



SUBSTANCE ABUSE IN THE WORKPLACE

WHAT'S THE PROBLEM?

Substance abuse costs employers billions of dollars a year in accidents and injuries, lost productivity, and property and equipment damage. Employees who are under the influence of drugs or alcohol puts co-workers in danger..

WHAT CAN I DO ABOUT IT?

Many workplaces are dangerous enough without adding the extra hazard of workers under the influence of drugs and alcohol. When workers are high or drunk on the job, they pose a safety risk to themselves and their co-workers. One logical way to address this risk..

HOW TO PROTECT YOURSELF

One of the best ways to protect yourself is to be aware of the signs and symptoms of addiction and substance abuse and report the behavior right away to a supervisor or someone in HR. In this report, you'll be provided with all the tools you need to save...

CONTENT



03

Get Your Plans Straight: Opioid Use in the Workplace



05

12 Critical Elements of a Drug & Alcohol Testing Policy

08

Case Story: How I Got Hooked



09

Know the Signs: How To Spot Substance Abuse

10

Quiz It: Many Legal Drugs Put Workers In a Precarious Place



Get Your Plans Straight: Opioid Use In the Workplace

REALITY CHECK

A pilot crashes a plane. A truck driver dozes off and misses a curve. A machine operator accidentally sticks his hand into some rollers. What do all of these accident victims have in common? They were all affected by legal drugs, the kind you buy at your neighborhood drug store.

WHAT'S AT STAKE

An individual doesn't have to be staggering around drunk or having hallucinations to be dangerously impaired. Even the drowsiness or slowed reaction

time caused by common medications can result in deadly accidents, both on the job and on the road.

Just because a drug is legal to use does not make it safe to use in the workplace. We're talking about prescription and over-the-counter drugs. We all know that illegal drugs such as marijuana or cocaine are hazardous to use. We also know that alcohol is prohibited at work because it is intoxicating. But did you know that many other drugs that we take for granted can also affect your ability to do your job safely?

Drugs such as cold remedies often carry a

warning advising that you do not drive or operate machinery if you feel drowsy. Many of these mixtures contain antihistamines, which reduce some of the unpleasant effects of a cold, but can also make you sleepy. Cough syrups contain a variety of drugs which, if taken in enough quantity, can cause impairment of your judgment and reflexes. Painkillers work because they dull your senses—the same senses you need to stay alert while you are working. Tranquilizers can calm you down, but in the process they can make everything seem fuzzy.

WHAT COULD GO WRONG?

A 56-year-old woman drove her vehicle into the rear of another vehicle while she was under the influence of a prescription medication. The driver who caused the accident had been traveling at about 45 miles-per-hour (70 kilometers per hour) when the impact occurred. Both occupants of the car that was hit were taken to the hospital for treatment of their injuries.

HOW TO PROTECT YOURSELF

Here are some guidelines for safer use of prescription and over-the-counter medications:

1. Do not take medicine unnecessarily
2. Talk to your doctor or druggist before mixing any medicines.
3. Do not consume alcohol when taking medication, including non-prescription remedies.
4. Read the labels and information sheets accompanying the medicine, and strictly follow the instructions. This includes heeding any precautions about mixing medications or avoiding activities such as driving or operating machinery.
5. Discuss with your doctor the possibility of any side effects affecting your ability to perform safely while taking any medication. And be sure to let

your supervisor know of any such restrictions.

A recent study showed that 15 percent of all deaths and injuries in traffic accidents in the United States and Canada involved driving while under the influence of legal medications. It doesn't take much imagination to figure that people are also having many accidents at work while under the influence of these medications.

Here are some of the possible side effects of prescription and non-prescription drugs which potentially can lead to accidents causing injury or death:

- Drowsiness
- Dizziness
- Allergic reactions
- Depression
- Anxiety, irritability
- Inability to concentrate

FINAL WORD

It is important to be aware of the possible dangers of using prescription drugs and over-the-counter remedies prior to or during work shifts. Be sure to follow all directions and precautions carefully. Talk to your supervisor if you have doubts about your ability to work safely when you are taking a medication.

Ensure 100% compliance and download our ready-to-go Substance Abuse checklist for your company, only at safesupervisor.com



12 Critical Elements of a Drugs & Alcohol Testing Policy

MYTH

Once regulation of the legality of a drug changes, such as marijuana in Canada, drug testing of workers becomes illegal.

WHAT'S AT STAKE

Wrong, wrong, wrong!

The truth is that drug legalization has little to no direct impact on workplace drug policies and the testing methods used to enforce them. But what it likely will do, at least based on the experiences of U.S. states that have legalized recreational cannabis, is increase use. And that will make drug testing and testing policies even more important than they are now.

Bottom Line: So as the days to legalization tick down, if you don't have a testing policy, you should strongly consider implementing one; and if you do already have a policy, you should give it a good hard look. This story will help you do both of these things.

IS TESTING LEGAL?

