

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Sexual Harassment	SUPERSEDES DATE: Prior Undated Policy

POLICY:

On November 10, 1990, the Equal Employment Opportunity Commission (EEOC) issued the Final Amendment to Guidelines of Discrimination Because of Sex. This amendment reaffirmed that sexual harassment is an unlawful employment practice, which is in violation of Title VII of the Civil Right Act of 1964.

Sexual harassment is defined as unwanted, unwelcome and/or repeated sexual attentions or advances. It becomes an unlawful employment practice when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual;
3. Such conduct has the purpose or effect of unreasonably interfering with an individuals work performance or creating an intimidating, hostile, or offensive environment.

A supervisor who uses implicit or explicit coercive sexual behavior to control, influence, or affect the career, salary, or job of an employee is engaging in sexual harassment. Any employee who participates in deliberate or repeated unsolicited verbal comments, gestures, or physical contact of a sexual nature, which are unwelcome and interfere in work productivity is also engaging in sexual harassment.

The Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County has and continues to support Title VII of the Civil Rights Act of 1964 and its accomplishments. Recognizing that sexual harassment is demoralizing, humiliating, degrading and unlawful, we serve notice to all employees and to anyone entering properties owned or operated by the Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County that such a practice will not be tolerated.

PROCEDURE

Any employee that believes that he/she is the victim of sexual harassment has the right to file a complaint with the ADAMHS Board EEO Officer.

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Sexual Harassment -- Continued	SUPERSEDES DATE: Prior Undated Policy

An investigation of the complaint will be conducted in a professional, confidential and expeditious manner.

If it is determined that sexual harassment has been taken, corrective action will be taken by the Executive Director.

In addition, employees have the right to file a complaint with the Civil Rights Commission and the Equal Employment Opportunity Commission against anyone in violation of this policy.

Contact person, EEO Officer, for Sexual Harassment Policy is:

Patty Stultz, Human Resource Specialist
EEO Officer
ADAMHS Board for Montgomery County
405 East Monument Ave.
Dayton, Ohio 45402
Phone: 937-443-0146

OR

Employee may file a complaint with:

Ohio Civil Rights Commission
(937) 285-6500, Dayton

Equal Employment Opportunity Commission
(513) 684-2851, Cincinnati

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Civil Rights - Employment	SUPERSEDES DATE: 11/30/83 - Equal Employment Opportunities

POLICY:

It is the policy of the Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County to provide employment without regard to race, color, national origin, disability, age, sex or religion. In addition, employees shall be employed without regard to race, color, national origin, disability, age, sex, or religion. There shall not be any distinction in eligibility for employment. **(See Reasonable Accommodation Policy)**

PROCEDURE:

The person designated to coordinate compliance with Section 504 of the Rehabilitation Act of 1973 (Non-discrimination Against the Disabled) is outlined below. Any employee who feels they have been discriminated against because of their race, color, national origin, disability, age, sex, or religion has the right to file a complaint with:

Patty Stultz, Human Resource Specialist
EEO Officer - Employment
ADAMHS Board for Montgomery County
409 East Monument Ave.
Dayton, Ohio 45402
Phone - 937-443-0416

Or, you have the right to file a complaint with:

Equal Employment Opportunity Commission
(513) 684-2581 - Cincinnati

Ohio Civil Rights Commission
(937) 285-6500 - Dayton

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Civil Rights - Service	SUPERSEDES DATE:

The Alcohol, Drug Addiction and Mental Health Services for Montgomery County is committed to ensuring that there is no discrimination involved in services provided and available to clients and visitors of the Board and our service providers. Therefore, the following civil rights have been adopted.

POLICY:

It is the policy of the Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County to require all service providers under contract with the Alcohol, Drug Addition and Mental Health Services Board for Montgomery County to provide services to clients without regard to race, color, national origin, disability, age, sex or religion. In addition, clients shall be assigned without regard to race, color, national origin, and disability, age, sex or religion. There shall not be any distinction in eligibility for, or in the manner of providing client services. Services shall be available without distinction to clients and visitors regardless of race, color, national origin, disability, age, sex, or religion.

