



Agile Intel Group

---

## **Best Practices For Workplace Drug Testing**

### **Workplace Substance Use**

Workplace substance use refers to the misuse or abuse of substances such as alcohol, drugs, or prescription medications by employees while on the job.

It is a significant concern for employers as it can lead to various negative repercussions including decreased productivity, increased accidents and injuries, higher healthcare costs, and impaired workplace safety. Employers play a crucial role in addressing workplace substance use and promoting a healthy and drug-free environment.

Here are some strategies to address workplace substance use:

1. Develop and enforce a substance abuse policy, Clearly publish the policy in the company's Policy and Procedure Manual. Employees should establish a clear and comprehensive substance abuse policy that outlines the expectations and consequences related to substance use in the workplace. The policy should include information on

prohibited substances, drug testing procedures, employee assistance programs, and disciplinary actions.

2. Implement employee awareness and education programs: Conduct regular training and education sessions to educate employees about the risks and consequences of substance use in the workplace. These programs can help increase awareness, reduce stigma, and encourage employees to seek help if needed. Topics covered may include the signs of substance abuse, available resources for support, and the impact of substance use on productivity and safety.
3. Offer programs to assist employees: Providing access to behavioral health programs can be an effective way to support employees struggling with substance use/abuse issues. Behavioral health programs typically offer confidential counseling services, referrals for treatment, and assistance with managing personal problems that may contribute to substance use. Having a designated individual, preferably a senior supervisor, can encourage employees to seek help and prevent substance use from negatively affecting job performance.
4. Conduct drug testing programs. Depending on the nature of the work and the legal requirements, employers may consider implementing drug testing programs. These programs should be conducted in a fair, consistent, and legally compliant manner. Drug testing can help deter substance use in the workplace and identify individuals who may need assistance or intervention.

5. Foster a supportive and inclusive work culture. Employers should strive to create a work environment that promotes open communication, support, and well-being. Encouraging employee engagement, providing resources for stress management, and fostering a positive corporate culture can help reduce the risk of substance use and create a supportive environment for those seeking help.

According to a recent survey, [22% of employees surveyed admitted to using drugs or alcohol during working hours](#). 1 in 5 people surveyed revealed they had used marijuana while on the job. Workplace substance use and abuse can have significant financial, productivity, and cultural impacts on organizations.

## **North Carolina Drug and Alcohol Laws**

North Carolina law, like federal law, prohibits possession of any controlled substance, possession with intent to distribute and trafficking of any controlled substance. North Carolina has structured sentencing, with judges permitted to impose a sentence within a prescribed range depending on the class of the offense, the number of prior convictions for the individual defendant and whether there were aggravating or mitigating factors in the circumstances of the offense.

There are additional penalties whenever a drug transaction or drug law violation involves a minor. [N.C. Gen. Stat. § 90-95.4; §90-95.5; §90-95.6; § 90-95.7](#). North Carolina law provides limited immunity for a “good Samaritan.” If someone calls 911 or a law enforcement officer to

seek medical assistance for someone experiencing an overdose, they cannot be charged with any misdemeanor possession violation or a felony possession violation if they have less than one gram of cocaine or heroin. This provision is found in § 90-96.2.

## **Drug Testing Policies and Procedures**

When it comes to workforce drug testing in the United States, there are several best practices that can be followed.

1. One important practice is to have a written drug testing policy in place. This policy should clearly outline the purpose of the drug testing program, the types of tests that will be conducted, the consequences for positive test results, and the procedures for conducting the tests. Having a written policy helps ensure consistency and fairness in the drug testing process.
2. Another best practice is to use reliable and accredited laboratories for drug testing. Using accredited laboratories helps ensure the accuracy and reliability of the test results. Accredited laboratories are required to follow strict standards and procedures to maintain their accreditation, which helps to maintain the integrity of the drug testing process.
3. It is also important to ensure that drug testing is conducted in a non-discriminatory manner and in compliance with all applicable laws and regulations. This includes the following guidelines set forth by organizations such as the Substance Abuse and Mental Health

Services Administration (SAMHSA) and the Department of Transportation (DOT) for specific industries and job roles.

4. Furthermore, it is recommended to implement a random drug testing policy, in addition to pre-employment and post-accident testing[1]. Random drug testing helps deter drug use among employees, as they are aware that they can be tested at any time. This practice can contribute to a safer and drug-free work environment.
5. Privacy and confidentiality should be maintained throughout the drug testing process. Employers should ensure that the collection, handling, and storage of drug testing samples are done in a secure and confidential manner. Strict protocols should be followed to protect the privacy of employees being tested.

## **Drug Testing in North Carolina**

When it comes to drug testing in North Carolina, it is important to be aware of the state's drug testing laws and regulations. North Carolina has multiple laws that govern drug testing, including federal and state regulations. Employers in North Carolina have the right to implement drug testing policies, but it is important to ensure compliance with these laws to avoid legal issues.

Here are some best practices for drug testing in North Carolina:

- Familiarize yourself with North Carolina drug testing laws:  
Employers should have a good understanding of the specific laws and

regulations that apply to drug testing in North Carolina. This includes being aware of the Controlled Substance Examination Regulation Act, which protects individuals from unreliable and inadequate examinations and screening.

- **Develop a comprehensive drug testing policy:** Employers should create a written drug testing policy that clearly outlines the purpose of the program, the types of tests that will be conducted, the consequences for positive results, and the procedures for administering the tests. This policy should be consistent with North Carolina laws and regulations.
- **Ensure confidentiality and privacy:** It is important to maintain the privacy and confidentiality of employees throughout the drug testing process. Employers should establish protocols for the collection, handling, and storage of drug testing samples to protect the privacy of employees being tested.
- **Use reputable and accredited laboratories:** When conducting drug tests, employers should use reputable and accredited laboratories to ensure the accuracy and reliability of the test results. Accredited laboratories follow strict standards and procedures, ensuring the integrity of the drug testing process.
- **Provide clear communication to employees:** Employers should communicate the drug testing policy to employees in a clear and transparent manner. Employees should understand the expectations, procedures, and consequences of drug testing. Communication

should also include information about confidentiality and the appeals process if an employee disputes the test results.

## **Summary**

It is important for employers to stay up to date with federal, state, and local laws and regulations related to workplace substance use and to consult legal experts for guidance on compliance.

Implementing these strategies can contribute to a healthier and more productive work environment while supporting employees who may be experiencing substance use issues.