

Current Best Practices and Innovative Approaches for Employers to Assess Their Current Workforce Risk and How to Build A Proactive Response Program



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Quiz – True or False

- Heroin is the most widely abused drug in the workplace today
- Marijuana can be detected by a drug test for up to a month or more
- About a third of all heavy drinkers also use illegal drugs
- Most alcoholics drink every day
- Almost half of industrial injuries can be linked to alcohol use
- Heroin withdrawal is more physically dangerous than alcohol withdrawal
- People can test positive on a drug screen even if they weren't using but were just exposed to marijuana smoke at a party
- Caffeine and a cold shower can help sober up a person who has been drinking

Substance Abuse in the Workplace

The results of some recent studies:

- Approximately 1 in 7 workers abuse alcohol/drugs
- Of all employed people:
 - 8.2% reported use of illicit drugs in last month (19% – 18–25 y/o)
 - 8.8% reported heavy alcohol use in last month (16.3 – 18–25 y/o)
 - 2.6% met criteria for illicit drug abuse or dependence in last year
 - **10.6** met criteria for alcohol use disorder in last year
- Nearly 70% of current users of illicit drugs are employed
- U.S. companies average 1 or more drug dealers for each 100 employees
- Alcohol problems cost employers \$27 billion a year in lost productivity

Why Should I Help My Employee ?

The business case for offering help –

- ▶ What happens when you terminate an employee?
 - How much does it **cost** to recruit a new employee?
 - How much does it **cost** to train a new employee?
 - How can you be sure the new employee will be a good choice?
- ▶ What happens when you offer help?
 - Sometimes the employee's substance abuse behavior has been **enabled** by well-meaning others (family, friends).
 - Usually by the time it shows up in the workplace it is also a problem in other areas of the employee's life.
 - Often a **positive, compassionate, no nonsense** confrontation in the workplace is the **catalyst** that is needed for the employee to seek help.
 - **"We value you as an employee and we want to see this work for both of us."**

Why Should I Help My Employee ?

- ▶ What happens when you help an employee reach recovery?
 - When employees get their life back you get a **loyal**, **engaged** and **motivated** employee – for life
 - The rest of the workforce notices, and they may become **loyal**, **engaged** and **motivated** employees as well
- ▶ What happens to an employer who is known to care about its employees?
 - How does that influence the employer's **reputation** in the community?
 - How does it influence **recruiting**?

How Should an Employer Respond?

- Federal Omnibus Transportation Employee Testing Act
- DOT Safety–Sensitive Transportation Employees
(AKA – SAP Cases)
 - Employer’s options are very limited – actions governed by federal requirements
 - Two hours of training required for all persons who supervise drivers
 - Mandatory testing
 - www.fmcsa.dot.gov
 - *(Be certain the SAP is a SAP)*

How Should an Employer Respond?

(Non-SAP)

- Have a policy
 - Word the policy carefully
 - Communicate the policy
 - Consider reasonable suspicion testing
- Train key personnel to recognize **reasonable suspicion**
- Explain that management is not expected to:
 - Diagnose;
 - Prescribe treatment;
 - Provide counseling services
- Who can help?
 - Consider an EAP
 - Direct relationship and liaison with treatment providers
 - Peer support programs
 - Public safety chaplaincy

Four Characteristics of Reasonable Suspicion (At least one of these must be present)

1. Appearance (unkempt appearance, dilated, red eyes, unsteady gait, drowsiness or sleeping on the job, etc.)
2. Behavior (hyperactive, aggressive, etc.)
3. Speech (slurred, incoherent)
4. Body Odor (odor of alcohol or marijuana)

Observations must be:

(Checklist)

- **Specific**
- **Contemporaneous:** the behavior, conduct, appearance, or body odor exists at the time the supervisor is making the observation
- **Articulate :** The observations can be documented; grounded in objective criteria

Observation and Documentation

- Immediately document observations
- Corroborate observations by another trained supervisor, if possible
- Use objective terms; do not diagnose or label (i.e. avoid using terms like 'drunk' or 'intoxicated')
- *Adhere to company policies*

Reasonable Suspicion Drug Testing

- Marijuana
 - Cocaine
 - Opiates – opium and codeine derivatives
 - Amphetamines and methamphetamines
 - Phencyclidine – PCP
-
- Alcohol – by breathalyzer

Testing

These are very general guidelines

- Amphetamines 1–2 days
- Cocaine 2–3 days
- Marijuana 7–30 days
- Opiates 2 days
- PCP 2 days
- Alcohol 1 day
- Detox from Alcohol 1–5 days

Top Five Reasons Supervisors Don't Act

- “I’m afraid I’ll be wrong and the person will test negative”
- “I don’t want to get sued”
- “I’m not really sure what the procedure is”
- “He is a good worker most of the time”
- “She is a friend of mine. I don’t want to see her get in trouble.”

Why Should I Help My Employee ?

(Revisited)

- ▶ People in recovery tend to become . . .
 - People who seek out opportunities to grow and improve
 - People who accept personal accountability
 - People who are more open to feedback and suggestions
 - A friend for life

Resources – SAMHSA

Substance Abuse and Mental Health Services Administration

- ▶ <https://www.samhsa.gov/workplace/toolkit/plan-implement-program#assess>
 - Plan and Implement a Program
 1. Assess your workplace and its needs related to substance use.
 2. Identify available resources.
 3. Develop a written policy for your drug-free workplace.
 4. Determine whether to have an Employee Assistance Program (EAP).
 5. Determine whether to do drug testing.
 6. Plan to provide education and training for your employees and additional training for supervisors and other appropriate staff.

Resources – CT Clearinghouse

- ▶ <https://www.ctclearinghouse.org/>
 - Connecticut Clearinghouse is a statewide library and resource center for information on substance use and mental health disorders, prevention and health promotion, treatment and recovery, wellness and other related topics. Materials from our specialized library and resource center are available to Connecticut families, teachers, students, professionals, communities and children.

Resources – US Dept of Transportation

- ▶ <https://www.fmcsa.dot.gov/regulations/drug-alcohol-testing/overview-drug-and-alcohol-rules-employers>
 - The DOT adopted regulations requiring commercial motor vehicle operators required to maintain a commercial driver's license (CDL) to be tested for alcohol and drugs. You cannot delegate your responsibility to comply with all applicable requirements and procedures. You are responsible for all actions of your employees, representatives, and agents in carrying out the requirements of the DOT regulations.

Closing Remarks

Questions?