



**Assoċjazzjoni  
Kunsilli Lokali**

Local Councils' Association Malta

# Policy on **Substance Misuse and Problem Gambling at the Place of Work**



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# Policy on **Substance Misuse and Problem Gambling at the Place of Work**

## Contents

1. Introduction	04
2. Glossary and definition of terms	05
3. Signs of drug, alcohol abuse and problem gambling	09
3.1 Signs indicating the possibility of significant drug or alcohol abuse or addiction	10
3.2 Signs indicating the possibility of problem gambling	
4. Benefits for employers	11
5. Legal duties	12
6. Company Policy On Drugs, Alcohol And Gambling at The Place Of Work	13
6.1 Introduction	
6.2 Declaration of Principles	15
6.3 Roles and Responsibilities	
6.4 Procedures	16
6.4.1 Information	
6.4.2 Reducing Opportunities to Drink, Use Substances and Gamble at Work	
6.4.3 Solvent abuse at work	17
6.4.4 Prescribed drugs	
6.5 Confidentiality	18
6.6 Job Security	
6.7 Disciplinary Procedures	19
6.8 Treatment and Advice	20
6.9 Testing	21

# 1. INTRODUCTION

Substance misuse and/or problem gambling may cause health and safety risks to employees and their fellow workers.

The aim of this policy is to set measures which help workers who may be experiencing abuse- or addiction-related problems to come forward and receive help. Benefit will thus be derived by all parties concerned in the work sector.

Rather than piecemeal measures which, though beneficial in themselves may fall short of providing the multi-faceted help required in these cases, it is important for employers to have in place coherent and comprehensive substance abuse and gambling policies developed with union involvement, to ensure that they are in the best interests of all concerned. Such policies are essential where any drug, alcohol or gambling difficulties occur, but, preferably, they should be in place in advance of any such difficulties coming to light.

A drug, alcohol and gambling policy is a formal statement which sets out a company's policy and procedures, including education and training, for helping with drug, alcohol or gambling-related problems. It is up to the employers to decide whether they want to implement the whole policy or only parts of it, or whether they may include elements from this policy in their own policy framework. In all cases, prior consultation with workers and/or their representatives is very highly recommended.

The point of departure of a drug, alcohol or gambling policy would be that addiction or abuse issues should be addressed in the same way as all other generally-accepted health issues. Such a policy should assume that employees, at whatever level, who are identified as having a drug, alcohol or gambling issue which is affecting their work performance, conduct at work, or working relationships, will be encouraged and supported to seek help.



## 2. GLOSSARY & DEFINITION OF TERMS

**Abstinence:**

Refers to the act of refraining from alcohol or other drug use or gambling.

**Abuse:**

Refers to any consumption of a controlled substance no matter how infrequent, the inappropriate consumption of a legal one or the engaging in inappropriate gambling activities.

**Addiction:**

Most commonly used term to describe and explain the phenomenon of severe dependence.

**Amphetamine:** one of the large groups of synthetic drugs with powerful stimulant action on the central nervous system.

**Counselling and Psychotherapy:**

Counselling is an intensive interpersonal process concerned with assisting people to achieve their goals or function more effectively. Psychotherapy is generally a long-term process concerned with reconstruction of the person and larger changes in more fundamental psychological attributes such as personality structure.

**Dependence:**

As applied to alcohol and other drugs, a need for repeated doses of the drug to be able to function more or less properly.

**Detoxification:**

The process by which a person who is dependent on a psychoactive substance ceases use in such a way that minimizes the symptoms of withdrawal and risk of harm.

**Drug:**

In medicine, it refers to any substance with the potential to prevent or cure disease or enhance physical or mental well-being. In common usage, the term often refers specifically to psychoactive drugs and often, even more specifically, to illicit drugs. However, caffeine, tobacco, alcohol and other substances in common non-medical use are also drugs in the sense of being taken primarily for their psychoactive effects.



***Drug abuse:***

In the context of international drug control, drug abuse constitutes the use of any substance under the international control purposes other than medical and scientific, including use without prescription, in excessive dose levels, or over an unjustified period of time.

***Drug policy:***

The aggregate of policies designed to affect the supply and/or the demand for illicit drugs, locally or internationally. Drug policy covers a range of strategies on issues such as education, treatment, drug laws, policing and border surveillance.

***Drug testing:***

Toxicological analysis of blood, breath, urine, hair or other body tissue, to determine the presence of various drugs (legal or illegal).

