



## **Alcohol or Drug impaired employees**

*Commentary by Tony McKone, Director McKone Consultancy Ltd – 17 October 2013*

The Marlborough Express (17/10/2013) reported a story of an employee who turned up to work “off his face” on synthetic drugs. His employer sent the employee home with a verbal warning. The employer was devastated at this most unusual behaviour of an otherwise hard working employee. However given the employee’s work involved driving and working with machinery, the employer had little option but to take the action he did.

But the story doesn’t end there; a week later the employee did not turn up of work on a Monday. Concerned the employer went around to the employee’s home finding him “wasted” on synthetic drugs he had taken over the weekend.

The employee was subsequently dismissed.

The impacts of this decision are obvious – an otherwise good employee is now without a job, the employer is equally less one good worker. The now former employee, if he doesn’t mend his ways may end up on the benefit, meaning the taxpayers end up picking up his costs. We don’t know if the former employee had a family to support. If he did, then there are obvious consequences for them too.

No employer likes having to dismiss an employee (despite some of the stories that may float around from time to time). Employers invest a lot of time and money in developing their employees for the benefit of both the company and the employee.

Unfortunately from time to time, things will go wrong and a good employer will have good policies and practices to guide their decision making.

This story shows that employers need to consider their policy on employees being under the influence of alcohol and drugs. With drugs now coming in many shapes and forms and not all being illegal, employers would be wise to ensure their policies are broad enough to deal with incapacity arising from being under the influence of drugs.

In dealing with instances of being under the influence, the other important thing is to not make any rash decisions, no matter how tempting to do so. It is not compelling enough to summarily dismiss someone on the spot when you “catch them” under the influence. You should however remove them from the workplace for safety reasons. This should be an action taken regardless of the industry you are in. You need to think of the safety of not only the impaired employee, but all other employees and customers.

A formal process is still required to investigate the matter, understand what is going on and be clear about the consequences for the employee should you not be satisfied with their response.

If you need assistance reviewing your policies or in resolving issues in the workplace, contact us today.