

# Substance Free Workplace

Working with business to promote  
profitability through prevention



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# Where we stand - SUD

AGE RANGE	PAST MONTH ALCOHOL USE	PAST MONTH BINGE DRINKING	PAST MONTH MARIJUANA USE	PAST YEAR NON-MEDICAL USE OF PAIN RELIEVERS	PAST YEAR ALCOHOL OR DRUG DEPENDENCE
12-17	12 <sup>TH</sup> HIGHEST 14.39%	7 <sup>TH</sup> HIGHEST 8.66%	9 <sup>TH</sup> HIGHEST 9.61%	22 <sup>ND</sup> HIGHEST 5.88%	4 <sup>TH</sup> HIGHEST 8.94%
18-25	2 <sup>ND</sup> HIGHEST 73.62%	5 <sup>TH</sup> HIGHEST 50.51%	5 <sup>TH</sup> HIGHEST 26.37%	10 <sup>TH</sup> HIGHEST 11.55%	9 <sup>TH</sup> HIGHEST 21.26%
12-20	2 <sup>ND</sup> HIGHEST 34.84%	2 <sup>ND</sup> HIGHEST 23.12%			



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# Incoming Workforce:

## Scope of the problem

- NH has some of the highest rates of use in the nation. Past month use among 18-25 year olds (drugfreenh.org):
  - Alcohol = 74% (2<sup>nd</sup> highest in the nation)
  - Binge drinking = 51% (41% nationally)
  - Marijuana use = 27% (17% nationally)
  - Non-medical prescription use = 17% (12% nationally)
  - Other illicit drugs = 12% (8% nationally)



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# Economic Cost

*The High Cost of Excessive Alcohol  
Consumption in New Hampshire*

Executive Summary

PolEcon Research  
December 2012



- \$1.15 Billion/year
- Cost Born by:
  - State
  - Small Business



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# Cost to business

- 76% of people with substance abuse issues are employed (SAMSHA)
- Each substance abusing employee costs his employer approximately **\$6,600** per year (US Navy)
- New Futures reports that the NH economy loses **\$1.15 billion** annually due to alcohol use, **2/3 of lost money due to decreased worker productivity**



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# Where is the money lost?

- Increased Risk:
  - Substance abusing employees are **5 times** more likely to file a worker's comp claim (NIDA)
  - Report **85%** more on the job injuries (USPS)
  - **80%** of those injured in drug/alcohol related accidents are not the using employee, but an innocent coworker (National Safety Counsel)
  - Costs the business in increased worker's comp premiums, increased liability, loss of workers



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# Where is the money lost?

- Increased Insurance Premiums:
  - Worker's comp claims drive up rates
  - Increased vehicle insurance premiums
  - Excessive health care costs
    - Employees who abuse alcohol have **double** the health care costs of non-abusing employees (SAMSHA)
    - Xerox achieved a **5 to 1** return on investment when it brought down health care costs and health insurance premiums by implementing a program to reduce excessive drinking (SAMSHA)



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# Where is the money lost?

- Lost productivity:
  - According to the NIDA, substance abusing employees are:
    - 3 times more likely to be late for work
    - 2.2 times more likely to request early dismissal or time off
    - 2.5 times more likely to have absences of 8 days or more
  - High turnover: substance abusers are twice as likely to have had 3 or more employers in the past year (SAMSHA)
  - 14% of workers report having to re-do work done incorrectly by a substance abusing employee within the last year (SAMSHA)



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# Unique Rx Drug Risks

- Rx drug abusers will choose jobs that provide access to prescription drugs
  - Health care related: MD, nursing, home health aide (no direct supervision!), pharmacy, hospital cleaning staff, etc
  - Access to Rx drugs in homes: maid service, painting, repair, real estate, etc
- Rx drug abusers in any job can gain access to Rx drugs through taking advantage of the worker's comp program by reporting accidents and chronic pain (very expensive to the employer!)



