Should Your Organization Choose or Reject Substance Abuse Testing?

An ADP White Paper

Introduction

One of the most pressing societal problems we face today is substance abuse. Abused substances range from illicit and misused prescription drugs, to alcohol, inhalants, and a panoply of other materials that can harm a person's health, impair their performance, and endanger those around them. Substance abuse extends its insidious reach deep into the fabric of our communities. It has become a painful and expensive affliction in rich and poor neighborhoods; small towns and big cities; and workplaces from coast to coast.

This white paper: 1) Surveys the general impact of substance abuse in the U.S. workplace; 2) Examines the role of substance abuse testing as a safeguard measure for businesses and their employees; and 3) Relates the benefits of the value of testing within the context of a drug-free workplace strategy.

Substance Abuse Is a Costly Burden for Employers

- Substance abuse is a widespread problem of enormous proportions.

The U.S. Department of Labor (DOL) warns that substance abuse has become a major concern for employers. According to the DOL, "A vast majority of drug users are employed, and when they arrive for work, they don't leave their problems at the door."[1] Moreover, research shows, "Illicit drug use and alcohol abuse in the workplace is more prevalent than employers may think, with one in 12 full-time U.S. workers admitting that they have used illegal substances in the past month."[2]

The macro statistics are disturbing. In 2007 an estimated 13 million illicit drug users were employed within the United States, as were 44 million people with binge drinking problems, and more than 12 million full-time workers classified with substance dependence or abuse.[3] While no industry is exempt from the problem, illicit drug use is highest among workers in food services, the accommodations (hotel) industry,

and construction.[4] Concludes one of the senior executives of the Hazelden Foundation, a leading alcohol and addiction treatment center, "Addiction is this country's number one public health problem."[5]

- Substance abuse poses a significant threat to small businesses.

Virtually any business can experience the dangers posed by employees who are substance abusers. However, among the most vulnerable organizations are small companies. "Small businesses are less likely to have programs in place to combat the problem, yet they are more likely to be the employer-of-choice for illicit drug users. Individuals who can't adhere to a drug-free workplace policy seek employment at firms that don't have one, and the cost of just one error caused by an impaired employee can devastate a small company."[6]

- Substance abuse has financial consequences.

"Substance abuse drains more than $100 Billion from American business every year" in Workers' Compensation, medical, absenteeism, lost productivity, and employee turnover costs.[7] *Fact:* "Alcoholism is estimated to cause 500 million lost workdays annually."[8] Substance abuse may be a major cause of workplace accidents and injuries. *Fact:* "Up to 40% of industrial fatalities and 47% of industrial injuries can be linked to substance abuse."[9] Substance abusers defile the integrity of the workplace. *Fact:* "80% of drug users steal from their workplace to support their habits."[10] Employees who use drugs can drive up costs. *Fact:* Substance abusers are five times more likely than the average employee to file a Workers' Compensation claim, and "cost their employers about twice as much in medical claims as do non-drug-using employees."[11]

Ultimately, however, a drug-free and safe workplace is the responsibility of each employer. That premise raises the question: *Should my organization test for substance abuse?*

1 "Safety and Health Topics, Workplace Substance Abuse," U.S. Department of Labor, 2 July 2007, www.osha.gov/SLTC/substance abuse/index.html.

2 "More Employees Admit Drug Use, Alcohol Abuse," Tamara Schweitzer, Inc.com, July 23, 2007.

3 "National Survey on Drug Use and Health (2007)," Substance Abuse and Mental Health Services Administration, Office of Applied Studies.

4 "Worker Substance Use, by Industry Category," The NSDUH Report, August 23, 2007.

5 "Hazelden Foundation survey reveals disparity between severity of problem and employer assistance," www.hazelden.org, July 17, 2007.

6 "General Workplace Impact," U.S. Department of Labor, www.dol.gov, 2009.

7 "The Cost: Substance Abuse Adversely Affects Your Balance Sheet," Drug Free Workplace Program, Department of Labor & Workforce Development, State of Tennessee, www.tn.gov/labor-wfd/dfwp.html, 2009.

8 "Alcohol and Drug Free Workplace," NCADD (Sacramento Region Affiliate), www.addictiondata.org, 2006.

9 "Drugs in the Workplace: What Do Employers Need to Know? Occupational Health News, August 2008.

