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Report of the 118th Legislature on the Substance Abuse Testing Law for Calendar Year 1996

Maine Department of Labor

Maine Bureau of Labor Standards

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Maine Department of Labor

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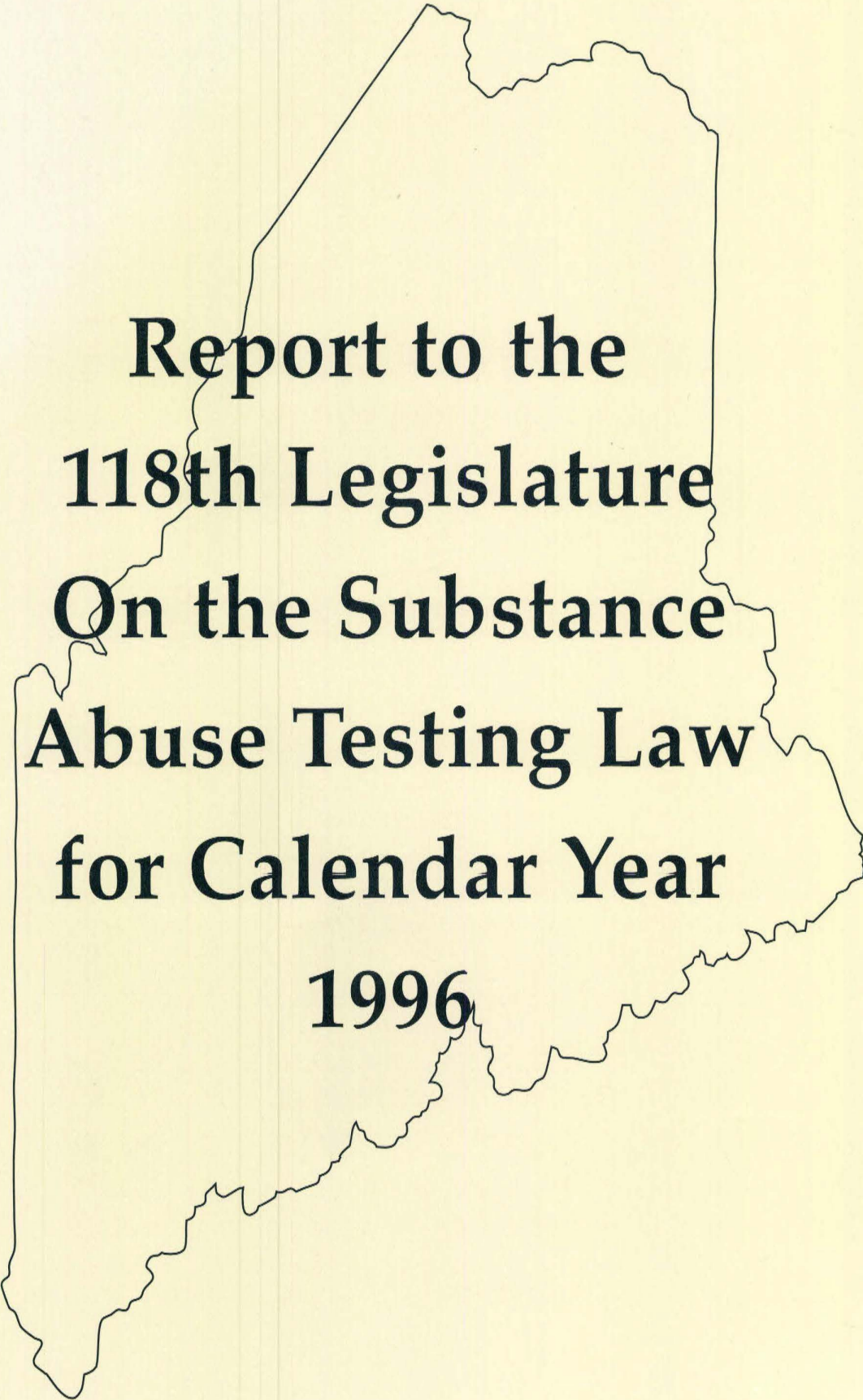
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MAINE

