

Note to Speakers: Focus on ONE Thing

By Nick Morgan

Many employee assistance professionals make presentations at various conferences. It's a great way for them to help their peers by sharing their expertise about a certain topic, and it gets their name "out there" as an expert in a certain area at the same time. It's a win-win.

But many speakers make the mistake of overwhelming their audiences with too much information. Audience members simply don't remember

much of what we hear. We're easily distracted and confused. Speakers have to keep it *simple*. Many studies suggest that we only remember a small percentage of what we hear – an estimated 10% to 30%.

But when an EA professional, or any speaker, gets in front of an audience, the urge to tell them everything they know is hard to resist. Far too many speakers perform a "data dump" on their audiences at the first opportunity.

Unfortunately, we can only hold four or five ideas in our heads at

any one time, so as soon as a speaker gives a list longer than that, we're going to start forgetting as much as we hear. There is only one defense against this dismal human truth: *Focus your presentation on a single idea*. Write that one idea down in one sentence, and paste it up on your computer. Then eliminate everything else, no matter how beautiful a PowerPoint slide it's on, that doesn't support that idea. ■

Nick Morgan is the author of "Targeted Leadership – Building a Team that Hits the Mark."

Clinical Perspective

Yoga can Help Drug Addicts

Finding in yoga an aid against drug addiction, a new study says that the traditional discipline can "significantly" improve the quality of life of drug users and also reduce the frequency of their drug usage, reports *The Economic Times*.

The study, authorized by AYUSH Ministry and funded under its Extra Mural Research (EMR) scheme, used Sudarshan Kriya Yoga (SKY) and meditation as an adjunct to regular treatment among a group of drug addicts, especially heroin users. Eighty-four heroin users undergoing treatment at a community-based clinic of National Drug Dependence Treatment Centre (NDDTC) in east Delhi participated in the study.

The study, which was randomized with control groups, showed that yoga intervention produced a significant change in the physical, social relationship and environmental domains of quality of life.

It also reduced the frequency of drug use as evident by the urine screening results as compared to the control group that was on treatment as usual. However, researchers noted that more studies need to be carried out in different settings with a larger sample size to replicate the findings. ■

On the Job

Getting Rid of Snacks not a Good Idea

Snacks, like many perks, exist to boost "employee engagement," HR jargon for an employee's emotional investment in their job. Many studies have linked high engagement with bottom-line success, finding that employees work best when they care about their job and their employer.

A 2012 Towers Watson study found work environments that promote the physical, emotional and social well-being of employees at the highest level had much higher one-year operating margins than those without engagement policies of any kind.

Employees accustomed to the perk can feel burned if it's taken away. At one Aon Hewitt client, for example, taking away free lunch "greatly demotivated the staff," according to Ken Oehler of Aon Hewitt, a PR consulting firm.

At another company, Aon Hewitt found that completely taking away free food would have caused such big deterioration in engagement that the cost savings couldn't be justified. "Even though it might not be a lot of money," Oehler said, "the question is are you getting the ROI [return on investment] on snacks?"

Andrew Chamberlain, chief economist at Glassdoor, a job-review website, agrees. "They would never have given the snacks to begin with if they didn't think it was helping boost productivity somehow," he said. "These small perks, they may be small in dollar amount, but they can be highly symbolic. They have this image as a gift, pulling it away can have a psychological effect that far outstrips the dollar amount." ■

Additional source: HC Online.

EMPLOYEE ASSISTANCE REPORT

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Volume 19, No. 2
February 2016

Marijuana in the Workplace: A Growing Issue

By Tamara Cagney, Christopher E. Knoepke, and David W. Mitchell

In the United States there has been a growing movement to relax state laws prohibiting the possession and use of marijuana. These controversial reforms are beginning to impact employee assistance professionals.

In 1996, California became the first state to legalize the use of marijuana for medicinal purposes. Twenty-three states and the District of Columbia currently have laws legalizing marijuana in some form.

Four states and the District of Columbia have legalized marijuana for recreational use. In Alaska, adults 21 and older can now transport, buy or possess up to an ounce of marijuana and six plants.

Oregon voters approved a similar measure allowing adults to possess up to an ounce of marijuana in public and 8 ounces in their homes, which took effect July 1, 2015. Colorado and Washington previously passed similar ballot measures legalizing marijuana in 2012.

A number of states have also decriminalized the possession of small amounts of marijuana. Most recently, Delaware passed legislation that decriminalizes the private use of up to an ounce of marijuana, replacing penalties with a civil fine.



stress, depression, and ironically even substance abuse.

