

Drug testing in the workplace

ASK THE AVERAGE PERSON in the drug field about workplace drug testing and they'll generally reply that it's something that only happens in America. And yet in Britain today, many companies now routinely test their employees for drugs.

This is a trend which has rapidly gained in popularity since the early nineties, as businesses across the globe follow the American lead by introducing drug and alcohol testing in a range of industries – from the obvious, legislated examples of trains, planes, bus and haulage companies, through oil and power industries, sport and the armed forces, to more controversial areas such as banks, law and accountancy firms, prisons, police forces, schools and even recruitment agencies.

We have the technology...

As well as becoming increasingly more common, drug testing is also becoming more sophisticated, and the tests are now able to identify someone as positive who last used drugs up to six weeks earlier.

Such powerful forms of surveillance, enabling employers to find out not only what employees do at work but also what they may do in their free time, is part of a whole pattern of "monitoring the body", according to Dr David Collinson, an expert in organisational behaviour at Warwick University. Employers feel increasingly free to spy on their workers, using CCTV, bugging or the recording of phone calls (often in the guise of monitoring standards or as a corollary to performance-related pay). Drug testing may be viewed as yet another aspect of this encroachment into an individual's private space.

This mirrors developments in the home, where parents who are worried by recent drug scares, are now able to test their children 'in the privacy of their own homes', without them knowing. By simply, and furtively, wiping objects such as telephone handsets with special cloths, parents can soon find out if their teenagers are drug users.

There have as yet been no reported cases of employers using such a secretive technique, and the British workplace has certainly not yet

The issue of drug testing has once again hit the headlines. But this time, it's not prisoners who will be tested. The announcement by Grampian Police that it is beginning to test recruits, officers and civilian staff has made workplace drug testing an issue for us all. It's not just 'criminals' who will be tested now, as Sarah Goode found out

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SUMMARY

Drug testing is becoming an increasingly common aspect of British life. Technological advances have allowed for modes of testing which are synonymous with surveillance and the encroachment of the working environment into an individual's private life. Testing is a huge business, but there are concerns as to whether it makes good business sense. Employer/employee relations can become strained as the balance of trust shifts against the worker.

reached the truly epic 'Big Brother' proportions of the Japanese, with its infamous toilets which analyse an employee's urine while it is still in the toilet bowl, informing the employer not only who is using alcohol or drugs, but also who has become pregnant or developed an illness.

In this country the monitoring process is far more pedestrian. Typically, there are only four occasions when a test is requested: as part of a pre-employment medical check-up, before a promotion, as part of a series of random 'spot checks' throughout the organisation, and when drug or alcohol misuse is clearly suspected in an individual. Testing is either carried out on-site, using technology similar to a pregnancy testing kit, or urine samples are sent to a specialist laboratory for analysis. In either case, a positive result requires further confirmation before being legally acceptable in court. In practice, however, such cases rarely go to court in Britain.

Big business

These techniques cost money, with a test for both drugs and alcohol and a lab confirmation of a positive result, costing up to £100 per employee. For the laboratories supplying the tests, this is big business. Roche, the international pharmaceutical giant, has moved into producing on-site testing kits, as well as Testcup, a more expensive version favoured by football clubs. Other companies, such as Unilabs and Medscreen, first developed workplace testing kits in the late 1980s, and have seen a huge growth in interest over the last decade. Hospital and government pathology labs are also getting involved, offering commercial testing services to boost their incomes.

According to John Thompson, a spokesperson for Roche, business is "gonna go through the roof", with most major companies now in the process of drawing up drug-testing policies. Roche are busy targeting the top 100 companies, while Unilabs are finding increasing interest from other areas including private schools, particularly since a recent Headmasters Conference recommended the use of urine testing for suspected drug use.

Increasing globalisation is also helping the drug testing industry. Multinationals, especially those with US-based parent companies, are keen to implement a practice which is standard in America, where a staggering 84 per cent of all companies are said to test for drugs. In Britain, although few organisations in the commercial sector openly admit to drug testing, McDonalds is reported to be 'thinking about it', and may introduce testing within the year.

Employee rights

There is, then, a general sense that Britain is poised on the brink of a massive shift in employer/employee relations, with predictions of a high take-up of testing over the next 12 months. "The actual market is vast, and it is only just beginning to take off", reports Colin Tobitt, involved in drug analysis at a large district hospital. "Heavy industry can't do it to their old employees but they do it to new employees as part of occupational screening."

Nevertheless, where drug testing is relied on as an indicator of job performance, one positive result usually means summary dismissal. Refusal to take the test also generally results in dismissal on the grounds of gross misconduct. Clearly, this has huge implications for workplace relations.

