I. Pre-Test Considerations and Procedures

Under the Drug & Alcohol Testing policy, an employee may be subject to initiation of the testing process if they have an accident, or you believe them to be under the influence of drugs or alcohol, or in possession of a prohibited substance. *Any questions at any point in this process should be directed to your HR Business Partner.*

**Before Confronting**
Prior to confronting the employee who may be subject to the testing process, you should prepare yourself by doing the following:

- Review the Drug & Alcohol Testing Policy and Procedures
- If Reasonable Suspicion:
  - Complete the Reasonable Suspicion Determination Checklist.
  - Confirm your suspicion with at least one other supervisor or other administrative official who has completed the required training under the Drug & Alcohol Testing policy by having them complete a Reasonable Suspicion Determination Checklist as well. Both individuals will need to discretely observe and separately document the behavior on the checklist.
  - Circumstances may dictate that you and the other supervisor need to meet together with the employee to make your observations.
  - Contact your HR Business Partner via telephone, even if undecided about sending for testing. If possible, fax or scan and email the checklists to them. If your HR Business Partner is not available, call the main HR number at 205-348-7732. If after HR business hours (M-F 8 to 5) contact UAPD at 205-348-5454 and they will forward your call to an HR Business Partner.
  - If you receive verbal authorization to proceed, then meet with the employee.
- If Post-Accident, confirm that the accident meets the policy guidelines for testing.

**Meeting with the Employee for Reasonable Suspicion**
The following actions need to be taken by the supervisor prior to sending an employee for testing:

- Take the employee to a suitable location that will ensure privacy and no distractions. This conversation is strictly confidential and must remain as such. Information gathered during this conversation can only be released to those who have a business need to know.
- Advise the employee that the observed behaviors warrant the initiation of the testing policy based on the policy guidelines. Describe the behavior observed and ask the employee to explain their behavior. Take notes. Ask as many questions as necessary to get the facts.
- If employee responds that fatigue, stress, personal problems or a medical condition is the cause of what you’re observing, listen to the employee, and respond empathetically. Explain that if that is the case, let them know that having this test done will rule out alcohol or drug use as a possible cause of the observed behavior or appearance.
• If the employee refuses to cooperate, advise the employee that under the Drug & Alcohol Testing policy failure to cooperate will result in disciplinary action up to and including termination of employment.
• While interviewing the employee, note their behavior and appearance.
• If you do not have sufficient basis or “reasonable grounds” to believe a violation exists, do not proceed. Simply re-educate the employee as to the University’s firm stance on its Drug & Alcohol Testing policy and have them sign a copy of the policy. Continue to monitor the employee if needed.

II. Reasonable Suspicion

If you have established you have “reasonable suspicion” which includes having another official confirm that suspicion and HR’s authorization, you are required to have the employee submit to a substance screen on the University’s time and expense. Advise the employee not to eat, drink, chew gum or breath mints and to be prepared to submit a urine sample.

**If the employee voluntarily agrees to the testing**, take the employee to the lab which is available at that time with the University Medical Center (UMC) being the first choice.

If the incident occurs during UMC’s lab hours of operation, then take the employee to the UMC lab. Call 205-348-1228 to notify the lab you will be bringing an employee for testing.

- Monday, Wednesday and Friday: 7:30 a.m. – 5:30 p.m.
- Tuesday and Thursday: 7:30 a.m. – 8:30 p.m.
- Monday and Wednesday*: 7:30 a.m. – 8:00 p.m.*

*The extended hours on Mondays and Wednesdays only apply during the fall and spring semesters when classes are in session.

A supervisor or manager must drive the employee to the lab and wait for the initial results.

If the initial results are negative, the employee can return to work. **If the initial results are positive or questionable, then:**

- The employee may not return to work and is placed on administrative leave.
- Do not allow the employee to drive a vehicle from the work premise; however, do not restrain or use force to prevent this either.
- It is ultimately the employee’s responsibility to arrange transportation home.
- If the employee refuses transportation, advise him/her that under the policy you are required to report him/her to the police if he/she attempts to drive a vehicle.
- Send the original checklists with all applicable documentation to the HR Partner within 48 hours after the incident. Do not retain a copy.

