

ILLEGAL SUBSTANCE ABUSE AT THE WORKPLACE: THE ROLES OF EMPLOYER AND EMPLOYEE

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Abstract

Taking any kinds of illegal substance like drug at the workplace is a serious kind of misconduct which can immediately lead to dismissal from the workplace. It is not only been consider as a serious misconduct, it is also can be consider as a crime to take such illegal substance in the country. The country long stand against any illegal substance abuse like drug is very clear. There are many existing laws in the country particularly labor laws which require all parties in a workplace to behave professionally and be respectful to the work ethics. Taking illegal substance like drug and becoming drug abuser will change people life entirely. Once a worker has become under influence or addicted to drug at the workplace, they cannot give their full focus to their job. It will also effected the surrounding people in the workplace and to the organization itself. As such, it is very important for everyone at the workplace to play their role to prevent anyone from becoming victim to any kinds of illegal substance. Prevention is better than cure. Employer as the leader in a workplace must make sure each of their workers are not been under influenced or addicted to any kinds of illegal substance like drugs. Employer must take necessary steps to ensure all their employee are protected as far as practicable from any harm which might effects their work and their own life. Based on this issue, it is the object of this paper to further examine the issue concerning illegal substance abuse like drug abuse at the workplace by taking into account Malaysia strict position against drug abuse, analyzing the cause and effect over such abuse, studying the existing laws in the country to deal with the issue, and identifying the roles of employer and the employee to deal with such issue at the workplace.

Keywords: Illegal, substance, abuse, workplace

1. INTRODUCTION

Workers involvement or addiction towards any illegal substance at the workplace is very danger matter and need to be tackle seriously by all the concern parties at the workplace. A worker is expected to fulfill their work obligation with full integrity, honor and responsibility. If a worker associate themselves with any illegal substance, it would not only effects their professionalism but will also tarnish the reputation of the organization which they belong to. Any involvement of the worker with any kinds of illegal substance must be

detected at early stage and be handle immediately by the organization. Before we go further into the topic, it would be much better if we could identify the definition of substance abuse itself. According to the world leading international organization on health namely the World Health Organization (WHO), substance abuse refers to the harmful or hazardous use of psychoactive substances, including alcohol as well as illicit drugs. (Substance abuse, WHO, 2019). Psychotropic substance is a chemical substance that acts primarily upon the central nervous system where it alters person brain function, resulting in temporary changes in person level of awareness, mood or attitude, consciousness and demeanor. (Psychotropic substance, Science Daily, 2019). According to the WHO, psychoactive substance use can lead to dependence or addictive syndrome, a cluster of behavioural, cognitive, and physiological phenomena that develop after repeated substance use and that typically include a strong desire to take drug, difficulties in controlling its use, persisting in its use despite harmful consequences, a higher priority given to drug use than to other activities and obligations, and sometimes a physical withdrawal state. As mentioned through the definition given by the WHO above, it is clear to us that the taking of any illegal substance can potentially effects the mind and body of a person and the most common types of illegal substance abuse which can bring serious implication towards a person ability to think and function are alcohol and drugs. This paper will only be focusing on the issue concerning drug abuse at the workplace due the severity of drug abuse effects towards a person and due the country long stand against drug abuse itself. Drug abuse is generally been defined as a patterned use of any illegal substance involving the use drug in which the abuser consumes the substance in amounts or with methods which are harmful to themselves or others. Drugs which are most often been subjected to abuses includes cannabis, barbiturates, benzodiazepines, cocaine, methaqualone, opioids and some substituted amphetamines like methamphetamine and Methy lenediox ymethamphetamine (MDMA) or commonly known by many as Ecstasy.