Department of Labor



**Report to the
118th Legislature
On the Substance
Abuse Testing Law
for Calendar Year
1996**



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**Report to the
118th Legislature
On the Substance
Abuse Testing Law
For Calendar Year
1996**

By Ruth A. Ladd, Statistician II
Technical Services Division

October 1997

Augusta, Maine

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Substance Abuse Testing Report 1996

Background

The following fulfills the Department of Labor's requirement to report to the "joint standing committee having jurisdiction over labor matters" as set out in the Maine Substance Abuse Testing Law. Most of the information contained in this report is relevant only to activities under the Maine law and is not indicative of similar activities under federally mandated testing programs. The report is not a comprehensive study of workplace substance abuse testing.

The Maine Substance Abuse Testing Law, Title 26 M.R.S.A. Section 680 et seq, controls employer testing that is not performed in response to federal mandates. It created responsibilities for the Department of Labor as well as for the Health and Environmental Testing Laboratory and the Office of Substance Abuse Services in the Department of Human Services. The Department of Labor responsibilities were assigned to the Bureau of Labor Standards. Calendar year 1996 was the seventh full year of regulation under the law in Maine.

Summary

During calendar year 1996, the Department of Labor received 65 policies or amendments for review from 41 employers or establishments. Reviews of 53 submissions were completed. The 65 policies or amendments submitted includes multiple applications made in response to denials or revision requests.

By year end 1996, 134 policies had been approved and were in force. Although all policies provide for applicant testing, only 19 call for employee probable cause testing, and eight provide for random or arbitrary testing.

The Department surveys all employers with approved policies for this report. The survey showed that 10,493 applicants had been tested with 330 (3.1%) confirmed positive tests. There were 7 employee probable cause tests with 3 (42.9%) positives reported, and 354 employee random or arbitrary tests with 13 (3.7%) positives reported.

In 1996 the Health and Environmental Testing Laboratory licensed 2 new laboratories for substance abuse testing and relicensed 14 others.

The Office of Substance Abuse Services approved 12 employee assistance programs (EAP). Thirty-five employers now have approved programs.

Section I - Agency Review and Approval

Department of Labor - Policy Review and Approval.

The Department of Labor received 65 individual policy submissions from 41 employers. The number of individual policies reviewed is larger because policy denials, resubmissions, revisions and amendments are counted separately. The Department staff completed 53 reviews, including 14 holdovers from the previous year. As of December 31, 1996, there were 38 policies pending the Department's review. This is the third time there was a significant backlog at the year's end. Most policies pending have received an initial review. These numbers excluded policy modifications submitted to respond to changes in the law which do not necessarily require Bureau approval to implement. See Table 1.

**Table 1
Number of Employers Submitting Policies by
Latest Action and Year Received
(includes amendments)
Maine, 1996**

	<u>Reviewed in 1996</u>	<u>First Receipt in 1996</u>	<u>First Receipt in Prior Year</u>
Total Policies	91	65	26
Reviews Completed	53	39	14
Approved	26	21	5
Revision Requested	23	17	6
Denied	4	1	3
Review Pending	38	26	12

The time available for policy review varies because of workloads in areas other than substance abuse testing. At the time the law was passed, no additional resources were allocated to the department for this activity. Efforts in this area have a negative impact on other responsibilities.

The average time from receipt to notification for all submissions was 90 working days. Amendment reviews took the longest, an average of 132 working days. Reviews of new submissions took 120 days, while revision reviews took only 15 days. See Table 2.

**Table 2
Average Time for Review of Policies, Policy Revisions and
Amendments by Type of Review and Action Taken on Review
(in working days from receipt to notification)
Maine, 1996**

	<u>All Submissions</u>	<u>Approved</u>	<u>Denied</u>	<u>Revisions Requested</u>
Average Review	90	50	216	127
Initial Review	120	82	216	116
Revision Review	15	15	-	9
Amendment Review	132	91	-	194