On the whole, unions have accepted drug testing, albeit as "only a small element in what employers should be doing to face the problems of alcohol and drugs at work."¹ If it is part of a supportive rather than a punitive drug policy, the argument goes, it can protect the health and safety of the vast majority of union members while also avoiding dismissals for most people who test positive. However, civil rights organisations – such as Release and Liberty – have expressed concerns that, except where there is a specific safety issue, drug testing may actually contravene international human rights legislation. Furthermore, while few people might disagree with drug and alcohol testing in 'safety-critical' posts (for airline or oil-tanker pilots for instance) these campaigners also argue that current drug-testing may be worse than useless, since it does little to show whether someone can actually perform the job and penalises

them for their leisure-time activities outside their working environment. Tests of cognitive function and hand-eye coordination, rather than of employees' urine, may ultimately be more useful.

Yes it hurts, yes it works

Alcohol and drug use are said to result in increased absence, sickness, accidents and reduced productivity. While there are no reliable costings for the time lost to business due to drug use, it has been estimated that alcohol misuse alone costs British industry between £600 and £800 million each year.²

Who wants to work for a drug testing employer if they don't trust their workers?

In an average company, something like 10 per cent of all employees may test positive for drug use (overwhelmingly cannabis), with an additional four to eight per cent having problems with alcohol. All staff are affected, including managers, as one testing laboratory has found: "management have enormously high levels of positives, mainly for alcohol, but a lot of them do have an illegal drug problem. They complain a lot when they are tested."

Unilabs claim that when testing is introduced, the deterrent effect ensures that rates drop to around one per cent, enhancing safety and employee health, as well as the company's image. Despite its cost, then, Unilabs' Frazer Jamieson claims that testing will "pay for itself within a year, three times over".

Flawed logic

The logic that testing will discourage people from using drugs does not seem to have worked in prisons, where the introduction of mandatory drug testing seems to have had no discernible deterrent effect. Clearly, a prison is not a workplace (for most of the inmates at least), but a positive test result meets with sanctions which are unwelcome to the individual in both environments. Workplace and prison testing also both have an aim which – whether implicit or explicit – is essentially the same: to stop people taking drugs. On these two counts, the lack of success of drug testing in prison can be used as a marker for its success in the wider population.

When analysing the test results from

the trial first year, the Prison Service found that the proportion of positive tests actually increased, from 37.7 per cent of all tests in February 1995 to 42.3 per cent in January 1996.³ And so, despite the money and effort pumped into drug testing in prisons, it seems that – in certain situations – testing is ineffective.

Logic may also be flawed on the precise association between drug use and impaired performance. While links are clear between blood-alcohol levels and impairment, evidence linking illegal drugs with impaired performance is surprisingly scant. Stimulant drugs may actually improve performance in some cases, while legally-prescribed tranquillisers or over-the-counter cold remedies are as likely to affect people as any illegal drugs they may have indulged in over the weekend.

Testing trust

Some employees are also sceptical of the need for testing. The company director of a major car plant in the Midlands observed wryly, "we don't go chasing what we don't need to chase." And at another car plant, the health and safety officer was keen to stress that any drug or alcohol use was always regarded as a medical issue, not a disciplinary one. Although bringing alcohol on site was likely to lead to dismissal, no testing is ever used, because:

"We need the cooperation of our colleagues in order to do the right thing. Drug testing is very much seen as destroying trust."

This is perhaps the crux of the problem – who wants to work for a drug testing employer if they don't trust their workers? Again, the parallels with the experience of prisons are revealing. As was pointed out in an article in the last *Druglink*, when drug testing became mandatory – in one prison at least – the inmates withdrew their cooperation from the voluntary testing and treatment programmes as they had lost their belief in the prison's motivation.⁴ Crucially, the issue of drug use as a medical rather than a disciplinary matter had been central to the prison's philosophy and may have helped coax prisoners back into the voluntary programmes.

The last word should be left to the testers themselves, who, curiously enough, seem to be most aware of the sensitive ethical dilemmas involved. It is a touchy subject to discuss with them – one director of a large commercial laboratory, after scolding me for 'naively' asking if he was concerned about the ethical issues, told me curtly, "I'm a good employer. I don't test my employees". ○

1. Mellish T. "The employee's perspective". *Testing for drugs and alcohol in the workplace*. Institute of Alcohol Studies, 1993.

2. Hadfield L. "Drugs, alcohol and the workplace". *Health and Safety Monitor*: 1992, 8.

3. Personal communication from the Prison Service.

4. Heyes J., King G. "Care and control: implementing a prison drug strategy". *Druglink*: 1996, 11(5), p.8-10.