While testing is highly controversial, there are 3 things on which all sides agree:

- Workplace drug and alcohol use and impairment is

a safety hazard;

- Testing is one of if not the best ways to enforce anti-drug and alcohol policies; and
- Workers and unions hate testing and often go to court or arbitration to contest it.
- Heading into litigation, unions enjoy some major legal advantages, including the fact that:
- Testing is highly privacy intrusive;
- Drug and alcohol addiction (although not casual use) is a disability requiring accommodations under human rights laws; and
- Employers bear the burden of justifying their testing policies as a needed and unavoidable safety measure.

The legality of a particular testing policy depends on a number of factors including:

- What's tested for, i.e., drugs or alcohol;
- Who's tested, e.g., all workers or safety-sensitive ones; and
- The basis for performing a test, i.e., pre-employment, for cause/post-incident or at random.

12 THINGS TO INCLUDE IN YOUR TESTING POLICY

Knowing how particular types of testing may be justified is just the starting point. The windows for justification are extremely tight and you won't squeeze into any of them if you don't have the right testing policy. (Click [here](#) for a Checklist of general criteria used by courts and arbitrators to evaluate the legality of testing policies.)

While the Insider's Model Testing Policy is designed as a standalone, you can also incorporate the testing policy into a larger workplace drug and alcohol use policy. In either case, there are 12 things you should include in the policy.

1. POLICY STATEMENT

Like many employers, you may want to set the tone by stating that your organization has a zero tolerance drug and alcohol use policy. But while stating larger principles is recommended, you need to be careful about phrasing your policy as a workplace safety and fitness for duty rather than a moral or even legal imperative (especially after cannabis is legalized) [Policy, Sec. 1].

Example: An offshore platform millwright is fired for violating company policy banning possession of "illegal drugs" after screeners find a tinfoil packet containing a small amount of cannabis in his jeans pocket. The millwright claims it was all a big mistake but the arbitrator dismisses the grievance, saying that mere possession was a violation regardless of the millwright's intention. But while the employer did win, the strategy is not sustainable. After all, if this very same case had taken place after legalization, the cannabis would have not been deemed "illegal" and the millwright would not have been guilty of a policy violation

2. STATEMENT OF PURPOSE

Acknowledge that testing is intrusive but state that it's essential to enforcing your zero tolerance policy and its workplace safety objective.

3. POLICY SCOPE

The policy must be balanced in scope. Testing should be limited to safety-sensitive workers but at the same time broadly to any and all individuals that meet the criteria for performing safety-sensitive jobs regardless of their employment status, including employees of contractors and people applying for safety-sensitive jobs at your organization.

4. WORKERS' DUTIES

If the testing policy is freestanding, you may want to restate or refer to workers' duties under the organization's drug and alcohol use policy, including coming to work sober and fit for duty and remaining in that state at all times while on duty.

5. BASES FOR TESTING



The meat of the policy are the rules for different bases of drug and alcohol testing, including:

- Pre-employment testing: Mandatory for job applicants who receive offers for safety-sensitive positions [Policy, Sec. 6.1];
- For-cause testing: Allowed when there's grounds for reasonable suspicion of impairment with such grounds specifically listed [Policy, Sec. 6.2];
- Post-incident testing: A form of for-cause testing allowed after accidents, near misses and other safety incidents [Policy, Sec. 6.3];
- Random testing: Permitted only in narrow safety-driven circumstances [Policy, Sec. 6.4];
- Post-Rehabilitation Testing: May be required for workers that test positive who are offered the opportunity for rehab in lieu of termination [Policy, Sec. 6.5]; and
- Scheduled Periodic Testing: May be required as part of a fitness for duty medical exam.

6. TESTING PROCEDURES

There are 6 crucial procedural issues you need to address in your testing policy:

1. How job applicants and workers give their consent to be tested;
2. How samples are collected and who can collect them;
3. The controls in place to ensure the integrity of the sample from collection to transporting to the lab and actual testing;
4. The methods used to confirm initial positive test results;
5. The criteria for a positive result—which should generally track the applicable regulatory limit for the substance tested for, e.g., BAC for alcohol; and
6. Procedures for retesting and appeals after positive results.

7. PRIVACY OF TEST RESULTS

Acknowledge that test results are privacy-protected information that you'll keep secure and refrain from using except as allowed or required by law. Also indicate that test records are organization property but that you'll make them available for inspection and copying as required by law.

8. VIOLATIONS

Explain that violations include not just testing positive but tampering or attempting to tamper with samples and/or refusing to submit to testing in the first place.

Example: A truck driver with a penchant for speeding takes a corner too fast and drives her vehicle into a ditch. The for-cause drug test she must take as a result comes back positive for cannabis. After confirming that she wasn't an addict, the company fires her. The arbitrator upholds the decision. The positive test didn't prove the driver was impaired at the time of testing. But the nail in the coffin was the evidence that the driver got a substitute urine sample. And cheating on the drug test was just cause to terminate.