The following shows employers with approved policies, the date of initial approval and the type of testing allowed.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Allstate Insurance Co. Allstate Plaza Northbrook, IL 60062	04/11/91	X		
Allwaste Environmental Services 31 Waldron Way Portland, ME 04103	11/10/93	X		
Ansewn Shoe Co. P.O. Box 1428 Bangor, ME 04401	07/24/90	X	(Policy Cancelled 11/20/96)	
Arrow Hart Wiring Devices 1 Cressey Road Brunswick, ME 04011	07/24/90	X		
Astro Waste Services, Inc. P.O. Box 709 Old Orchard Beach, ME 04064-0709	01/05/96	X	X	X
@WORK Personnel Services P.O. Box 96 Brooks, ME 04921	07/02/96	X		
Atlantic Home Health, Inc. R1 Box 395 Levant, ME 04456	04/13/95	X		
Auburn, City of 45 Spring Street Auburn, ME 04210	06/09/94	X		
Augat Inc. Community Drive Sanford Industrial Estates Sanford, ME 04073	08/01/94	X		
Avian Farms Int'l, Inc. 295 Kennedy Memorial Drive Waterville, ME 04901	08/01/94	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Bancroft Contracting P.O. Box 165 South Paris, ME 04281	02/01/94	X		
Bangor Area Visiting Nurses 268 State Street Bangor, ME 04401	12/16/92	X		
Bath Iron Works Corp. 700 Washington Street Bath, ME 04530	02/26/90	X		
B & E Cleaning Service P.O. Box 244 Kingfield, ME 04947-0244	10/22/96	X		
B E & K P.O. Box 2332 Birmingham, AL 35201	06/03/91	X	X	X
B J's Wholesale Club P.O. Box 9601 Natick, MA 01760	06/09/94	X		
Bridgecorp 319 Water St. P.O. Box 2588 Augusta, ME 04338-2588	08/21/96	X		
Central Maine Power Co. Edison Drive Augusta, ME 04336	10/18/90	X		
Chadwick-BaRoss Inc. P.O. Box 4500 Westbrook, ME 04092	07/21/93	X		
Champion International Corp. P.O. Box 1200 Bucksport, ME 04416	03/23/90	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Champion International Corp. Costigan Stud Mill P.O. Box 159 Costigan, ME 04423	02/14/92	X		
Chinet Company (formerly Keyes Fiber) P.O. Box 5317 Norwalk, CT 06856	07/24/90	X		
Cianbro Corporation Hunnewell Square Pittsfield, ME 04967	02/26/90	X	X	X
Circuit City Stores, Inc. 9960 Maryland Dr. Richmond, VA 23233-1464	10/31/96	X		
Cives Steel Company P.O. Box 850 Augusta, ME 04330	10/18/90	X		
Coca-Cola Bottling Co. of Northern New England, Inc. One Executive Park Drive Bedford, NH 03102	12/29/92	X	X	
Control Devices, Inc. 228 Northeast Rd Standish, ME 04084	04/17/96	X		
CYRO Industries P.O. Box 591 Sanford, ME 04073	07/24/90	X		
D & G Machine Products 50 Eisenhower Drive Westbrook, ME 04092	07/31/91	X		
Dennis Beverage Co. 1017 School Street P.O. Box 1452 Bangor, ME 04401	12/04/91	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Durastone Precast Concrete Products, Inc. 66 Milliken St. Portland, ME 04103	08/23/96	X		
Eastern Fine Paper, Inc. P.O. Box 129 Brewer, ME 04412	04/23/91	X		
Eastern Maine Health Care 489 State Street Bangor, ME 04401	01/15/91	X		
Eastern Refractories Co. Inc. 60 Holland Street Lewiston, ME 04240	07/22/93	X		
Edwards Systems Technology 5 North Main Street Pittsfield, ME 04967	05/28/91	X		
Ellsworth Builders Supply State Street Ellsworth, ME 04605	09/25/90	X		
ESOCO Orrington Inc. P.O. Box 96 Orrington, ME 04474	06/03/92	X		
Fisher Engineering 12 Water St., P.O. Box 529 Rockland, ME 04841-0529	04/17/96	X	X	
FMC Corporation Box 308 Rockland, ME 04841	03/22/90	X	X	X
Fiber Materials, Inc. Biddeford Industrial Park Biddeford, ME 04005	06/27/90	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Flatiron Structure Co. P.O. Box 2239 Longmont, CO 80502-2239	04/30/96	X		
Fraser Paper Ltd. Madawaska, ME 04756	04/15/94	X		
