



# Opioids and Their Impact on the Workplace

Presented by: Lynell Meeth, MSHR, SPHR, SHRM-SCP  
Director, HR and Content Strategy

HR  
Services

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Learning &  
Organization  
Development

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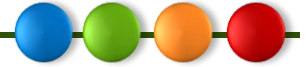


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Talent  
Management

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Total  
Rewards

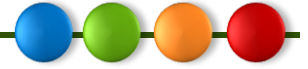


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Director, HR and Content Strategy**

Over 20 years of HR experience in areas such as talent development, performance management, engagement and retention, assessments, mergers/acquisitions, employee relations, metrics, succession planning, and diversity initiatives.

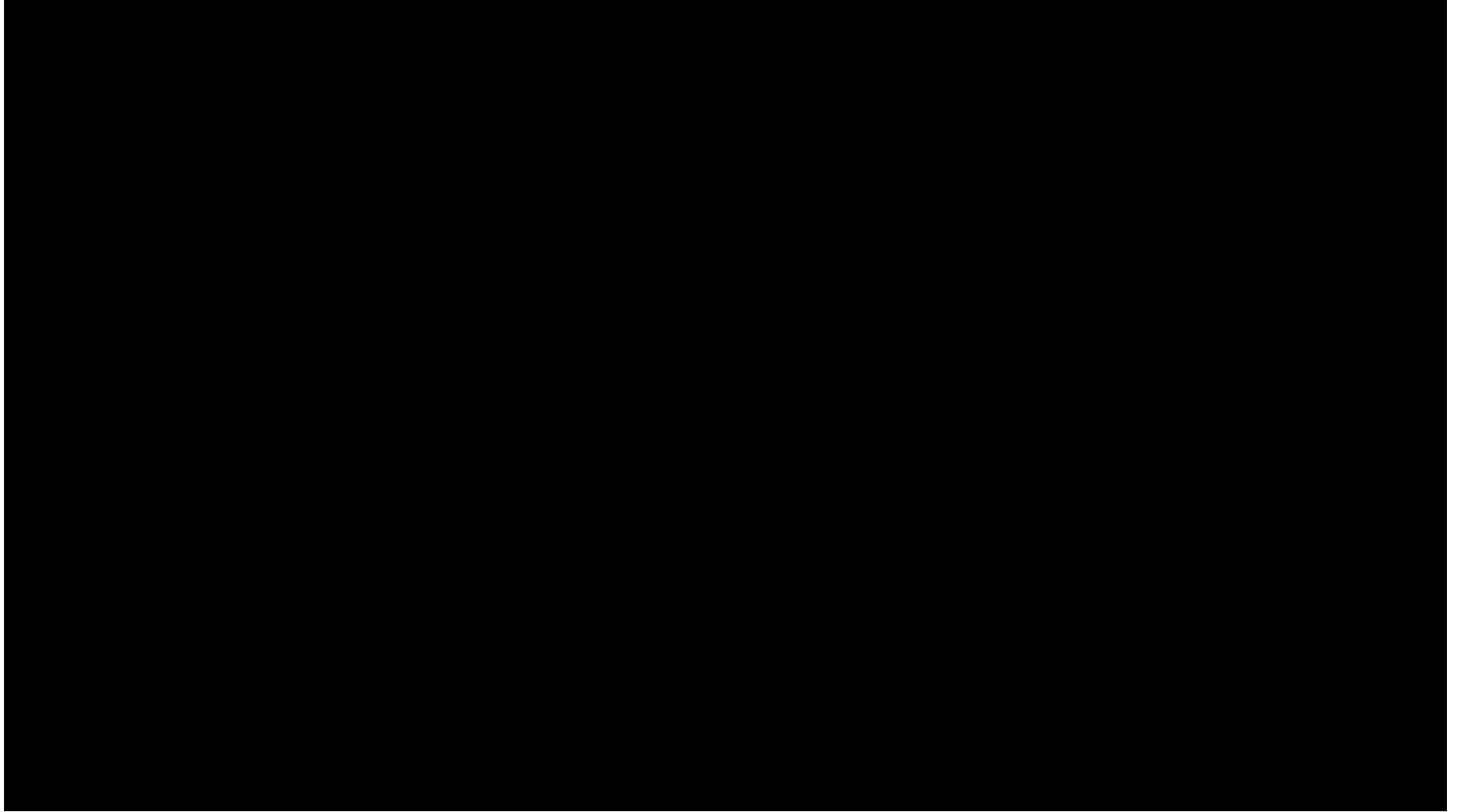
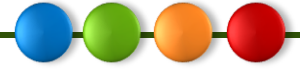


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# Agenda

- 1 Background and Statistics
- 2 The Impact on the Workplace
- 3 Drug Testing
- 4 Compliance Considerations
- 5 Workers' Compensation and Health Care Plan
- 6 Steps Employers Can Take





# Background and Statistics



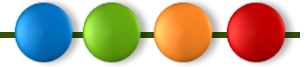


# Too Many Prescriptions



In 2015, the amount of opioids prescribed was enough for every American to be medicated  
**around the clock for 3 weeks**

Source – [cdc.gov](https://www.cdc.gov)



