



COUNTYWIDE REASONABLE SUSPICION PROCEDURES

Note: Reasonable Suspicion Drug and Alcohol Testing must be completed within four (4) hours of initial observation of impairment.

<p>1. When a supervisor or manager witnesses or is informed of an employee who appears to be impaired or exhibiting concerning behavior(s), you should first obtain approval from your Departmental Human Resources (HR) or Employee Relations (ER) to proceed with the Reasonable Suspicion procedures.</p> <p>If the Departmental HR or ER personnel are not available, the supervisor or manager must proceed with the Reasonable Suspicion procedures and document the reason for not being able to obtain prior approval.</p>	<p><input type="checkbox"/> Initiate the Reasonable Suspicion procedures and document attempt(s) to reach out to HR/ER personnel.</p>
<p>2. Before you speak to the employee, the Reasonable Suspicion Checklist (RSC) should be completed by two (2) trained supervisors or managers. If the RSC is completed by only one (1) trained supervisor or manager, an explanation must be documented.</p>	<p><input type="checkbox"/> RSC is completed by one (1) or two (2) trained supervisor(s) or manager(s).</p>
<p>3. The observing supervisor or manager must complete the following in the stated order:</p> <p>a. On the day of the observed impairment the observing supervisor or manager must meet with the employee under suspicion of impairment to discuss the observations documented on the RSC that led to the referral.</p> <p>b. The observing supervisor or manager must inform the employee of their right to representation. The employee must be allowed a reasonable time frame to secure a representative to attend the meeting so as to not delay the reasonable suspicion testing process.</p>	<p><input type="checkbox"/> Meet with employee.</p> <p><input type="checkbox"/> Review observations documented on the RSC with the employee.</p> <p><input type="checkbox"/> Inform employee of their right to representation.</p>
<p>4. During the observing supervisor or manager's meeting with the employee under reasonable suspicion, the employee must be given the opportunity to provide an explanation regarding observations of their concerning behavior(s).</p> <p>Regardless of the employee's explanation, proceed to Step 5.</p>	<p><input type="checkbox"/> Employee is given an opportunity to explain and/or provide a written response. The observing supervisor or manager should document the employee's explanation.</p>



<p>5. The observing supervisor or manager must provide the employee with a copy of the Countywide Notice to Employee of the Requirement to Submit to Reasonable Suspicion Drug and Alcohol Testing form (Notice of Requirement) and obtain the employee's signature. If the employee refuses or declines to sign the Notice of Requirement, the supervisor/manager must proceed with obtaining all required forms, indicate on the Notice of Requirement the employee's refusal to sign and forward the documentation to OHP. <u>Except for a medical emergency or safety/security threat, this is the only time the employee would not be taken for testing.</u></p>	<p><input type="checkbox"/> Provide a copy of the <i>Notice of Requirement to Submit to Reasonable Suspicion Drug and Alcohol Testing</i> to the employee.</p> <p><input type="checkbox"/> Obtain employee's signature or document the refusal.</p>
<p>6. The observing supervisor or manager must complete the Reasonable Suspicion Drug and Alcohol Testing Work Order and provide it to the authorized departmental representative who will accompany the employee to the collection site.</p>	<p><input type="checkbox"/> Complete the <i>Reasonable Suspicion Drug and Alcohol Testing Work Order</i>.</p>
<p>7. The observing supervisor or manager must arrange transportation to and from the collection site (<i>unless on-site collection has been arranged with OHP personnel</i>) by an authorized departmental representative or a transportation service.</p> <p>An authorized person, other than the employee's immediate supervisor, must confirm that the employee has a photo identification (e.g., Driver's License or County ID) prior to accompanying the employee to the collection site.</p> <p>It is recommended that a supervisor or manager, other than the employee's immediate supervisor, drive or accompany the employee to the collection site unless both the employee and immediate supervisor agree that they are the most suitable person to drive or accompany the employee to the collection site.</p>	<p><input type="checkbox"/> Transportation to and from the collection site for the employee was arranged.</p> <p><input type="checkbox"/> Authorized Departmental representative accompanying employee has a copy of the Work Order.</p> <p><input type="checkbox"/> Confirmed the employee has photo identification.</p>



8. At the collection site, the authorized departmental representative must provide the **Reasonable Suspicion Drug and Alcohol Testing Work Order** to the collection site's staff.

The employee must present photo identification, or the department representative must confirm the employee's identity.

The employee must provide a urine specimen and complete a breath alcohol test (BAT) in accordance with the collection site's collection procedures.

- Authorized departmental representative provided the Reasonable Suspicion Drug and Alcohol Testing Work Order to the collection site's staff.**
- The employee's identity was confirmed by the collection site's staff.**
- The employee provided a urine specimen and completed the BAT.**

9. If there are additional witnesses to the employee's impairment, the supervisor or manager who completed the RSC must instruct those witnesses to complete an affidavit documenting their observations.

The supervisor or manager who completed the RSC, or their designee, must forward completed copies of the **Notice to OHP of Reasonable Suspicion Drug and Alcohol Testing**, **RSC**, and **witness affidavit(s)** to OHP via email at ohp@hr.lacounty.gov.

- Email OHP the following:**
 - Notice to OHP of Reasonable Suspicion Drug and Alcohol Testing**
 - RSC**
 - Witness Affidavit(s)**

10. The observing supervisor or manager must arrange transportation to and from the collection site (unless on-site collection has been arranged).

- The employee must not drive after the Reasonable Suspicion procedures have been initiated.**

11. Upon receiving and reviewing the laboratory report, OHP will provide a final results letter to the employee and Department Head (or designee) within four (4) business days from the time of the specimen collection.

- Final Results Letter will be sent by OHP.**