

SMITH ANDERSON

DRUG TESTING: PRELIMINARY QUESTION CHECKLIST

Kimberly J. Korando
Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, L.L.P.
Raleigh, North Carolina
919.821.6671
korando@smithlaw.com

- Who will you test? (Only applicants? All employees? Only employees in 'safety sensitive' positions?)
- When will you test? (After all accidents? Only after some accidents? When performance becomes unacceptable? When an employee behaves abnormally? On a random basis? As part of a physical examination?)
- For what drugs will you test? (Only for marijuana and cocaine because they are the most commonly used illegal drugs? For all illegal drugs? For alcohol? For prescription drugs which may affect work performance?)
- How frequently will you test? (Weekly? Monthly? Once a year?)
- What will you do if an applicant tests positive? (Refuse to hire? Tell the applicant why you are not hiring him or her? Allow the applicant to be retested? Allow the applicant to reapply after 6 months?)
- What will you do if an employee tests positive? (Fire all employees who test positive? Refer employees to counseling and treatment after the first positive but fire after the second? Allow employees more than one chance to become drug-free before firing?)

© Copyright 2003 Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, L.L.P.

SMITH, ANDERSON, BLOUNT, DORSETT, MITCHELL & JERNIGAN, L.L.P.
2500 WACHOVIA CAPITOL CENTER, RALEIGH, NORTH CAROLINA 27601

SMITH ANDERSON

- What tests will you use and what procedures will you follow? (Who will collect the specimens? Will you use a confirmation test? What laboratory will you use? Will you use a medical review officer? How will you protect the employees' privacy and confidentiality?)