Contents

	Acknowledgment	ix
	Preface	хi
	Introduction	xiii
PA	RT I THE PROBLEMS FACED BY EMPLOYERS	
1.	What Could Happen: A Horror Story	3
2.	The Scope and Impact of Drug Abuse	11
	Costs	12
3.	Case Histories	15
	Quality Control	15
	Worker Compensation	16
	Internal Theft	17
	Productivity	18
4.	Legal Considerations by Robert M. Lieber and Cynthia E. Maxwell	21
	The Importance of Hiring a Labor Attorney	22
	Causes of Action	23
	Investigative Errors That May Impeach Credibility	29
	Potential Violations of Criminal Law	32
PA	RT II THE FIVE-PHASE PROGRAM	
5.	Phase I: Addressing Clients' Problems and Helping Them	
	Develop Solutions	37
	The Client Meeting: Who Must Be There	38
	Perceiving the Problem	39
	Understanding the Company Environment	41
	Overcoming the Client's Denial	44
	Review of Current Policies	45
	Fidelity Insurance Research	50
	Exposed Investigations	51

vi Investigation of Substance Abuse in the Workplace

	Investigative Techniques and Options for the Client	53
	Contract Considerations	62
	Potential Impact on Employee Morale	64
	Why the Employer Should Never Dictate the Methodology Used	65
	Law-Enforcement Liaison	65
6.	Phase II: The Undercover Investigation—	
	Administrative Guidelines	71
	The Undercover Investigation Defined	71
	Recruitment and Selection of Operatives	72
	Training	76
	Operative Emplacement	80
	Operative Supervision	84
	Operative and Client Reports	86
7.	Phase III: The Confrontation	91
	Sting Operations (Purchases of Drugs or Stolen Property)	91
	The Interview Process	92
	Explaining the Interview Procedure to the Implicated Employee	93
	The Essentials of the Signed Statement	93
	Interviewing Without Alerting the Entire Work Force	94
	The Role of the Employer Representative on the Team	95
	The Tape-Recorded Statement (Oral Declaration)	95
	The Role of the Management Consultant	97
	Interviewing Techniques of Proven Success	98
	The Controlled Standby: Reasons and Explanation	99
8.	Phase IV: Discharge or Retention of Employees	101
	Cooperative versus Uncooperative Employees	101
	Buyers versus Sellers	102
	The Management Consultant's Independent Report	102
	Wrongful Discharge Suit Considerations	103
	Replacement of Discharged Employees	103
	Drug Testing and Employee Probation	103
9.	Phase V: Preventing the Problem from Recurring	107
	Effective Drug and Alcohol Policy and Guidelines	107
	Hiring Procedures, Background Investigations, and Techniques	
	for Screening Out Drug Abusers	108
	Training Administrators and Supervisors to Recognize Drug and	
	Alcohol Abuse	110
	The Risk-Analysis Survey	110
	How Much Is Too Much?	111
	Employee Assistance Programs	111