PROCEDURE:

The persons designated to coordinate compliance with Section 504 of the Rehabilitation Act of 1973 (Non Discrimination Against the Disabled) and the Americans with Disabilities Act are outlined below according to area of responsibility. Any person who feels they have been discriminated against because of their race, color, national origin, disability, age, sex or religion, has the right to file a complaint to:

Alcohol Drug Addiction Services
Beverly Jones, Civil Rights Coordinator
ADAMHS Board for Montgomery County
409 East Monument Ave.
Dayton, Ohio 45402
Phone: 937-446-0416

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Civil Rights - Service Continued	SUPERSEDES DATE:

Additional assistance in filing a complaint may be obtained from:

Ohio Department of Alcohol and Drug Addiction Services
Civil Rights Office
Two Nationwide Plaza, 12th Floor
Columbus, Ohio 43215
Phone: 614-466-9011

Office for Civil Rights
Department for Health and Human Services
233 N. Michigan Ave., Suite 240
Chicago, Illinois 60601
Phone: 312-866-2359
TDD/TDY: 312-353-5693

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Communication with Limited English Proficient Persons	SUPERSEDES DATE:

POLICY:

The Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County shall provide for communication with limited-English-proficient persons, including current and prospective consumers, family, interested persons, etc., to ensure them an equal opportunity to benefit from services. The procedures outlined below will ensure that information is communicated to limited-English-proficient persons in a language, which they understand. Also, it provides for an effective exchange of information between staff/employees and consumers and/or families while services are being provided.

PROCEDURE:

Whenever a translator is needed, the Behavioral Health Civil Rights Officer, Human Resource Specialist or Executive Administrative Assistant is responsible for contacting the American Red Cross to obtain a translator.

Contact persons for Communication with Limited English Proficient Persons Policy are:

- Beverly Jones, Director, Behavioral Health Operations
- Or
Patty Stultz, Human Resource Specialist
- Or
Lynn Voisard, Executive Administrative Assistant

ADAMHS Board of Montgomery
409 E. Monument Ave., Suite 102
Dayton, Ohio 45402
Phone: 937-443-0416

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Auxiliary Aids	SUPERSEDES DATE:

Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prohibits discrimination on the basis of disability in the delivery of health care services and in employment. The regulation implementing this Act requires sensory-impaired people, including the blind and hearing impaired, be provided with auxiliary aids at no cost to allow them an equal opportunity to participate in and benefit from services. The decision as to the method to be used for communication requires the input of the sensory impaired person, and their choice must be given great weight.

POLICY:

It is the policy of the Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County to provide qualified sign language interpreters and other auxiliary aids to sensory-impaired persons where necessary to afford such persons an equal opportunity to benefit from employment and services provided, **(This policy is to be read in conjunction with the Reasonable Accommodation Policy)** and that such interpreters and auxiliary aids will be provided at no cost to the persons.

PROCEDURE:

The appropriate designated staff person will authorize and coordinate arrangements for interpreters. A list of contracted interpreters or agencies to provide these services will be maintained. All contracted interpreters or agencies will be evaluated to determine if they are qualified, unless such interpreters or agencies are certified.

All correspondence regarding meeting or activities conducted by the Alcohol, Drug Addiction and Mental Health Services board for Montgomery County will include reference to the availability of interpreters or auxiliary aids, and the types of aid needed. If special arrangements are required for an individual with a disability, they must notify the ADAMHS Board at least three (3) days in advance of the scheduled meeting. Any request to use family members or friends by the hearing impaired person will be documented and honored unless the Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County feels the person selected is not sufficiently qualified. In this event, the Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County will provide the interpreter from their list of contracted interpreters or agencies. Any request by a hearing impaired person for an interpreter other than Board provided must be in writing. No fees are payable by the Board if a person volunteers his or her own interpreter.

