



# Technical Update

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## Paying Attention to Behavioral Indicators of Drug or Alcohol Use on the Job

Many of you may KNOW of employees who might come to work under the influence of alcohol and cause an accident. Many of you are concerned about the recreational or medical marijuana laws in our state, which might affect the county's liability for employees who come to work on drugs. Did you know that the best way to avoid employee involvement without getting into complicated legal liability issues is to train your supervisors and employees on reasonable suspicion drug testing?

A public employer may discipline any employee who comes to work "under the influence" if that employee is acting in a way that is detrimental to the performance of their duties. Make sure your supervisors know to use the reasonable suspicion checklist and are able to identify common behavioral indicators of drug or alcohol abuse on the job. This training is not just for CDL holders and supervisors.

- Did you know that improper use of drugs or alcohol on the job can be a topic for discipline even if you can't do "random testing" on the job?
- Do you know the legally required procedure for evaluating unusual or apparently impaired behavior on the job to establish job-related performance issues?
- Did you know that "random testing" may not be used on ALL county employees without risking an expensive lawsuit?
- Did you know that using testing limits or

methods that are not required by state or federal authority can subject a County or public employer to additional defense costs?

- Do you know that documenting an employee's impaired judgment, impaired performance or telltale signs of drug or alcohol use while on the job can support a supervisor's decision to send an employee for a fitness for duty test?
- Have you been trained on how to be alert for signs of drug or alcohol abuse on the job, how to analyze your observations, and how to create documentation of impaired work performance?

If not, you need to attend a free training on these topics.

### What This Means to Counties

Call to schedule free "Drug and Alcohol Awareness" and "Reasonable Suspicion" training today. Call Cynthia at 720-465-3122.

Download a County Wide Drug and Alcohol Policy sample from the CTSI website.

Review your county-wide policies periodically, to make sure you use the right type of testing for different employee groups.

For more information, contact CTSI at 303-861-0507.