THE NEW TEMPERANCE MOVEMENT: WORKPLACE JUNKIES NEVER HAD IT SO BAD

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ABSTRACT

In general, the way organization treat employees improved dramatically over the past thirty years; a trend that is likely to continue. Altruism is probably not an imperative for this increased concern for employees' welfare, instead, the combined effects of social, political, and economic considerations probably account for the improvements in employee relations. In contrast, workers who use alcohol or drugs are at greater risk today of losing their jobs than they were ten years ago. This is due in part to job-related issues; however, the effect of emotions, bound up in what seems to be a new temperance movement in America, must be considered as a plausible explanation.

The way organizations treat their employees has been of considerable interest to scholars and management practitioners over the past thirty years. During that time, treatment of the individual worker improved significantly and today, concepts like fair play, due process, and just cause are part of the employee relations orthodoxy. During the past ten years, however, while job protection and regard for the individual worker became a mainstay of employee relations, job security for workers who use alcohol or drugs[1] decreased. The treatment of workers who use alcohol or drugs can best be examined within a framework of cycles of tolerance and intolerance. America is currently experiencing a cycle of intolerance toward alcohol and drugs, and workers who use intoxicants are at risk in what appears to be a neotemperance movement. The purpose of this article is to examine this latest round of intolerance and its probable effects on American workers.

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[1] Throughout this article, drugs are defined as illicit drugs like cocaine, heroin, and marijuana.

TREATMENT OF WORKERS

By most standards, American workers are treated better now than at any time in the past. Before the 1960s, employees had little access to due process, justice, free speech, or equal protection in the workplace [1], and the concept of employment-at-will[2] dominated the management of employee relations. Since the 1960s, however, the quality of work life began to improve considerably as employers systematically improved their approach to workers [3]. The improved treatment of workers was not the result of an altruistic awakening among employers; instead, several circumstances emerged in social, political, legal, and workplace contexts that expanded the rights of the employees and improved their job security.

The civil rights movement and the political concept of the "Great Society" emerged in the 1960s with themes of fair play that carried over to the workplace, establishing a new frame of reference for dealing with workers. When put into action, each of these social turning points had an enormous positive effect on the way organizations treated their workers, not only those who were underprivileged or minorities, but *all* workers. The Equal Pay Act of 1963, the Civil Rights Act of 1964, Executive Order 11246 of 1965, and the Age Discrimination in Employment Act of 1967 are all about fair play in the workplace. The Occupational Safety and Health Act of 1970, the Vocational Rehabilitation Act of 1973, and the Pregnancy Discrimination Act of 1978 are others that expand the concept of fair play.

The legal consequences and related costs of violating anti-discrimination laws required employers to closely scrutinize their employment practices and decisions [2, 4, 5]. The required fair treatment of protected classes of applicants and employees placed enormous pressure on organizations to conform to the new laws and required a consistent approach to employee relations. Before taking disciplinary action, for example, an organization had to make sure that a member of a protected class received due process, just cause, and progressive discipline. To insure consistency, the next logical step was to apply the same standards across the board, and as result, all employees benefited.

Concurrent with the on-going civil rights legislation during the 1960s and 1970s, federal and state courts and the legislative bodies systematically weakened the employment-at-will concept. An alternative concept, the job-as-property doctrine, emerged [6, 7]. Under the new doctrine, the consequences of a job loss were considered so far-reaching and destructive that employers should, as a matter of policy and practice, provide workers the protection of due process as defined in the 14th amendment [2].

A shift in the values and expectations of workers also had a positive impact on organizational approaches to employee relations. Beginning in the 1960s, younger

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[2] Employment-at-will is a principle that assumes that an employee or employer has a right to sever the employment relationship for any reason [2].

workers *expected* fair play. Theirs was a psychology-of-entitlement [8] and they considered fair treatment an *a priori* guarantee [2]. Previous generations expected less from their jobs and believed that fair treatment was earned. Many older workers were painfully familiar with the dearth of jobs during the Depression of the 1930s and were glad to have any job, irrespective of the organization's commitment to good employee relations. This shift in values and expectations motivated organizations to treat workers with greater sensitivity and concern. The new generation of employees was more demanding, expected job security, and was less willing to accept traditional supervision and control [2].