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Auxiliary Aids Continued	SUPERSEDES DATE:

The Alcohol, Drug Addiction and Mental Health Services for Montgomery County reserves the right to exercise discretion as to when an interpreter is necessary.

Contact person, Section 504 Coordinator, for the Auxiliary Aids Policy is:

Patty Stultz, Human Resource Specialist
Section 504 Coordinator
ADAMHS Board for Montgomery County
409 East Monument Ave.
Dayton, Ohio 45402
Phone: 937-443-0416

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Section 504 / Americans with Disabilities Act Grievance Procedures	SUPERSEDES DATE:

POLICY:

Section 504 of the Rehabilitation Act prohibits discrimination based on disability. In accordance with Section 504 Regulation, any staff member who has reason to believe that he/she has been mistreated, denied employment, or denied employment opportunities because of disability may file a grievance. In order to implement this policy, the Alcohol, Drug Addiction and Mental Health Services for Montgomery County has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the U.S. Department of Health and Human Services regulation (945 CFR Part 84) implementing Section 504 of the Rehabilitation Act of 1983 as amended (29 U.S.C. 794). Section 504 states, in part, that "no otherwise qualified handicapped individual...shall, solely by reason of his/her handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance..." The law and regulation may be examined in the office of the Resource Specialist who has been designated as the Section 504 Coordinator of the Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County.

PROCEDURE:

1. A grievance must be in writing by the grievant, containing their name and address, and briefly describing the action alleged to be prohibited by the regulation.
2. A grievance must be filed in the office of Section 504 Coordinator within seven (7) days after the person filing the grievance became aware of the action alleged to be prohibited by the regulations. The Coordinator may waive this time frame if extenuating circumstances existed which justify an extension.
3. The Coordinator shall conduct such investigation of a grievance as may be appropriate to determine its validity. These rules contemplate thorough investigation, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to the grievance.

Under Section 504 of the Rehabilitation Act, 45 CFR 84.7(b), the Board need not process complaints from applicants for employment.

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Section 504 / Americans with Disabilities Act Grievance Procedures -- Continued	SUPERSEDES DATE:

4. The Section 504 Coordinator shall issue a written decision determining the validity of the grievance no later than fourteen (14) days after its filled.
5. If the grievance has not been resolved at this point, the Section 504 Coordinator should forward it to the Executive Director, who shall have additional fourteen- (14) days to resolve the grievance. By the end of fourteen (14) days, the Executive Director shall notify the grievant in writing of the decision and list the evidence on which the decision is based.
6. If the complaint is still unresolved, the grievant may request, in writing, that the Executive Director submit the grievance to the Board of Directors. The Board shall have thirty (30) days to resolve the grievance. If the grievance is then unresolved, the grievant will be advised in writing of the right to file a complaint with the appropriate local, state and federal civil rights offices and will be provided with names and addresses of such offices, including the Office of Civil Rights of the U.S. Department of Health and Human Services at 105 West Adams Street, 16th Floor, Chicago, Illinois 60603.

Contact person, Section 504 Coordinator, for the Section 504/Americans with Disabilities Act Grievance Procedures Policy is:

Patty Stultz, Human Resource Specialist
Section 504 Coordinator
ADAMHS Board for Montgomery County
409 East Monument Ave.
Dayton, Ohio 45402
Phone: 937-443-0416

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Reasonable Accommodation	SUPERSEDES DATE:

It is the policy of the Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County to take affirmative action in accordance with all applicable federal and state laws, rules, regulations and guidelines. Discrimination against employees and applicants due to race, color, sex (including sexual harassment), national origin, disability, religion, or age (40 years or older) is illegal.

Handicapped legislation requires reasonable accommodation be made to the known physical or mental limitations of otherwise qualified applicants or employees unless it creates an undue hardship on the employer. All decisions concerning undue hardship will be made in conjunction with Section 504/ADA (Americans Disabilities Act) Coordinator.

