

# Prevention Connection



Safety resources to protect your world

## Establish and maintain a substance abuse program for your business

Substance abuse is a growing concern for all types of businesses. The personal toll of alcohol and drug use on the employee and their family is significant in itself, but it can also put you, as an employer, in tough situations. Drug and alcohol abuse can lead to absenteeism, loss of productivity, impaired judgment, and safety issues — all of which pose a threat to your business.

### Developing a policy

Think of your substance abuse policy as a part of your risk management programs. It can help you identify, assess, and address issues before they arise.

Your goal should be to prevent, educate, counsel, and rehabilitate associates, allowing your company to provide a safe workplace and mitigate risks while maintaining a consistent and fair policy for all employees. However, clear consequences must be included in the program, up to and including termination.

A good policy will include a communication plan, education, and training during the initial roll out and during annual reminders. Training should include the following:



- What to do if employees suspect a co-worker is affected by alcohol or other drugs
- Counseling, treatment, and rehabilitation services available in the workplace
- The consequences for employees who fail to comply with the policy, including termination

There are many templates available to help you get started, and you should always consult your attorney when developing a substance abuse program. Laws and regulations vary by state, and case law is constantly evolving.

### Common mistakes that weaken your policy

- Technology and trends in drug abuse change. One of the most common mistakes in developing a drug policy is being too specific about the drugs, testing labs, and processes your company will use.
- If you specify a method, that's the only one you should use to avoid having your results tossed out if challenged. If an employee is terminated based on a positive test that is not included in the policy, there is a possibility the result could be argued in legal proceedings.

### Educate yourself about substance abuse

According to the [National Council on Alcoholism and Drug Dependence](#) (NCADD), 70 percent of Americans who use illegal drugs are employed. It's important to understand that stereotypes and stigmas surrounding drug use and addiction can influence your perspective. Substance abuse affects people across all socio-economic groups, and can include use of:

- **Alcohol:** Alcohol consumption by adults over age 21 is not illegal, but not when consumption affects the employee at work. The NCADD reports that 11 percent of workplace fatalities involved alcohol.
- **Illegal drugs:** New types of illegal drugs are introduced to communities all the time. Many companies specify marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP), but make no mention of so-called designer drugs like methamphetamine, acid, and ecstasy. Make sure your policy accounts for drugs yet to be developed.

- **Prescription medication:** Prescription drugs like Vicodin, Percocet, OxyContin, Codeine, Xanax, and Valium are capable of affecting the mind, emotions, and behavior. These medications are legal under the supervision of a medical professional, but they're also used recreationally and illegally without a prescription.

### Legitimately prescribed medications

While prescribed medications are not usually included in drug testing panels, you should be aware that they could affect job safety and performance. The challenge is that health information is confidential, making it difficult to know about employee use of prescriptions that could make working unsafe.

Educate your associates that if they're given a prescribed medication with the warnings below, they should consult their physician about safety to perform work.

- May cause drowsiness
- Use care when operating a car or machinery
- May cause dizziness

Requiring or requesting employees to inform you of their prescriptions could conflict with the American with Disabilities Act (ADA) or HIPAA (Health Insurance Portability and Accountability Act) and subject you to penalties. Consult your human resources department or legal counsel before requesting any type of health information.

