

The Wyoming Toolkit for Substance Use Prevention, Safety, and Well-being in the Workplace

A Focus on the Construction,
Mining, Extraction, and Oil
Industries in Wyoming

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Introduction

Background

Opioids are a class of drugs that derive from or mimic natural substances found in the opium of the poppy plant. These drugs, which include prescription medication as well as illegal narcotics, work in the brain to produce a variety of effects, including pain relief and a euphoric high. These drugs carry a high risk of physical dependence and addiction, a problem that is increasingly prevalent across the U.S. The opioid use epidemic has become a nationwide public health crisis. This epidemic extends its reach and impact into Wyoming's workforce, with working-age adults experiencing the highest rates of opioid use, opioid use disorder (OUD), and overdose deaths. This overuse crisis has significant economic consequences for Wyoming, leading to workforce instability and decreased productivity in our key industries including mining, construction, agriculture, and tourism. Employers face challenges associated with this substance use, such as labor shortages, increased absenteeism, decreased productivity, workplace impairment and safety concerns, and higher healthcare costs.



Workplace Prevention

Workers in physically demanding industries are at increased risk of opioid and substance use-related problems due to a combination of factors, including higher rates of injuries leading to acute or chronic pain, the stress and fatigue associated with shift work, isolation, low job security, and limited sick leave policies that lead employees to work while in pain. **Employers can play a key role in preventing and reducing the use of opioids, alcohol, and other substances among employees.** This toolkit contains strategies that employers can implement to prevent substance use-related problems, establish safe and healthy workplace environments, and improve overall employee well-being.

This toolkit, developed by TriWest Group in collaboration with Wyoming Department of Health (WDH) Community Prevention Unit (CPU), was informed by employers and employer-serving partners.

Why It Matters

Workers in the construction, mining, and oil and gas industries:

make up **1 in 5**



private sector jobs in WY.

have an **increased risk** of **injuries, accidents,** and **fatalities.**

can experience difficult physical and mental demands such as **irregular schedules, isolation, long hours,** and **intense labor.**

are more likely to receive an opioid prescription



for pain management.

have high rates of



opioid overdose deaths.

can experience **decreased productivity** and **job performance** because of opioid and other substance use.

Workplaces that focus on wellness, safety, and opioid and other substance use prevention and treatment opportunities for their employees see:

Increased productivity
Improved attendance
Improved health and wellness of employees

Cost savings
Reductions in turnover
Improved loyalty

Best Practices to Increase Employee Well-being and Prevent Opioid and Other Substance Use Issues in the Workplace

A comprehensive approach to promoting a culture of safety and well-being while also preventing opioid-related problems in the workforce includes elements of prevention, early intervention, treatment, recovery, and return to work support. However, employers can begin making a positive impact by implementing even a few of these strategies to start reducing the negative effects of opioid misuse. The eight practices and tools included in this toolkit can be tailored for specific companies and industries.



Build a culture that supports overall well-being	Limit exposure to hazards and unhealthy or unsafe behaviors	Provide employee and supervisor training	Develop written substance use policy
Provide comprehensive healthcare and pharmacy coverage	Provide employee assistance program	Develop policies and practices to facilitate treatment and recovery	Support employees' return to work

A Note About Legal Implications

It is important that employers or unions consult with an attorney before finalizing their substance use prevention program to ensure that all policies and practices are in accordance with federal and state labor laws and regulations. This includes ensuring that the program is protecting workers' health privacy, including drug test results, details about injuries, treatment plans, and return to work plans. This also includes protecting workers with disabilities including those with substance use disorder (SUD). According to regulations from the Americans with Disabilities Act (ADA), employers must provide reasonable accommodations to employees. A worker who is taking prescription opioids or medication for SUD may qualify for an accommodation. Some employers are required to offer Family Medical Leave Act benefits, in which employees receive time off for medical or family reasons without the risk of losing their health insurance. However, requirements differ depending on the size and other characteristics of the company.

Best Practice 1: Build a Culture That Supports Overall Well-being

Developing a culture of care or a culture of health and wellness influences and significantly impacts the effectiveness of the subsequent best practices described in the toolkit. This requires commitment at the leadership level to develop policies, programs, and education that support the well-being of the workforce.

A culture of care aims to support and foster employee well-being while mitigating the risk of substance use. A crucial aspect of developing this culture is working to **reduce stigma** around physical and mental health, including substance use. In doing so, it creates a safe space where employees feel comfortable discussing their concerns, allowing them to get the help they need and preventing workplace incidents or injuries. Implementing strategies to decrease stigma creates a more supportive environment, leading to improved overall health and well-being, improved absenteeism, and increased productivity.

Employers can start by using WDH's Let's Talk Wyoming [Safety Moment Resources](#) that include short (around 3 minutes) videos and discussion guides about substance use, mental health, and building a culture of safety and well-being. This series is specifically for workers in heavy industries such as construction, mining, and oil and gas. Employers can use these resources during regular safety meetings without much extra planning to begin to incorporate messages on safety and well-being into their workplaces and normalize discussing these topics as a team. Additional resources are available in the table below.

Building a culture of care involves promoting many aspects of well-being:

- Work-Life Balance
- Tobacco Cessation
- Cancer Screenings
- Sun Safety
- Physical Activity

Tools and Resources to Reduce Stigma and Promote Employee Well-being

1. [A Guide for Supervisors: Creating a Stigma Free Workplace: Mental Health](#)
2. [Resources Related to Removing Stigma: Substance Use](#)
3. [Well-being Works Better](#)
4. [Well-being in Construction](#)
5. [Center for Work, Health, and Well-being's Toolbox Talks](#)

Another important aspect of encouraging employee well-being and developing a culture of care involves **developing policies that promote healthy lifestyles and a healthy work-life balance**. The table below summarizes why employers should consider implementing various policies to promote employee well-being and provides links to sample policy templates.

Policy	Why Employers Should Implement	Link to Samples
Flexible work schedule	Flexible work schedules allow employees to schedule necessary appointments and receive medical and behavioral health care. Doing so aids in preventing further injury or future opioid prescriptions and allows employees time for other aspects of their lives, additionally increasing their overall health and well-being and allowing them to thrive both personally and professionally .	Flexible Work Policy Template
Tobacco-free	Tobacco use is the leading cause of lung cancer and preventable death in the U.S. with smoking killing approximately 480,000 people each year. On average, employees who smoke are absent 2 more days of work each year and cost employers thousands of extra dollars in lost productivity and medical expenses compared to non-smokers. Tobacco-free policies improve employee health and well-being by reducing exposure to secondhand smoke and discouraging tobacco use among its workforce. Studies have shown that tobacco-free policies help employees successfully quit using tobacco products and prevent younger workers from initiating tobacco use.	Tobacco-Free Workplace Policy Template
Workplace cancer screening	Cancer was the second leading cause of death in Wyoming in 2022, with 1,084 deaths recorded. Completing recommended cancer screenings may detect breast, cervical, lung, and colorectal cancers early, increasing the chances of successful treatment. In addition, regular screening for cervical and colorectal cancer can distinguish abnormalities that can be treated and removed during precancerous stages. Providing paid leave benefits removes barriers that might otherwise discourage employees from getting cancer screenings and making routine medical visits for preventive care. Employers who offer paid leave for cancer screening may benefit from a healthier workforce, improved productivity, and cost savings .	Workplace Cancer Screening Policy Template

Workplace sun safety

Skin cancer is the most common cancer in the U.S. with nearly all skin cancer being caused by exposure to ultraviolet (UV) radiation from the sun. On average, adults spend more than one-third of their day at their place of work; workers who spend a majority of that workday outdoors are at a much-increased risk for skin cancer. This risk can be greatly reduced if certain precautions are practiced. Protecting employees from the adverse effects of prolonged exposure to UV rays and encouraging sun safety behaviors when working outdoors **reinforces a commitment to the health, safety, and well-being of your workers.**

[Workplace Sun Safety Policy Template](#)

Workplace physical activity

Regular physical activity has significant benefits for physical and mental health, including the reduction of chronic disease and overall quality of life. On average, adults spend more than one third of their day at the workplace. Employers that encourage physical activity in the worksite have reported **less absenteeism** and **higher productivity** because of lack of illness, obesity, injury, or chronic conditions.