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# Addiction

- Addiction is a progressive neurological disease
- It is characterized by the continued use of substances despite negative consequences
- If substance use is affecting an employee's work performance, they have a substance abuse problem
- In the absence of any intervention, addiction is a fatal disease
- Addressing substance abuse issues early is the best possible course of action



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# Prevention / early intervention

- Issues are easier to address when limited to a few employees
- If a problem becomes system-wide, it is very hard to get back on track
- Ignoring substance use is the same as condoning substance use
- No employer would state that they allow substance use, but many do without realizing it
- It is important to have clear expectations and set the culture of the workplace
- Turning a blind-eye does not help the business, or the employee



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# Helping businesses become substance free

- Written substance free workplace policy (that is utilized and supported at all levels)
- Detailed procedures
- Necessary forms for proper documentation
- Drug testing
- Supervisor trainings
- Employee trainings
- Access to an employee assistance program (EAP)



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# Policy Components: US Dept of Labor

- Goal/purpose
- Applicability (who and when)
- Prohibited behaviors, materials
- Provisions for drug testing
- Consequences of policy violation
- Return-to-Work Agreements
- Employee assistance
- Maintaining employee confidentiality
- Responsibility for enforcing policy
- Policy communication and education



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# Policy Supporting Documents

- Detailed drug testing procedures
  - Where is testing done?
  - What is tested for?
  - How does the employee get there?
  - What is their status as they await results?
  - Who gets the results?
- Reasonable suspicion documentation
- Return to Work Agreement
- Resources sheet (EAP, hotlines, health insurance info, etc)



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# Reasonable Suspicion Documentation

- Must create a form to document reasonable cause determination based on physical and behavioral evidence
- Supervisors should be trained on utilizing the form and making the determination
- Should include a checklist of observable, articulable criteria
- Should not be subjective
- Must include a section where the employee offers an explanation for the observed criteria
- Must be kept confidential
- Will ideally include input/observations from two witnesses



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# Drug Testing

- Pre-employment
  - Post job offer, prior to starting work
- Random
  - Set percentages at set intervals
  - Employees chosen randomly
- Post-accident
- Reasonable suspicion
  - Reason to believe an employee is impaired
- Return to Duty/Follow Up



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# Types of testing programs:

## Federal Testing

- Applies to federally mandated employees (DOT, USCG, etc)
- Strict, uniform policies and procedures
- Required trainings
- 5-panel lab test (THC, COC, OPI, METH/AMP, PCP)
- MRO review
- Pre-employment, random, reasonable suspicion, post accident testing

## Non-Federal Testing

- Applies to employees not covered under federal guidelines
- Policies and procedures designed to fit a business' needs
- Choice of test types
- Choice of test frequency
- May be dictated by professional org, insurance, etc.



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# Most common types of tests:

- Urine drug tests
  - Available in a variety of panels (typically 5-12 panels), must choose which panels to test for
  - Test for recent drug use (within the past week)
  - Instant tests
    - offer immediate results, many employers will start with an instant test
  - Lab tests
    - Can be used alone or as confirmation of a positive instant test
    - Offer MRO review (account for valid prescriptions)
    - Results take 1-5 days
- Breath alcohol tests – provide current BAC



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# Testing location:

- Must make arrangements with a drug testing provider ahead of time (most ERs will not do it, or will charge an arm and a leg)
- Make sure that the hours of the facility correspond with your hours of operation
- Onsite testing is the most accurate and convenient
  - Employee can't alter test
  - Very little lost work time
- If onsite testing is not available
  - How does the employee get to the drug testing facility?
  - Who will accompany him there?



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# Drugs test limitations:

- Can never be completely comprehensive (synthetics, steroids, etc)
- Don't tell you how recently, how often, or how much somebody uses
- MRO result will override positives due to prescriptions
  - if impairment is due to a prescribed medication seek a “fitness for duty” exam at an occupational health clinic



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# Consequence for a non-negative result:

- Non-negative: positive result, refusal to test, attempt to alter or cheat a test, non-compliance with testing provider
- Should be clearly outlined in policy and applied universally (not subjectively)
- Often a Return-to-Work Agreement
  - Signed agreement between employee and employer outlining conditions that must be met for continued employment



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# Return-to-Work Agreement:

- Substance abuse evaluation
- Recommendations for ongoing treatment
- Required compliance with treatment recommendations (w/waiver of confidentiality)
- Return to work drug and alcohol test
- Random follow up testing
- Modified work duty or work schedule
- Financial responsibility for fulfilling RTWA
- Failure to comply with RTWA often results in termination



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# Supervisor and Employee Trainings:

- Crucial to an effective substance free workplace program
- Build buy-in and understanding at all levels
- Demonstrate commitment to program
- Give everybody the tools necessary to support the substance free workplace program



