

# Essay on Criminal Justice

## Criminal Justice

Drug tests are conducted by employers to screen for substances prohibited by law such as cannabis, cocaine or heroin. The major purpose for the screening is to increase employee efficiency. Employers have realized that substance abuse among their staff harm their businesses through absenteeism and decreased productivity. According to Campbell, (2010) he draws illustration from statistics of the Office of National Drug Control Policy, which estimate that drug abuse results to productivity loss equivalent to \$128.6 billion. These surprising loses formed the basis for President Ronald Reagan issuing an Executive Order that all federal agencies institute programs for testing workers. This was to ensure “drug-free federal workplaces.”

With the increasing cases of drug use at work places in America, and the existence of laws protecting employees who are addicted to substance use, employers are grappling with mechanisms of controlling the vice or coping with its consequences. This has led to adoption of either some or all of the four conventional options against an employee who tastes positive for drug use.

## Dismissal

This is the traditional disciplinary mechanism taken against a worker found to be using drugs in a given institution. It is commonly assumed that an employee who uses drugs is a poor employee and cannot deliver the desired organizational goals. Substance using employees fail to fulfill their duties and obligations at work. If they do, then most present shoddy work (Slavit, Wendy & Finch, 2009). Use of drugs where it is physically dangerous like driving or operating machines highly risks the safety of the organization and staff. These costs and low productivity are what most businesses cannot take. They instead opt to relieving such an employee off their duties.

## Employee Assistance

Firms and businesses do encourage workers found to be using drugs to make use of the Employee Assistance Program. This program was initiated by the Americans with Disabilities Act (ADA) which provides protection for recovering employees against any form of discrimination, although the protection is limited. The Americans with Disabilities Act permits employers to ensure that their work places are free of illegal drugs and their use. The ADA also provides for organizations to ensure that their employees conform to the federal and state laws on drug use. Through observing the Employee Assistance Program (EAP), employers are able to assist current employees who test positive for drugs to undergo drugs treatment. This is, however, only applicable where both the employee and the employer are willing to employ the EAP.

## Accommodation

This is the third option that an employer has in case their employee(s) tests positive for drug use. According to Campbell, as much as employers do not tolerate substance abuse at places of work, the law protects such employees. The ADA identifies drug addiction as a serious medical disability, therefore, Family Medical Leave Act requires that an addicted employee be accommodated by the employer or be given a leave. Despite the fact that the employers will feel the detrimental impacts of addiction, they have to support their recovering employees (Slavit, Wendy & Finch, 2009).

## Rehabilitation

The last option chosen when an employee tests positive is rehabilitation. The employer takes the initiative of training the employee on the dangers of substance abuse and supports the worker in the cause of rehabilitation. This could be through a temporary dismissal as the employee seeks to recover (Slavit, Wendy & Finch, 2009).

## References

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