[Workplace Physical Activity Policy Template.](#)

Along with intentionally reducing stigma and developing policies, a third strategy to promote well-being is **getting feedback from your employees** in the form of a pre-assessment. The results of the pre-assessment can help you prioritize the development of policies and programs that center well-being. Please refer to the sample [Employee Pre-Assessment Template.](#)



Best Practice 2: Limit Exposure to Hazards and Unhealthy or Unsafe Behaviors

An essential primary prevention strategy is limiting exposure to hazards and unhealthy or unsafe behaviors to prevent injuries. This approach can enhance workers' overall well-being, increase company productivity, and decrease the need for opioid prescriptions.

Reducing exposure to hazards starts by evaluating risk and taking proper action, which could include any of the steps depicted in the chart below. These actions are intended to identify and solve potential issues before they result in harm.



The Occupational Safety and Health Administration's (OSHA) Occupational Injury and Illness Recordkeeping regulations require workplaces to maintain OSHA Form 300 logs that track work-related injuries and illnesses. The Mine Safety and Health Administration (MSHA), which has federal oversight of the mining industry, requires mine operators to report mine accidents, injuries, and illnesses using Form 7000-1. Employers can analyze this information (name, date, department, title, injury/illness type, lost work time, and amount of restricted work time) to understand workplace trends and identify improvements to prevent similar incidents in the future.

Safety and ergonomics programs have been found to reduce staff turnover, decrease absenteeism, and improve productivity, thereby offering return on investment for the employer. There are readily available resources to conduct ergonomic evaluations (see below), which have been found to be cost effective as they reduce workers' compensation claims and other related costs.

EXAMPLE: Rainwater Construction Company, Atlanta, GA

Rainwater Construction instituted the following protocols as part of its commitment to job-site safety:

- Clearly Stated Safety Protocols
- Ongoing Program Safety Program Evaluation and Revision
- OSHA 10- and 30-Hour Certifications for Ironworker and Roofing Crews
- Regular Safety Refresher Meetings
- Regular Safety Briefs, Job-Site Audits, and Training Sessions
- Job-Site Stretching and Warmups

(Rainwater Construction, n.d.)

Safety and Ergonomic Resources – Mining

[ErgoMine Audit Tool](#) includes hazard checklists, musculoskeletal disorder (MSDs) risk factor evaluation forms, and a tool to document and track corrective actions to address identified issues. The audits include specific operations at surface mining and processing facilities and make recommendations for solving any existing hazards and making ergonomic improvements.

[Simple Solutions for Surface Mine Workers](#) offers ideas for how to decrease exposure to MSD risk factors and remove opportunities for slips, trips, and falls.

Safety and Ergonomic Resources – Construction

[Revised NIOSH Lifting Equation](#) is a tool used to calculate risk for MSDs. Able to calculate risk for single and multiple manual lifting tasks, it can decrease the risk of lower back injuries. Using the tool, organizations can assess risk, establish guidelines for designing safe lifting tasks, increase workers' awareness about their tasks, and gather data for further improvement.

Enacting policies is another way to reduce the risk of injury. Employers can help prevent opioid use and promote recovery by endorsing **flexible work schedules**, which may include placing individuals who have experienced a job-related injury in a less physically demanding role until they have fully healed. Opioid overdose rates are greatest among workplaces with the highest level of physical work and the least amount of paid sick leave. **Providing paid sick leave** encourages employees to pursue appropriate medical care when needed for physical and mental health and can help reduce injuries and the spread of illnesses.

EXAMPLE: Multiple Companies Involved in Qualitative Study

A qualitative study was conducted exploring companies' experience using a model that assessed ergonomic risks related to hand-intensive work. The company representatives reported that they gained increased awareness of the risks related to their specific work tasks. One interviewee from a company that handled low-weight goods reported:

"We never thought that we could get work related disorders in the same way as those with heavier work. But even though we work with lighter products, we have a high risk, and that has not been so obvious until now. And that is really good!" (Eliasson, et al., 2021).

In addition to reducing unsafe practices to decrease the risk of injury and opioid use, employers can reduce unhealthy or unsafe behaviors by **promoting activities that support employee wellness and general well-being**. For more information, see Best Practice # 1: Build a Culture That Supports Overall Well-being and corresponding sample policies.

Best Practice 3: Provide Employee and Supervisor Training

Employee trainings can be included in new employee orientations and as part of refreshers for current employees. Ideally, opioid education is also integrated with workplace safety trainings and/or health promotion programs. Another option is to incorporate it into shorter safety talks that happen at the beginning of a shift or during weekly meetings.



Frequent and ongoing employee education is crucial to ensure awareness of this issue and enable quick access to relevant information when needed. At minimum, these trainings should focus on the importance of employee wellness and safety, the risks of opioids, and awareness of related company policies. Additional training topics an employer could add on include alternative pain management approaches, how to access confidential care, how to discuss prescriptions with physicians, how to ask for non-opioid pain treatment options, how to access employee assistance program (EAP) benefits and community resources, and how to administer naloxone.

There are many industry-specific resources available (see below). These resources are ideally accompanied by sessions that discuss company-specific programs and policies related to substance use.

Safety and Well-being Resources

[Workplace Wellness Resources](#)

[Safety and Health Videos](#)

Opioid-Related Training and Resources by Industry

[Opioid Hazard Awareness Training \(Mining\)](#)

[Opioid Awareness Training Program \(Construction\)](#)

[Opioid Response Awareness Training Program \(General\)](#)

[Opioids & Substance Use: Workplace Prevention & Response \(General\)](#)

Opioid Prevention Resources to Get the Job Done (General)

Training Tools and Resources for Supervisors

1. [WDH's Let's Talk Wyoming Safety Moment Discussion Guides and Videos](#)
 2. [Safety Culture and Safety Climate Resources and Video](#)
 3. [Reasonable Suspicion Training for Supervisors Video](#)
 4. [National Safety Council Opioids at Work Employer Toolkit: Training Supervisors](#)
 5. [National Association of Home Builders Supervisor Training: Addressing Opioid Misuse at the Worksite Intervention Toolkit](#)
 6. [National Safety Council: Impairment Recognition and Response Training for Supervisors](#)
 7. [Mental Health First Aid Training](#)
-

Supervisors and managers should also receive training on identifying signs of impairment and how to intervene. There are many available resources to support this best practice (see above for examples). Although some of these resources focus specifically on identifying impairment specific to substances, there are trainings available that focus on identifying signs of impairment that are due to a host of causes, including physical and emotional factors, such as fatigue or stress, which can also negatively affect employee well-being, workplace safety, and businesses' bottom line.

Employers should advise workers at the time of an injury about alternative pain treatments. Human resources, union representatives, and other personnel need to be prepared to have these discussions. Employers should provide workers with talking points to prepare them for conversations with their healthcare provider and a list of opioids by brand and generic names to help them recognize the medications they are prescribed. Refer to this opioid list developed by [ASAM](#).

Best Practice 4: Develop Written Drug-Free Policy

A formal drug-free or substance use policy within the workplace can help employers proactively prevent substance-related issues and promote a healthier work environment. Any substance use policy should explain the rationale behind the policy, consequences for violating the policy, and clear expectations for workplace behavior. A comprehensive policy ensures that employees are well informed and provides legal protection in the case of incidents. The policy should be reviewed by legal counsel, human resources, and, if relevant, labor relations. Refer here for a sample [Drug-Free Workplace Policy Template](#).



A substance use policy should include information about prescription opioid use at work and relevant restrictions on workplace tasks for individuals who are taking prescriptions. The ADA outlines what employers can ask an employee regarding prescriptions. Resource #4 in the table below details what employers can legally ask workers before hire, after an offer, and during employment regarding prescriptions, along with other resources on substance use policies.

Substance Use Policy Tools and Resources

1. [SAMHSA's Guidance on Drug-Free Workplace Policies](#)
2. [National Safety Council Opioids at Work Employer Toolkit: Sample Policy Guidance](#)
3. [Employer Guide to Preventing Opioid Harms in the Stone, Sand, and Gravel Mining Sector: Drug-Free Workplace Policy \(p. 20\) and Enhanced Drug-Free Workplace Policy \(p. 22\)](#)
4. [RTI Guidance on What Employers Can Ask Employees About Prescribed Drug Use](#)

Drug-free workplace policies do not have to include drug and alcohol testing. MSHA does not mandate drug testing. For organizations that conduct drug testing, it is best practice to develop a “second chance” or non-punitive drug testing practice (see description below). The purpose of a drug-free workplace policy is to ensure that workers are not

contributing to an unsafe work environment. The policy should outline the circumstances in which employees will be tested, testing procedures, and the consequences of a positive test result.

