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Drugs in the Workplace— Fight Back!

Strict, effectively communicated 'zero tolerance' policies and enforcement can protect your company

By Sam Garofalo

The subject of chemical dependency in the workplace traditionally has stayed below radar and is discussed behind closed doors. In recent years, because of expanded enforcement and treatment, industry leaders are beginning to treat this subject more openly. That's a good thing because enhanced awareness of this problem can drive positive results—provided companies are willing to follow through with actions necessary to manage the problem.

No plant's immune

Drug and alcohol dependency problems are present in any number of our plants. They aren't new; but they sometimes are ignored until an employee, or co-worker gets hurt.

Although many upper-level employees suffer from dependency issues, the lower-pay scale production associates seem to attract more drug and alcohol issues. Going back some 40 years, I can remember planning on driving the truck every Monday morning because one long-time driver would call in "sick." No one did anything; it was just a fact of life. In another case, I know of a GM of a large plant who was undergoing dependency counseling. The people involved can be found in a soil-sort line, the GM's office, or anyplace in between.

Please understand where I'm coming from on this: I'm not saying textile service companies are lax on this issue, or that substance abuse is common in the industry. My point is that no plant or company is immune to the risk that even one of its employees will have a problem with substance abuse that could pose a risk to him/herself and others.

Specifically, I'm talking about the potential for serious injuries in plant or route operations and the legal repercussions that accompany them. This article is designed remind operators of the seriousness of alcohol and drug abuse in the workplace, while offering steps you can take to resist this scourge that's done so much damage to people and organizations.

Unwitting abusers

I have slightly altered the events detailed below in order to maintain the confidentiality of those involved. However, the facts I relate are just as I saw and heard them.

On a recent visit to a new megaplant, I was observing the third shift, looking for operational issues. Third-shift operations are historically less productive than first or second shifts. I came upon an engineering department employee asleep in a restroom. When I woke him up, he immediately became abusive and defensive. He started to go back to work on a machine, when a supervisor told him to go home. He didn't want to go and refused to leave the premises. The police were called to remove him. A similar scenario played out in another plant several months ago and 2,500 miles away. Walking into a men's room, I noticed what appeared to be a full roll of toilet paper unrolled on the floor and a person sleeping on it. It was obvious from the surroundings that the person was intoxicated.

Again, my point is to remind everyone that if you think this kind of thing can't happen in your plant—think again. Unless you've implemented a no-holds-barred enforcement policy, you could be vulnerable to this kind of situation. Substance abuse is an equal-opportunity hazard.

At one time or another—with rare exceptions—all of us have smelled alcohol on someone's breath, or have seen

strange behavior in someone who's engaged in substance abuse. Several psychological changes occur when a person is under the influence of drugs or alcohol. These changes may include, but aren't limited to lying, manipulation, paranoia and aggressive behavior. In short, an employee will do things that are out of character when he or she's under the influence. The ironic thing is that they may not realize that they're acting differently.

Proactive prevention

As plant operators and owners dealing with substance abuse, sometimes these situations can put you between a rock and a hard place. If you fire someone, the union may object. However, unless you act decisively in the face of an employee's abuse of drugs or alcohol on your premises, that could result in accidents or law enforcement agencies targeting you. To avoid this trap, you must take a proactive approach to this issue. First and foremost, you must stop cold any abuse of drugs or alcohol on your premises. Period. You must either provide treatment, or dismiss the offenders.

Here are some specific steps you can take to underscore your zero-tolerance stance on workplace substance abuse:

1. Before you hire someone, get them to sign a form that clearly indicates that they've received and read your company's drug and alcohol policy
2. Post in several prominent places—especially where people are interviewed—that your facility has a zero-tolerance policy on substance abuse.
3. Many union contracts prevent drug testing of their members. However, that doesn't mean you can't test them as a precondition for hiring, or before their probationary period expires. A typical drug test can cost as little as \$10.
4. Any violations of the policy must trigger strict enforcement.
5. Train your supervisors to recognize abusers. Many organizations that deal with substance abuse provide this training.

Immediate action required

Senior Special Agent Denis Cimbal is a career law enforcement officer. Cimbal is retired from the Bureau of Criminal Investigation of the New York state police, where he was heavily involved with drug enforcement. Since 9/11 he has worked in Virginia on a task force that's tracking down the perpetrators of the illegally issued drivers' licenses that the terrorists used as identification. A lot of the money that terrorists used to finance the 9/11 attacks was received from the sale of illegal drugs.

On the issue of workplace substance abuse, Cimbal suggested that the first line of defense is having the prospective employees sign a written declaration of the company's drug policy. You must make sure every employee understands that a strong enforcement policy is in affect.

Unite Here, a laundry and hospitality employees' union, is well aware of the problem of substance abuse. The union has in its contracts wording to the effect that "drunkenness, or drug intoxication is grounds for dismissal." However, the wording can leave room for arbitration to adjudicate the dismissal. In many cases, Unite contracts don't allow for drug testing of their members.

Denial is often a large part of the problem of substance abuse. You may respect the employee and his work record, but you can't afford to overlook any evidence of substance abuse. If a person in your company is abusing drugs, or alcohol, they shouldn't be operating machinery in your plant, or driving one of your trucks. It's easy to determine if an employee is under the influence of substance abuse. All you have to do is talk to him or her and observe their behavior. Proving that an employee is under the influence is far more difficult! Focusing on their behavior could be a much easier way of removing the offender from the job. But remember, failing to act immediately when you see these signs could imperil your business and everyone who comes into contact with the person engaged in drug or alcohol abuse.

Abuser legal protections

The sad reality today is that the person under the influence of drugs or alcohol has more rights than the person or people that they injure. Let's say a drunken driver kills a family of five. The fact that the offender was drunk at the time can be an affirmative defense and result in a charge of manslaughter. Whereas, an offender who rams his car into a vehicle filled with people because he's in the throes of road rage, the charge would be vehicular homicide, which is a more serious offense.

I cite these examples to show how extensively offenders in your plant are protected. If you try to use substance dependency as grounds for firing an employee, he's likely to prevail in an unemployment hearing. That's why the policy recommendations outlined above are so important. Implementing and clearly communicating an unyielding, zero-tolerance policy—with immediate enforcement of any and all infractions—is the best way to head off this problem right

from the start. TR

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