Ark Tex Council of Governments

Drug and Alcohol Testing Policy & Procedures

This policy applies to all employees of

Ark Tex Council of Governments

to meet the qualifications outlined in
Title 49 Code of Federal Regulation
Part 655 and Part 40

The following policy is designed to comply with
U. S. Department of Transportation, Federal Transit Administration Regulations Concerning Drug and Alcohol Testing.

This policy in no way supersedes any of the Department of Transportation regulations governing drug and alcohol testing.

Program and policy sponsored by:

Allied Compliance Services, Inc.©
2827 74th St, Lubbock, TX
800.411.6906
A. Purpose of Employee Drug and Alcohol Testing

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For the purpose of this policy, ARK TEX COUNCIL OF GOVERNMENTS, INC. will hereafter be referred to as The Transit Agency. Additions and revisions are in italics as of 4.1.14.

Date of Board Approval for Revised Policy__________________

655.15 The Designated Employee Representative (DER) will be responsible to answer employee questions about the drug and alcohol testing program

The duties of the DER are as follows:

- To manage the drug and alcohol testing program in conjunction with the Third Party Provider, Medical Review Officer and Substance Abuse Professional
- To maintain test records in a secured location apart from personnel files and medical records
- To disseminate informational materials to all employees on the requirements of this Policy and Procedures
- To provide information, and otherwise answer any questions an employee may have regarding applicable state and federal drug and alcohol testing laws, what rights each employee has, and what responsibilities each employee must follow to participate in this drug and alcohol testing program

DER for this Transit Agency: Transportation Manager
Address of DER: P O Box 5307, Texarkana, TX 75505
Phone number of DER: 903-832-8636

A. Purpose of Employee Drug and Alcohol Testing

655.1 The purpose of this part is to establish a drug and alcohol testing program designed to help prevent accidents, injuries and fatalities resulting from the misuse of alcohol and use of prohibited drugs by employees who perform safety-sensitive functions.

The use of illegal drugs and alcohol is prohibited at all times and employees in safety-sensitive positions may be tested for drugs anytime while on duty.

655.11 This document provides a uniform procedure concerning the testing of employees or applicants for employment to detect individuals having drugs or alcohol in their systems.

The purpose of such testing is to provide, in the interest of the safety of employees, passengers, and the general public, work and service environments that are free from the effects of drug and alcohol abuse. THE TRANSIT AGENCY is committed to providing a safe work place for its employees that is free of the effects of substance abuse. Since THE TRANSIT AGENCY is involved in public service, the community depends on careful attention by all employees. Such attention cannot be affected by the use of drugs and/or alcohol.
The Federal Transit Administration of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result. The USDOT has also published 49 CFR Part 40, as amended that sets standards for the collection and testing of urine and breath specimens.

THE TRANSIT AGENCY expects employees to report for work in condition to perform their duties. On-the-job involvement with drugs and/or alcohol is a violation of THE TRANSIT AGENCY’s policy and Federal law. THE TRANSIT AGENCY also recognizes that employee off-the-job involvement with drugs and alcohol can have an impact on the work place and our ability to accomplish the goal of a safe, effective, drug and alcohol-free work environment.

B. Applicability

655.3 The Federal Transit Administration requires a Drug and Alcohol testing program to each recipient and subrecipient receiving Federal assistance under: 49 U.S.C. 5307, 5309 or 53 11 or 23 U.S. C 103 (e) (4) and any contractor of a recipient or subrecipient of Federal assistance under: 49 U.XS.C. 5307, 5309 or 5311 or 23 U.S.C. 103 (e)(4). Drug and alcohol testing will be conducted in accordance with 49 CFR Part 40.

A drug and alcohol testing program applies to:
These procedures apply to all safety-sensitive employees, including paid part-time employees, temporary employees, volunteers, contract employees and contractors when they are on THE TRANSIT AGENCY property or when performing any safety-sensitive functions.

The use of illegal drug is prohibited at all times and employees may be tested for drugs anytime while on duty.

Covered employees are:
- Operate a revenue vehicle, in or out of revenue service
- Operate a non-revenue vehicle requiring a CDL
- Control movement or dispatch of a revenue service vehicle (determined by the employer)
- Maintenance of a revenue service vehicle

They also apply to off-site lunch periods or breaks when an employee is scheduled to return to work. Visitors, vendors, and contractor employees are governed by these procedures while on THE TRANSIT AGENCY premises and will not be permitted to conduct THE TRANSIT AGENCY business if found to be in violation of these procedures.

Notice of Testing

655.7

This procedure will act as notice of Drug and Alcohol Testing as prescribed in the Omnibus Transportation Employee Testing Act of 1991 and Department of Transportation (DOT) regulations. These regulations are 49 CFR Part 655, “Prevention of Prohibited Drug Use in Transit Operations”, 49 CFR Part 655, “Prevention of
Alcohol Misuse in Transit Operations” and 49 CFR Part 40, “Procedures for Transportation Workplace Drug and Alcohol Testing Programs”.

In addition, the Federal government published 49 CFR Part 29, “The Drug-Free Workplace Act of 1983”, which requires the establishment of drug free workplace policies and the reporting of certain drug-related offenses to the Federal Transit Administration (FTA). These procedures incorporate those requirements for safety-sensitive employees and others when so noted.

655.6: Part 655 preempts any state or local law, rule, regulation or order.

Intent

THE TRANSIT AGENCY is dedicated to providing safe and dependable transportation services to our passengers. THE TRANSIT AGENCY’s employees are our most valuable resource and it is our goal to provide a healthy, satisfying working environment, which promotes personal opportunities for growth. In meeting these goals, it is our intent to:

- Assure that employees are not impaired in their ability to perform assigned duties in a safe, productive, and healthy manner
- Create a workplace environment free from the adverse effects of drug abuse and alcohol misuse
- Prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances
- To encourage employees to seek professional assistance anytime personal problems, including alcohol or drug dependency, adversely affects their ability to perform their assigned duties

655.4 A safety-sensitive function is any duty related to the safe operation of a THE TRANSIT AGENCY. Every transit system employee should be included on one of the following lists or attachment.

Functions performed by employees in a safety sensitive function include one or more of the following:

- Operate revenue service vehicles, including when not in revenue service
- Operate vehicles for which drivers are required to hold a commercial drivers license (CDL)
- Dispatch or control movement of revenue service vehicles
- Perform routine maintenance on transit vehicles and equipment used in revenue service (except for maintenance contractors for Section 5311 transit agencies) unless the agency is an area less than 200,000 in population and contracts out such services.
- Provide security and carry a firearm
- Contractor employees that represent (“stand in the shoes”) of transit system employees
Condition of Employment

655.41 All applicants and potential employees shall be notified of THE TRANSIT AGENCY’s drug and alcohol testing policy and shall be advised that they will be required to submit to and pass a drug test prior to employment. Employment of any person is contingent upon passing a drug test.