Steps for creating a drug testing policy include:

- review applicable legal requirements
- determine drug testing procedures
- choose the type of testing that is best suited for your organization
- choose the panel that is most appropriate for your organization
- determine the frequency and schedule of testing
- choose a lab to conduct testing
- consider “second chance agreements” (more information below)
- inform employees and job applicants of the policy
- research treatment options in the area



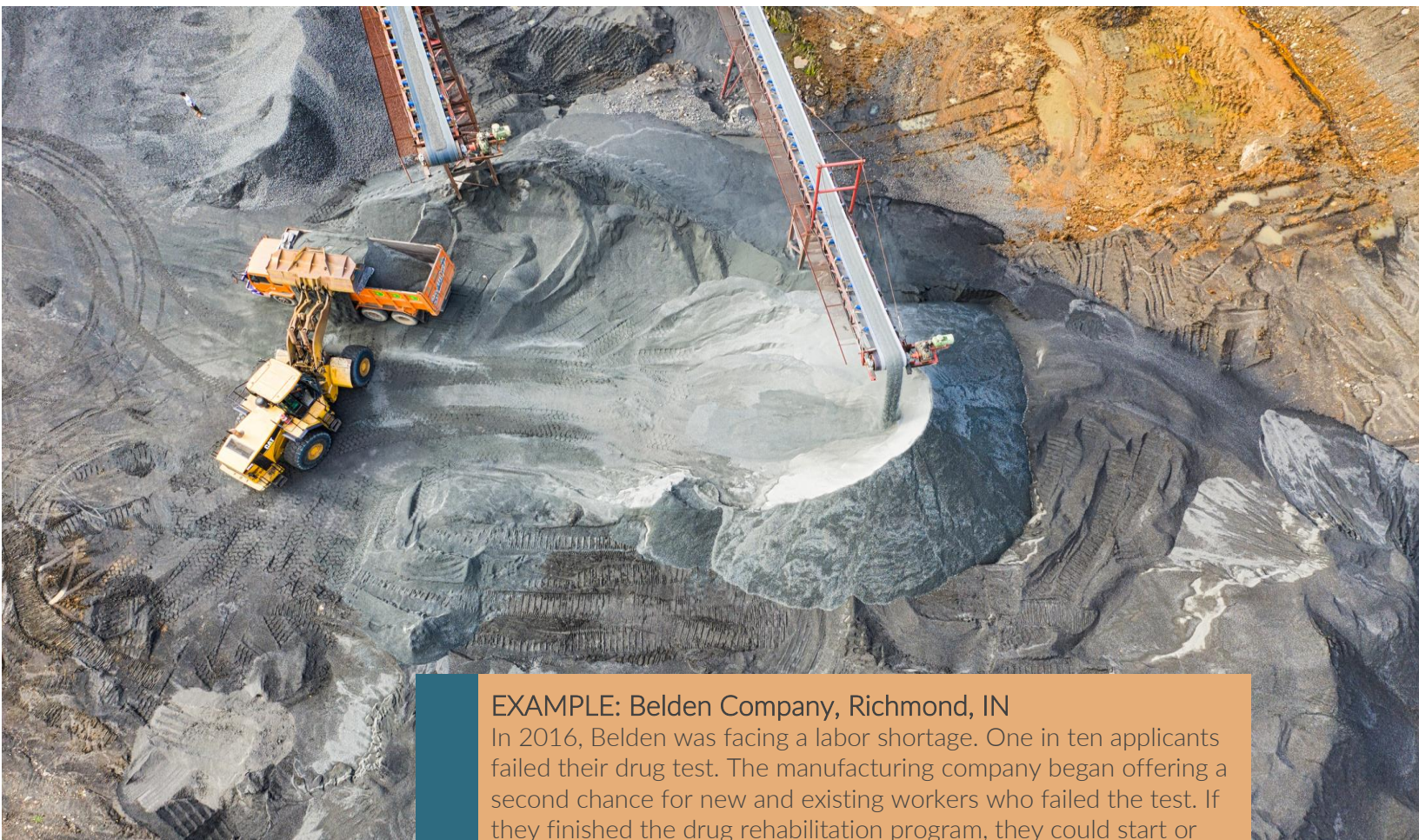
While drug testing policies aim to discourage drug use and identify users, they also serve to identify those who may need support and treatment. Employers should not use testing punitively or without reasonable suspicion. Reasonable suspicion is “direct observation of impairment or failure to participate in a random drug test.” A drug testing policy template is available with the sample templates.

OSHA regulations state that post-accident testing is not allowed unless the accident could have been related to the employee’s impairment.

A “second chance” approach sometimes referred to as “last chance,” is an alternative to a “zero-tolerance” approach that employers are encouraged to put in place. A positive drug test does not have to result in termination. If the employer offers a second chance, a

A comprehensive drug testing policy refers those with positive tests for evaluation and appropriate treatment rather than punishing them.

formal agreement outlining the expectations and plan for moving forward is established between the employer and employee. Some agreements may include requiring counseling or treatment before returning to work. This practice can help employers and employees overcome the stigma surrounding behavioral health and substance use. By offering a second chance to employees, these policies help retain valuable workers, saving employers the costs of hiring and training replacements. The sample [Drug-Free Workplace Policy Template](#) includes sample second chance language and a sample [Second Chance Agreement Template](#) is also available.



EXAMPLE: Belden Company, Richmond, IN

In 2016, Belden was facing a labor shortage. One in ten applicants failed their drug test. The manufacturing company began offering a second chance for new and existing workers who failed the test. If they finished the drug rehabilitation program, they could start or continue their employment. In one year, twenty-nine employees started the program. Of those, thirteen graduated and are fully employed, eight are still in the program, and eight left the program. “Our employees are delighted by what has been achieved for their community in just one year” (National Institute of Environmental Health Sciences, 2022).

Best Practice 5: Provide Comprehensive Healthcare and Pharmacy Coverage



An essential practice to promote a culture of safety and wellness in the workplace is providing comprehensive healthcare coverage for medical and behavioral health needs. Coverage should include evidence-based treatment across the continuum from prevention to recovery, including covering screening, brief intervention, and referral to treatment (SBIRT) in primary care offices and access to mental health services. Pharmaceutical benefits should include equal coverage of non-opioid and opioid treatment options as there is substantial evidence that the use of other pain

management methods can be effective for chronic pain (e.g., physical or occupational therapy, acupuncture, cognitive behavioral therapy). Healthcare providers, pharmacy benefits managers, and workers' compensation plans should use prescribing guidelines from the Centers for Disease Control and Prevention (CDC) and encourage alternative pain treatments.

In addition to bolstering healthcare coverage for non-opioid treatments for pain, employers should also consider benefits that provide access to effective opioid use disorder (OUD) treatment. Employers may need to coordinate with health insurers and benefit managers to increase access to OUD treatment and ensure employees can access the treatment they need by connecting them with facilities and resources covered in their health plan. Some small employers without the capacity to provide comprehensive healthcare and pharmacy coverage have developed innovative solutions, such as bringing primary care providers on-site for regular employee wellness checks.

To encourage patient-provider communication about medications, the National Safety Council offers free "[Warn Me](#)" labels. These labels, which can be add to insurance and prescription cards, provide reminders and questions for patients to ask their healthcare providers. Employers can offer these labels to employees to promote medication safety.

Healthcare and Pharmacy Coverage and Related Tools and Resources

1. [Medication Disposal Drop-Box Locations in Wyoming](#)
2. [Signs and Symptoms of Overdose](#)

Best Practice 6: Provide Employee Assistance Program (EAP)

It is best practice for employers to offer EAPs, ideally expanded EAPs, that provide confidential and barrier-free access to mental health services. EAP resources and referrals support employee well-being and increase job performance while intervening early to prevent more serious concerns from arising. Using EAPs, such as short-term counseling or referrals for additional services after an injury or stressful life event, can help resolve difficulties before they lead to unhealthy life decisions or substance use. EAP professionals can facilitate agreements between employers and employees regarding treatment, benefits extensions, and return-to-work plans, potentially including provisions for compliance and drug testing. If employers do not offer employees health insurance benefits, EAPs may be able to assist employees access treatment and recovery services through other avenues.

