

## **PRESENTER'S GUIDE**

# **"DEALING WITH DRUG AND ALCOHOL ABUSE... FOR MANAGERS AND SUPERVISORS IN CONSTRUCTION ENVIRONMENTS"**

**Part of the Construction Safety Kit Series**

**Quality Safety and Health Products, for Today... and Tomorrow**

# **OUTLINE OF MAJOR PROGRAM POINTS**

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The following outline summarizes the major points of information presented in the program. The outline can be used to review the program before conducting a classroom session, as well as in preparing to lead a class discussion about the program.

- **As a supervisor, you need to respect an employee's private life.**
- **But what they do "privately" can impact their performance at work, as well as their own and other employees' safety.**
  - What if one of your workers had too much to drink last night?
  - Or another worker smoked some dope over the weekend?
- **How about the employee who is overusing prescribed medications?**
  - When substance abusers head out to the job site, they don't leave their problems at home.
  - What these employees are doing, both on and off the job, can have a serious impact on workplace safety and productivity.
- **Substance abuse is a huge, worldwide problem. In the United States alone there are:**
  - Over 38 million binge drinkers.
  - Almost 25 million illegal drug users.
  - More than six million people who abuse prescription medications.
- **Most of these people have jobs.**
  - It's estimated that one out of every ten workers has a substance abuse problem.
- **An employee with an alcohol or drug problem can:**
  - Decrease productivity.
  - Create a hostile work environment.
  - And damage your company's good name.

- **What they do while they're "under the influence" can undermine your best efforts to make your job site a safer place for everyone to work.**
- **Substance abusers have at least three times more accidents than typical employees.**
  - They are also three times more likely to use medical benefits than other employees, and five times more likely to file a workers' compensation claim.
- **As a result, it's estimated that alcohol and drug use on the job costs American businesses almost \$200 billion dollars every year.**
  - If an abuser causes an accident on the job, their coworkers may have to pay as well, perhaps even with their lives.
- **An accident can also result in lawsuits that can directly jeopardize your career and financial well-being.**
  - A substance abuser's family and friends can pay a heavy emotional price too.
- **To prevent these things from happening, you need to be able to recognize and control drug and alcohol use among your people, before accidents or injuries occur.**
- **Unless you're looking for them, you might not see the drugs and alcohol that are present on the job site at all.**
  - So it pays to know what "substances" people are likely to use.
- **The most commonly abused substance, both on and off the job, is alcohol.**
  - It's a "legal intoxicant", so it's easily available.
- **Workers who are drinking may carry a flask or hide a bottle in their toolbox, spike the coffee they bring to work in their thermos, or mix alcohol with a soda, juice or other beverages.**

- **The next most popularly abused substance is marijuana.**
  - While at one time "pot" was illegal throughout the country, the drug has now been legalized in a number of states, for both medical and recreational use.
  - Changes in marijuana's legal status do not change its effect on the user, or on workplace safety.
  - Pot is usually smoked in either small pipes or rolled into "joints," which are easier to notice.
  
- **In recent years, tranquilizers, codeine, OxyContin and other prescription drugs have also become common substances to abuse.**
  - Many of these medications are chemically similar to heroin and other narcotics, making them just as addictive and deadly as illegal drugs.
  
- **Some workers abuse solvents, gasoline, adhesives and other chemicals that they work with by purposely inhaling the fumes.**
  - You should talk to any employee who appears to be breathing or "huffing" these materials.
  - It's your responsibility to ensure that everyone who handles these substances wears the proper respiratory protection.
  
- **To make sure that employees are drug-free and sober, you need to understand the laws that focus specifically on substance abuse in the workplace.**
  - These regulations are designed to protect employee health and safety by identifying substance abusers in the workforce, while at the same time safeguarding workers' privacy and civil rights.
  
- **OSHA's "General Duty Clause" requires employers to provide working conditions, "...which are free from recognized hazards that are causing or are likely to cause death or serious physical harm..."**
  - Since substance abuse is considered a "recognized hazard", you must ensure that an employee who appears to be using drugs or alcohol does not pose a danger to themselves or others.