All applicants and potential employees shall be required to acknowledge and sign THE TRANSIT AGENCY’s policy. Failure to submit to the drug test by the applicant shall result in the immediate elimination of the individual from any further consideration for employment.

655.15 Participation in THE TRANSIT AGENCY drug and alcohol testing program is a requirement of all safety-sensitive employees and therefore, is a condition of employment.

Changes Or Modifications

THE TRANSIT AGENCY reserves the right to change the provisions of this testing procedure. All personnel will be notified of changes prior to instituting the changes.

C. Definitions

655.4

Accident - An occurrence associated with the operation of a revenue service vehicle in and out of service, if as a result:
• A fatality
• An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident
• A mass transit vehicle involved that is a bus, electric bus, or automobile, and one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle
• A mass transit vehicle involved that is a rail car, trolley car, trolley bus, or vessel, and is removed from revenue service

Administrator – Administrator of the Federal Transit Administration or the Administrator’s designee

Air Blank - A reading by an EBT of ambient air containing no alcohol

Alcohol - The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol. References to use or possession of any beverage, mixture or preparation containing ethyl alcohol (including any medication containing alcohol)

Alcohol Test - A test conducted by a Breath Alcohol Technician, or any other person approved by the DOT rules, using an Evidential Breath Testing Device to measure the amount of alcohol concentration in a volume
of breath, or any other test used to detect the presence of alcohol that is approved by the Department of Transportation.

**Alcohol Use** - The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

**Anti-Drug program** - a program to detect and deter the use of prohibited drugs as required by this part.

**Breath Alcohol Technician (BAT)** - An individual trained to proficiency and certified in the use of an evidential breath testing device.

**CDL** - Commercial Driver's License.

**Certification** - a recipient’s written statement, authorized by the organization’s governing board or other authorizing official that the recipient has complied with the revisions of this part (655.82 and 655.83).

**Confirmation Test** - For alcohol testing, a confirmation test means a second test following a screening test with a result of 0.02 or greater, that provides a quantitative data of alcohol concentration. Confirmation of the screening test must be by an Evidential Breath Testing (EBT) device listed on the National Highway Traffic Safety Administration’s (NHTSA) Conforming Products List (CPL), and must be capable of printing out each test result and air blank, and must sequentially number each test.

For controlled substances testing, a confirmation test means a second analytical procedure to identify the presence of a specific drug metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. Gas Chromatography/Mass Spectrometry (GC/MS) is the authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine.

**Contractor** - a person or organization that provides a safety-sensitive service for a recipient, subrecipient, employer or operator consistent with a written contract or an informal arrangement that reflects an ongoing relationship between the parties.

**Controlled Substance** - For purposes of these procedures, controlled substances or drugs are cocaine, marijuana, opiates, amphetamines, phencyclidine and any other substance determined by the U.S. Department of Transportation to be a controlled substance.

**Controlled Substance Test** - A method for determining the presence of controlled substances in a urine sample using a scientifically reliable method performed in accordance with procedures specified in 49 CFR Part 40.

**Covered employee** - a person, including an applicant or transferee, who performs or will perform a safety-sensitive function for an entity subject to this part.

- A volunteer is a covered employee if:
  - They are required to hold a CDL to operate the vehicle.
They perform a safety-sensitive function for an entity subject to this part and receive renumeration in excess of their actual expenses incurred while engaged in the volunteer activity.

**Covered Position** - Any person, including an applicant, or transferee, who performs, or could potentially perform any safety-sensitive function.

**Cut-Off Limit** - The quantitative level that determines whether a controlled substance or drug is positive or negative.

**DHHS** - United States Department of Health & Human Services.

**DOT** - United States Department of Transportation.

**DOT Agency** - an administration under the United States Department of Transportation that requires drug and alcohol testing in their agency regulation.

**Disabling Damage** - Damage that precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

- Inclusion: Damage to motor vehicles that could have been driven, but would have been further damaged if so driven.

- Exclusion: Damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available or damage to headlights, taillights, turn signals, horn, or windshield wipers that make them inoperative.

**Employee** - Any person employed by THE TRANSIT AGENCY or referred to as the Donor on testing forms.

**Employer** - a recipient or other entity that provides mass transportation service or which performs a safety-sensitive function for such recipient or other entity.

**EAP** - Employee Assistance Program provided by THE TRANSIT AGENCY to assist its employees in dealing with drug and alcohol dependency or other personal problems.

**EBT** - Evidential Breath Testing Device - A device approved by the NHTSA and placed on NHTSA's Conforming Products List and is used for the evidential testing of breath.

**FTA** - Federal Transit Administration.

**Gas Chromatography/Mass Spectrometry (GC/MS)** - A type of chemical analysis used to perform the confirmation of a drug test.

**Immunoassay Technology** - One type of chemical analysis used to perform the initial or first test of a drug screen.
MRO - Medical Review Officer - A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s confirmed positive test result together with his or her medical history and any other relevant biomedical information

Non-negative Test Result - An alcohol breath test result between 0.02 and 0.039

On Premises - Any work location, revenue service vehicle, property, or office or work stations/areas, which is owned, serviced or used by THE TRANSIT AGENCY personnel, or its clients or contractors

Performing a Safety-Sensitive Function - An employee is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform any safety-sensitive function

Positive rate - the sum of the annual number of positive results for random drug tests conducted under this part plus the annual number of refusals to submit to a random drug test authorized under this part divided by the sum of the annual number of random drug tests conducted under this part plus the annual number of refusals to submit to a random drug test authorized under this part

Recipient – an entity receiving Federal financial assistance under 49 U.S.C. 5307, 5309, 5311 or under 23 U.S.C. 103 (e) (4)

Refuse to submit – any circumstance outlined in 49 CFR 40.191 and 40.261

Retest - An analysis of the donor’s split urine specimen, where the primary urine specimen was reported positive, as requested by the donor within seventy-two (72) hours of being informed of the primary specimen being reported as a positive test result

Revenue Service Vehicle - A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel owned and operated by either THE TRANSIT AGENCY, or by a THE TRANSIT AGENCY contractor while in service to THE TRANSIT AGENCY or for ancillary services

Safety-Sensitive Function - Any of the following duties:

- Operating a revenue service vehicle, including when not in revenue service (drivers and others required to operate revenue vehicles as part of their job duties)
- Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver’s License
- Controlling dispatch or movement of a revenue service vehicle (dispatchers or those who as part of their job duties fill in for a dispatcher or cross-train)
- Maintaining a revenue service vehicle or equipment used in revenue service (mechanics, service mechanics, service helpers, and vehicle washers)
Any other employee required to hold a CDL as part of their job requirements (Site Supervisors, Operations Supervisors, Site Office Personnel, etc.)