Employee Assistance Programs Tools and Resources

1. [SAMHSA's Guidance on EAPs](#)
2. [EAPs: Prescription Drug Toolkit and Fact Sheets](#)

Though many employers offer EAPs, workers often are not aware of their existence or how to access them. Regular review of EAP usage reports can help employers identify opportunities to increase employee awareness and utilization. For EAPs to be most effective, leadership from both management and unions should emphasize the program's accessibility, confidentiality, and benefits to employees.

CASE STUDY: RK Construction Company, Denver, CO

RK worked on changing the culture around mental health and substance use by reducing stigma and increasing knowledge. It held regular toolbox talks two to three times each week in which leadership brought up topics related to mental health and substance use and encouraged employees to share their struggles and find professional support when needed. It added [crisis intervention and EAP contact information on everyone's hard hat](#) to increase knowledge. RK credits its work with averting 15 suicides between 2014 and 2019 (National Institute of Environmental Health Sciences, 2022).



Best Practice 7: Develop Policies and Practices to Facilitate Treatment and Recovery

Although this toolkit focuses on primary prevention of opioid, workplaces should be prepared to support employees who develop OUD. Developing and implementing policies that facilitate treatment and recovery is essential for promoting a culture of wellness.

The initial priority for employers is identifying available resources and support in order to enable employee access. Evidence-based practices for treatment of and recovery from OUD and SUD include:

- medications to treat OUD (sometimes referred to as medication-assisted treatment)
- substance use screening, brief intervention, and referral to treatment
- therapeutic interventions (e.g., motivational interviewing, contingency management, cognitive behavioral therapy)
- peer support services to enhance treatment and improve outcomes

An additional step employers may take to support employees is by supporting naloxone distribution and providing training on its administration. Wyoming allows non-licensed providers to administer naloxone in an overdose emergency. Employers can assign naloxone trainings to the person responsible for first aid at a worksite; incorporate trainings into workplace emergency preparedness programs; or offer stand-alone, brief awareness and how-to trainings during a staff huddle or meeting. Trainings do not need to be long or in-depth to teach people how to spot signs of an overdose and how to

administer naloxone. More detailed information on using naloxone in the workplace is available at [Using Naloxone to Reverse Opioid Overdose in the Workplace: Information for Employers and Workers](#).

Treatment and Recovery Tools and Resources

1. [Wyoming 211](#) – Number to call/website to search for needed resources including food, housing, treatment, rent, or utility assistance
2. [988 Suicide and Crisis Lifeline](#) – Number to call or text when needing mental health or substance use crisis support
3. [Find treatment](#) – Source to search for mental health and substance use treatment
4. [Schedule a Naloxone training](#) – Information on where to get trained to use naloxone
5. [Order Naloxone](#) – Information on how to order naloxone and access to the form to request a supply of naloxone for your business
6. [Workplace Naloxone Policy Template](#) from the Wyoming Naloxone Project
7. For more information about available naloxone administration trainings, ordering naloxone, or the naloxone policy template, please contact: Angela Vaughn, chair of the Wyoming Naloxone project, at Wyoming@naloxoneproject.com or angela.vaughn@crmcwy.org.
8. Additional resources are available on the [WDH Overdose Prevention website](#)

Best Practice 8: Support Employees' Return to Work

In addition to supporting employees' treatment and recovery, employers should also support employees who are returning to work following SUD treatment or after a workplace injury. According to 2022 benchmarking data from the Society for Human Resource Management, it costs on average \$4,700 to hire a new employee; the costs are slightly higher for mining (\$5,044) and slightly lower for construction (\$4,400).

"Alternatives to discipline" programs are successful in helping workers with SUD recover and return to work. Although this may seem only beneficial to the employee and a disruption to the employer, there are advantages to maintaining people in recovery on the payroll, including benefits to the business's bottom line and higher workplace performance. People in recovery often have an increased self-awareness, dedication, resilience, compassion, and understanding. Supporting and retaining an employee with a substance use issue (regardless of whether a workplace injury preceded the substance use) can be a sound investment considering the time, effort, and money required to hire and train new employees.

Further, workers in recovery miss fewer days of work, are less likely to look for other jobs, and have lower turnover rates than the general workforce.



Companies can benefit from efforts to invest in and retain employees. This is especially true in a tight labor market with workforce shortage issues. To become a recovery-ready workplace, consider allowing temporary accommodations for employees in recovery, such as providing a different position until the employee is able to resume their normal tasks. This may include a part-time schedule while they complete treatment, or it may include different tasks while they are taking prescription medications that might impair their ability to use heavy machinery.

To do this, it is recommended to establish a formal agreement between the employer and employee with clearly documented check-ins, expectations, goals, and a plan for returning to work. Each employee's situation will be affected by their medical release and specific restrictions. To be effective, the plan should have input from the employer and the employee and have the following items at a minimum:

- Work accommodations
- Medical and job performance evaluations with specified frequency
- Length of agreement
- Medical release form with restrictions



Finally, a recovery-ready workplace intentionally decreases the risk of further substance use by providing ongoing education regarding injury prevention, encourages employees to seek help if they are experiencing signs of relapse, and ensures ongoing treatment and recovery support.

In addition to ensuring the workplace is welcoming to employees in recovery, it is also crucial to support individuals who are returning to work from injury. They may also benefit from work accommodations, such as an adjustment in work tasks while they recover from injury or a flexible work schedule so that they can attend medical appointments. Providing this type of support may reduce the risk of opioid misuse among injured employees who may otherwise feel pressured to resume their job duties and full schedule in order to maintain employment. As with employees in recovery, this can keep trained employees on the payroll and decrease the need to rehire and retrain.

It is beneficial to consult with your legal team when developing return to work agreements. In some situations, employees returning to work after treatment are protected under the ADA.

Sample Templates

The following templates are samples that can be customized for your specific company's needs and vision. It is recommended to have legal counsel review the policies to ensure they align with larger company policy and any applicable state or federal law. The templates are also available to download as individual templates on WDH's CPU at WorkWellWY.org.

- Flexible Work Policy
- Workplace Tobacco-Free Policy
- Workplace Cancer Screening Policy
- Workplace Sun Safety Policy
- Workplace Physical Activity Policy
- Employee Well-being Pre-Assessment
- Drug Free Workplace Policy
 - Drug Testing Policy Add-on
 - Second Chance Policy Add-on
- Second Chance Agreement
- Workplace Naloxone Policy

[Note to employer: Before finalizing, review and delete text inside brackets. Replace grayed out COMPANY NAME text with your company and insert logo. A flexible work policy may also be referred to as a flexible working hours policy or a flexible work schedule policy.]

PURPOSE

COMPANY NAME is committed to ensuring that we provide a positive working environment for all our employees and a culture that enables everyone to reach their potential. We want to help employees who may need flexibility with their work schedules to attend health-related appointments and to take care of family or personal obligations. Our flexible work policy outlines our provisions for employees who would like to change their work hours, days, or weeks, or to work remotely.

SCOPE

This document applies to all COMPANY NAME employees who have been cleared to work a flexible work schedule. It is important to keep in mind that, due to the nature of some work and roles, being physically present on a work site or in the office during “typical” working hours is crucial. Individuals who occupy such roles are unlikely to be able to benefit from home working or remote alternative working arrangements.

DEFINITIONS

Flexible work can refer to a number of different arrangements:

- **Flexible working time** when employees choose to shift their everyday schedule by starting the day later or leaving earlier. The total of working hours doesn't change. “Core hours” may be established during which an employee is obliged to be present at the workplace.
- **Reduced hours** when an employee works for less than the standard working hours either by fewer hours per day or by fewer days per week. In such cases salary is calculated anew depending on the new schedule.
- **Compressed week** when employees work longer hours on a number of days per week so they can take time off on the remaining days. Total working hours and compensation remain the same.
- **“Flexible year”** when an employee must work a specific number of hours per year with little limitation as to when.
- **Job sharing** when two people divide their schedule to do the same job.
- **Remote work** when an employee works from home or another off site location.

ELIGIBILITY

To determine whether an employee is eligible for flexible arrangements, we consider:

- The nature of the employee's job. For example, if the job requires attendance at specific hours or every day per week or has a full-time workload, then the employee is not eligible for flexible working hours.
- The needs of the employee's team or department. For example, some positions may require employees to be present.
- The impact on colleagues. For example, if the department's operations are largely dependent on teamwork, then the employee is less likely to freely modify his/her working schedules.
- The duration of the arrangement. For example, an employee may have flexible hours on a specific time but may have to follow standard schedule at some other time.
- The impact on customers. For example, we don't want any flexible work arrangement to have a big impact on customer satisfaction.