10 "Substance Abuse…The Corporate Raider," Drug Free Pennsylvania, Inc., www.drugfreepa.org, 2009.

11 "Drugs in the Workplace," Division of Workplace Programs, Substance Abuse and Mental Health Services Administration, http://workplace.samhsa.gov, 2009.

Testing Helps to Safeguard the Workplace

Substance abuse testing has come a long way in a relatively short time. It emerged significantly within U.S. private business culture after the federal government began testing military service members in the early 1970s.[12] By the 1980s, programs expanded with the testing of more groups of federal employees.[13] The Drug-Free Workplace Act of 1988 required firms contracting for business with or grants from the federal government to agree to take certain actions aimed at providing drug-free workplaces as a condition of receiving a government contract or grant.

Broad-base testing took another giant step in 1991 when Congress passed the Omnibus Transportation Employee Testing Act. This sweeping federal law "requires that the transportation industries (aviation, trucking, railroad, mass transit, and pipeline) regulated by the Department of Transportation (DOT) test employees working in certain safety-sensitive positions for drugs and alcohol."[14] As government made a deeper footprint in the drug-testing arena, the private sector accelerated its interest in and use of testing.

Employers, specifically those not required by government regulatory testing mandates, increasingly embraced pre-employment (post-offer), random testing for illicit substances, announced/scheduled tests, reasonable suspicion/for cause/post-incident, and specified follow-up testing upon an employee's completion of an Employee Assistance Program (EAP) engagement. Testing became a useful tool to preclude the hiring of substance abusers, to safeguard the public and other employees from co-workers who are under the illegal influence of drugs or alcohol – and to protect impaired employees from themselves.

While many employers are generally not required to test, most private employers have the right to test for a wide variety of substances.[15] However, that right comes with different requirements depending on the location of a workplace. "In more than half of the states, state laws provide guidelines for when you may test applicants and employees and the procedures that must be followed."[16] Consequently, before engaging in any testing practices, it is imperative

for an employer to thoroughly check state as well as federal testing laws and regulations.

Compliance mistakes can prove to be costly. For example:

- "The Coast Guard Authorization Act increased the civil penalty for non-compliance with chemical drug testing to $5,000 per day. This penalty also applies to failure to conduct post-accident alcohol testing."[17]

- The FAA levied a $1.7 million fine against a major U.S. air carrier in August 2008 for "alleged past deficiencies in its drug- and alcohol-testing programs."[18]

- In Sims v. NCI Holding Corp, the Iowa Supreme Court held an employer liable to the employee for the money he spent bringing a wrongful discharge suit, even though the court agreed with the trial court that the employee, who had tested positive in a drug test, had been appropriately discharged from employment. The employer incurred thousands of dollars in costs by failing to comply with a statutory requirement that test results be provided in writing, via certified mail, to the tested employee.[19]

Even facing the complexities of maintaining compliance, business owners across the country see value in substance abuse testing for the well-being of their work environments and those who earn a living there. Liz Tate, founder of Tate Transportation, a trucking firm based in Walla Walla, Washington, is one of those employers. Although she is required to test her employees because her company is federally regulated as part of the transportation industry, she believes testing helps. "'Your bottom line is going to be better, and employee morale is going to be better," Tate says. "When you have a good group of clean, sober employees, things will run much smoother."[20]

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[12] "Military Drug Program Historical Timeline," TriCare Management, U.S. Military Health System, www.tricare.mil/tma, 2008.

[13] "Pre-Employment Testing," County Advisory Bulletin, County Commissioners Association of Ohio, August 2007.

[14] "Drug Testing in the Workplace," U.S. Department of Health and Human Services, www.samhsa.gov, 2009.

[15] "Drug-Free Workplace Policy Builder," U.S. Department of Labor, www.dol.gov/elaws, February 7, 2009.

[16] "Drug Testing," U.S. Chamber of Commerce, http://business.uschamber.com/P05/P05_1075.asp, 2009.

[17] "Coast Guard Updates Fines for Non-Compliance," Maritime Compliance Update, www.drugfreevessel.com, 2008.

[18] "FAA Seeks Penalties Against American Airlines for Deferred Maintenance, Other Violations," The Federal Aviation Administration, www.faa.gov/news, August 14, 2008.

