

The “Test or Don’t Test” Incident Checklist

Make the right call. Avoid the wrong headline.

What to do after a workplace incident without turning your investigation into a legal mess.

Why This Exists

Most companies mess this up in the first 20 minutes. Not because they don’t care, but because they don’t have a map.

When an incident occurs, managers often:

- Overreact or underreact
- Forget to involve the right people
- Send the worker home without testing
- Assume testing is only for impairment
- Leave a paper trail that gets weaponized in arbitration

The **Post-Incident Decision Matrix** eliminates the guesswork. It’s your **map** for deciding whether a drug and alcohol test is required and how to do it without violating privacy, human rights, or OHS law.

Who It’s For

- Managers, HSE reps, and supervisors responsible for incident response
- HR and safety teams building better documentation and defensibility

What’s Inside

A 2-part decision tool:

PART 1: Incident Snapshot

Quick checklist to establish baseline risk:

Question	Yes	No
Did the incident result in a fatality ?	☐	☐
Was a worker admitted to hospital ?	☐	☐
Did anyone receive off-site medical care ?	☐	☐
Was there a vehicle or equipment involved ?	☐	☐
Was there damage to any vehicle/equipment?	☐	☐
Can employee performance be completely ruled out as a contributing factor?	☐	☐
Is post-incident testing required by contractual obligation ?	☐	☐

PART 2: Decision Tree

If any answer is YES and employee performance cannot be ruled out → testing is likely justified.

Step	Action
1 Confirm safety-sensitive status	Is this person in a safety-sensitive role?
2 Document all observations	Time, date, who was involved, conditions, etc.
3 Decide: Test or Not Test	Use your company's policy + the decision matrix
4 Notify Safety / HR / DER	Never act alone — align with internal protocol
5 Escort to testing facility	Must include both drug and alcohol, unless policy says otherwise
6 Document everything	Forms, conversations, decisions, refusals

Common Mistakes

- Waiting too long → creates legal uncertainty
- Not documenting decision **not** to test and **why**
- Sending worker home before consulting Safety and/or HR
- Testing based on “gut” instead of defined criteria
- Not maintain custody of the worker until testing is completed
- Not completing required paperwork
- No formal review of contributing factors

Want the Full “Test or Don't Test” Incident Checklist?

👉 See below for the **Post Incident Decision Matrix**.

📞 Or [Book Your Spot in The Reasonable Cause Supervisor Training](#) – before the next incident makes the decision for you.

Brought to you by Shift OHS

Helping companies recognize, respond, and recover from workplace impairment.

🌐 www.shiftohs.com | 📞 877-343-6869

POST-INCIDENT DECISION MATRIX

*** A separate sheet must be filled out for each covered employee that contributed to the incident ***

PART 1: EMPLOYEE INFORMATION

Employee Name: _____ Safety-Sensitive? ☐ No ☐ Yes

PART 2: INCIDENT DATA

Incident Location: _____

Incident Time (indicate a.m. or p.m.): _____ ☐ AM ☐ PM Incident Date: _____

Did the incident result in a fatality?	☐ No	☐ Yes
Did the incident result in a worker being admitted to a hospital?	☐ No	☐ Yes
Did an individual suffer a bodily injury and immediately receive medical treatment away from the scene?	☐ No	☐ Yes
Did the incident involve a member of the public?	☐ No	☐ Yes
Is post-incident testing required by a contractual obligation to a client?	☐ No	☐ Yes
Did the incident involve the operation of a vehicle or heavy equipment?	☐ No	☐ Yes
Was there damage to any of the involved vehicles or equipment?	☐ No	☐ Yes
Can employee performance be completely discounted as a *contributing factor?	☐ No	☐ Yes

PART 2: ACTION PLAN

Using the Decision Tree on back of this form is an alcohol/drug test justified? ☐ No ☐ Yes

