

How to Implement a Drug Testing Program - Just Say Yes

Developing a drug-testing program for your business is not as difficult or as costly as it might seem. The cost of a single urine test, typically under \$50, pales in comparison to the potential cost to employers of illicit drug use in the workplace. The U.S. Department of Labor estimates on-the-job drug use costs business owners around \$100 billion annually in increased absenteeism, tardiness, accidents and elevated insurance costs.

Employees who use drugs at work are also less productive and more likely to steal than other workers, according to *The Study on Economic Costs to Society of Alcohol, Drugs and Mental Disorders* conducted by the North Carolina Research Triangle Institute. Add to this the social impact of substance abuse on co-workers, family and friends, and you begin to understand why drug testing has become as much a part of doing business as monitoring payroll expense or return on investment. The choice is clear: implementing a drug-testing program gives your business the tools it needs to discourage substance abuse and keep illicit drug users away.

Where to begin?

Begin by establishing a written drug policy. The policy should include (1) an introductory clause that states your company's position on drug abuse, (2) the reasons behind the policy, (3) the parameters of the policy, (4) specific employee requirements and (5) the consequences for failing to uphold the policy. Once established, your company's drug policy should become part of every application packet. Notice of the policy should be posted in highly visible workplace locations and given to all employees.

After establishing the policy, you should develop an Employee Assistance Program, supervisor training and an Employee Drug Awareness Education Program. Information about legal issues, compliance with state and federal mandates, and other resources should also be provided. While this sounds like a daunting task, numerous helpful resources are available to help simplify the process.

Who will be tested?

Next, you must decide whom to test. Pre-employment testing, the most common type of testing, has been consistently upheld as a valid applicant screening criterion by the courts. Even so, for your company's protection, you should obtain written consent from each job applicant you test. If you decide to test existing employees, provide them with supervised drug education training and explain to them in advance what disciplinary procedures will be taken in the event of a positive test.

When should I test?

Testing may be conducted at a variety of times, including: prior to employment, as part of an annual physical exam, before promotions or transfers or on a random basis. You may also test employees who hold or apply for positions involving money-handling, security or safety. It is also advisable to test employees after work-related accidents and substance abuse treatment, or when an employee falls under reasonable suspicion.

Reasonable suspicion is defined as a belief based on objective facts and rational inferences deduced from those facts, or direct or reported observations from a verifiable source, that a particular employee is using or is impaired by drugs or alcohol. This might include observed alcohol or drug use during work hours, unexplained work-related accidents, physical symptoms associated with substance abuse, poor job performance, frequent work absences or unexplained changes in personal behavior, to name a few.

Where is testing done?

Most companies use an off-site facility to conduct drug tests. These professional test facilities are able to ensure an unbroken chain of custody, complete confidentiality, and quick, accurate results. Other screeners offer convenient, cost-effective on-site testing. The choice is yours.

No matter which type of facility you select, make sure your screening agency is accredited, licensed and insured. Professional hallmarks like these mean tests are conducted using the highest industry standards and protocols, and this is the kind of protection you'll want for your company.

What type of test is used?

Most testing facilities use a standard five-panel test that tests for marijuana, cocaine, PCP, opiates and amphetamines. More extensive ten-panel tests are also available. Urine samples are generally required within 24 to 48 hours after notification, before drugs have had a chance to leave the system. Positive results are sent to employers. Any applicants or employees testing positive are given a chance to offer an explanation such as a verifiable medical reason, or they can protest the results.

Most test facilities have procedures in place to re-confirm positive tests prior to reporting them. Many companies engage an independent physician to act as the company's Medical Review Officer (MRO). This physician reviews all test results and, in the case of a positive result, interviews the subject to determine if there are any medical explanations other than illicit drug use for the positive test. In any case, a subject with a positive reading has the right to request and pay for a second test conducted at a facility of his or her choosing.

You should have guidelines in place in the event that a current employee tests positive. Depending on your company policy, consequences may include something as supportive as professional assessment and treatment, or – at the other extreme – immediate termination.

Develop your program now!

The U.S. Department of Labor has a helpful online Drug-free Workplace Program Builder at <http://www.dol.gov/asp/programs/drugs/workingpartners/dfworkplace/dt.asp>. By answering a series of multiple-choice questions, you can create a customized workplace drug-testing program in a matter of minutes!

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