General Electric Co. 135 Rodman Road Auburn, ME 04210	10/18/90	X		
General Electric Co. 534 Griffin Road Bangor, ME 04401	05/24/90	X		
Georgia Pacific Corp. Communication Paper Division Main Street Woodland, ME 04694	07/31/91	X		
Gibbs & Cox Inc. 50 West 23rd Street New York, NY 10010	08/07/91	X		
G.E. Goding & Son, Inc. RR #1 Box 395 Lincoln, ME 04457	04/20/90	X		
J.E. Goold Division of Bindley Western Industries, Inc. P.O. Box 920 Portland, ME 04104	05/18/93	X		
Gorbell/Thermo Electron Power Co. P.O. Box 170 Athens, ME 04912-0170	10/05/94	X		
Great Northern Paper Bowater, Inc. 1 Katahdin Avenue Millinocket, ME 04462	12/16/92	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Guardsmark 22 South Second St. Memphis, TN 38103-2695	12/05/96	X		
Hall Services Inc. 26 Acme Road Brewer, ME 04412	07/31/91	X		
Hancock Lumber Co. P.O. Box 299 Casco, ME 04015	04/29/91	X		
Hannaford Brothers Co. P.O. Box 1000 Portland, ME 04104	05/18/93	X	X	X
Home Depot 2455 Paces Ferry Rd., NW Atlanta, GA 30339	11/01/96	X		
Host Marriott Corp. Marriott Headquarters Dept. 860.42 Marriott Dr. Washington, DC 20058	01/05/96	X		
Huber, J.M. Corp. Easton Department Station Road Easton, ME 04740	04/29/91	X	X	
Hussey Seating Co. North Berwick, ME 04906	12/24/90	X		
International Paper Co. Androscoggin Mill Jay, ME 04239	11/05/90	X	X	
International Paper Co. Northeast Region 9 Green Street Augusta, ME 04330	04/23/91	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Interstate Food Processing P.O. Box 172 Ft. Fairfield, ME 04742	06/25/92	X		
Irving Tanning Co. P.O. Box 239 Hartland, ME 04943-4491	12/27/93	X		
James River Corp. P.O. Box 547 Old Town, ME 04468	02/26/90	X		
James River Timber (Formerly Diamond Lumber Stud Mill) Passadumkeag Stud Mill P.O. Box 547 Old Town, ME 04468-0547	01/18/96	X		
Kennebec Health Systems 5 St. Catherine Street Augusta, ME 04330	04/30/93	X		
Kimberly Clark (formerly Scott Paper) 14 Benton Ave. Winslow, ME 04901	05/28/91	X	X	
Kravco Company Bangor Mall Boulevard Bangor, ME 04401	04/13/95	X		
Lane Construction Corp. 965 East Main Street Meriden, CT 06450	12/16/92	X		
Lane Construction Corp. Sunquip Division 965 East Main Street Meriden, CT 06450	12/16/92	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Lane Construction Corp. Sunrise Materials Division 965 East Main Street Meriden, CT 06450	12/16/92	X		
Lemforder Corp. 55 Baker Blvd. P.O. Box 219 Brewer, ME 04412	12/03/91	X		
Lincoln Pulp & Paper Co. Katahdin Avenue Lincoln, ME 04457	07/24/90	X		
Lucas Tree Experts P.O. Box 958 Portland, ME 04104	04/29/91	X		
Madison Paper Industries P.O. Box 129 Madison, ME 04950-0129	04/19/90	X		
Maine Poly Inc. P.O. Box 8 Greene, ME 04236	02/26/90	X		
Maine Public Service Co. P.O. Box 1209 Presque Isle, ME 04769	06/13/90	X		
Maine Rubber International 21 Saco Street Westbrook, ME 04092	05/15/90	X		
Malden Mills Industries 46 Stafford Street P.O. Box 809 Lawrence, MA 01842	06/03/92	X		
Marriott International, Inc. Marriott Headquarters Dept. 931.32 Marriott Dr. Washington, DC 20058	10/17/95	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Masonite Corp. (formerly Wood Fiber Industries) P.O. Box 99 Lisbon Falls, ME 04252-0099	06/09/94	X		
MBNA Marketing Systems 32 Washington Street Camden, ME 04843	06/30/93	X		
McCain Foods Inc. P.O. Box 157 Easton, ME 04740	02/24/92	X		
Mead Publishing Paper Div. 35 Hartford St. Rumford, ME 04276	03/19/90	X	X	X
The Merrill Companies 601 Danforth St. Portland, ME 04102	12/16/92	X		
Mid-State Machine Products 1501 Verti Drive Winslow, ME 04901	05/15/90	X	X	X
