

# Workplace drug screening opinion paper



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The fight for skilled workers is not easy: in their striving to develop a productive and cost-efficient labor force, employers are willing to use the most sophisticated selection methods. Drug screening in the workplace is becoming a widely used form of testing applicants and employees for drug abuse. Employers justify the use of workplace drug screening by their desire to enhance workplace safety and to reduce the probability of workplace injury risks. Unfortunately, the current state of drug screening is far from perfect.

Not only is the reliability of drug screening techniques questionable, but drug screening itself is surrounded by a multitude of legal and ethical controversies. Drug screening has a potential to protect employers from the unnecessary safety and low productivity risks, but employers must have reasonable suspicion that employees and applicants use drugs, while regular drug screening must apply to a limited set of dangerous professions, including drivers and civil aviation professionals. Types and Reliability of Drug TestsAs of 2002, 77 percent of substance abusers in the United States were employed (Anonymous, 2002). These workers are believed to be at higher risks for tardiness, extended absence, workplace injuries and workers' compensation claims (Anonymous, 2002).

Given the costs which businesses and individual employers have to carry because of employee drug abuse, drug screening in the workplace is becoming an acceptable practice. Drug testing is of particular importance for dangerous professions, including drivers, civil aviation professionals, medical and police personnel, etc. Urine testing used to be the basic form of drug screening, but today employers have a wider choice of drug screening

alternatives. These include sweat, oral fluid, and hair (Anonymous, 2002). Regardless of the form, reliability of drug screening tests is still the issue of the primary concern.

Drug screening procedures are associated with the major interpretation difficulties. According to Forrest (1997), “ determining whether or not a positive analytical result indicates drug misuse is not as straightforward as might appear” (p. 15). For example, morphine is detected in urine not only after taking heroin but also after using over-the-counter drugs that contain codeine (Forrest, 1997). Simultaneously, six-acetyl-morphine (a specific marker for heroin use) is present in urine for no more than one day and its absence from the urine does not necessarily exclude heroin use in the past (Forrest, 1997).

In a similar fashion, cannabinoids can be present in urine many days after the use of cannabis (Forrest, 1997). Moreover, one cannot distinguish active cannabis from the passive one: a person present at the party where everyone else smokes cannabis can readily have traces of cannabinoids in his (her) urine, even if he (she) uses none (Forrest, 1997). The situation with alternative forms of drug screening is even more difficult: for example, scientists do not know how much drug is required to establish a detectable level in hair and how to account for the environmental exposure of hair to drugs (Burlington, 1998). Different hair will react differently to one and the same reagent/ marker, and scientists wonder how the hair of different ethnic groups will work through one and the same test (Burlington, 1998).

For a drug screening test to be reliable, it must meet three essential criteria: (a) the test must be recognized and legalized by FDA; (b) sample collection systems must be reliable for use in nonprofessional settings; and (c) sample collection systems must be safe enough to avoid mix-ups and to guarantee that all samples are adequately labeled (Burlington, 1998). But even if employers use drug screening systems that meet all three criteria, workplace screening will continue to be an issue of the legal and ethical concern. Legal and Ethical Ramifications of Drug Screening in the Workplace

Employers have a wide choice of drug screening programs: pre-employment programs test job applicants; random basis programs keep workers unaware of when drug screening is to take place, until the day of such test; periodic base programs test employees from time to time; and voluntary programs submit employees to drug screening but do not use its results for job decisions (MacDonald, Wells & Fry, 1993). Random and periodic tests are appropriate in professions that are considered dangerous, that impact human lives and are associated with additional risks (e. g., drivers and medical professionals).

Other employers can readily use the benefit of voluntary testing. Most employers avoid voluntary systems of drug testing and position drug screening in the workplace as a mandatory procedure. Drug screening tests have a potential to reduce the risks of workplace accidents and raise workplace productivity, but employers who use mandatory screening must be aware of the legal and ethical consequences of their actions. Mandatory drug testing violates a number of constitutional rights, including “ the right of the people to be secure in their persons, houses, papers and effects,

against unreasonable searches and seizures” in the Fourth Amendment, to violations of constitutional privacy (Bible, 1986). Mandatory drug screening invades a privacy expectation that individuals and potential workers deem reasonable (Bible, 1986). If employers have reasonable suspicion that employees abuse drugs, such reasonable suspicion must be based on objective facts and reasonable inferences drawn from these facts (Bible, 1988).

Drug screening in the workplace can intervene with the constitutional right for privacy (Bible, 1988). Ethical ramifications of drug testing in the workplace are even more complicated. They range from privacy and autonomy to potential conflicts of interest and intrusiveness. The latter is particularly problematic when urine testing procedures require observing the process of urination (MacDonald, Wells & Fry, 1993). Because ethical and legal issues of drug screening in the workplace are difficult to resolve, employers must avoid testing employees for drug abuse at random. Drug screening must take place only in case of reasonable suspicion and must be regular for a limited set of dangerous professions that impact other people’s lives, including drivers and civil aviation professionals.

Conclusion Drug screening is gradually becoming an acceptable practice. Employers justify the use of drug screening in the workplace by their desire to reduce the risks of workplace injury and to address the issues of low productivity and absenteeism. Today, employers have a wide choice of drug screening options, from conventional urine tests to hair and sweat screening. Research into the reliability of drug screening is scarce, and drug screening itself is surrounded by much ethical and legal controversy.

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For this reason, employers must avoid screening employees for drug use/abuse at random. Regular drug screening must be used only for a limited set of dangerous professions, including drivers and civil aviation professionals.