[19] "Sims v. NCI Holding Corp., 759 N.W. 2d 333, Iowa SCt, January 9, 2009.

[20] "More Employees Admit Drug Use, Alcohol Abuse," Tamara Schweitzer, Inc.com, July 23, 2007.

Testing Methods and Detection Periods

The U.S. Department of Labor (DOL) suggests that private employers are more likely to be on the right side of the law by testing that follows guidelines established by the Substance Abuse and Mental Health Services Administration (SAMHSA). Notes the DOL on its Web site, "Court decisions have supported following these guidelines, and as a result, many employers choose to follow them."[21]

This white paper does not address specific drug- and alcohol-testing methods and detection periods. Employers may conveniently access that information online from sites of government agencies such as the U.S. Department of Labor (DOL) and the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA). However, an overview of information including testing methods and detection periods is included as an appendix to this paper.

Instead, this paper aims to help readers focus on the "why" rather than the "what" of substance abuse testing. Logically and inevitably, this focus also leads us to a discussion of the "how" of substance abuse testing – effective and compliant testing as part of a cogent testing *strategy.*

Testing Within a Larger Strategy Can Help Maximize the Testing Tool

While substance abuse testing is a compelling defensive measure to protect an organization by screening out substance abusers before they become employees – and identifying current employees who test positive for a substance so they can be helped – testing should not be a stand-alone tool. To most effectively prevent and detect substance abusers, it should be part of a comprehensive program that strives toward a drug-free workplace.

All employers are different and so are their substance abuse testing and drug-free workplace policies. Written policies may include as many as five key elements. Each is a call to action.

- Develop and publish a legally sound, drug-free workplace policy

There may be more than one reason to create a written policy. It may be required by law or by your insurance

carriers or simply be your way of informing everyone in your organization of your intention and your plan to fight substance abuse in your workplace. The American Council for Drug Education describes an effective written policy as one "that is supported by top management, understood by all employees, consistently enforced, and perfectly clear about what is expected of employees and the consequences of policy violations."[22]

The basic segments of a written plan may include:
1) *Statement of Purpose* – purpose of the plan, its goals, definitions, expectations, and prohibitions
2) *Testing Types and Methods* – description of types of required testing and testing methodologies
3) *Implementation* – benefits and assurances, consequences and employee rights to appeal results, and how you will disseminate the written policy to your employees

The SAMHSA Web site provides directions on how to develop a written policy.[23] In addition, the U.S. DOL provides a "Drug Free Workplace Policy Builder" on its Web site.[24] Both provide employers with a logical benchmark to draft a written policy. Should you decide to draft your own policy, be certain to have your attorney review it. If you do not have time to write the policy yourself, ask your attorney to write it. Either way, you want to publish a policy that protects your rights, complies with the latest state and federal laws, and helps you to withstand any legal challenge in the courts.

One of the key benefits for employers to implement a written drug-free workplace policy is the potential it has on reducing costs, such as Workers' Compensation premiums. For example, in Ohio, employers that implement a Drug-Free Workplace Program may be eligible for discounts of between 10 and 20% on their Workers' Compensation insurance premiums for up to five years.[25]

- Train your supervisors to help support your strategy

All of your supervisory staff – from front-line managers all the way up your chain of command – should be part of your cadre in the fight against substance

[21] "Workplace Drug Testing," U.S. Department of Labor, www.dol.gov/asp, February 7, 2009.
[22] "Why Worry About Drugs in the Workplace?" American Council for Drug Education, www.acde.org, February 2005.
[23] "Develop a Policy," Drug-Free Workplace Kit, Substance Abuse and Mental Health Services Administration, www.samhsa.gov, February 7, 2009.
[24] "Drug-Free Workplace Policy Builder," U.S. Department of Labor, www.dol.gov/elaws, February 7, 2009.
[25] "Discount programs," Ohio Bureau of Workers' Compensation, www.ohiobwc.com, 2009.

abuse. To assist you, you need to train them. At the very least, they should be familiar with your written policy; prohibited behaviors in your workplace; the types of substances that tests will cover; tests and methods you will be utilizing; the protocol testing will follow; consequences of a positive, confirmed drug test result; and treatment options for abusers that want help. Just as important, supervisors must understand that testing is part of the workday. They should incorporate time for testing into their work-flow plans.