For the last many years, there are various kind of drugs which have been subjected to abuse by Malaysian society. According to the Malaysian National Anti – Drugs Agency (NADA), an agency under the purview of the Malaysian Ministry of Home Affairs (MOHA) that oversees drug related issues and problems in Malaysia, there are various kind of drugs being used by drug abusers in the country. They includes Opiate (Heroin and Morphine), Methamphetamin (Crystalline) like Syabu, Methamphetamin (Tablet) like YABA pill and YAMA pill, Marijuana, Amphetamine – type stimulants (ATS) (Ecstasy and Amphetamine), Psychotropic pill like Benzodiazepine, Psychotropic Pill and Eramine 5, and other kinds of substances which have similar effect close to drug itself like Ketum leaves, Depressant, Dissociative, Hallucinogens, Inhalan, and others. (Drug statistic, NADA, 2019). According to statistic released by the Malaysian National Anti – Drugs Agency (NADA), there are overwhelming number of reported cases concerning drug abuse in a workplace throughout the country in the year 2018 alone. According to the given statistic the number of reported cases according to the working sectors are as follows part – time workers (8,086 reported cases), general workers (5,621 reported cases), services (1,822 reported cases), sales (1,607 reported cases), agriculture (1,457 reported cases), transportation (940 reported cases), technical (890 reported cases), manufacturing (421 reported cases), construction (303 reported cases), management (Including civil servant) (207 reported cases), clerical (58 reported cases), entertainment (19 reported cases). (Drug statistic, NADA, 2019). Workers who has become under influenced of addicted to drug will started to face with many kinds of problem which effects their own personal life and their ability to work. They will also started to have bad relationship with their own colleagues at the workplace, with their own superior or employer and with third party namely the client or customer. (Nova Recovery Center, 2018).

2. MALAYSIA POSITION ON DRUG ABUSE

Malaysia is one of the countries in the world which has the toughest law against drug abuse. For many years since gaining its independent in 1957, Malaysia has been in constant fight with drug abuse among its people. Such harsh attitude towards drug abuse in the country is taken due to the effect over drug abuse brings to the individual, to their family, to the society, and to the country. It has been the Malaysian government long term goal to create a country where there is no drug abuse and its people are free from becoming victim to drug addiction. Such long term goal is widely known as “Drug Free Malaysia”. (NADA, 2019 and Sarina Mohamed, 2012). The issue concerning drug abuse had escalated in the country since the 1970s. Such escalation not only effect the life of adult, but also has effect the life of the country youth and even young children who are still in school. (Farhana Syed Nokman, 2016). Such escalation over the abuse of drug had prompted Malaysia to declare drugs abuse as the “Nation’s Number 1 Enemy” up to this day. (NADA, 2019). Since Malaysia has declared drug abuse as the country number one enemy, steps must be taken to ensure the Malaysian society are protected from being exposed to any kinds of illegal substance or any substance which might bring potential harm to them. For this reason, the country has enacted a very strict law to deal with drug abuse cases. The unauthorized possession of any kind of drugs is seen as a serious offence in Malaysia. The offence over drug abuse will be deal under the country law known as Dangerous Drugs Act

1952 [Act 234]. Dangerous Drugs Act 1952 [Act 234] regulates matters on the import, export, manufacture, sale and use of opium, dangerous drugs and related materials. Under the mentioned Dangerous Drugs Act 1952 [Act 234], there are three circumstances on which might lead a person into criminal conviction and faced with harsh punishment or sentencing from the court. The three common offences are self – administration of the drug, being in possession of a drug and drug trafficking. (Joshua Tay, 2017). Each of these come with different punishments and ways in which the court can determine whether the perpetrator is guilty or not. Self – administration of drug or basically drug for private use is governed under Section 15 of the Dangerous Drugs Act 1952 [Act 234]. Section 15 of the Dangerous Drugs Act 1952 [Act 234] states (1) Any person who (a) consumes, administers to himself or suffers any other person, contrary to section 14 to administer to him any dangerous drug specified in Parts III and IV of the First Schedule; or (b) is found in any premises kept or used for any of the purposes specified in section 13 in order that any such dangerous drug may be administered to or smoked or otherwise consumed by him, shall be guilty of an offence against this Act and shall be liable on conviction to a fine not exceeding five thousand ringgit or to imprisonment for a term not exceeding two years. (2) For the purpose of this section, “consumes” includes eat, chew, smoke, swallow, drink, inhale or introduce into the body in any manner or by any means whatsoever.