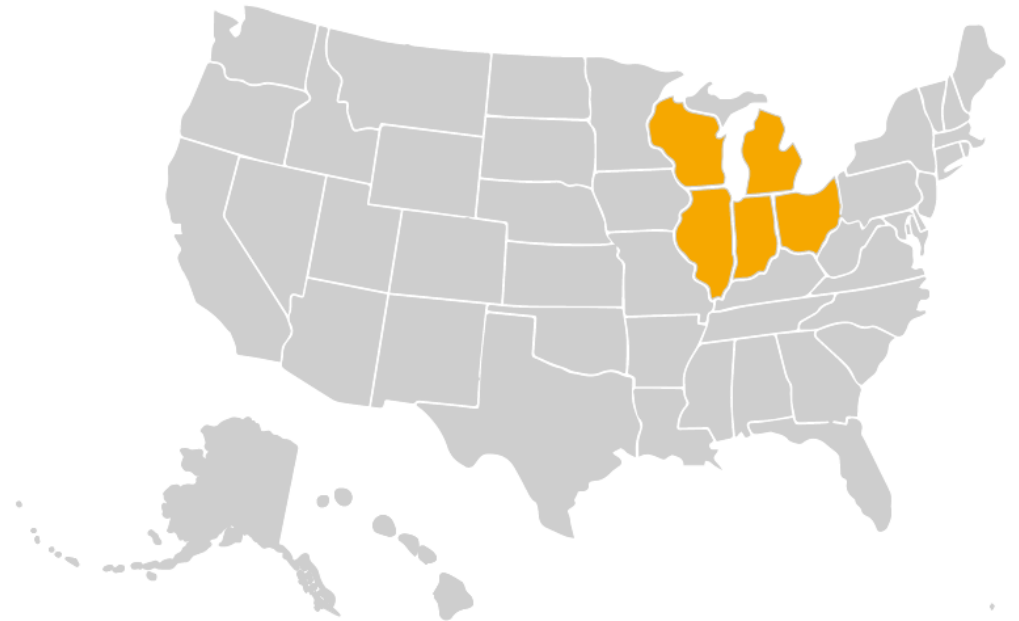
# By the Numbers

## In 2017

illicit opioid use and drug overdose was the leading cause of injury-related fatalities

## 11.4M

people misuse prescription opioids

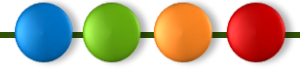


Significant increase in drug overdose death rates in the Midwest

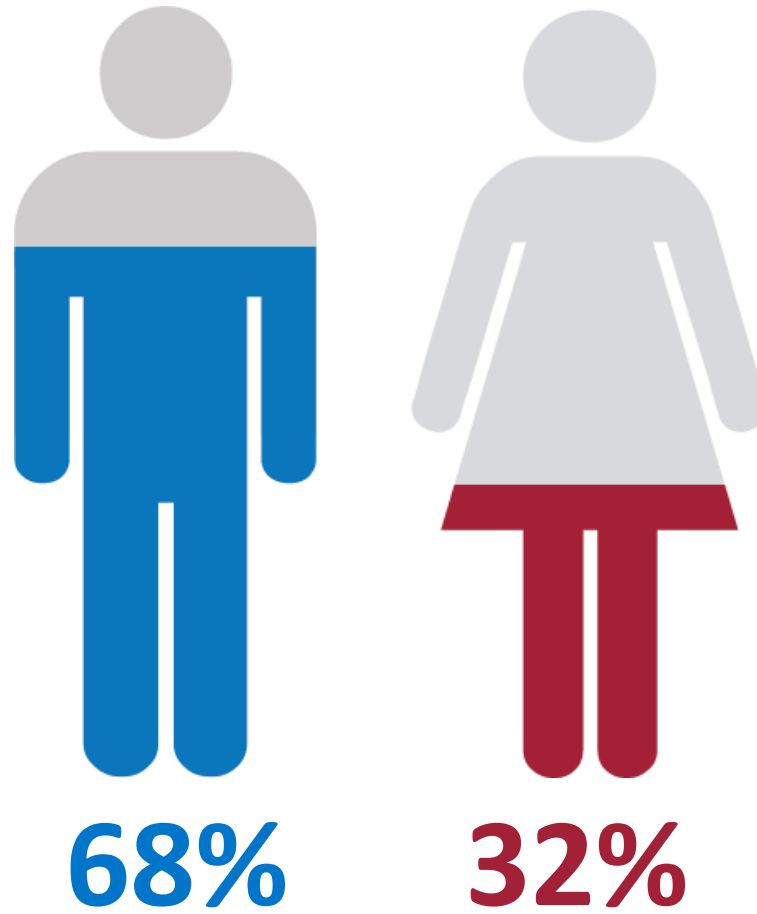
Source – [cdc.gov](https://www.cdc.gov), [nsc.org](https://www.nsc.org), [hhs.gov](https://www.hhs.gov)

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# Increase in Opioid-Related Deaths

