

DFSP Frequently Asked Questions (FAQs)

Q: Our company has had a drug-free policy in place for years. Now that we've enrolled in the BWC Drug-Free Safety Program (DFSP), do we have to rewrite our current policy?

A: Before determining whether a re-write is necessary, have your policy reviewed against: a) the DFSP specifications, b) current laws and case law that "bump up against" overall drug-free workplace issues (e.g., ADA, FMLA), and c) the operations of your organization. Because your DFSP policy is a *legal* document, it is prudent to do this type of a legal and operational review on a regular basis to assure you are protected against possible litigation.

Q: Our workers' compensation premiums are not all that high. Is it even worth it for us to be in the DFSP?

A: Define "worth it." Will a savings of 4% or 7% on your premiums enable you to give raises, buy new equipment or pay off company debt? Doubtful. But there's another way to calculate "worth." BWC is putting money on the table – both in the form of a premium rebate and grants -- for you to invest in the safety, productivity and well-being of your company. This money will help pay for a new drug-free program OR to improve an existing one. And don't forget to calculate the risk of NOT having a comprehensive drug-free workplace program.

Q: How do I determine who in my workforce should attend supervisor training?

A: While the BWC does not specifically define "supervisor" for the purpose of the DFSP, a good rule of thumb is to consider who is in the position to "get the ball rolling" on reasonable suspicion. Who, for example, is responsible for employee behavior and in the position to notice potential signs of use? Those are the individuals who can make or break your program, depending on whether they have been trained to respond to such signs.

Q: What should I do about my employees who have Commercial Drivers License (CDLs) and therefore subject to Department of Transportation (DOT) alcohol and drug testing?

A: First of all, *Working Partners*® recommends that you have two separate policies – one that covers those who are mandated by DOT and another that covers ALL employees including your CDLs. DOT laws and regulations trump the DFSP, but there are many issues not addressed by DOT that you would want to have outlined in your non-DOT policy (e.g., what happens if someone tests positive). At the same time, BWC will "waive" certain requirements for your CDLs as long as they are in compliance with DOT regulations. It's prudent to have a subject matter expert, like *Working Partners*® review both documents and offer advice as to how you might "blend" your DOT and non-DOT programs for maximum effectiveness and efficiency.

DFSP Frequently Asked Questions (FAQs), *continued*

Q: Do I have to test my entire workforce if I am new to the DFSP?

A: You do NOT have to begin your program by testing everyone. Only those who are hired after your program goes into effect will be subject to pre-employment testing. However, if you are at the Advanced level of the program all employees must be in a 15% random pool (drug testing only) and have an equal chance of being selected each time your drug testing vendor conducts a random pull.

Q: I'm already swamped at my job and have been tapped as our drug-free Program Administrator. How much time will it take to stay on top of the DFSP requirements?

A: If you are thorough when developing your program and related systems, it should not take long to administer! The key is to have a policy that is detailed enough that it can be used as a “playbook” when problems arise. That means you will need to think through operations before your program is officially rolled out (e.g., procedures for sending an employee to testing based on reasonable suspicion, how you will handle a “dilute negative” testing result).

Another time saver is to have a “go to” person you can call who is an expert in both the BWC Drug-Free Safety Program (DFSP) and overall drug-free workplace issues (DFWP) issues. You should be able to contact that person/program with questions, instead of trying to “go it alone.” Consider joining the *Working Partners*® Consortium to serve as your back up resources. Members of the Consortium are entitled to unlimited technical assistance and trouble-shooting for all DFSP/DFWP-related issues.

Q: My workforce is spread over multiple shifts in multiple locations. Do I have to pull everyone off the job at the same time to do employee education?

A: NO! There are many different strategies for conducting employee education and supervisor training, and your goal should be to devise a plan that meshes with your company dynamics and culture. At the same time, you want to assure that the strategy you use is educationally sound. Some companies hire outside experts to deliver the sessions. Others attend Train the Trainer courses to equip them to deliver it themselves. Additional options include live webinars, OnDemand computer courses and off-site training classrooms. Consider the dynamics of your company and choose a delivery method that will work:

- Will the information be received better if delivered by an outside expert or someone from the inside?
- Is it possible to get everyone (or most everyone) in the same room at the same time?
- How computer-savvy are your employees?
- How comfortable do you feel delivering the sessions and answering difficult questions?