Throughout the 1970s and 1980s, an expanding body of human relations research supporting the concept of good employee relations, favorable media coverage about the Japanese approach to employees, and perceived work-related benefits of employee participation in decision making convinced many organizations that their ultimate effectiveness and success were dependent on the quality of their employee relations. In short, many employers concluded that success and good employee relations go hand-in-hand and that there is a corresponding price to pay for poor employee relations. The new-found awareness of this important factor took many forms. For example, some employers offered quality of work life programs, collaborative actions by management and employees to enhance both the productivity and the treatment of employees [9]. While the themes of quality of work life programs vary by organization, most focus on fair pay, improved safety and health programs, opportunities for growth, due process, a balance between work and nonwork life, and the social integration of the workplace. Wellness programs emerged to further enhance the quality of workers' lives. These popular programs provide access to exercise facilities, stress management, smoking cessation programs, etc. [11]. Clearly, in the 1980s, employers sought to divorce themselves from traditional patterns of employee relations and to establish a more positive approach to human resources management [12].

TREATMENT OF WORKERS WHO USE ALCOHOL AND DRUGS

In contrast to thirty years of improved treatment and increased job security for employees in general, the past ten years have witnessed an increased risk of job loss for workers who use alcohol or drugs. In the early 1980s, we witnessed the birth of what may be the third temperance movement in United States history. Americans have yet to demonstrate a lasting compassion for illicit drug users and our patience with workers who use legal drugs, such as alcohol and tobacco, seems to be wearing thin. In the early 1970s, a nationwide movement for the legalization of marijuana gained substantial popularity and was widely supported; today, the legalization of *any* illicit drug seems out of place. Whereas we may have been indifferent to a ship's drunken captain in 1970, because of events like

the Exxon Valdez oil spill, we are intolerant of the same situation today. The public and legal reaction to the Valdez oil spill has been spectacular. Beyond potential civil damages of over $1 billion, the incident is especially problematic for Exxon because the government's lawsuit also includes criminal charges [12].

Had there not been a new wave of temperance in the 1980s, and based on what we have learned over the past thirty years about the etiology of alcoholism and addiction, it is likely that we would be more tolerant of those who use alcohol or drugs today. For much of this century, alcoholics were regarded as criminal and immoral [13]. Jellinek and others, however, were instrumental in reshaping our perception of alcoholism from one of morality and sin to one of an illness with psychological and physiological causes [14]. In addition, medical research find-ings broadened our understanding of substance abuse; consequently, negative moral judgments of the human worth of substance abusers became increasingly unacceptable [3]. Twenty years ago, two-thirds of the American public accepted alcoholism as an illness [15]; today, it is safe to say that many more of us believe that to be true.

Along with alcoholism, drug addiction or any form of chemical dependency is recognized by many as an illness [16]. A few years ago, many smokers may have been disconcerted when then-Surgeon General Koop suggested that tobacco use was as addictive as heroin use. And while many law-abiding people may be uncomfortable with a comparison to illicit drug users, there is essentially no medical differences between the addiction to tobacco, alcohol, or illicit drugs [17]. The Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 strengthened the association between addiction and illness by defining chemical dependency as a disability and by providing protection to some substance abusers [16, 18].

Alcoholism and addiction defined as illnesses should improve our interactions with people who have these problems—an alcoholic or addict is no longer a moral pariah to be scorned. Substance abuse as an illness fits comfortably into the American value of humanitarianism [19] and reinforces suggested efforts to treat substance abusers with medical rather than punitive approaches [20]. As a result, many employers are now willing to offer counseling and treatment opportunities to substance abusers through benefit packages and community agencies, such as the Alcoholics Anonymous [21].

Despite the growing acceptance of substance abuse as an illness, Americans grew increasingly impatient with any form of alcohol or drug use. One reason for this growing hostility is that, despite evidence to the contrary, many Americans continue to regard substance abuse as a condition resulting from character flaws [22]. Some judge substance abuse simplistically—the substance user is in a self-imposed dilemma and, as a result, is in trouble at home, at work, with the police, or with all three. Moreover, the remedy for substance abuse has been marketed in equally simple terms—just say no.

Since 1970, there has been an increased emphasis on safety and health issues in the workplace—another reason for the increased intolerance of alcohol and drug use. The Occupational and Safety Health Act of 1970, the increasing costs of Workers' Compensation, and other related economic considerations required organizations to concentrate on safety and health issues. OSHA's general duty clause requires employers to provide a workplace that is "free from recognized hazards that . . . are likely to cause death or serious physical harm" [23]. The consequences of ignoring the act can be immense. In the late 1980s, Union Carbide and Chrysler Corporation were fined in excess of $1 million each for serious violations of safety standards [24]. In addition, three managerial employees of an Illinois company were convicted of murder in 1985 and were each sentenced to 25 years in prison for negligence associated with the death of an employee [25].

