

EVERYTHING YOU NEVER WANTED TO KNOW ABOUT DRUG TESTING



Abstract

Why should your applicants have the exclusive on drug testing? They know where to buy fake urine (which, by the way, is illegal in Texas); you should at least know what goes into each screen and what it can tell you. We also include the science behind the screen, and everything you never wanted to know about drug testing.

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Everything You Never Wanted to Know

When you researched a job in HR, you never imagined you'd be dealing with issues of fake urine and prescription vs. non-prescription drugs. However, more and more companies are requiring drug screens, and it's time you knew the ins and outs.

Who performs drug tests?

Drug testing is performed by almost three-quarters of the Fortune 500, and a growing number of small to mid-sized businesses. Even though the popularity of the practice fluctuates, companies will most likely continue drug testing into the foreseeable future. Recently, as many as 71 percent of employers performed a pre-employment drug screen, while nearly half used random drug testing.¹ In the past decade, the number of Fortune 500 companies employing drug testing had doubled.² Additionally, most of these companies had been performing drug tests for seven years or more, so this is not a practice likely to fall by the wayside.

Why?

It is estimated that 75 percent of current illicit drug users ages 18 and older are employed. That means that on any given day, based on 250 workdays in a year, at least 42,000 Americans are coming to work stoned or in some altered state while on the job. In fact, a national survey of callers to the 800-COCAINE hotline found that 75 percent used drugs while at work. The federal government once claimed that if all workers ages 18-40 were administered a drug test on any given day, as many as 25 percent would test positive.

FOR THE FIRST TIME IN 10 YEARS...

The percentage of positive drug tests has increased among American workers, with much due to the increasing use of methamphetamines and marijuana.³

While each company may have their own reasons for drug testing, the reasons tend to fall into two camps—tangible and intangible.

75% OF CURRENT ILLICIT
DRUG USERS ARE EMPLOYED.
ARE THEY WORKING FOR
YOU?

National Criminal Justice Reference

¹ <http://www.globaldrugpolicy.org/Issues/Vol%205%20Issue%204/Basic-11-22Efficacy%20Study%20Publication%20Final.pdf>

² <http://www.bls.gov/mlr/1996/11/art4full.pdf>

³ <http://newsroom.questdiagnostics.com/2014-09-11-Workforce-Drug-Test-Positivity-Rate-Increases-for-the-First-Time-in-10-Years-Driven-by-Marijuana-and->

Amphetamines-Finds-Quest-Diagnostics-Drug-Testing-Index-Analysis-of-Employment-Drug-Tests



The more common tangible reasons appeal to an actuarial table. Some companies, such as those involving transportation, require drug testing for safety and liability reasons. (The Department of Transportation has some of the most rigorous drug testing guidelines.) Others drug test to receive worker's compensation discounts and insurance discounts and to avoid legal liability. Still others implement drug testing after a bad experience.

Employment drug testing is a powerful risk management tool that provides a safer, more productive workplace. It helps decrease employee turnover and absenteeism, reduces employer risk, and lowers workers' compensation incidence rates by reducing the chance for accidents and injuries. A random drug testing program can ensure that your safer, more productive workplace stays that way. While these intangible benefits may be hotly debated, the effects of illicit drugs on your employees are not.

EMPLOYEES THAT USE DRUGS ARE...

- 5 times more likely to file a workers' compensation claim
- 4 times as likely to suffer an on-the-job injury
- 10 times more likely to miss work
- 33% less productive
- 3 times more costly to the U.S. healthcare system
- Responsible for 40% of all industrial fatalities

Types of Drug Tests

The drug testing most commonly performed for employment purposes can be broken down into several categories: blood tests, hair tests, oral tests, urine tests and breath analysis. The labs are not always looking for actual drugs in these samples; mostly they are looking for drug metabolites. Once the body takes in a substance, the end product looks much different, once it passes through. Alcohol goes in as beer, gets oxidized by the liver, and comes out as water. Drugs go in the body in the psychedelic form and come out as a metabolite (see p. 9 for the mechanics of the test).

MOST COMMON EMPLOYMENT DRUG TESTS

- Urine tests
- Oral tests
- Hair tests
- Breath analysis
- Blood tests



Urine tests

A urine test, or urinalysis, is the most common test for employment purposes. Employers use collection facilities for convenience and to allow the hiring team to focus only on the results. There are two types of urinalysis—the drug screen and the drug test or confirmation. There is a huge difference between a drug screen and a drug test. The screen (EMIT) comes first and is usually followed by a test or confirmation if necessary.

