

**CITY OF WATERBURY**  
**REASONABLE SUSPICION TESTING PROCEDURE**

**PURPOSE:**

To provide all responsible management official(s) (RMO) with a procedure to conduct reasonable suspicion drug and alcohol testing. An RMO is a department head, manager, foreman, and any other person with supervisory responsibility for another City employee.

**SCOPE:**

This procedure shall apply to all employees of the City of Waterbury

**PROCEDURE:**

Reporting for work under the influence of drugs or alcohol, or any substance, which impairs any employee's mental or physical capacity, will not be tolerated. An employee may be required to undergo testing based on "reasonable suspicion" when objective facts and observations are brought to the attention of a RMO and, based upon the reliability and weight of such information, the RMO can reasonably infer or suspect that the employee is using illegal drugs, is abusing legal drugs or alcohol, or is reporting for duty under the influence of drugs or alcohol. Reasonable suspicion must be supported by specific facts which may include, but are not limited to: reports and observations of the employee's drug related activities, such as purchase, sale or possession of drugs, associations with known drug dealers or users, observations of the employee at known drug or drug related locations; an otherwise unexplained change in the employee's behavior or work performance; an observed impairment of the employee's ability to perform his or her duties.

The refusal by an employee to submit to drug or alcohol testing or any alteration, switching, substituting or tampering with a sample or test given under this City of Waterbury Drug and Alcohol Policy by any employee may be grounds for disciplinary action up to and including termination.

1. If a RMO has reasonable grounds to believe that an employee is under the influence of drugs or alcohol when reporting for work or during the work shift, the immediate supervisor has the obligation to verify the employee's condition and immediately relieve the employee of his/her duties.
2. An employee who is believed to be under the influence of drugs or alcohol must not be allowed to operate or drive a vehicle, including a private vehicle, until the condition of the employee has been determined. The RMO shall issue a direct verbal order to the affected employee that they must remain at the worksite. In the event the employee refuses to remain at the worksite the Waterbury Police Department shall be notified immediately.

3. If a RMO observes an employee who appears to be under the influence of drugs or alcohol, reasonable grounds should exist before requesting the employee to take a drug screening and/or blood alcohol test. Reasonable grounds would include a combination of various factors such as slurred speech, red eyes, dilated pupils, incoherence, unsteadiness on feet, smell of alcohol or marijuana emanating from the employee's body, inability to carry on a rational conversation, increasing carelessness, erratic behavior, inability to perform the job, other unexplained behavioral changes, etc. The RMO shall document these observations in writing on the "Reasonable Suspicion Checklist" provided by the Human Resources Department and attached to this document. This shall include all factors as outlined in the "Reasonable Suspicion Training" as administered by the City of Waterbury Human Resources Department.

4. If the RMO determines that reasonable suspicion of impairment exists, the RMO must contact their Department Head or designee and Human Resources and report the determination.

5. If the employee is ordered to submit to a drug and/or alcohol test, the employee shall be given a brief verbal statement of the basis for reasonable suspicion. A verbal directive to submit to a drug and/or alcohol test shall be confirmed in writing, but the testing shall not be delayed pending issuance of such written directive. The affected employee should be informed that tests will be conducted on City time, paid for by the City, and that compliance with the testing process is part of his/her job responsibilities. The RMO will make arrangements to transport the employee to the designated testing facility. Under no circumstances is an employee permitted to transport themselves to a testing facility.

6. Negative Test - In the event a drug and / or alcohol test is returned negative and the employee still exhibits the signs, symptoms, or behaviors that indicated the reasonable suspicion testing then he or she shall be placed off duty on sick leave until a licensed physician has examined them and provided a written clearance to the Department of the employee's fitness for duty. All documentation regarding the incident shall be forwarded to the Human Resources department.

7. Positive Test - In the event a drug / alcohol test is returned positive. The affected employee will be immediately placed on administrative leave pending the outcome of an investigation.

8. Transportation to the employee's home will be arranged by the City. No employee that has been tested under reasonable suspicion shall be allowed to drive while showing any signs of impairment.

9. The Department Head or Human Resources shall serve as the drug / alcohol testing facility points of contact for the purpose of sending employees and receiving results of tests.

# Reasonable Suspicion Testing Checklist

This checklist and consent form is used to determine and document reasonable suspicion of a potential violation of the Drug-Free Workplace policy. In such instances, the supervisor or manager observing the behavior with another supervisor/manager as witness, must each complete a checklist. It must be completed prior to testing and must be used to notify the individual that they are being asked to submit to drug and alcohol testing.