PROCEDURE

If an employee initiates the request for a flexible work schedule, then the following procedure must be followed:

- The employee files an official request with their manager and HR explaining the reasons for their request.
- Their manager approves/rejects their request after carefully considering the above criteria.
- HR approves.
- The employee and their manager meet to discuss details of the arrangement and set specific goals and responsibilities.
- HR puts the agreement in writing and all parties must sign it.
- The decision must be revisited and discontinued if it negatively affects productivity or efficiency of the individual or the company.

In cases where the employer does not approve of the employee's request, the employee must receive an official letter that includes the reasons why.

When the request is initiated by the employer, then the employee must be formally notified and sign the agreement along with the other parties.

Policy Contact: Contact [staff] with questions or concerns.

Effective Date: The policy is effective [date].

Review Date: The policy will be reviewed [annually].

Adapted from [Workable's Flexible Working Hours Policy](#).

[Note to employer: Before finalizing, review and delete italicized text and text inside brackets. Replace grayed out COMPANY NAME text with your company and insert logo.]

PURPOSE

A tobacco-free workplace helps to create a safe and healthy work environment for the staff of COMPANY NAME.

DEFINITIONS

“Tobacco product” means any product that is made or derived from tobacco, or that contains nicotine, that is intended for human consumption or is likely to be consumed, whether smoked, heated, chewed, absorbed, dissolved, inhaled, or ingested by any other means, including but not limited to a cigarette, cigar, pipe tobacco, chewing tobacco, snuff, snus, or vape devices.

“Tobacco products” also means electronic smoking devices and any component or accessory used in the consumption of a tobacco product, such as filters, rolling papers, pipes, and substances used in electronic smoking devices, whether or not they contain nicotine.

“Tobacco product” does not include drugs, devices, or combination products authorized for sale by the U.S. Food and Drug Administration, also known as “Nicotine Replacement Therapies.”

POLICY

The use or possession of all tobacco products (as defined above) is prohibited inside company facilities, including offices, hallways, stairways, and outside all plants and offices on company premises, including all company-owned or operated property, company vehicles, or personal vehicles transporting personnel for company business.

Tobacco product use is prohibited in personal vehicles parked on company property.

Tobacco product use is prohibited while in COMPANY NAME uniform or while otherwise representing COMPANY NAME.

Employee use of tobacco products is also prohibited on sidewalks, roads, or property that is adjoined to COMPANY NAME owned or operated property; extending 50 feet from COMPANY NAME property.

Employees are prohibited from using tobacco products during work hours, at any other time on company property, and at any work-sponsored event.

Visitors to company-owned or operated property are also prohibited from using tobacco products. Visitors will be made aware of the policy through signage posted on COMPANY NAME property.

Tobacco Cessation Programs Available

COMPANY NAME wants to support employees [and dependents] who want to quit using tobacco products by providing them access to recommended tobacco cessation programs, medication, and materials at no cost to the employee/dependent [if on company health insurance plan]. Please contact [member of the Human Resources team] at [email] for further details or visit quitwyo.org for the Wyoming Quit Tobacco Program.

Enforcement

Employers have the legal right to eliminate the use of tobacco products in the workplace to protect the health of all employees. It is the responsibility of every employee to comply with this policy. COMPANY NAME [executives, directors, managers, and supervisors] are authorized to enforce this policy during breaks and working time in a fair and consistent manner.

Employees in violation of this policy, will be subject to [disciplinary action up to and including termination of employment].

Reporting Violations of this Policy

Any violations of this policy will be taken to [Human Resources, Plant Manager, or Production supervisor] for resolution. The complaint must be submitted in writing and identify specific objections. COMPANY NAME will investigate the complaint and resolve it in accordance with the policy.

Policy Contact: Contact [staff] with questions or concerns.

Effective Date: The policy is effective [date].

Review Date: The policy will be reviewed [annually].

Adapted from the University of Kansas' WorkWell KS program's [Tobacco Free Workplace Policy Template](#)

Tobacco-Free Workplace Policy Statement of Understanding [Template]

[Insert company logo here]

[Note to employer: Before finalizing, review and delete italicized text and text inside brackets. Replace grayed out COMPANY NAME text with your company and insert logo.]

Statement of Understanding

I have read and fully understand the terms of this policy. I understand that any violation of the tobacco-use policy will be subject to [disciplinary action up to and including termination of employment]. I understand that COMPANY NAME reserves the right to make changes to this policy as may be required, without notice.

Employee Signature

Date

Employee Printed Name

Adapted from the University of Kansas' WorkWell KS program's [Tobacco Free Workplace Policy Template](#)

[Note to employer: Before finalizing, review and delete italicized text and text inside brackets. Replace grayed out COMPANY NAME text with your company and insert logo.]

PURPOSE

Early detection and screening are the best ways to prevent or find cancer in the earliest stages when treatment often leads to a cure. COMPANY NAME has adopted this policy as a way to support cancer screening for all employees.

POLICY STATEMENT

[Employer: You should regularly review cancer screening recommendations¹ and consult with your insurance provider about coverage for screening to update the list below.]

1. COMPANY NAME is committed to providing paid time off annually for employees to complete screenings for cervical cancer [and/or] breast cancer [and/or] lung cancer [and/or] colorectal cancer.
2. COMPANY NAME is committed to promoting this policy and providing its employees with evidence-based education to make informed decisions about screening.
3. COMPANY NAME is committed to implementing evidence-based interventions, such as annual reminders to eligible employees, to increase screening completion.
4. COMPANY NAME will encourage employees ages 45–75 to be screened for colorectal cancer.
5. COMPANY NAME will encourage female employees ages 21–65 to be screened for cervical cancer.
6. COMPANY NAME will encourage female employees ages 40–74 to be screened for breast cancer.
7. COMPANY NAME will encourage employees ages 50–80 years who have a 20-pack year smoking history and currently smoke or have quit within the past 15 years to be screened for lung cancer.

Policy Contact: Contact [staff] with questions or concerns.

Effective Date: The policy is effective [date].

¹ CDC/National Center for Health Statistics. (2024 October 31). Cancer screening tests. Retrieved from: https://www.cdc.gov/cancer/prevention/screening.html?CDC_AAref_Val=https://www.cdc.gov/cancer/dcp/prevention/screening.htm

Review Date: The policy will be reviewed [annually].

Adapted from Good & Healthy South Dakota Workplaces [Worksite Cancer Screening Model Policy](#)

ADDITIONAL IMPLEMENTATION GUIDELINES FOR EMPLOYERS

The guidelines below provide suggestions for implementing this policy and increasing preventative cancer screening rates among employees.

Paid Leave Requests

When providing paid leave for employees to complete cancer screening, employers may wish to request a written recommendation from the employee’s healthcare provider that includes the type of cancer screening and test. The timeframe to complete cancer screening varies by test; however, the following can be used as a guideline for paid leave requests.

Test	Length of Paid Leave
Colonoscopy	1 day
Sigmoidoscopy	1 day
CT Colonography	2 hours
FOBT, FIT, FIT-DNA (at-home stool tests)	No time off
Mammogram	1-2 hours
Pap smear	1-2 hours
Low-dose CT scan	1-2 hours

Employee Reminders

Written reminders or telephone messages letting employees know they are due for screening have proven effective at increasing cancer screening rates.² Employers can collaborate with their health plan to send reminders to employees who are due for screening. These reminders should include recommended screening guidelines, coverage of preventive services and contact information for the health plan. Employers and health plans can also track the results of these reminders to determine effectiveness.

COMPLIANCE

Use the above policy language as a guide for your worksite. Implementing a policy that will fit your worksite and benefit your employees is the overall goal and policy compliance should be considered for this purpose. Your worksite wellness committee may be the perfect group to ensure this policy will remain a priority. As mandated by the Affordable Care Act, all Marketplace health plans and all non-grandfathered health plans must cover certain preventative cancer screening services for men and women based on recommendations from the U.S. Preventive Services Task Force without charging a copayment or coinsurance.