**Split Sample** - The dividing of a urine specimen into two specimen bottles. The primary specimen bottle shall contain thirty (30 ml) milliliters of urine, with the secondary, or split specimen containing at least fifteen (15 ml) milliliters of urine. The additional sample is collected with the original specimen, to be tested in the event the original specimen tests positive.

**SAP** - Substance Abuse Professional - A licensed physician (medical doctor or doctor of osteopathy), or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Agency of Alcoholism and Drug Abuse Counselors Certification Commission), with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders. Reference Part 40.281

**Third Party Administrator** - Any company, consortium, corporation, or other entity designated by the employer to administer or provide chemical or drug testing services or programs. Reference Part 40 Subpart Q

**Vehicle** – a bus, electric bus, van, automobile, rail car, trolley car, trolley bus or vessel used as a mass transit vehicle for mass transportation or for ancillary services.

**Verified Negative Drug Test Result** - A drug test result reviewed by a Medical Review Officer and determined to have no evidence of prohibited drug use.

**Verified Positive Drug Test Result** - A drug test result reviewed by a Medical Review Officer and determined to have evidence of prohibited drug use.

**Violation rate** – the sum of the annual number of results from random alcohol tests conducted under this part that have alcohol concentration of .04 or greater plus the annual number of refusals to submit to alcohol tests authorized under this part, divided by the sum of the annual number of random alcohol tests conducted under this part plus the annual number of refusals to submit to a drug test authorized under this part.

**Wheelchair** – The chair and individual should not exceed 600 lbs. The chair must not be more than 2 ½ feet wide.

**D. Prohibited Substances**

655.21 and 655.31 Prohibited substances addressed by these procedures include the following:

- **Illegally Used Controlled Substances or Drugs**
  655.21
  Substances which include, but are not limited to, any form of alcohol, dangerous drug, controlled substance, prescriptive, inhalant, illegal drugs, or combination thereof. Any illegal drug or substance identified in Schedules I through V Section 202 of the Controlled Substance Act (21 U.S.C. 812), as further defined by 21 CFR 1300.11 through 1300.15. **This includes: Marijuana, Amphetamines, Opiates, Phencyclidine (PCP), Cocaine** as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes the
use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

- **Legal Drugs**
  Employees who are taking prescription or non-prescription lawful drugs that may affect the performance of their job duties must report such usage to their immediate supervisor before beginning their work day. Such drugs used on the job may be determined to be allowable drugs if the medical review officer has determined that the use of the drug is consistent with safe performance of the employee’s duties and the drug is being used at the prescribed dosage.

- **Alcohol**
  The use of beverages containing alcohol or substances including any medication, mouthwash, food, candy, or any other substance such that alcohol is present in the body while performing THE TRANSIT AGENCY business is prohibited. The concentration of alcohol is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath testing device not to exceed an alcohol concentration of 0.02 or greater.

**E. Prohibited Behavior**

655.31, 655.33 Alcohol Testing
- Safety-sensitive and non-safety-sensitive employees under company policy shall not report for duty or remain on duty for 8 hours while having an alcohol concentration of 0.02 or greater.
- Employees will be removed immediately from safety sensitive duties if their breath alcohol test is 0.04 or above.
- Safety-sensitive and non-safety-sensitive employees under company policy shall not possess alcohol while on duty or operating a commercial motor vehicle.
- The use of alcohol while performing their safety-sensitive or non-safety-sensitive job functions is prohibited.
- Performing safety-sensitive and non-safety-sensitive functions within four hours of having used alcohol.
- The use of alcohol by safety-sensitive and non-safety-sensitive employees within eight hours following an accident, or before undergoing a post-accident alcohol test, whichever comes first.
- Employees are prohibited from consuming alcohol while on call.
- Employees on call will be given the opportunity to acknowledge the use of alcohol and the inability to perform safety sensitive functions.

The Transit Agency has a zero tolerance policy and consequences for a positive test result is termination of employment.

**Referral Resources**

The following resources are available to employees of THE TRANSIT AGENCY. These facilities have qualified Substance Abuse Professionals on staff that may be used in evaluating and resolving problems associated with
the misuse of alcohol and use of controlled substances. The SAP must follow guidelines according to Part 40 Subpart O.

It is the responsibility and IMPORTANT the DER check with the facility for a specific name of a Substance Abuse Professional to use as a reference for the employee and to check for National SAP DOT approved certification.

www.SAPlist.com
www.SAPreferralservice.com

655.21 Drug Testing
- Reporting for duty, remaining on duty, or performing safety-sensitive and non-safety-sensitive functions after having tested positive for a controlled substance is prohibited
- Using, manufacturing, distributing, dispensing or possessing controlled substances is prohibited
- Failure by a safety-sensitive or non-safety-sensitive employee to submit immediately to a chemical or alcohol test (reasonable suspicion, post-accident, and random) when requested is prohibited and will be considered a positive test result

Supervisors and managers are directed to use and apply all aspects of this procedure in an unbiased and impartial manner. Any supervisor or manager who knowingly disregards the requirements of this procedure, or who is found to deliberately misuse the procedure in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

The Transit Agency has a zero tolerance policy and consequences for a positive test result is termination of employment.

Drug Statute Conviction Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify THE TRANSIT AGENCY of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action including termination.

F. Required Testing

655.41 Pre-employment Testing:
All safety-sensitive applicants shall undergo urine drug testing immediately following the offer of employment or transfer into a safety-sensitive position.

It is allowed to hire an applicant and assign non-safety-sensitive duties until the test result is received. An employer may not transfer an employee from a non-safety-sensitive position until a verified negative test result is received.

Receipt of a negative drug test result is required prior to employment. If an applicant refused to be tested or fails the pre-employment drug test, the applicant will be disqualified for employment for a period of six months. A negative pre-employment drug test is required prior to further consideration for employment.
655.41
A pre-employment test is required for an employee who has been removed from safety sensitive duties and removed from the random testing pool for more than 90 days.

Applicants are required to report previous DOT covered employer drug and alcohol test results; failure to do so will result in the employment offer being rescinded.

Pre-employment testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40 or as amended.