9. CONSEQUENCES OF VIOLATIONS

Make it clear that workers who commit violations will be subject to discipline up to and including termination in accordance with your organization's disciplinary policies and procedures; also specify that violations by job applicants is grounds for revoking an offer of employment (or termination if the violation is discovered only after the applicant has started working)

10. REHAB RATHER THAN TERMINATION

Reserve your right to offer workers who test positive the opportunity to enter a last chance agreement in lieu of immediate discipline or termination. Typically, the worker is put on administrative leave and allowed to return to work provided they successfully complete a rehab program, which usually involves regular testing.

11. ACKNOWLEDGEMENT OF EMPLOYEE ACCOMMODATION RIGHTS

To insulate against liability risks for discrimination, ac-

knowledge that drug and alcohol addiction are disabilities under human rights laws and that you'll provide reasonable accommodations to workers with addictions up to the point of undue hardship.

12. ATTACH CONSENT FORM

Last but not least, attach a copy of the form you require job applicants and workers to sign to consent to testing as an Exhibit to your policy [Policy, Exhibit A]. ([Click here](#) for a Model Consent Form.)

CASE STORY: HOW I GOT HOOKED

Anonymous former opioid user in upstate New York
 "I never woke up one day and decided that I wanted to become a drug addict. I was in college and working full-time when I stepped on an earring in my apartment. The earring pierced my left heel, and days later an abscess formed. With fevers above 102.5 F for several days, I went to the ER for treatment. I got IV antibiotics and hydrocodone. The infection cleared, and the pain ceased. I took the extra hydrocodone anyways. It made me feel happy and dulled the stress of work and school. I started buying OxyContin from someone with a prescription. Once the makers of OxyContin revealed the abuse-proof formula, the doctor started to prescribe morphine (much cheaper). So, I bought morphine. First, I thought it was okay as long as I only used on my days off. I graduated college, so things weren't too bad...right? Pretty soon I told myself I was okay as long as I only used after work. Then it was okay as long as I only used on my break. My addiction progressed to using all day every day. I couldn't stop. I couldn't support my habit anymore and lived with a constant struggle of trying to find more. Then, I found out I was pregnant. He saved my life. I finally got help. I have a 6-month-old son, a loving fiancé, a supportive family. I have 14 months in recovery. I am not a junkie. I am someone's daughter, mother, sister, and friend. For me, it started with a snap decision to take a pill just for fun. That decision nearly destroyed me.



Know the Signs: How To Spot Substance Abuse

Workers who are drunk, high or otherwise under the influence of alcohol or drugs on the job pose safety risks to not only themselves but also their co-workers. So what can employers do to address this problem?

According to a new study from the University at Buffalo Research Institute on Addictions (RIA), supervisors can play a key role in curbing workers' on-the-job use of drugs and alcohol—but only if they get the proper training.

“It’s only when employees think their supervisor knows

how to detect substance use—and is willing to do something about it—that that employees’ drinking and drug use on the job decreases,” explains Michael Frone, PhD, senior research scientist at RIA and research associate professor of psychology.

“Contact with a supervisor, no matter how often, is not a strong enough deterrent for some employees, our research finds.”

Frone’s study, which is part of a \$1.4 million research project, “Workplace Substance Use: A National Preva-

lence Study,” funded by the National Institute on Alcohol Abuse and Alcoholism (NIAAA), included 2,429 participants, ranging in age from 18-65, employed in the civilian labor force and from households located in the continental US.

The study found that workers reported drinking less on the job when they thought their supervisors could detect substance-use problems and were willing to take corrective action. But supervisor enforcement had no relation to workers’ off-the-job alcohol use and intoxication.

However, when it came to illegal drugs, supervisor enforcement produced lower levels of drug use both on

and off the job, the research shows.

The results, Frone says, have several practical implications for employers. The study suggests that supervisor training in how to spot and confront worker substance use would help reduce alcohol and illicit drug use on the job, thus improving worker productivity and safety.

“To the extent that supervisor social control reduces substance use at work, our other research suggests that it may also reduce stress and improve morale among the majority of employees who do not engage in such behavior,” Frone adds.

QUIZ IT: MANY LEGAL DRUGS PUT WORKERS IN A PRECARIOUS PLACE

1. If a drug is legal, that automatically makes it safe to use in the workplace.
 - a. TRUE
 - b. FALSE
2. What percentage of traffic fatalities/injuries are caused by prescription drugs every year?
 - a. 1%
 - b. 10%
 - c. 15%
 - d. 25%
3. An individual doesn’t have to be staggering around drunk or having hallucinations to be dangerously impaired.
 - a. TRUE
 - b. FALSE
4. If people can have accidents while driving under the influence of prescription drugs, they can also have other types of accidents if they are on prescription drugs at work.
 - a. TRUE
 - b. FALSE
5. Antihistamines can make you sleepy.
 - a. TRUE
 - b. FALSE



SafeSupervisor

YOUR FRONT-LINE MANAGER SAFETY RESOURCE SINCE 1929

1620 Dickson Ave Suite 420 | Kelowna | BC | VY 9Y2

1.800.667.9300 | safesupervisor.com | www.get.safesupervisor.com