Mount Hope Cemetery Corp. P.O. Box 63 Bangor, ME 04402-0063	04/13/95	X		
New England Telephone & Telegraph Co. and Nynex 185 Franklin Street, Room 1401 Boston, MA 02110	10/05/94	X	X	
Nissen Baking Co. 59 Washington Ave. P.O. Box 1158 Portland, ME 04104	01/03/92	X		
North American Philips Corp. 1560 Lisbon Rd. Lewiston, ME 04240	10/04/90	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
North Center Foodservice Corp. Dalton Road, P.O. Box 2628 Augusta, ME 04330-2628	09/19/90	X		
Northeast Air 987 Westbrook Street Portland, ME 04101	09/30/91	X		
Oakhurst Dairy 364 Forest Avenue Portland, ME 04101	02/28/90	X		
OSRAM Sylvania Inc. (Formerly GTE Products) 100 Endicott Street Danvers, MA 01923	02/06/91	X		
Pioneer Plastics Corp. One Pionite Road Auburn, ME 04210-1014	09/19/90	X		
Pollack, G.M. Corp. 600 Roundwood Drive Scarborough, ME 04074	08/25/92	X		
Pratt & Whitney Wells Road North Berwick, ME 03906	06/22/90	X	X	
Progressive Distributors P.O. Box 295 Winthrop, ME 04364	05/18/93	X		
Rainbow Rugs Inc. 74 Old Airport Rd. Sanford, ME 04073	11/21/90	X		
Reed & Reed Woolwich, ME 04579	06/25/92	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Resource Net International (formerly Carter Rice/Dowd Co.) 613 Main St. Wilmington, MA 01887	07/21/93	X		
Riley Medical Inc. 27 Wright's Landing L-A Airpark Auburn, ME 04210	08/17/93	X		
Rock-Tenn Co. Ellis Paperboard Products 16 Washington Avenue Scarborough, ME 04074	05/28/91	X	X	
Saco Defense Inc. 291 North Street Saco, ME 04072	02/28/90	X	X	
Sargent, H.E., Inc. P.O. Box 435 Stillwater, ME 04489-0435	04/17/96	X		
Sawyer Environmental Recovery Facilities Inc. 358 Emerson Mill Road Hampden, ME 04444	04/03/90	X		
Sawyer Environmental Services 1 Freedom Park Road Bangor, ME 04401	04/03/91	X		
Seaward Const. Corp. P.O. Box 1177 Portsmouth, NH 03802-1177	07/31/91	X		
Seltzer & Rydholm Inc. P.O. Box 1090 Auburn, ME 04211-1090	12/29/92	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Sisters of Charity Health System Campus Ave., P.O. Box 7291 Lewiston, ME 04243-7291	07/19/95	X		
Solon Mfg. Co. Solon, ME 04979-0285	07/19/95	X		
Sonoco Products Co. Pittsfield Plant 50 DesSeigneurs Montreal Quebec, Canada H3J1X3	07/31/91	X		
Sonoco Products Baker Division P.O. Box 668 Hartselle, AL 35640	01/03/92	X		
Southern Container Corp. P.O. Box 9001 Westbrook, ME 04098-9001	02/23/96	X		
Specialty Minerals, Inc. 35 Highland Ave. Bethlehem, PA 18017	06/06/96	X		
Sprague Energy Corp. One Parade Mall Portsmouth, NH 03801	08/16/94	X		
Sullivan and Merritt, Inc. 25 Freedom Park Bangor, ME 04401	05/18/93	X		
Sunday River Ski Resort P.O. Box 450 Bethel, ME 04217-0450	10/05/94	X		
S.W. & B. Construction P.O. Box 1210 Lewiston, ME 04240	04/29/91	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Tilcon of Maine, Inc. P.O. Box 209 Fairfield, ME 04937	10/04/90	X		
Tree Free Fiber (formerly Statler Tissue) P.O. Box 587 Augusta, ME 04330-0587	05/30/96	X		
Unifirst Corporation 68 Jonspin Road Wilmington, MA 01887	05/20/93	X		
United States Fidelity and Guaranty Co. P.O. Box 1138 Baltimore, MD 21203	07/24/90	X		
Valmet Automation Inc. 3100 Medlock Bridge Road Suite 250 Norcross, GA 30071	04/30/93	X		
Vescom Corporation 11 Liberty Drive Bangor, ME 04401	05/18/93	X		
Warren, S.D. Co. Northeast Timberlands 49 Mountain Avenue Fairfield, ME 04937	04/29/91	X		
Warren, S.D. - Somerset RFD #3 Skowhegan, ME 04976	05/28/91	X		
Waterville Anesthesia Associates 44 Main Street Waterville, ME 04901	04/30/93	X	X	
Webber Oil Co. 700 Main St., P.O. Box 929 Bangor, ME 04402-0929	04/17/96	X		