² Community Preventive Services Task Force. (2013). Increasing cancer screening: Client reminders. Retrieved from: <https://www.thecommunityguide.org/media/pdf/Cancer-Screening-Client-Reminders.pdf>

DEFINITION OF TERMS

- **Sigmoidoscopy:** The doctor uses a short, thin, flexible, lighted tube that is inserted into the rectum. The doctor checks for polyps or cancer inside the rectum and lower third of the colon.
- **Colonoscopy:** This is similar to flexible sigmoidoscopy, except the doctor uses a longer, thin, flexible, lighted tube to check for polyps or cancer inside the rectum and the entire colon. During the test, the doctor can find and remove most polyps and some cancers. Colonoscopy also is used as a follow-up test if anything unusual is found during one of the other screening tests.
- **High sensitivity Fecal Occult Blood Test (FOBT):** This is a take home stool test that can check for tiny amounts of blood in the stool.
- **Fecal Immunochemical Test (FIT):** This is a take home stool test that can check for tiny amounts of blood in the stool.
- **FIT-DNA:** This is a take home stool test that can check for tiny amounts of blood in the stool.
- **Mammogram:** A mammogram is an x-ray of the breast.
- **Pap smear:** A sample of cells from the cervix are collected during an exam by a healthcare provider. These cells are sent to a lab to be checked by an expert for pre-cancer and cancer changes.
- **Low-Dose Computed Tomography (LDCT):** Scanning combines special x-ray equipment with sophisticated computers to produce multiple, cross-sectional images or pictures of the inside of the body. Low-dose CT uses less ionizing radiation than a conventional CT scan.
- **Pack year:** A pack year is smoking an average of one pack of cigarettes per day for one year. For example, a person could have a 20 pack-year history by smoking one pack a day for 20 years or two packs a day for 10 years.

FINAL STATEMENT

By implementing this model policy in its entirety or choosing to tailor this policy to your worksite's needs, you are taking an important step to increase cancer screening for your employees.

*[Note to employer: Before finalizing, review and delete italicized text and text inside brackets. Replace grayed out **COMPANY NAME** text with your company and insert logo.]*

PURPOSE

Skin cancer is the most common cancer in the United States. Nearly all skin cancer is caused by exposure to ultraviolet (UV) radiation from the sun. The purpose of this policy is to help prevent skin cancer by limiting outdoor employee exposure to UV radiation from the sun.

SCOPE

This policy applies to every department/division, supervisor, and employee of **COMPANY NAME**, where outdoor work or work assignments are required and there is a risk of prolonged exposure to UV radiation as a result of these activities.

POLICY STATEMENT

COMPANY NAME is committed to the health and safety of its workers. This commitment includes protecting our employees from the harmful effects associated with prolonged exposure to UV radiation.

Personal Sun Protective Equipment

For all outdoor labor occurring on sunny days—especially between 10:00 a.m. and 4 p.m. — employees will be [encouraged, required] to:

- A. Work in shaded areas, when practical.
- B. Wear sun-protective clothing that includes:
 - (1) Four-inch or more full-brimmed hats that, when worn, create a shadow that completely covers the head, face, nose, ears, and neck.
 - (2) Long-sleeve shirts and full-length pants made of tightly woven fabric that is lightweight.
- C. Wear sunglasses that protect from 100 percent of UVA & UVB (full spectrum).
- D. Carry and use sunscreen and lip balm with a minimum of SPF 15.

COMPANY NAME supervisors will assess personal protective equipment, including hats, to determine if and how they might be modified to align with recommendations for personal protective equipment to better protect outdoor workers from over-exposure to UV rays.

COMPANY NAME supervisors will provide employees personal sun protective equipment that includes sunscreen with an SPF of at least 15, SPF 15 lip balm, sunglasses, sun protective work clothing (long-sleeves and long pants), and sun protective hats.

Environment Controls

COMPANY NAME will provide shaded outdoor break areas for all employees. COMPANY NAME will provide permanent or temporary shade structures for off-site jobs whenever feasible.

As scheduling permits, COMPANY NAME supervisors will schedule outdoor work before 10:00 a.m. or after 4:00 p.m. when feasible in April through September to avoid peak sun intensity. However, scheduling constraints should not reduce productivity.

Education & Training

COMPANY NAME supervisors will provide annual sun safety training for all employees encouraging them to practice sun safety while on the job. New employee orientations will include information on UV protection, sun safety behaviors, and/or skin cancer prevention.

COMPANY NAME administrative staff will provide annual sun safety training for supervisors to (encourage, require) role modeling and reinforce use of sun-protective equipment for employees.

COMPANY NAME supervisors will post the EPA's Ultraviolet (UV) Index (<https://www.epa.gov/sunsafety/uv-index-1>) daily for employees.

Communication

The Worksite UV Protection Policy guidelines will be communicated and reinforced to employees by supervisors and administrative staff through new employee orientation, verbal reminders, posters, signs, pamphlets, email notifications, payroll stuffers, newsletters, and meetings.

Compliance

Enforcement of this policy is the shared responsibility of all COMPANY NAME personnel. All employees are authorized and (encouraged, required) to communicate and partake in the necessary precautions of this policy during the working hours to prevent and reduce the risk of skin cancer.

COMPANY NAME supervisors will understand, model and (encourage, require) employees to follow the Worksite UV Protection Policy guidelines.

COMPANY NAME supervisors will be aware of changing conditions and adjust work assignments as needed to reduce employee's over-exposure to UV radiation.

Employees will be (encouraged, required) to report sun related injuries (sunburn, heatstroke, etc.) to an immediate supervisor.

Policy Monitoring and Review

COMPANY NAME supervisors will annually evaluate and revise sun safety programs, policies and procedures. Supervisors will implement sun safety programs all year, especially during, but not restricted to, the months of April through September. Evaluation of the effectiveness of the policy should be ongoing.

Policy Contact: Contact [staff] with questions or concerns.

Effective Date: The policy is effective [date].

Review Date: The policy will be reviewed [annually].

Adapted from Cancer Prevention in Action's [Sample Policy: Sun Safety – Outdoor Worksites](#) and Good & Healthy South Dakota Workplaces [Worksite Sun Safety Model Policy](#)

*[Note to employer: Before finalizing, review and delete italicized text and text inside brackets. Replace grayed out **COMPANY NAME** text with your company and insert logo.]*

PURPOSE

COMPANY NAME encourages employees of all ages and abilities to engage in regular physical activity during their workday and at home. Employees are encouraged and supported through the following:

- **Active Meetings:** Staff organizing a (*full working day, 2-day, 4-hour meeting, etc.*) will incorporate a set amount of time (i.e., 15 or 30 minutes) for physical activity break(s) into scheduled meetings. For example, a one-hour lunch break could have 30 minutes dedicated for physical activity or for a full day meeting, two 15-minute breaks for physical activity could be scheduled.
- **Flextime for Physical Activity:** Managers and supervisors encourage and support all staff to utilize breaks and lunch periods for physical activity during the workday. In addition, managers and supervisors are encouraged to allow flexible schedules to accommodate employee physical activity, while assuring primary work is accomplished (i.e., commuters that bike/walk to and from work or those that choose to be physically active over lunch periods).
- **Allotted Staff Planning Time:** Time will be dedicated for appropriate staff to organize and disseminate information about regular and special opportunities for physical activity engagement or for environmental enhancements to support physical activity.
- **Paid Physical Activity Time:** Outside of regularly scheduled breaks, employees will be allocated time to be active each day or week. For example, outside of regular break times, employees are allowed 30 minutes per week to engage in physical activity during paid time while assuring all primary job duties are accomplished.
- **Healthy Stairwells:** Stairwells will be opened and encouraged for use during all business hours, especially during breaks throughout the day. Stairwells will be maintained, safe, visually appealing, well-lit, and easily accessible to all employees.
- **Incentives:** Employees are offered (*insert incentive details, i.e., gym reimbursement, insurance benefits, etc.*) to encourage healthy living and to encourage participation in business and/or community level wellness programming.
- **Dedicated Walking Paths and/or Signage:** Outdoor or indoor walking areas will be identified with appropriate signage to indicate safe, accessible, and attractive areas for employees to walk during business hours and or walk/bike to and from work.
- **Bike Facilities and Amenities:** Bike storage, bike racks, and other biking amenities will be provided to encourage active transportation to work, or for use during dedicated physical activity time or regular break times.