Some employers, in order to cut costs, will use only drug screens. This is problematic because a drug screen is not specific, and will likely create false positives for things such as ibuprofen and poppy seeds. However, it is faster and cheaper.

Drugs Tested	Detection Time in Urine
Amphetamines	1 to 2 days
Methamphetamines	2 to 10 days (time range depends on frequency of use)
Cannabinoids (THC)	2 to 4 days
Cocaine	2 to 4 days
Phencyclidine (PCP)	14 to 30 days (longer for chronic users)
Opiates	2 days
Barbiturates	1 days to 3 weeks (short or long acting)
Benzodiazepines	3 days to 6 weeks (longer for chronic users)
Methadone	3 days
Propoxyphene	6 hours to 2 days

If you do choose to use both the screen and the test (the recommended method), you will only incur the cost of the test when an employee’s sample is marked as positive. A negative screen (no drugs) does not require additional testing. So, the added cost is not on every screen—only those that have questionable results.

The DOT and major corporations use this method—they use both the test and the screen. With this system, if an applicant shows a positive in the screen, the sample is then tested for specific substances (more on this later). The employer can then be sure that they’re not losing a great potential or current employee for a dose of cough syrup or a prescription antidepressant.

ACCURACY IN URINALYSIS
DEMANDS BOTH THE SCREEN
AND THE TEST FOR THOSE
WITH POSITIVE RESULTS. DO
YOU DEMAND ACCURACY?



Oral tests

Swab drug tests are slightly less invasive and can be randomly administered at any time and at any place. These tests are generally used to determine if you have recently used drugs and focus on drugs such as opiates, marijuana, cocaine, and phencyclidine. The disadvantage is that only those drugs that are taken 1 to 48 hours prior to the test can be detected. The advantage is that in oral tests it is very difficult to tamper with the sample and detection is instantaneous.

Hair tests

Hair tests are often used because of the longevity of the hair. They do not measure current use, but they provide the longest window of detection. Unlike the limitations of urine, oral or blood testing, hair testing is able to detect a pattern of repetitive drug use for up to 90 days. Tampering with the sample is also much more difficult than with urine testing. For these reasons, hair testing is well suited for post-accident and reasonable suspicion.

Hair testing is usually twice as expensive as urine testing, making it cost prohibitive for pre-employment purposes, but it is the most effective way to evaluate long-term pattern of use and is often strategically placed as second steps or responsive steps in a comprehensive employment testing policy. In addition to post-accident and reasonable suspicion, many employers utilize the hair testing to follow up with any tampered specimen, negative dilute, adulteration, shy bladder, or other testing issue.

As the hair grows, the toxins are trapped inside the hair and cannot be removed. Because hair grows, on average, ½ inch per month, a standard hair test covers between 30 and 90 days. If the applicant has no hair on their head, hair from the nape of the neck can be used as well.

Quest Diagnostics, a nationally known drug test provider, uses a two-tiered testing process. First, a portion of the hair specimen is screened using an Enzyme Linked Immunosorbent Assay (ELISA) - a reliable and proven methodology for routine drug testing. Secondly, any specimens that are presumptively positive in the screening process are then confirmed, utilizing another portion of the hair specimen, with either gas chromatography/mass spectrometry (GC/MS) or gas chromatography/mass spectrometry/mass spectrometry (GC/MS/MS).⁴

⁴ Information from Quest Diagnostics:

<http://www.questdiagnostics.com/home/companies/employer/drug-screening/products-services/hair-testing/hair-testing-overview>



Chandra says...

Hair tests are more accurate, but sometimes they are unrealistic in the pre-employment screening process because of the cost and the turnaround time.

WHAT IS AN EMIT?

EMIT is the acronym for enzyme multiplied immunoassay technique, the cheapest and most common drug screen used in workplace drug testing. EMIT testing is typically used by employers as a preliminary drug screen; however, the test can return incorrect results.



