

Drug test benefits



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Recent increases in the use of illegal drugs and problems related to that use have raised a variety of public health and safety concerns. These concerns have led many to propose drug testing as one of the best ways to combat the proliferation of drug use. Although the focus is testing for drugs, it is worth noting that similar calls for increased testing has risen due to the spread of HIV and the threat it poses to those exposed to it. Clearly, these public health and safety concerns conflict with privacy claims of those being targeted for testing.

Nevertheless, many view the public safety threat as serious enough to override completely any individual privacy interests. Indeed, public opinion polls indicate that there is widespread support for a variety of testing programs, even those that are random and mandatory. Although drug abuses should not be tolerated in the workplace, care must be taken to limit the extent to which drug testing intrudes on people's privacy. The idea is to use the technology carefully, with adequate justification, and with enough safeguards and precautions to ensure that testing is done thoughtfully and responsibly.

Both the government and private business argue that they have a significant interest in testing citizens and employees for a variety of reasons. First, they can fight the drug by weeding out users and stopping drug use. Second, they can ensure safety by revealing conditions that pose a serious threat to co-workers or the public. Third, they test employees so they can maintain a fully responsive and effective workforce. Fourth, they can identify those who will be unable to work in the future. Fifth, it will help reduce the cost of employee health care plans.

Finally, drug testing will help maintain public confidence in the integrity and trustworthiness of their operations. Many insurance agencies argue that testing is necessary because it fundamentally causes the healthier employees to pay higher premiums to cover the costs of the coverage for those who are at greater risk levels. All of these arguments provide strong reasons to consider drug testing. In some industries, such as health care and transportation, even casual drug or alcohol use can result in not only increased costs, but also in lawsuits and loss of life.

Even if the employee is not chemically dependent, a spouse or family member using drugs or alcohol can mean missed work, extensive personal phone calls and increased dependent medical benefits. Supreme court justice Antonin Scalia found drug testing to be an invasion of privacy and a practice of a needless indignity. @ He states that if a blood test is used, it involves puncturing the skin. If a urinalysis is utilized, the sample must sometimes be gained under direct observation to guard against drug-free substitutions and falsification of results.

He feels that there are more effective methods of identifying drug users. For example, a daily observation of moods, behavior, and productivity, can detect drug use and be dealt with immediately. Many employees feel that implementing a drug testing program will prove to the lack of trust between the employer and employee. They feel that this will cause high turnover rates from year to year. It will also lower employee morale and effectiveness while on the job. These problems could be avoided by just utilizing the observance plan mention earlier.

Opponents of drug testing also focuses on the limitations of the testing procedures, arguing that the tests are highly inaccurate. One worry is the sensitivity of the tests. Many types of tests procedure inaccurate, innocent parties will be harmed because most tests produce a large number of false positive results, indicating that there has been drug use when there has actually been none. Such false positive results can rise from the use of medications, passive inhalation ofmarijuanasmoke, or the technology employed for many drug tests.

Drug testing opposers cite the human error of lab personnel that further implicates the accuracy of results The first two cases on drug testing to reach the Supreme Court were argued in 1988. From the decisions issued the following year, it is clear that the court held that urine tests are a significant intrusion into a fundamentally private domain. Since then, every court that has addressed the issue has found that urinalysis and blood tests intrude on privacy as a search and seizure forbidden under the fourth amendment.

Courts have mainly focused on the privacy invasion involved, first, in the process of urination and the manner in which the specimen is obtained, and second, in the individuals interest and safeguarding the confidentiality of the information contained in the sample. While drug tests might also violate the fifth amendment protection of due process and constitutional privacy interests, courts have taken the privacy claims of the fourth amendment to be the most forceful constitutional threat.