Most states that have passed medical marijuana since that time have learned from California and limited the number of conditions covered and limited personal cultivation as well. More states are expected to join the medical marijuana movement with Florida being the first Southern state to discuss such legislation.

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Interestingly, marijuana may be legal in a growing number of states, but employees can still be fired for using it. EA professionals in these states are now learning how to assist businesses and individuals in a challenging intersection of federal and state laws, local practices, and company policies.

Background

California's Proposition 215 allowed a wide variety of conditions to be treated by medical marijuana: "Cancer, anorexia, AIDS, chronic pain, spasticity, glaucoma, arthritis, migraine, or any other illness for which marijuana provides relief." Physicians there have recommended marijuana for hundreds of conditions, including complaints such as insomnia, PMS, post-traumatic

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Medical Marijuana Issues in the Workplace

Conflicting medical marijuana laws require employers to balance two competing interests: their right and duty to establish and maintain a safe and productive workforce, and their obligation to accommodate, when reasonable, employees with disabilities. These laws raise questions about the implementation of drug-testing policies in the workplace, the scope of an employer's duty to accommodate its employees under state and federal laws, and compliance with federal statutes such as the Drug-Free Workplace Act.

As more people begin to use marijuana for medical reasons there has been an increase of employees seeking protection in the workplace.

Court Ruling with National Ramifications

For the fifth time in seven years, a state high court has ruled that employers have the right to fire employees who use medical marijuana. In a decision reached in June 2015 the Colorado Supreme Court found that Dish Network, the national satellite TV provider, did not act illegally when it fired Brandon Coats, a Denver-area call center rep, in 2010 after Coats tested positive for marijuana. Although Colorado law permits the use of medical marijuana, the court ruled that Dish was within its rights because pot remains illegal under federal law.

Although the case is limited to Colorado, the court's decision has national ramifications. Previous cases in California, Montana, Oregon, and Washington all swung for the employer, but the Colorado case was seen as the best chance for a ruling in favor of medical marijuana patients. In the end, Coats'

case, like those before his, couldn't overcome the federal law. Colorado's "lawful activity" statute, the state high court ruled, did not extend its protections to activities considered illegal under federal law.

Because medical marijuana remains illegal under federal law, its use is not protected by the Americans with Disabilities Act (ADA), even in states that have legalized medicinal marijuana. However, the underlying condition may still be a covered disability. Employers need to determine whether a reasonable accommodation may be required to accommodate a protected disability.

EA professionals are in a unique position to assist companies with handling these challenging cases in a way that simultaneously reduces risk to the employer by supporting a company's drug-free workplace policy, while helping employees who may have run afoul of company policy.

State Laws Vary

Many state laws, including those in Colorado, Hawaii, and New Mexico are silent on their effect upon the workplace. Laws in other states, such as Washington, Montana, Oregon, California, and Massachusetts, make it clear that employers may prohibit use or possession of marijuana in the workplace, but otherwise are silent on an employer's rights and obligations toward medical marijuana users.

Laws in still other states, including Arizona, Connecticut, Delaware, Maine, Michigan, and Rhode Island, include provisions explicitly addressing the laws' impact on the workplace.

Courts that have examined the impact of such laws on the workplace have typically not found

EMPLOYEE ASSISTANCE REPORT

Editor - Mike Jacquart
 Publisher - Scott Kolpien
 Designer - Laura J. Miller
 Circulation - Kim Bartel

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restrictions or obligations beyond those expressly set forth in the statute. Future court cases will continue to sort out the multitude of employment law issues that lie ahead.

Employer Policies

There is no doubt that employers benefit from a drug-free workplace, since these policies and procedures help to ensure a safe and productive work environment.

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Porn: A Growing Problem

By Wendy Maltz

According to statistics on the Internet Filter Review site, 40 million Americans visit Internet porn sites at least once a month. One-third of all downloads each month and one-quarter of all online searches each day are for porn. And, according to a 2008 Nielsen Online survey, a record-breaking 25% of employees in the United States are accessing porn at work, despite the risks involved.

Not surprisingly, concerns about the effect of porn on individuals and relationships are also on the rise. According to a 2004 survey in *Men's Health*, more than 70% of the men surveyed said they've looked at more porn since the advent of the Internet, and one in two expressed concern about their use of it. The American Academy of Matrimonial Lawyers and the British Nielsen NetRatings organization have identified it as a major

cause of divorce and relationship difficulties. No wonder sexual addiction experts, such as Patrick Carnes, have begun calling pornography addiction "our newest and most challenging mental health problem."