Training should be more than cursory, because your supervisors' level of knowledge is a measure of their ability to act. For example, "It is critical that prior to making referrals for drug testing based on reason-able suspicion, those supervisors be trained on how to make that determination."[26] Training in larger organizations can take the form of sessions led by HR professionals. In smaller organizations, business owners may become more directly involved in work-place training. The Internet provides virtually every size of business access to up-to-date programs on substance abuse training. Two excellent sources businesses can access include "Supervisor Drug-Free Workplace Training"[27] from the U.S. DOL and "Training Your Supervisors"[28] from SAMHSA.

Within some communities, you may be able to leverage certain resources including speakers that may be available to address supervisory personnel and employees about substance abuse detection, prevention, and assistance. Groups such as the Mothers Against Drunk Driving (MADD) have active speakers bureaus that will speak to business audiences.[29]

- Educate your employees

An indispensable part of your testing and drug-free strategy, employee education should focus "not only on the dangers of drug and alcohol use but also on the availability of counseling and treatment."[30]

Your education effort needs to speak with one voice to two audiences: the overwhelming number of employees that are not abusers and the minority of employees that may be. Core message topics might include:

- The meaning of the policy; the organization's intent to create and enforce it; and each employee's responsibility under the policy;
- The importance of a drug-free workplace, home, and community environment;
- The characteristics and dangers of substance abuse; and
- The availability of counseling and treatment resources.

You can convey your message in a number of ways: new hire orientation programs, print materials, online resources, traditional on-site seminars, video programs, and virtual training and information sessions.

The federal government reports that educational efforts convey dividends to organizations that invest time and resources in education. According to the Department of Labor (DOL), "Taking steps to raise awareness among employees about the impact of substance abuse on workplace performance, and offering the appropriate resources and/or assistance to employees in need, will not only improve worker safety and health, but also increase workplace pro-ductivity and market competitiveness."[31]

Employees should also be aware that the presence of substance abuse can change the normal dynamics of the workplace in a number of ways. One is the effect on Workers' Compensation. For example, "states have taken action to promote drug-free workplaces as well as to deny benefits to employees who are injured or terminated because of alcohol or drug use. Most states allow an employer to deny or reduce Workers' Compensation payments if alcohol or drugs are found to be the proximate cause of the employee's injury."[32]

[26] "Regulatory Requirements for Education and Training," Joseph Reilly, DATIA Focus, October 2008.
[27] "Supervisor Drug-Free Workplace Training," U.S. Department of Labor, www.dol.gov/asp/programs/drugs/workingpartners/materials/materials.asp, March 5, 2009.
[28] "Training Your Supervisors," Substance Abuse and Mental Health Services Administration, Division of Workplace Programs, www.workplace.samhsa.gov/wpworkit/pdf/training_your_supervisors_br.pdf., 2009.
[29] "Requesting MADD's Educational Services in Northern Virginia," Mothers Against Drunk Driving, www.maddnova.org.
[30] "Why Worry About Drugs in the Workplace?" American Council for Drug Education, www.acde.org, February 2005.
[31] "How does substance abuse impact the workplace?" U.S. Department of Labor, www.dol.gov, February 7, 2009.
[32] "State Statute Chart on Drug Testing in the Workplace," National Conference of State Legislatures, www.ncsl.org, January 2006.

- Utilize testing as appropriate

If permitted by state laws that govern your workplace, test everyone – candidates and employees. By utilizing all types of testing permissible (see below), you may be able to mitigate potential liability and close dangerous loopholes that might heighten the level of abuse-caused danger in your workplace.

Pre-Employment Testing – (typically required post-offer) requires job applicants to submit to alcohol and drug testing as an element of your organization's hiring process.

Random Testing – conducted on an irregular, unannounced schedule to detect substance abusers within your employee base.

Reason/Suspicion/For Cause Testing – the result of erratic employee behavior triggered by outward signs of alcohol or drug use.

Post-Accident Testing – typically conducted following a workplace accident to determine if drug or alcohol use may have played a role in a mishap.

Follow-Up Testing – conducted following an employee's completion of an EAP arrangement.

- Provide employees with access to assistance

Develop an EAP to help employees with substance abuse problems to get treatment. An EAP, offered by many employers as part of a total benefits package, is a source of help for employees who are struggling with a variety of personal issues such as substance abuse problems.