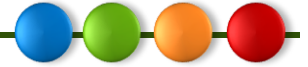


Source – cdc.gov



# Workplace Impact



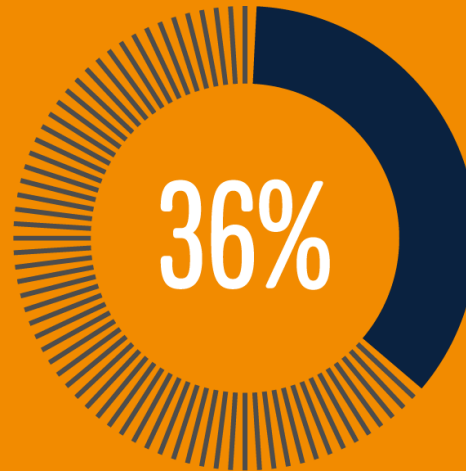


# Opioid Use: Workplace Impact

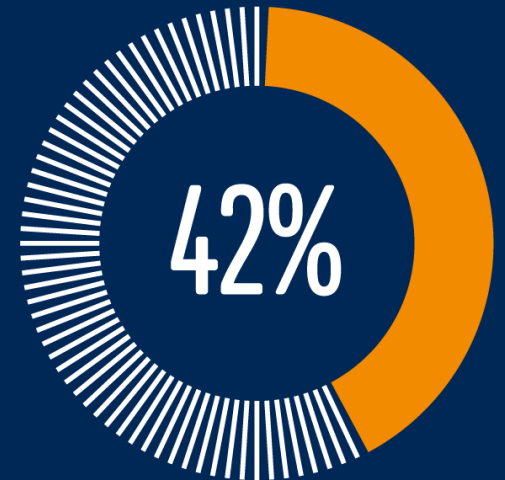
**\$81 Billion**



Annual Costs to  
employers

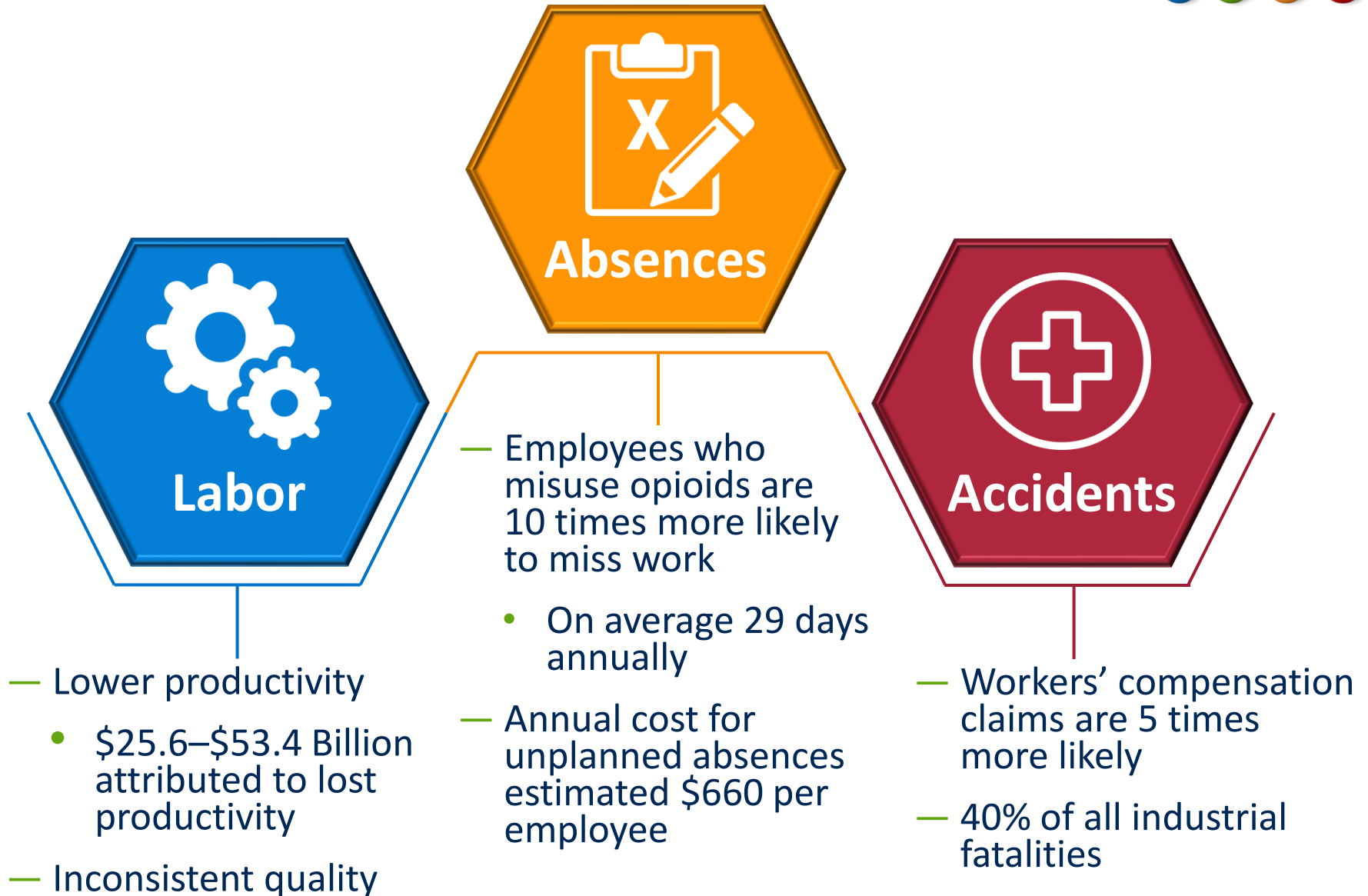
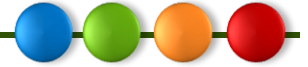


