

PROCEDURE FOR SUSPICION OF ALCOHOL/ILLEGAL DRUG USE

- A management staff person (first line supervisor or higher) who has a reasonable suspicion that any employee is currently under the influence of alcohol or illegal drugs while in the workplace shall consult with at least one additional management staff person (if available) to assess the observable behaviors of the employee. Reasonable suspicion means that one or more observable behaviors are present, including, but not limited to: noticeable odor of alcohol on the breath, erratic behavior, slurred speech, glassy eyes, unsteady gait, sweating, false sense of alertness, dizziness, nausea or vomiting. It is recommended that at least one of the management staff persons have received training in the recognition and identification of behaviors that indicate alcohol or illegal drug use.
- Get the Union Steward, if the employee is represented by a union, to assure representation.
- Direct the employee and the steward to an unoccupied room and secure an additional management staff (if available) to join you. The object is to ensure privacy. Interview the employee as to the behavior(s) observed and whether he/she is under the influence of alcohol or illegal drugs. If the management staff people concur that there is a reasonable suspicion of alcohol or illegal drug use, they shall document the basis for their opinion. Consult with a representative from the Human Resources Department (if available) to determine their opinion as to what tests should be conducted. Should Human Resources not be available, the decision must be made by the supervisors.
- Direct the employee to go to the occupational Clinic (contact HR for appropriate clinic) for a drug and/or alcohol screen. If the employee accepts going to the Clinic, direct the Clinic to immediately send the results of the test(s) to the Human Resources Department. The employee's supervisor needs to coordinate County transportation for the employee to get to the clinic and back to the department. Testing of the employee shall be completed within two hours of the determination that there is a reasonable suspicion of alcohol or illegal drug use. The employee will be paid until a suspension is given.
- Following testing, issue an immediate unpaid indefinite suspension with instructions to report to their supervisor's office at the end of the third work day to discuss their work status, whereupon they will receive their Loudermill rights. The Union Steward should be present when the discipline is issued. Recommend that the employee not drive their own car and advise the employee to call a family member or a taxi to provide transportation. If this is not feasible, the steward, if agreeable, can transport the employee home in a County vehicle.
- If the employee refuses to go to the Clinic, advise that refusal will be considered as insubordination that will result in discipline up to and including discharge. If the employee still refuses, then issue an immediate unpaid indefinite suspension with instructions to report to their supervisor's office at the end of the third work day to discuss their work status, whereupon they will receive their Loudermill rights. The Union Steward should be present when the discipline is issued. Recommend that the employee not drive his/her own car and advise the employee to call a family member or a taxi to provide transportation. If this is not feasible, the steward, if agreeable, can transport the employee home in a County vehicle.
- Following the indefinite suspension, contact the Labor Relations Manager (or another Human Resources Manager, if available) so preparation for discipline can be completed within the 3 work days.
- When the employee returns at the end of the third work day, he or she should be given information regarding the County's EAP (employee assistance program).
- Should further offenses occur, repeat the protocol process as outlined above. The extent of subsequent penalties must meet the standard of just cause.