

## SDCRAA HUMAN RESOURCES STANDARDS AND PROCEDURES

Section: **Workplace Practices**  
Standard: **MANDATORY DRUG AND ALCOHOL TESTING PROGRAM**  
Section #: **D-16**  
Effective: May 13, 2008

See Also: Formal Discipline; Accommodation of Substance Abuse Rehabilitation;  
Substance Abuse/Drug Free Workplace

### ***GENERAL STANDARD***

The Authority has a strong commitment to providing a safe workplace and establishing high standards of employee health and safety. Employees who abuse the use of controlled substances affect their productive and efficient job performance and potentially endanger themselves, co-workers, tenants, and customers. This standard establishes general procedures for drug and alcohol testing for all employees<sup>1</sup>. The Authority is mindful of the rights of the individual tested, including the protection of confidentiality.

### ***DEFINITIONS***

***Alcohol:*** The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl or isopropyl alcohol.

***Alcohol Use:*** The consumption of any beverage, mixture, or preparation, or the use of medicine containing ethyl alcohol. The use of any substance containing alcohol, including but not limited to a prescription, or over-the-counter medication or liquor-filled chocolates.

***Controlled/Prohibited Substances:*** Marijuana, amphetamines, opiates, cocaine, and phencyclidine. For the purposes of this Standard, alcohol is considered a controlled substance.

***On-duty Time:*** Any period of time in which an employee actually is performing, ready to perform, or must immediately be available to perform his/her job.

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<sup>1</sup> Authority employees holding certain positions considered by the Federal Aviation Administration, Transportation Security Administration, and/or the Department of Transportation to be "safety-sensitive" positions who are required to undergo drug and/or alcohol testing do so under the guidance of applicable regulations such as the Omnibus Transportation Employee Testing Act of 1991 and Title 49, Code of Federal Regulation. Examples of safety-sensitive positions include: Airport Operations Specialist and Code Compliance Officer. Employees occupying these positions may be subjected to random controlled substance testing.

## **SPECIFIC STANDARDS**

- All employees are subject to controlled substance and/or alcohol testing under any of the following circumstances:

1. **Pre-placement Testing:** Offers of employment are contingent upon passing the Authority's required controlled substance test and also contingent upon review of reliable, available testing information from previous employers. All applicants who receive a contingent offer of employment may be required to undergo controlled substance testing. To be employed by the Authority, receipt of a satisfactory test result is required. Should the Authority determine, after an individual is employed, that the individual failed a controlled substance test with a previous employer within the prior two years, the Authority may terminate the employee.

Individuals providing services to the Authority through agencies, service agreements, or other similar arrangements are subject to the provisions of this standard and generally are required to provide a satisfactory controlled substance test receipt prior to providing services to the Authority.

2. **Reasonable Suspicion Testing:** All employees are subject to controlled substance testing when there is a reason to believe that a controlled substance(s) is affecting job performance.

A reasonable suspicion referral for testing will be made by a manager on the basis of documented, objective facts and circumstances which are consistent with the effects of substance abuse and are deemed to affect adversely or impair an employee's work performance. Some examples of reasonable suspicion assuming there appears to be objective facts and circumstances of substance abuse, include:

- Adequate documentation of unsatisfactory work performance or on-the-job behavior;
- Physical signs and symptoms consistent with prohibited substance abuse;

- Occurrence of a serious or potentially serious accident that may have been caused by human error;
  - Fights, assaults, and/or flagrant disregard or violations of established safety or other operations procedures.
- ❑ A written record will be made of the observations leading to a test referral within twenty-four (24) hours of the observed behavior or before the results of the test. The manager should contact a representative of the Human Resources Department when the manager has reason to suspect abuse of a controlled substance which would warrant testing.
  - ❑ Reasonable suspicion testing may be authorized if the required observations are made during, just preceding, or just after the period of the workday that the employee is required to be in compliance with this Standard.
  - ❑ No employee will report for duty or remain on duty while under the influence of a controlled substance. The manager will not permit an employee to perform or continue to perform his/her functions and may request that a controlled substance test be administered. The manager should contact a member of the Human Resources Department in this situation.
  - ❑ All employees are subject to testing if they are involved in an accident while using an Authority vehicle.
  - ❑ An employee with a controlled substance problem may be afforded an opportunity for treatment (See **Substance Abuse & Drug-Free Workplace** Standard).

## **GUIDELINES**

- ❑ A manager shall not permit an employee to work if the employee appears to be under the influence of a controlled substance or knows the employee is under the influence of a controlled substance.
- ❑ A manager shall notify a representative of the Human Resources Department and the respective Department Director when an employee is in violation of the Authority's standards regarding the use of controlled substances. This notice should be made as soon as the

manager recognizes the employee may be under the influence of a controlled substance, in the case of a vehicle accident, and/or when the manager has reasonable suspicion which warrants employee testing.

- ❑ A manager shall not search an employee, and s/he shall not search the personal possessions of the employee unless the employee has provided written consent. Any search of the employee's personal possessions will be conducted in the presence of the employee and a witness, where feasible. Consult an HR representative prior to conducting such search

## **PROCEDURES**

- ❑ **Placement Testing:** At the time an employment offer is made, the Human Resources representative will review with the candidate all necessary information regarding the controlled substance placement testing. The Human Resources representative will coordinate the testing with the Authority's testing entity and the employee.

The Human Resources representative works directly with any agency, placement firm, and/or business entity when controlled substance testing is required for individuals providing service to the Authority through the aforementioned arrangements.

Should the individual not pass the test, the Human Resources representative will inform the candidate and the manager. At that time, the Human Resources Representative and the manager will determine what course of action will be taken to fill the position or engage the services of others.

- ❑ **Reasonable Suspicion Testing:** The manager must witness, firsthand, the employee's signs and symptoms which indicate the employee may be under the influence of a controlled substance.

The manager is responsible for ensuring the matter is investigated immediately and must document the observed behavior.

Should the manager believe it appropriate to suspend the employee for work because of the manager's reasonable suspicion, the manager must coordinate the suspension with a representative of the Human Resources Department prior to any action being taken. The manager must inform the appropriate Department Director of the intended action.

All must be coordinated in accordance with the health and safety of the individual and Authority employees and in accordance with Authority Standards.

- **Post-accident Testing:** The employee is responsible for notifying the manager that an accident has occurred.

The manager then notifies a representative of the Human Resources Department of the accident and provides all information available.

The Human Resources representative and the manager determine whether or not a controlled substance test should be administered. If so, the manager ensures the employee is taken to the testing site/entity, and the manager and the Human Resources representative work together to resolve the matter with the employee.