



# Helping Hands



## Drug Use and The Workplace

(excerpts from Human Resources Executive OnLine - "Legal Clinic, by Keisha-Ann G. Gray, February 27, 2015)



Employers across the board are concerned with making sure their employees are drug- and alcohol-free on the job. It has been shown that an employee under the influence of drugs or alcohol is more likely to be dangerous to themselves and other employees, be unproductive and perform poorly. The laws governing drug testing in the workplace are made up of a patchwork of several different federal statutes and state law.

The Drug Free Workplace Act is a federal statute that requires companies who do business with the federal government to guarantee a drug-free workplace through steps like establishing a drug-free awareness program for employees, publishing a drug-free policy statement, and imposing penalties on employees convicted of a criminal drug violation in the workplace. See 41 USC §§ 8101-8106. The DFWA does acknowledge drug testing as a component of a successful drug-free workplace. Many employers voluntarily follow the prescribed steps to creating a drug-free

workplace including publishing drug-free policy statements in employee handbooks. There is also the Omnibus Transportation Employee Testing Act of 1991, which requires drug and alcohol testing for safety-sensitive transportation employees in aviation, trucking, railroads, mass transit and other transportation industries.

The Drug Free Workplace Act requires compliance from federal contractors and grantees. Many employers choose to include a clear and express Drug Free Workplace Policy in their employee handbooks, and communicate to employees that theirs is a drug free workplace. Doing so puts employees on notice that drug and alcohol use are not conducive to a successful working environment, and may help reduce the incidence of employees showing up to work under the influence. Employers may also choose to follow and distribute a drug testing policy, including an express notification that failing to consent to a drug test may be grounds for discipline, up to and including termination.

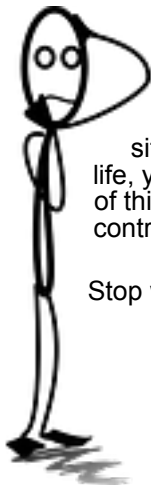
Prescription drug use is allowable under most circumstances. Appropriate prescription drug use is determined by the prescribing physician. Use of pain killers and other drugs that can potentially affect performance at work is acceptable as long as the prescription is expressly followed. However, prescription drug abuse is considered illegal drug abuse. See, e.g., *Nielsen v. Moroni Feed Co.*, 162 F.3d 604, 611, fn. 12 (10th Cir. 1998 stating "illegal drug use includes the illegal misuse of pain-killing drugs which are controlled by prescription as well as illegal street drugs like cocaine"). This means that using more of a prescription drug than is prescribed — taking a double dose, for example would be considered inappropriate use of the drug. Inappropriate use of a prescribed drug can result in a positive drug test, even though you have a prescription for the drug. Should you be tested at work and the amount of prescribed drug in your system is more than would be expected from the prescribed amount, it would result in a positive drug test because you would be considered to be "abusing" your prescription. If an employer has a reasonable suspicion that an employee has an ongoing problem of abusing prescription drugs, it is permissible to require an employee to submit to drug testing.



Your IAM Employee Assistance Program representatives are available to answer questions about a variety of issues (see page 2 panel). Local contact numbers appear elsewhere in this publication. Please contact any of the people listed with questions and concerns you may have.

## Anxiety

(excerpts from [HelpGuide.org](http://HelpGuide.org), How to Stop Worrying Self-Help Strategies for Anxiety Relief)

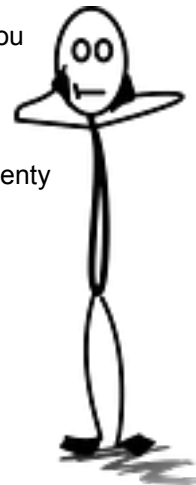


We all know what anxiety feels like. Your heart pounds before a big presentation or a tough exam. You get butterflies in your stomach during a blind date. You worry and fret over family problems or feel jittery at the prospect of asking the boss for a raise. These are all natural reactions.

However, in today's hectic world, many of us often feel anxious outside of these challenging situations as well. If worries, fears, or anxiety attacks seem overwhelming and are impacting your daily life, you may be suffering from an anxiety disorder. Fortunately, in addition to anxiety treatments, there are plenty of things you can do to help yourself and reduce your anxiety symptoms, control anxiety attacks, and regain control of your life. Here are some ideas about how to address worries:

Stop worry by questioning the worried thought:

- What's the evidence that the thought is true? That it's not true?
- Is there a more positive, realistic way of looking at the situation?
- What's the probability that what I'm scared of will actually happen?
- If the probability is low, what are some more likely outcomes?
- Is the thought helpful? How will worrying about it help me and how will it hurt me?
- What would I say to a friend who had this worry?



## IAM Peer Employee Assistance Program

The heart and soul of the District 141 Employee Assistance Program is the local lodge EAP peer coordinators. These dedicated men and women volunteer their personal time to assist other union members and their families who are experiencing personal difficulties. EAP coordinators do not make clinical diagnoses or clinical evaluations, however, they are trained to make a basic assessment of your situation and refer you to an appropriate resource for a more detailed evaluation. EAP coordinators will follow up to ensure you have been able to access services that address the difficulty you are experiencing.

United Airlines EAP Airline Coordinator:  
Mike McGovern, 570-350-0497

USAir/American EAP Airline Coordinator:  
Chris Davis, 704-572-4859

Hawaiian Airways EAP Airline Coordinator:  
Maurice Masaki, 808-728-4316

District 141 EAP Director:  
Bryan Hutchinson, 303-229-5117

## How Does EAP Work?

EAP covers topics including: financial problems, marital issues, raising children or step-children, blended families, sick kids, cancer, and other medical issues stress-related illness, parents with Alzheimer's, aging issues, grief from death or loss, at-work or line of duty deaths, gambling problems, money worries, mental health matters, substance abuse, eating disorders, job burnout, workplace conflicts, depression, or suicidal thoughts.

You can access EAP services by contacting the people identified on this page. Your IAM peer coordinators are ready to help you find resources to aid with whatever you or your family may be experiencing. They will confidentially help you resolve your concern, and follow up to ensure an effective solution has been found