



# Supervisor Newsletter

## Reasonable Suspicion Testing

*In this issue of Supervisor Training Newsletters, we continue with a discussion of Reasonable Suspicion Drug Testing. This is the third installment of a 3-part series.*

## Job Performance Problems (continued)

In the last *Supervisor Training Newsletter*, we detailed the actions involved in recognition of workplace substance abuse problems and mentioned the importance of using forms to keep track of unacceptable work performance. In this issue, we continue listing the types of performance problems that may suggest substance abuse.

## Accidents

Accidents are another type of workplace problem that could be tied to abuse of drugs or alcohol by employees. When an employee has accidents on the job or takes unnecessary risks showing a disregard for safety, when a supervisor receives unsafe work habit reports from other employees, or when an employee has accidents off the job, substance abuse may be indicated.

Safety-sensitive jobs within a workplace should be identified, and supervisors must pay special attention to the possibility of accidents in these occupations.

Georgia law states that: if an employee tests positive for alcohol within 3 hours of an accident, or tests positive for drugs within 8 hours of an accident, that employee

can be denied a workers' compensation claim. Your employer knows how expensive workers' compensation insurance can be. This is one of the reasons your company became certified as a drug free workplace: to qualify for the state-mandated 7.5% discount on workers' compensation premiums. Workers' compensation is a statutory law required for all companies in Georgia with 3 or more employees. The more workers' comp claims filed within a company, the higher the premiums. Many companies have been forced to go out of business because their workers' compensation insurance became too expensive after numerous claims had been filed.

Employees who have caused or contributed to an accident within a certified drug free workplace in which an employee must leave the work site and be treated for the injury—resulting in a loss of work time—must be post-accident tested. But even when an accident *without* injury occurs, a reasonable suspicion drug test may be required.

Generally, if an accident without injury requires a formal investigation, it could result in a reasonable suspicion drug test. The determination should be based on a totality of circumstances. Supervisors within state-certified drug free workplaces are obligated to take all practical steps to ensure that the appropriate employees are tested in a proper and timely manner.

## Productivity and Work Quality

Other indicators of job performance issues that could be related to substance abuse are inconsistent work quality and poor production. One key

role of supervisors is to meet production goals. Productivity directly impacts profitability, and production is a critical area where supervisors must be alert to changes in job performance. If an employee suddenly begins taking more time and effort to complete work assignments, for example, this could be an indicator of substance abuse issues. Or, if an employee begins having trouble understanding instructions or recalling operating procedures, substance abuse could be involved. Excessive mistakes, lapses in concentration, poor judgment, a loss of interest in work, general absentmindedness, and forgetfulness could also be noted as possible drug or alcohol abuse problems.

One common sign of substance abuse is alternating periods of high and low productivity. Employees will often work at an accelerated rate while under the influence of certain drugs, then become extremely lethargic when withdrawing from the substance. While some supervisors may already be dealing with these kinds of problems daily, they must begin to make the connection between these problems and the possibility of substance abuse. Supervisors are accountable to management for communicating and enforcing the substance abuse policy. Supervisors are also an integral component in a company's protection from liability. They hold the key to the success or failure of the drug free workplace program.

Some of the more obvious signs of substance abuse are: coming to

work in an intoxicated condition and/or smelling of the odor of alcohol or other substances. This type of behavior should be documented on the Physical Observation section of the Supervisor Forms checklist.

Another significant indicator of unacceptable work performance is having a poor attitude with coworkers. Unreasonable resentment against coworkers, repeated criticism of others, persistent requests for transfers away from certain employees, and general abrasiveness could all be emotional responses due to substance abuse. If an employee begins a pattern of spending his lunch hour and breaks away from coworkers—either alone or with the same small group—it could point to drug use. Often, substance abusers will have relationship problems both at home and in the workplace. If the company receives complaints about the employee from the employee's family members or community, this should be documented in the employee's file. If a supervisor receives notification that an employee has been arrested for any reason—such as drunk driving, fighting, passing bad checks, etc.—the supervisor should notify management as soon as possible. If an employee exhibits improper behavior away from work or at company meetings or functions, the company human resources department should be notified.

Remember, however, that supervisors should always be careful not to assume that every indicator they observe is proof of substance abuse! Each indicator must be weighed carefully on a case-by-case basis before reaching a conclusion.

**To help us combat substance abuse, go to [www.LiveDrugFree.org](http://www.LiveDrugFree.org) and click on "Donate!"**