

Beginning the Process

A Guide to Developing a Drug –Testing Program

Marshall County Court Referral Services, Inc.:
Dedicated to quality drugs- of- abuse testing

Beginning the process—actually taking that first step—is often the hardest part of any new effort. But you have already completed that difficult first step by acknowledging that drug abuse may be a problem in your organization. And you’ve taken the second step by seeking a solution to the problem.

You probably have concerns and questions about starting a drug testing program. Often an organization’s first concern is the legality of drug-testing. The courts have generally upheld business’ right to test for drugs if the testing is done carefully, and is based on a policy that is applied fairly and includes prior consent.

A drug testing program that maintains the highest standards should include (but not be limited to) the following:

- ✓ Comprehensive policies governing employee testing.
- ✓ Adequate notice to employees when a new program is initiated.
- ✓ Training programs for both supervisors and employees.
- ✓ Sample handling and documentation procedures
- ✓ Proven test measures using stringent quality control measures
- ✓ An employee assistance program for existing employees who test positive.

Developing a Policy:--A well thought-out policy is the key to a successful drug-of-abuse testing program. A company should have a clear understanding of why it wants to start a testing program, and what it expects to accomplish through the program.

Because drug abuse can affect many different departments within a company, all existing company and departmental policies should be reviewed before designing a policy. The drug abuse policy must be consistent with other company policies and existing union-and other employee contracts.

Some company policies take only a single page, while others are quite detailed. At a minimum, a drug abuse and testing policy should include the following:

- A position statement that reflects the company's view on drug abuse as either a risk to safety and security, a liability to productivity, or a medical and or personal problem.
- A statement of need, which usually either document's incidents that have already occurred within the company, or expresses the company's desire to prevent such incidents.
- A list of the company's responsibilities to its employees, and the departments that will carry out these responsibilities.
- A list of employee's responsibilities or conditions of employment.
- The procedures the company will implement to achieve the goals of the policy.
- The consequences of violating the policy, either by testing positive for drugs or by refusing to submit to testing.

Communicating the Drug Testing Policy: an employee education program should not only help employees understand and accept the policy, but also increase employee awareness of the effects of substance abuse in the workplace.

Because the Courts often use the company policy as the implied contract between employer and employee, companies must adhere strictly to the terms of the policy, and employees must understand these terms.

To effectively communicate and implement the drug testing policy managers and supervisors should be trained in the following:

- The rationale for having the policy;
- How the policy was developed;
- Basic features of the policy;
- Procedures for implementing the policy;
- Basic drug abuse terms and symptoms of drug- use;
- Basic legal terms.

Deciding Who Will Be Tested and When—The policy should specify who will be tested and when testing will take place. If all employees or applicants will not be tested the policy must present a solid, non-discriminatory reason for selecting those individuals who are tested. Management definitely not be exempted for testing, both for non-discrimination and for security reasons.

- Pre-employment
- As part of a regularly scheduled physical
- Whenever reasonable suspicion exists that the employee is under the influence of drugs/ alcohol
- Following an accident
- On a random, neutral basis without giving advanced notice of when testing will occur.
- As part of a program for monitoring employees undergoing rehabilitation for drug abuse problems.

MARSHALL COUNTY COURT REFERRAL SERVICES, INC.

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We utilize the “Siemens EMIT II” drug testing method with our on-site lab using the Olympus AU 400.