

Receiving a Positive Drug Test – What To Do Next?



If you've received a positive drug test at work, it's normal to be concerned. All Australian workplaces put the health and safety of employees first, so it's important to understand what to do next.

According to the [AMMA Drug and Alcohol Testing Survey 2016](#), 65% of respondents took a no-tolerance approach to drug testing in the workplace, whereas 26% focussed on harm minimisation, such as using a company's employee assistance program. 92% of respondents to this survey conducted onsite testing to detect the presence of alcohol, whereas 89% tested for drugs other than alcohol.

With this in mind, what should you do when receiving a positive drug test, and what are your rights as an employee? This article will explore the implications of a positive drug test and how to navigate workplace policies regarding Australian drug testing.

Navigating a Positive Drug Test – Next Steps



As an employee receiving a positive drug test result, it can be challenging and stressful, so how can you handle this situation?

1. Stay calm and assess results

Always assess the situation and consider whether the result is accurate. Do you fully understand how a positive drug test works? Different substances have different detection windows and, under some circumstances, produce false positives. Research the substance detected, the testing method used, and if there could have been an error.

2. Review company policies

What are your company's drug testing policies, and what is outlined in the policy if there's a positive result? Some companies have procedures in place, such as rehabilitation programs for employees struggling with substance abuse.

3. Seek legal advice

If you are worried that a positive drug test will have significant consequences for your employment, seek legal advice from an employment lawyer. This can help you understand your rights and support a course of action.

4. Explore rehabilitation options

If you're an employee struggling with substance abuse, explore rehabilitation options or counselling services in your area, whether that be independently or through an employer.

5. Open communication with the employer

Consider having an open and honest conversation with your employer. Explain the circumstances that led to your positive result; depending on the policies and procedures set by your company, you can be provided resources such as training, counselling, or rehabilitation.

What is a Drug Test Used For?

If an employer has issued a drug test, this is used to detect the misuse of one or more drugs. This can be used for different purposes, including:

Employment. An employer can screen you for drugs before hiring you. Post-hire, you can be tested for on-site drug use. If you have been involved in a workplace accident, an employer will test you to see if drugs or alcohol were involved.

Drug treatment. If you are in a program for drug or alcohol use disorder, your employer can use a test to monitor your treatment progress.

Legal evidence. Drug screenings can be part of a court case, including WorkSafe and criminal or motor vehicle investigations.

Monitoring prescription drug use. If you have been prescribed medication that can be addictive - such as opioids- your employer can order a drug test to make sure you're taking the medication appropriately.

Are you an employer looking for a practical drug test? [Pathtech](#) has a range of reliable options available for delivery, including [THC test kits in Australia](#), such as the [urine cup and Securetec Drugwipe](#).

Can Your Employer Fire You for Positive Drug Test Results?

If you have received positive drug test results, whether or not an employer can fire you depends on their policy.

A no-tolerance policy for drugs and alcohol, for example, means that employees must not receive a positive result that exceeds the relevant Australian Standard.

Fair Work regulations classify being intoxicated at work as serious misconduct; however, an employer needs clear workplace policies and procedures and proof of employee misconduct before deciding to terminate employment.

Employers can consider alternatives to dismissal, such as an employee assistance program that believes mental health, fatigue, drug and alcohol use, and other factors that impact being fit to work. If it is the first time you've tested positive for a drug test, it is common to receive counselling and a warning of future consequences.

In any case, these policies will differ depending on the responsibilities of different roles. A hospitality role will have different procedures than safety-sensitive areas, such as scaffolding, aviation, agriculture, mining, or chemical plants.

What About Pre-employment Screenings?



Pre-employment drug testing is common in Australia and is mainly used in the mining, construction, and transport industries. If your pre-employment screening is positive, the consequences depend on the industry and nature of the job.

Some employers may want to hire someone other than an applicant who tests positive for drugs, and others have a lenient approach. Overall, it depends on the type of drug, the amount present, and additional circumstances.

Looking for trustworthy testing for random drug testing or pre-employment marijuana testing? At [Pathtech](#), we supply and deliver THC drug test kits to Perth, Darwin, and Hobart businesses.

What About Medical Marijuana?

Medicinal marijuana is a more complex situation in terms of legality, but what if you test positive for medical marijuana at work? According to this [article](#) by Cannaverse, you must explore your rights as an employee and a patient and your employer's drug protocols. Here are some things to take note of.

- Employees who are prescribed legal medical marijuana should not be discriminated against or dismissed.
- You have a right to privacy as a patient and employee. Although employers can have drug testing policies in place, you are not obligated to test.
- Whether an employer can fire you is complex, as it depends on their policies and what you have agreed to. In some cases, a positive drug test for medical marijuana can lead to termination. Always understand your workplace's policies and procedures regarding drug testing.

Workplace Drug Test Kits For Employers in Australia

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Always improving our position and reputation in the marketplace, our highly skilled team offers a personalised service to anyone looking for a workplace drug-testing solution.

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