

SDCRAA HUMAN RESOURCES STANDARDS AND PROCEDURES

Section: **Workplace Practices**
Standard: **MANDATORY DRUG AND ALCOHOL TESTING PROGRAM**
Section #: D-16
Effective: May 13, 2008
Revised: May 12, 2025

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

GENERAL STANDARD

The Authority has a strong commitment to providing a safe workplace and establishing high standards of employee health and safety. Employees who use or abuse controlled substances or alcohol while on-duty may 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. 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 Substances: the controlled substances listed in Schedules I through V in 21 U.S.C. section 812.

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

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 and Alcohol test and also contingent upon a review of reliable, available testing information from previous employers, to the extent permitted by law. All applicants who receive a contingent offer of employment may be required to undergo Controlled Substance and Alcohol 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 or Alcohol test with a previous employer within the prior two years, the Authority may terminate the employee, to the extent permitted by law.

2. **Reasonable Suspicion Testing:** All employees are subject to Controlled Substance and Alcohol testing when there is reasonable suspicion that an employee's performance or behavior indicates that they are violating the Authority's substance use or abuse/drug-free workplace policies.

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 use or impairment from Controlled Substances or Alcohol during On-duty Time. Some examples of objective facts and circumstances demonstrating use or impairment, include:

- Directly observing the employee's possession or use of Controlled Substances or Alcohol;
- Physical signs and symptoms consistent with substance use or impairment (refer to standard D-05);
- 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. To ensure objectivity, the sufficiency of the facts and circumstances

observed leading to a test referral must be corroborated by another manager, supervisor or lead. The manager should contact a safety representative from the Human Resources Department when the manager has reason to suspect use or abuse of a Controlled Substance or Alcohol 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.

3. Post-Incident Testing. All employees are subject to Controlled Substance and Alcohol testing if they are involved in an accident, including but not limited to accidents while using Authority vehicles, tools, or machinery, as part of the Authority's investigation into the incident, unless Human Resources determines that testing is not required. All employees who could have contributed to an accident or employee injury will be required to submit to drug/alcohol testing.

- ❑ No employee shall report for duty or remain on duty while: 1) under the influence of a Controlled Substance or Alcohol; or 2) having used a Controlled Substance or Alcohol during or immediately preceding On-duty Time. The manager will not permit an employee to perform or continue to perform their functions and may request that a Controlled Substance or Alcohol test be administered. The manager should contact a safety representative from the Human Resources Department in this situation. This section does not apply in the case of prescription medication if the employee complies with Standard D-05.
- ❑ An employee with a substance abuse problem may be afforded an opportunity for treatment (See Accommodation for **Substance Abuse Rehabilitation** Standard).

GUIDELINES

- ❑ A manager shall not permit an employee to work if the employee was observed using or appears to be under the influence of a Controlled Substance or Alcohol or knows the employee is under the influence of a Controlled Substance or Alcohol.
- ❑ A manager shall notify a representative of the Human Resources Safety Team and the respective Department Director when an employee may have violated the Authority's standards regarding the

use of Controlled Substances or Alcohol. This notice should be made as soon as the manager recognizes the employee has violated the standards regarding the use of Controlled Substances or Alcohol, may be under the influence of a Controlled Substance or Alcohol, in the case of an accident, and/or when the manager has reasonable suspicion which warrants employee testing.

- A manager shall not search an employee, and they shall not search the personal possessions of the employee. Any search of the employee's personal possessions will be conducted in the presence of the employee and a witness, where feasible, after the employee has provided written consent, and in consultation with HR.

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 and Alcohol placement testing. The Human Resources representative will coordinate the testing with the Authority's testing entity and the employee.

Candidates may be required to provide information regarding prescription medications to the testing entity and/or other information so that the Authority can determine whether the employee is able to perform their job duties safely.

The Human Resources representative works directly with any agency, placement firm, and/or business entity when Controlled Substance and Alcohol testing is required under this Standard.

Should the individual test positive for the presence of drugs and/or alcohol in their system, 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.

- **Reasonable Suspicion Testing:** The manager or supervisor must have documented, objective facts and circumstances, observed or confirmed firsthand, which indicate the employee may be using or under the influence of a Controlled Substance or Alcohol during On-duty Time.

The manager or supervisor is responsible for ensuring the matter is reported to a safety representative to be investigated immediately and must document the observed behavior. To ensure objectivity, the

sufficiency of the facts and circumstances observed leading to a test referral must be corroborated by another manager, supervisor, lead, safety or Human Resources representative. Reasonable suspicion testing will only be authorized by a safety or Human Resources representative.

- Should the manager or supervisor believe it appropriate to suspend the employee from work because of reasonable suspicion, the manager or supervisor must contact a safety representative at (619) 577-2562 or (619) 629-2272 prior to taking any action.
- If it is determined that there is reasonable suspicion to test an employee for a Controlled Substance or Alcohol use after consulting with the safety representative, the manager or supervisor must communicate the concern to the employee and require employee to submit to the testing.
- The safety representative must coordinate and authorize the visit with the collection facility. To the extent permitted by law, refusal to submit to the Controlled Substances or Alcohol test will subject an employee to discipline, up to and including termination.
- The manager or supervisor must complete necessary forms.
- The manager or supervisor must ensure the employee is driven to and from the collection facility. The employee should not be permitted to drive to the facility.
- The manager or supervisor 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 or supervisor that an accident has occurred.
 - The manager or supervisor then notifies a safety representative of the accident by calling (619) 577-2562 or (619) 629-2272 and provides all information available.

- The safety representative must coordinate and authorize the visit to the collection facility, unless Human Resources determines that testing is not required.
 - The manager or supervisor must complete necessary forms.
 - The manager or supervisor must ensure the employee is driven to and from the collection facility. The employee should not be permitted to drive to the facility.
 - The manager and the safety representative work together to resolve the matter with the employee.
- **Confidentiality:** The Authority will treat all drug testing records as confidential as required by law.
- **Consent to Drug and Alcohol Testing:** Any applicant or employee subject to testing under this Standard will be asked to sign a form acknowledging the procedures governing testing, and consenting to (1) the collection of a urine and/or saliva sample for the purpose of determining the presence of Controlled Substances or Alcohol, and (2) the release to the Authority of medical information regarding the test results. To the extent permitted by law, refusal to sign the agreement and consent form, or to submit to the Controlled Substances or Alcohol test, will result in the revocation of an applicant's job offer, or will subject an employee to discipline, up to and including termination.