The term "reasonable accommodation" means:

- A. Modifications or adjustments to a job application process that enables a qualified applicant with a disability to be considered for the position such applicant desires, or
- B. Modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified individual with a disability to perform the essential functions of that position, or
- C. Modifications or adjustments that enable a covered entity's employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by its other similarly situated employees without disabilities.

Reasonable accommodation may include but not be limited to:

- A. Making existing facilities used by employees readily accessible to and usable by individuals with disabilities, and
- B. Job restructuring, part-time or modified work schedules; reassignment to a vacant position, acquisition or modifications of equipment or devices; appropriate adjustment or modifications of examinations, training materials, or policies; the provision of qualified readers or interpreters; and other similar accommodations for individuals with disabilities.

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Reasonable Accommodation Continued	SUPERSEDES DATE:

The term "disabled individual" means a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such impairment, or being regarded as having such impairment.

1. Major life activities means such functions as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
2. A record of such impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
3. Regarded as having an impairment means –
 - i. Has a physical or mental impairment that does not substantially limit major life activities, but that is treated by a public entity as having such a limitation.
 - ii. Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others.

"Undue hardship" means that the alterations in the workplace or in the duties of the position needed to accommodate a qualified individual with a disability are unduly burdensome to the program. The following factors are used in making this determination:

1. The overall size of the program, number of employees, number and type of facilities, size of budget, etc.
2. The type of operation, composition and structure of the workplace. Example: it may be considered undue hardship for an agency to install an elevator for one worker in a wheelchair. However, it would not be undue hardship in most circumstances for the agency to give that individual on office on the first floor or other accessible location.
3. The nature and cost of the accommodation needed.

"Auxiliary aids and services" includes:

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Reasonable Accommodation	SUPERSEDES DATE:

1. Qualified interpreters, note takers transcription services, written materials, telephone handset amplifiers, assistive listening devices, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDD's), videotext displays, etc.
2. Qualified readers, taped texts, audio recorders, Braille materials, large print materials or other effective methods of making visually delivered materials available to individuals with visual impairments.

The Human Resource Specialist is the designated employee to coordinate efforts to comply with and carry out responsibilities, which include investigating complaints alleging actions that would be prohibited.

Contact person, Section 504 Coordinator, for the Reasonable Accommodation Policy is:

Patty Stultz, Human Resource Specialist
Section 504 Coordinator
ADAMHS Board for Montgomery County
409 East Monument Avenue
Dayton, Ohio 45402
Phone: 937-443-0416

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: 5/26/93
SUBJECT: Fitness for Duty	SUPERSEDES DATE: Prior Undated Policy

FITNESS FOR DUTY POLICY STATEMENT ON DRUGS AND ALCOHOL

For definition purposes of this policy, the word drugs is to be defined as any illicit or mood altering (alcohol) chemical or substance that produces physical, mental, emotional or behavioral change in the user. Illicit includes use of illegal drugs and non-medical use of any psychotherapeutic drugs (National Institute of drug Abuse, Dept. of Health and Human Services, 1990).

POLICY: The ADAMHS Board for Montgomery County is concerned with the well being of its employees, the maintenance of workforce productivity and the preservation of a safe and secure workplace. The discovered use, sale, manufacture, transfer, dispensing or possession of alcohol, drugs or any unauthorized possession or use of a controlled substance, or paraphernalia associated with them on the Board's premises or on other sites while conducting Board business will not be tolerated. Conducting Board business at other sites or entering the Board's premises under the influence of alcohol, unauthorized drugs or other intoxicants is inconsistent with the Board's mission, image and goals. Therefore, the Board has adopted this Fitness for Duty/Policy Statement on Drugs and Alcohol.

The Board maintains a philosophy of promoting rehabilitation rather than termination of employees with a chemical dependency problem. Once a chemical dependency problem has been identified, the employee is required to seek counseling or treatment as a condition of continued employment.

