Writing a Drug-Free Workplace Policy



COMPONENT 1:

A written drug-free workplace policy is the foundation of an organization's drug-free workplace program. Every organization's written policy should be unique and tailored to meet its specific needs; however, all effective policies have a few aspects in common.

First, a written policy should clearly state why the policy or drug-free workplace program is being implemented. Rationale can be as simple as a company being committed to protecting the safety, health and well-being of its employees and patrons and recognizing that abuse of alcohol and other drugs compromises this dedication.

The second core element of an effective written policy is a clear description of behaviors that are prohibited. At a minimum, this should include a statement that the "use, possession, transfer or sale of illegal drugs or controlled substances by employees is prohibited."

The third fundamental element is a thorough explanation of the consequences for violating the policy. Consequences may include discipline up to and including termination and/or referral for assistance. Consequences should be consistent with other existing personnel policies and procedures and any applicable state laws.

Employers should note that sharing their policy with all company employees is an essential part of a drug-free workplace program. Many companies find it helpful to ask for feedback from employees during the initial policy development stage.

COMPONENT 2: SUPERVISOR TRAINING

After developing a written drug-free workplace policy, an organization should train those closest to the workforce—supervisors. Supervisor training is an integral part of every drug-free workplace program. At a minimum, supervisor training should include a review of:

- The organization's drug-free workplace policy
- Supervisors' specific responsibilities in implementing the policy
- Ways to recognize and deal with employees who have job performance problems

that may be related to alcohol and other drugs

In relation to an organization’s drug-free workplace program, supervisors’ responsibilities should include monitoring employees’ job performance, staying alert to performance problems, documenting performance problems and enforcing the policy. Supervisors should not, however, be expected to diagnose alcohol- and drug-related problems or provide counseling to employees who may have them. Rather, training should focus on ensuring that supervisors:

- Understand the company’s drug-free workplace policy
- Can identify and attempt to resolve employee performance problems
- Know how to refer employees to available assistance

In addition, if supervisors are responsible for making referrals for testing based on reasonable suspicion, they must also be thoroughly trained on how to make that determination.

COMPONENT 3: EMPLOYEE EDUCATION

A drug and alcohol education program is a systematic approach to providing employees with the information they need to fully understand, cooperate with and benefit from their organization’s drug-free workplace program. Effective employee education programs provide company-specific information, such as details of the drug-free workplace policy and program, as well as more generalized information about the nature of alcohol and drug abuse; its impact on work performance, health and personal and family life; and what types of help are available for individuals with alcohol- and drug-related problems, either through the organization or community based service providers.

All company employees should be required to participate in the drug and alcohol education program. The message should be delivered on an ongoing basis through a variety of means, not as a one-time effort. Forums for employee education may include home mailings, posters and displays in the workplace, brown-bag lunches, guest speakers, seminars and sessions at new employee orientation.

COMPONENT 4: PROVIDING EMPLOYEE ASSISTANCE

Employee Assistance Programs (EAPs) are an extremely effective vehicle for addressing and resolving poor workplace performance that may stem from an employee’s personal problems, including alcohol and drug abuse.

In addition to short-term counseling and referrals, many EAPs offer additional drug- and alcoholrelated services that benefit employees and the company, such as supervisor training and employee education. Businesses with financial constraints may be able to join a consortium to offer their workers EAP services or, at a minimum, should provide a resource file from which employees can access information about treatment programs and helplines.

EAPs are an excellent benefit to employees and their families. They clearly demonstrate employers’ responsiveness and respect for their staff. EAPs also offer an alternative to dismissal and minimize an employer’s legal vulnerability because they clearly show a company’s effort to accommodate troubled employees.

COMPONENT 5: ALCOHOL AND DRUG TESTING

Despite their controversial nature, alcohol and drug tests are increasingly standard components of many drug-free workplace programs. However, before deciding whether or not to include testing as part of their organization's program, employers should consider a number of factors:

Who will be tested? Possibilities include all employees, job applicants and/or employees in safetysensitive positions.

When will tests be conducted? Possibilities include pre-employment, upon reasonable suspicion or for-cause, post-accident where use of drugs/alcohol is likely a contributing factor or otherwise required by law, randomly, periodically and post-rehabilitation.

Which drugs will be tested for? Possibilities include the five drugs required for testing by many Federal government agencies (marijuana, opiates, amphetamines, cocaine and PCP) or a broader range of substances, including alcohol or prescription drugs.

How will tests be conducted? A number of testing modes are available, including urinalysis, saliva tests, hair tests, breath-alcohol tests, sweat patches and blood tests. Many states have laws that dictate the types of testing modes that may and may not be used. All Federal drug-testing programs must conduct tests in accordance with the Guidelines for Federal Workplace Drug Testing Programs published by the US Department of Health and Human Services Administration (available on the Internet by calling the National Clearinghouse for Drug and Alcohol Information at 1-800-729-6686).

State and Federal laws. It is essential that employers familiarize themselves with existing local, state and Federal laws that may impact when, where and how drug and alcohol testing is performed. It is strongly recommended that legal counsel be sought prior to implementing any