

## Diocese of Elphin – HR Policy Handbook

**Document Name:** Intoxicants Policy  
**Document No:** 10.1.2 (original)  
**Effective Date:** 15<sup>th</sup> February 2019  
**Written By:** Frank Mitchell, HR Advisor  
**Approved By:** +Kevin Doran, Bishop of Elphin



*Operating under the patronage of Our Lady of the Immaculate Conception, the Diocese of Elphin aims to provide staff members with a safe, caring and supportive Christian environment in which to carry out their work. Work objectives are to be advanced with due regard to the needs and dignity of each staff member and with due regard for the individuals and communities the diocese serves.*

*This document outlines the Diocesan policy on Intoxicants. It is applicable to parishes, offices, agencies and any entity operating under the governance of the Diocese of Elphin (hereafter referred to as "the employer"). Line Managers (Bishop, Priests, Deacons, Religious, Lay Personnel who supervise staff members) are responsible for communicating this policy and having it signed off by their staff member(s).*

The policy applies to all staff members regardless of rank or position and includes temporary, part-time and fixed-term staff members. This policy also applies to contractors and others who are on diocesan/parish property at any time.

The objective of this policy is to avoid the adverse effects of alcohol and drugs (collectively known as intoxicants) and to protect the health and safety of all staff members. Use and misuse of alcohol or drugs will impair the ability of staff members to perform their duties effectively and safely and may endanger themselves and their co-workers, the public and property. "The employer" seeks to prevent the misuse of drugs and alcohol by staff members.

Staff members have an individual responsibility to ensure that they are not under the influence of alcohol or drugs while at work. It is also a legal duty under the Safety, Health and Welfare at Work Act 2005 not to be under the influence of an intoxicant to the extent that staff members endanger themselves or others.

It is considered a serious breach of this policy for a staff member to attend work under the influence of an intoxicant. Breach of this policy may result in disciplinary action up to and including dismissal for staff members. To achieve the objective of this policy "the employer" does not permit the possession, or use, of any intoxicant while at work. "The employer" regards any breach of this rule as an issue of gross misconduct. This rule, however, does not apply to authorised over-the-counter medication.

"The employer" recognises that staff members taking drugs prescribed by an attending physician may also present a risk to themselves or others, depending not only on their state of health, the nature of the drugs prescribed and their effect, but also on the type of work activity in which they are engaged. Staff members taking drugs prescribed by a physician must advise their immediate supervisor of the possible effects of the medication regarding their job performance and physical/mental capabilities.

In some cases, it may be appropriate to consult an independent or prescribing physician for determination of the effects on work activity and any limitations that may be needed. All prescription drugs must be kept in their original container. "The employer" will treat any medical information in strict confidence.

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### Support for staff members with addiction

Alcoholism is recognised as a disability for the purposes of the Employment Equality Acts. Alcoholism and drug addiction can be responsive to proper treatment and, as such, staff members suffering from these addictions will not be discriminated against because of their illness. Staff members who have an alcohol or drug addiction will be actively encouraged to avail of professional assistance and given the opportunity to do something positive to resolve their problem. However, should a staff member fail to respond to, or continue with, treatment, they may be subject to disciplinary action, up to and including dismissal.

Information received from staff members concerning addictions will be dealt with in the strictest confidence. "The employer" will not tolerate abuse of this policy or of the available staff member support mechanisms. All individual cases will be assessed with regard to their particular circumstances. Referral to support mechanisms may not arise in every case and "the employer" will not permit staff members to use such mechanisms to circumvent disciplinary processes.

### Staff member assistance programme

"The employer" will provide staff members and their families with confidential, professional assessment and referral for assistance in addressing addiction to, dependence on, or problems with alcohol, drugs, or other personal problems adversely affecting their job performance. Confidential assessment and referral services will be provided without cost to the staff member or family member.

### Testing

Staff members in the following circumstances may be subject to alcohol and drugs testing. Any staff member suspected of being under the influence of intoxicants or involved in a work-related accident may be subject to with-cause testing. This will be conducted in conjunction with a qualified medical practitioner. All staff members are expected to cooperate fully with such testing as a condition of their continued employment/work. This is to be applied in circumstances where any member of staff appears to be under the influence of an intoxicant in breach of this policy. The judgement as to whether with-cause testing needs to be applied can be based on a number of factors including the following: apparent disorientation; unsteadiness; slurring of words; smell of alcohol; admitted or observed taking of illegal or non-prescribed drugs or volumes of alcohol which might cause the legal limit for driving to be exceeded and unusual or abnormal behaviour.

In all cases, prior to a staff member being requested to undergo with-cause testing procedures, more than one person will have submitted an opinion as to the existence of circumstances or conditions sufficient to warrant testing, ie, the staff member's manager and at least one other senior person within the diocese present at the time.

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### Reporting illegal activity

The sale, use, purchase, transfer or possession of an illegal drug or drug paraphernalia is illegal under Irish law. "The employer", having taken immediate steps in line with disciplinary procedures, will report information concerning possession, distribution, or use of any illegal drugs to An Garda Síochána and will turn over to the custody of the Gardaí any such substances found during a search of an individual or property. Searches of individuals will only be conducted based on reasonable cause, and searches of vehicles, lockers, desks, or closets when based on reasonable suspicion.

All staff members will be expected to cooperate as a condition of continued employment with drug/alcohol searches of personal vehicles on "the employer's" property, purses, clothing, bags or other personal employee property where there is reasonable suspicion to believe an employee may be in possession of drugs or alcohol. Searches on "the employer's" property can be conducted at any time and applies to all staff members regardless of rank or status.

"The employer" will cooperate fully in the prosecution and/or conviction of any violation of the law.

*For further information please contact:*

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