While it is not the intent of the Board to intrude into the private lives of its employees, the Board requires that employees report to work in a condition allowing them to perform their duties safely and efficiently. Therefore, the Board prohibits off-the-job use of any substance which adversely affects an employee's job performance or which jeopardizes the safety of persons or property on the Board's or other sites while conducting Board business.

PROCEDURE: All employees must abide by this policy as a condition of employment. An infraction of this policy is grounds for employment termination, unless the employee agrees to have a Fitness for Duty Evaluation, which consists of a chemical test.

If the test results are positive, the employee is required to undergo an evaluation and appropriate referral for treatment. Referrals for substance abuse counseling or treatment will be for the purpose of identifying the problem, referring employee to appropriate treatment resource in the community and for following up with the employee during recovery and rehabilitation. Violations of this policy will not follow the normal step progression for disciplinary action. Employees are placed on investigatory suspension until conclusion of this evaluation process.

If the employee complies with the required testing, and evaluation/treatment (if necessary), his/her position will remain available up to his/her release to work by the assessing counselor or treatment facility; or thirty (30) days, whichever is the lesser. In the event an employee is not released to work within thirty (30) days; his/her position will remain available as long as business needs allow.

If the test results are negative, normal procedures will be followed for the behavior originally raising the suspicion for the Fitness for Duty Evaluation.

EMPLOYEE AWARENESS PROGRAM

Employees will be made aware of the dangers involved in drug and alcohol use in the workplace. Not only is the employee endangering himself/herself, but also the safety of fellow employees. By distribution of this policy to all employees, they will be made aware of the Board's policy regarding Fitness for Duty in regards to drugs and alcohol, the availability of approved alcohol and drug counseling/treatment services, and the disciplinary action that may be imposed against employees for drug and alcohol violations of the Board Fitness for Duty policy.

A reference library consisting of materials and books regarding alcohol and drug abuse is also available to all employees.

All employees involved in the enforcement and/or implementations of this policy are to act with the strictest adherence to confidentiality.

SUPERVISOR RESPONSIBILITIES

If a supervisor thinks, based on observational behaviors (See attached Observation Report), that an employee is not in condition to perform his/her duties, the supervisor shall:

- 1) Meet with the employee in private to discuss and document the employee's behavior. Contact the Resource Specialist or other appropriate management to be present at this discussion.
- 2) After the discussion with the employee, if the supervisor and Resource Specialist (or other appropriate manager) thinks a Fitness for Duty Evaluation is needed, upon authorization of the Executive Director, the Resource Specialist will escort the employee to the designated facility for said evaluation.
- 3) Inform the employee that he/she must call within twenty four (24) hours to schedule an appointment with the Resource Specialist, at which time the test results will be communicated to the employee
- 4) Inform the employee that he/she may not return to work until the test results have been communicated to him or her.
- 5) If the employee refuses to agree to the Fitness for Duty Evaluation, inform him/her that refusal is grounds for employment termination and put the employee on an investigatory suspension.

EMPLOYEE RESPONSIBILITY

- 1) Employees must notify the Resource Specialist and their supervisor in writing within five (5) calendar days of any criminal drug or alcohol conviction, or violation occurring in the workplace or while "on-the-job". If the employee fails to make such notification, he/she will be subject to immediate termination.
- 2) If the chemical test results are positive from a probable cause Fitness for Duty evaluation, the employee must contact he/her primary care physician (if enrolled in HMP) or the Community Mutual Managed Care Department (if enrolled in Community Preferred) for necessary referral/authorization for evaluation or treatment within three business days from the positive results of such test. The cost of the evaluation and treatment will be at the expense of the employee and/or his/her insurance company. Refusal of evaluation and/or treatment by the employee is grounds for termination.

If the test results are negative, normal procedures will be followed for the behavior originally raising the suspicion for the Fitness for Duty Evaluation.