***Dual diagnosis:***

A person diagnosed as having an alcohol abuse, drug abuse or gambling problem in addition to some other diagnosis, usually psychiatric, e.g. mood disorder, schizophrenia.

***Gambling:***

Risking money (or valuables) on an event (such as a sports contest, election, a game, etc.) whose outcome depends partly or totally upon chance.

***Harm reduction:***

In the context of gambling, alcohol or illicit drugs, harm reduction refers to policies or programmes that focus directly on reducing the harm resulting from gambling or the use of alcohol or other drugs, to the individual, their significant others and the larger community.



***Methadone:***

A synthetic opiate drug used in maintenance therapy for those dependent on opioids. When given in an adequate dose to opioid dependent individuals, methadone tends to reduce desire to use heroin and other opiates and it eliminates opioid withdrawal.

***Misuse:***

Is defined as the use of a substance for a purpose not consistent with legal or medical guidelines, as in the non-medical use of prescription medications.

***Motivational interviewing:***

A counselling and assessment technique which essentially follows a non-confrontational approach to questioning people about difficult issues like gambling, alcohol and other drug use and assisting them to make positive decisions to reduce or stop addiction.

***Poly drug use:***

The use of more than one psychoactive drug either simultaneously or at different times.

***Problem Gambling:***

Gambling beyond the point of being a social or recreational activity, in such a way that the gambler's life, or that of others, is negatively affected.

***Residential treatment:***

Treatment programmes which require participants to live in a hostel, home or hospital unit.

***Therapeutic community:***

A structured environment in which the individuals with drug and/or alcohol related problems live while undergoing rehabilitation.

***Urinalysis:***

Analysis of urine samples to detect the presence of substances a person may have ingested.

***Withdrawal:***

A term used to refer to either the individual symptoms of, or the overall state, which may result when a person stops gambling or ceases use of a particular psychoactive drug upon which they have become dependent or after a period of repeated exposure.









### **3. SIGNS OF DRUG, ALCOHOL ABUSE OR PROBLEM GAMBLING**

Some of the signs associated with drug, alcohol abuse or problem gambling may be caused or aggravated by other factors such as stress and should be regarded only as indications that an employee may have issues with drugs, alcohol or gambling.

It is very important that when suspicions arise, the case is immediately referred to management. In such circumstances, it is advisable that a company appoints a focus person(s) who is/are competent to deal with such matters.

### 3.1. SIGNS INDICATING THE POSSIBILITY OF DRUG OR ALCOHOL ABUSE / ADDICTION:

- Sudden change in behaviour patterns
- Memory lapses and tendency to become confused
- Irritability and possibly aggressive behaviour or violence
- Abnormal fluctuations in mood and energy
- Alcohol detected on the breath
- Being found in possession of objects associated with drug abuse (such as syringes, spoons, aluminium foil, etc.)
- Impaired job performance
- Poor time-keeping
- Increase in short term sickness absence (especially Mondays)
- Deterioration in relationships with other people
- Physical deterioration
- Attempts to borrow money or any other form of monetary abuse

### 3.2. SIGNS INDICATING THE POSSIBILITY OF PROBLEM GAMBLING

- Attempts to borrow money
- Requests for advances on salary
- Sudden change in behaviour pattern
- Memory lapses and tendency to become confused
- Irritability and possibly aggressive behaviour or violence
- Abnormal fluctuations in mood and energy
- The possession of betting slips, football pools forms and other items connected with gambling
- Deterioration in relationships with other people
- Most of the conversations are about gambling-related activities



## 4. BENEFITS FOR EMPLOYERS

In addition to the benefit to individuals in tackling their drug, alcohol or gambling related issues, employers can benefit from the introduction of a successful policy in a number of ways, for example by:

- Saving on the cost of recruiting and training new employees to replace those whose employment might have been terminated thus, saving on absenteeism or reduced productivity
- Continuing to benefit from the work experience that these employees would have accumulated throughout the years
- Improving the morale of other employees where intervention and treatment are seen to be successful
- Reducing the risk and incidence of accidents
- Enhancing the public perception of the organisation as a responsible employer
- Increased productivity in the medium to long term

## 5. LEGAL DUTIES

Employers also have legal responsibilities towards their staff. The Health and Safety at Work Act places duties on employers to ensure, so far as is reasonably practical, the health, safety and welfare at work of all their employees.

Whilst employers are highly encouraged to adopt a policy that helps any employee going through difficulties related to addictions, employers must also ensure that any parameters set within this policy are in line with other policies both internal to the same organisation and other policies or laws governing the sector in which they operate.

