



# OFFICE OF ADMINISTRATION ADMINISTRATIVE POLICY

POLICY TITLE: <b>Alcohol and Drug Testing of Employees Required to Hold a Commercial Drivers License</b>	AUTHORIZED BY:
POLICY: <b>B-25</b>	PAGE: 1 of 3
ISSUED: <b>January 1, 1995</b>	REVISED:

## I. General Statement

The United States Department of Transportation has issued regulations that require all drivers who are required by the state to hold a commercial drivers license to be tested for alcohol and controlled substances. These regulations are effective January 1, 1995. Testing will be administered by an outside contractor. The controlled substances that will be tested for include cannabinoids (marijuana), cocaine, opiates, amphetamines, methamphetamines and phencyclidine.

## II. Prohibited Conduct

Performance of safety-sensitive functions is prohibited under these conditions:

While using alcohol.

While having an alcohol concentration of 0.04 or greater as indicated by an alcohol breath test.

Within four hours after using alcohol.

While using any controlled substance.

## III. Testing Requirements

- A. Pre-employment tests must be given prior to first performing safety-sensitive functions. Pre-employment tests include new employees and current employees who are transferred to a driving position.
- B. Reasonable suspicion tests are to be required based on observations made by a supervisor trained to detect symptoms of misuse during or just before or after performance of safety-sensitive functions.
- C. Post accident tests are to be given if an accident resulted in loss of life or when the driver received a citation for a moving traffic violation arising from the accident. Tests for both alcohol and controlled substance must be given. Testing should be done as soon as possible. The test for alcohol must be administered within eight hours and for controlled substance within thirty-two hours following the accident. The employee's supervisor must be notified of the accident as soon as possible so as to arrange transporting employee for post accident testing.
- D. Random tests are to be conducted on a random unannounced basis just before, during, or just after performance of safety-sensitive functions. The outside contractor will select the testing date and time and the drivers to be tested from a statewide pool.



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- E. Return-to-duty and follow-up tests are required after evaluation or any necessary rehabilitation.

#### IV. Testing Procedure

- A. Testing for prohibited substances will include analytical urine drug testing and breath testing for alcohol.
- B. Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities, which have been approved by the U.S. Department of Health and Human Services. Tests for alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration approved evidential breath testing device.
- C. In the case of a positive controlled substance test an employee may request that an additional test be conducted. The test must be conducted on the split sample that was provided at the same time as the original sample. All costs for such testing are paid by the employee. The employee's request for a re-test must be made to the medical review officer within 72 hours of the initial test result. Requests after 72 hours will only be accepted if the delay was due to documentable facts that were beyond the control of the employee.

#### V. Consequences

- A. Employees who violate the drug and alcohol prohibitions will be immediately relieved from safety-related duties and will be subject to disciplinary action up to and including dismissal.
- B. An employee who refuses to submit to testing or attempts adulteration or tampering with testing samples will be subject to disciplinary action up to and including dismissal.
- C. An employee who is subject to post-accident testing shall remain readily available for such testing or may be deemed to have refused to submit to testing.
- D. An employee who tests positive for the presence of illegal drugs or alcohol will be referred to a substance abuse professional. The substance abuse professional will evaluate each employee to determine what assistance, if any the employee needs in resolving problems associated with prohibited substance abuse or misuse. If the employee is allowed to return to duty, he/she must properly follow the rehabilitation program prescribed by the substance abuse professional, must pass return to duty drug and alcohol tests, and be subject to unannounced follow up tests for a period of one to five years. The cost of any treatment or rehabilitation services will be paid directly by the employee.



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### VI. Supervisory Training

Supervisors of safety-sensitive employees must attend at least one hour of training on alcohol misuse symptoms and indicators used in making determinations for reasonable suspicion testing and one hour of training on the signs and systems of drug abuse.