The explosion in porn use has happened so fast that many therapists have been caught unprepared; they may not yet comprehend the extent of the problems porn can cause, or how deeply its use can harm individuals and their intimate partners. Despite the increase in the number of people suffering from anxiety, depression, sexual problems, relationship distress, and other serious consequences of habitual porn use, few therapists feel comfortable and confident addressing porn-related concerns.

I never wanted to be out beating the drum against pornography. In the beginning of my career, if anyone had suggested I'd be here now, I'd have laughed at them. But from

my own clients, my research, and my personal experience, I've come to the conclusion that pornography is moving from an individual and couples' problem to a public health problem, capable of deeply harming the emotional, sexual, and relationship well-being of millions of men, women, and children.

The only way to prevent the spread of porn-related problems is for people to be informed and to get help early, and for society to be alert to the problems. I see a great need for parents, teachers, employers, clergy, healthcare workers, law enforcers, and therapists to start addressing pornography problems with the same kind of shame-free directness with which we've learned to tackle other public health concerns, such as cigarette smoking, alcohol consumption, domestic violence, and drug abuse. ■

This blog is excerpted from "Out of the Shadow."

7% of drivers, mostly under age 35, who were involved in accidents tested positive for THC; alcohol levels above the legal limit were found in 21% of such drivers.

Yet these statistics must be balanced by the medical issues that marijuana seems to treat diseases more efficiently than other alternatives (including prescription opioids), with fewer side effects and less risk of addiction and death. As more states move to legalize medi-

cal and recreational marijuana, employers will be challenged to balance the safety of many with the rights of employees.

Summary

EA professionals should offer the experience and expertise gained in working with the effects of other impairment-causing substances to help employers design the best possible workplace policies and assist employees in understanding these policies. ■

At the time of this writing, Christopher E. Knoepke, MSW, LSW, ABD was a Workplace Programs Coordinator at Peer Assistance Services in Denver, CO and the Enid O. Cox Predoctoral Fellow at the University of Denver's Graduate School of Social Work. David W. Mitchell, MA, LMHC, CEAP, is the Director of First Choice Health EAP in Seattle, WA. Tamara Cagney EdD, MA, BSN, CEAP is an internal EAP at Sandia National Laboratories in Livermore, CA, and the president-elect of EAPA. For a list of references used in this article, contact Tamara at tcagney@sandia.gov. This article originally appeared in the 3rd quarter 2014 "Journal of Employee Assistance" and is reprinted with permission.

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Mindfulness App Relieves Stress

Mindfulness is about paying attention to the present moment in a nonjudgmental way. It is a useful practice overall, but may be particularly helpful to those dealing with stress and stress related disorders. Mindfulness practice helps to reduce tension and worry, and improves coping. Research has shown that it is useful for stress reduction, depression, physical pain, and other physical and mental health conditions.

Mindfulness skills may also be used to assist individuals in coping with emotional distress, increasing resilience, and building positive skills for managing daily life matters.

Mindfulness Coach is a mobile app created by the Department of Veterans Affairs and Department of Defense to introduce mindfulness and increase mindfulness skill through practice. The Mindfulness Coach features:

- Detailed walkthroughs for 9 forms of mindfulness meditation, each including voice-guided sessions with captions and instructions for self-guided sessions.
- A log for tracking mindfulness practice.
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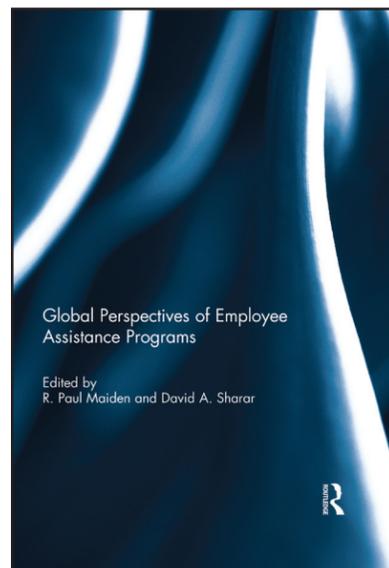
behavior change. The Mindfulness Coach, at www.myvaapps.com/#/mindfulness/ is available now for iOS. ■

Book Review

Title Fills Need for Global Context

Global Perspectives of Employee Assistance Programs, edited by noted EAP researchers R. Paul Maiden and David Sharar, is the first book of its kind to empirically address the Employee Assistance Program (EAP) concept and model in a diverse, global context.