- **Physical Activity Prompts:** Messaging and prompting in various communication forms will be integrated into workplace to encourage short bouts of physical activity.

COMPANY NAME will create an environment that supports a physical activity culture in the workplace where all employees are encouraged and supported to be more physically active through:

- Supporting development and implementation of worksite wellness council or committee within COMPANY NAME.
- Support from administration to enhance and promote physical activity.
- Encouraging regular physical activity both at the workplace, at home, and recognizing the importance of work life balance.
- Making significant attempts to alter and enhance the built environment to increase and enhance physical activity opportunities for employees, which may include built environment improvements like installation of bike racks, showers, indoor/outdoor fitness equipment mapped walking routes or dedicated spaces, and/or area for physical activity engagement.
- Supporting physical activity among all employees regardless of abilities.
- Providing awareness campaigns and messaging specific to physical activity, support through wellness events and programming, and ongoing encouragement for individual wellness goals.

COMPANY NAME will ensure effective policy implementation through communication and staff education.

- This policy will be posted [insert location and how employees will access], discussed at employee meetings, promoted through multiple communication channels, and included in new employee orientation.
- Employees interested in engaging in physical activity may seek additional information from [insert business contact, i.e., human resources, worksite wellness coordinator or wellness champion] or access this policy at [insert website or office/building location].
- Learning opportunities on various physical activity topics will be provided to employees to increase knowledge, skills, and attitudes on physical activity.
- Assessments will be conducted to determine and address barriers in order to successfully implement physical activity into the workday.

Policy Contact: Contact [staff] with questions or concerns.

Effective Date: The policy is effective [date].

Review Date: The policy will be reviewed [annually].

Adapted from Good & Healthy South Dakota Workplaces [Worksite Physical Activity Model Policy](#)

[Note to employer: Before finalizing, review and delete text inside brackets. Replace grayed out COMPANY NAME text with your company name and insert logo.]

PRE-ASSESSMENT QUESTIONS FOR EMPLOYEES

1. What are your biggest health concerns?
2. Do you want COMPANY NAME to offer more information and programs to help you improve your health and help your family improve their health?
3. If we offered you wellness programs, which would you prefer and/or participate in?
 - Written or electronic information about nutrition, fitness, health insurance programs, etc.
 - Health risk assessment
 - On-site training or programs such as weight loss programs, seminars, health screenings, fitness demonstrations
 - Short-term wellness programs like walking competitions or nutrition programs
 - Changes in the work environment to support wellness, such as vending machine choices and walking paths
4. Are there any barriers you see to being able to participate in programs or wellness/annual exam visits?
5. Of the ways we currently deliver benefit information to you, what method gets your attention the most?
6. Do you have any suggestions for other ways to get information to you?

7. If we offered an incentive to participate in a program or preventive screenings, what would appeal to you (cash, merchandise, paid time off for visits, etc.)?
8. What would you recommend as the best approach for appealing to **COMPANY NAME** employees?
9. Do you think your manager would support you in participating in wellness programs? Why or why not?
10. Do you have any further suggestions?

Thank you for being a dedicated and valuable employee and taking the time to share your thoughts.

[Note to employer: This policy meets Federal Requirements for a Drug-Free Workplace. Before finalizing, review and delete text inside brackets. Replace grayed out COMPANY NAME text with your company name and insert logo.]

PURPOSE

Illegal drug use, excessive alcohol use, and misuse of prescription drugs can affect the work environment by contributing to health and safety hazards and other negative consequences. COMPANY NAME has established a drug-free workplace policy to protect the safety, health, and well-being of our employees.

POLICY

Employees of COMPANY NAME are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the Anti-Drug Abuse Act of 1988 (Public Law 100–690, 102 Stat. 4181).

[Include the following Alcohol and Drug Testing section if you intend to have alcohol or drug testing.]

ALCOHOL AND DRUG TESTING

As a condition of employment, employees of COMPANY NAME may be required to participate in alcohol and drug testing for the following reasons:

- Post-Offer, Pre-Employment

[The employer should test only after they have extended a formal offer of employment. The job advertisement or application should explicitly state the requirement of pre-employment drug testing. Applicants for employment are generally considered to have a lesser expectation of privacy than current employees. Nevertheless, before testing an applicant the employer should determine whether it has a legitimate business interest that outweighs the applicant's privacy interests.]

- Reasonable Suspicion

[Drug testing of an existing employee is generally permitted where the employer has a reasonable suspicion that an employee is under the influence while at work. Signs of impairment could include bloodshot eyes, poor coordination, drowsiness, or odor. Employers should document the basis for testing a particular employee by filling out a reasonable suspicion checklist. It is a best practice to have at least two witnesses observe the employee and sign off on the checklist.]

- Post-Accident/Injury

[Drug testing of an existing employee is generally permitted after the employee has been involved in a work-related accident or endures a work-related injury, but only where there is a reasonable possibility that the use of drugs or alcohol was a contributing factor to the reported accident or injury.]

- Random

[Generally, random drug testing violates employees' privacy rights unless the position is safety-sensitive, e.g., it requires operating a vehicle or heavy machinery. Regardless of the level of testing implemented by an employer, testing should generally be conducted under specific policies and procedures that have been made known to applicants and employees. Ideally, employees subject to reasonable suspicion, post-accident/injury, or random testing should be provided with a copy of the employer's drug testing policies and procedures upon commencing employment or upon the implementation of a new or updated policy.

Employers also should consider implementing within their policies procedural safeguards to mitigate the impact on employees and their privacy. These might include the following:

- Advance notification (for example, 30 days before implementing random testing)
- Doing all testing at a medical facility with privacy safeguards
- Providing employees only with "pass or fail" test results
- Retesting to confirm positives (split samples)
- Not terminating employees for first-time positives
- Offering employees assistance through Employee Assistance Programs
- Last Chance Agreements

Finally, employers should state in their testing policy that applicants and employees who lawfully use medication (including medical marijuana in states that permit its use) to treat a medical condition may request reasonable accommodations. However, there are no legal requirements to allow work time use of any medication that causes impairment.]

- Follow-up

[If company is instituting a Second Chance agreement option, then follow-up testing may also be required in some situations. The number and frequency of follow-up testing is directed by the substance abuse professional, with a minimum of once per quarter for one year after returning to work.]

The drug tests will screen for the following substances *[Employers: modify list to include the substances your company tests for]*: amphetamines (stimulants), opiates (analgesics), alcohol (depressant), barbiturates (depressant), benzodiazepines (tranquilizers), cocaine, and phencyclidine (PCP or hallucinogen).

VIOLATIONS

Employees substantially in violation of this policy, who test positive on a drug screening, or who refuse drug screening may be terminated or face other penalties. Continued employment may be contingent upon the satisfactory participation in a **[substance use treatment, rehabilitation, or Second Chance Agreement program]**.

[Include the following Second Chance Agreement section if you intend to allow for “second chances” in your Drug-Free Workplace Policy. A second chance policy is cost effective for employers and unions and helps them retain employees and save on hiring and training costs. A second chance is intended for employees who show a genuine desire to become drug-free before returning to work. Many employees who use substances want to stop but are not successful on their own. A second chance policy provides them an opportunity to receive the treatment and support they need to succeed. Employees who are unwilling to go to treatment or who are unable to abide by the second chance agreement may need to be terminated.³]

SECOND CHANCE AGREEMENT

Any employee who violates this policy and is subject to disciplinary action including termination may request to participate in a Second Chance Agreement. The request for a Second Chance Agreement must be approved by [Management, HR] and will be granted at the discretion of COMPANY NAME based on the totality of the circumstance. If approved, the employee must comply with the following conditions:

- Agree to receive treatment from [the Employee Assistance Program (EAP) or a substance use treatment provider], go through an initial evaluation, and agree to comply with all of the recommendations made by the provider. The first consultation must be scheduled no later than one week from the date of the agreement. All costs of medical consultation and treatment will be the responsibility of the employee and the employee’s medical insurance (as applicable). Treatment should be scheduled during nonworking hours, when possible unless approved by [Management, HR] in advance.
- If absence from work is necessary as part of the treatment or rehabilitation, the employer will designate the absence as a Family and Medical Leave Act (FMLA) absence as long as all FMLA requirements under the company’s policy, including medical certification, are met. Available accrued sick leave, vacation and personal leave will be used concurrently with the FMLA leave.
- Completion of follow-up outpatient treatment to monitor progress after return to work as recommended by the substance use provider.
- Abstain from using alcohol or controlled substances while performing job responsibilities.
- Submit to unannounced periodic, follow-up drug and/or alcohol screening as determined by COMPANY NAME for [12 months]. Refusal to submit to testing, or positive test results in violation of the drug and alcohol policy, will result in immediate termination.