- 3) Following mandatory counseling or treatment, in lieu of termination for a drug or alcohol problem, as a condition for continued employment, the employee must sign a Re-Entry Agreement (attached).

Failure to sign the agreement or comply with its provision will be grounds for termination.

Mandatory treatment in lieu of termination will be offered only once to each employee. Voluntary treatment is encouraged, and will be in accordance with Sick Leave or Personal Leave policies.

RESOURCE SPECIALIST RESPONSIBILITIES

- 1) Within thirty (30) days of receiving written notification of an employee's conviction, the Executive Director shall:
 - a. Take appropriate personnel action against such employee, up to, and including termination.

OR

- b. Require employee to participate satisfactorily in a treatment or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.

*The term "conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

RE-ENTRY AGREEMENT

This is a letter of Agreement and shall not be construed as relieving the employee of any duty, obligation, or condition of employment imposed on the employee by policies, rules and regulations of the ADAMHS Board for Montgomery County.

This agreement will cover a period of one (1) year from date of signing.

- 1) I agree to completely abstain from any mood-altering drugs, alcohol, sedatives, stimulants, narcotics, soporifics, etc., except on a prescription from my family physician after consultation with my treatment assessor.
- 2) I agree to participate in random chemical screening test(s).
- 3) I agree to follow an after care program and attend these sessions as recommended by Employee Assistance Program (EAP) professionals **and/or treatment assessor**.
- 4) I agree to attend AA/NA or other support meetings as suggested by my treatment assessor.
- 5) I agree, when requested, to provide the Resource Specialist with the information necessary (including required releases of information) to assess my medical status and to consult with other medical resources such as my personal physician concerning my treatment and recovery.
- 6) I agree that my treatment is at the expense of my insurance company and/or myself in accordance with the existing ADAMS Board benefits package.
- 7) I understand that upon my return to the workplace I must meet all established standards of conduct and job performance and that I will be subject to the Board's disciplinary procedures for any failure to meet the standards.
- 8) I understand persons participating in this agreement are expected to meet existing job performance standards and established work rules. No preferential treatment will be given the employee.
- 9) I understand that I will be subject to the terms of this condition of employment for (1) year from the date of my signature.

I UNDERSTAND AND AGREE THAT MY REINSTATEMENT AND/OR CONTINUED EMPLOYMENT ARE CONTINGENT UPON MY MEETING SATISFACTORILY ALL THE ABOVE TERMS OF THIS CONDITION OF EMPLOYMENT AND THAT MY FAILURE TO DO SO RELINQUISHES ALL DEFENSE ON MY PART AND SUBJECTS ME TO IMMEDIATE TERMINATION OF MY EMPLOYMENT WITH THE ADAMHS BOARD FOR MONTGOMERY COUNTY.

This agreement made by and between Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County and persons name goes here (employee) parties hereto.

All parties hereto, in consideration of the agreement performed, agree as follows:

The employee agrees to waive any and all rights he/she may currently or subsequently possess to obtain reparation, restitution or redress as a result of violation of the reentry agreement.

This agreement does not in any manner constitute a precedent or establish a practice for any other substance/abuse related discipline cases.

Employee

Date

Alcohol, Drug Addiction and Mental Health
Services Board for Montgomery County

Date

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: May 26, 2004
SUBJECT: HIV/AIDS	SUPERSEDES DATE:

POLICY:

It is the policy of the ADAMHS Board to recognize that employees with Acquired Immunodeficiency Syndrome (AIDS) may wish to engage in as many of their normal pursuits as their condition allows, including work. As long as these employees are able to meet acceptable work performance standards, the ADAMHS Board will be sensitive to their conditions and ensure that they are treated consistently with other employees. At the same time, the ADAMHS Board has an obligation to provide a safe work environment for all employees.