**TURNOVER RATE**  
Employees with any  
substance use disorder



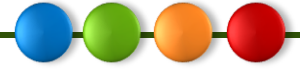
**TURNOVER RATE**  
Employees with  
opioid use disorder

Source – nsc.org

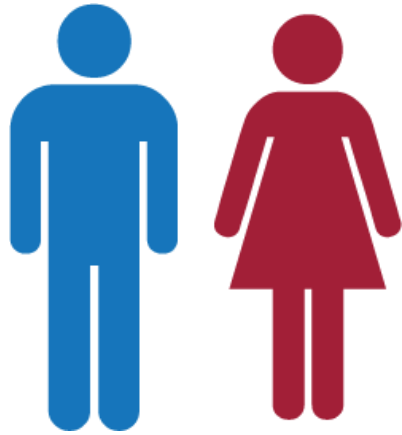


Source – nsc.org

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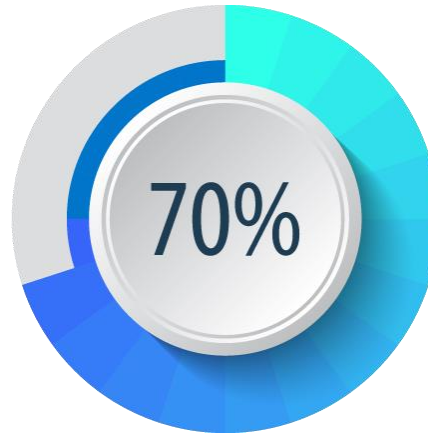


# Not the Typical Stereotype



Most affected are  
adults ages

**35 to 64**



Of abusers  
hold jobs



**Highest rate**  
among service  
sector



# Drug Testing





# Federal Drug Testing

- Federal law places few limits on employer drug testing:
  - Requires testing in several safety-sensitive industries (ex... transportation, aviation)
- Under DOT regulations, Opioid & Marijuana use prohibited for safety-sensitive employees
  - Bus drivers and subway operators Truck drivers
  - Pilots and aircraft maintenance
  - Locomotive engineers
  - Ship captains and crews







# Drug Testing in Wisconsin

- Wisconsin doesn't require drug testing\*, nor does it encourage or discourage testing
- It is up to the employers to implement their own drug-free workplace programs

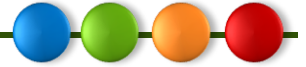
\* Wisconsin does require *public contractors on some public works projects* to drug test



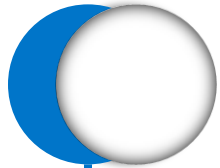


# Drug Testing in Wisconsin

- If you choose to test - a clearly written and well-disseminated drug test policy forms the basis of a successful drug-free workplace program
- A state-accredited drug testing lab must provide the employer copies of the test results that
  - indicate which tests were done,
  - what substances were found,
  - describes the chain of custody of the sample specimen and,
  - provides a confirmation of all initial positive test results

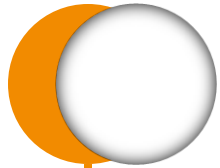


# Drug Tests



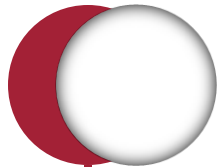
## **Federal and State specific regulations**

