



**pennsylvania**

DEPARTMENT OF LABOR & INDUSTRY

Resources For  
Employers Supporting  
Individuals with  
Substance Use Disorder  
State and Federal Agencies,  
Protections and Other Resources

November 2024

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*Governmental agencies provide both legal protections and resources ranging from treatment services to employment protections, and harm reduction initiatives.*

*The following is a list of commonly used resources to treat drug and alcohol addictions. However, the PA Department of Labor & Industry does not guarantee that this list is exhaustive. Employers are urged to conduct their own research to determine whether additional resources exist.*

## Commonwealth of Pennsylvania Agencies

### PA Department of Drug and Alcohol Programs (DDAP)

Provides oversight and funding for drug and alcohol treatment and prevention services throughout Pennsylvania. Offers resources such as treatment locators and recovery support.

Find drug & alcohol treatment: 1-800-662-HELP (4357)

Opioid/Heroin Overdose Reversal: <https://tinyurl.com/naloxonePA>

Website: <https://www.ddap.pa.gov>

### PA Workforce Education

What it is: This Pennsylvania-specific initiative, run by DDAP, offers resources to help employers address substance use in the workplace.

How they help: Employers can access educational materials, support in developing drug-free workplace policies, and connections to local treatment providers.

Webpage: <https://www.ddap.pa.gov/Prevention/Pages/Workforce-Education.aspx>

### Single County Authorities (SCAs)

These county-level agencies manage drug and alcohol programs, providing direct assistance to individuals needing treatment, support, and education. These programs can help with treatment funding, assess the need for treatment or other services, and make referrals to match treatment and/or service needs.

Find your county drug and alcohol office: <https://tinyurl.com/PASCAs>

### PA Department of Health – Bureau of Community Health Systems

Operates a network of state health centers and supports public health programs throughout the Commonwealth. Health centers engage in community health assessment and quality assurance

activities and provide other public health services, including community integration and outreach programs, to promote healthy behaviors. Works to reduce the harm caused by substance use and helps provide resources for harm reduction programs, including naloxone distribution and education on opioid overdoses.

Website: <https://www.pa.gov/en/agencies/health.html>

Information on Naloxone: <https://tinyurl.com/DOHNaloxone>

## PA Department of Human Services (DHS)

### Centers of Excellence (COE)

Pennsylvania's 45 COEs are hubs around which opioid treatment revolves. They help ensure that people with opioid-related substance use disorder stay in treatment, receive follow-up care, and are supported within their communities – whether care is provided at a COE facility or elsewhere. Managed care teams coordinate care and provide hands-on transitions to the next and necessary steps in the treatment process.

<https://www.pa.gov/en/agencies/dhs/resources/mental-health-substance-use-disorder/substance-use-disorder/centers-of-excellence.html>

### Office of Mental Health and Substance Abuse Services (OMHSAS)

Focuses on behavioral health services, including substance abuse treatment, and works to ensure equal access to care. Provides crisis intervention, mental health services, and substance use treatment resources.

If you or someone you know is experiencing a mental or behavioral health crisis, call or text 988 to be connected to the National Suicide Prevention Lifeline. Trained professionals are available 24/7, and services are free and confidential.

Website: <https://www.pa.gov/en/agencies/dhs/departments-offices/omhsas-info.html>

## PA CareerLink®

PA CareerLink® is a comprehensive career website. It contains resources for people looking for individuals, employers, and training providers. PA CareerLink® is composed of numerous partner agencies throughout the Commonwealth – the agencies that compose a particular PA CareerLink® may vary across locations and timeframes.

PA CareerLink® provides resources and support for business and organizations. It offers such support as:

- Become a registered employer

- Search for candidates
- Learn about disability service partnerships
- Learn more about apprenticeships
- Report a new hire
- Request assistance

You can also access additional resources for all employers.

Website: <https://www.pacareerlink.pa.gov/jponline/Common/LandingPage/Employer>

# Federal Agencies

## Substance Abuse and Mental Health Services Administration (SAMHSA)

A branch of the U.S. Department of Health and Human Services that provides information, support, and grants for individuals suffering from substance use and mental health disorders.

