

Georgia Department of Public Safety

Policy Manual

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| SUBJECT DRUG AND ALCOHOL TESTING | POLICY NUMBER 5.08 |
| DISTRIBUTION ALL EMPLOYEES | DATE REVISED 2/13/2009 |

5.08.1 Policy

As members of the Georgia Department of Public Safety, it is absolutely mandatory that we maintain standards of conduct and work performance that ensures public safety and public trust. The DPS has a compelling interest in ensuring that all employees are of the highest integrity. It is the policy of the DPS that testing for the presence of illegal drugs, controlled substances or alcohol will be required in certain circumstances.

5.08.2 Procedures

A. Employee Drug Testing

1. Required Testing: Employees will be required by the Commissioner of the Department of Public Safety, the Special Investigations Division or the Human Resources Division to complete test(s) for drugs, controlled substances or alcohol use as follows:
 - a. A supervisor has documented reasonable suspicion that the employee is or has been using illegal drugs or controlled substances;
 - b. A supervisor has documented reasonable suspicion that an on-duty employee is impaired by alcohol or medication in violation of law or DPS policy;
 - c. As required by law, or
 - d. As required by the Rules of the State Personnel Board.
2. Reasonable suspicion is a judgment regarding an employee's behavior, appearance or other evidence and may be based on the following:
 - a. While on-duty, off-duty law enforcement, or any other uniform off-duty employment accident or occurrence where there is evidence to indicate the accident or occurrence resulted from drug, medication or alcohol use;
 - b. Direct observation of behavior exhibited by an employee which might render the employee unable to perform the employee's job or which might pose a threat to the safety or health of the employee, fellow employees or the general public;
 - c. Verifiable information that an employee may be illegally using or is impaired as a result of drugs or controlled substances;

- d. Verifiable information that an on-duty employee may be impaired;
- e. Verifiable information that an on-duty employee may be impaired as a result of any medication that impairs or compromises the ability to perform regularly assigned duties and responsibilities;
- f. Documented deterioration in an employee's job performance that is likely to be attributed to drug use by the employee, or
- g. Such other action as would give a supervisor reason to suspect that an employee is impaired as a result of drugs or alcohol.

B. Testing Procedures

- 1. Supervisors shall contact the Human Resources Division when they believe there is a need for testing.
- 2. Employees will follow procedures related to drug and alcohol testing as directed by the Human Resources Division.
- 3. Results of the test will be given to the employee, the Commissioner, and the Directors of Special Investigations Division and the Human Resources Division.
- 4. Disciplinary Action: Refusal to submit to a required drug or alcohol test, failure to appear for drug testing after proper notification, submission of an adulterated sample or a confirmed positive test result indicating illegal drug and/or controlled substance use prohibited by law or by any DPS policy will result in termination from employment.

C. Pre-employment Drug Testing

- 1. Provisions adopted by the State Personnel Board mandate that certain candidates for State employment must successfully complete pre-employment drug screening. No final offer of employment can be tendered until the candidate has submitted to drug screening and negative test results have been received.
- 2. The Human Resources Division will designate the DPS positions for which pre-employment drug testing is required.
- 3. Failure of a candidate to report to a designated sample collection facility or failure to successfully complete the drug testing will result in the candidate being disqualified from DPS employment.

D. Exceptions

- 1. This policy will not limit the Department's responsibility to meet legal requirements, i.e. O.C.G.A. § 40-5-55.
- 2. The provisions of this policy do not apply to random drug testing as required by the rules of the State Personnel Board.