Being in possession of a drug is governed under Section 6 or Section 12 of the Dangerous Drugs Act 1952 [Act 234] depending on the type of drug. Section 6 of the of the Dangerous Drugs Act 1952 [Act 234] states any person who keeps or has in his possession, custody or control any raw opium, coca leaves, poppy-straw or cannabis or the seeds of the plants from which they may be obtained either directly or indirectly, except under and in accordance with an authorization such as is referred to in sections 4 and 5 or with any regulation made under section 7 thereof, shall be guilty of an offence against this Act and liable on conviction to a fine not exceeding twenty thousand ringgit or to imprisonment for a term not exceeding five years or to both. Section 12 of the Dangerous Drugs Act 1952 [Act 234] states (1) No person shall except under the authorization of the Minister (a) import into Malaysia any dangerous drug specified in Parts III, IV and V of the First Schedule; or (b) export from Malaysia any dangerous drug specified in Parts III and IV of the First Schedule. (2) No person shall have in his possession, custody or control any dangerous drug to which this Part applies unless he is authorized to be in possession, custody or control of such drug or is deemed to be so authorized under this Act or the regulations made thereunder. (3) Any person who contravenes subsection (2) of this section shall be guilty of an offence against this Act and shall be liable on conviction to a fine not exceeding one hundred thousand ringgit or to imprisonment for a term not exceeding five years or to both. (4) Any person who is a public officer employed at any prison, rehabilitation centre, police lock-up or place of detention shall, on his conviction under subsection (3) for contravening subsection (2), be liable to whipping of not more than three strokes in addition to the punishment to which he is liable under subsection (3). The legal concept of “possession” requires three main ingredients to be proven like custody, control, and knowledge. These three ingredients form both the act (*actus reus*) and the mental element (*mens rea*) (the intention or knowledge of wrongdoing) necessary in order to find someone guilty for the crime of possession of drugs. As stated earlier under Section 12 of the Dangerous Drugs Act 1952 [Act 234], the punishment for drug possession could vary from a mere fine to life imprisonment and whipping, depending on the weight of the drugs in question.

However, the most severe offence under the Dangerous Drugs Act 1952 [Act 234] is the offence relating to drug trafficking as it carries the mandatory death penalty. However, important to note that as of 2018, the law has now been amended to change the mandatory drug penalty to discretionary. (Joshua Tay, 2017, Denise, C. 2017, and Fernando Fong, Veena Babulal and Arfa Yunuf, 2017). In order to prove an offence of drug trafficking, the prosecution must first prove that the perpetrator were in possession of dangerous drugs and that such possession is for the purposes of trafficking in the said drugs. (Joshua Tay, 2017). According to Section 2 of the Dangerous Drugs Act 1952 [Act 234] trafficking includes the doing of any of the following acts, that is to say, manufacturing, importing, exporting, keeping, concealing, buying, selling, giving, receiving, storing, administering dangerous drug. According to Section 39B of the Dangerous Drugs Act 1952 [Act 234] (1) No person shall, on his own behalf or on behalf of any other person, whether or not such other person is in Malaysia (a) traffic in a dangerous drug; (b) offer to traffic in a dangerous drug; or (c) do or offer to do an act preparatory to or for the purpose of trafficking in a dangerous drug. (2) Any person who contravenes any of the provisions of subsection (1) shall be guilty of an offence against this Act and shall be punished on conviction with death or imprisonment for life and shall, if he is not sentenced to death, be punished with whipping of not less than fifteen strokes. (2A) In exercising the power conferred by subsection (2), the Court in imposing the sentence of imprisonment for life and whipping of not less than fifteen strokes, may have regard only to the following circumstances: (a) there was no evidence of buying and selling of a dangerous drug at the time when the person convicted was arrested; (b) there was no involvement of agent provocateur; or (c) the involvement of the person convicted is restricted to transporting, carrying, sending or delivering a dangerous drug; and (d) that the person convicted has assisted an enforcement agency in

disrupting drug trafficking activities within or outside Malaysia. (3) A prosecution under this section shall not be instituted except by or with the consent of the Public Prosecutor: Provided that a person may be arrested, or a warrant for his arrest may be issued and executed, and any such person may be remanded in custody notwithstanding that the consent of the Public Prosecutor to the institution of a prosecution for the offence has not been obtained, but the case shall not be further prosecuted until the consent has been obtained. (4) When a person is brought before a Court under this section before the Public Prosecutor has consented to the prosecution the charge shall be explained to him but he shall not be called upon to plead, and the provisions of the law for the time being in force relating to criminal procedure shall be modified accordingly.

