

# Reasonable Suspicion FAQs

## **Q. What must reasonable suspicion be based on?**

- A.** Reasonable suspicion for the State of Indiana must be based on, among other things:
- Observable phenomena, such as direct observation of drug use or possession and/or the physical symptoms of being under the influence of a drug or alcohol;
  - Abnormal conduct or erratic behavior;
  - Arrest or conviction for a drug-related offense; or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking;
  - Information provided either by a credible source; or
  - Evidence that the employee has tampered with a previous drug test.

For **CDL employees** refer to CDL-Only Applicable, located on page 2 of this section.

## **Q. Who can make the decision to have an employee tested?**

- A.** Supervisors or management personnel can make the decision to have the employee tested. The supervisor shall tell appropriate management personnel about his/her observations and discuss the circumstances and whether testing should be approved by the DER.

## **Q. What documentation is needed?**

- A.** For TDP purposes, written documentation should be made of the observations leading to the decision to have the employee sent for a reasonable suspicion test. Form J Non-DOT, located in Section 2 of this notebook, may be used to assist in the documentation.

For **CDL employees** refer to CDL-Only Applicable, located on page 2 of this section.

## **Q. What steps should be taken in arranging for a reasonable suspicion test?**

- A.**
1. As soon as it has been determined a test is required, remove the employee from duty and provide the employee with a brief explanation of the evidence that lead to the allegation. Allow the employee an opportunity to respond prior to being required to submit a breath test and/or urinalysis. The testing should be completed as soon as practicable. This should all be done in a confidential manner.
  2. Use eScheduling process to create an ePassport and identify the collection site to use.
  3. Contact your collection site to ask them to prepare for your arrival.
    - a. If testing for alcohol, confirm that the test can be performed immediately upon arrival.
  4. Arrange transportation for the employee to the collection site. Do not let the employee drive themselves to the site. Have the person who transported the employee remain at the collection site to be available to assist in the event a situation arises at the site.
  5. After collection, arrange for the employee to be transported home.
  6. If the employee is being placed on suspension until the test results have been returned; ensure that appropriate notifications are made.