Employers with approved policies, continued.

Company Name	Date Approved	Applicant Testing	Employee Testing	Random or Arbitrary
Wheelabrator Sherman Energy Co. P.O. Box 189 Sherman Station, ME 04777	08/09/91	X	X	
White, Paul G. Tile Co. 50 Allen Avenue Portland, ME 04103	07/21/93	X		
Wood Structures, Inc. Alfred Road Business Park Box 347 Biddeford, ME 04005	03/25/91	X		
Wyman & Simpson Inc. 25 Freedom Park, Bangor, ME 04401	05/18/93	X		
Yorktowne Paper Mill of Maine Inc. 721 Water Street Gardiner, ME 04345	04/25/90	X		
Zampell Refractories 354 Lincoln Street Lewiston, ME 04240	12/30/93	X	X	X

Health and Environmental Testing Laboratory - Laboratory Review and Approval

The following laboratories were licensed as of the end of 1996.

<u>Laboratory Name</u>	<u>Address</u>	<u>Date Expires</u>
American Medical Laboratories, Inc.	1425 Newbrook Drive P.O. Box 10841 Chantilly, VA 22021-0841	12/06/97
CompuChem Laboratories Inc.	P.O. Box 12652 1904 Alexander Dr. Research Triangle Park, N.C. 27709	01/10/98
DrugScan Inc.	1119 Mearns Road Warminster, PA 18974	07/10/97
Lab One Inc.	8915 Lenexa Drive Overland Pk., KS 66214	07/27/97
Laboratory Corporation of America d/b/a Med Express	4022 Willow Lake Blvd. Memphis, TN 38118	07/18/97
Laboratory Corporation of America Holdings	69 First Ave. Raritan, NJ 08869	03/12/98
Laboratory Specialists, Inc.	113 Jarrell Drive Belle Chasse, LA 70037	05/08/98
Medtox Laboratories, Inc.	402 West County Road D. Saint Paul, MN 55112	03/01/97
Pharmchem Laboratories, Inc.	1505 A O'Brien Drive Menlo Park, CA 94025	06/14/97
Pharmchem Laboratories - Texas Division	7606 Pebble Drive Fort Worth, TX 76118	10/15/97
Quest Diagnostics	7470-A Mission Valley Rd. San Diego, CA 92108	07/02/97
Quest Diagnostics	1901 Sulphur Spring Rd Baltimore, MD 21227	03/19/98
Quest Diagnostics (formerly MetPath, Inc.)	One Malcolm Ave. Teterboro, NJ 07608	05/04/98

Laboratories holding licenses as of the end of 1996, continued

Laboratory Name	Address	Date Expires
SmithKline Beecham Clinical Laboratories	3175 Presidential Drive Atlanta, GA 03040	03/12/98
SmithKline Beecham Clinical Laboratories	400 Egypt Road Norristown, PA 19403	06/24/97
Toxworks Laboratories, Inc.	6160 Variel Avenue Woodland Hills, CA 91367	08/24/97

Office of Substance Abuse - EAP Review and Approval.