3. CAUSE AND EFFECT OF ILLEGAL SUBSTANCE ABUSE AT THE WORKPLACE

It is hard to identify any single or definite cause which make individual worker being under influenced or addicted to drug. According to the country National Anti – Drugs Agency (NADA), in general among the likely cause which give rise to the problem over drug abuse in the country includes due to peer influence, due to curiosity, to have fun, due to stress, to relief pain, as a stimulant, aggressive, work – based reasons, as an entertainment, lack of religious affiliation, facing financial problems, slimming, due to domestic violence, medical, craving for drugs, sex, betrayed, ignorance over the dangers of drugs, for study purposes and so on. (Drug statistic, NADA, 2019). Becoming a drug abuse will lead to other serious problem not only to the abuser themselves but also to other people around him. The most common effect of drug abuse is upon the abuser health. The abuser can become addicted to the illegal substance and begin to develop some kind of life long dependency to the illegal substance itself. Depend on the amount and types of drug taken by the abuser, such addiction and dependence will slowly affect their mind, emotion and character. The abuser will become less focus in life and begin to exclude himself from their own family and friends, as well as excluding themselves from the society. This kind of behaviour is widely known as “Anti – Social Behaviour”. (Mohamed Ibrahim, Razak Lajis, and Mohd Isa Abdul Majid, 2004 and Ksir, Oakley Ray; Charles, 2002).

Everybody also know the negative impact which drug can bring to the abuser especially when it been take beyond prescription or under unauthorized circumstances. Such illegal substance can potentially affect the mind of a person, disturb the stability of his emotion and the ability to do any work. Once this problems have occur to any worker in a workplace, they will find difficulty in performing their working duty and responsibilities. At the end, it will lead to diminished job performance, lowered productivity, absenteeism, indiscipline, misconduct and others. On extreme case, it might also lead to workplace violence like harassment and assault. (Addiction Center, 2019). The impact over addiction on drug will also spill over to other people in the workplace particularly among the co – workers. Due to potential rise of workplace violence and harassment being committed by the worker who is under the heavy influence or being addicted of drug, the co – worker will find it to be difficult to give their full focus and commitment to their job as well. At the end, the working environment at the workplace will become hostile which can also lead to immediate resignation by some worker who are unable to cope with such hostile working environment. Such immediate resignation due to hostile working environment may also give rise to legal action been taken against the employer who fail to prevent the working place from become hostile due to drug abuse problem being faced by some of the worker. The impact over the drug abuse by the worker will also lead to unnecessary problem to third party like client or customer. The reputation of the organization will also be effected. The society will see the organization as a problematic organization which is unreliable and should be avoided at any cost. Once the reputation of the organization has been effected, the organization will start to suffer loss of income and eventually will also lead to bankruptcy or closing or shutting down permanently. (Tomo Drug Testing, 2016).

4. THE EXISTING LAWS IN MALAYSIA TO DEAL ILLEGAL SUBSTANCE ABUSE AT THE WORKPLACE

There are various kind of legislations which can be used not only to deal with the problem concerning drug abuse among worker in the workplace but also as a prevention in order to prevent such problem from becoming an issue in any workplace in the country. Though we already have strong law in place like the Dangerous Drugs Act 1952 [Act 234] to deal with the issue concerning self – administration of the drug, being in possession of a drug and drug trafficking in the country we also have other criminal statute which can be used against the drug abuser in the workplace like the Penal Code [Act 574] and Poisons Act 1952 [Act 366]. Besides these criminal statutes, there is also many administrative rules, regulations and even circular which can be used to ensure the workers don't get involve with the use of any kinds of illegal substance. It is crucial to note that besides committing a crime, the worker who have been subjected themselves to drug abuse has also committed a very serious misconduct which might lead to immediate dismissal from the organization. There are various employment laws in the country which had discussed about this mater in detail. (Ashgar Ali Ali Mohamed, 2014, Sharifah Suhanah Syed Ahmad, 2012 and Marilyn

Aminuddin, 1990). Under employment, misconduct can be regarded as a conduct which is improper and wrong which being committed at a workplace. (M. N. D'Cruz, 2003) and refer also to the case of *Syarikat Kenderaan Melayu Kelantan Sdn Bhd v Transport Workers Union* (1990) 1 MLJ 5).