Employers can leverage SAMHSA's toolkits and recovery support services to help employees navigate their recovery journey while maintaining their jobs.

Employer Resources: <https://www.samhsa.gov/workplace/employer-resources#the-toolkit>

Suicide & Crisis Lifeline: Call or text 988

Disaster Distress Helpline (24/7 Crisis Counseling): 1-800-985-5990

National Helpline (24/7 treatment referral and information service): 1-800-662-HELP (4357)

Treatment Locator: <https://findtreatment.gov/>

Website: <https://www.samhsa.gov/>

## U.S. Department of Labor – Employment and Training Administration (USDOL ETA)

Administers federal government job training and worker dislocation programs, federal grants to states for public employment service programs, and unemployment insurance benefits. These services are primarily provided through state and local workforce development systems.

Recovery-Ready Workplace Resource Hub: <https://www.dol.gov/agencies/eta/RRW-hub>

What is a Recovery-Ready Workplace? <https://www.dol.gov/agencies/eta/RRW-hub/Recovery-ready-workplace>

## Equal Employment Opportunity Commission (EEOC)

Provides guidance on employment protections for individuals with substance use disorders. Employers are required to provide reasonable accommodations, and they cannot discriminate against employees who are no longer using illegal substances and are in treatment or recovery.

Substance Use and the ADA: <https://www.eeoc.gov/eeoc-disability-related-resources/substance-use-and-ada>

Disability-Related Resources for Employers: <https://www.eeoc.gov/eeoc-disability-related-resources/disability-related-resources-employers>

## Department of Housing and Urban Development (HUD)

Provides protections and resources for individuals with substance use disorders through housing assistance programs and shelters. HUD's Continuum of Care program supports homeless individuals, including those affected by substance use.

Website: <https://www.hud.gov/>

## National Institute on Drug Abuse (NIDA)

Supports research on the causes and consequences of drug use and addiction, offering educational materials and public health resources.

Website: <https://nida.nih.gov/>

## Centers for Disease Control and Prevention (CDC) – Overdose Prevention Program

Protections/Resources: Offers information and resources related to preventing opioid overdoses, including access to naloxone and overdose education.

Workplace Supported Recovery: <https://www.cdc.gov/niosh/substance-use/workplace-supported-recovery/>

Website: <https://www.cdc.gov/overdose-prevention/communication-resources/index.html>

## Department of Justice (DOJ) – Civil Rights Division

Enforces civil rights protections for people with disabilities, including those with substance use disorders, under the Rehabilitation Act and the ADA.

Website: <https://www.justice.gov/crt>

Disability Rights Section: <https://www.justice.gov/crt/disability-rights-section>

Employers' Responsibilities:

<https://www.dol.gov/general/topic/disability/employersresponsibilities>

*Under federal and state law, individuals who use substances have certain legal protections, particularly focused on those who are in recovery or actively seeking treatment. These protections primarily come from disability and anti-discrimination laws.*

*In some cases, individuals currently using illegal substances may not be protected by certain laws, but those in recovery or treatment are.*

*Federal protections (i.e. ADA, Rehabilitation Act, FHA) protect people with substance use disorders who are in recovery or seeking treatment from discrimination in employment, housing, and access to public services.*

## Federal Protections

### Americans with Disabilities Act (ADA)

**Protection for Recovery:** People with substance use disorders who are in recovery or have completed treatment are protected from discrimination under the ADA. This applies in areas such as employment, housing, and public accommodations.

**Exclusion for Current Use:** Individuals currently engaged in illegal drug use are not protected under the ADA. However, if they are no longer using and are in recovery, they may be covered.

**Employment Protections:** Employers cannot discriminate against individuals in recovery, and reasonable accommodations may be required to support treatment or recovery efforts.

