

WorkSafe: Your industry expert

WorkSafe, Inc. offers a full spectrum of workplace drug and alcohol program services at its office on 36th and C Street in Anchorage and instant-results testing for your worksite. WorkSafe provides corporate training, drug and alcohol testing consultation services, pre-employment drug and alcohol screening, return-to-duty services and follow-up testing. It also has on-call personnel 24 hours a day if an employer's work shifts require testing availability around the clock. For more information regarding a drug-free workplace, contact WorkSafe at 907-563-8378.

WorkSafe Products & Services
Drug & alcohol awareness training
Collector's desk reference guide®
Training videos
Program manager's reference guide®
Breath alcohol technician (BAT) training
Collection personnel training course®
Compliance toolbox CD

WorkSafe Contacts

To contact WorkSafe during regular office hours, call 563-8378(TEST).

To request an after hours drug or alcohol test, call 888-227-8642.

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Holiday celebrations

Limit liability – As the weather cools and winter arrives, it's time to think about the upcoming holiday season and that includes company-sponsored parties, open house and get-togethers. These events can be fun ways to thank your employees and for them to enhance their social relationships. Just remember that companies can be liable when serving alcohol at company sponsored events.



For companies with a drug-free workplace program, serving alcohol may contradict the company policy.

It is always recommended that companies choose a restaurant, hotel, or other establishment that holds a liquor license to host their party. These facilities have trained servers who tend bar and serve alcoholic beverages. In Alaska, the liability for over-serving passes from the company holding the event to the establishment serving the alcohol.

AS 04.21.020 states, in part:

"A person who provides alcoholic beverages to another person may not be held civilly liable for injuries resulting from the intoxication of that person unless the person who provides the alcoholic beverages holds a license authorized under AS 04.11.080-04.11.220, or is an agent

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Reasonable suspicion tests help make supervisory decisions easier

By Matthew Fagnani, C-SAPA, C-SI
President, WorkSafe

A funny thing happens each time I conduct training for supervisors on how to recognize drug and alcohol miss use. When I ask, "By a show of hands, how many of you believe that your company has a drug free workplace?" Rarely, does anyone raise their hand.

This is ironic since they do have drug policies and testing programs in place, meaning they should have a drug free workplace. And indicates that they know drugs are prevalent in the workplace. This notion is supported by the 2004 National Survey on Drug and Health conducted by Substance Abuse and Mental Health & Human Sciences (SAMHSA) that 75 percent of current illicit drug users 18 or older are employed in at least a part-time capacity.

A Reasonable Cause or Reasonable Suspicion test is a tool for supervisors to use when they suspect an employee of

drug use. It enable employer to test for drugs per their policy. Since we know that drugs are in the workplace, I question why there are less than percent of Reasonable Cause tests conducted each year. This confirms that supervisors are not using this valuable management tool to rule out drug use as a contributing factor in poor work performance.

Employers who chose to use drug testing as a tool to improve workplace safety and improve worker performance must begin to use Reasonable Suspicion tool properly. We need to recognize that supervisors must make hard decisions every day and adding the decision to drug test can be daunting. Understanding the tools WorkSafe can provide to your supervisors will help make their jobs easier and will provide legally defensible solutions for your company.

DID YOU KNOW...

- An ounce of methamphetamine (meth) that costs about \$100 to make has a street value of \$800.
- Meth creates a high that lasts between six and 12 hours. Fifty percent of the drug remains in the body 12 hours after usage.
- It costs from \$3,000 to \$160,000 to clean up a meth lab.
- A meth overdose can kill a user through heart failure or liver, kidney and lung damage.



Law enforcement seizures of meth labs rose nearly 600 percent during the last decade.



Alaskans wallets open to victim hearts

Joe Mathis, CEO, American Red Cross of Alaska



It's been a whirlwind couple of months for the American Red Cross of Alaska as we dealt with the aftermath of back-to-back hurricanes along the Gulf Coast. I am humbled by the enormous response from Alaskans who so generously came to the aid of the hurricane victims. Several hundred volunteered for Gulf Coast duty. Hundreds more opened their checkbook for the National-Alaska 80-20 Disaster Fund.

The Red Cross continues to play a vital role in supporting Gulf victims. Seventy-one Gulf families have relocated to Alaska and we assisted them with basic emergency needs, including food, clothing and medication. We've coordinated housing and helped some with transportation.

More than 758 Alaskans completed Red Cross Disaster Response training to prepare them to assist in relief operations across the country as well as here at home. We deployed more than 188 Alaska volunteers to the Gulf region to help hurricane victims.

Those numbers only reflect the sweat equity. Alaskans also donated more than \$495,738 to the National-Alaska 80-20 Disaster Fund. Eighty percent of the donated money goes to help hurricane disaster relief and 20 percent stays in Alaska to help with local disaster relief. The success of this campaign allows us to provide financial support for victims here and along the Gulf.

The need for help grows everyday, which is why your support of the 80-20 fund is so important. You can donate on-line at alaska.redcross.org or call us at 646-5401.

The Red Cross serves an average of three Alaskans every day, many of whom lose everything in house fires and other disasters. Already this year, we helped 320 and the busy fire season is just around the corner. We could not continue our mission without your help.