This policy should in no way go against or be taken to supersede the Occupational Health and Safety Authority Act (Chapter 424 Laws of Malta) or any other law that governs the sector in which the organisation operates. In addition, any policy must abide and respect the Employment and Industrial Relations Act (Chapter 452 Laws of Malta).



## 6. COMPANY POLICY ON DRUG, ALCOHOL AND GAMBLING AT THE PLACE OF WORK

### 6.1 INTRODUCTION

The Local Councils' Association, the Regional Councils, and the Local Councils and **sedqa**, the National Agency Against Drug, Alcohol Abuse and Problem Gambling have agreed to invest in a policy that regulates issues relating to drugs, alcohol and gambling which applies to all the employees of the above-mentioned entities, irrespective of their position and grade. Its objective is to ensure that all employees shall be treated in a consistent and fair manner in issues related to drugs, alcohol and problem gambling. Employees shall receive regular periodic training and information in an attempt to increase awareness about drugs, alcohol and gambling and other forms of related problematic behaviour. Furthermore, this policy encourages those with drugs, alcohol or gambling-related difficulties to seek the appropriate assistance offered by **sedqa** or other approved agencies agreed upon by both employer and employee.









## 6.2 DECLARATION OF PRINCIPLE

The Local Councils' Association, the Regional Councils, and the Local Councils and **sedqa**, the National Agency Against Drug and Alcohol Abuse and Problem Gambling, recognize that drug, alcohol abuse and problem gambling at their various levels can pose health-related problems with psycho-social implications requiring professional help and special treatment. It is the aim of this policy to provide this.

## 6.3 ROLES AND RESPONSIBILITIES

The Executive Secretary HR Manager or his/her delegate with responsibility for coordinating the implementation of this policy.

The Executive Secretary or his/her delegate HR Officer will be responsible for referring the employees concerned to **sedqa** (or any other approved agency).

The Executive Secretary or his/her delegate will be responsible for implementing **sedqa's** training programme at the place of work.

The names of external drug, alcohol and gambling service professionals and how they can be contacted may be obtained from the Executive Secretary of the respective councils. All such service professionals will be made aware of this policy on drugs, alcohol and gambling.

## 6.4 PROCEDURES

### 6.4.1 INFORMATION

Every employee will be given a summary of the main points of this policy, and anyone with a drug, alcohol or gambling-related difficulty will be encouraged to seek help. Training on drug, alcohol and gambling awareness will be provided and repeated periodically. Information leaflets will be made available by sedqa to the HR Office upon request.

### 6.4.2 REDUCING OPPORTUNITY TO DRINK, USE SUBSTANCES AND GAMBLE AT WORK

Research shows quite clearly that some jobs involve a much higher risk of exposure to substance abuse (including alcohol) than others. The social pressure to drink and misuse substances can be stronger in some working communities. Irregular hours, travel and separation from the family and the strain of a heavy workload are just some of the common job-related causes of alcohol abuse. Being aware of this potential scenario, the Local Councils' Association, the Regional Councils, and the Local Councils are committed to train personnel to deal with such circumstances.

The Local Councils' Association, the Regional Councils, and the Local Councils and sedqa, the National Agency Against Drug and Alcohol Abuse and Problem Gambling, recognise that such problems, coupled with the opportunity to drink at work creates a hazard. Therefore,

- a. Alcohol and other substances will not be consumed by employees on Local Councils' Association, the Regional Councils, and the Local Councils' premises during working hours. This will apply throughout the entities, at all levels, without exception.
- b. At any social function organised by Local Councils' Association, the Regional Councils, and the Local Councils there will always be non-alcoholic beverages available among the beverages provided.
- c. All forms of gambling, with the exception of raffles for (charitable) fund-raising activities (authorised by management), are prohibited.

### 6.4.3 SOLVENT ABUSE AT WORK

In the case of problems involving the deliberate or unintentional abuse of solvents at the workplace or outside, the person concerned will be covered by this policy. Where the solvent use is specifically work-related, the employer will ensure that the use of solvents has been subject to the provisions of the Dangerous Drugs Ordinance Act (Chapter 101 Laws of Malta), that the risks involved have been assessed and that measures have been taken to reduce all exposures to solvents to the lowest level reasonably practicable. This issue also calls for the involvement of the Local Councils' Association, the Regional Councils, and the Local Councils' Health and Safety Department and the corresponding policy.

