

# REASONABLE SUSPICION TESTING

Employer Responsibilities  
& The Referral Process

# Objectives

At the end of this session, attendees should understand:

- ▣ The various test reasons and how they differ
- ▣ The grounds for reasonable suspicion testing
- ▣ Who can make a reasonable suspicion referral

# Test Reasons

- ▣ **Pre-employment**
- ▣ **Reasonable Suspicion/Cause**
- ▣ **Random** (must utilize a scientifically valid method)
- ▣ **Post-Accident** (DOT requirements are very specific / non-qualifying accidents must be done on non-DOT forms.)
- ▣ **Return-to-duty** (observed)
- ▣ **Follow-up** (observed)

# Reasonable Suspicion Testing

# Required Observations for Reasonable Suspicion Testing

- ▣ The determination that Reasonable-Suspicion exists to require the employee to undergo an alcohol or drug test should be based on Specific, Contemporaneous, and Articulable observations relating to the employee's Appearance, Behavior, Speech or Body Odors.

## Indicators that cannot be used:

**There are other indicators - no matter how convincing or telling they are - which CANNOT be used to make a Reasonable-Suspicion determination. These include:**

- ▣ *Hearsay*

- ▣ *Rumors*

# Requirements

- ▣ **Only a staff member (employed by your company) who has completed a 60/60 reasonable suspicion training course may refer an employee for a reasonable suspicion test**
- ▣ **Only short-term indicators may be used for an alcohol reasonable suspicion test**
- ▣ **Some long-term indicators, such as withdrawal symptoms, may be used for a reasonable suspicion drug test**
- ▣ **Only one trained supervisor's opinion is necessary to require a reasonable suspicion test**

# Legally Sensitive Areas:

- ▣ **Safeguard employees' confidentiality**
- ▣ **Ensure the policy is clearly communicated**
- ▣ **Establish procedures to thoroughly investigate alleged violations**
- ▣ **Assure referring supervisors are properly trained**
- ▣ **Escorting employee to collection site and providing transportation home**
- ▣ **Documentation, Documentation, Documentation!**

# SAMPLE STEPS

Refer to Handout

# Our Services:

- ▣ **Substance Abuse Program Administration**  
(Including DOT & AL Drug-Free Workplace Programs)
- ▣ **National Consortium / TPA Services** (DOT random pools)
- ▣ **Drug / Alcohol Screens**
- ▣ **Online OSHA 10 & 30 Training**
- ▣ **First Aid / CPR AED Training** (OSHA & Coast Guard Compliant)
- ▣ **Respirator Fit Testing / Online Medical Clearance**
- ▣ **Occupational Hearing Conservation / OSHA Hearing Screens**
- ▣ **Safety Meetings**
- ▣ **Background Checks**

# Contact us:

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