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# Supervisor Trainings:

- Too often focus on reasonable suspicion
- Supervisors should not wait until an employee is impaired at work to address the issue
- Substance abuse issues present at the workplace long before an employee is using or impaired at work
- Supervisors should be trained on
  - Recognizing the signs of substance abuse and impairment
  - Addressing the signs of substance abuse and impairment
  - The impact of substance abuse on the workplace
  - The impact of substance abuse on the individual
  - The importance to both the workplace and the individual of addressing substance abuse issues



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# Supervisor Trainings:

## Addressing Substance Abuse Issues

- Primarily performance indicators - should be addressed as such (take drugs and alcohol out of the equation)
- Address sooner rather than later to prevent disease progression
- DO NOT diagnose/suggest issues with drugs or alcohol
- Document performance problems/concerns
- Discuss observations in a constructive confrontation, be specific, don't overgeneralize
- Express concern for employee
- Establish corrective actions with a timeframe for improvements
- Establish consequences for continued performance problems
- Refer to EAP or other assistance as necessary



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# Employee Trainings:

- Review of company's drug policy
- Effects of drug use on personal health and workplace safety
- Effects of drug use on business profitability and employee pay and benefits
- Recognizing a drug/alcohol impaired co-worker/alerting the proper supervisor
- Local resources available to those struggling with addiction
- EAP/insurance information (if applicable)



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# Employer Responsibilities:

- Establish and maintain a substance free work environment
- Address all substance use issues early and appropriately
- Ensure all employees have access to a safe work environment
- Ensure all employees are treated fairly and with dignity
- Respect employee privacy
- Foster a workplace culture that values employee health and safety



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# Common Misconceptions:

- I won't be able to find any employees
  - Drug testing increases the quality of the applicant pool and decreases turnover
  - Find and keep the best employees
- Implementing a substance free workplace program is too time consuming
  - Trainings can take as little as 2 hours
  - Each test takes approximately 10 minutes
  - Easy to outsource policy work and document production



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# Common Misconceptions:

- My employees will disapprove
  - 96.1% of employees who do not use drugs report that they are either more likely to choose an employer who randomly test for drugs, or would show no preference (SAMHSA)
- I'll have to fire all of my employees
  - Don't recommend immediate termination
  - Built in ways to retain and assist employees
  - Employees without substance abuse issues will be able to pass the test, employees with substance abuse issues will benefit from early intervention



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# Common Misconceptions:

- Drug testing is illegal/violates employee rights
  - There are no laws in NH limiting the use of employee drug testing
- Drug testing is expensive
  - Most case studies demonstrate a 10 to 1 return on investment in substance free workplaces
  - NHADA has saved a lot of money on workers comp claims alone



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# Affordable Care Act:

- Great opportunity to implement substance free workplaces
- Most insurance providers are required to cover substance abuse and mental health issues at parity
- Insurance providers will be required to invest more resources on prevention
- High motivation for insurance providers to work with employers to create substance free workplaces
- This relationship already exists with workplace weight loss, smoking cessation, and heart health programs



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# Conclusions:

## The Good News

- The workplace is an appropriate and effective place to address substance abuse issues
- It is an access point for prevention, intervention, and treatment
- Both the employer and the employees benefit from establishing a drug free workplace

## The Great News

- Addressing substance use in the workplace will have positive effects on the community at large
- All employees are members of families
- Businesses set levels of acceptability within the community, are community leaders
- Substance free workplaces will generate positive economic impacts