³ Dale, A. M., Biver, S., & Kurtz, S. (n.d.). Workplace guidelines to prevent opioid and substance abuse for the construction trades. https://hwc.public-health.uiowa.edu/wp-content/uploads/Workplace-Opioid-Prevention-Program-Guidelines-for-Construction_v3.0.pdf

- Meet all expected job performance standards and general **COMPANY NAME** policies as established for all employees.
- Agree to sign the appropriate authorization to allow the **[HR representative]** to receive information from the **[substance abuse professional or EAP]** regarding completion of the program.

EXCEPTIONS

This policy does not apply to the appropriate use of prescription medications to manage conditions when the employee’s prescribing physician has determined that the medication (a) does not interfere with the employee’s ability to fulfill their job duties and (b) that the medication does not pose a threat to the health and safety of the employee or to others. **COMPANY NAME** will place restrictions on work tasks for employees with acute or chronic conditions who are prescribed opioids or other medications that may interfere with an employee’s ability to perform job duties safely to protect the health and safety of all employees.

DRUG-FREE AWARENESS PROGRAM

Upon hire, employees shall receive a copy of this policy and participate in training that covers:

- The dangers of drugs in the workplace
- **COMPANY NAME** policy of maintaining a drug-free workplace
- Available drug counseling, rehabilitation, and employee assistance programs
- The penalties that may be imposed on employees for violations of the policy

REQUIRED NOTIFICATIONS

As a condition of employment, the employee will:

- Abide by this policy
- Notify **[HR representative]** of any criminal drug statute conviction for a violation occurring *in the workplace* no later than 5 days after the conviction

Policy Contact: Contact **[staff]** with questions or concerns.

Effective Date: The policy is effective **[date]**.

Review Date: The policy will be reviewed **[annually]**.

Adapted from [Employer Guide to Preventing Opioid Harms in the Stone, Sand, and Gravel Mining Sector](#), [Kentucky’s Education and Labor Cabinet’s Drug-Free Workplace Policy](#), and [Iowa Illinois Safety Council and MRA – The Trusted HR Expert’s Drug and Alcohol – Last Chance Agreement](#).

[Note to employer: Employers can choose to implement a second chance agreement when an employee violates the Drug-Free Policy. Employees can choose to comply with the conditions of the agreement or choose termination. Employers should modify this form to fit the needs of their company's policy. Before finalizing, review and delete text inside brackets. Replace grayed out COMPANY NAME text with your company name and insert logo.]

On [Date], [Employee's Name] violated COMPANY NAME's Drug-Free Workplace Policy.

In lieu of terminating employment of an employee who violates the Drug-Free Workplace Policy, COMPANY NAME provides the employee a final opportunity to agree to comply with all company policies and practices. In order to retain employment, the employee agrees to comply with the following conditions:

- Agree to receive treatment from [the Employee Assistance Program (EAP) or a substance use treatment provider], go through an initial evaluation, and agree to comply with all of the recommendations made by the provider. The first consultation must be scheduled no later than one week from the date of the agreement. All costs of medical consultation and treatment will be the responsibility of the employee and the employee's medical insurance (as applicable). Treatment should be scheduled during nonworking hours, when possible unless approved by [Management, HR] in advance.
- If absence from work is necessary as part of the treatment or rehabilitation, the employer will designate the absence as a Family and Medical Leave Act (FMLA) absence as long as all FMLA requirements under the company's policy, including medical certification, are met. Available accrued sick leave, vacation and personal leave will be used concurrently with the FMLA leave.
- Completion of follow-up outpatient treatment to monitor progress after return to work as recommended by the substance use provider.
- Abstain from using alcohol or controlled substances while performing job responsibilities.
- Submit to unannounced periodic, follow-up drug and/or alcohol screening as determined by COMPANY NAME for [12 months]. Refusal to submit to testing, or positive test results in violation of the drug and alcohol policy, will result in immediate termination.
- Meet all expected job performance standards and general COMPANY NAME policies as established for all employees.

- Agree to sign the appropriate authorization to allow the [HR representative] to receive information from the [substance use professional or EAP] regarding completion of the program.

I have reviewed and agree to the conditions of this agreement. In addition, I give my consent for COMPANY NAME to obtain updates from the [substance use professional or EAP] to confirm my participation and attendance in counseling sessions in determining compliance with the terms of my second chance agreement.

Employee Date

Management/Human Resources Date

After reading this agreement, I have decided that I do not want to work at COMPANY NAME under the terms and conditions outlined above. I understand that by refusing to accept these terms, I am voluntarily terminating my employment.

Employee Date

Adapted from [Iowa Illinois Safety Council and MRA – The Trusted HR Expert's Drug and Alcohol – Last Chance Agreement](#).

[Note to employer: This policy is intended solely for informational purposes and does not constitute legal advice. It is not intended to supersede any legal or regulatory updates. Users of this template are strongly encouraged to seek professional medical advice, consult legal counsel, and familiarize themselves with both local and federal guidelines to ensure compliance with Naloxone usage in the workplace.]

Before finalizing, review and delete text inside brackets. Replace grayed out COMPANY NAME text with your company and insert logo.]

POLICY

This policy will establish guidelines and regulations governing the utilization, storage, and reporting of Naloxone Hydrochloride (Narcan), an opioid antagonist, by trained personnel within COMPANY NAME.

COMPANY NAME administrators, and employees who choose to, will be trained in the proper use and reporting of Naloxone Hydrochloride (Narcan) in accordance with Wyoming State Statutes 35-4-903 through 35-4-906.

TRAINING

COMPANY NAME administrators, and employees who choose to, shall be trained in the use and reporting of Naloxone Hydrochloride (Narcan). The training shall include the following:

- An overview of Wyoming State Statutes 35-4-903 through 35-4-906.
- Patient assessment, including signs and symptoms of an opiate related overdose.
- Universal precautions.
- Rescue breathing.
- Seeking medical assistance.
- Administration of Naloxone Hydrochloride (Narcan).
- Potential side effects of Naloxone Hydrochloride (Narcan).
- Proper reporting procedures established by the Wyoming Department of Health.

PROCEDURES

Administration of Naloxone Hydrochloride (Narcan)

1. An ambulance shall be requested to respond to scene where a person may be in a potential overdose situation.

2. Universal precautions shall be used for protection from blood borne pathogens and communicable diseases when administering Naloxone Hydrochloride (Narcan).
3. The determination of the need for treatment with Naloxone Hydrochloride (Narcan) will be evaluated by the circumstances of each incident.
4. COMPANY NAME employees shall remain with the person until EMS personnel arrive on scene. Upon arrival of EMS, COMPANY NAME shall inform EMS that Naloxone Hydrochloride (Narcan) has been administered.
5. If the Naloxone Hydrochloride (Narcan) is administered by a Good Samaritan, COMPANY NAME employees will inform the Good Samaritan prior to administering that they must stay with the person until EMT/police arrive and that their contact information will be required by COMPANY NAME.

Maintenance/Replacement

1. Kits shall be kept in a manner consistent with proper storage guidelines for temperature and sunlight exposure.
2. Regular inspection of the Naloxone kit is the responsibility of the USE APPROPRIATE TITLE HERE
3. Used, lost, damaged or expired Naloxone kits shall be reported to the employee's supervisor who shall determine if a replacement is necessary.
4. Expired Naloxone kits shall be turned in to signing provider for destruction or training.

Documentation and Reporting

1. COMPANY NAME employees administering Naloxone Hydrochloride (Narcan) shall notify the supervisor on duty/manager on duty as soon as possible after the incident is stabilized.
2. COMPANY NAME employees administering Naloxone Hydrochloride (Narcan) are required to complete a written incident report utilizing the current electronic incident software.
3. COMPANY NAME employees administering Naloxone Hydrochloride (Narcan) will report the usage through the web-based reporting system established by the [Wyoming Department of Health](#).

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Policy Contact: Contact [staff] with questions or concerns.

Effective Date: The policy is effective [date].

Review Date: The policy will be reviewed [annually].

Policy provided by the [Wyoming Naloxone Project](#).

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