### 6.4.4 PRESCRIBED DRUGS

In the event of problems involving the deliberate or unintentional abuse of prescribed drugs, the person concerned will be covered by this policy.



## 6.5 CONFIDENTIALITY

The Local Councils' Association, the Regional Councils, and the Local Councils undertakes to ensure that any counselling is strictly confidential and that any records compiled by a counsellor will be treated as the individual property of that counsellor or his/her employing agency. No discussions about an employee will take place between the Local Councils' Association, the Regional Councils, and the Local Councils and the counsellor without the written permission of the employee concerned. All employees will have the right to be represented by their Union representative in any meeting with the Local Councils' Association, the Regional Councils, and the Local Councils if they so wish. If an employee gives their written consent, then their Union official will be kept informed at all stages of the treatment. However, in the case that the employee concerned will be attending for counselling sessions during his/her time of work, the Local Councils' Association, the Regional Councils, and the Local Councils and the employee may reach an agreement that the counsellor will report to the employer about the employee's attendance at sessions and whether satisfactory progress is being registered.

## 6.6 JOB SECURITY

The Local Councils' Association, the Regional Councils, and the Local Councils accepts that, all things being equal and with full safeguard of the relevant legislation, job security will be guaranteed for any employee participating in treatment and/or counselling as long as s/he is showing motivation and cooperation in an attempt to deal with drug, alcohol abuse or gambling related difficulties.

Where an employee has to be away from work to undergo treatment, their job will be held open in accordance with normal sickness procedures. However, it has to be accepted that, in the long-term, job security must depend on performance returning to an acceptable level. Advice will be sought and consideration given as to whether the person's original job would be consistent with maintaining recovery. The employee's pension rights will be protected during treatment and counselling.





## 6.7 DISCIPLINARY PROCEDURES

Drug, alcohol or gambling difficulties are not generally considered to be sufficient grounds for dismissal, unless the person's action or performance reaches an unacceptable level. Such cases will be dealt with under normal disciplinary procedures with the employee's appropriate Union representative being involved at all stages.

Once an employee is referred for treatment under this policy, any disciplinary procedures associated with drug or alcohol abuse or problem gambling, will be suspended and remain so for the duration of the treatment.

If an employee with a gambling, drug or alcohol-related difficulty is able to continue to perform his/her duties whilst undergoing treatment, adequate time off for treatment will be allowed.

Bearing in mind the chronic and relapsing nature of addictive behaviours, relapses will be referred to a competent **sedqa** professional for assessment and consideration will be given to further job protection.

The employer is to consider moving his/her employee undergoing treatment to duties where he or she is not at risk to himself/herself or others.



## 6.8 TREATMENT AND ADVICE

Any employee with a drug, alcohol or gambling related difficulty is encouraged to seek guidance and assistance from **sedqa**.

Where indicators such as poor work performance, absenteeism, deteriorating health, the repeated possession of betting slips and request to borrow money or for advances in salary, depict a possible difficulty, employees will be advised to refer themselves for confidential professional help and advice. Paid time off for counselling and treatment will be allowed in accordance with the normal sick pay scheme. Refusal of treatment will not in itself be grounds for discipline unless an employee's action or performance reaches an unacceptable level or is deemed to be dangerous to others. Such a case would then be dealt with under normal procedures, with the involvement of the appropriate Union representative at all stages.

## 6.9 TESTING

Toxicological analysis of blood, breath, urine, hair or other body tissue could be used to determine the presence of various substances (legal or illegal).

Proposals for testing substance misuse will be subject to:

- Explanation In Writing As To Why Tests Are To Be Carried Out
- Description Of Test Procedures And Their Verification/ Effectiveness
- Stating Of Standards To Be Reached
- A Thorough Explanation Of The Consequences Of Failing The Test
- The Confirmation Of Safeguards On Continuity Of Employment
- Verification Of The Qualifications Of The Testers
- Reassurance About The Medical Confidentiality Of Results

If testing procedures are agreed upon, they must only be carried out on reasonable suspicion based on specific failed performance milestones which might show that the person concerned is under the influence of drugs or alcohol.

Any person testing positive shall have the right to challenge the results and obtain an independent analysis of the sample.

Any person testing positive who accepts the result, will be referred for assessment, advice and treatment in accordance with the rest of this policy.



## FURTHER INFORMATION

**Sedqa, National Agency Against Drug and  
Alcohol Abuse and Problem Gambling  
3, Braille Street, St. Venera SVR 1690**

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