

## SUPREME COURT RULES...

In early December, the Supreme Court ruled that "Employers can refuse to rehire recovered drug addicts or alcoholics who were dismissed for violating the company's workplace rules." The unanimous but narrow ruling allows employers to reject former employees with troubled pasts, but it does not necessarily resolve the broader question of whether the former drug addicts and alcoholics are entitled to equal treatment when they apply for a job with a new employer. A "no-rehire" policy is a "legitimate, nondiscriminatory reason" for rejecting a former drug user, even if federal law forbids job discrimination against people for their past abuse of drugs or alcohol, the justices said. The justices overturned a ruling of the 9th U.S. Circuit Court of Appeals that said employers violate the law whenever they "bar the reemployment of a drug addict (who had undergone) a successful rehabilitation."



"This is a great case for employers, because it says you can have a policy that allows you to punish misconduct, nor a disability," stated Zachary Fasman, a New York lawyer who specializes in employment issues. He did emphasize that it "must be a uniform policy and it must be applied uniformly." For example, if a company rehired a former employee who broke the work rules, but not former drug users, it would be vulnerable to a discrimination charge.

A drug policy expert stressed that the ruling does not free employers to reject new employees who have a history of drug abuse. "The court did not use this case as an opportunity to shut the door to millions of people who are in recovery and are trying to enter the job market," said Judith Appel, a lawyer for the Drug Policy alliance in Oakland, CA.

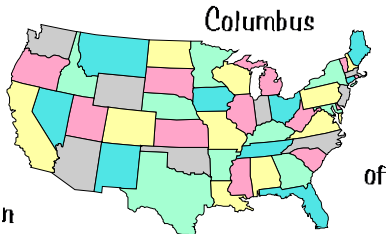
Source: The Los Angeles Times

## STATE OF MINE... OR YOURS?

Heroin abuse and heroin distribution are increasing in the state of Ohio according to statistics released a few months ago by the US Drug Enforcement Administration and the National Drug Intelligence Center. When the DEA seized a shipment of rum bottles filled with a brown-colored liquid that contained heroin, it was obvious that although liquid heroin is unusual, this method of smuggling may be on the increase. Heroin is reportedly shipped into Ohio from major drug distribution centers in Chicago, Detroit, New York and cities along the southwest border. Wholesalers use major Ohio cities like Cleveland, Cincinnati, Columbus and Toledo to distribute to smaller cities inside and outside the state.

The Ohio Department of Alcohol and Drug Addiction Services data shows that the number of treatment admissions for heroin abuse increased overall from 5,769 in 2001 to 6,878 in 2002. Other data reports that there is an emerging population of new, young heroin users in Akron, Cleveland, Dayton, Toledo and Youngstown.

It would be foolish to believe that Ohio is the only one of fifty states that is experiencing increased heroin abuse and distribution. With that in mind, the workplace must continue to take necessary steps to protect its environment from those whose drug and alcohol abuse patterns can adversely affect them.



## Question of the Month...

### What is "Robo Fire"?

**Answer:** "Robo Fire" is a dangerous combination of cough medicine and cigarette lighter fluid that more and more teens are using to get high. The abuse of cold medications is not something new to the drug abuse scene, but combining it with inhalants is a dangerous practice that can cause serious harm.

The mood altering effects of "Robo Fire" have been described as being similar to those produced by crack or LSD. Effects range from vivid, cartoon-like hallucinations to ataxia (inability to coordinate muscular movements), hyper-excitability, slurred speech, sweating, involuntary eye movement, hypertension and numbness. Brain damage, coma and death are also possible.

### I STILL want to hear from you...

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