



- 5 DEC 2016



On 25 October 2016 you emailed the Ministry requesting, under the Official Information Act 1982, the following information:

- *The number of beneficiaries on the Jobseeker benefit who have failed a pre-employment drug test either carried out by the prospective employer or by Work and Income New Zealand or otherwise known as the Ministry of Social Development.*

Beneficiaries with work obligations are now required to take and pass a drug test where an employer or training provider asks for one as part of the application process for a suitable job.

In most cases a drug test is deemed a recruitment cost for the employer, not prospective employees. The drug testing policy for beneficiaries with work obligations allows the employer to be reimbursed for the test if a person fails, as long as the employer has informed Work and Income at the time of lodging the vacancy that the job requires a pre-employment drug test.

When a client with work obligations fails a drug test or refuses to comply with a drug test, the cost of the drug test is passed onto the client. Work and Income reimburses employers and drug testing agencies for the costs of the drug test and those costs are recovered as a debt from the client's benefit.

This policy aims to identify clients who are prevented from taking up suitable employment due to drug use or who refuse to apply for drug tested jobs, and to quickly get them back to a position where they can apply for a full range of suitable employment. Beneficiaries diagnosed with a drug dependency will not be sanctioned under this policy, but they will receive the support they need to address their addiction.

The table below shows the number of drug related obligation failures for clients receiving Jobseeker Support for quarters ending September 2013 to September 2016.

| Quarter Ending | Obligation Failures |
|-----------------------|----------------------------|
| September 2013 | 21 |
| December 2013 | 34 |
| March 2014 | 37 |
| June 2014 | 25 |
| September 2014 | 41 |
| December 2014 | 24 |
| March 2015 | 52 |
| June 2015 | 33 |
| September 2015 | 47 |
| December 2015 | 45 |
| March 2016 | 27 |
| June 2016 | 48 |
| September 2016 | 32 |

Please note that this is a count of sanctions and not clients and a client may have more than one sanction applied during the period. A drug related obligation failure includes a drug test refusal, failure of an evidential drug test or screening drug test.

The principles and purposes of the Official Information Act 1982 under which you made your request are:


- to create greater openness and transparency about the plans, work and activities of the Government,
- to increase the ability of the public to participate in the making and administration of our laws and policies and
- to lead to greater accountability in the conduct of public affairs.

This Ministry fully supports those principles and purposes. The Ministry therefore intends to make the information contained in this letter and any attached documents available to the wider public after ten working days. The Ministry will do this by publishing this letter on the Ministry of Social Development's website. Your personal details will be deleted and the Ministry will not publish any information that would identify you as the person who requested the information.

If you wish to discuss this response with us, please feel free to contact OIA_Requests@msd.govt.nz.

If you are not satisfied this response about pre-employment drug tests, you have the right to seek an investigation and review by the Ombudsman. Information about how to make a complaint is available at www.ombudsman.parliament.nz or 0800 802 602.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Ruth Bound', with a long horizontal flourish extending to the right.

Ruth Bound
Deputy Chief Executive, Service Delivery