

Closing Statement for Ranking Member Mark Takano
Joint HELP Subcommittee/Workforce Protections Subcommittee Hearing:
“The Opioids Epidemic: Implications for America's Workplaces”
Thursday, February 15, 2018 at 10:00 a.m.
Rayburn 2175

I want to thank the Chair for hosting this important hearing. The opioid epidemic - and substance abuse more broadly – has been felt in every corner of this country.

The impact of addiction is never limited to just one individual. It affects families, friends, and even employers.

More than half of adults struggling with substance abuse were employed full-time in 2012. And a recent survey from the National Safety Council found that 70 percent of employers have felt the negative effects of prescription drug usage, including absenteeism, impaired or decreased job performance, and near misses or injuries.

If we are going to make any progress in addressing the opioid epidemic and addressing substance abuse disorders in general, our workplaces must have policies that support affected workers.

As Ranking Member Sablan has said, access to comprehensive health coverage is imperative for workers with substance abuse disorders. Efforts to roll back protections, or reduce the quality of health coverage, denies them the help they need to move towards recovery.

Workers affected by substance abuse also benefit from strong workplace policies that prevent addiction, allow them time to seek recovery, or help them re-enter the workplace.

As with many of the problems this committee seeks to tackle, preventative efforts will save lives.

Employees who sustain work-related injuries, and are treated within the workers' compensation system, are often prescribed opioid pain medications. In 2011, more than 25 percent of cost from workers' compensation prescription drug claims were for opioid pain medications.

Employers can take active steps to reduce the risk of the workplace injuries that lead to opioid use. Injury and Illness Prevention Programs require employers to work with their employees to proactively find and fix hazards. These programs, required or encouraged by 34 states, including my home state of California, are a proven way to reduce injuries on the job.

At work, when employees do suffer from a substance abuse disorder, they often need to take extended periods of time to seek treatment. But workers who fear losing their jobs or missing a paycheck may delay or forgo needed treatment.

Currently, eligible workers who take leave under the Family and Medical Leave Act for substance abuse treatment are protected from retaliation. Unfortunately, sixty percent of workers are not eligible for leave under the FMLA. What's more, workers who are actually eligible often cannot afford a missed paycheck. According to a 2012 survey, 46 percent of FMLA-eligible workers did not take leave because they could not afford to take unpaid time off. Paid family leave, as provided under the FAMILY Act, can prove crucial for workers seeking treatment.

We have recently seen Republican proposals for paid leave, and this is encouraging. As we consider them, I think we should ask if these proposals would guarantee workers the ability to take leave for substance abuse treatment.

We also know that the opioid crisis, and substance abuse disorders in general, can lead to people leaving the workforce. An estimated 20 percent of men's and 25 percent of women's decreased labor force participation between 1999 and 2015 can be attributed to the increase in opioid prescriptions. When we hear these statistics, it becomes clear how important it is for our employers to implement policies that break down barriers for impacted workers trying to re-enter the workforce.

For instance, while there is wide use of workplace drug testing policies, there's little evidence that they are actually effective. Likewise, employers should reconsider hiring practices and policies for those with a criminal record. Ban the box policies can ensure employers first consider a worker's ability to do the job.

To put it mildly, our country has had inconsistent responses to drug epidemics affecting our communities. But if we've learned anything, it is that we should rely on evidence-based approaches to support those impacted. Strong sentiment and feelings of support are not enough. America's employers must step up to the plate and implement strong policies that support national efforts to address substance abuse.

I thank the witnesses for taking the time to testify today.

Thank you. I yield back my time.