This book features a variety of studies that deal with the design, delivery, cultural adaptability, evaluation, and measurement of international employee assistance programs in a variety of global settings,



including Europe, India, Russia, China, and South Africa.

Contributors also evaluate the impact of EAP on expatriates, the potential for an international well-being assessment tool, and the training of international EA professionals. This book was originally published as a special issue of the *Journal of Workplace Behavioral Health*.

For more information visit www.routledge.com/9781138962651 ■

Marijuana... cont'd from Page 2

Moreover, businesses with federal contracts or that operate under the Department of Transportation must comply with drug testing regulations that prohibit employees from using marijuana. In every state that permits medicinal or recreational marijuana, employers may lawfully prohibit employees from using marijuana during work hours or on work premises.

Employers in Washington and Colorado have additional challenges when writing workplace policies since marijuana has been legalized for recreational and non-medicinal use by adults. In Colorado, the amendment legalizing recreational marijuana maintains that, "nothing in this section is intended to require an employer to permit or to accommodate the use . . . of marijuana in the workplace or to affect the ability of employers to have policies restricting the use of marijuana by employees."

As a result, companies in Colorado are able to enact virtually any type of policy they feel is in their best interest with respect to marijuana use by employees. This includes zero-tolerance policies for employees who fail any test pursuant to their Drug-Free Workplace Policy. These employees may be subject to disciplinary action or remediation, including mandatory referral to the company's EAP, suspension, or termination.

Many businesses in these states have not updated their policies to clarify their expectations about employees who use legalized and medical marijuana. Businesses in other states that have employees who live in or travel to Washington or Colorado, should also review and revise policies to reduce risk and litigation. If a company's drug and alcohol policy only discusses "illegal drugs" without making an affirmative statement regarding



Editor's Notebook

This month's cover story could also have been titled, "Marijuana at Work: Coming to Your State Soon." Twenty-three states and the District of Columbia currently have laws legalizing marijuana in some form. So even if pot isn't legal yet where you live, there is a decent chance it will be in the near future.

"EA professionals in these states are now learning how to assist businesses and individuals in a challenging intersection of federal and state laws, local practices, and company policies," write Tamara Cagney, Chris Knoepke and David Mitchell in the *EAR* cover article.

Interestingly employees can still be fired for using pot. This is a vitally important point because

the courts are increasingly siding with employers' views in this matter. The authors note that, "For the fifth time in seven years, a state high court has ruled that employers have the right to fire employees who use medical marijuana."

While laws in some states make it clear that employers may prohibit use or possession of marijuana in the workplace, legislation in other states are silent on their effect on the workplace. The authors also note that future court cases are likely. *In other words, stay tuned.* Until next month.

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marijuana, employees may unintentionally violate zero-tolerance policies, and courts may not agree that the company has a right to pursue action if their policy is unclear. EAPs in these states are in a unique position to provide feedback to these companies.

What is Next?

Testing drivers for recent marijuana use has not been as simple as testing for alcohol. Preliminary research on the detection of THC in the breath of marijuana smokers may change that. According to the National Institute on Drug Abuse, a new breath test they have developed can detect in most cases whether a person used marijuana within the previous 30-150 minutes, depending on the frequency of use. This kind of testing could become a valuable tool for workplace or roadside marijuana testing.

Employee Assistance Professionals' Role

EA professionals understand that long-term marijuana use can lead to a diagnosable substance use disorder. It is estimated that 9% of marijuana users will become dependent. That number shoots up to about 1 in 6 in those who start using in their teens and rises to 25-50% among daily users

Because marijuana impairs judgment, motor coordination and slows reaction time, a user has an increased chance of being involved in an accident. According to the National Highway Traffic Safety Administration, drugs other than alcohol (e.g., marijuana and cocaine) are involved in roughly 18% of motor vehicle deaths. A recent survey found that nearly

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Domestic Violence Case may have EAP Implications

The New York State attorney general has reached a potentially significant settlement with Bon-Ton Stores, which has more than 200 department stores across the northern part of the country, over a workplace discrimination complaint filed by a victim of domestic violence.

The settlement stems from an episode in early October at the company's store in Williamsville, N.Y., a suburb of Buffalo. It requires the company to educate all employees of its New York stores that victims of domestic violence are protected by state law against retaliation and harassment relating to their abuse.

In a possible violation of the law, the Bon-Ton employee was sent home by a manager shortly after revealing that her estranged husband had threatened her life the day before. Under the terms of the

settlement, Bon-Ton did not admit any wrongdoing, but agreed to change its policy so that employees in a similar situation are not required to procure a protective order to stay on the job.

