Workplace programs and policies for substance abuse

Introduction
The U.S. Department of Labor indicates the annual cost to employers of on-the-job substance abuse is about $100 billion, including lost productivity, theft, accidents and added health care costs. All workplaces are subject to the problems associated with substance abuse. Studies show that compared to alcohol- and drug-free workers, substance abusers:

- are far less productive.
- miss more workdays.
- file more workers compensation claims.
- are more likely to injure themselves or someone else.
- incur higher medical costs.

Policies and programs are critical
Having an effective plan in place to prevent and to address substance abuse is critical for every organization. This may include, but not be limited to:

- A substance abuse policy
- New employee education and ongoing training that explains the policy
- Supervisor training in substance abuse prevention and recognition
- An employee assistance program
- Drug and alcohol testing for drivers with commercial driver's licenses (CDL) and possibly for other employees as well

Employers may conduct pre-employment testing for all potential employees. They may also test randomly, post-accident and for-cause, depending on local laws or for positions identified as security- or safety-sensitive positions. The laws regarding drug testing will vary locally, so consult a labor attorney before conducting any testing or instituting a substance abuse program.

The following nine steps use the federal Department of Transportation (DOT) laws as guidelines, which can help you develop a substance abuse plan:

1. Develop a substance abuse policy
The first step is to develop a written substance abuse policy. Have legal counsel review the policy and have management sign it. The policy should:

- Apply to all employees.
- Indicate which positions are subject to drug and alcohol testing, including, but not limited to, CDL and security- and safety-sensitive positions.
- Address the roles and responsibilities of all employees.
- Provide details on substance abuse testing, as well as the consequences for refusing to be tested and for testing positive.
- Explain that employees may not possess illegal drugs or alcohol on company property.
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- Prohibit the possession or use of alcohol and illegal drugs in vehicles.
- Indicate that poor performance, a possible result of substance abuse, will be grounds for disciplinary action from management.

2. Explain the policy and educate
Distribute, document and explain the substance abuse policy to all employees. Require employees to sign a statement indicating that they have received and read a copy of the policy. Along with the policy, indicate where workers may get more information on the substance abuse program. Provide all employees with educational materials that explain the effects of substance abuse on employee health, work and personal life and how employees can access the employee assistance program. Ensure that employee representatives are also aware of the availability of this material.

3. Communicate supervisor responsibilities
Ensure that all of your supervisors are educated on your substance abuse policy. Supervisors should participate in possible substance abuse training and observe their employees for signs of substance abuse. Supervisors play a critical role in preventing workplace substance abuse. They should be able to observe, address and document poor performance that may be related to substance abuse. It is important to document any observed performance deficiencies based on fact and not opinion. Managers of companies that do not have drug screening programs should be aware that as they begin drug testing, applicants using drugs will most likely go to non-testing organizations for employment. Thoroughness in the selection process may help employers avoid hiring workers with known or potential substance abuse problems, as well as identify any other negative factors that would affect a prospective worker’s performance.

4. Communicate employee responsibilities
Educate employees on their responsibilities. These may include, but not be limited to:
- Participating in substance abuse awareness training
- Seeking help if they have a problem with substance abuse
- Reporting potential drug and alcohol use to supervisors

5. Provide reasonable suspicion training
Select supervisors to determine if reasonable suspicion exists to require an employee to undergo testing. Selected supervisors must receive training on alcohol misuse and additional training on controlled substances use. The training should discuss the physical, behavioral, speech and performance indicators of possible alcohol and drug use.

6. Offer employee assistance programs (EAPs)
Prior to instituting a testing program, select and arrange for EAPs, which provide support for workers with substance abuse problems. Even though employer-managed EAPs can be effective, these programs are usually more accepted by employees if administered by an independent contractor. Employee privacy and confidentiality must always be of the utmost concern.

7. Carefully develop testing processes
Establish an alcohol and drug testing program that includes preemployment, reasonable suspicion, post-accident, return-to-duty and follow-up testing. Drug testing, though legal, is controversial. When implementing a new substance abuse policy, work closely with your legal counsel. You should also work with a certified lab and qualified drug testing program administrator. The federal program guidelines were established to ensure the accuracy of test results and provide for the privacy of individuals who are tested. The drugs that employers typically test for are marijuana, cocaine, opiates, amphetamines and phencyclidine.

8. Provide employee referral, evaluation and treatment
After an employee has tested positive, employers are generally not required to provide substance abuse treatment or to reinstate the employee. But, employers must provide substance abuse treatment information to the employee who has tested positive, including the names of treatment professionals and programs. Employees who test positive may be evaluated by a substance abuse professional (SAP) and, if treatment is needed, the SAP indicates if the employee has followed the treatment program.
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9. Maintain required records
Finally, work with a qualified program administrator to maintain records of your substance abuse prevention programs. The administrator can ensure that your records contain accurate test results and protect the privacy and confidentiality of employees who are tested.

With a thorough policy and a commitment to comprehensive training, effective communication, employee education, employee assistance programs and a professionally administered testing and record-keeping program, your company can help reduce expenses and losses related to substance abuse.

For a guide to online resources about substance abuse, log in to our Customer Center and search for “eGuidance” in our product database and then click on “Drug-free Workplace.”

1National Council on Alcoholism and Drug Dependence, “Alcohol and Drugs in the Workplace.”

For more information, log in to the Risk Control Customer Portal at travelers.com/riskcontrol. (Need help? Read our Registration Quick Guide.) You also can contact your Risk Control consultant or email Ask-Risk-Control@travelers.com.

Keys to an effective written substance abuse policy

• Make sure top management supports the policy.
• Communicate top management support clearly and repeatedly.
• Involve all interested groups - management, supervisors, employees, union, company health and human resources professionals - in policy development.
• Have an attorney review the policy.
• Communicate the policy to all employees well in advance of its effective date.
• Distribute a written copy of the policy to all employees.
• Apply the policy to all levels of employees, from the mailroom to the boardroom.
• Make sure the policy addresses alcohol abuse, as well as illegal drugs.