Through an EAP, employees can gain access to outside professionals who can help them work through their problems. Professional counselors provide confidential assessments and short-term counseling. Employees who test positive for drugs or alcohol – or come forward and admit to substance abuse – may be referred to an EAP for diagnosis, treatment, assistance, case monitoring, and follow-up assistance.

The menu of EAP services varies from employer to employer. However, one constant applies for all EAP services – confidentiality. To maintain a high level of confidentiality, an outside vendor, not an employer's internal resources, usually provides EAP services.

Employees that need assistance are more likely to seek help when they feel their confidentiality is assured.

Research indicates that lifelines to treatment provide favorable results. The Hazelden Foundation asserts, "We know that treating drug and alcohol addiction results in more people finding their path to recovery. It results in more resilient families, more productive work places and healthier and safer communities."[33]

If you offer an EAP, you are not alone. EAPs are popular – and sometimes required – and their numbers continue to grow. According to the Employee Assistance Professionals Association, "In the U.S., over 97% of companies with more than 5,000 employees have EAPs. 80% of companies with 1,001 – 5,000 employees have EAPs. 75% of companies with 251 – 1,000 employees have EAPs. A 2008 National Study of Employers following ten-year trends related to U.S. workplace policies and benefits show that the EAP industry continues to grow, with 65% of employers providing EAPs in 2008, up from 56% in 1998."[34]

While many companies engage an EAP to provide certain services, employers still need to have knowledge of how an EAP arrangement works, especially concerning costs, the selection of treatment facilities, and concurrent rights that are afforded to employees that utilize EAP services. For example, when an employee engages an EAP service, the employer has the right to select the facility that delivers the service. However, there is more that employers need to be cognizant of, says the Florida Department of Financial Services' Division of Workers' Compensation. "If an employee does participate in an Employee Assistance Program, you, the employer, are required to extend the same considerations as reflected under the federal guidelines established for the Americans with Disabilities Act and the Family and Medical Leave Act."[35]

With drug-testing recognized as a key component of any effective drug-free workplace strategy, the next question is: *How can employers get testing done in a systematic, reliable, cost-effective, and compliant way?* One of the most convenient ways to handle substance abuse testing – especially pre-employment testing – is by outsourcing these tasks to a qualified vendor that uses certified testing services.

[33] "Hazelden Foundation survey reveals disparity between severity of problem and employer assistance," www.hazelden.org, July 17, 2007.
[34] "How many companies have EAPs?" Employee Assistance Professionals Association, www.eapassn.org, 2009.
[35] "Employers FAQ," Florida Department of Financial Services – Division of Workers' Compensation, www.fldfs.com/wc/faq, 2009.

ADP[36] is one of the leading providers of business outsourcing solutions in the marketplace, offering an array of best-of-breed services that address HR, payroll, tax, and benefits administration. ADP is also one of the leading providers of screening and selection services in the United States. Through partnerships with companies that provide pre-employment substance abuse testing solutions, ADP offers businesses an integrated pre-employment screening solution that includes both background checking and pre-hire drug testing.

Through its drug-testing company partner, ADP offers pre-employment testing that includes multiple panel screens utilizing urinalysis, breath alcohol, and fluid tests. The partner utilizes SAMHSA-certified laboratories that have high quality assurance processes as well as adulteration testing. Medical review experts help ensure fast turnaround of results, as well as compliance with federal and state testing regulations.

Employers face large and numerous problems every day. None is more profound than the scourge of drug and alcohol abuse in the workplace. It ruins lives, presents safety risks, hurts productivity, deflates morale, and can cast a lingering shroud of danger and uncertainty over any place of employment.

Responding to the challenge of substance abuse requires *thought*; the benefits of *consultation* with legal, human resource, and other professionals; and *action*. Implementing a comprehensive and compliant substance abuse testing program is the paramount action of a concerned and informed employer. It is also a major milestone on the road toward making the workplace a better and safer environment.

Should Your Organization Test for Substance Abuse?

Can I minimize the possibility of hiring a substance abuser by implementing an appropriate and compliant substance abuse testing program in my organization? If after reading this white paper you are still not sure, ask yourself the following questions:

1) Do I lack a formal strategy for substance abuse testing of job applicants (post-offer) and employees?

2) Have I failed to designate a qualified person or resource to help ensure that our testing strategy – including pre-employment testing – is compliant with federal, state, and other applicable laws and regulations?

