



## **PURPOSE**

To provide guidance for trained supervisors\* who have reasonable suspicion to believe that an employee is under the influence of or is misusing alcohol and/or drugs. The goal is to make sure that employees and the work environment stay safe, and work is able to continue smoothly.

## **RESPONSIBILITY**

Trained supervisors, whose reasonable suspicion must be based on their own observation of short-term indicators by the employee, include, but are not limited to, physical signs and symptoms consistent with prohibited substance abuse such as blurry eyes, slurred or incoherent speech, odor of alcohol or drugs on the breath, unsteady or uncoordinated movements, etc. Reasonable suspicion testing must be conducted within two hours of the observation.

## **PROCEDURE**

If a trained supervisor has reason to believe that an employee is under the influence of alcohol and/or drugs, follow these steps:

**Record Keeping:** Keep detailed records of each step taken, including observations, meetings, testing arrangements, and any actions taken based on the results. Ensure these records are stored securely.

1. **Observe and Record:** Take detailed notes of the behavior or symptoms that led to the suspicion. The observations must be viewed in the moment and by the trained supervisor. If possible, have another trained supervisor observe and note their observations.
  - Use policy Attachment B – Reasonable Suspicion Testing Referral Form
  - If unable to use the referral form, include the date, time, and specific observations (e.g., smell of alcohol, erratic behavior, slurred speech) in your notetaking.
2. **Inform:** Contact Human Resources (415-485-3063) and/or Risk Management (415-485-3110), to inform of the situation. They can contact the testing company to prepare for the possibility of on-site testing. In addition, they can come to the worksite and observe.
3. **Remove the employee** from their work duties.
4. **Arrange an Immediate Meeting:** Meet in a private and discreet room or office to discuss your concerns. Ensure that the setting is confidential to protect the employee's privacy.
5. **Communicate Concerns:** Clearly and objectively present your observations and concerns without making accusations. Use factual information rather than judgmental language.
  - Don't get defensive or argue.
  - Don't try to solve personal issues the employee might have.
  - Acknowledge the situation can be emotional and/or frustrating.
  - Give the employee the chance to respond but don't delay the testing.

6. **Request a Drug/Alcohol Test and Explain the Process:** Inform the employee that, based on observable reasonable suspicion, you are required to request an immediate drug or alcohol test.
  - HR or Risk Management will call the testing company to come to the workplace.
  - The employee must stay in the room under supervisor supervision.
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7. **Testing and Results**
  - If employee refuses to test: they will be treated the same as an employee who tested 0.04 or greater on an alcohol test or positive for drugs and may result in disciplinary action up to and including termination, as detailed in the policy.
  - Alcohol test results will be received immediately following testing.
  - Drug testing may take 24-72 hours for results, depending on time of day of collecting and laboratory testing.
  - If employee tests positive:
    - They will be given notice of the test results and opportunity to explain results with a Medical Review Officer (MRO). This process can take 5 – 10 days to complete. The MRO will attempt to contact the employee 3 times in a 24-hour period. If contact is not made, the MRO will contact the City's Risk Manager.
    - Results will be reported to Human Resources. Consequences may result in disciplinary action up to and including termination, as detailed in the policy.
  - If employee tests negative: behavior, performance, and expectations will be reviewed, and possible fitness for duty requested. Monitoring and documentation of employee behaviors will continue.
8. **Arrange Transportation for Employee:** HR/Risk Management and the supervisor will work together to arrange for the employee's safe transportation home or to a designated location. Employee is not to drive themselves or leave the workplace alone.

HR/Risk Management will communicate with the testing company, supervisor, and/or department Director on next steps and actions to be taken for the employee.

**Remember: Always document the steps you have taken and your observations. Maintain employee privacy and confidentiality.**

\*Trained supervisors" are supervisors, or other company officials making the reasonable suspicion determination who have been authorized to do so by the employer and have received at least 60 minutes of training on indicators of probable drug use and 60 minutes of training on indicators of probable alcohol misuse. (49 CFR Part 655.14(b)(2)).