Additional industry regulations



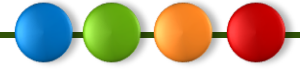
## **A few different types**

Urine | Hair follicle | Blood

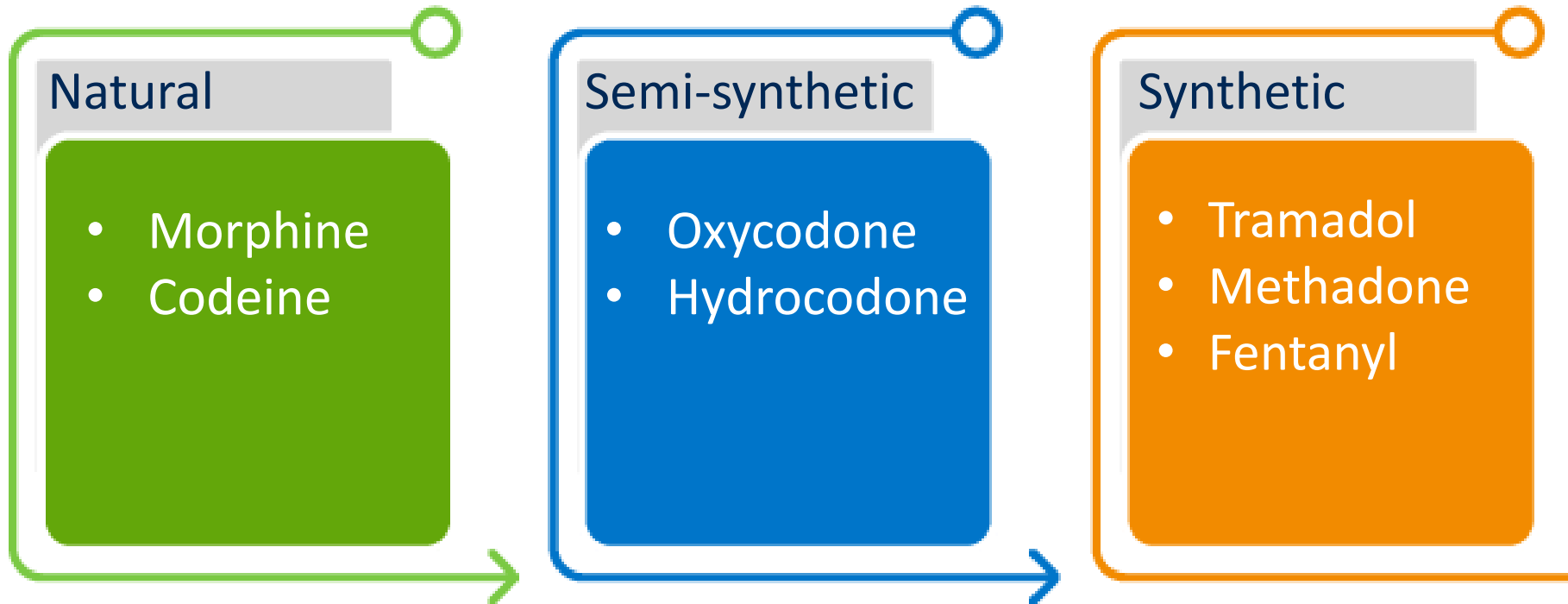


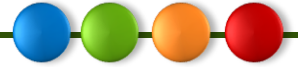
## **Typical employer drug test**

5 panel urine | Fast, efficient, simple



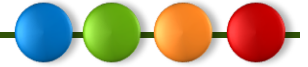
# How Are Opioids Classified?



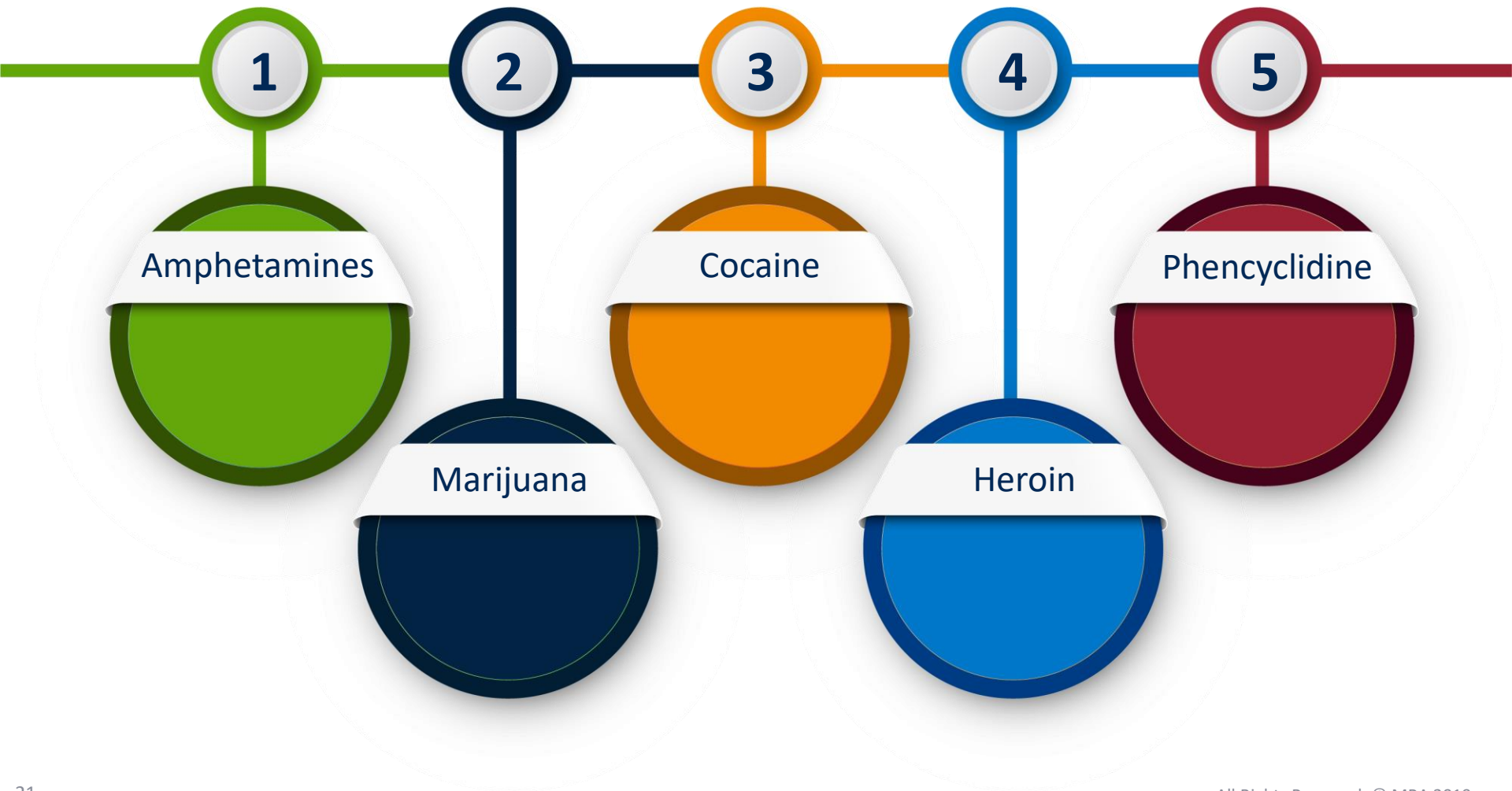


# Testing for Synthetic Opioids

Employer drug tests often do not test for synthetic opioids, which are the most commonly abused opioids



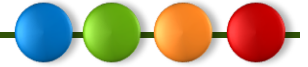
# What's on the Tests?