The handling of misconduct and some of the related clauses is regulated under Section 12, 13, 14 and 15 of the Employment Act 1955 [Act 265] and also in Section 20 of the Industrial Relations Act 1967 [Act 177]. Under Section 14 of the Employment Act 1955 [Act 265] clearly states (1) An employer may, on the grounds of misconduct inconsistent with the fulfilment of the express or implied conditions of his service, after due inquiry (a) dismiss without notice the employee; (b) downgrade the employee; or (c) impose any other lesser punishment as he deems just and fit, and where a punishment of suspension without wages is imposed, it shall not exceed a period of two weeks. (2) For the purposes of an inquiry under subsection (1), the employer may suspend the employee from work for a period not exceeding two weeks but shall pay him not less than half his wages for such period: Provided that if inquiry does not disclose any misconduct on the part of the employee the employer shall forthwith restore to the employee the full amount of wages so withheld. (3) An employee may terminate his contract of service with his employer without notice where he or his dependants are immediately threatened by danger to the person by violence or disease such as such employee did not by his contract of service undertake to run. From this particular section, it is clear to us that, it is very important for the employer to investigate all the allegation being submitted to him before the employer take final decision on the future of the worker and this is normally been carry out by way of having an inquiry or domestic inquiry. Such inquiry being carry out in order to investigate further all the allegation been put forward against the accused namely the worker and this include the allegation pertaining to drug abuse committed by the accused worker. If the domestic inquiry panel finds that the accused worker in question has been at fault, it will impose appropriate punishment which will commensurate with the magnitude of the fault and circumstances of the case. Further reference can be made to the following case of *Mohd Zaihan Mohd Zain v Island & Peninsular Berhad* [2008] 4 ILR 155 and *Malaysian Airlines v Teo Chui Ping* [2005] 2 ILR 15. As the domestic inquiry is a purely internal process run by the organization, whether the worker can appeal against the decision made by the domestic inquiry would depend purely on the organization's policies and procedures. If there is an appeal procedure set out in the organization's policies, the organization must comply with it to avoid any perception that they are acting unfairly or prejudicial to the worker. If the worker feels they were unfairly terminated based on the finding of the domestic inquiry, the worker may lodge a complaint for unfair dismissal pursuant to Section 20 of the Industrial Relations Act 1967 [Act 177].

Over the years, there have several court cases which highlighted this issue in the country, for example, in the case of *Stephen Baya Peter & Ors v Hotel Hilton Kuching* [2010] 9 MELR 649 where due to the strict policy against drinking while on duty, the employees were dismissed when they were found drinking. The court upheld the dismissal as it did not accept the claimant's argument that the consumption was low and that they were not drunk. Mere consumption was sufficient to justify dismissal. Though illegal substance used in this particular case is alcohol however it give us a picture that serious misconduct can be taken against worker who violated the office rule and consuming any substance which can affect the capability of the worker to work and the court would normally decide in favor of the organization which has taken stern action against those worker including action for dismissal. In the case of *Zulhilmi Fauzi v MISC Berhad* [2014] 1 ILR 240 the court upheld the employee's dismissal as he had tested positive for drugs, a breach which according to the company's policy was grounds for termination. On a few other occasions, the courts had applied the doctrine of proportionality and found that the employee was unfairly dismissed because the punishment of dismissal was harsh and unjustified in the circumstance. For example, in the case of *New Straits Times (M) Bhd lwn Rohaniza Ahmad Yusoff & Ors* [1997] 1 MELR 854 where the court held that the dismissal was disproportionate by virtue of the following factors: i) the claimants had expressed remorse when they confessed to their drug use; ii) drug use by employees should be treated differently than other types of offences as there is no criminal intention; iii) the company did not provide opportunity to rehabilitate; and iv) the claimants had served the company for many years and had hitherto given satisfactory performance. (Donovan Cheah and Adryenne Lim, 2017). From this particular case, it is clear to us that that the organization through domestic inquiry must exercise the principle of natural justice before taking any further action against their own worker. The organization cannot treat their own worker harshly. Whenever it is necessary, second opportunity must be given to the worker themselves to become a better person and a productive worker.

