



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



220.06 EMPLOYEES SUSPECTED OF WORKING UNDER THE INFLUENCE (WUI) 09-08-17

PURPOSE

The purpose of this order is to establish procedures for processing employees suspected of Working Under the Influence (WUI).

POLICY

It shall be the policy of the Sacramento Police Department to take immediate action when there is sufficient cause to believe an employee is unfit for duty due to the influence of alcohol or drugs while at work.

PROCEDURE

A. INITIAL ACTION

Supervisors who observe employees exhibiting behavior reasonably indicative of being under the influence of alcohol and/or drugs (e.g., slurred speech, hand tremors, etc.) shall take the following actions:

1. Relieve the employee of duty.
2. If possible, arrange to have another supervisor as a witness and meet with the employee.
3. Describe what was observed and ask the employee for an explanation.
4. Ask the employee if he/she is taking any prescribed medications and/or any other type of medication that could contribute to the employee's behavior.

B. DETERMINATION

If, after the employee's explanation, the supervisor is satisfied that the employee's behavior is not alcohol/drug abuse related, the supervisor shall

1. Determine if the employee is fit for duty. Further determination shall be made as to whether the employee should be temporarily reassigned or sent to a physician for medical evaluation.
2. Determine if the employee should be relieved of duty and either transported home or to a hospital. NOTE: Accrued sick leave, vacation or holiday time shall be authorized when the employee is relieved of duty. If the employee does not have sufficient time accrued, leave without pay shall be used.
3. Direct the employee to obtain a medical clearance from his/her personal physician to return to work.

C. ADMISSION OF WUI

1. If the employee admits to the supervisor to being under the influence of alcohol and/or drugs, the supervisor shall
 - a. Relieve the employee of duty and place him/her on unpaid status for the remainder of the shift.
 - b. Arrange for transportation home for the employee.
 - c. Document the incident before the end of work shift, to include a witness statement and signature.
 - d. Notify the watch commander at the first available opportunity and notify the Internal Affairs Division (IAD).
 - e. Request that the employee submit to a medical evaluation as outlined in Section D.
 - f. If the employee refuses a medical evaluation, supervisors shall follow the guidelines outlined in Section G.
2. In the absence of an admission, or if the supervisor is not convinced that the employee's condition is due to prescribed medication, the supervisor shall contact the IAD if during normal



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office hours. During other times (holidays, weekends, evenings, etc.), the watch commander shall be contacted.

3. During normal business hours, IAD shall coordinate the investigations with the Labor Relations Division of the Department of Human Resources.

D. MEDICAL EVALUATION

1. If available, the IAD shall make the necessary priority arrangements through Human Resources Risk Management Division to have the employee examined by a City physician. IAD shall advise the supervisor when and where to transport the employee.
2. If the IAD is not available, and the watch commander determines that alcohol/drug testing is necessary, the watch commander shall contact the Human Resources Risk Management Division during normal business to make a priority appointment to have the employee tested. After normal business hours, the watch commander shall call the city operator and request a call back from Human Resource Risk Management Safety staff.
3. A supervisor shall direct and accompany the employee to a physician who will determine the employee's fitness for duty. The supervisor shall inform the employee of the following:
 - a. The employee shall be authorized City-paid time while taking the test.
 - b. The City will pay for the test.
 - c. The City will provide transportation to and from the medical facility.

E. AGREEMENT TO MEDICAL EVALUATION

1. If the employee agrees to a medical evaluation/testing, the supervisor, with another supervisor to assist if available, shall transport the employee to the exam site and remain with the employee at all times if possible.
2. If necessary, the supervisor shall make appropriate arrangements to have another employee assume the supervisory responsibilities.
3. The supervisor shall request the physician to order the appropriate tests and confirm that the employee complied and that specimens were taken.
4. After the physician has completed the examination and any ordered specimen(s) have been taken, the supervisor shall request the physician's immediate written determination of the employee's fitness for duty at that time and when the employee can return to duty.

F. DISCIPLINARY ACTION

1. If the employee is judged by the physician to be unfit for duty due to alcohol and/or drugs, the supervisor shall advise the employee that he/she is
 - a. Unfit for duty.
 - b. Relieved from duty or on unpaid status for the balance of the shift.
 - c. Subject to an internal investigation.
2. The supervisor shall further direct the employee to contact his/her immediate supervisor at the beginning of his/her next shift.

G. REFUSAL OF MEDICAL EXAMINATION

Supervisors shall give the employee a direct order to comply with the medical examination. If the employee refuses to comply with the supervisor's direct order to submit to medical evaluations and necessary tests, the supervisor, with a supervisory witness present if available, shall

1. Advise the employee that failure to comply with this direct order is insubordination that in and of itself shall be cause for disciplinary action, up to and including termination.
2. Repeat the direct order.
3. If the employee still refuses to comply, immediately relieve the employee of duty and advise the employee that
 - a. They are insubordinate.
 - b. They shall be off work on administrative leave status for the remainder of the shift.
 - c. Failure to comply is subject to disciplinary action, up to and including termination.



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- d. They shall report to his/her division commander at the beginning of the employee's next duty shift.
- e. Transportation home will be provided.

H. REPORTING

Supervisors shall document WUI cases using a Citizen Complaint Form (SPD 332).

1. The SPD 332 and supporting documents shall be forwarded through the officer's chain of command to IAD.
2. All documentation shall be completed prior to the supervisor's end of watch.