# What's Not On The Tests?

- The typical 5 panel drug test does **not** screen for:
  - semi-synthetic opioids, such as oxycodone and hydrocodone
  - Synthetic opioids, such as fentanyl and oxycodone
    - Which are some of the most abused prescription opioids



# Recommendations for Better Testing

## Work With Testing Facility

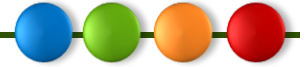
Order drug screens with more panels such as 7, 10, or 12 panels

- Increases the chances of detecting opioids

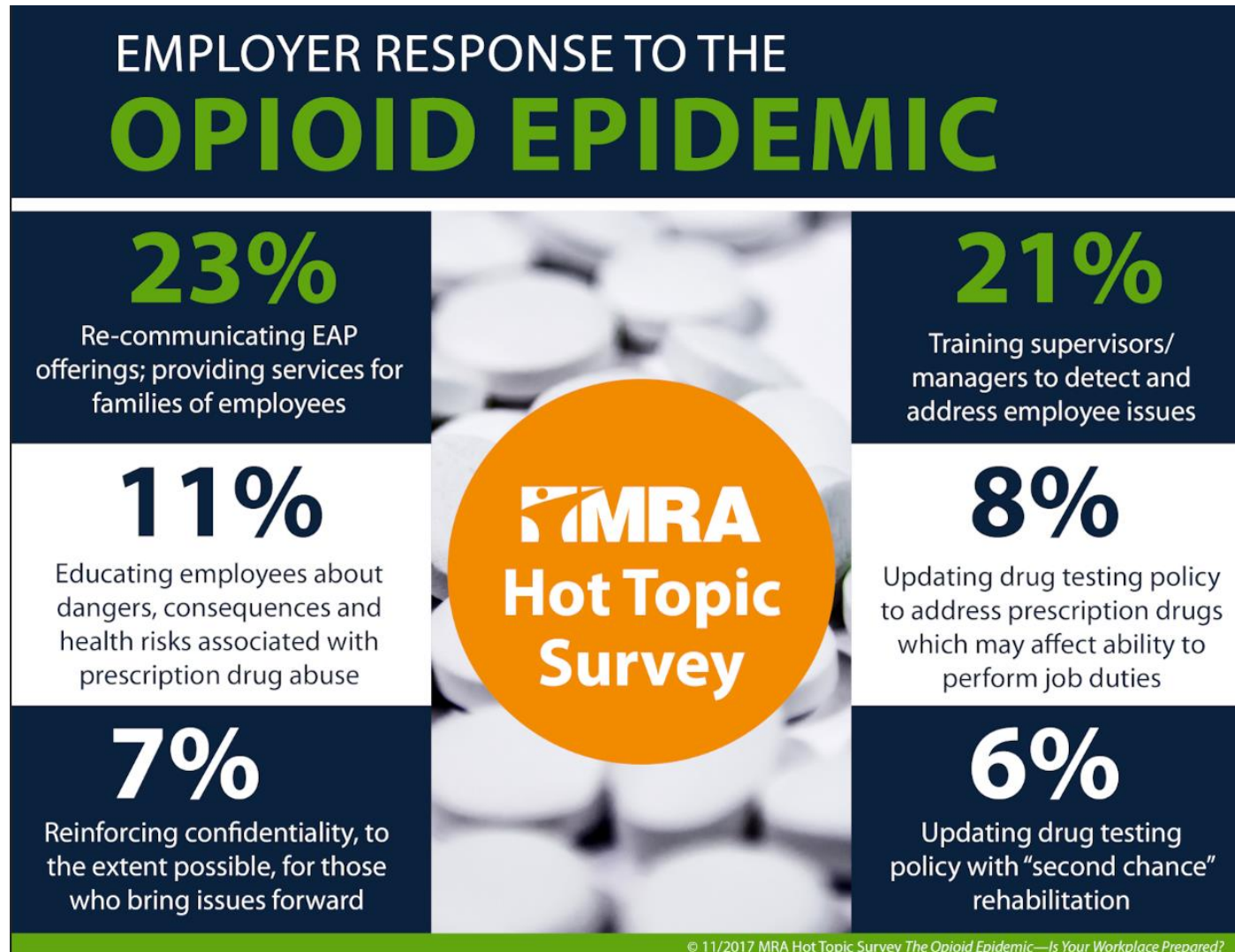
Order custom drug screens

Conduct random drug tests more frequently – safety sensitive positions

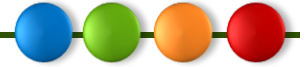




# What Are Employers Doing About It?







# Key Points of a Policy

It's about maintaining a healthy, safe and productive work environment

Addiction viewed as a treatable condition; corrective vs. punitive

An initial positive test is not cause for termination

Self-initiated efforts to seek help for substance abuse will not jeopardize an employee's job

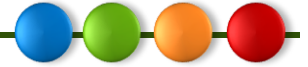
No duty to reasonably accommodate illegal drug

May not use, possess or be under the influence of drugs at work



# HR Compliance





# Case Study

Sue is a long-term employee on the finance team. Over the past year, Sue has shared with co-workers and her supervisor, the Controller, that her adult child is struggling with addiction. Sue has been a solid performer and good employee overall, but the past year her personal life has created some distractions for her at work. From time to time, she arrives late to work and she has had more absences from work.

