

Administrative Policy 8-2

Reasonable Suspicion Policy

Approved: Board of Supervisors, Resolution No 24-0312

Authority: County Executive and/or Human Resources Director

Date: July 23, 2024

This policy applies to employees of the County of Sonoma, and County agencies and special districts governed by the Board of Supervisors/Directors/Commissioners. Where the policy uses terms such as “employed by the county”, “county employees”, “departments”, or “department heads”, these terms include employees and elected officials of the County of Sonoma, and of the Sonoma County Agricultural Preservation and Open Space District, the Sonoma County Community Development Commission, The Sonoma County Fair and Exposition, Inc., the Sonoma County Employees Retirement Association, and the Sonoma County Water Agency.

1. Purpose

The Civil Service Rule 10.3 (A) (10), covering Disciplinary Action, and Personnel Policies of Sonoma County Water Agency, Sonoma County Fair & Exposition, Inc., and Community Development Commission, Agricultural Preservation and Open Space District prohibit the use or possession of drugs or alcohol while on the job or reporting to work while under the influence of drugs or alcohol.

Occasionally an employee may display behaviors on the job that may lead you to believe that the employee is under the influence of drugs or alcohol. When this happens, the Civil Service Rules/County Policies and your job description as a supervisor or manager give you the authority to take action.

Extra Help and contract employees are covered by this policy as well.

2. Policy

The County is a drug-free workplace and prohibits the use of drugs (legal or illegal) and alcohol that impair the employee’s ability to do their job while on duty or subject to being called to duty. Further, the County prohibits the possession of drugs and alcohol while on duty, while on County or Agency property, or when subject to being called to duty. (With the exception of possession in the course and scope of employee’s duties.)

This policy outlines the process a County supervisor should follow if an employee is under reasonable suspicion of impairment due to drug or alcohol use.

Some departments may adopt a policy that has higher standards regarding intoxicants and/or drugs, based on lawful and appropriate job-related justification or policies that allow the possession and/or limited use of intoxicants for lawful and appropriate job-related purposes (e.g. Sheriff's undercover operations, etc.) and after consultation with Human Resources and employee organizations. Definition, procedures, and justification are found in specific department policies. The policy that holds a higher standard regarding intoxicants and/or drugs will supersede when department and county wide policy conflict.

3. Responsibilities

Employees are responsible to:

- Not report to work or be subject to duty while their ability to perform job duties is impaired, due to on or off duty use of drugs, alcohol or other intoxicants;
- Not use or possess illegal drugs or use other intoxicants while at work locations, while on duty or subject to being called to duty;
- Not directly or through a third party sell or provide illegal drugs to any person, including any employee while either employee or both employees are on duty or subject to being called to duty;
- Not take any medications or drugs, prescription or non-prescription, which may interfere with the safe and effective performance of duties or operation of County equipment;
- Provide a bona fide verification of a current valid prescription for any potentially impairing drug or medication when requested;

Department Supervisors/Managers are responsible to:

- Direct an employee to submit to drug and alcohol testing if you suspect an employee is under the influence of drugs or alcohol. Complete the Reasonable Suspicion Checklist and refer to the Reasonable Suspicion Procedures.
- Check with your supervisor/manager and your Human Resources contact, whenever possible, before you give an employee an order to submit to drug and alcohol testing. Observation by two supervisors and/or managers is preferable.
- When you observe these behaviors, talk to the employee. Offer the employee an opportunity to explain their condition. If the employee admits to being under the influence, consult with your supervisor or your Department Human Resources Contact, and do what you can to protect the health and safety of the employee and the rest of your staff.

- Inform the employee that you have reasonable suspicion to believe that they have used drugs and/or alcohol in violation of the Sonoma County Civil Service Rules and County policy. The supervisor should be prepared to immediately take the employee for drug and alcohol testing as outlined in the Reasonable Suspicion Procedures.
- If the employee is to undergo drug and alcohol testing, complete the [Reasonable Suspicion Checklist](#).
- If the employee refuses to be tested, call for another supervisor to witness your direction to undergo drug and alcohol testing. If the employee attempts to leave the work site, discourage but do not restrain the employee from leaving or driving away. If the employee indicates they will drive a vehicle, inform the employee you will call the police, and be prepared to do it. Inform the employee that they may return later to get their car. If the employee utilizes a County vehicle to get to and from work, take the keys to the vehicle and inform the employee that they will not have access to the vehicle until further notice.

Department Human Resources Contact(s) and designees are responsible to:

- Advise department when any questions arise about the Reasonable Suspicion policy, procedures, or checklist.

4. Definitions

County: County of Sonoma, including the agencies and special districts named in the introduction section of this policy.

Employee: Full-time and part-time employees, extra-help employees, and all other persons employed by the County, whether in permanent or probationary status.

Reasonable Suspicion: when a supervisor observes evidence that suggests that an employee may be under the influence of drugs (legal or illegal) and/or alcohol.