources. If a staff is not fit for work, they may be sent home to use paid time off. This will ensure that the employee and others will not be at risk of an accident. Employees taking prescription medications that are not prescribed to them will be considered in violation of this policy. Employees that have Medical Marijuana cards may not possess, use or be under the influence while at work.

In situations where an employee is reasonably suspected of alcohol or illegal drug use, including recreational or medicinal marijuana, they will be sent for testing at Agency expense. Employees may be subject to drug/alcohol testing whenever an employee appears to be under the influence of drugs/alcohol. This will be paid for by the Agency. A Supervisor, Officer or HR will escort the person to the testing facility, wait for the testing to occur and then return to Sanilac CMH. Employees that have preliminary results of being under the influence of drugs/alcohol will not be allowed to drive and will be either taken home or allowed to call for someone to pick them up from Sanilac CMH. Employees will

not be allowed to eat or drink once they have been notified of being sent to the testing facility. Employees will be placed on administrative leave until official test results are available. Employees are paid their normal wage while at the testing facility. Employees that test positive will receive disciplinary action up to and including termination of employment and will not be paid by the Agency while waiting for official test results. Employees that test negative will be paid for the time that they were off awaiting official test results. It is recommended that staff use accrued time off to cover any lapse in pay and will be granted this time back if results are negative. Note that Human Resources has the form to notify the testing facility of what tests will be administered and this form needs to be taken to the facility at the time of the test.

The Agency will assist any employee who has self-reported a problem resulting from drugs, narcotics or alcohol abuse to seek appropriate counseling for the treatment of such a problem. Medical and personal leaves will be available to employees attending counseling. Employees must perform their job to the same expectation as others in similar positions. Disciplinary action may be taken if the employee is not meeting expectations regardless of counseling status.

Nicotine use, in any form, is prohibited inside all Agency facilities, on all Agency facility grounds, and in its vehicles. Staff may smoke in their personal vehicles or in designated areas during their regularly scheduled lunch and break periods. Supervisors are expected to enforce these regulations. This policy applies to employees, individuals served, and visitors while on the Agency's premises. Nicotine products shall not be sold on Agency premises. Nicotine use is restricted at all its facilities and in all its vehicles.

V. EMPLOYEE'S ROLE INVOLVING INDIVIDUALS SERVED

All individuals that we serve have a right to privacy, and staff will always maintain a proper respect for the privacy of individuals visiting Sanilac CMH sites. Individuals served should not be unduly questioned regarding the nature of items in their possession. Staff do not have the right to confiscate, or order anyone to release against their will or judgment, a substance of suspicious appearance in the person's possession.

Any staff who becomes aware of the presence of a weapon or ammunition, except in possession of a law enforcement officer, alcohol or illegal drugs on Agency premises or programs will report this matter to their immediate Supervisor as well as the CEO or his designee.

When substantial cause exists for the Supervisor to suspect that an individual has a weapon, ammunition, alcohol or illegal drugs, the individual will be asked for an explanation that reasonably allays this suspicion. In the absence of a reasonable explanation for the suspicious circumstances, unless the individual is visibly impaired, they will be requested to immediately vacate the Agency premises or program by the Supervisor. Failure to vacate the premises or program when requested will result in immediate notification to appropriate law enforcement authorities.

If an individual volunteers to relinquish or turn over an apparently illegal substance, alcohol or weapon and its ammunition to a staff member of Sanilac CMH, that individual will be informed about the possible consequences of that act. This includes advising the individual about the staff's responsibility to report the matter to the police and turning over the item or substance to their jurisdiction. When an individual voluntarily turns over a weapon, ammunition, alcohol or apparently illegal substance to a staff member of Sanilac CMH, the staff will immediately inform their immediate Supervisor and the CEO or his designee. The Supervisor will assess to the extent possible the probable nature of the substance. When there is substantial evidence to support its classification as an illegal drug, the Supervisor will report this matter immediately to appropriate law enforcement authorities and turn over the substance to their jurisdiction.

Licit drugs brought on the premises of Sanilac CMH should be kept safely and privately in their possession to assure the safety of others. When receiving services, individuals must abide by any

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program specific policies or procedures of Sanilac CMH programs that they receive regarding the storage and administration of medications at program sites.

Any individual in possession of alcohol and not appearing or acting impaired will be asked by the Supervisor to leave the premises. Any suspicion of impairment will prompt the Supervisor to:

- Have them contact a friend/relative that can drive them home.
- Have them remain at the clinic until they are sober.
- Offer to drive them home.
- If they refuse to follow one of the above options and insist on driving away drunk...then relate to them that: "This is dangerous and an unacceptable course of action and will force me to contact the police and report your situation for your safety as well as others." Then repeat offers 1-3.
- If they still insist on leaving, contact the police immediately.

Individuals served may continue to smoke at designated areas but will be encouraged to use their cars if appropriate. The use of smokeless tobacco/nicotine products on Agency property is forbidden (this includes E cigarettes, vapes, and chewing tobacco). Exceptions include the nicotine patch and gum.

VI. ATTACHMENTS

VII. REFERENCES

WEAPONS AND ILLEGAL SUBSTANCES

It is the policy of Sanilac County Mental Health to have zero tolerance toward the presence of weapons, (except by law enforcement personnel), alcohol, or illegal drugs at Agency sites and programs.

All individuals have a right to privacy, and staff will always maintain a proper respect for the privacy of individuals visiting Sanilac CMH sites. Individuals receiving services should not be unduly questioned regarding the nature of items in their possession. Staff do not have the right to confiscate or order a consumer to release against their will or judgment, a substance of suspicious appearance in the consumer's possession.

Any staff who becomes aware of the presence of a weapon, except in possession of a law enforcement officer, alcohol or illegal drugs on Agency premises or programs will report this matter to their immediate Supervisor as well as the CEO or his designee.

When substantial cause exists for the Supervisor to suspect that an individual has a weapon, alcohol or illegal drugs, the individual will be asked for an explanation that reasonably allays this suspicion. In the absence of a reasonable explanation for the suspicious circumstances, the individual will be requested to immediately vacate the Agency premises or program by the Supervisor. *The exception will be if the individual is visibly impaired and should not drive.*

Failure to vacate the premises or program when requested will result in immediate notification to appropriate law enforcement authorities.

If an individual volunteers to relinquish or turn over a weapon, alcohol or an apparent illegal substance, to a staff member of Sanilac CMH, that individual will be informed about the possible consequences of that act. This includes advising the individual about the therapist's responsibility to report the matter to the police and turning over the item or substance to their jurisdiction.

When an individual voluntarily turns over a weapon, alcohol or apparent illegal substance to a staff member of Sanilac CMH, the staff will immediately inform their immediate Supervisor and the CEO or his designee. The Supervisor will assess to the extent possible the probable nature of the substance. When there is substantial evidence to support its classification as an illegal drug, the Supervisor will report this matter immediately to appropriate law enforcement authorities and turn over the substance to their jurisdiction.

Legal drugs brought on the premises of Sanilac CMH should be kept safely and privately in their possession to assure the safety of others. When receiving services, consumers must abide by any program specific policies or procedures of Sanilac CMH programs that they receive regarding the storage and administration of medications at program sites.