



Drug and Alcohol Policy Checklist

The following checklist is designed to assist you in developing a drug and alcohol free workplace policy for your organization:

1. Explain the company's purpose/reasons for instituting.

Common reasons include: to provide a safer work environment, encourage employees with substance abuse problems to get help, improve applicant pool, or because it is mandated by law (i.e. the Drug-Free Workplace Act of 1988 which covers federal contractors).

2. Define prohibited conduct.

For example, this typically includes: positive tests for drugs/alcohol, use on the job, manufacture, distribution or possession of drugs during working hours, while on company business or while operating or riding in a company vehicle, failure to fully cooperate in testing process, switching or adulterating a urine, blood or other sample used for testing.

3. Describe circumstances that will trigger testing.

This might include: pre-employment, post-accident if there is a reasonable basis to suspect drug or alcohol use contributed to the accident, reasonable suspicion, random, periodic (such as annual or biannual), blanket (all current employees get tested within a certain time frame), return to duty, as part of a last chance agreement, follow-up or post-evaluation/rehabilitation, and working in DOT regulated safety-sensitive positions.

4. Determine the testing methodology that will be used in conjunction with a certified laboratory and convenient collection sites.

The most common testing methodologies are: urine, breath, and blood. Hair samples and saliva may also be an option. Employers should choose a vendor that offers convenient collection sites for applicants and employees.

5. Determine what substances will be tested.

A standard five-panel test is most common and typically covers marijuana, cocaine, amphetamines, opiates and PCP. However, expanded panel testing can be used and many employers are now adding metabolite testing (such as 6-AM) to better detect heroin usage. Certified drug testing specialists can talk through the specific needs of the organization.

6. Define the ramifications of the initial positive result and/or any subsequent positive results.

This could include: rescinding a job offer (pre-employment), discipline with mandatory EAP consultation, automatic termination, last chance agreement with EAP evaluation and follow-up testing, or random testing for a specified period of time.

7. Consider a more lenient approach for employees with substance abuse problems who voluntarily come forward.

Employers can offer time off to seek treatment for an employee who comes forward prior to a policy violation or workplace accident and admits he or she has a problem. Time off under the Americans with Disabilities Act (ADA) and Family Medical Leave Act (FMLA) may be applicable.

8. Review policy draft with legal counsel and establish an effective date.

The complexity of drug and alcohol testing, along with certain state laws necessitate employers reviewing their drug and alcohol policies to ensure their defensibility. Some state laws (for example Iowa and Minnesota) can have very specific obligations when it comes to administering a drug-free workplace policy and training managers. When implementing a new or revised policy, establish an effective date.

Advance notice to employees is highly recommended.

9. Review final policy with supervisory staff prior to implementation and train them in its administration.

Include information and/or training on signs and symptoms of alcohol/drug use, how to confront a suspected user, confidentiality of results, required documentation, and company-specific procedures.


10. Establish and communicate detailed procedures for HR.

Provide specific procedural information for HR to cover chain of custody, turnaround times, communicating test results in a secure manner, handling split samples and confirmatory tests, cut-off levels and Medical Review Officer (MRO) contact information. It is also important to establish a good relationship with the MRO so when issues come up, such as adulterated samples, they can be quickly handled.

Have questions related to establishing a drug and alcohol policy? MRA's [HR Advisors](#) can help you!

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