Yesterday, Sue called her supervisor and informed her that her daughter overdosed last night and has died. As her daughter was a single mother, Sue will be caring for her two grandchildren for the time being.

What steps do you take next?





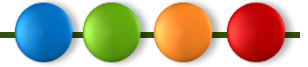


# Compliance Considerations

## FMLA

- Employees may need to take time off to help care for others





# The ADA

## Leaves of Absence

Treatment | Rehabilitation | Support group meetings

## Employees Protected

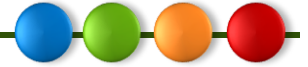
- An employee with a history of drug addiction but is **not currently** using illegal drugs
- An employee who has been in rehabilitation for drug abuse but is **not currently** using illegal drugs

## Not Protected

An employee is presently abusing drugs or using illegal drugs

Source – [usccr.gov](https://www.usccr.gov)

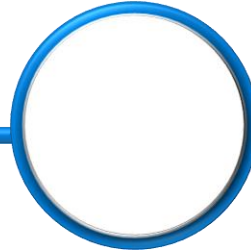
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# Discipline & Discharge

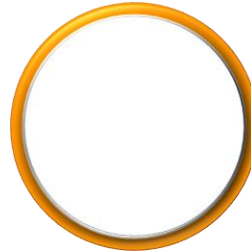
## Regulations in place

Some states have more strict regulations in place regarding drug testing in the workplace (i.e. MN, IA)



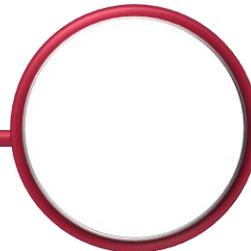
## Internal policies

- Drug-free workplace/ no-tolerance policies
- Last chance/rehabilitation use agreements



## Documentation

- Conversations and efforts made by both parties
- Track any progressive discipline

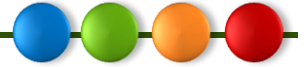


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Workers' Compensation and  
Health Insurance







# Case Study

Bob, a CNC operator, was on his way into work January 15, when he slipped and fell in the entryway and injured his back. A workers' compensation claim was filed. Bill was totally incapacitated for 2 weeks and was released to return to work with no restrictions February 1.

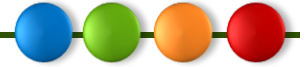
Today, February 4, Bill's supervisor contacts the HR department to report that Bill was late to work this week on February 2 and 4, he appears glassy-eyed and is taking more frequent breaks.

In communicating with the workers' compensation claims representative, you learn that Bill had been prescribed opioids as part of his pain management regimen.

What steps do you take next?







# Workers' Compensation and Healthcare

**\$1.54 Billion**

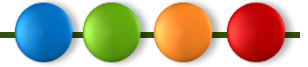


Workers' compensation  
insurers spend about  
\$1.54 billion annually  
on opioids

**Recent increase related  
to opioid issues**



Inpatient hospital care  
increased by 64%  
.....  
Emergency room treatment  
increased by 99%



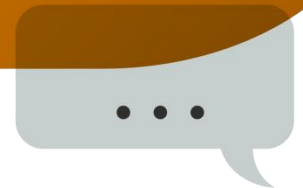
# Workers' Compensation: Solutions

Work with carrier to:

Lessen or refrain from introducing opioids

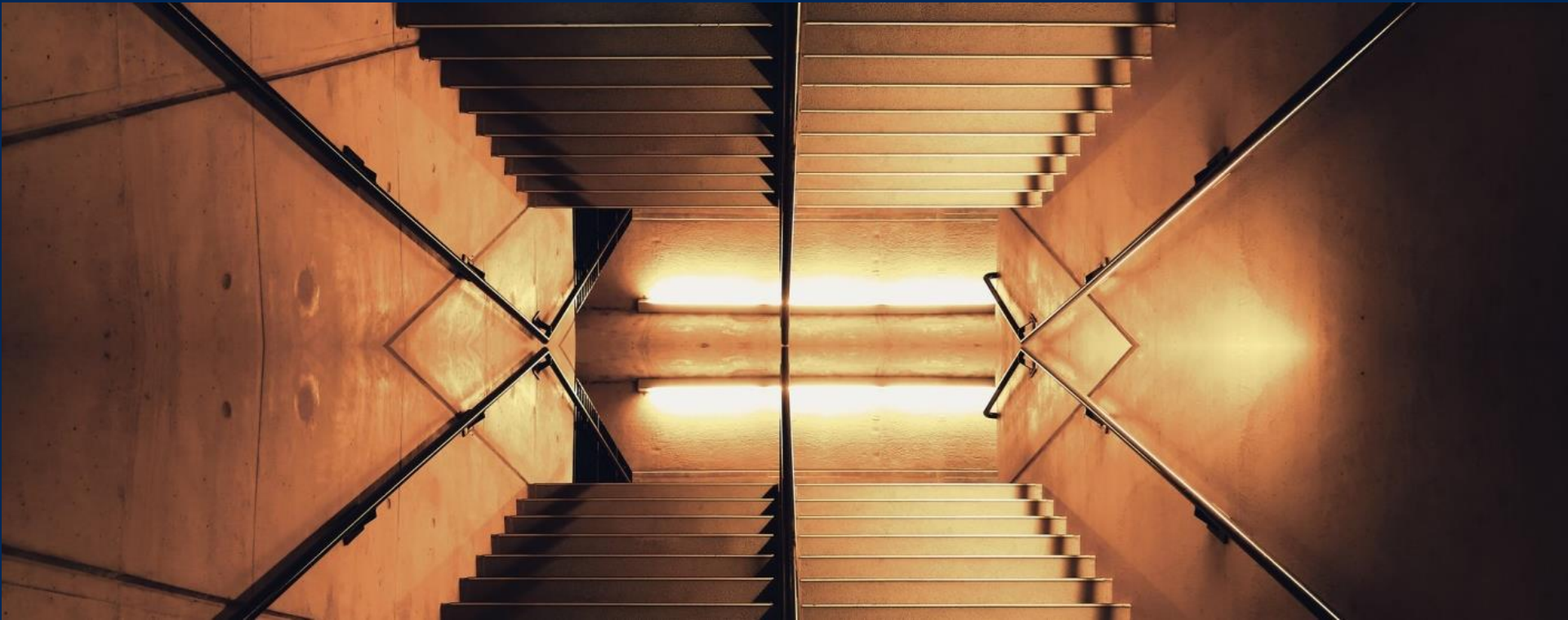
## Discuss alternative pain management options

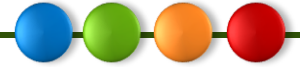
- Massage therapy
- Chiropractor
- Physical therapy
- Cognitive behavioral therapy
- Less addictive pain medication





# Actionable Steps



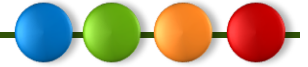


## Employer Actions

Partner with benefits provider, WC, EAP, MRO

Increase education and training efforts

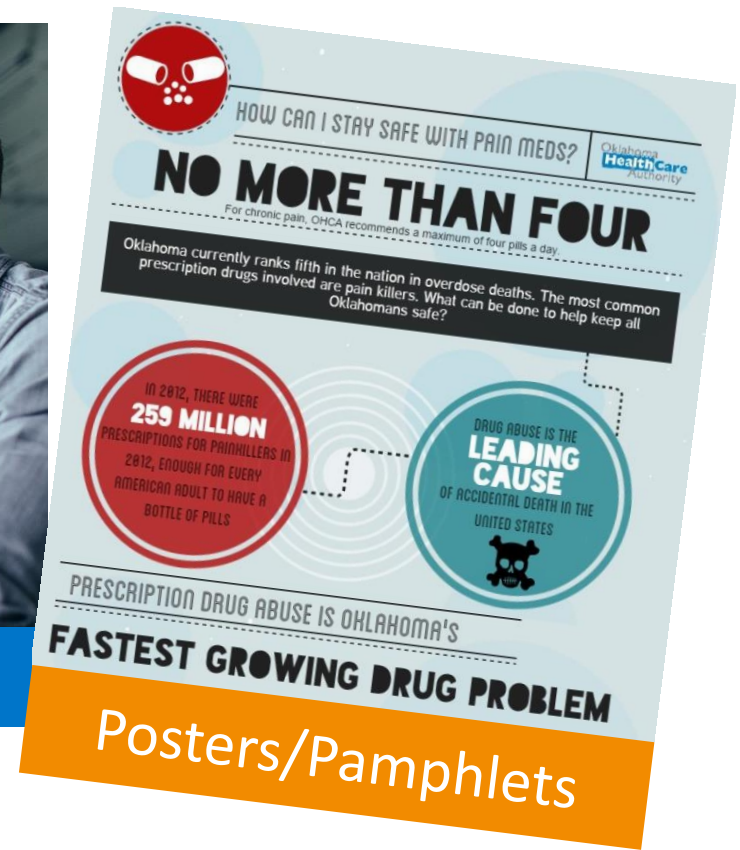
Frequently review policies and benefits



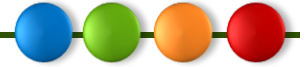
# Employee Education Ideas



Lunch and Learns







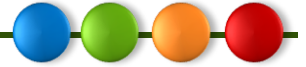
## Medical Leave

- Opioid risks
- Return to work restrictions and accommodations

## Medication

- Locations of community secure disposal boxes
- Partner with local law enforcement for a medication take-back or disposal days

Source – [dea.gov](https://www.dea.gov)



# Homework Assignment

What changes are you considering making to your drug and alcohol policy/procedures in light of the opioid epidemic and changing viewpoints on marijuana?





# Questions

