

## **G-1350 © GBGC    EMPLOYEE ASSISTANCE**

### **STAFF WELLNESS**

Staff wellness is of utmost concern to the Gallup-McKinley County School District. Through its overall awareness and various policies pertaining to school personnel, the District seeks to ensure the safety of employees during working hours. The District realizes some occurrences and events are beyond its control and/or are unforeseeable and asks all employees to engage in positive physical and mental health practices.

- 1) If there is any doubt of an employee's ability to perform his or her duties, the employee may be required to furnish a doctor's statement certifying that the employee may safely perform his or her duties.
- 2) If such an occurrence takes place, the District may require the employee to hold the District management and Board harmless from any liability that may arise from damages caused by the employee's continued work.
- 3) Employee Assistance Program
  - a) Under the employee assistance program, any employee who believes he/she has an alcohol or drug problem may discuss this matter with his/her building principal or immediate supervisor.
  - b) The employee, principal or supervisor may then call the district's EAP Provider to discuss the problem. Various methods of treatment may be discussed or the counselor may recommend professionals in the community who can also outline treatment options.
  - c) Although every person experiencing a substance abuse problem does not need residential (in-patient) treatment, it is recognized that this type of therapy is the most effective. Because of this fact, the Board has agreed that any such employee may come forward, admit to a problem, and have the time off from work needed for in-patient treatment if necessary, all without threat of losing his/her job.
  - d) The employee's sick leave will be used as it would be with any other illness.
  - e) All participation in the Employee Assistance Program will be strictly voluntary. A person who wants to take advantage of this program does not need to fear losing his/her job for seeking help, however, failure to comply with the program established by the EAP or two (2) positive drug/alcohol tests will result in termination/discharge.

#### 4) Medical Examinations

If at any time there is a question as to the ability of a District employee to perform essential job-related functions, the District may require a complete medical examination by a District appointed physician at the expense of the District. Such action may be taken to protect the health and safety of the employee, other employees or the students while at the same time protecting the legitimate rights and interests of the employee. Such a medical examination will be considered job-related and consistent with business necessity, and therefore permissible, in the following situations:

- When an employee wishes to return to work following an absence due to illness or injury. An examination may be conducted to determine if the employee, with reasonable accommodation, can safely and effectively perform the essential functions of the job.
- When an employee requests an accommodation. If an employee requests an accommodation on the basis of a claimed disability, an examination may be conducted to determine if the employee is an "individual with a disability" to whom a duty of accommodation is owed and, if so, to help identify potential accommodations.
- When an employee is having difficulty performing the assigned job effectively, the District may require the employee to undergo a medical examination to determine if the performance problems are a result of an underlying medical condition.

*Adopted:* October 10, 2006

LEGAL REF.: 29 U.S.C. 653

CROSS REF.: EBBB - Accident Reports