655.34 & 655.44 Post-Accident Testing: Conducted after accidents on safety-sensitive employees if:

- Fatality occurs
- An injury requiring transportation to a medical treatment facility
- One or more vehicles incurs disabling damage where a vehicle must be towed from the scene
- If the employees’ performance could have contributed to the accident
- Any safety-sensitive or non-safety-sensitive employee under company policy whose performance could have contributed to the accident, as determined by THE TRANSIT AGENCY using the best information available at the time of the accident, will be given a drug and alcohol test.
- Testing is not required if the employees’ performance can be completely discounted as a contributing factor

Post-accident drug and alcohol tests must be conducted as soon as possible after the accident.

- Drug tests must be performed within 32 hours after the accident
- Alcohol tests must be performed within 2 hours after the accident. If an alcohol test required by this part is not administered within 2 hours of the accident, documentation shall be prepared and maintained on file stating the reasons the test was not promptly administered.
- If an alcohol test required by this part is not administered within 8 hours following the accident, all attempts to administer the test shall cease and documentation shall be maintained.

A covered employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying THE TRANSIT AGENCY of his or her location if he or she leaves the scene of the accident prior to submission to testing, may be deemed by THE TRANSIT AGENCY to have refused to submit to testing.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

Post-accident testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40 or as amended.

655.43 Reasonable Suspicion Testing: All safety-sensitive employees may be subject to a fitness for duty evaluation, and urine and/or breath testing when there are reasons to believe that drug or alcohol use is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of
documented objective facts and circumstances which are consistent with the short-term effects of substance abuse. Examples of reasonable cause include, but are not limited to the following:

- Physical signs and symptoms consistent with prohibited substance use
- Evidence of the manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substances
- Occurrence of a serious or potentially serious accident that may have been caused by prohibited substance abuse or alcohol misuse
- Fights (to mean physical contact), assaults, and flagrant disregard or violations of established safety, security, or other operating procedures

Reasonable suspicion referrals must be made by one supervisor (two trained supervisors are preferred) who is trained to detect the signs and symptoms of drug and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited abuse or misuse. An employer’s determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee. The questioned conduct must be witnessed and documented in writing.

Alcohol testing is authorized only if the observations of this section are made during, just preceding, or just after the period of the workday that the covered employee is required to be in compliance with this part. An employer may direct a covered employee to undergo reasonable suspicion testing for alcohol only while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

Alcohol tests must be performed within 2 hours after the determination reasonable suspicion testing is required. If a test required by this part is not administered within 2 hours of the determination, documentation shall be prepared and maintained on file stating the reasons the test was not promptly administered.

*Alcohol is prohibited to be consumed for eight hours.* If a test required by this part is not administered within eight hours following the determination, all attempts to administer an alcohol test shall cease and documentation shall be maintained.

Transit Agency officials other than supervisors may also make reasonable suspicion determinations as long as they have received reasonable suspicion training.

Reasonable Suspicion testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40 or as amended.

**655.45 Random Testing:** Conducted on employees who perform safety-sensitive functions on a random, unannounced basis just before, during, or just after performance of safety-sensitive functions. Each year, at least 10% of all employees performing safety-sensitive functions in the pool will be tested for alcohol, and at least 50% of the FTA and FMCSA combined pool will be tested for drugs, or as amended.
Allied Compliance Services, Inc. will monitor the random computer program to achieve the annual testing rates. *Under the scientific method* for selection process used, each covered employee shall have an equal chance of being tested each time selections are made.

All random drug and alcohol testing shall be unannounced and the dates of testing shall be spread reasonably throughout the year. Selected employees will report for random testing immediately after notification. Prior notice will not be given to the contact person or DER selected for Random testing. They will be given notification by the collector upon arrival for collection to meet regulation guidelines.

The testing will be conducted during all hours and days when safety-sensitive duties are performed.

In the event that an employee who was selected for random drug and/or alcohol testing is not performing a safety sensitive function on the day of random testing, alternate numbers will be substituted provided that the substituted numbers are performing a safety sensitive function and the selected participant is off the job for an extended period.

In instances where a covered employee is on extended leave for a period of 90 days or more regardless of reason, the employee will be required to take a drug and alcohol test under 49 CFR Part 655 and have a negative test results prior conducting safety-sensitive functions.

**Dilute Negative Test Results**
40.197
The Medical Review Officer will require a recollection under direct observation if the creatinine level is \(>2\) mg/dl but \(<5\) mg/dl based on the creatinine level found in the specimen.

Random testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40. or as amended.

655.46, 655.52 & 655.62 *Return-to-duty Testing*: The zero tolerance policy of this Transit Agency requires that safety-sensitive employees who have previously refused to take a drug or alcohol test, or failed such a test with a previous employer shall be tested for prohibited drug or alcohol use before they return to duty to meet DOT requirements. It is a requirement for the employee to have an evaluation from the Substance Abuse Professional and documented evidence of completed treatment before a Return to Duty test may be completed.

Any employee who tests positive on an alcohol or drug test or has refused such testing must be evaluated by a Substance Abuse Professional (SAP) who shall determine what assistance the employee needs in resolving problems associated with alcohol or drug use.

Return-to-duty testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and part 40, or as amended.

655.47 *Follow-up Testing*: Once allowed to return to duty, safety-sensitive employees shall be subject to unannounced follow-up testing for at least 12 but not to exceed 60 months. Follow-up testing is separate
from and in addition to the random testing program. The employer is responsible for determining the unannounced dates for testing.

Follow-up testing will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40, or as amended.

655.15, 655.46, 655.47, 40.67

**Required Direct Observation** for Reasonable Suspicion and Follow-up drug test specimen collection: The amended collection procedure requires the collector to be the same gender as the employee. The observer must request the employee to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show, by turning around, that they do not have a prosthetic or other device to interfere with the collection. When it is determined that the employee does not have such a device, the employee may be permitted to return clothing to its proper position for observed urination.

G. Drug Testing Procedures
Part 40 Subpart D & Subpart E
655.51

All collections of urine samples shall be according to the rules established by the Department of Health & Human Services and will be conducted in accordance with procedures established in 49 CFR Part 655 and 40, as amended.

The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure and the validity of the test result.

The procedure:
- Donor identity is checked with a photo identification
- A urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40 as amended.
- Each specimen will be accompanied by a DOT Custody and Control Form with a unique ID number for the specimen to the correct individual
- A DHHS certified laboratory will conduct the specimen analysis
- The initial test will be conducted on the primary urine specimen
- Non negative specimens will be confirmed by Gas Chromatography/Mass Spectrometry (GC/MS)
- A positive test result will be reported if the amounts of the drug and/or its metabolites identified by the GC/MS test are above the confirmation limits
- The MRO receives and reviews the test result from the certified lab
- The MRO ensures the validity of the test and determines whether there is a medical explanation for a confirmed positive, substitute or adulterated test result
- The MRO will attempt to contact the donor to verify a legitimate medical reason for the test result
- The test will be verified positive or refusal to test if there is not a legitimate medical reason for the result
- The test result will be reported to Allied Compliance Services, Inc.
• The DER or verified contact person will be notified immediately of the positive test result and documentation of time, date and name of person receiving the information will be made on the test result. The hard copy will be mailed.
• The test will be reported to the DER as a negative if there is a legitimate explanation for the result and no further action will be taken
• A retest will be conducted under direct observation if the test is invalid without a medical explanation.