The ADA: Your Responsibilities as an Employer: <https://www.eeoc.gov/publications/ada-your-responsibilities-employer>

#### **ADA Information Line**

Talk with an ADA Specialist

Voice: 800-514-0301

TTY: 1-833-610-1264

M, Tu, W, F: 9:30am - 12pm and 3pm - 5:30pm ET, Th: 2:30pm - 5:30pm ET

### Rehabilitation Act of 1973

Similar to the ADA, this law protects individuals with substance use disorders from discrimination in federally funded programs and activities.

The Law: <https://www.eeoc.gov/rehabilitation-act-1973>

## Fair Housing Act (FHA)

Protects individuals with substance use disorders, including those recovering from alcohol or drug addiction, from discrimination in housing.

Housing providers cannot deny housing to individuals based on a history of substance use if they are no longer using illegally.

Fair Housing Guide: <https://tinyurl.com/FHAGuide>

## Family and Medical Leave Act (FMLA)

Provides eligible employees with the right to take unpaid, job-protected leave for treatment of a serious health condition, including substance use disorder treatment. This applies to those seeking treatment for themselves or caring for a family member in treatment.

Employees undergoing treatment can take time off without fear of losing their job. Employers must understand their obligations under FMLA when employees need leave for recovery-related reasons.

Website: <https://www.dol.gov/general/topic/benefits-leave/fmla>

## Equal Employment Opportunity Commission (EEOC)

Provides protections against employment discrimination under the Americans with Disabilities Act (ADA). Individuals with substance use disorders are protected under certain conditions if they are in recovery or receiving treatment.

Overview of the Disability Laws that the EEOC enforces: <https://www.eeoc.gov/disability-discrimination-and-employment-decisions>

How the EEOC Can Help: <https://www.eeoc.gov/eeoc-disability-related-resources/how-eeoc-can-help>

*State protections mirror rights protected at the federal level, and often expand upon them. In Pennsylvania there is additional emphasis on confidentiality, medical marijuana use, and protection during overdose situations.*

## Commonwealth of Pennsylvania Protections

### Pennsylvania Human Relations Act (PHRA)

Provides protections similar to the ADA, prohibiting discrimination against individuals with disabilities, including those in recovery from substance use disorders. This applies in employment, housing, and public accommodations. Like the ADA, it does not protect individuals actively using illegal drugs, but it does cover those who have completed or are undergoing treatment.

The Pennsylvania Human Relations Commission (PHRC) enforces state laws that prohibit discrimination. Call the PHRC at (717) 787-4410.

The Law: <https://tinyurl.com/ReadPHRA>

Legal Resources: <https://www.pa.gov/en/agencies/phrc/legal-resources.html>

### Confidentiality of Substance Use Treatment

Pennsylvania law, along with federal regulations (42 CFR Part 2), protects the confidentiality of individuals receiving substance use treatment. Treatment centers cannot disclose information without the patient's consent, except under specific circumstances.

SUD confidentiality in Pennsylvania: <https://tinyurl.com/SUDConfidential>

### Good Samaritan Law (Act 139)

Provides immunity from prosecution for individuals who seek medical help during a drug overdose situation. This law encourages people to call 911 without fear of legal consequences when witnessing or experiencing an overdose.

The Law: <https://tinyurl.com/ReadAct139>

### Employment Protections for Medical Marijuana Users

In Pennsylvania, individuals who are certified to use medical marijuana under the state's Medical Marijuana Program cannot be discriminated against in employment solely based on their status as a medical marijuana patient, except in safety-sensitive positions.

The Law: <https://tinyurl.com/2016Act16>

*Employers in the United States, and specifically in Pennsylvania, have a variety of resources they can leverage to support employees going through recovery from substance use disorder (SUD). These resources can help create a supportive work environment and ensure that employees receive the assistance they need.*

*By utilizing these resources, employers can create a supportive work environment that helps employees with substance use disorders recover and return to productivity.*

## Other Resources for Employers

### Employee Assistance Programs (EAPs)

What they are: EAPs provide confidential counseling and support services to employees dealing with various issues, including substance use disorder. They are relatively low-cost to employers – the average EAP costs employers, on average, \$12 to \$40 per employee, depending on the plan.