Breath tests

A breath alcohol test determines how much alcohol is in your blood by measuring the amount of alcohol in the air you breathe out or exhale. There are three main types of testing devices used to determine the blood alcohol concentration (BAC);

- Breathalyzer - Uses a chemical reaction involving alcohol that produces a color change
- Intoxilyzer - Detects alcohol by infrared (IR) spectroscopy
- Alcosensor III or IV - Detects a chemical reaction of alcohol in a fuel cell

Each type is given by means of a device that has a mouthpiece, a tube through which the suspect blows air, and a sample chamber where the air goes. The rest of the device varies with the type, but the results are often instantaneous. Breath tests are increasing in popularity for employment screening purposes. The disadvantage is that breathalyzers are not readily available at every collection facility and the test is relatively expensive.

Blood tests

Blood tests are used almost exclusively for the detection of current health issues such as nicotine, diabetes, HIV/AIDS, cholesterol levels, hepatitis and protein levels. It is not often used in employment screening because it is the most invasive form of drug testing, it's relatively expensive by comparison and the drug toxins can only be detected in the blood for 48 hours unless chronic use exists. Because of these factors, they are typically used in investigations of accidents, injuries and DUIs, where they can give a useful indication of whether the subject was actually under the influence at the time the blood was drawn.

HOW DOES IT WORK?

Drug tests are not actually looking for the drugs in a person's system, but for the metabolites. Let's look at what happens when a person metabolizes marijuana and how it is later detected in a drug screen.

The psychoactive ingredient in marijuana is 11-nor-D-9-tetrahydrocannabinol (THC). This is oxidized by the body and comes out as 31 different metabolites. The most prevalent form is 11-nor-D-9-tetrahydrocannabinolic acid (THCA). Marijuana is passed from the lungs to the blood stream, and while the drug is freely floating in the body in sufficient quantity a high is felt. Marijuana is liposoluble, meaning it absorbs into fat cells. The drug is stored in the fat cells indefinitely until the body burns the fat cells for energy. When the cell is burned, the drug is metabolized and released back into the blood stream. This is why marijuana can be detected for 30 days after a substantial usage with a urinalysis.

*Information courtesy of
www.drugtest-solutions.com/drug-testing-information.htm*



Sample Drug Panels Available with KRESS	
Test type	Drugs checked
5 Panel Drug Test	<input type="checkbox"/> Marijuana (THC) <input type="checkbox"/> Cocaine <input type="checkbox"/> Amphetamines/Methamphetamines <input type="checkbox"/> Opiates <input type="checkbox"/> Phencyclidine (PCP)
9 Panel Drug Test	<input type="checkbox"/> Marijuana (THC) <input type="checkbox"/> Cocaine <input type="checkbox"/> Amphetamines/Methamphetamines <input type="checkbox"/> Opiates <input type="checkbox"/> Phencyclidine (PCP) <input type="checkbox"/> Barbiturates <input type="checkbox"/> Benzodiazepines <input type="checkbox"/> Methadone <input type="checkbox"/> Propoxyphene
10 Panel Drug Test	<input type="checkbox"/> Marijuana (THC) <input type="checkbox"/> Cocaine <input type="checkbox"/> Amphetamines/Methamphetamines <input type="checkbox"/> Opiates <input type="checkbox"/> Phencyclidine (PCP) <input type="checkbox"/> Barbiturates <input type="checkbox"/> Benzodiazepines <input type="checkbox"/> Methaqualone <input type="checkbox"/> Methadone <input type="checkbox"/> Propoxyphene
12 Panel Drug Test	<input type="checkbox"/> Marijuana (THC) <input type="checkbox"/> Cocaine <input type="checkbox"/> Amphetamines/Methamphetamines <input type="checkbox"/> Opiates <input type="checkbox"/> Phencyclidine (PCP) <input type="checkbox"/> Barbiturates <input type="checkbox"/> Benzodiazepines <input type="checkbox"/> Methaqualone <input type="checkbox"/> Methadone <input type="checkbox"/> Propoxyphene <input type="checkbox"/> Ecstasy <input type="checkbox"/> Oxycodone
Breath Alcohol Test	Alcohol
DOT test	<input type="checkbox"/> Marijuana (THC) <input type="checkbox"/> Cocaine <input type="checkbox"/> Amphetamines/Methamphetamines <input type="checkbox"/> Opiates <input type="checkbox"/> Phencyclidine (PCP)



IF YOU'RE INTERESTED IN MORE ABOUT DRUG TESTING, OR IF YOUR COMPANY NEEDS TO ADMINISTER A TEST THAT IS NOT LISTED HERE, PLEASE CONTACT US AT INFO@KRESSINC.COM.