If the incident occurs outside of UMC’s lab hours, take the employee to the DCH Main Lab for testing. Because DCH does not provide immediate test results, in all cases involving reasonable suspicion the following steps must be followed:

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• The employee may not return to work and is placed on administrative leave.
• Do not allow the employee to drive a vehicle from the work premise; however, do not restrain or use force to prevent this either.
• It is ultimately the employee’s responsibility to arrange transportation home.
• If the employee refuses transportation, advise him/her that under the policy you are required to report him/her to the police if he/she attempts to drive a vehicle.
• Send the original checklists with all applicable documentation to the **HR Business Partner** within 48 hours after the incident. Do not retain a copy.

**If the employee refuses the request for testing**, inform the employee once again of the Drug & Alcohol Testing policy and that employment can be terminated for refusing to submit to the test.

1. If the employee continues to refuse, proceed as follows:
   • The employee must leave work and is placed on administrative leave.
   • Do not allow the employee to drive a vehicle from the work premise; however, do not restrain or use force to prevent this either.
   • It is ultimately the employee’s responsibility to arrange transportation home.
   • If the employee refuses transportation, advise him/her that under the policy you are required to report him/her to the police if he/she attempts to drive a vehicle.
   • Contact your **HR Business Partner** to determine the appropriate disciplinary action.

### III. Post-Accident

An employee who meets the Post-Accident testing guidelines as outlined in the Drug & Alcohol Testing policy will be subject to drug and alcohol testing. Advise the employee not to eat, drink, chew gum or breath mints and to be prepared to submit a urine sample.

**If medical treatment is needed as a result of an accident:**

- Follow normal protocol for getting medical treatment.
- If the employee goes to the Faculty-Staff Clinic at UMC the employee will be tested consistent with the policy.
- If the accident is after hours for the UMC Faculty-Staff Clinic, then the employee goes to the DCH Emergency Room and will tested consistent with the policy.

**If medical treatment is not needed:**

- Employee will be tested at UMC Lab during stated hours of operation as listed on page 2.
- If the accident is after hours for the UMC Lab, the employee will be tested at the DCH Main Lab.
- A supervisor or manager must be present and wait for the initial results.

**Post-testing steps for both UMC and DCH:**

- If released by the physician or if medical treatment is not required, the employee may immediately return to work while awaiting drug test results.
- **If the initial test results are positive or questionable, then:**
  - The employee may not return to work and is placed on administrative leave.
• Do not allow the employee to drive a vehicle from the work premise; however, do not restrain or use force to prevent this either.
• It is ultimately the employee’s responsibility to arrange transportation home.
• If the employee refuses transportation, advise him/her that under the policy you are required to report him/her to the police if he/she attempts to drive a vehicle.
• Send the original checklists with all applicable documentation to the HR Business Partner within 48 hours after the incident. **Do not retain a copy.**

If the employee refuses the request for testing, inform the employee once again of the Drug & Alcohol Testing policy and that employment can be terminated for refusing to submit to the test.

**IV. Results of Investigation, Testing or Search**

The results of the drug and alcohol test will be communicated to the appropriate HR Business Partner who will then relay it to the supervisor.

If there is NO violation:
If it is clear that no violation of our policy exists, either after the investigation, testing, or search, tell the employee that he/she was found not to be in violation of the policy.

If there is a violation:
If it is absolutely clear the employee has violated our policy, the supervisor and HR Business Partner will discuss the appropriate course of action. If needed, an Employee Corrective Counseling form will be completed. Once this is finalized, the supervisor will meet with the employee to communicate the outcome of the review.

**V. Confidentiality**

Keep all results of employee’s tests, searches and investigations confidential. Keep all discussion confidential and limited to those who have a legitimate business need to know.

**VI. Scope**

The Drug and Alcohol Testing Procedures & Checklist ONLY applies to areas with an approved drug and alcohol testing policy. Those areas are:

• The Division of Finance and Operations
• Brewer-Porch Children’s Center
Supervisor Instructions for Reasonable Suspicion Checklist

1. Complete the Reasonable Suspicion Determination Checklist when an incident, report or observation has occurred that causes you to have a reasonable suspicion that an employee may under the influence of drugs or alcohol.

2. Contact another official who has been trained and have them complete a Reasonable Suspicion Determination Checklist and return to you. Circumstances may dictate that you and the other official may have to meet together with the employee to observe.

3. If one or both observers recommend an alcohol/drug test for the employee in question, contact your HR Business Partner. If not immediately available, call the main HR number at 205-348-7732. If the incident is outside of HR business hours (M-F 8 to 5) contact UAPD switchboard at 205-348-5454 for a referral.