169

PART III TOXICOLOGY

Index

DABFT Policy Questions Legal Issues Role of Testing in the Overall Program Biological Rationale for Testing Collection and Handling of Samples Testing Methods Laboratory Selection Appendix A A Synopsis and Explanation of the Employee Polygraph Protection Act of 1988 Appendix B Interview Matrix Appendix C Interviewer's Checklist Appendix D Management Consulting Report Appendix E Statement Forms Appendix F Written Declaration Checklist Appendix G Oral Declaration Checklist Appendix H Operative's Report Checklist Appendix I Drug and Alcohol Policy
Legal Issues Role of Testing in the Overall Program Biological Rationale for Testing Collection and Handling of Samples Testing Methods Laboratory Selection Appendix A A Synopsis and Explanation of the Employee Polygraph Protection Act of 1988 Appendix B Interview Matrix Appendix C Interviewer's Checklist Appendix D Management Consulting Report Appendix E Statement Forms Appendix F Written Declaration Checklist Appendix G Oral Declaration Checklist Appendix H Operative's Report Checklist
Role of Testing in the Overall Program Biological Rationale for Testing Collection and Handling of Samples Testing Methods Laboratory Selection Appendix A A Synopsis and Explanation of the Employee Polygraph Protection Act of 1988 Appendix B Interview Matrix Appendix C Interviewer's Checklist Appendix D Management Consulting Report Appendix E Statement Forms Appendix F Written Declaration Checklist Appendix G Oral Declaration Checklist Appendix H Operative's Report Checklist
Biological Rationale for Testing Collection and Handling of Samples Testing Methods Laboratory Selection Appendix A A Synopsis and Explanation of the Employee Polygraph Protection Act of 1988 Appendix B Interview Matrix Appendix C Interviewer's Checklist Appendix D Management Consulting Report Appendix E Statement Forms Appendix F Written Declaration Checklist Appendix G Oral Declaration Checklist Appendix H Operative's Report Checklist
Collection and Handling of Samples Testing Methods Laboratory Selection Appendix A A Synopsis and Explanation of the Employee Polygraph Protection Act of 1988 Appendix B Interview Matrix Appendix C Interviewer's Checklist Appendix D Management Consulting Report Appendix E Statement Forms Appendix F Written Declaration Checklist Appendix G Oral Declaration Checklist Appendix H Operative's Report Checklist
Testing Methods Laboratory Selection Appendix A A Synopsis and Explanation of the Employee Polygraph Protection Act of 1988 Appendix B Interview Matrix Appendix C Interviewer's Checklist Appendix D Management Consulting Report Appendix E Statement Forms Appendix F Written Declaration Checklist Appendix G Oral Declaration Checklist Appendix H Operative's Report Checklist
Testing Methods Laboratory Selection Appendix A A Synopsis and Explanation of the Employee Polygraph Protection Act of 1988 Appendix B Interview Matrix Appendix C Interviewer's Checklist Appendix D Management Consulting Report Appendix E Statement Forms Appendix F Written Declaration Checklist Appendix G Oral Declaration Checklist Appendix H Operative's Report Checklist
Laboratory Selection Appendix A A Synopsis and Explanation of the Employee Polygraph Protection Act of 1988 Appendix B Interview Matrix Appendix C Interviewer's Checklist Appendix D Management Consulting Report Appendix E Statement Forms Appendix F Written Declaration Checklist Appendix G Oral Declaration Checklist Appendix H Operative's Report Checklist
Polygraph Protection Act of 1988 Appendix B Interview Matrix Appendix C Interviewer's Checklist Appendix D Management Consulting Report Appendix E Statement Forms Appendix F Written Declaration Checklist Appendix G Oral Declaration Checklist Appendix H Operative's Report Checklist
Appendix B Interview Matrix 12 Appendix C Interviewer's Checklist 13 Appendix D Management Consulting Report 14 Appendix E Statement Forms 14 Appendix F Written Declaration Checklist 14 Appendix G Oral Declaration Checklist 14 Appendix H Operative's Report Checklist 14
Appendix C Interviewer's Checklist Appendix D Management Consulting Report Appendix E Statement Forms Appendix F Written Declaration Checklist Appendix G Oral Declaration Checklist Appendix H Operative's Report Checklist
Appendix D Management Consulting Report 13 Appendix E Statement Forms 14 Appendix F Written Declaration Checklist 14 Appendix G Oral Declaration Checklist 14 Appendix H Operative's Report Checklist 14
Appendix E Statement Forms 14 Appendix F Written Declaration Checklist 14 Appendix G Oral Declaration Checklist 14 Appendix H Operative's Report Checklist 14
Appendix F Written Declaration Checklist 14 Appendix G Oral Declaration Checklist 14 Appendix H Operative's Report Checklist 14
Appendix G Oral Declaration Checklist 14 Appendix H Operative's Report Checklist 14
Appendix G Oral Declaration Checklist 14 Appendix H Operative's Report Checklist 14
Appendix H Operative's Report Checklist
••
Appendix i Diug and Alconol i Oney
Appendix J Telephone Application Form 13
Appendix K Client Checklist 13
Appendix L Consent to Search
Appendix M Waiver 10
Appendix N Drug-Free Workplace Act of 1988