While employers acquiesced to low levels of intoxication among workers before 1970, today, the risks involved with any form of on-the-job intoxication are simply too high. (Less than ten years ago, some breweries were still serving beer to employees during working hours.) For example, a Conrail accident that killed sixteen passengers and injured 130 is believed to the result of alcohol and drug use by crew members [24]. Based on a 1987 study, the Federal Railroad Administration concluded that 65 percent of the fatalities in railway collisions involved the use of alcohol or drugs [26]. In addition, Exxon's liability in the Valdez oil spill, allegedly due to negligence of the ship's intoxicated captain, will most likely exceed $1 billion [27].

Growing public awareness of the magnitude of the related social and economic costs added to the increased intolerance of alcohol and drug use. For example, the U.S. Office for Substance Abuse Programs reports that, of the 240,000 to 360,000 current undergraduate students, the number that will eventually earn graduate degrees is roughly equivalent to the number who will die in drinking-related accidents [28]. What's more, the total economic costs of alcohol and drug abuse for 1985 were approximately $102.4 billion [29]. As a result of the publicity given to these and other costs, we are now demanding greater accountability from those who use alcohol and drugs. Pressure for this accountability has come from special interest groups like MADD and government agencies like the Alcohol, Drug Abuse, and Mental Health Administration. States have responded by lowering legal blood alcohol levels for DWI arrests (e.g., the level in California is .08) and by raising the drinking age from eighteen to twenty-one. The growing intolerance of all forms of substance abuse has become so significant that, for the first time, beer companies are encouraging responsible drinking in their advertisements [30] and the alcohol industry is being pressured to limit the marketing of high-alcohol liquors [31]. These pressures for more responsibility and accountability are some of the reasons for the steady decline in the use of all intoxicants—legal and illegal—over the past ten years. In fact, sales of distilled spirits have fallen 2% each year since 1981 [31].

While Americans, generally speaking, are intolerant of the use of any intoxicant, we tend to be more touchy about illicit drug use than we are about the use of alcohol. As a national agenda, the focus is on the prohibition of *all* intoxicants, with the exception of alcohol [32]. The fact that alcohol is legal and that drugs are not is partly the reason for this attitude. However, simple legal distinctions are not the sole basis for what appears to be a visceral bias against people who use illicit drugs. Illicit drug us is an emotional "hot button" for many Americans who see no contradiction between the legal status of the two most economically and socially debilitating drugs—alcohol and tobacco—and the legal sanctions against the use of a comparatively innocuous substance like marijuana. Less than fifteen years ago, it was politically acceptable to distinguish between illicit drug use and abuse [33]. Today, however, we are collectively hostile toward all forms of illicit drug use.

David F. Musto [34-35] tracks alternating cycles of tolerance and intolerance of illicit drugs in this country and presents an excellent historical perspective of how socioeconomic class, race, national origin, puritanical ethics, moral indignation, political agendas, etc. have shaped our bias against users of substances like opium, cocaine, and marijuana. His analysis demonstrates how politicians, religious organizations, law enforcement agencies, and the media play upon our emotions, particularly fears and prejudices about blacks, Orientals, and Mexicans, to kindle the intolerance of drugs. Over the last 100 years, the use of illicit drugs has been routinely associated with "undesirables." For example, in the early 1920s most of the crime in New York City was blamed on drug use. At other times, heroin as a "foreign" threat was used by isolationists, attacks on whites were attributed to crazed Negro cocaine fiends, and marijuana was linked to violence, dissolute living, and Mexican aliens. Even today, media coverage of drug-related problems—drug busts in ghetto surroundings gives the impression that illicit drug use is a problem primarily among blacks [36].

The last wave of drug intolerance began at the turn of the 20th century and lasted until the mid-1960s. At that time, an uneasy acceptance of illicit drug use began and lasted for approximately fifteen years. By way of cultural alienation and dissention caused by the Vietnam War, young people turned to drugs to symbolize their opposition to the government and the values of the so-called "establishment." By 1970 the use of marijuana was widespread, and research had debunked many of the myths about the dreadful effects of the drug. The use of marijuana became so prevalent and so difficult to control that movements to legalize it gained popular support.

Since the early 1980s, a new wave of intolerance has emerged and the use of *any* illicit drug is once again unacceptable. The *New York Times* reports that many experts believe America is in the midst of a major new temperance movement, the third in its history. One expert cited by the newspaper, Dr. Herbert Kleber, a

deputy director of the Office of National Drug Control Policy said, "In the 1960s and 1970s drug use became what I and others called normalized. The nonuser was the loner. But over the past five to ten years, that attitude has begun to shift" [37]. Some think this country is in the grips of drug hysteria [38]; still others call our inordinate concern about illicit drugs "a chemical McCarthyism" [39][3] wherein guilty until proven innocent is the new slogan [40].

