



**Chapter:** Personnel  
**Subject:** 03-40 – Drug and Alcohol Testing  
**Effective:** April 19, 2022  
**Supersedes:** Official Order 47, Section 47.22, dated September 14, 2021  
**Distribution:** Department Members

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**PURPOSE:** This Order establishes department policy regarding member drug and alcohol testing.

**03-40-1 DRUG AND ALCOHOL TESTING**

- A. Civil service rules and collective bargaining agreements provide for drug and alcohol testing in a myriad of circumstances. This Order provides information for members and commanders regarding the kinds of tests permitted and when they are appropriate. When a member is sent for drug and alcohol testing pursuant to this Order, the supervisor shall complete and submit the PD-093, Drug and Alcohol Testing, to the Drug and Alcohol Testing Coordinator.
- B. The drug testing vendor that the department uses tests for five classifications of drugs. While some of the drugs tested for may be available by prescription, members should be aware that if a member is taking medication prescribed by a doctor as directed by that doctor, this information shall be disclosed to the facility at the time of the drug and alcohol testing. Members should note that prescribed medication, taken as directed, will not result in a positive test result. However, taking medications that are not prescribed to the member or taking them in excess of the prescribed dosage may result in a positive test result.

**03-40-2 RANDOM DRUG AND ALCOHOL TESTING**

- A. Pursuant to Civil Service Rules and collective bargaining agreements the department conducts random drug and alcohol testing. If a member's name comes up for random drug and alcohol testing, the member's supervisor will be contacted by Human Resources Division personnel.
- B. Refusal to submit to a random test, including delaying the test, will result in discipline up to and including termination for violation of the written directive related to Code of Conduct, Sections 4.23 and 4.23a and, depending upon the bargaining unit, such refusal may constitute grounds for discipline equivalent to the discipline imposed for a positive test result.

**03-40-3 REASONABLE SUSPICION TESTING**

- A. While on duty, a member may be required to submit to urinalysis drug screening or breath alcohol testing based on reasonable suspicion. Reasonable suspicion means objective, articulated, and specific facts which would support a reasonable, individualized suspicion that the member is using or may have used drugs or alcohol in violation of the

written directive related to Code of Conduct.

By way of example only, reasonable suspicion may be based upon any of the following:

- (1) Observable behavior or evidence of drug or alcohol use or the physical symptoms or appearance of being impaired, or under the influence of, a drug or alcohol.
  - (2) A report of on-duty or sufficiently recent off-duty drug or alcohol use provided by a credible source.
  - (3) Evidence that an individual has tampered with a drug test or alcohol test during employment with the State of Michigan.
  - (4) Evidence that a member is involved in the use, unauthorized possession, sale, solicitation, or delivery of drugs, or unauthorized possession and/or use of alcohol while on duty, while on department premises, or while operating an official vehicle (or approved use of a personal vehicle), machinery, or equipment.
- B. Supervisors shall contact the drug and alcohol testing coordinator before sending a member for reasonable suspicion testing.
- C. Refusal to submit to a reasonable suspicion test, including delaying the test, will result in discipline up to and including termination for violation of the Code of Conduct, Sections 4.23 and 4.23a and, depending upon the bargaining unit, such refusal may constitute grounds for discipline equivalent to the discipline imposed for a positive test result.

#### **03-40-4 POST CRITICAL INCIDENT TESTING**

- A. The department will conduct post incident testing of members when an incident involving the member either causes the death or serious personal injury of either the member or another person. This post incident testing is not for criminal evidentiary purposes. Therefore, if the incident is being investigated as a criminal incident, the investigators of that incident shall neither be involved in ensuring the test is completed nor provided the results of the test. If the investigators of the criminal incident have probable cause to believe the member is under the influence of either drugs or alcohol, they shall seek a test by either obtaining consent or a search warrant.
- B. Refusal to submit to a post incident test, including delaying the test, will result in discipline up to and including termination for violation of the Code of Conduct, Sections 4.23 and 4.23a and, depending upon the bargaining unit, such refusal may constitute grounds for discipline equivalent to the discipline imposed for a positive test result.
- C. The member will receive notice of the results of the post critical incident testing from the Drug and Alcohol Testing Coordinator.

#### **03-40-5 TESTING BEFORE AND AFTER SENSITIVE DUTY ASSIGNMENT**

- A. member may be required to submit to urinalysis drug screening prior to, and preceding assignment from, any position in which a member, due to the nature of their work assignment, routinely works with or has continuous access to any controlled substances.
- B. Questions concerning this policy may be directed to the Human Resources Division.

DIRECTOR

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**Annual Review Responsibility:** Human Resources Division

**Accreditation Standards:** CALEA 26.1.1