PROCEDURE:

The ADAMHS Board shall:

1. NOT fail or refuse to hire, discharge any person, or otherwise discriminate against any person with respect to compensation, terms, conditions, benefits or privileges of employment on the basis of the fact that such person has the medical condition HIV, AIDS or Chronic Systems.
2. NOT limit, segregate or classify employees or applicants for employment in any manner which would deprive or tend to deprive any person of employment opportunities or adversely affect his or her employment status on the basis of the fact that such person has the medical condition HIV, AIDS, or Chronic Symptoms.
3. NOT fail or refuse to refer for employment any person or otherwise discriminate against any person on the basis of the fact that such person has the medical condition HIV, AIDS, or Chronic Symptoms.
4. NOT discriminate against any person for admission to or employment in any program established to provide apprenticeship or other training or retraining, including any on-the-job training program, on the basis of the fact that such person has the medical condition HIV, AIDS or Chronic Symptoms.
5. NOT require any employee, prospective employee, or applicant for employment to take any test or undergo any medical procedure designed to show or help show that a person has or may have HIV, AIDS or Chronic Symptoms.
6. NOT disclose information regarding an employee's health condition without specific written authorization.

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: May 26, 2004
SUBJECT: HIV/AIDS	SUPERSEDES DATE:

Section 504 of the Rehabilitation Act prohibits discrimination based on disability. In accordance with Section 504 Regulation, any current or prospective staff member who has reason to believe that he/she has been mistreated, denied employment or discriminated against because of a disability has the right to file a grievance. (Ref. Section VI, Employee Grievance Procedures)

ADAMHS Board Contact Person:
Patty Stultz, EEO Officer
ADAMHS Board for Montgomery County
409 E. Monument Ave., Suite 102
Dayton, OH 45402

Ohio Civil Rights Commission
40 W. Fourth, Suite 1900
Dayton, OH 45402

Equal Employment Opportunity Commission
513-684-2851

DEFINITIONS:

HIV Infection is the pathological state produced by a human body in response to the presence of HIV, but not necessarily evidenced by the presence of related symptoms.

AIDS disease occurs when an important part of the human immune system is destroyed by the action of a virus known as HIV. Signs and symptoms of this disease complex are manifested in the afflicted person by a series of opportunistic infections or malignant illnesses.

Chronic Symptoms is currently comprised of all disease states associated with HIV that are not stage 2 (asymptomatic) or end-stage (AIDS). It has been referred to as persistent generalized lymphadenopathy, AIDS-related complex, and the transition stage. It is characterized by the presence of chronic symptoms that do not resolve, are troublesome but not life-threatening, but may evolve into fatal forms which would then permit an end-stage, or AIDS, diagnosis.

Alcohol, Drug Addiction and Mental Health Services Board for Montgomery County PERSONNEL POLICIES AND PROCEDURES	SECTION - X
PROCEDURE: Policy Statements	EFFECTIVE DATE: May 26, 2004
SUBJECT: Weapons-Free Workplace	SUPERSEDES DATE:

POLICY:

In the interest of maintaining a safe environment for all employees, board members and visitors, the ADAMHS Board prohibits the possession, transport, and storage of all weapons on Board property and in any Board programs, whether or not the person responsible for the weapon is otherwise licensed to carry it. This policy does not apply to any law enforcement personnel engaging in official duties.

PROCEDURE:

1. It is the responsibility of anyone who believes this policy is being violated to report it to the executive director, their immediate supervisor, department head, or human resource department.
2. All reports of non-compliance with this policy will be kept in a confidential manner with information released on a need-to-know basis.
3. Any person who in good faith reports violators of this policy will not be retaliated against or subjected to harassment.

DEFINITIONS:

Board Property – All Board-owned or leased buildings and surrounding areas, such as sidewalks, walkways, parking lots and driveways as well as all Board-owned or leased vehicles.

Board Programs - On and off-site meetings, trainings, and any other Board-sponsored or arranged events of any kind.

Weapons – Include, but not limited to, handguns, firearms, explosives, knives and other items that may be defined as weapons under state, federal or local laws or ordinances.

POLICY: