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FIRST RESPONSE

Transportation Workplace Supervisor Training Program for
Reasonable Suspicion
Drug and Alcohol Testing Determinations

Training Manual/Workbook

Intended for use with the *First Response* training video

Dear Trainee,

Welcome to the **First Response** training program! When this training program is implemented in its intended format it will satisfy the transportation workplace regulatory training requirements for supervisory personnel and other company officials to become authorized to make reasonable suspicion drug and alcohol testing referrals.

The training program consists of a series of video segments followed by workbook activities and exercises that are designed to emphasize key points made during the video and to aid comprehension of the training material. The video will prompt the facilitator to pause the video following each segment.

Before commencing the training: Ensure that you have a pen or pencil and a writing surface for completing the exercises within this training manual. Exercise segments **can not be skipped**, as they are a part of the required training in order to meet the DOT requirements for 60 minutes of training on controlled substances use and 60 minutes of training on alcohol misuse.

We hope that you will enjoy this important training program and will recognize the significant role that you play in keeping your transportation workplace safe!

Sincerely,

FIRSTLAB

Section One - Exercises Related To Prohibited Drug Use

Exercise 1: List the 5 DOT prohibited drug classes:

1. _____
2. _____
3. _____
4. _____
5. _____

Exercise 2: Match the paraphernalia with the most commonly associated drug class by drawing a line connecting the paraphernalia on the left with the drug on the right

Rolling Papers	Meth (amphetamines category)
Razor Blade	PCP
Cigarette dipped in liquid	Marijuana
Glass pipe or tube	Cocaine
Hypodermic needles	Heroin (opiates category)

Exercise 3: Name the drug class associated with each slang terms:

Weed	
Blow	
Dippers	
Miss Emma	
Benny and the Jets	

Exercise 4: Name the drug class most commonly associated with signs and symptoms:

Distorted perceptions (particularly of time passing)	
Extreme mood swings	
Scabs on skin	
Nodding	
Violent and unpredictable behavior	

Exercise 5: Reflect on the knowledge that you've gained about the effects of the prohibited drugs. Consider how these effects would impact a safety-sensitive employee's ability to perform their job functions safely; within your specific workplace.

List your observations below:

Section 2 - Exercises Related To The Misuse Of Alcohol

Exercise 1. Indicate whether you believe the following statements to be *True* or *False*:

1. Most DOT covered employers prohibit the use of alcohol within 4 hours of the performance of safety-sensitive functions. TRUE or FALSE
2. Safety-sensitive employees can consume alcohol while "on call" for duty, provided that they are pretty sure they won't be called for duty. TRUE or FALSE
3. Candy or mints that contain alcohol can cause a positive alcohol test result, but won't be in violation of the DOT rule because candy or mints are not the same as liquor and beer.
TRUE or FALSE
4. Safety-sensitive employees can be tested for alcohol misuse just before, during or just after, the performance of safety-sensitive functions. TRUE or FALSE

Exercise 2. Try to recall the specifics of the facts about alcohol and alcoholism discussed in the video. Complete the missing information from the statements below:

1. According to the Centers for Disease Control _____% of the adult population can be classified as "regular drinkers".
2. Chronic liver disease and cirrhosis are caused by excessive alcohol use and consistently rank within the top _____ leading causes of death in the United States each year.
(number)
3. The Substance Abuse Mental Health Services Administration (SAMHSA) approximates that _____ million Americans currently suffer from alcoholism.
(number)

Women										
	Approximate Blood Alcohol Percentage									
Drinks	Body Weight in Pounds									
	90	100	120	140	160	180	200	220	240	
0	.00	.00	.00	.00	.00	.00	.00	.00	.00	Only Safe Riding Limit
1	.05	.05	.04	.03	.03	.03	.02	.02	.02	Impairment Begins
2	.10	.09	.08	.07	.06	.05	.05	.04	.04	Riding Skills Affected
3	.15	.14	.11	.10	.09	.08	.07	.06	.06	
4	.20	.18	.15	.13	.11	.10	.09	.08	.08	
5	.25	.23	.19	.16	.14	.13	.11	.10	.09	
6	.30	.27	.23	.19	.17	.15	.14	.12	.11	MN Legal Limit .08 BAC effective 8/1/05 <hr/> Criminal Penalties
7	.35	.32	.27	.23	.20	.18	.16	.14	.13	
8	.40	.36	.30	.26	.23	.20	.18	.17	.15	
9	.45	.41	.34	.29	.26	.23	.20	.19	.17	
10	.51	.45	.38	.32	.28	.25	.23	.21	.19	

Your body can get rid of one drink per hour.
 One drink is 1.25 oz. of 80 proof liquor, 12 oz. of beer, or 5 oz. of table wine.

Record your answers in the space provided below, (the workbook is yours to keep).

Keep in mind that a standard drink is a 12-ounce beer, a 5-ounce glass of wine or 1.5 ounces of 80 proof liquor. A cocktail or "mixed drink" may contain more than one shot of liquor; some beers contain a greater percentage of alcohol per volume. Are you surprised by what the chart revealed?

Exercise 4. In the video, we demonstrated that the human brain is affected by alcohol consumption even at very low levels and as levels increase, the effects to other parts of the brain are cumulative.

Match the BAC levels in the left hand column with the effected areas of the brain, in the right hand column by drawing a line to connect the matches.

.02-.04	Speech and Fine Motor Skills
.04-.06	Balance
.08-.10	Sensory
.10-.25	Cognitive
.25-.35	Gross Motor Skills

Exercise 5. Hopefully you now have a basic understanding of the effects of alcohol consumption on the human brain. Consider how these effects would impair someone that is performing a safety-sensitive job function. Write an example below, which demonstrates how an employee under the influence of alcohol would impact your specific workplace.

Section 3 - Exercises Related To Making The Referral:

Exercise 1. During the video we addressed some of the "do's and don'ts" for approaching an employee whom you suspect may be impaired by drugs or alcohol. Identify which of the statements below belong in the "DO" column and which belong in the "DON'T" column, by checking the appropriate column after reading the statement:

ACTION	"DO"	"DON'T"
Conduct a reasonable suspicion interview with the employee in front of others, so you have witnesses.		
Conduct a reasonable suspicion test even though you don't have concrete evidence that the employee used drugs.		
Take a long time to make a decision about testing the employee.		
Forbid the employee from calling a representative, such as union shop steward.		
Allow the employee to respond to your observations.		
Be discreet when approaching the employee, go behind closed doors.		
Seek a similarly trained supervisor to join you during the interview, if possible.		
Try to diagnose the employee's addiction problem.		
Discuss the employee's other performance issues that have been bothering you, during the interview, so you get everything out in the open.		
Conduct a reasonable suspicion interview over the phone if you can't get to the employee's location in a timely manner.		

Exercise 2. There are three scenarios below. Read each scenario and then make notes in the space provided below each scenario. Consider if you might have handled the situation differently and describe how you would have handled it. Consider if you agree with the decision to test or not test and describe why you agree or disagree.

Scenario A

You are a flight attendant with a commercial airline. Upon reporting for duty to your assigned aircraft, you speak briefly with the pilot, who is seated in the cockpit. You notice an odor of alcohol coming from the pilot's breath, as he speaks to you.

You have received this training course and you know that you are both authorized and obligated to remove a safety-sensitive employee from duty when you suspect prohibited drug use or alcohol misuse.

However, the more you think it over, you realize that you are not the pilot's supervisor and may not have the authority to refer him for a reasonable suspicion test. Also, you wonder if maybe you have mistaken the odor of mouthwash, for alcohol. You dismiss your initial suspicions and begin your job duties.

Scenario B

You are a school board transportation dispatcher. It's very early in the morning on the first day of a new school year and things are quite chaotic at the bus yard. An experienced, elderly bus driver appears to be confused and is having difficulty comprehending the instructions that he has been given, regarding a change in his route. When you get close to him, you can see that his pupils are quite small (constricted) and his speech is low and raspy.

You have received this training course and you know that you are both authorized and obligated to remove a safety-sensitive employee from duty when you suspect impairment.

You begin to consider that perhaps he just isn't fully awake yet, since it's so early in the morning or maybe he is on some type of medication, as many elderly drivers are. You don't want to take any chances though, so you ask him to have a seat in your office while you get a substitute driver to take his route.

After interviewing him, you decide to refer him for a DOT reasonable suspicion drug test, even though he says that the symptoms you've observed are due to a new medication that he's taking. You tell him that you are responsible for the safety of the traveling public and you need to perform the test to "rule out" that prohibited drug use is not a causal factor for your observations.

Scenario C

You are a division manager for a large over-the-road trucking company, working at the national operating center. While you are out in the maintenance bay talking with some of your mechanics, a trucker pulls in to the bay, for a repair. When the driver hops down out of his rig, you noticed that a small plastic bag, with a white powdery substance in it, fell to the ground. The driver quickly picked it up and shoved it into his pocket. You attempted to start a conversation with the driver, but he stated that he needed to use the restroom and he walked swiftly away.

You have received this training course and you know that you are both authorized and obligated to remove a safety-sensitive employee from duty when you suspect prohibited drug use.

When the employee comes out of the restroom you ask him to come into your office for a few minutes. The employee reluctantly agrees. While you are unable to detect a specific sign or symptom of drug use, you ask the employee if he is doing drugs because you saw drugs fall out of his truck. The employee acts as though he doesn't know what you are referring to but is behaving suspiciously and appears nervous. You decide to send him for a DOT reasonable suspicion drug test.

When you and your classmates have completed the above exercise, consider sharing your comments and observations before moving on to the next segment. After the discussion has ended please check the time. The final video wrap up segment is approximately 5 minutes. If you have completed the training early (less than 2 hours total), please complete the additional exercises/scenarios at the end of this packet before resuming the video for the final wrap up .

Wrap Up - Final Section

Congratulations! You have completed the First Response training program.

Below are some examples of additional talking points that you may choose to utilize to supplement the training program.

It is extremely helpful for newly trained officials to have a clear understanding of the steps they must take once they have made a testing determination. Below is a list of topics that are suggested:

1. Once the decision to test an employee is made, whom does the supervisor need to notify within your organization?
2. Does the supervisor need to escort the employee for testing? If so, where is the employee taken? (Specifically, which testing site?)
3. If the testing referral occurs after normal business hours, are there any special instructions the supervisor may need to be informed of?
4. Where are the documentation forms retained?
5. Where are the testing forms kept?

Here's an example of how a reasonable suspicion scenario may unfold; from beginning to end. Consider role-playing this scenario with your classmates or reading it aloud and discussing it as a group:

While walking through the maintenance bay, a supervisor hears a loud crash and walks over to the area, to investigate. The supervisor sees that a maintenance employee had just dropped a tool. The supervisor asks the employee if he is hurt. The employee looks up at the supervisor and says, "No, I'm good." The supervisor notices that when the employee looked up at him, his eyes appeared to be dilated. The supervisor also noticed that when the employee leaned over to pick up his tool and stand back up, he seemed clumsy and his movements were not coordinated.

Supervisor: "Dan, can I speak with you for a moment?"

Dan: "Uh, okay."

Supervisor: "Let's go to my office so we can speak privately."

Dan and the supervisor move into a private area to speak and the supervisor closes the door behind them.

Supervisor: "Dan, I see that your eyes are dilated and you seem uncoordinated, Are you feeling okay?"

Dan: "Yeah, I'm okay, 'just didn't get a lot of sleep last night."

Supervisor: "I'm concerned that you might not be fit for duty today. Are you under the influence of drugs, alcohol or medication?"

Dan: "No."

Supervisor: "Well Dan, being impairment on the job is a serious safety-risk and I'm obligated to refer you for a reasonable suspicion drug and alcohol test, based on my observations."

Dan: "I don't do drugs! I told you, I just didn't get much sleep last night."

Supervisor: "That may be true, but your appearance and behavior could also be a symptom of drug use. I need to refer you for the testing so we can rule out drug use or alcohol misuse, as the cause of the impairment that I'm observing."

Dan: "This is stupid! I'll just go home and go back to sleep."

Supervisor: "Dan, if you leave before the testing has been performed it will be considered a refusal to submit to testing, which has the same consequences as a positive test result." I would advise you to submit to the testing."

Dan: "You can't do that! I'm calling Joe Quinn." (Joe Quinn is Dan's Union Representative).

Supervisor: "You may call Joe. I'll step out of the office for two minutes and you can make your call; but after you've made your call we will be going to the testing site."

The supervisor steps outside of his office and closes the door behind him. The supervisor stands in front of the closed door, while Dan makes a phone call to his Union Representative.

Dan opens the door to the office, while he is on the phone with his Union Representative.

Dan: "My Union Rep can't be here for at least an hour."

Supervisor: "We will be moving forward with the testing, Dan. Your rep can meet you at the testing site. I'll give you the address."

The supervisor steps back into his office to retrieve the address of the testing site from his files. The supervisor gives Dan the address and Dan relays it to his Union Representative.

The supervisor places a brief call to the company's Drug and Alcohol Program Manager, to alert her that he is escorting an employee for drug and alcohol testing.

The supervisor drives Dan to the testing site. Dan submits to both a DOT required reasonable suspicion urine drug and a breath alcohol test.

Here are 10 ways to start the reasonable suspicion interview, once you have moved to a private area:

1. Are you feeling okay? You appear to be (insert observation here).
2. I've noticed (insert observation here) and I'm concerned that you may be impaired.
3. I'm concerned about your condition, because I noticed that you (insert observation here).
4. I would like to talk to you about something that I noticed. Just a few minutes ago, I saw you (insert observation here).
5. Safety is a top priority and I'm worried when I see someone in a safety-sensitive position that is exhibiting signs of impairment. I noticed that you just (insert observation here).
6. We've known each other a long time and I care about you and your family, which is why I am concerned that you appear to be (insert observation here).
7. I'm worried about you, Dan. When I passed you in the hall just a moment ago, I smelled a strong odor of (alcohol/marijuana) coming from you.
8. As a supervisor it's my job to keep our workplace safe; which is why I needed to speak with you. I noticed that just a few minutes ago you were (insert observation here).
9. I've called you in to my office because I feel you may be unfit for duty today, I see that you are (insert observation here).
10. How are you feeling, today? I'm concerned because you seem to be (insert observation here.)

The following are the USDOT Administrations' regulations applicable to drug and alcohol testing and pre-duty alcohol use prohibitions for each administration

US DOT Administration	Regulations	Pre-Duty Alcohol Use Prohibitions
Federal Motor Carrier Safety Administration (FMCSA)	49 CFR Part 382	Four (4) hours prior to performance of duty.
Federal Transit Administration (FTA)	49 CFR Part 655	Four (4) hours prior to performance of duty.
Federal Aviation Administration (FAA)	14 CFR Part 120	Eight (8) hours prior to performance of flight crewmember duties, flight attendant duties, and air traffic controller duties. Four (4) hours prior to performance of other duties.
Federal Railroad Administration (FRA)	49 CFR Part 219	Four (4) hours prior to performance of duty or after receiving notice to report for covered service, whichever is the shorter period.
Pipeline and Hazardous Materials Safety Admin. (PHMSA)	49 CFR Part 199	Four (4) hours prior to performance of duty.
US Coast Guard (USCG)	46 CFR Parts 4,5, & 16	Four (4) hours prior to performance of scheduled duty.

US DOT Administration	Reasonable Suspicion Determination
Federal Motor Carrier Safety Administration (FMCSA)	One trained supervisor or company official can make the decision based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee.
Federal Transit Administration (FTA)	One trained supervisor or company official can make the decision based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee.
Federal Aviation Administration (FAA)	Two of the employee's supervisors, one of whom is trained, shall substantiate and concur in the decision to test the employee. If the employer is not an air carrier operating under 14 CFR Part 121 and has 50 or fewer employees, a single trained supervisor can make the determination. A trained supervisor makes the determination based upon specific contemporaneous physical, behavioral or performance indicators of probable drug use.
Federal Railroad Administration (FRA)	One trained supervisor can make the decision for alcohol testing based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee. A decision to conduct a drug test requires two supervisors (only the on-site supervisor must be trained).
Pipeline and Hazardous Materials Safety Admin. (PHMSA)	One trained supervisor can make the decision based upon signs and symptoms.
US Coast Guard (USCG)	Drugs: The marine employer must have a reasonable and articulable belief that the individual has used a dangerous drug. This belief should be based on the direct observation of specific, contemporaneous physical, behavioral, or performance indicators of probable use and where practicable based on the observation of two persons in supervisory positions.
	Alcohol: The employee was directly involved in the occurrence of a marine casualty or the individual operated a vessel and the effect of the intoxicant(s) consumed by the individual on the person's manner, disposition, speech, muscular movement, general appearance or behavior is apparent by observation.

Appendix B

SUPERVISOR'S OBSERVATIONS

Section 1

Employee Name: _____
 Employee Job Title: _____ Division/Work Unit: _____
 Date of Observation: _____ Time: _____ am / pm
 Location: _____ Employee performing safety-sensitive duties? ☐ Yes ☐ No

Section 2

Observations: Check ALL that apply:

BEHAVIOR

- ☐ stumbled
- ☐ drowsy, sleepy, lethargic
- ☐ agitated, anxious, restless
- ☐ hostile, withdrawn
- ☐ unresponsive, distracted
- ☐ clumsy, uncoordinated
- ☐ tremors, shakes
- ☐ flu-like illness complaints
- ☐ suspicious, paranoid
- ☐ hyperactive, fidgety
- ☐ frequent use of mints, mouthwash, breath sprays, eye drops
- ☐ inappropriate, uninhibited behavior

APPEARANCE

- ☐ flushed complexion
- ☐ sweating
- ☐ cold, clammy, sweats
- ☐ bloodshot eyes
- ☐ tearing, watery eyes
- ☐ dilated (large) pupils
- ☐ constricted (pinpoint) pupils
- ☐ unfocused, blank stare
- ☐ disheveled clothing
- ☐ unkempt grooming

SPEECH

- ☐ slurred, thick
- ☐ incoherent
- ☐ exaggerated enunciation
- ☐ loud, boisterous
- ☐ rapid, pressured
- ☐ excessively talkative
- ☐ nonsensical, silly
- ☐ cursing, inappropriate speech

BODY ODOR

- ☐ alcohol
- ☐ marijuana

Other observations: _____

Section 3

The observations, are documented above, were made of the employee identified in Section 1.

Supervisor's Name (printed or typed) Signature _____ Date _____

Additional Witness:

Witness Name (printed or typed) Signature _____ Date _____

Section 4

Test Determination:

- | | |
|---|--|
| <input type="checkbox"/> Reasonable Suspicion Alcohol Breath Test | <input type="checkbox"/> No Test Conducted |
| <input type="checkbox"/> Reasonable Suspicion Drug Urine Test | <input type="checkbox"/> 8 hours elapsed |
| <input type="checkbox"/> No Test Required | <input type="checkbox"/> No collection available |
| <input type="checkbox"/> Employee Refused Test | <input type="checkbox"/> Employee transported for medical care |
| | <input type="checkbox"/> Other (explain) _____ |

Section 5

Employee transported to collection site by: _____

Time transported: _____ am / pm Collection site: _____

Additional Scenario Exercises

Scenario D

Sam is a 23 year-old truck driver, recently hired through a community action program for assisting rehabilitated drug users. You know he is still in an aftercare program with the local drug abuse clinic. When you approach Sam to check on paperwork prior to dispatch, you notice that he is sweating profusely, his hands are shaking, and his eyes "look funny".

1. *What would you say and do?*
2. *What are the observations that led you to your decision?*
3. *What impact does the fact that Sam came to your company as a recovering abuser have on your decision? What about Sam's rights under the Americans with Disabilities Act (ADA)?*

Recommended Responses:

1. *You should engage the employee in conversation and attempt to observe his actions and appearance closely. Saying anything like, "Sam you don't look like you feel well today; you're really sweating and you seem shaky."*
2. *- Profuse sweating (assuming the temperature isn't extremely hot)*
- Shaking of his hands
- An unfocused stare in his eyes.
3. *No doubt this information may lead you to suspect Sam is using drugs again, or is having withdrawal symptoms. However, any decision to test should be based on your observation of Sam's behavior and appearance today.*

Even though Sam acknowledged prior treatment for drug abuse and is entitled to "protection" and accommodation for his disability, current illegal drug use is prohibited. A positive drug test would be evidence of current (within the past 30 days) drug use. The ADA does not protect Sam from the consequences of current drug use, nor is current drug use a reasonable accommodation for his disability.

Scenario E

Arlene is a 35 year-old flight attendant. She has been with the airline 12 years, and is now a senior attendant on many of her flights. Recently you have been getting reports from fellow crew members that she "isn't pulling her own weight" on the job, that she is late for the crew bus on lay overs, and that she "just doesn't seem to care." You have noticed that her grooming isn't up to airline standards. Today you have called her in for a supervisory session. You are shocked at the change in Arlene since you last saw her about a month ago. She is very thin, her hair and makeup are unkempt, and she seems lethargic and apathetic.

- 1. How would you begin the supervisory session?*
- 2. What are the observations indicating possible drug use?*
- 3. Would a drug test be indicated in this situation?*

Recommended Responses:

- 1. You should acknowledge that you haven't seen Arlene for quite a while, and ask her how she is doing. The supervisory session should focus on your reasons for calling her in; reports that her performance is less than satisfactory. You should also add your own observation of her behavior and appearance.*
 - *Unkempt hair and makeup*
 - *Obvious weight loss*
 - *Lethargic, apathetic attitude*
- 2. The symptoms observed may be associated with alcohol misuse. However, unless Arlene is about to perform, is performing, or has just completed performing safety sensitive duties, the criteria for a reasonable suspicion alcohol test are not met.*

Scenario F

Fred is a 44 year-old terminal manager who also has a CDL, and drives one of the rigs when you're shorthanded. You have been conducting a two-day safety training seminar for all the managers in your district. Fred's classroom behavior and class participation have been annoying and disruptive. He laughs inappropriately, gets up and leaves the room frequently, drums his pencil or keys on the table, and is constantly talking to the people seated next to him. One of the other managers approached you during lunch and commented on Fred's behavior, saying, "Man, it seems like he's on something."

- 1. What would you do?*
- 2. Can a reasonable suspicion drug test be required since Fred isn't performing safety-sensitive duties today?*
- 3. What observations support a decision to conduct a test?*

Recommended Responses:

- 1. You should arrange to talk to Fred privately at the next break or opportunity. Ask him for feedback on his experience in the safety seminar. State your observation on Fred's behavior during the sessions. Solicit responses to your statements. Inform him of your test decision.*
- 2. Yes. A reasonable suspicion drug test determination can be made at any time the supervisor has official or job related interaction with the employee. Since illegal drug use is prohibited on duty, or off duty, at any time, there is no requirement that Fred be performing safety sensitive duties (driving) at the time the test determination is made.*
- 3. Disruptive, Inappropriate workplace behavior and conduct:*
 - Inappropriate laughter*
 - Fidgety, restless, motor activity*
 - Talkative, hyper behavior*

Scenario G

Larry is a 32 year-old driver who has been with your company for 4 years. He has been a good employee, with only 2 accidents on his record. Over the past 2 months, Larry has been late 6 times, 4 of them on Mondays. Today, his wife called and said he had "car trouble"; he arrived 2 hours late. When you walked into the dispatch area to talk with Larry about his late arrival, you thought you detected a faint odor of stale alcohol on his breath. As you approached closer, Larry quickly popped some breath mints in his mouth, and started to complain about his car problems. You also noted that Larry's eyes were blood shot, he was unshaven, and his clothing looked like he had slept in it.

1. What observations of Larry's behavior and appearance did you make?
2. What decision did you make about testing?
3. What did you say or do after listening to Larry's car problems?
4. What if Larry's explanation of his car problems included telling you that he had been up half the night getting the car home from the next town where it had broken down?

Recommended Responses:

1. What observations of Larry's behavior and appearance did you make?

- Odor of alcohol on breath
- Use of breath mints
- Bloodshot eyes
- Unshaven
- Disheveled clothing

2. What decision did you make about testing?

Reasonable Suspicion Alcohol Test

3. What did you say or do after listening to Larry's car problems?

"I'm concerned about what I see and smell, Larry. I want you to take a breath alcohol test."

4. What if Larry's explanation of his car problems includes telling you that he had been up half the night getting the car from the next town where it had broken down?

Empathize with employee about his car problems. Stay focused on behavior and appearance that are of concern. Explain that if fatigue or stress are the problem, a breath alcohol test will eliminate alcohol misuse as a possible factor. Reiterate that your role is to ensure that Larry is fit for safety-sensitive duty.

Scenario H

Penny is a 25 year-old security screener at a major metropolitan airport. She has worked for the company for 7 months. Penny has received several counseling reports for minor job performance problems. She "socializes on the job", frequently takes several extra minutes on her breaks, and has called in sick several times when on weekend duty rotation. She has a reputation among other workers as a "party girl", and frequently tells barroom jokes. On several occasions you have overheard her talking to fellow employees in the break and locker rooms about wild parties she attends and heavy drinking and next day hangovers. At a recent meeting with you about her 6- month probationary period performance report she was surly and defensive about her performance level.

1. *What observations support a reasonable suspicion test determination?*
2. *What supervisory intervention is indicated?*
3. *What patterns of behavior are consistent with a substance abuse problem?*

Recommended Responses:

1. What observations support a reasonable suspicion test determination?

There are no contemporaneous, articulable observations made by the supervisor TODAY.

2. What supervisory intervention is indicated?

Closer monitoring of Penny's on-duty performance and behavior. Counseling statement concerning tardiness from breaks, sick leave usage on weekends, and inappropriate "socializing on the job".

3. What patterns of behavior are consistent with a substance abuse problem?

Possible indicators include:

- Excessive sick leave usage; especially on weekends
- Long breaks
- Preoccupation with talking about alcohol-centered activities
- Defensive about poor job performance

Scenario I

Harriett is a 52 year-old school bus driver who has been with the School District for 10 years. She has an excellent work record and is a favorite among the students and their parents. She is usually cheerful, outgoing and cooperative. This Friday afternoon you ask Harriett if she will do a "double run", returning to the school after her normal afternoon trip to pick up athletic team members after a practice game. You are surprised when Harriett refuses your request, curses you and the athletic coach, and tells you to "get off her case". As she storms out of your office, you notice an unopened beer can in her tote bag.

1. *What documentation for a reasonable suspicion test do you have?*
2. *What would you say or do next?*
3. *What is the deciding factor in your decision?*

Recommended Responses:

1. *What documentation for a reasonable suspicion test do you have?*

Cursing, inappropriate language (which is uncharacteristic of Harriett's usual demeanor), possession of alcohol

2. *What do you say or do next?*

Ask Harriett to return to your office. Confront Harriett with your observations. Inform Harriett that a reasonable suspicion alcohol test will be conducted. Explain that her behavior is inappropriate and very different from her usual actions on the job.

3. *What is the deciding factor in your decision?*

Seeing the can of beer in Harriett's possession while on duty.

Scenario J

Ron, a 44 year-old male, has been a city transit employee for 10 years; first as a bus driver for 8 years, and now a motorman on the rail system. You have just received a call from one of the station supervisors that Ron overshot the last stop, had to back up the train, and departing passengers complained that the train had stopped suddenly on the tunnel approach, causing several passengers to be thrown off balance. You meet the train as it pulls into the last station and approach Ron in the cab. When you ask him to step out of the cab, he starts laughing, stumbles out of the cab, and belches loudly. In response to your question, "Are you feeling okay?" Ron responds, laughing, "Man, I never felt better."

1. *Is a reasonable suspicion alcohol test indicated?*
2. *Is a reasonable suspicion drug test indicated?*
3. *What are the observations to support a drug and alcohol test?*
4. *Do you need more information before making a decision about reasonable suspicion testing?*

Recommended Responses:

1. *Is a reasonable suspicion alcohol test indicated?*

Yes

2. *Is a reasonable suspicion drug test indicated?*

Possibly, although the behavioral symptoms are more usually associated with recent alcohol use or alcohol intoxication.

3. *What are the observations to support a drug and alcohol test?*

- *Inappropriate laughter*
- *Stumbling out of cab*
- *Loud belching*
- *Inappropriate verbal response*

4. *Do you need more information before making a decision about reasonable suspicion testing?*

There is sufficient documented observation of behavior and appearance consistent with alcohol misuse or drug use to require reasonable suspicion testing.

Scenario K

Alan is a welder on the pipeline repair crew; he also has a CDL and on occasion is the crew chief and drives the equipment truck to the worksite. Two new members on Alan's crew have been complaining about working for him. They have accused him of drinking a few beers out on the line, of not knowing what he's doing, and treating them like "kids". You know Alan recently went through a divorce and you have received some calls from bill collection agencies looking for him. This morning, as you are checking the crews for dispatch to worksites, Alan hasn't clocked in. You ask around and someone says they saw him earlier and think he's in the vending machine room having coffee. When you go to the snack area, you see Alan sitting by himself, eyes closed, his head leaning on his hand. You approach him, say good morning, and tell him that he hasn't clocked in yet. He looks at you blankly and says, "Don't rush me. Can't a man even have a cup of coffee"?

1. Is this a situation for a reasonable suspicion test?
2. What are the factors you should consider in making your decision?
3. What would you do next in this situation?

Recommended Responses:

1. Is this a situation for a reasonable suspicion test?

Possibly; more information and continued observation of, and interaction with, Alan is needed.

2. What are the factors you should consider in making your decision?

Observations of behavior and appearance, not past information from co-workers or subordinates, not general information about Alan's private off-duty life (i.e. divorce, financial troubles). Blank look, irritable response, drowsy, slumped posture may be indicators of recent alcohol use or of a hangover.

3. What would you do next in this situation?

Continue to engage Alan in conversation. Identify your current concerns: failed to "clock in", appears sleepy, fatigued, seems irritable, upset

If Alan's response becomes hostile or aggressive; or if he acknowledges feeling ill or hung over; or if you detect odor of alcohol, require a reasonable suspicion test. If no other signs or symptoms of possible alcohol misuse are presented, reiterate your concern for his well-being and fitness, and monitor closely throughout his shift.



For question related to this training program or the Transportation Workplace drug and alcohol testing regulations, contact First Lab at 1-800-732-3784