4. After contacting your HR Business Partner via telephone or in person, fax, scan and email, or hand carry a copy of this checklist and that of the 2nd observer to the HR Business Partner, if possible.

5. If you receive verbal authorization from the HR Business Partner to proceed then meet with the employee to make a final determination.

6. If the final decision is that a drug and alcohol screen is warranted, contact the UMC Lab (205-348-1228) to notify them you are bringing someone for testing and then transport the employee to the UMC (hours of operation listed below) and wait for the initial results.

   - Monday, Wednesday and Friday  7:30 a.m. – 5:30 p.m.
   - Tuesday and Thursday  7:30 a.m. – 8:30 p.m.
   - Monday and Wednesday*  7:30 a.m. – 8:00 p.m.*

   *The extended hours on Mondays and Wednesdays only apply during the fall and spring semesters when classes are in session.

   - If the initial results are negative, the employee can return to work.

   - If the initial results are positive or questionable, or if the employee refuses to submit to testing then:
   
     - The employee is sent home and is placed on administrative leave.
     - Do not allow the employee to drive a vehicle from the work premise; however, do not restrain or use force to prevent this either.
     - It is ultimately the employee’s responsibility to arrange transportation home.
     - If the employee refuses transportation, advise him/her that under the policy you are required to report him/her to the police if he/she attempts to drive a vehicle.

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7. If testing is needed outside of UMC Lab hours, take the employee to the DCH Lab. Since drug test results are not immediately available the employee: (1) may not return to work, (2) is placed on administrative leave and (3) must arrange for their own transportation home.

8. Send the original checklist with all applicable documentation to the HR Business Partner within 48 hours after the incident. Do not retain a copy.
Reasonable Suspicion Determination Checklist

Employee (print name): ____________________________ Date: __________________
Observed by (print name): ____________________________ Date: __________________

REASONABLE SUSPICION OBSERVATIONS

A. NATURE OF THE ACCIDENT OR INCIDENT/CAUSE FOR SUSPICION

☐ 1. Observed/reported possession or use of a controlled substance
☐ 2. Observed/reported possession or consumption of alcohol while on the job
☐ 3. Observed/reporting to work under the influence of alcohol as outlined in the policy
☐ 4. Observed abnormal or erratic behavior
☐ 5. Arrest for a drug-related offense
☐ 6. Other* (e.g., flagrant violation of safety regulations, serious fighting or argumentative/abusive language, refusal of supervisor instructions, unauthorized absence from work site)

B. UNUSUAL BEHAVIOR

☐ 1. Verbal abusiveness
☐ 2. Physical abusiveness
☐ 3. Extreme aggressiveness or agitation
☐ 4. Withdrawal, depression, mood changes, or unresponsiveness
☐ 5. Inappropriate verbal response to questioning or instructions
☐ 6. Other erratic or inappropriate behavior* (e.g., hallucinations, disorientation, excessive euphoria, confusion).

C. PHYSICAL SIGNS OR SYMPTOMS

☐ 1. Possessing, dispensing, or using controlled substance
☐ 2. Slurred or incoherent speech
☐ 3. Unsteady gait or other loss of physical control; poor coordination
☐ 4. Dilated or constricted pupils or unusual eye movement
☐ 5. Bloodshot or watery eyes
☐ 6. Extreme fatigue or sleeping on the job
☐ 7. Excessive sweating or clamminess to the skin
☐ 8. Flushed or very pale face
☐ 9. Highly excited or nervous
☐ 10. Nausea or vomiting
☐ 11. Odor of alcohol
☐ 12. Odor of marijuana
☐ 13. Dry mouth (frequent swallowing/lip wetting)
☐ 14. Dizziness or fainting
☐ 15. Shaking hands or body tremors/twitching
☐ 16. Irregular or difficult breathing
☐ 17. Runny nose and/or sores around nostrils
☐ 18. Inappropriate wearing of sunglasses
☐ 19. Puncture marks or "tracks"
☐ 20. Other*

D. WRITTEN SUMMARY

Summarize the facts and circumstances of the accident or incident, employee response, supervisor actions, and any other pertinent information not previously noted on this form. Attach additional sheets as needed.

__________________________________________________________________________
__________________________________________________________________________
__________________________________________________________________________

Based on my observations as noted on this checklist, I recommend that an alcohol/drug test be administered in accordance with the Drug and Alcohol Testing Policy. ☐ Yes ☐ No

Signature of Observing Supervisor or Other Official __________________ Date ________________

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