How they help: EAPs can offer assessments, short-term counseling, referrals to treatment programs, and ongoing support during recovery. Employers can partner with an EAP provider to offer these services as part of their benefits package.

### Employee Assistance Society of North America

The Employee Assistance Society of North America (EASNA) provides resources for an implementation strategy of EAPs.

Website: <https://easna.org/EASNA-Implementation.html>

An Employer's Guide to Employee Assistance Programs:

[https://easna.org/PS2\\_NBGRRecommendationsforDefiningandMeasuringEAPs.pdf.pdf](https://easna.org/PS2_NBGRRecommendationsforDefiningandMeasuringEAPs.pdf.pdf)

Selecting and Strengthening Employee Assistance Programs: A PURCHASER'S GUIDE:

<https://easna.org/EASNA-PURCHASERS-GUIDE-TO-EAPs-FINAL-2009.pdf>

### Recovery-Friendly Workplaces

What they are: Several states, including Pennsylvania, encourage businesses to become "recovery-friendly workplaces."

How they help: This involves creating an inclusive environment that reduces stigma and supports employees in recovery. Employers can receive guidance on policy development, training for managers, and tools to promote health and wellness.

Recovery-Friendly Workplaces Pennsylvania: <https://recoveryfriendlypa.org/>

## National Safety Council (NSC)

What it is: The NSC provides resources on addressing drug use in the workplace, including opioids and alcohol.

How they help: The NSC offers employer toolkits, workplace training, and support for implementing effective drug policies.

Website: <https://tinyurl.com/WebsiteNSC>

## Insurance Coverage and Benefits

Employers can review their health insurance policies to ensure they cover addiction treatment services, such as:

- Inpatient and outpatient rehab programs
- Counseling and therapy sessions
- Medication-Assisted Treatment (MAT)

Many health insurance plans are required to offer coverage for substance use disorder treatment due to the Mental Health Parity and Addiction Equity Act.

## Local Recovery Centers and Treatment Providers

Employers can establish relationships with local treatment centers in Pennsylvania that offer outpatient and inpatient treatment programs. They can refer employees to local recovery centers.

## Training and Education Programs

Employers can provide training for managers and employees on how to identify signs of substance use disorder, how to approach someone about getting help, and how to reduce stigma.

Organizations like The PA Recovery Organizations Alliance (PRO-A) offer educational materials and workshops on substance use and recovery. If you would like to inquire about requesting or hosting a training, please contact Patricia Baranowski at [patti.b@pro-a.org](mailto:patti.b@pro-a.org).

Website: <https://pro-a.org/>

Workforce Project Phone: 717.545.8929

Email: [proa.asst@pro-a.org](mailto:proa.asst@pro-a.org)

## Tax Credits for Employers

Pennsylvania offers Work Opportunity Tax Credits to employers who hire individuals in recovery or those who have completed a substance use disorder treatment program. Employers should explore eligibility for these incentives.

IRS: <https://www.irs.gov/businesses/small-businesses-self-employed/work-opportunity-tax-credit>

PA: <https://www.dli.pa.gov/Businesses/Workforce-Development/WOTC/Pages/default.aspx>

PA WOTC Help Desk: (800) 345-2555 or [RA-BWPO-TaxCredits@pa.gov](mailto:RA-BWPO-TaxCredits@pa.gov)

[WOTC-one-pager.pdf](#)

## Updated from USDOL “The Role of the Workforce System in Addressing the Opioid Crisis: A Resource Guide”, 2021

The Role of the Workforce System in Addressing the Opioid Crisis: A Resource Guide (dol.gov) <https://www.dol.gov/agencies/eta/research/publications/role-workforce-system-addressing-opioid-crisis-resource-guide>

### A Dose of Reality for Employers - A toolkit to help mitigate the risks associated with Ohio's Opioid crisis.

The Ohio Chamber of Commerce offers an [eight-module course](#) that provides an overview of the legal and operational issues that employers should consider in responding to the opioid crisis, including developing a drug-free workplace policy and determining when and how to test employees for drug use.

