

## Positive Test & Refusal Decision Flow: What To Do Next (in 10 Minutes).

*What happens after a positive or refused test and how to stop one bad call from blowing up in your face or the company.*

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### Why This Exists

It's not the test result that gets you in trouble. It's what happens *next*.

Most companies think their job ends when a worker refuses to test or has a positive test. But that's the exact moment when:

- Human rights kick in
- Duty to inquire becomes legally binding
- Documentation (or lack of it) becomes evidence
- Safety, HR, and Operations have to act in lockstep

This **flowchart is your legal shield**. It shows, in one page, what to do next, who to notify, and where the biggest liability traps lie.

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### Who It's For:

- Safety managers, HR reps, and DERs responsible for administering and enforcing Fit-for-Duty policies.

### Risk Amplifiers to Watch For:

- No documented invitation to assessment
  - Refusal handled informally ("just go home")
  - Lack of HR involvement
  - Emotional or reactive confrontation
  - Termination without assessing potential disabilities
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### What This Flowchart Solves:

- Prevents wrongful dismissal and human rights breaches
- Protects companies from legal liability
- Ensures workers are treated fairly and with dignity
- Ensures refusal and positive test situations are managed consistently
- Aligns safety, HR, and leadership on a clear post-test protocol
- Proves due diligence

## Want The “Positive Test & Refusal Decision Flow Chart”?

👉 See below for full **Positive Test / Refusal Management Flow Chart**.

☎ Or book your spot in our [DER Training course](#) (Developing and Managing your Fit for Duty Policy and Program) – before the next positive test makes you scramble!

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# Positive Test / Refusal to Test Flowchart

## Colour Key:

Workplace Misconduct:  

Human Rights Concern:  

