

Drug Free Workplace Policy

Why should my company have a written policy?

- Creating a drug free workplace policy is the first and most critical step of any drug free workplace program. Before creating your policy check state and federal government regulations to determine if there is anything your company is required to do.
- A written policy helps both the employer and employees to focus on important details and reasons for creating the policy. Also, a written document may be required by law, makes legal review possible, provides a record of the employer's effort, may protect the employer from hiring employees that misuse/abuse substances.

What should be included in your policy?

- Every organization's written policy should be unique and tailored to meet its specific needs; however, all effective policies have a few aspects in common.
- A written policy must clearly state why the policy or drug free workplace program is being implemented.
- A clear description of behaviors that are prohibited.
- A thorough explanation of the consequences for violating the policy.

What questions should be answered in the company policy?

- What is the purpose or goal of your program?
- Who will be covered by your policy?
- When will your policy apply?
- What behavior will be prohibited?
- Will employees be required to notify you of drug related convictions?
- Will your policy include searches?
- Will your program include drug testing?
- What are the consequences if your policy is violated?
- Will there be Return-to-Work Agreements?
- What type of assistance will be available?
- How will employee confidentiality be protected?
- Who will be responsible for enforcing your policy?

- How will your policy be enforced?
- How will your policy be communicated to employees?

Should employees be included in the development process?

Some employers find that when employees have been consulted about a new policy and believe their voices have been heard, they are more likely to cooperate. Possible ways to include employees are:

- Set up a task force or employee group to help develop their policy.
- Solicit broad review and comment before adopting a policy.
- Involve union representatives when possible or appropriate. Union representatives may offer ideas and programs that will make things run more smoothly.

*Employers should note that sharing their policy with **ALL** company employees is an essential part of a drug-free workplace program. Many companies find it helpful to ask for feedback from employees during the initial policy development stage.

What about legal issues?

- It is always advisable to have a draft of a new drug-free workplace policy reviewed by an attorney experienced in labor and employment matters.
- Implementing the policy will have implications for the job security of employees with alcohol or other drug problems. Given the potential consequences of violating the policy, legal review is critical.
- Legal review is also important because of the growing and ever-changing body of laws and regulations about drugs in the workplace.

*The **Drug-Free Workplace Act of 1988** requires all institutions receiving federal grants and contracts to certify that federally funded activities will be carried out in a drug-free environment. Employers not mandated by the act should create a policy that is appropriate and fair to the employer and the employees of their company.