If yes, was an alcohol test performed within 8 hours? ☐ No ☐ Yes

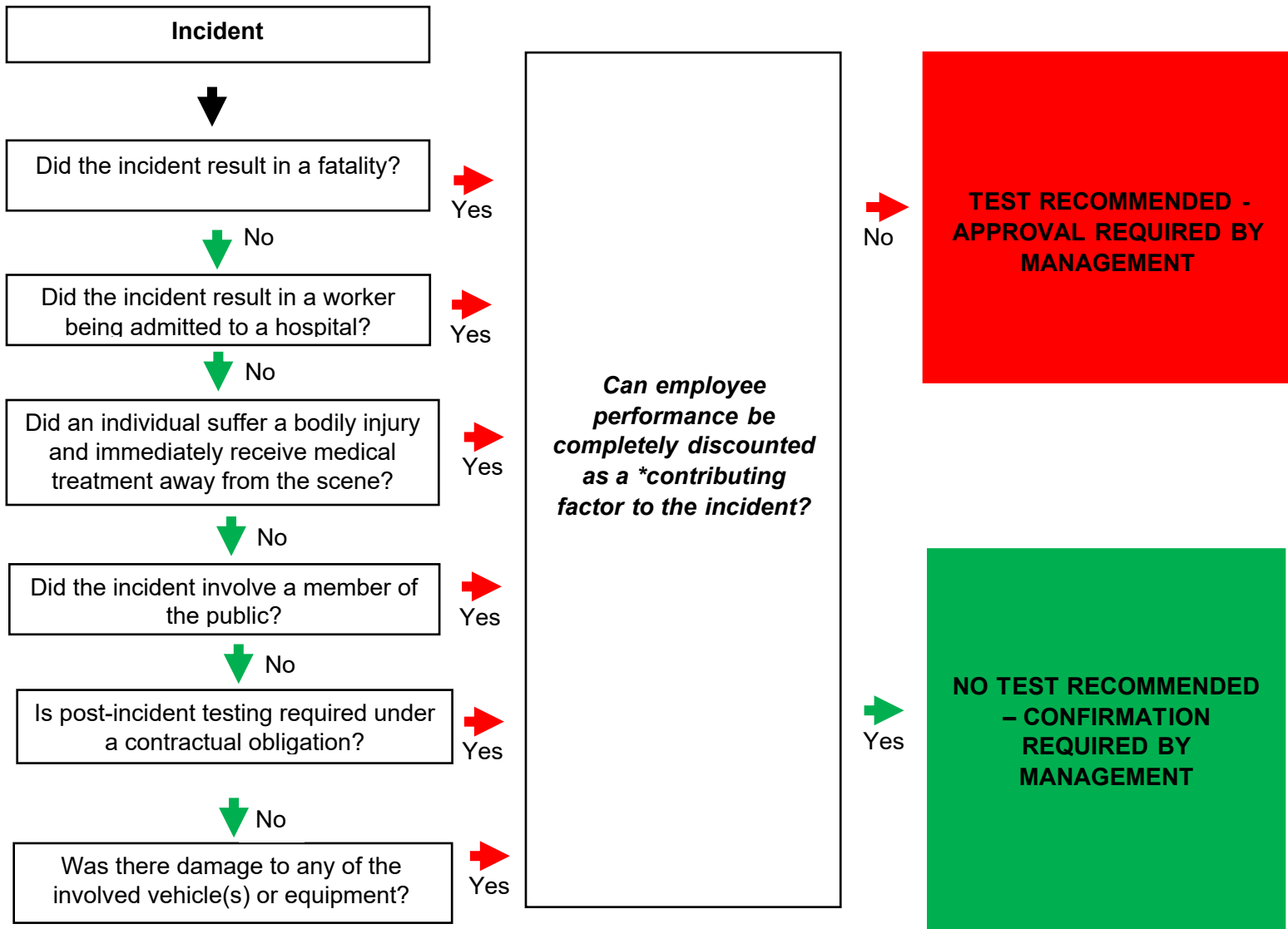
If a decision to test was made and no alcohol test occurred, please explain

If yes, was a drug test performed within 32 hours? ☐ No ☐ Yes

If a decision to test was made and no drug test occurred, please explain

Supervisor Authentication

Supervisor Name (print) _____ Supervisor Signature _____ Date Signed _____



***Contributing Factor:** The determination of whether or not a safety-sensitive employee's performance was a contributing factor should be the decision of the company official investigating the incident; not based on a police officer's accident fault determination. This decision should not be made hastily. The company official's determination must be based on the best available information at the time of the incident and must be clearly documented.