


Montefiore Einstein

HUMAN RESOURCES POLICY AND PROCEDURE MANUAL	SUBJECT: Drug and Alcohol Policy
APPROVED:  DAVID BRODSKY	POLICY NUMBER: VII-8
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	DATE ISSUED: 12/7/98
	DATE REVIEWED/REVISED: 11/10/23

GENERAL POLICY:

Montefiore Medical Center prohibits Associates from manufacturing, distributing, dispensing, possessing, or using alcohol, marijuana (recreational or medical), or illegal drugs on Medical Center property. An Associate who engages in such conduct will be discharged. An Associate who reports to work impaired by alcohol, marijuana (recreational or medical), illegal drugs, or controlled substances while on duty will be disciplined, up to and including immediate discharge.

POLICY APPLICABLE TO:

All Associates (including, but not limited to, employed physicians, attending physicians, house staff, students, vendors, independent contractors, and volunteers).

PROCEDURE:


Beer or wine may be served at events sponsored by the Medical Center on Medical Center property only with the approval of a Vice President (or higher). Except in such approved events, Montefiore will immediately discharge an Associate who manufactures, distributes, dispenses, possesses, or uses alcohol on Medical Center property.

Montefiore will immediately discharge an Associate who manufactures, distributes, dispenses, possesses, or uses marijuana (recreational or medical) or illegal drugs on Medical Center property.

If an Associate is behaving in a manner to suggest they are impaired by alcohol, marijuana (recreational or medical), illegal drugs, or controlled substances, a Supervisor should:


- 1) record their observations in a **Fitness for Duty Observation Form** which is available on the intranet on the Human Resources page in the Manager's Toolkit;
- 2) whenever possible, have a second Supervisor observe, confirm, and record the Associate's behavior in a second, separate **Fitness for Duty Observation Form**;
- 3) immediately escort the Associate to the nearest OHS office (during normal weekday business hours, until 4pm) or the Emergency Department (when OHS is closed) to undergo a fitness for duty determination and a toxicology test.
 - a. The Supervisor should inform the Associate that they will undergo a fitness for duty determination and may be asked to undergo a voluntary toxicology test.

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- b. The Supervisor should call ahead to OHS/ED to advise that they will be accompanying an Associate for a fitness for duty determination.
 - c. The Associate should not go to OHS/ED alone. The Associate should be accompanied by a Supervisor at all times.
 - d. If necessary, the Associate and Supervisor should travel to the OHS/ED in a Montefiore vehicle or car.
 - e. If the Associate refuses to go to OHS/ED or follow the instructions of the Supervisor, the Associate should be put off duty, and will be subject to discipline for insubordination, up to and including discharge.
 - f. If the Supervisor feels unsafe or unable to manage the behavior of the Associate, the Supervisor should immediately call Montefiore Security. At locations where Montefiore Security is not immediately available or to which Montefiore Security is not assigned, the Supervisor should call the local police.
- 4) Upon arrival at OHS/ED with the Associate, the Supervisor should submit the **Fitness for Duty Observation Forms** to OHS/ED. The Supervisor should retain a copy of this form for their records.
- 5) OHS/ED will conduct a fitness for duty evaluation.
- a. OHS/ED, in its sole discretion, may request the Associate to submit to a toxicology test to determine whether the Associate is impaired by alcohol, marijuana (recreational or medical), illegal drugs, or controlled substances.
 - i. If the Associate refuses such test, the Medical Center shall determine whether the Associate was fit for duty and whether they were impaired by alcohol, marijuana (recreational or medical), illegal drugs, or controlled substances on the basis of the Supervisor(s)'s observations and the conclusions of OHS/ED.
 - ii. An Associate who undergoes a toxicology test will not be permitted to return to duty until the test results are received and reviewed by OHS/ED.
 - b. OHS/ED will determine whether the Associate is impaired by alcohol, marijuana (recreational or medical), illegal drugs, or controlled substances, and will determine whether the Associate is fit for duty.

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- c. OHS/ED will notify the Supervisor who escorted the Associate to the evaluation whether the Associate is fit for duty and whether the Associate should be placed off duty.
- d. OHS/ED will notify the Supervisor and Employee and Labor Relations in all cases:
 - i. whether the employee was fit for duty (and the basis for such conclusion).
 - ii. whether the employee was at the time of the evaluation impaired by alcohol, marijuana (recreational or medical), illegal drugs, or controlled substances (and the basis for such conclusion).
- 6) An Associate who is impaired by alcohol, marijuana (recreational or medical), illegal drugs, or controlled substances on Medical Center property may be disciplined, up to and including immediate discharge for the first occurrence.
- 7) In all cases, the Associate will be placed off duty, without pay, pending investigation, and the Supervisor will consult with the Employee and Labor Relations Department representative.
- 8) If an Associate refuse to submit to drug and alcohol testing in the Montefiore ED or OHS, Montefiore will rely on the Supervisor's observation and other factors and assume the Associate was impaired and take appropriate disciplinary action, up to and including discharge.

If a vendor, independent contractor, agency worker or volunteer is behaving in a manner to suggest they are impaired by alcohol, marijuana (recreational or medical), illegal drugs, or controlled substances, a supervisor should follow steps 1 and 2 above and retain the Fitness for Duty Observation Form in the department's records and

- (a) Request that the individual leave Montefiore Medical Center premises and
- (b) Notify the organization responsible for the individual's role at Montefiore Medical Center, ie. vendor, employment agency, etc.

All Medical Center Human Resources Policies and practices are guidelines and may be changed, modified or discontinued any time by the Medical Center's Senior Vice President of Human Resources, or designee, with or without notice. Exceptions do not invalidate the basic policy.