- **If your company employs "transportation employees", such as truck drivers, dispatchers or mechanics who have "safety-sensitive" jobs, you will have to follow the Department of Transportation's "Procedures for Workplace Drug and Alcohol Testing Programs" (Rule 49 CFR Part 40).**
  - The regulation requires that employees in these positions be given random drug and alcohol tests.
  - It also specifies that if there is a "reasonable suspicion" that they are under the influence of drugs or alcohol, they must be removed from their "safety-sensitive" tasks and be given a substance abuse test.
- **Since substance abuse is considered an illness, you must be careful that you don't violate an employee's privacy or other civil rights.**
  - Medical privacy laws can often prevent you from questioning a worker on their medication use.
- **However, you can insist that an employee tell you if they are taking medications that may cause "drowsiness" or other impairment if they:**
  - Drive company vehicles.
  - Operate machinery.
  - Perform other tasks that require them to be completely alert.
- **If your company employs 15 or more people you must also comply with the "Americans with Disabilities Act."**
  - This says that you may not "discriminate" against a worker who is trying to overcome a substance abuse problem.
  - You also may not discharge or otherwise punish an abuser without giving them a chance to overcome their problem by participating in a substance abuse treatment program.
- **It's important for you to keep these employee rights in mind when dealing with substance abuse issues.**

- **To prevent substance abuse, a company needs to create a work environment that encourages sobriety.**
  - All companies, regardless of their size, should have a written "Drug and Alcohol-Free Workplace" policy in place.
  
- **The policy should clearly state what behaviors are prohibited, such as:**
  - Consuming alcohol immediately prior to or during the workday.
  - Possessing, selling, distributing or using illegal drugs.  
Operating machinery or motor vehicles while using medications that cause drowsiness or other impairment.
  
- **The policy should include regular education sessions for employees, managers and supervisors as well, so they can better understand substance abuse problems, and help to prevent them.**
  
- **The policy should be tailored to "fit" your company's specific needs as well as the type of work that your employees perform.**
  - For instance, the drug and alcohol policy of a company that uses cranes on its jobs would spell out that its employees should not operate a crane or act as a rigger if they have been drinking or using drugs of any kind.
  
- **Substance abuse policies should also specify what happens if a person breaks the rules. Consequences typically include:**
  - Suspension from "safety sensitive" duties.
  - Mandatory participation in a substance abuse rehabilitation program
  - For serious offenses, termination.

- **The policy should also explain the steps that should be followed when a worker is suspected of being under the influence of drugs or alcohol.**
  - Your company is permitted to conduct various forms of drug and alcohol testing to identify substance abusers.
  
- **Companies may also provide Employee Assistance Programs (EAPs) to help workers and their families deal with substance abuse and related issues.**
  
- **Make sure all your people, including temporary employees and contract workers, have a copy of the company's drug and alcohol policy.**
  - Provide one to all new hires as well.
  
- **Substance abuse problems are less likely to develop when employees understand the hazards that can be attached to it.**
  - Every company should provide regular training sessions on the subject for all of their workers.
  
- **Substance abuse training topics should include:**
  - The effects of drugs and alcohol on work performance, safety, health and personal life.
  - The signs of drug and alcohol addiction.
  - How an employee should report substance abuse that they see occurring on the job site.
  - The resources that are available to help employees overcome drug and alcohol problems.
  
- **Each session should also include a review of the company's drug and alcohol policy.**
  
- **If your company conducts drug and alcohol testing as part of this policy, be prepared for some push back from employees.**
  - Many people feel that testing questions their character.
  - Others believe it's a violation of their privacy.



- **Your best approach is to ensure that everyone understands that testing is an important part of the company's drug and alcohol policy, and that the goal is to keep employees safe, healthy and productive on the job.**
- **Substance abuse tests are usually given in five types of situations.**
  - "Pre-employment" tests are used to screen out illegal drug users before they're hired.
  - "Reasonable suspicion" tests are given when there are indications that a worker is under the influence of alcohol or other drugs.
  - "Post-accident" tests are used to determine if substance use contributed to an accident that occurred on the job site, or when equipment and materials were moving to and from the site.
  - "Return-to-duty" tests verify that workers who have been removed from "safety sensitive jobs" due to substance abuse can safely resume their normal tasks.
  - "Random" tests, which are given without notice and by "luck of the draw," ensure that workers are not violating the company's drug and alcohol policy.
- **You should also be aware that OSHA does not allow a company to conduct drug tests on employees as a form of retaliation when they have brought unsafe work conditions to the attention of their company or OSHA.**
- **Drug and alcohol testing can make employees think twice about using drugs or alcohol on the job. But testing is not infallible.**
  - There are many types of drugs, and no more than a few can be tested for at one time.
  - Alcohol and some other drugs can only be detected for a few hours after they are used.
  - A substance abuser can sometimes "doctor" their sample to make it appear as though they are "clean".

