



## ***Tips for Supervisors and Managers:***

### **Responding to Reasonable Suspicion in the Workplace**

1. Refer to the departmental or agency reasonable suspicion policy (if one exists) or the Universal Policy titled **SA Universal Policy Exec Branch 2000 Update**, or the **Universal Policy Impairment 2007** (find @ [Colorado.gov](http://Colorado.gov)).
2. **Safety** and liability considerations –
  - Where is the employee now?
    - If the employee is still on-site, instruct employee to remove self from the work area; Employee should be escorted to a private room with supervision.
  - If you are concerned about the physical safety of the employee or other employees, call 911.
  - Consider contacting AA/HR/Risk Management for interpretation of universal or other policies; Consider contacting the AG when appropriate.
3. Establishing and documenting **reasonable suspicion** –
  - Use an agency-approved **reasonable suspicion checklist**.
    - If you do not have a checklist available, see BOAS below.
  - Documentation is critical; In your documentation, provide –
    - Description of the incident,
    - Time and Location of the incident,
    - Observations (i.e. BOAS below).
  - If the department does not utilize a reasonable suspicion checklist, encourage use of the **BOAS** screening strategy (utilize **2 supervisors** – when possible – to implement/document BOAS)
    - **BEHAVIOR** – staggering, disoriented?
    - **ODOR** – alcohol, marijuana, chemicals?
    - **APPEARANCE** – glassy/bloodshot eyes, shakes, tremors?
    - **SPEECH** – slurred, incoherent?
4. When addressing impairment and **discussing reasonable suspicion testing with the employee**,
  - Have **2 supervisors** involved.
  - Obtain **approval** from the Appointing Authority (AA) or AA designee to obtain testing.
  - Once testing has been approved by the AA, the employee should be accompanied for the testing – testing should be pursued regardless of employee explanations or admissions;
  - Focus on only the impairment observed;
  - Focus on job safety;
  - It can be helpful for the supervisor to reassure the employee that reasonable suspicion testing is focused on insuring safety to the employee and the workplace (it is NOT an accusation of substance-related impairment or addiction).
5. If the Appointing Authority **does not approve reasonable suspicion testing**, be aware that employee may be beyond the legal limit to safely transport self home; AA or designee should arrange transportation for the impaired employee which may include contacting a family member, friend, cab, etc. It is never safe to send an impaired or potentially impaired employee/driver on the road – this could have consequences that impact safety for the public and liability for the organization.
6. Suggest that your employee seek support from **C-SEAP**; Supervisors are reminded that state employees may also seek C-SEAP services on their own when they are ready.
  - It can be most helpful to offer this referral as a means of support vs. as a punitive measure;
  - The PFFD process (managed by C-SEAP) may assist the AA or leader in determining if the employee is fit-for-duty; however, this process cannot immediately diagnose or treat substance-related issues.