In Pre-employment testing, if THE TRANSIT AGENCY does not wish to hire the individual, the MRO is not required to make such a referral. Upon completion of the examination, the MRO shall report his/her conclusion to THE TRANSIT AGENCY in writing.

The collection site person and the employee shall be present at the same time during the following:

• The collection site person shall place securely on the bottle an identification label that contains the date, the individual’s specimen number, and any other identifying information provided or required by the employer. If separate from the label, the tamper-proof seal shall also be applied.

• The individual shall initial the identification label on the specimen bottle for the purpose of certifying that it is the specimen collection from the donor.

• The collection site person shall enter on the drug testing CCF form all information identifying the specimen. The collection site person shall sign the drug testing CCF form certifying that the collection was accomplished according to the applicable Federal requirements.

655.49 Failure to Cooperate - If the employee refuses to cooperate with the collection process, the collection site person shall inform the DER and shall document the non-cooperation on the drug testing CCF form and may be reported as a refusal to test.

H. Drug Testing Cutoff Levels

40.87
Revised October 1, 2010

The drugs that will be tested include marijuana, cocaine, opiates, amphetamines and phencyclidine or as amended.

Initial Test
The initial test shall use an immunoassay that meets the requirements of the Food and Drug Administration for commercial distribution. The Department of Health and Human Services (DHHS) laboratory tests expanded in subgroups. The added tests are underlined.

• Marijuana Metabolites (Cannabinoids)
• Cocaine
• Amphetamines
  1. Amphetamine
2. Methamphetamine
3. MDMA (ecstasy)
4. MDA (ecstasy confirmation)
5. MDEA (ecstasy confirmation)

• Opiates
  1. Codeine
  2. Morphine
  3. 6-AM (heroin)

• Phencyclidine

Confirmation Test
All specimens identified as positive on the initial test shall be confirmed using gas chromatography/mass spectrometry (GC/MS) techniques adhering to the most current DHHS cutoff levels or as amended.

Split Sample Testing
40.171

If the test result of the primary specimen is positive, the employee may request that the MRO direct that the split specimen be tested in a different DHHS certified laboratory for the presence of the drug(s) for which a positive result was obtained in the test of the primary specimen. The MRO shall honor such a request if it is made within 72 hours of the employee having been notified of a verified positive test result.

If the result of the test of the split specimen fails to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, the MRO shall cancel the test, and report the cancellation and the reasons for it to the DOT, the employer and the employee.

655.5 Stand-down waivers for drug testing may be requested with a written petition submitted to the Office of Safety and Security, Federal Transit Administration, U.S. Department of Transportation, 400 Seventh Street, S.W. Washington, D.C. 20590.

I. Alcohol Testing Procedures
655.33
Employees are prohibited from consuming alcohol while on call. Employees will be given the opportunity to acknowledge the use of alcohol and the inability to perform safety sensitive functions.

655.35, 655.62
Consequences of a positive alcohol test:
A test result of 0.02 or above, but less than 0.039 will require temporary removal from safety sensitive duties until the next shift, but not less than 8 hours or temporary removal from safety sensitive duties until the verified alcohol concentration is less than 0.02. Employees will be immediately removed from safety sensitive duties if their breath alcohol test is 0.04 or above and referred to a Substance Abuse Professional.
655.31 & Part 40 Subpart J

All alcohol testing shall be performed according to the rules established by the Department of Health & Human Services and will be conducted in accordance with procedures established in 49 CFR Parts 655 and 40. Testing must occur before, during or immediately after performing a safety-sensitive duty.

Breath Tests must be conducted by a Breath Alcohol Technician trained to operate a National Highway Traffic Safety Administration (NHTSA) approved Evidential Breath Testing device (EBT).

Alcohol screening tests may be performed with approved NHTSA products.

Alcohol Testing Form
Part 40.225 and 40.227

The alcohol testing form must comply with the provisions as contained in 49 CFR Part 40, or as amended, with regard to the information that must be contained on the form. The form must address the specific requirements contained in 49 CFR Part 40. The form may not be modified or revised.

Screening Test Procedures
655.48 & 40 Subpart L

The procedure will follow the guidelines of Part 40.241 through 40.247.

If the result of the screening test is less than 0.02, the BAT shall date the form and sign the certification. If the test is above 0.02 the employee must sign step 4 to acknowledge that he has seen the test result. A confirmation test must then be taken.

Confirmation Test Procedures
655.48 & 40 Subpart M

The procedure must follow the guidelines of Part 40.251 Through 40.255.

The BAT shall transmit all alcohol testing results to the Designated Employee Representative (DER) in a confidential manner. All communications by BATs shall be to the DER only and may be provided in writing, in person, or by telephone or electronic means. The BAT shall ensure that immediate transmission of test result to THE TRANSIT AGENCY is conducted in order for THE TRANSIT AGENCY to prevent the employee from performing any covered functions if necessary.

If the screening test is performed with a DOT approved saliva test and requires a Breath Alcohol confirmation test, the supervisor on duty will immediately accompany the donor to the nearest facility with an approved EBT and a BAT to administer the test.

Refusal to Test and Uncompleted Tests
655.49 & Part 40 Subpart N
Refusal to test includes:
- Refusal to complete and sign Step 2 of the breath alcohol testing form
- Refusal to provide breath or a saliva sample
- Refusal to provide an adequate amount of breath, or otherwise to cooperate with the testing process in a way that prevents the completion of the test
- Refusal to provide a u/a specimen
- Failure to provide a sufficient specimen without medical explanation
- Failure to have a medical evaluation if required by the MRO
- Failure to appear at the collection site in a reasonable time.
- Failure to take a confirmation test.
- Failure to remain available for testing following an accident
- Failure to remain at the testing site until the test is completed
- Failure to cooperate with any part of the testing process
- Failure to allow monitoring/direct observation for drug testing
- Failure to take a second test if directed to do so
- MRO verification of a test as adulterated or substituted
- Failure to have a medical evaluation if required by an MRO
- Possess or wear a prosthetic or other device interfering with collection
- Admit to adulterated or substituted specimen

J. Education and Training
655.14

Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended.

THE TRANSIT AGENCY’s Employee Awareness Program (EAP) shall consist of education and training for each safety-sensitive and non-safety-sensitive employee on the effects and consequences of drug use on personal health, safety, and the work environment.