Some surveys show employees strongly support drug testing because it promises greater safety and harmony at work. However, scores of civil suits in the early and mid 1980's challenged the procedure as an invasion of privacy. The courts have upheld most testing programs, and fewer suits are now being filed. In a study conducted by the society for Human Resources Management, human resource professionals most consistently favored the use of drug and alcohol testing, soliciting criminal record checks, and monitoring visual display, terminal keystrokes and phone activity.

While employers may deem these activities as essential to preserve workplace safety and productivity, many employees would argue that they violate their privacy, both on the job and at home. Employees may not be invaded by having to participate in drug tests with the urinalysis. Technology has advanced so that any impairment in a workers performance while on the job due to drugs or alcohol will be monitored on computers. It is called performance or impairment testing by its creators, and is a game-like device that can test judgement and motor coordination through the ability to manipulate a cursor on a VDT screen.

The benefits reveal the cause of an employee impairment. Performance tests would offer more privacy to the worker and promote a less hostile environment. People have objected mostly to random drug testing, which is mainly limited to government and private jobs that effect public safety, like those at nuclear power plants, airlines, railroads and trucking companies. More than 90 percent of the testing is of job applicants. But most of these same companies also test after accidents and when suspicions are aroused through erratic behavior.

Fewer than 10 percent of the companies test randomly or at the time of annual physicals. An employer has an extreme amount of influence on an individual to receive some type of treatment for their addiction. They are in the position to provide incentive for accepting treatment, as well as emotional support afterwards, because the job usually is of extreme importance to the addicted individual. The management should offer an accessible health insurance plan so that when the employee needs to receive the treatment that they can easily do so without having to involve several other people.

Once the addict has received the needed care, their job structure should be altered by management. They should be placed in a less stressful atmosphere. Their amount of work decreases for a certain amount of time, and they should not be placed on a demanding quota schedule that could trigger an emotional swing back toward the addiction. The key to this success is having a good prevention program in place to detect problems at an early stage in their development. If these problems can be detected early then outpatient treatment can be successful, says Maureen Whitmore of Occupational Health Services in Larkspur, California.

Once a company has invested their time and money in rehabilitation of the employee, there are steps that must be followed to keep the employee from returning to their addiction. First, a peer support group should be provided where open discussion is encouraged in trying to cope with a new life and the new found pressure of work. Second, management should help their employees reintegrate back into the workplace. They will be confused and

easily persuaded by stress that might have led to the problem in the beginning.

Third, the company should hold AA meetings on-site and provide a crisis number to call in case of an emergency. Fourth, supervisors should be educated to watch for returning signs that the person is under stress. Fifth, management should involve family members and provide lifestyle education. Finally, stress reduced activities should be offered on-site, such as aerobics and fitness classes, and workshops on how to improve interpersonal skills. I feel that employee drug testing in some manner is essential to the performance and effectiveness of an employee in a company.

Management needs the assurance that every employee is doing their job without any type of impairment from an outside source. However, I also feel that urinalysis testing is an invasion of privacy. As an employer, I will not be concerned with what types of drugs the employee is taking, but he is impairing the performance of the company. As I mentioned earlier, technology has advanced in such a manner that there will be no need for urinalysis tests. Performance or impairment testing programs will test the employee's judgement and motor coordination through the ability to manipulate a cursor on a VDT screen.

This will provide the employer with accurate information on the abilities of the employee to perform their job. It also keeps the employee's addiction private and not for their employers to know. I feel that the increased health insurance coverage and the increased ease of access for employees will help them seek treatment for their addiction. However, there will need to be

severe disciplinary actions for those who continually test positive. Once an employee has received treatment, the follow-up plans must be persuaded by management.

This should help the employee to receive the needed attention for their problem, and help the company continue to have an effective employee.

Drug testing has many benefits and set backs for both employers and employees. Certain types of drug testing are necessary in to days workplace for there to be an increased effectiveness of a company on their industry.

However, employees still have privacy rights that cannot be infringed upon.

A good and successful detection program and rehabilitation program are essential to the survival of the employee in the workplace. Eventually, the drug addiction will impair their abilities for life.