Experts on workplace discrimination hailed the settlement as an important step in protecting victims of domestic violence.

"It has a great value in spreading awareness about the law," said Amanda Norejko, of Sanctuary for Families, an advocacy group and service provider for survivors of domestic violence. "Employers who are willing to flout the law will be given pause by the fact they know the attorney general's office is investigating these things."

Bon-Ton declined to comment on the case or the settlement agreement. ■

Additional source: New York Times.

EAPA Names DeLapp New CEO

Gregory DeLapp has been selected by the EAPA Board of Directors to become EAPA's next CEO, effective Jan. 1, 2016. An EA professional for more than 30 years, Greg has a long history of service to EAPA, including serving as EAPA's president from 1998-2000.

"I am honored and humbled by the opportunity to help steer the EA profession into the future," he noted. "I look forward to exploring every avenue possible to further position educational and developmental opportunities for EAPA members to be prepared and competitive in the marketplace."

Greg's selection as CEO was recommended unanimously by EAPA's Search Committee, composed of six representatives from the Board, three EAPA staff and one EAPA member at large, after a thorough global search process. His appointment was approved by the full EAPA Board at its October 2015 meeting. ■

There IS a Way to Avoid Overbooking!

Most of us try to lead balanced lives, so why do we often find ourselves frantically juggling a million things at once? Whether you say yes to too many social engagements, get bogged down by endless work meetings, or just never have time to yourself, packing a calendar too tightly can seriously threaten your sanity. While there are only so many events you can decline, there IS a way to avoid overbooking!

Know Your Patterns

Take stock of your current calendar and figure out why you're so overwhelmed with engagements. Ask yourself whether you're "trying to prove something," or if "overscheduling is a distraction from something else," says integrative nutrition health coach and lifestyle expert Lula Brown. If it's tricky to do on your own, talk out certain tendencies with a good friend. If deeper issues come up, consider finding a therapist or coach, Brown suggests.

Brown also encourages taking stock of which events you end up canceling (or want to cancel). Then you can identify what kinds of commitments drain you — maybe it turns out that you need to stop scheduling anything on Sunday, or cut back on get-togethers with one particular person.

Overcome Approval Addiction

When you don't want to disappoint people, it can be tough to figure out what to say no to, says health and lifestyle strategist Kara Martin Snyder. To combat this, Snyder suggests looking over the activities you've committed to and asking yourself two questions as you review each one:

- Does just thinking about this energize me or drain me?
- How is this activity serving me or helping me grow?

The answers will tell you your true motivations for RSVP-ing yes, and you can make sure you have a good reason beyond people pleasing

Steve Siebold, a psychological performance and mental toughness coach, says that to overcome what he calls "approval addiction," it's important to "realize that you are responsible [for being] honest and sincere, and acting with integrity in all that you do, but

you are *not* responsible for other people's attitudes or behaviors towards you."

Take Your Time Responding to Invites

So how do you make sure you're not taking on too much? Sophia Dembling, author of *The Introvert's Way: Living a Quiet Life in a Noisy World*, suggests buying some time when someone invites you out.

Instead of responding with a knee-jerk 'yes,' "take an hour, a day, or whatever time you need," says Dembling. Say something like, "I need to check my calendar" to give yourself some breathing room. It's better than going to an event you don't want to attend, or backing out at the last minute. ■

Additional source: "Time" magazine. For the complete article, check out <http://time.com/money/4061914/stop-overscheduling/?xid=tcoshare>.

WOS Evaluates Outcomes for DuPont

Four regional DuPont EAP vendors and a large network of EAP affiliates contributed a sample of 1,140 DuPont clients who completed the Workplace Outcome Suite-5 (WOS-5) in 2014 before using EAP and then about 90 days after using the EAP.

Over 50 countries were included throughout Europe, Asia, Latin America, and North America. The data was aggregated to provide a picture of global workplace effects of EAP services for one large multi-national corporation. Results offer evidence that global EAP can improve the workplace effectiveness of employees, regardless of culture or location. The DuPont evaluation was presented by CGP staff at the 2015 World EAP Conference in two venues: (1) The Employee Assistance Roundtable's Fall Conference (Dave Sharar), and (2) the World Conference session: "Results from an EAP Research Network" (Matt Mollenhauer and Richard Lennox). A special thanks to Paul Heck and Thomas Spiers at DuPont for arranging and supporting this evaluation study. ■

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