In addition, all supervisory personnel shall receive an additional minimum of one hour’s education and training on the manifestations of and the behavioral, physical and performance indicators that may indicate drug use and abuse and an additional minimum of one hour’s education and training on the manifestations of and the behavioral, physical and performance indicators that may indicate alcohol use and abuse.

Transit Agency officials other than supervisors may also make reasonable suspicion determinations as long as they have received reasonable suspicion training.
K. Education
655.14

The following information is to be used for the education of all employees in the manifestations and behavioral cues that may indicate prohibited drug use.

Types and Effects of Drugs

Cocaine (Stimulants/Uppers)

Signs and Symptoms

Physical
- Congested nose as if a common cold
- Mood swings
- Superabundant energy
- Hyperactivity
- Extended wakefulness
- Loss of appetite
- Difficulty in concentration
- Dilated pupils and vision problems
- High blood pressure, chest pains with palpitations
- Excessive sweating
- Vomiting, stomach cramps
- Irritability, anxiety, apprehension

Withdrawal Symptoms
- Apathy
- Long periods of sleep
- Irritability
- Depression
- Disorientation

Work Related
- Isolation and withdrawal from others
- Excess absences
- Poor work product
- Financial problems
- Secretive behavior

Amphetamines (Stimulant)

Signs and Symptoms
- Sweating
- Dilated pupils
- Restlessness
- Panic
- Confusion/Cannot concentrate
- Irregular heart beats
- Fatigue from hangover effects

**Withdrawal Symptoms**
- Apathy
- Long periods of sleep
- Depression
- Disorientation

**Work Related**
- Avoids others
- Excessive absences
- Financial problems
- High rate of accidents

**Opiates (Narcotic)**

**Signs and Symptoms**
- Constricted pupils
- Euphoria
- Respiratory depression
- Slow mental functions
- Drowsiness
- Nausea

**Withdrawal Symptoms**
- Watery eyes
- Runny nose
- Loss of appetite
- Tremors
- Panic
- Cramps and nausea
- Chills and sweating

**Work Related**
- Financial problems
- Excessive absences
- High rate of accidents
- Avoids others
PCP (Hallucinogens)
Phencyclidine

Signs and Symptoms
- Dilated pupils
- Illusions
- Hallucination
- Poor perception of time
- Poor perception of distance
- Extreme mood swings
- Confusion and agitation

Withdrawal Symptoms
- None known

Work Related
- Financial problems
- Cannot understand instructions
- Avoids others
- Excessive absences

Marijuana (Hallucinogen and/or Depressant)
THC

Signs and Symptoms
Low doses
- Bloodshot eyes (often masked by eye drops)
- Distinctive odor on clothing
- Lack of motivation
- Restlessness
- Increased sense of well being
- Dreamy state of relaxation
- Frequently hungry, especially for sweets

High doses
- Bloodshot eyes
- Distinctive odor on clothing
- Lack of motivation
- Rapidly fluctuating emotions
- Impaired memory
- Loss of personal Identity
Withdrawal Symptoms

- Insomnia
- Hyperactivity
- Decreased Appetite

Work Related

- Isolation and withdrawal from others
- Excess absences
- Financial problems

Effects of Alcohol

Alcohol is a non-illegal drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment during social gatherings. However, when consumed primarily for its physical and mood altering effects, it is a substance of abuse. As a depressant, it slows down physical response and progressively impairs mental functions.

Signs and Symptoms of Use

- Dulled mental process
- Lack of coordination
- Odor of alcohol on breath
- Possible constricted pupils
- Sleepy or stuporous condition
- Slowed reaction time
- Slurred speech

Health Effects

The chronic consumption of alcohol (average of three servings per day of beer (12 ounces), whiskey (1 ounce), or wine (6 ounce glass) over time may result in the following health hazards:

- Decreased sexual functioning
- Dependency
- Fatal liver diseases
- Increased cancers of the mouth, tongue, pharynx, esophagus, rectum, breast, and malignant melanoma
- Kidney disease
- Pancreatitis
- Spontaneous abortion and neonatal mortality
- Ulcers
- Birth defects (up to 54% of all birth defects are alcohol related)
- Forty percent of family court cases are alcohol problem related
- Alcoholics are 15 times more likely to commit suicide than are other segments of the population
- More than 60 percent of burns, 40 percent of falls, 69 percent of boating accidents, and 76 percent of private aircraft accidents are alcohol related

L. Positive Test/Refusal To Test
655.61, 655.62

A positive substance abuse test is a violation of THE TRANSIT AGENCY’s policy and FTA regulations. The employee will immediately be removed from safety-sensitive duties.

A safety-sensitive or non-safety-sensitive employee who refuses to submit to a drug and/or alcohol test, will be considered to have failed the test. Failure to comply with request for drug/alcohol testing will result in disciplinary action including termination.

If a positive test for drugs is reported by the MRO, it is understood that the screening test was positive and a second confirmatory test, based on a different scientific principle was also positive. The acceptable method of confirmation is gas chromatography/mass spectrometry (GC/MS). Failing a drug test will result in an immediate referral to an SAP for evaluation and will result in disciplinary action including termination.

If a positive test for alcohol (0.04 or above) is reported, it is understood that the positive test was the result of the confirmation test on an EBT. Failing an alcohol test will result in an immediate referral to an SAP for evaluation and will result in disciplinary action including termination.

THE TRANSIT AGENCY employees with positive drug/alcohol screens will be informed in a meeting with their supervisor and/or department manager. If the employee is a member of a union, a Union Representative may be present, if requested by the employee.

Behavior That Constitutes A Refusal To Submit To A Test
655.15

Note: Refusal to take a non-DOT test is not a refusal to take a DOT test (40.191) 4-3

- Behavior that constitutes a refusal to submit to a test includes, but is not limited to the following:
  - Failure to appear at the collection site in a reasonable time (Does not apply to Pre-employment) (40.191/.26:)
  - Failure to provide sufficient specimen with no medical explanation (40.191/.261)
  - Failure to provide sufficient specimen with no medical explanation (40.191/.261)
  - Failure to remain at the testing site until the testing process is completed. (Does not apply to pre-employment) (40.191/261)
  - Failure to have a medical evaluation if required by an MRO (40.191/.261)
  - Failure to cooperate with any part of the testing process (40.191/.261)
• Failure to allow monitoring or direct observation for drug testing (40.191)
• Failure to take a second test if directed to do so (40.191)
• MRO verification of a test as adulterated or substituted (40.191)
• Failure to sign step 2 of the Alcohol Testing Form (40.261)
• Failure to remain available for testing following an accident (655.44)
• Failure to follow observer's instructions during observed collection including instructions to raise clothing above waist, lower clothing and underpants and to turn around to permit detection of any type of prosthetic device (40.191 (a)(9)
• Possess or wear a prosthetic or other device interfering with collection (40.191 (a)(10)
• Admit to adulterated or substituted specimen (40.191 (a)(11)

M. Reference List for Employee Assistance Program
655.53

The following resources are available to employees of THE TRANSIT AGENCY. These facilities have qualified Substance Abuse Professionals on staff that may be used in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances. The SAP must follow guidelines according to Part 40 Subpart O.