Date: \_\_\_\_\_ Time: \_\_\_\_\_:\_\_\_\_\_ AM / PM

Name of observed individual (Print): \_\_\_\_\_

## OBSERVED INDICATORS CHECKLIST:

### Physical Indicators:

#### WALKING

- Holding on
- Stumbling
- Unable to walk
- Unsteady
- Staggering
- Swaying
- Falling
- Other \_\_\_\_\_

#### FACE

- Red/flushed
- Pale
- Sweaty
- Appears normal
- Slobbering
- Grinding teeth
- Dry mouth
- Other \_\_\_\_\_

#### SPEECH

- Whispering
- Slurred
- Shouting
- Incoherent
- Silent
- Rambling
- Slow
- Other \_\_\_\_\_

#### BREATH/ODOR

- No alcohol odor
- Faint alcohol odor
- Strong alcohol odor
- Sweet/pungent tobacco odor
- Chemical odor
- Marijuana odor
- Breath spray/mouthwash
- Gum, Mints, Candy

#### STANDING

- Swaying
- Feet wide apart
- Rigid
- Staggering
- Sagging at knees
- Other \_\_\_\_\_

#### EYES

- Watery
- Bloodshot
- Glassy
- Dilated
- Closed
- Other \_\_\_\_\_

#### MOVEMENTS

- Fumbling
- Jerky
- Nervous
- Slow
- Hyperactive
- Other \_\_\_\_\_

#### APPEARANCE

- Messy
- Dirty/stained clothing
- Burns on person/clothing
- Ripped/torn clothing
- Partially dressed
- Other \_\_\_\_\_

### Behavioral Indicators:

#### DEMEANOR

- Cooperative
- Talkative
- Sarcastic
- Anxious
- Disoriented
- Sleepy
- Polite
- Silent
- Belligerent
- Excited
- Inattentive
- Drowsy
- Calm
- Resisting
- Tearful/crying
- Mood changes
- Appears normal
- Other \_\_\_\_\_

#### ACTIONS

- Fighting
- Erratic
- Threatening
- Non-communicative
- Argumentative
- Profanity
- Hostile
- Hyperactive
- Sleeping on job
- Other \_\_\_\_\_

### Comments and other observations:

#### Additional facts:

- Presence of alcohol and/or drugs in individual's possession
- On the job misconduct by individual (specify): \_\_\_\_\_

- Individual admission concerning alcohol use and/or drug use or possession
- List other witnesses to individual's conduct and summarize what they say they witnessed:

- Individual declined to comment, or Individual's explanation for behavior:

Completed by (Printed Name): \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_:\_\_\_\_\_ AM / PM

Signature: \_\_\_\_\_

# Reasonable Suspicion Testing Consent Form

I, \_\_\_\_\_,  
(Printed name) (Title)

as a City of Waterbury employee have been informed that:

1. An individual may be asked to submit to a drug/alcohol test if reasonable suspicion exists that an individual may be in violation of the Drug and Alcohol policy.
2. I have been asked to submit to a drug/alcohol test to determine if I am in violation of the Drug and Alcohol policy.
3. The test will include a request for a urine sample and a breath alcohol test.
4. I may be transported to and from a designated location where the specimens will be collected.
5. The test results will be provided to the Concentra Medical Review Officer or other facility designated by the City of Waterbury.
6. A positive test could result in corrective action up to and including termination of employment.
7. I may refuse my consent to submit to the drug/alcohol test.
8. I will be subject to the corrective action up to and including termination if I refuse the screening or test, adulterate or dilute the specimen, substitute the specimen, send an imposter, or refuse to cooperate in the testing process in such a way that prevents completion of the test.

## Individual's statement regarding allegation:

At the conclusion of this process, I will be instructed to make arrangements for my safe transportation home and that my supervisor may notify the police if I attempt to operate a vehicle.

\_\_\_\_\_ I have read the form and **agree** to undergo testing for drugs and/or alcohol.

\_\_\_\_\_ I have read the form and **refuse** to undergo testing for drugs and/or alcohol.

\_\_\_\_\_ I am currently using and/or have recently used alcohol, marijuana or illegal drugs during work hours and I am requesting an opportunity to for rehabilitation in accordance with the City of Waterbury Drug and Alcohol Policy.

## EMPLOYEE:

\_\_\_\_\_  
Employee Printed Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

## WITNESSED BY:

\_\_\_\_\_  
Witness Printed Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Printed Name

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date