The following employers have approved EAP programs as of the end of 1996.

<u>Company Name</u>	<u>Location</u>
Astro Waste Service	Old Orchard Beach, ME
Bath Iron Works, Corp.	Bath, ME
B E & K Construction Co.	Jay, ME
Champion International Paper Co.	Bucksport, ME
Cianbro Inc.	Pittsfield, ME
Chinet Co.	Waterville, ME
Citibank Corp. of Maine	South Portland, ME
Coca-Cola Bottling Co. of New England	Portland, ME
Fisher Engineering	Rockland, ME
FMC Corporation, Marine Colloids Div.	Rockland, ME
Georgia Pacific Corp.	Woodland, ME
J.E. Gould/Division of Bindley Western Ind.	Portland, ME
Great Northern Paper, Inc.	Millinocket, ME
Hannaford Bros. Co.	Portland, ME
J.M. Huber Corp.	Easton, ME
International Paper Co.	Jay, ME
James River Otis	Jay, ME
Kimberly Clark (formerly Scott Paper)	Winslow, ME
Lewiston, City of	Lewiston, ME
McLaren-Hart Engineering Corp.	Portland, ME
Mead Publishing Paper Div. (formerly Boise Cascade)	Rumford, ME
Mid-State Machine Products, Inc.	Winslow, ME
Mobil Oil, Inc.	Bangor, Gray, Portland, So. Portland, ME
New England Telephone	Statewide
Packaging Corp. of America	So. Portland, ME
Pratt & Whitney	North Berwick, ME

Employers with approved EAP programs as of the end of 1996, continued.

Company Name	Location
Rock-Tenn/Ellis Paperboard	Scarborough, ME
Saco Defense, Inc.	Saco, ME
St. Mary's Regional Medical Center	Lewiston, ME
S.D. Warren Company	Skowhegan, ME
Smith & Wesson, Longview Association	Houlton, ME
SW&B Construction Corp.	Auburn, ME
Western Agency on Aging Inc.	Auburn, ME
Wheelabrator Inc.	Sherman Station, ME
Zampell Refractories, Inc.	Lewiston, ME

Section II - Results of Testing

Results are based on a survey of all establishments with an approved state policy.

Applicant Testing

Applicants testing positive increased from 2.5% in 1995 to 3.1% in 1996. The most common substances of abuse identified were cannabinoids (82.4%), opiates (7.0%), cocaine (4.5%), and alcohol (3.3%).

The following table shows the results of applicant testing.

Table 3
Results of Applicant Tests
Under Approved Policies
Maine, 1996

	<u>Tests</u>	<u>As Percent</u> <u>of All Tests</u>	<u>As Percent</u> <u>Of Positive Tests</u>
All Tests	10,493	100.0%	
Positive Results*	330	3.1	100.0%
Cannabinoids	272	2.6	82.4
Opiates	23	0.2	7.0
Cocaine	15	0.1	4.5
Alcohol	11	0.1	3.3
Barbiturates	8	0.1	2.4
Benzodiazepines	6	0.1	1.8
Amphetamines	0	--	0.0
Phencyclidine	0	--	0.0
Unknown	1	--	0.0

* May be less than total of all substances if one or more applicants tested positive for multiple substances.

-- Less than 0.5 percent.

Employee Testing

Seven people were given probable cause tests. Three of the seven tested positive for one or more substances. The positive results were for cocaine, benzodiazepines, cannabinoids, and alcohol. Three-hundred fifty-four of the employee tests fell under the random or arbitrary testing provisions of the law. Thirteen (3.7%) were confirmed positive. There were nine positives for cannabinoids and four positives for cocaine.