3) Have we ever hired a person who we later suspected was a substance abuser?

4) Has my organization's productivity been impacted due to substance abuse problems in the workplace?

5) Has my organization, employees in my workplace, or others ever suffered physical or emotional harm because of the actions of a co-worker who was under the influence of illicit drugs or alcohol?

6) Has my organization ever been sued because of the actions of an impaired employee?

7) Have I failed to check with my insurance carrier to see if I can receive a credit on my Workers' Compensation premium for having a written a drug-free workplace policy?

8) Did I overlook the possibility of challenging Workers' Compensation claims in which alcohol and/or drug abuse was the proximate cause?

9) Have we ever been engaged in legal action brought by a substance abuser who claims he or she was wrongfully dismissed?

10) Has my organization ever paid damages to litigants or fines to government agencies, which resulted from a faulty substance abuse testing policy?

If you responded "yes" to just one of these questions, your business is probably a candidate for an outsourced administrative solution for substance abuse testing. Responding "yes" to more than one question increases that probability.

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[36] ADP provides market-leading HR, payroll, tax, benefits administration, and other services to employers in the United States and around the world.

Recap and Take-Home Points

Here is a brief recap of important points that you should take away from reading this white paper:

A) Drug and alcohol abuse is a major societal problem that does not spare the workplace. While all companies are susceptible, statistics show smaller companies are most vulnerable.

B) Substance abuse is a major business expense. Among other things, it costs employers billions in lost productivity, higher medical expenses, additional Workers' Compensation claims, and theft.

C) Although substance abuse testing is a right for most businesses, testing regulations vary from state-to-state, making compliance a complex issue.

D) Substance abuse testing can be a significant safeguard for employers; particularly when it is part of a larger drug-free workplace strategy that educates employees, engages the active assistance of supervisors, and provides EAP assistance to employees that are struggling with substance abuse or other personal problems.

E) An outsourced administration solution for pre-employment (post-offer) and post-employment substance abuse testing enables an employer to efficiently test candidates and employees without committing internal resources.

Disclaimer:

This content provides practical information concerning the subject matter covered and is provided with the understanding that neither the publisher nor the writer is rendering legal advice or other professional services. The law changes regularly, laws are different in each state and municipality, and you should consult a competent attorney in your state when determining a course of action; or preparing a form, policy, handbook, agreement, or other document for use in your organization.

APPENDIX :
Drug Testing: Methods, Detection Periods, and Durations

METHODS:
What are the various drug-testing methods?

Drug testing is based upon the chemical examination of human urine, blood, and other specimens to detect the use of substances. While some state laws dictate the specific types of tests that are permissible, there are a number of feasible testing options available. Based upon SAMHSA guidelines, urine is the most commonly used specimen of drug testing. According to DOT guidelines, breath is the most commonly used specimen for alcohol testing.

- **Urine:** A *urine* test indicates the presence or absence of drug metabolites in human urine. Metabolites are drug residues that linger in the human body after the effects of a drug have worn off. While a positive urine test does not outwardly mean a person was under the influence of drugs at the time of the test, it can detect and measure a person's use of a specific drug within a given period. Because alcohol passes rapidly through the human system, urine tests are not especially suitable for alcohol testing. They are a far better indicator of illicit and prescription drug use, which can be more easily traced in urine.

- **Breath:** The most common test to determine how much alcohol is currently in the blood is the *breath-alcohol* test. The individual being tested blows into a breath-alcohol device, and the results translate into a number, known as the Blood Alcohol Concentration (BAC), which shows the level of alcohol in the blood at the time of the test. Specific BAC levels have been used to correlate with impairment. For example, under DOT regulations, a BAC of 0.02 is high enough to stop someone from performing a safety-sensitive task for a specific amount of time (usually between 8 and 24 hours). Additionally, a BAC reading of 0.04 or higher is considered a "positive" drug test and requires immediate removal from safety-sensitive functions.

Several other specimens can be used to detect drug use. These additional methods include the testing of blood, hair, oral fluids, and sweat.

- **Blood:** A *blood* test measures the actual amount of alcohol or other drugs in the blood at the time of the test. Blood samples are excellent for providing an accurate measure of the physiologically active drug present in a person at the time the sample is drawn. Although blood samples are a better indicator of recent consumption than urine samples, blood offers a very short detection period, as most drugs are rapidly cleared from the bloodstream, and are deposited into a person's urine.