Politicians and the media fan the fires of illicit drug intolerance. Prior to the invasion of Kuwait in August 1990, drug-related stories dominated the media and the war on drugs was on every politician's agenda. The war on drugs focuses primarily on illicit drugs and not on the more deadly legal drugs—alcohol and tobacco. Alcohol and other legal intoxicants are not mentioned in Executive Order 12564 calling for a drug free federal workplace, and only recently has drug czar Bob Martinez begun discussing the possibility of directing more attention to alcohol and tobacco [41].

Drug testing in the workplace targets illicit drugs, not alcohol. The social impact of this intolerance has been spectacular, and it does not appear that this new wave of moral indignation has reached its high-water mark. The death penalty for some drug-related crimes has been revived and, despite what many believe are potential threats to privacy, most Americans support drug testing and it is almost universal in large companies [42]. Since the social, economic, and workplace costs of illicit drugs and their use pales in comparison to those of alcohol and other legal drugs, the war on drugs, both nationally and in the workplace, is full of moral overtones.

We have only touched the surface of how the neotemperance movement affects the job security of workers. In labor arbitration contexts, some evidence [43-47] suggests that decision makers are not empathetic toward "troubled" employees (e.g., substance abusers). Other studies [43, 46, 48-52] have found evidence of a negative illicit drug effect in arbitral decision making. In total, the above analyses suggest that there has been an increasing hostility toward those who use intoxicants, particularly those who use illicit drugs. In the workplace, this growing intolerance may carry over into decision-making contexts and have an adverse impact on workers who use or abuse alcohol or illicit drugs. What's more, it is unlikely that the treatment of these workers will be a measured, rational response to actual workplace threats of alcohol and drug use. Instead, our response to those who use alcohol or drugs may be influenced more by moral indignation than by legitimate business necessity.

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[3] There are also many similarities in Ben-Yehuda's description of a moral panic related to drugs in Israel [54-55] and to the present experiences with drug problems in this country.

CONCLUDING REMARKS AND IMPLICATIONS
FOR THE FUTURE

The relationship between the employer and the individual worker should continue to improve through the turn of the century. Comparatively speaking, employees in the next century should be more satisfied with the treatment they receive from their employers than were their counterparts in the 1980s. This prediction is based on a simple aspect of the American workplace—conditions improve systematically with the passage of time.

As a nation, we are predisposed to enhancement of the human condition. Child labor, physically and emotionally debilitating sweatshops, widespread workplace hazards, twelve hour workdays, and union busting were common practices in recent times, but are unlikely to return to the American workplace. Employment discrimination was an accepted, albeit unethical, business practice as recently as 1964; the widespread employment discrimination against minorities and women was declared illegal *only* 27 years ago. Today, minorities and women hold positions in many areas that were the traditional strongholds of white, Anglo-Saxon men. While discrimination and the "glass ceiling" persist today, the casual observer cannot overlook the growth and improvement in job opportunities for previously excluded groups. While employment discrimination will probably never be totally eliminated, generations in the 21st century may find our practice of wholesale race and gender discrimination as repugnant as we, today, regard the institution of slavery in the 19th century.

For workers who use alcohol or drugs, the cycles of tolerance in intolerance will most likely continue. Before the Middle East conflict, the war on drugs dominated the media and political rhetoric. Today, it seems that the war on drugs has been put on hold. The high-profile, tough-talking drug czar, William Bennett, has been replaced by a much less truculent Bob Martinez and, like previous wars on drugs, the programs made no dent in the sought-after goal of a drug-free America. While the number of drug-related arrests has increased 77 percent from 1983 to 1989, there is little evidence that the increased arrests have lessened the drug problem in America [53].

Nevertheless, despite what appears to be a cooling-off period in the war on drugs, the antidrug attitude is alive and well. Drug-testing, despite its proven inaccuracies and apparent threats to privacy, remains extremely popular. Evidence continues to link substance abuse to underlying physiological and psychological etiologies, but it is unlikely that Americans will abandon, any time soon, an apparently deep-seated, persistent intolerance of people who use intoxicants. In the next twenty years, we will experience periods of increasing tolerance and understanding for substance abusers; however, our visceral beliefs about alcohol and drugs will remain pervasive and hard to modify. Because of this, public indignation and moral crusades against those who use alcohol and drugs will be easily aroused in the years ahead, just as they have been historically for over 100 years.

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