5. ROLES OF THE EMPLOYER AND EMPLOYEE TO DEAL WITH THE ISSUE

Both employer and employee must play their role to deal with the issue concerning illegal substance abuse at the workplace. All workers at the workplace must regard themselves as one big family in a workplace and must take good care of each other for common good. Immediate action must be taken against anyone who

been suspected to have been influence or addicted to any kinds of illegal substance abuse like drug. Such duties is not only something which is morally should be carry out but also has been stipulated by statute in the country. A simple reference can be made to the country Occupational Safety and Health Act 1994 [Act 514] where the statute has lay down many duties and responsibilities on the part of both employer and employee to ensure the safety and health at the workplace. Section 15 of the Occupational Safety and Health Act 1994 [Act 514] clearly states "It shall be the duty of every employer and every self – employed person to ensure, so far as is practicable, the safety, health and welfare at work of all his employees". Such duty also include a duty to prepare a clear policy to ensure worker safety and health at the workplace. A person who contravenes the provisions of Section 15 shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit or to imprisonment for a term not exceeding two years or to both (Section 19 of the Occupational Safety and Health Act 1994 [Act 514]).

Similar duties has been formulated under the Occupational Safety and Health Act 1994 [Act 514] for the employee. Section 24 of the Occupational Safety and Health Act 1994 [Act 514] states "(1) It shall be the duty of every employee while at work (a) to take reasonable care for the safety and health of himself and of other persons who may be affected by his acts or omissions at work; (b) to co-operate with his employer or any other person in the discharge of any duty or requirement imposed on the employer or that other person by this Act or any regulation made thereunder; (c) to wear or use at all times any protective equipment or clothing provided by the employer for the purpose of preventing risks to his safety and health; and (d) to comply with any instruction or measure on occupational safety and health instituted by his employer or any other person by or under this Act or any regulation made thereunder. (2) A person who contravenes the provisions of this section shall be guilty of an offence and shall, on conviction, be liable to a fine not-exceeding one thousand ringgit or to imprisonment for a term not exceeding three months or to both. Based on above explanation, it is clear to us that both employer and employee must play active roles to ensure the organization is not being use for any illegal activities. Everybody in the organization must constantly alert over their surrounding and take immediate action to deal with such problem before it goes out of control.

Section 16 of the Occupational Safety and Health Act 1994 [Act 514] states "Except in such cases as may be prescribed, it be the duty of every employer and every self – employed person to prepare and as often as may be appropriate revise a written statement of his general policy with respect to the safety and health at work of his employees and the organisation and arrangements for the time being in force for carrying out that policy, and to bring the statement and any revision of it to the notice of all of his employees". Such duty not only focus towards the safety and health of their own worker, it's also included the duty to ensure the safety and health of any third party who come to the workplace. This has been mentioned under Section 17 of the Occupational Safety and Health Act 1994 [Act 514] where it states "It shall be the duty of every employer and every self – employed person to conduct his undertaking in such a manner as to ensure, so far as is practicable, that he and other persons, not being his employees, who may be affected thereby are not thereby exposed to risks to their safety or health".

Occupational Safety and Health Act 1994 [Act 514] does not expressly state that employers must develop and implement policies relating to alcohol and drug related problems. However, it is arguable that the obligation to ensure employees' safety and health is wide enough to cover such issues. (Donovan Cheah and Adryenne Lim, 2017). As such, it is very important for the employer to prepare a clear written policy over drug abuse and any illegal substance abuse in a workplace so that every workers in the organization can read it and take precautionary step to avoid from becoming a drug addict or abuser. Suspicions regarding a worker who may be under the influence or addicted of drug may come from co – workers or clients, often before it is noticed by the employer. If someone has made complain, immediate investigation must be carry out by the organization. Throughout the investigation process, every pieces of evidence must be gather and be properly keep for future reference. Any kind of evidence can be used to proof an allegation over drug abuse like witnesses, physical evidence or circumstantial evidence like odors, speeches, eyes, emotion, and other possible indication which might indicate influence of drug. It is also highly recommended for employer to conduct some kind of test on the worker in order to know whether or not their own worker has been using any illegal substance or drug. Presently, there is no legislation in the country specifically addressing the issue of mandatory drug testing on the workers. However, the Department of Occupational Safety and Health (DOSH), Ministry of Human Resources (MOHR) has produced a guidelines relating to drug and alcohol problems in the workplace. Such guidelines suggest that drug testing can be implemented by employers. However employers are advised to have written and clear procedures for the testing process itself and managing employees who have tested positive, as well as the process to challenge any test result by the worker. Besides following the existing rules, education also play very important role to prevent any workers in the workplace from getting involve with any kinds of illegal substance abuse. Employers must take their own initiative to conduct simple talk, forum, discussion or even seminar at their workplace highlighting the matter

in order to create long term awareness among their workers over the concern issue.

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