Thank you for your continued support. You really are a lifesaver.



The seas grow higher flooding Yardarm Restaurant. Flooding mini-van in New Orleans. Evacuation using water Ski-doo's as transportation.

ODAPC dispatches Substance Abuse Professional (SAP) Reports

The Problem: During the initial substance abuse evaluation, the Substance Abuse Professional (SAP) learns the employee is no longer employed, and as expected, the SAP completes the evaluation along with the appropriate recommendations. What does the SAP do with the evaluation report?

The Fix: The written report can be provided directly to the employee if the employee does not have a current employer. The SAP may also provide the report to the future transportation employer.

Can the SAP provide the employee with the follow-up evaluation report if the person completes the initial report's recommendations and has a follow-up evaluation?

Yes, the SAP can provide the written report directly to the employee but only if the SAP redacts the follow-up testing information. Once the employee is hired for a safety-sensitive position, the SAP can then release the report, including the follow-up testing information, to the new transportation employer.

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or employee of such a licensee and ... (2) the alcoholic beverages are provided to a drunken person....

Ebenezer Scrooge is the last holiday caricature that an employer wants to emulate, but with holiday planning already under way we want to be sure that nobody gets hurt while attending a holiday function. Let your employees know that you care and in doing so limit the number of free drinks. Open bars promote over-dinking. Let the servers know that the company will pay for a taxi if someone does over-indulge.

Bottom line is to have fun and be reminiscent the passing year and a job well done.



How supervisors can detect reasonable cause

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First Choice Health
Employee Assistance Provider



Since the government declared war on drugs more than 20 years ago, drug testing in the workplace has become commonplace. Companies that are regulated by the Department of Transportation (DOT) have been required to drug-test covered employees since 1989 and alcohol-test since 1994. The Drug-Free Workplace Act requires employers with federal contracts in excess of \$25,000 to adopt drug awareness programs. Even though private employers are not required to drug/alcohol test employees, the American Management

companies voluntarily implement drug-free workplace policies.

Most companies that adopt drug-free workplace policies test employees under five circumstances: pre-employment, post-accident, random, follow-up post positive tests and under "reasonable suspicion."

Let's look specifically at reasonable suspicion.

The first thing that a supervisor or manager should do to determine whether or not to test an employee under "reasonable suspicion" is to review the company's drug-free workplace policy to see how this testing is defined and under what circumstances it can be done. Generally most companies broadly define "reasonable suspicion" to give supervisors discretion based on specific situations.

Here's a useful definition to consider: Reasonable suspicion is "a belief based on observed, specific and objective factors involving the appearance, behavior, speech or body odors of the employee, where the rational inference to be drawn under the circumstances is that the employee may be under the influence of alcohol or drugs. These factors are not reasonably explained as resulting from causes other than the use of alcohol or drugs (such as fatigue, lack of sleep, illness, etc.)."

Your determination must be based on what you have observed and what is objective and not on your "hunches or guesses." It is important to document what you observed, what you have seen, what you have smelled and what you have heard. Your documentation establishes the justification for having your employee tested. It also demonstrates that you are acting in good faith to ensure workplace and public safety. Your company may have a specific documentation form for this purpose.

Many drug-free workplace policies also require that your observation be

confirmed by a second manager or supervisor. This ensures objectivity. It is very important to read and become familiar with your company's policy.

Here is a list of commonly observed workplace factors associated with an employee who may be under the influence of alcohol or drugs. Please remember this is not a complete list nor does the observation of one or more of these factors necessarily prove that the employee is impaired. Your observations (not hunches) should be considered in context with other information you may have, including the employee's performance, history on the job and other factors that may be affecting the employee's behavior or work.

Employees who abuse drugs or alcohol are 5 times more likely to file worker's compensation.

Behaviors: observed drug/alcohol use or possession, wide mood swings, lack of coordination or balance, inability to concentrate, hostile or belligerent, unusually energetic or confused and disoriented.

Speech: slurred, incoherent, loud or boisterous, rapid or excessive and inappropriate responses.

Odors on Breath or Body: smell of alcohol or marijuana, offensive body odors, poor hygiene, excessive use of breath mints/gum/cologne or mouthwash.

Appearance: constricted or large pupils, bloodshot or watery eyes, unfocused or blank stare, excessive sweating, disheveled clothing or grooming, needle marks on arms.

Job Performance: declining performance, frequent absences particularly on Mondays and Fridays, unexplained or undocumented absences, prolonged lunch hours or breaks, excessive tardiness, lack of memory or concentration, accidents, complaints from co-workers and frequent or intense arguments.



Employees who abuse drugs or alcohol are 10 times more likely to miss work.

Association (AMA) reports that 60 percent of employers test new job applicants and 50 percent test their current employees.

Drug testing just makes good sense. Employees not under the influence of drugs or alcohol are safer and more productive. According to the American Council for Drug Education, employees who abuse drugs or alcohol are 10 times more likely to miss work, 5 times more likely to file worker's compensation claims, 3.6 times more likely to be involved in on-the-job accidents and are nearly a third less productive than drug-free employees. The Department of Labor estimates that drug abuse costs employers from \$75-100 billion per year. They also estimate that nearly 75 percent of all drug users are employed. No wonder