The Science behind Drug Tests

Once a company decides to drug test, many will simply implement according to the instructions of the provider then accept the results given. However, as with all things, you can only make a truly informed decision when you know what the screens can do (and what they can't) and how they do it.

This report is technical by necessity, but it will give you the knowledge to accurately assess the drug screens you purchase and the results delivered.

Urinalysis Drug Screen

The most common type of drug screen on the market today is manufactured by Dade Behring called the EMIT (Enzyme Multiple Immunoassay Test). A typical screen will be referred to as SAP 5-50 NIT. SAP 5-50 NIT means a substance abuse panel, 5 panels (drugs), 50 ng/ml cutoff and nitrite check. This type of test is a competitive binding assay, which utilizes enzymes for the conversion of NAD⁺ to NADH. The conversion process is measured on a spectrometer to give semi-quantitative measurement of a specific drug metabolite.

The Chemistry behind the Screen

The two possible sources of drug metabolites are from the donor and the lab. Three reagents are added to the urine sample to complete the test. Reagent 1 contains IGG anti-sheep antibody which is specific for the drug metabolite being analyzed. Reagent 2 contains the enzyme G6PD (Glucose-6-phosphate dehydrogenase) attached to the drug metabolite being analyzed and NAD⁺ (Nicotinamide Dinucleotide). Finally, the substrate G6P (Glucose-6-phosphate) is also added which is just an intermediate compound that is neither produced nor consumed, but required for the reaction to proceed.

The key result is whether the antibody reacts with the drug metabolite from the donor or the drug metabolite added by the laboratory. If the antibody reacts with the donor's metabolite, the sample is positive. If the antibody reacts with the lab's metabolite, the sample is negative. The lab's metabolite is attached to the G6PD, so when the antibody attaches to this metabolite, it blocks the active site on G6PD. When the activation site is block on the G6PD, it cannot attach to the NAD⁺, which is required for the production of NADH and thus a positive result is created.



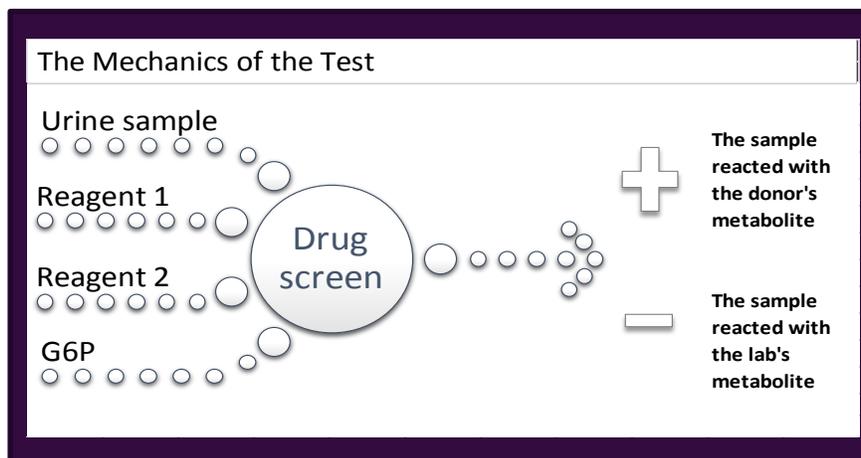
Chandra says...

Remember, there is a difference between the drug screen and the drug test. We are talking about the screen here. This is the first step of a drug testing process. It efficiently expedites a large percentage of negative results, allowing any positive results to move on to the next step.

WHAT IS A COMPETITIVE BINDING ASSAY?

A competitive binding assay test utilizes two types of drug metabolites competing for one antibody. One metabolite is provided by the donor, and one is provided by the lab. If the donor's metabolite reacts with the antibody, the test is positive. If it reacts with the lab's, the test is negative.





Positive

In a positive test, the antibody has been consumed by the donor's metabolite in the sample and cannot react with the lab's metabolite on the G6PD. The G6PD's active site is free allowing NAD⁺ to bind and subsequently be reduced to NADH. The NADH gives off a distinctive color, which is absorbed by light at the 340 nm wavelength. The spectrometer measures the change in absorbance per minute and determines whether the sample is positive based on a previous baseline of the urine being analyzed.

Once a positive test is returned, the screen is completed and the test is implemented. A urine drug test is executed via the gas chromatography/mass spectrometer (GC/MS) to provide confirmation of the results.