It is IMPORTANT that the DER confirm that the facility has a specific name of a Substance Abuse Professional to use as a reference for the employee and to check for National SAP DOT approved certification.

American Substance Abuse Professionals (ASAP) 888-792-2727
www.SAPlist.com
www.SAPreferralservice.com

N. Record Keeping
655.71

The DER shall maintain all drug and alcohol testing results in secured files that will be separate from personnel files and medical records. Only the DER, and those personnel who are authorized by the DER to be directly involved in the drug testing program, will have access to the secured files.

Records shall be maintained:
Five years – Records of positive drug or alcohol test results
• Documentation of refusals to test
• Referrals to the SAP
• Annual MIS reports
Two years - Records related to the collection process and employee training
One year - Records of negative drug and alcohol test results

Types of records:
• Records related to the collection process
• Test result records
• Records of employee training

655.72 An annual management information system  Allied Compliance Services, Inc.®, in conjunction with the DER for THE TRANSIT AGENCY will prepare and maintain the annual report in the manner prescribed by the FTA each year of the previous calendar year’s (January 1 through December 31) drug and alcohol testing program and submit it to the FTA’s Office of Safety and Security by March 15th.

655.73 An employee is entitled, upon written request, to obtain copies of any records pertaining to his or her use of alcohol or controlled substances, including any records pertaining to his/her alcohol or controlled substances tests. THE TRANSIT AGENCY shall promptly provide the records requested by the employee. Records may be released to other authorized persons only as directed by law or written consent of the employee.

Monitoring Program

THE TRANSIT AGENCY shall audit all contractor drug and alcohol testing programs to determine compliance. Auditing may occur by (but is not limited to):

• Require an affidavit of compliance from the contractor
• Review the contractor’s Drug and Alcohol testing program
• Require the contractor to allow access to property and records by THE TRANSIT AGENCY, the DER’s Auditor and any federal or state official as required by the regulations

O. Personnel and Services

• Consortium Information
  Allied Compliance Services, Inc.®
  2827 74th Street                        951 W. Pipeline, Ste. 320
  Lubbock, TX 79423                      Hurst, TX 76053
  806.748.1120                           817.589.9998
  Fax 806.748.7096                       Fax 817.589.0809
  1-800-411-6906

• Laboratory Information – DHHS Certified laboratories list attached
  MedTox
  402 W County Rd D
  St. Paul, MN      55112
  800.832.3244
  Or any DHHS certified laboratory ACS assigns as recipient for specimens
Medical Review Officer- Effective 11-3-06
Dr. Neil J. Dash
D.R.S.
546 Franklin Ave.
Massapequa, NY 11758
PH 800-343-1221 FX 516-797-1293

Collection Facility
- On site at each agency location
- Qualified local clinic collection site
- Emergency room at each local community hospital facility for after hours or as needed

Certifications for personnel and equipment for Drug and Alcohol Testing Program
- Quality Assurance Plan for Breath Alcohol Equipment (PBA 3000 B)
- Laboratory Certification
- MRO Certification
- Breath Alcohol Technician Certifications
- Personnel Certificate of Certifications
- DBE/HUB Certification
- Forms

P. Forms

(1) Policy Acknowledgment
To be signed by each regulated employee stating that he/she has read and understands the Drug and Alcohol Testing Policy of THE TRANSIT AGENCY

(2) Drug & Alcohol Testing Notification
To be given to employee when he/she is notified of a required drug and/or alcohol test

(3) Employee Add or Delete Form
This form must be completed and sent to Allied Compliance Services, Inc.® as soon as an employee is added to or deleted from a covered position to maintain the integrity of the pool

(4) Pre-employment Drug Test Acknowledgement
Must be completed by each prospective employee prior to pre-employment drug test
(5) Drug Tests Results

Use by the DER to inform employees of test results

(6) Reasonable Suspicion Record

Must be completed by a supervisor who suspects alcohol misuse or use of controlled substances before requiring a reasonable suspicion test

(7) Release of Records Consent

Must be completed by employee with the employee signature and witness signature

(8) SAP Request

Must be completed by employer and signed by employee

(9) SAP Release

Must be completed by SAP and sent to employer

(10) Collection Site Form

Send a copy with the Donor to the collection site to ensure correct type of test to be done, fax a copy to ACS and keep a copy for your documentation of the request
Policy Acknowledgment

THE TRANSIT AGENCY does not approve of or allow the use of illegal drugs and/or the use of alcohol while performing the duties of THE TRANSIT AGENCY.

In an effort to provide a safe and healthful work environment and to comply with the U. S. Department of Transportation 49 CFR Part 655, THE TRANSIT AGENCY has implemented a Drug and Alcohol Testing Program.

This program will include, but is not limited to:

- Supervisor Training
- Employee Education
- Pre-employment Drug Testing
- Random Drug and Alcohol Testing
- Post Accident Drug and Alcohol Testing
- Reasonable Suspicion Drug and/or Alcohol Testing
- Return to Duty Testing
- Follow-up Testing

A copy of the complete policy and procedures for this program is made available to all employees covered by this policy. These employees include all persons who meet the requirements of 49 CFR Part 655 and Part 40.

______________________________  ________________________
Employee name - print                  Date

______________________________  ________________________
Employee Signature                  Date

By signing this document I am stating that I have been given and understand the drug and alcohol policy of THE TRANSIT AGENCY.

Allied Compliance Services, Inc.
800.411.6906
Form 1

Rev 4/14
Drug & Alcohol Testing Notification

__________ has been selected for a urine drug screen and/or alcohol test. The testing procedures to be followed are in accordance with the U.S. Department of Transportation, Federal Transit Administration regulations. They are designed to ensure accuracy while protecting your rights to privacy. Failure to cooperate will deem you disqualified to perform covered duties for this company. This fact sheet was developed to advise you of your responsibilities as mandated in 49 CFR Part 40 and to help you prepare for the procedure.

Type of Test Required: _____Drug Screen _____Alcohol

Reason for Test: ___Pre-employment _____Random _____Post Accident _____Return to Duty

_____Follow-up _____Reasonable Suspicion/Cause _____DOT Physical _____Other

Reminder: Make sure to have official photo identification, such as driver license, with you when you report to the specimen collection site.