- **How do you spot the substance abusers on your job sites?**
  - Don't expect them to make it easy for you.
  - Most of the time they'll do their best to hide the behavior from you.
  
- **One reasonably effective way to detect substance abuse is to look for anything "unusual" in how an employee acts. How they behave will depend on what they're "using":**
  - Depressants such as alcohol, marijuana and tranquilizers, slow down brain activity... making a person sluggish.
  - Stimulants such as methamphetamine, crack and cocaine cause a person to become abnormally active.
  - Narcotic analgesics or "painkillers" such as heroin, morphine and OxyContin numb the user and make them more relaxed.
  
- **Drug use can also result in extreme mood swings. For instance:**
  - Someone high on cocaine may be energetic, extroverted, even giddy.
  - As the drug wears off, they can rapidly become angry, depressed and withdrawn.
  
- **How much of a substance a person has "used" will also influence how they behave.**
  
- **For instance, a single glass of wine tends to relax most people and make them more "sociable", But everyone reacts differently when they drink too much.**
  - Some people fall asleep.
  - Others become the "life of the party".
  - Some may get anxious, depressed, angry or even violent.
  
- **If you notice a worker behaving oddly, you can start looking for more "concrete" signs of substance abuse.**
  - A good way to do this is to focus on their job performance.
  - Substance abusers usually have a lot of difficulty functioning efficiently on the job.

- **You should keep written performance reports and safety records for all of your workers in any case.**
  - These reports help you deal with everyone's performance or safety issues, regardless of the cause.
  - They can also reveal patterns in an employee's behavior that may indicate a substance abuse problem.
- **Remember, since these notes can affect an employee's livelihood and may be reviewed by others, you should always stick to the facts.**
- **If you smell alcohol on their breath, for example, record what you observed along with the date and the time.**
  - Don't write down that they were "drunk".
  - That may be what you think, but it's not something you know.
- **When these "incident reports" establish a pattern of questionable job performance, you have a solid basis for raising the issue of "working under the influence" with the employee.**
- **As a manager you represent your company, so it's important how you proceed when a worker appears to have a substance abuse problem.**
- **While you definitely have a responsibility to maintain a safe and productive workplace, you must also respect the rights and privacy of the employee.**
  - It's always a good idea to consult your company's drug and alcohol policy to refresh your memory on what you're supposed to do.
  - Trying to "wing it" can cause you and your company a lot of grief.
- **Never accuse the employee of substance abuse! It's not your job...**
  - To be a police officer.
  - To diagnose a worker's substance abuse problem.
  - To act as their therapist.

- **The best course of action is to be straightforward and professional.**
- **How the situation should be handled will depend on:**
  - The employee's apparent level of impairment.
  - Their job functions.
  - The potential for them to have a serious accident.
- **In most cases a company drug and alcohol policy will direct you to report problems either to someone in Human Resources, or to a manager or supervisor who has received in-depth training on the subject.**
- **But any time an impaired employee's actions could endanger themselves or others, you should intervene immediately. For example:**
  - Workers who drive vehicles or operate machinery should not be permitted to perform these tasks if they appear to be "under the influence."
- **If it is determined that a worker does have a drug or alcohol problem, they will usually be required to enter a rehabilitation program, either through the company's EAP (if one exists) or with an outside group.**

**\* \* \* SUMMARY \* \* \***

- **In creating a drug and alcohol-free workplace, it's important for you to respect the rights and privacy concerns of your workers.**
- **All employees should have a copy of your company's drug and alcohol policy.**
- **Everyone should be provided with training on substance abuse prevention.**
- **You need to be able to recognize the "signs" of drug and alcohol use yourself.**

- **If you suspect that an employee may have a substance abuse problem, your company's drug and alcohol policy can help to guide you in how to proceed.**
- **Anytime an employee's actions could create a dangerous situation, you must intervene immediately.**
- **Now that you know the signs of substance abuse and understand what you can do to help stop it, you can help make your company a more productive and safer place to work... for everyone, every day!**