Website: <https://ohiochamber.com/opioid-toolkit/>

### The National Safety Council (NSC)

Prescription Drug Employer Toolkit provides resources to help employers proactively promote wellbeing and address the opioid epidemic, including considerations for developing employee assistance programs, conducting employee education, training supervisors, and developing policies regarding workplace drug testing. The NSC has also developed a document called The Proactive Role Employers Can Take: Opioids in the Workplace, which includes information on how to work with benefit providers, surveys current workplace drug testing policies, and discusses other workplace supports. Finally, the NSC has an online Substance Use Cost Calculator for Employers, which allows employers to calculate the costs of substance use to their business.

Website: <https://www.nsc.org/workplace/safety-topics/safer/mental-health-and-wellbeing>

## The Boston Medical Center Grayken Center for Addiction

Provides an employer resource library that includes 25 downloadable tools and resources on topics such as empowering and educating managers, supporting and engaging employees, and developing policies and practices.

Website: <https://www.bmc.org/addiction/employer-resource-library>

## The National Business Group on Health

The National Business Group on Health has developed [An Employer's Guide to Workplace Substance Abuse Treatment: Strategies and Recommendations](#). This resource offers information about substance use disorders and practical solutions for addressing worker substance misuse.

Document: <https://www.mychoicematters.net/wp-content/uploads/2018/10/3.1-Employers-Guide-to-Workplace-Substance-Abuse-Aug.-2009.pdf>

## Connecticut Department of Public Health

[The Opioid Crisis and Connecticut's Workforce: Updating Your Approach to Employees Suffering from Addiction Can Preserve Your Greatest Resource](#) is a white paper developed by the Connecticut Department of Public Health. It includes five key principles for employers—early identification, instant support, employer flexibility, regular review, and enlisting success—as well as links to employee resources.

Document: [https://portal.ct.gov/-/media/departments-and-agencies/dph/dph/environmental\\_health/occupationalhealth/opioid-conference-writeup\\_final-final\\_11\\_28\\_18-\(2\).pdf](https://portal.ct.gov/-/media/departments-and-agencies/dph/dph/environmental_health/occupationalhealth/opioid-conference-writeup_final-final_11_28_18-(2).pdf)

## The Federal Bonding Program

Established by the U.S. Department of Labor in 1966, the [Federal Bonding Program](#) provides Fidelity bonds that cover the first six months of employment for “at-risk,” hard-to-place job seekers, including individuals in recovery from substance use disorders. Employers receive these bonds for free as an incentive to hire these applicants, and the bond protects the employer against losses caused by any fraudulent or dishonest acts of the employee.

Website: <https://bonds4jobs.com/>

# Employer SUD Resource List

## State Agencies

PA Department of Drug and Alcohol Programs (DDAP)

- PA Workforce Education
- Single County Authorities (SCAs)

PA Department of Health – Bureau of Community Health Systems

PA Department of Human Services (DHS)

- Centers of Excellence
- Office of Mental Health and Substance Abuse Services (OMHSAS)



## Federal Agencies

Substance Abuse and Mental Health Services Administration (SAMHSA)

U.S. Department of Labor – Employment and Training Administration

Equal Employment Opportunity Commission (EEOC)

Department of Housing and Urban Development (HUD)

National Institute on Drug Abuse (NIDA)

Centers for Disease Control and Prevention (CDC) – Overdose Prevention

Department of Justice (DOJ) – Civil Rights Division



## Legal Protections

Americans with Disabilities Act (ADA)  
Rehabilitation Act of 1973

Fair Housing Act (FHA)

Family and Medical Leave Act (FMLA)

Equal Employment Opportunity

Commission (EEOC)

Pennsylvania Human Relations Act  
(PHRA)

Confidentiality of Substance Use  
Treatment

Good Samaritan Law (Act 139)

Employment Protections for Medical  
Marijuana Users



## Other Resources for Employers

Employee Assistance Programs (EAPs)

Recovery-Friendly Workplaces

National Safety Council (NSC)

Insurance Coverage and Benefits

Local Recovery Centers and Treatment Providers

Training and Education Programs

Tax Credits for Employers