False Positive

False positive is a technical term for a substance which tests positive falsely for another compound. A common example is poppy seed testing positive for opiates. This would be a false positive. This is the purpose of the confirmation step of the drug test, which utilizes the GC/MS. The GC/MS can differentiate between Ibuprofen and marijuana, or poppy seeds and opiates.

Examples of false positives created by over-the-counter (OTC) medications include:

- Marijuana - OTC NSAIDs (non-steroid anti-inflammatory drugs) such as Ibuprofen, Advil, Nuprin or Pamprin.
- Amphetamines - OTC remedies that contain ephedrine, pseudoephedrine, propylephrine, or desoxyephedrine. These medications include Nyquil, Contac, Sudafed, and Allerest 12 hour, Tylenol Sinus Gelcaps, Vicks inhaler.
- Cocaine - prescription antibiotic Amoxicillin.
- Opiates - Emprin, Tylenol with codeine, rifampicin, prescription with vicodin, Percodan, percoce, wygesic.

WHAT IS A SPECTROMETER?

A spectrometer is a piece of scientific equipment that shines a beam of light through the urine sample. The amount of light that passes through the sample is termed "transmittance", i.e., transmitted through the sample. The light that does not pass through the sample is termed absorbance, i.e., absorbed by the sample.

The change in absorbance per minute is the parameter measured to determine if a sample is positive or negative.

The GC/MS (gas chromatography/mass spectrometer) is actually two pieces of equipment used in conjunction. This equipment is very complex and usually costs between \$100,000 and \$200,000. For this reason, there are only a handful in each large city, usually found at universities and hospitals.



- Barbiturates - Fiorinall for tension headaches or Phenobarbital, Dilantin.
- Benzodiazepines - most prescription sleeping pills and anti-anxiety medications.

After the drug test is executed, employers can see the difference between poppy seeds and opiates. There are no false positives in a drug test, and an employer can truly hire with confidence.

Negative

The antibody does not bind with anything because the sample is clean. The antibody reacts with the lab's metabolite. The antibody attaches to the metabolite, which is attached to G6PD. The antibody binds the active site of G6PD. Because the site is blocked, the NAD+ cannot bind and be converted to NADH. With no NADH present, the spectrometer reads a nominal absorbance change, and the sample is negative.

Other Results and Implications

While it would be simple if every drug screen came back positive or negative, this is not the case. At the end of each screen, a medical review officer, or MRO, is required to review every screen. There are a number of results the test may return, and it is up to the MRO to consult with the donor and determine what result will be reported to the employer.

Non-contact positive

If the screening company receives a result back from the lab and one of the drugs tested came back positive, a MRO review is necessary. The MRO will reach out to the donor for an MRO interview process. The MRO will ask about a legitimate reason then request supporting documents and/or additional information on the test. If a legitimate reason is found, the result is downgraded to a negative. If they cannot contact the donor, they release it as a non-contact positive.

Lab reject

The lab is sent the sample but it cannot be tested because the information provided is not correct or if the specimen is damaged in some way. This can be remedied by an affidavit unless there is a fatal error—the lack of a signature is one example. In the case of a fatal error, a retest is required.

Test cancelled

There was some sort of chemical interference with the sample (the type of chemical interference will be listed on the sample). In most of these cases the MRO will request an observed sample.

WHAT IS AN MRO?

An MRO is a licensed physician who has an extensive knowledge of drug testing and disorders who is ultimately responsible for interpreting the results of each drug test. When the MRO performs federal or DMV drug screens, he/or she must not have any vested financial interest in the results of the screens.



Chandra says...

Not every person will receive a drug test. Only those samples that come back positive will then be elevated to a drug test, which involves a closer inspection with the GC/MS and the counsel and expertise of an MRO.

Drug tests are more costly and time intensive, so this delineation benefits you, the employer, and lowers the test of the drug testing process for your company while providing the most necessary and relevant information.



The types of chemical interference include:

Substitution

When “substitution” is reported on the SVT, it means the specimen provided is not characteristic of human urine. This is a common method of attempting to cheat the drug test—everything from water to animal urine has been used as a substitution. When this happens, the labs report it and the employer must then decide how to handle the situation. Most drug screening policies have no tolerance for this result, whether pre-employment or post-employment, because it is considered to be an intent to deceive.