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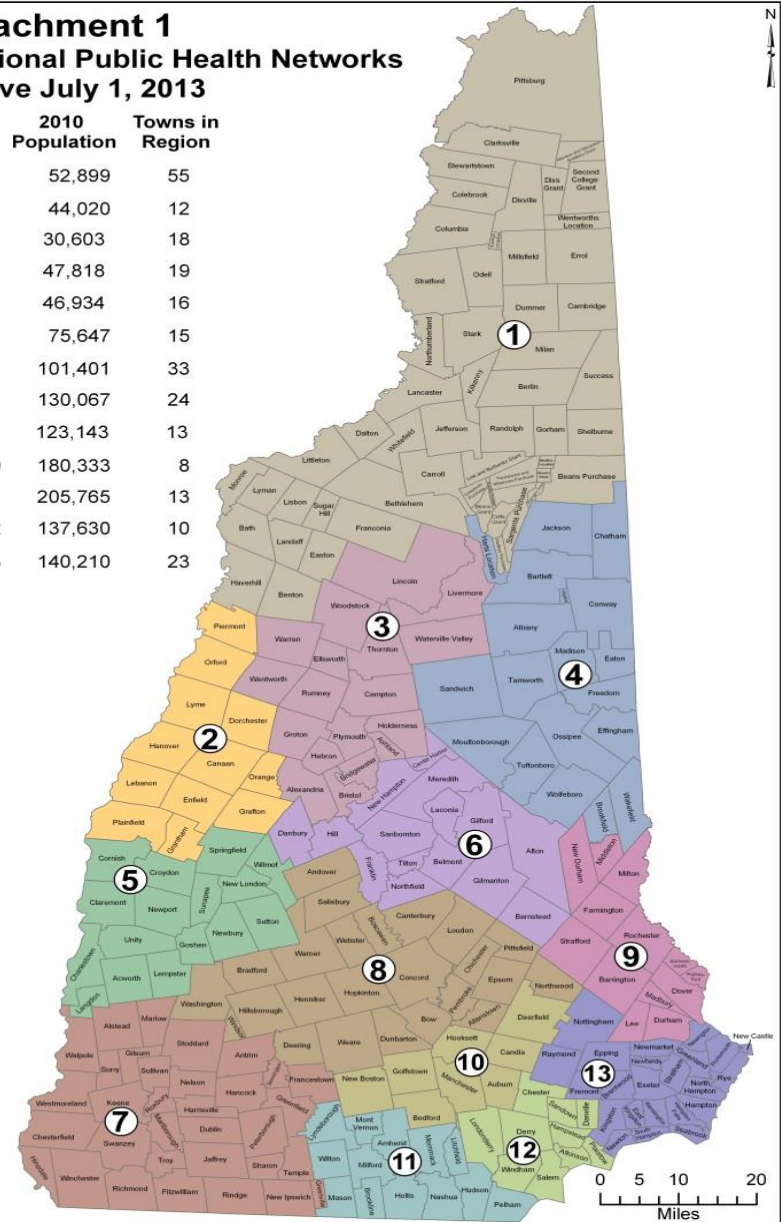
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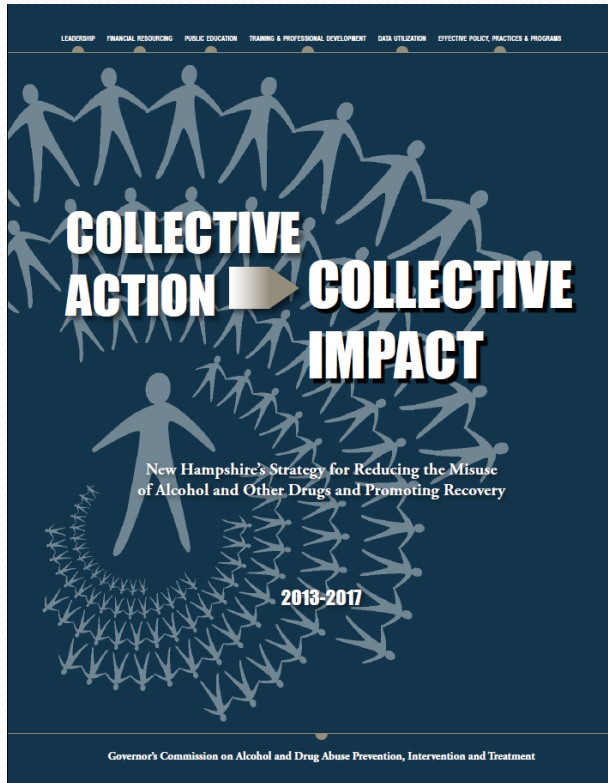
# Regional Prevention Networks

## Attachment 1 New Hampshire Regional Public Health Networks Effective July 1, 2013

Region	2010 Population	Towns in Region
1	52,899	55
2	44,020	12
3	30,603	18
4	47,818	19
5	46,934	16
6	75,647	15
7	101,401	33
8	130,067	24
9	123,143	13
10	180,333	8
11	205,765	13
12	137,630	10
13	140,210	23



# Statewide effort



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