Analysis of All Results

The Manufacturing Division had the largest number of employers with substance abuse testing policies. Of the 2,785 tests in Manufacturing, 3.1% were positive. Construction tested 2,394 and had the highest percentage of positives, 5.2%. The largest number of tests (4,493) was in Services (inc. Financial), 2.5% were positive. Transportation and Public Utilities reported zero positives. See Table 4.

Table 4
Results of All Tests Under
Approved Policies, by Industry
Maine, 1996

<u>Industry</u>	<u>Number of Policies</u>	<u>Number of Tests</u>	<u>Number of Positives</u>	<u>Percent Positive</u>
All Industries	134	10,854	346	3.2%
Construction	14	2394	125	5.2%
Heavy Construction	8	1989	104	5.2%
Other Construction	6	405	21	5.2%
Manufacturing	66	2785	85	3.1%
Food Products	7	421	15	3.6%
Wood Products	7	187	7	3.7%
Paper Products	20	945	29	3.1%
Plastics/Rubber	5	239	6	2.5%
Electronic/Electrical Equipment	7	390	7	1.8%
Other Manufacturing	20	603	21	3.5%
Transportation and Public Utilities	8	345	0	0.0%
Trade	16	640	20	3.1%
Wholesale	9	261	11	4.2%
Retail	7	379	9	2.4%
Services	24	4493	111	2.5%
Healthcare	7	1078	10	0.9%
Professional Services	4	2329	35	1.5%
Other	6	197	5	2.5%

There are some variations in the drug panels used by different employers. All, or nearly all, employers test for cannabinoids, cocaine and amphetamines. The inclusion of the latter is somewhat surprising since there has been only three positive results for an amphetamine in the seven years covered by these reports (two of these occurred in 1995). The substance least tested for is alcohol. Only 29 of the 101 employers who conducted tests during the year called for test panels including alcohol. See Table 5.

Table 5
Results of All Tests Under
Approved Policies, by Specific Substance
of Abuse, Maine 1996

<u>Substance</u>	<u>Employers Testing During Year</u>	<u>Total Tests</u>	<u>Total Positives</u>	<u>Percent Positives*</u>
All Substances	102	9708	238	2.5%
Amphetamines	101	9615	2	--
Cocaine	101	9654	19	0.2%
Cannabinoids	101	9654	179	1.9%
Phencyclidine	92	8446	2	--
Opiates	99	9642	17	0.2%
Barbiturates	66	7593	5	0.1%
Benzodiazepines	59	6254	6	0.1%
Methaqualone	50	5787	0	0.0%
Methadone	47	5681	0	0.0%
Alcohol	29	3285	10	0.3%

*Percent of test panel including that substance. Value of less than 0.05% is indicated by a dash.

Section III - Description of Experiences

Department of Labor, Bureau of Labor Standards

The average length of time for reviews reached a high of 90 working days for calendar year 1996. For the third year there was a significant backlog of reviews at year's end. The Bureau has responded by making plans to bring the average time for review and the backlog down to more acceptable levels in 1997. A key element is to move the responsibility for the review process to the Wage and Hour Division where there is additional staff and, therefore, more flexibility in assigning reviews. The Bureau also submitted legislation allowing for the development of model policies for applicant and probable cause testing. Model Policies will simplify both policy creation for the employer and policy review for the Bureau.

There were no formal complaints filed with the Bureau in 1996.

The SmithKline Beecham Drug Testing Index for 1996, as reported in the March 1997 MRO Update, shows a continued decrease in the rate of positives nationally. The rate last year was 5.8% compared with 6.7% in 1995. The national rate is still more than twice the rate for Maine companies (2.5%) testing under the State law last year.

Department of Human Services, Health and Environmental Testing Laboratory

There are sixteen licensed drug labs. None are located in Maine. All are certified by the National Laboratory Certification Program of the Substance and Mental Health Services Administration (formerly NIDA). Name changes and two lab closings have occurred due to acquisitions, mergers and/or consolidations. Two new labs have been licensed so the total number has remained constant.

Department of Human Services, Office of Substance Abuse Services

The Office approved 12 employee assistance programs (EAP). Thirty-five employers now have approved programs.