



## When Alcohol Abuse Enters the Workplace

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Rich Meneghello's article was featured in *DJC Oregon* on November 5, 2015.

Football powerhouse USC fired its head football coach, Steve Sarkisian, in October after it was widely reported that he had been under the influence of alcohol during several team events. His termination provides a lesson for any employer wondering how it should handle the sometimes-touchy situation involving possible alcohol abuse by an employee.

What should an employer do if it believes one of its employees is under the influence at work? It may come as a surprise that the employer does not have the unfettered right to treat employees with alcohol problems in any manner it sees fit. That's because the federal Americans with Disabilities Act (ADA) and Oregon's disability law consider alcoholism a protected disability. In other words, if an employer fires someone because it knows or suspects the person is an alcoholic, an ADA claim could be forthcoming.

The good news is that some bright line rules exist for employers to follow in order to make sure they stay out of hot water in situations involving employee alcohol use.

In the article, Rich provides employers with five things the need to know about employee alcohol abuse:

1. The ADA specifically says that alcoholics can be held to the same performance and conduct standards as all other employees
2. Alcohol can always be prohibited from the workplace
3. A worker can be steered toward an Employee Assistance Program
4. A "last chance agreement" is a possibility
5. An employee can be fired if he or she raises alcoholism for the first time in the face of impending termination

To read the full article, please visit [\*DJC Oregon\*](#) [subscription required].

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