Adulteration

Adulteration is when the applicant adds a chemical to the urine after it has been voided. Chemical additives can include almost anything, and Quest Diagnostics reports receiving samples with bleach, eye drops, vinegar, and drain cleaners.⁵ An adulterant product may be added with the intention of adversely affecting the testing reagents, and due to that intent, most drug screening policies have no tolerance for this result, whether pre-employment or post-employment.

Dilution or Negative Dilute

Dilution occurs as a result of ingestion of large amounts of water typically just before urine donation or as a result of physiological conditions. Specimens meeting dilute specifications typically are not considered questionable donations, because it simply means too much water or liquid was consumed before the test. This can happen for many reasons including drinking coffee, exercising in the morning, or intentionally consuming large amounts of water in an attempt to pass a drug test. When this happens, it is up to the company to decide how to handle the results. The candidate can be asked to retest or the company can accept the negative dilute as legitimate. (This is for non-DOT tests only.)

By law, an individual cannot be fired for continually providing samples that are too diluted. For a pre-employment drug screen, most employers will give a candidate only two chances to provide an adequate sample.

Temperature out of range

If the temperature comes back as being out of range, it means that the temperature read is not normative for human urine. The employer has the option to do another collection.

WHAT IF THIS HAPPENS TO YOU?

If you receive a drug test back that has chemical interference or a positive result, it is best to have a policy in place. Some common options for dealing with results other than false include:

Do a retest and make a required observation test

Require the applicant to pay for the next test

Require an additional test with only one hour notice.

You may be doing drug tests for a year and never have an adulterated screen come back, but it's better to be prepared.

⁵ <http://www.slideshare.net/QDES/drug-test-cheaters-presentation-aug-21-2012>



FOLLOW-UP TESTING

Employees subject to drug and alcohol testing, where the testing itself was unsuccessful for any reason or the results are inconclusive in any way, are subject to follow-up drug testing at times and frequencies determined by the company at a cost to the employee. Employees are required to sign a waiver of the right to contest any termination resulting from a subsequent positive test. Depending on the circumstances and the employee's work history/record, the company may offer an employee the opportunity to return to work, pursuant to mutually agreeable terms, or may be placed on administrative leave without pay until the company receives the test results. If the test results are negative, the employee will be paid for the time off on leave. If the employee either does not complete the follow-up testing or tests positive, the employee will be subject to immediate discharge from employment without notice, without pay in lieu of notice, and will not receive compensation for the period of the administrative leave prior to discharge.

EMPLOYERS,
REMEMBER...NO
POSITIVE RESULT WILL
EVER BE REPORTED
WITHOUT THE
CONSULTATION OF THE
MRO. IT IS ULTIMATELY
HIS OR HER DECISION,
OFTEN MADE IN
CONJUNCTION WITH A
DONOR INTERVIEW,
THAT DETERMINES THE
RESULTS REPORTED.

Invalid Results

If a result is not suitable for testing, the lab will return an invalid result. The invalid result can be caused by any of the following circumstances:

- The specimen is unsuitable for testing (e.g., physical appearance of the specimen is unacceptable and may affect the ability to analyze the specimen);
- Valid initial drug test results cannot be obtained (e.g., a laboratory is unable to obtain a valid initial test result for each initial test and cannot specifically identify the cause); or
- An unknown substance interferes with the confirmatory test.⁶

When an invalid result is shown in the screen, the MRO is again consulted. THE MRO then has the responsibility to contact the donor and make a determination after the interview. If the donor cannot be contacted, there is a procedure the MRO then has to follow.

⁶ <http://www.drugtestinfo.com/images/Resources/MRO%20Manual.htm>



An Employer's Perspective on Performing Drug Tests

Once you've decided to perform drug testing, it's time to implement. Most drug screen providers will advise their clients on how to best perform the drug screen, but again, it is best if you know what will happen before it does. Also, each state has its own laws that dictate how HR must prepare for screening, notify employees or prospective employees, and execute the screens.

If you are unsure about the state regulations that apply to your company's drug screens, please see the attached document, courtesy of SHRM.

Before the Screening

Some companies will give an individual a particular number of days' notice for a pending drug test. This is usually a sign that the donor will be providing a sample off site. The collection site and laboratory where the urinalysis is performed are usually two different places. Less than 5 percent of all samples have a drug test with a GC/MS performed in the same facility where the sample is collected.

The Day of the Screening⁷

The area must be secure.