- **Hair:** Analysis of *hair* will not reveal substances used within the last seven days. Similar to urine testing, hair testing does not provide indication of current impairment, but rather only past use of a specific drug. In addition, you cannot test hair to detect alcohol use. Hair testing is the least invasive form of drug testing.

- **Oral Fluids:** Saliva (oral fluids) collected from the mouth can have traces of drugs and alcohol. These fluids are relatively easy to collect (e.g., via cheek swab method), more difficult than other specimens to adulterate or substitute, and may serve as a more positive way to detect substances such as marijuana, cocaine, and amphetamines/methamphetamines. Since drugs do not remain in oral fluids as long as they do in urine, this method shows more promise to determine *current* use and impairment.

- **Sweat:** Another drug test involves a skin patch to measure drugs in *sweat*. Resembling a large adhesive bandage, the sweat patch is affixed to the skin and worn for a specified length of time. A "gas-permeable membrane" on the patch protects the tested area from contaminants. While this method is easy to administer, it is utilized more in jails and prisons than in the workplace.

DETECTION:
What kinds of drugs does testing detect?

SAMHSA guidelines call for testing that checks for five illicit drugs and, in some cases, alcohol (ethanol, ethyl alcohol, "booze"). The five illicit substances are:

- Amphetamines (meth, "speed," "crank," "ecstasy")
- THC (cannabinoids, marijuana, "hash")
- Cocaine ("coke," "crack")
- Opiates (heroin)
- Phencyclidine (PCP, "angel dust")

Although most private employers can test for any combination of drugs, there are commonly established groupings of substances or "panels."

7-Panel Test typically includes the substances noted above and:

- Barbiturates (phenobarbital, butalbital, secobarbital, "downers")
- Benzodiazepines (tranquilizers like Valium, Librium, Xanax)

10-Panel Test typically includes the 7-Panel Test noted above and:

- Methadone (often used for the treatment of heroin addiction, it is also prescribed for pain)
- Propoxyphene (Darvon compounds)

Employers can also test for other substances such as:

- Hallucinogens (LSD, mushrooms, mescaline, peyote)
- Inhalants (paint, glue, hairspray)
- Anabolic steroids (synthesized, muscle-building hormones)
- Hydrocodone (prescription medication known as Lortab, Vicodin, Oxycodone)

DURATION:
How long do drugs remain in a person's system?

"Detection windows" is the key term to measure how long a drug, or its metabolites, can be detected in a test specimen using common cut-off levels. This is the amount of time after ingestion during which evidence of specific drug use can be detected by a test. Before you implement a drug-testing program, it is important for business owners to understand the likely window of detection for each drug for which they test, given the testing method they select. For example, testing for alcohol should take place as soon as possible, but no later than 8 hours after the triggering event. The human body eliminates drugs from its systems at different rates. As a result, different drugs can be detected over different spans of time – some for long after the effects of a drug have worn off. However, after 72 hours, very few of the listed drugs are likely to cause a positive drug test, using standard detection levels.

- Amphetamines – 48 hours
- Barbiturates – 2-10 days
- Benzodiazepines – 2-3 weeks
- Cocaine – 2-10 days
- Heroin Metabolite – less than 1 day
- Morphine – 2-3 days
- LSD – 8 hours
- Marijuana – casual use, 3-4 days; chronic use, up to several weeks
- Methamphetamine – 2-3 days
- Methadone – 2-3 days
- Phencyclidine (PCP) – 1 week

NOTE:
A primary source of content for this appendix is the U. S. Department of Labor's "Workplace Drug Testing" Guidelines (www.dol.gov/asp/programs/drugs/work-ingpartners/dfworkplace/dt.asp).

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[1] "The Next Big Thing in Online Recruiting," Peter Weddle, www.weddles.com, February 2, 2006.

[2] "Best Recruiting Practices…," Dr. John Sullivan, Electronic Recruiting Exchange, October 3, 2005.

[1] "The Next Big Thing in Online Recruiting," Peter Weddle, www.weddles.com, February 2, 2006.

[2] "Best Recruiting Practices…," Dr. John Sullivan, Electronic Recruiting Exchange, October 3, 2005.