

916 Drug and Alcohol Free Workplace

916.5 REASONABLE SUSPICION TESTING FOR SWORN EMPLOYEES

- (a) The Chief, an assistant chief, the Duty Commander, the DTC, and authorized designees have the authority to order officers to submit to a drug test.
- (b) The Department may require drug testing of officers when a determination of reasonable suspicion is agreed upon by any two (2) supervisors.
- (c) Prior to a reasonable suspicion drug test, the factors, circumstances, and/or observations will be documented in a memorandum addressed to the Chief.

916.5.1 CONDITIONS FOR REASONABLE SUSPICION TESTING

Reasonable suspicion must be based on facts or circumstances that lead a supervisor to believe the employee may:

- (a) Be under the influence of drugs or alcohol.
- (b) Currently have or had possession of drugs either on- or off-duty, or on or off City premises.
- (c) Have been associated with or involved with others who were using or under the influence of drugs, or who were in possession of same. Such association or involvement was not authorized or required in connection with any law enforcement duty, under circumstances which reasonably indicate participation or complicity with, or protection of such other individuals.
- (d) Have engaged in any conduct or situation involving alcohol, while on- or off-duty, which results in on-duty impairment.

916.5.2 PROCEDURES FOR REASONABLE SUSPICION TESTING

- (a) Supervisors who reasonably suspect an employee to be under the influence of a drug or alcohol will:
 - 1. Immediately remove the employee from performing regular duties, and, when possible, bring the employee to a private area away from the observation of coworkers and/or the public.
 - 2. Notify the employee's commander, or if after normal office hours the Duty Commander.
 - ~~3. Document in a memorandum addressed to the Chief detailing factors and any observations leading to the reasonable suspicion.~~
 - 4.3. Immediately request another supervisor to witness and record their observations of the employee in a memorandum to the Chief.
 - ~~5.4.~~ Place the employee on restricted duty. Arrangements will be made for the employee to be taken home unless a decision is made to immediately conduct a drug test.
- (a) The Chief, an assistant chief, or Duty Commander, ~~or DTC~~ may order the employee to take an immediate drug test. If testing is ordered:
 - 1. Supervisors will be notified and coordinate with Professional Standards and the DTC will arrange to schedule for the test.
 - ~~2. Supervisors will notify the affected employee of the test and prepare a memorandum instructing the affected employee to submit to the test.~~
 - 3.2. ~~Supervisors will~~ accompany the employee to the testing site and remain at the site until the testing is complete.
- (b) If there is probable cause to believe a crime has been committed, appropriate arrest procedures will be followed.