The chain of custody form must be completed and shipped with the specimen.

An employee's direct supervisor may not serve as the collection site person unless it is impracticable for any other person to perform this function. The collection site person is the individual that ensures that the urine specimen is collected according to required procedures.

A "split sample" of urine is collected. In the split sample method the urine specimen is divided into two containers. The purpose of the split sample is to allow the employee the opportunity to have the specimen retested at a different certified laboratory.

An employee must provide at least 45 ml (milliliters) of urine. Failure to provide an adequate amount of urine is considered a



Chandra says...

Testing is more successful if the candidate:

Makes an appointment at the chosen collection facility for the test

Brings the registration to the collection facility, either electronic or print

Drinks 8 – 20 oz. of water 45 minutes before the test

If your candidate is required to take a breath alcohol test, they should confirm that a breathalyzer is available at the chosen testing facility before going to the appointment.

⁷ All subsequent information on the screening procedures are courtesy of AFSCME



refusal to submit to a controlled substance test and the employee is considered to have engaged in actions prohibited by these rules. If the employee is unable to provide the minimum amount of urine, the collection site person is to have the employee drink up to 24 ounces of fluid and try to provide a sample within two hours. If the employee is still unable to provide a complete sample, the test is stopped and the employee is sent for a medical evaluation to determine if there is a legitimate reason for failure to provide a specimen or there is a refusal to submit a specimen.

After the Test

After the test is complete, three parties are essential: the MRO, the employee and the employer.



The Medical Review

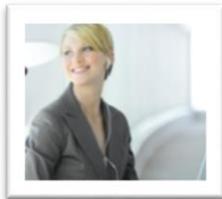
During the medical review, a certified MRO must review the results. As part of the review process, they must contact the employee or applicant to better understand the reason for the results.

During this interview, the employee may reveal information that will confirm a positive result or

give the MRO substantial cause to request a further review.

Additionally, a MRO may report a positive result as negative if he or she believes there is sufficient cause for such a decision.⁸

The employer will only receive the test results after the initial review and the employee/ applicant call or discussion has been completed.



The Employee Review

The employee/applicant has the right to review the results of the sample and, if they disagree with the results, they can request another test within 72 hours from the medical officer.

Because of the detrimental results of failing an employment drug test, there are numerous

articles out there with tips for defending against a positive drug test and how to protect the right to privacy.



The Employer Review

At this point, it is absolutely essential to understand your state laws and the laws specific to your industry. Take the time to carefully review the laws as well as the test results.

WHAT IS “REASONABLE CAUSE OR SUSPICION” TESTING?

Any employee who is reasonably suspected of using alcohol or illegal drugs or of abusing controlled substances in the workplace or while performing official duties while under the influence of alcohol, illegal drugs, or abused controlled substances will be required to undergo an alcohol and/or drug test.

“Reasonable cause” exists when an employee exhibits patterns of behavior that suggest impairment from drug or alcohol use or when job performance or safety is affected. An employee may be requested to take a drug or alcohol test if management officials or supervisors have reasonable cause to believe that the employee’s faculties are impaired while at work due to drug and alcohol use.

An employee who refuses to consent to an alcohol or drug test will be discharged from employment.

⁸ <http://www.afscme.org/members/member-resources/worker-rights/procedures-for-drug-testing>



Preparation for the unknown is what HR does best. In addition to the standard policy verbiage, it is highly recommended that your policy include procedures for reasonable cause or suspicion testing, as well as follow-up testing for less than ideal results. Many employers find that when they require employees to pay for subsequent or follow-up testing, it reduces the need for such testing as the employees are motivated for first-time success.

Employees are the most valuable resource of any organization, and the health and safety of those employees is a serious concern.

Employees who abuse alcohol or drugs are a danger to themselves and their coworkers. Take the necessary steps you need to prevent the adverse impact of drugs, controlled substances and alcohol abuse in your workplace with a comprehensive policy and a trusted screening partner.

About KRESS Inc.

Since 1990, KRESS Employment Screening has been empowering companies to make informed hiring decisions. We are the source for quality background checks developed to suit your needs and delivered to seamlessly integrate with your HR processes.

Our goal is quite simple--to maintain long-term relationships that give our customers a real competitive advantage, and most of all, peace of mind. KRESS is an important team member for HR professionals locally, nationwide and internationally. Visit kressinc.com for more information.