1. Report to: ____________________________
   (Collection Site) ________________________
   Date ____________________________
   Time: ____________________________

2. Present your photo ID to the collection site staff.
3. Check your outer garments, briefcase, etc. with the collection site staff for safekeeping. You may retain your wallet. You have the right to request a receipt for your belongings.
4. Wash and dry hands.
5. Select a fresh specimen container from the collector.
6. Proceed to the private enclosure and provide a urine specimen into the container. At least 45ml are required. If you have a problem providing an adequate sample, you may be asked to drink fluids to induce urination. Do not attempt to tamper with or substitute the specimen. It will be visually inspected and its temperature will be measured. If the staff suspects tampering, you may be required to provide a second sample under direct observation.
7. Give the specimen container to the collector, making certain that it is kept in view at all times until it is officially sealed and labeled.
8. Observe the sealing and labeling. Initial and date the label.
9. You will be given a multi-part form called the “Custody and Control Form”.
   • Complete Step 5 on copy 2 and sign the form
   • Retain copy 5 for your records
   • You may wish to complete the back of copy 5 by indicating any medications you are currently using.

Once the laboratory analyzes the specimen and the Medical Review Officer (MRO) reviews the findings you will be notified of the results.

Alcohol test protocol: Verbal directions will be given by the technician at the time of all alcohol testing to meet Part 40 requirements.

Allied Compliance Services, Inc.®
800.411.6906
Form 2

Rev 4/14
Employee Add / Delete Form

Date: __________________________

Company Name: ________________________________________________________________

Contact Person: _________________________________________________________________

**Add** the following employees to the Random Testing Program  
*(All employees added to the Random Program throughout the year must have a pre-employment test)*

<table>
<thead>
<tr>
<th>Name of Employee</th>
<th>Employee ID Number (Social Security Number)</th>
<th>DOT</th>
<th>Non-DOT</th>
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**Delete** the following employees from the Random Testing Program  
*(Caution! These employees will be permanently deleted; a pre-employment test will be required to add back to program)*

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<tr>
<th>Name of Employee</th>
<th>Employee ID Number (Social Security Number)</th>
<th>DOT</th>
<th>Non-DOT</th>
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</table>

Authorized signature required

Mail or fax completed form to:  

**Allied Compliance Services®**  
2827 74th St.  
Lubbock, TX 79423  
800-411-6906  
Fax (806) 748-7096

Form 3
Pre-employment Drug Test Acknowledgement

I understand that as required by the Federal Transit Administration Regulation, Title 49 Code of Federal Regulations, Section 655, all applicants of this Transit Agency must be tested for controlled substances as a precondition for employment.

I acknowledge the requirement for the urine sample collection and testing for controlled substances.

I understand that a positive test result for controlled substances will render me disqualified for employment with this Transit Agency.

The Medical Review Officer will maintain the results of my test. Negative and positive results will be reported to the Transit Agency. If the results are positive, the controlled substance will be identified. The results will not be released to any other parties without my written authorization.

I understand the above conditions and hereby agree to comply with them.

(Applicant's Name - print)

(Month) (Day) (Year)

(Applicant's Signature)

Allied Compliance Services, Inc.
800.411.6906
Form 4
Drug Test Results

The controlled substance testing regulations require notification of an employee’s positive test result following a random, reasonable suspicion, or post-accident drug test. In the case of pre-employment drug test, an applicant requesting results within 60 days of notification of the disposition of his or her employment application must be notified of the results by the Transit Agency.

Employer - Complete the following:

(Name of Employee - Print) ____________________________ / __/ __ (Month) (Day) (Year)

Type of Test: ______________________

___ Pre-employment

___ Random

___ Reasonable Suspicion

___ Post-accident

___ Positive

Test Results: ______________________

___ Negative

If the employee has tested positive, indicate the drug identified:

___ Marijuana

___ Cocaine

___ Opiates

___ Amphetamines

___ Phencyclidine (PCP)

I have received the above results.

(Employee’s Signature) ____________________________ / __/ __ (Month) (Day) (Year)

Witnessed by:

(Signature of Employer) ____________________________ / __/ __ (Month) (Day) (Year)

(Title) _______________________________________

Allied Compliance Services, Inc.*
800.411.6906
Form 5
Reasonable Suspicion Documentation

(Employee Name) ___________________________ (Employee ID or SSN) ___________________________

(Date observed) ___________________________ From: __________ AM/PM __________ To: __________ AM/PM __________

(Time observed) ___________________________

(Location of Incident)

Reasonable Suspicion testing is required by 49 CFR Part 655 and 40 when a supervisor, who has been trained in accordance with 49 CFR Part 655 and 40, has a reasonable suspicion of alcohol misuse or use of a controlled substance. Observations must be specific, contemporaneous and articulable. Observations may include indications of chronic and withdrawal effects of controlled substances. Observations of alcohol misuse must be made just before, during, or just after the driver’s performance of a safety-sensitive function. All alcohol tests must be administered within 8 hours following a reasonable suspicion determination. (If not administered within 2 hours, document why.) This record should be kept in a Confidential DOT Drug and Alcohol Testing File.

Reasonable Suspicion determined for: ______ Alcohol ______ Controlled Substances

Give Specific descriptions of each that apply

1. Appearance: __________________________________________________________
2. Behavior: _____________________________________________________________
3. Speech: _______________________________________________________________
4. Body Odors: ___________________________________________________________
5. Indications of the chronic and withdrawal effects of controlled substances: ___ Yes  ___ No
   If yes, explain: _________________________________________________________

6. Other observations for Reasonable Suspicion:
   _____________________________________________________________

Observations made by: _____________________________________________________

(Signature) ___________________________ (Date) ___________________________

Allied Compliance Services, Inc.
800.411.6906
Form 6
Release of Records Consent Form

By signing this document, I ____________________________, consent

to the release of all requested information concerning drug and/or alcohol testing results,
referral information, evaluations, and/or treatments on file with

Previous Company name: ____________________________________________

to authorized personnel at the following facility:

Name: ____________________________________________

Company name: ____________________________________________

_________________________________  Print
Employee Name                      SSN

_________________________________  Date
Employee Signature

_________________________________  Witness
Signature                           Date

Allied Compliance Services, Inc.*
800.411.6906
Form 7

36

Rev 4/14
Referral Form to a Substance Abuse Professional

I acknowledge that I have received a referral for a Substance Abuse Professional as required by the Department of Transportation Title 49 CFR Part 40 regulations and as adopted by the Drug and Alcohol Testing policy

of ___________________________ dated ________________

company name

The cost of this service will be borne by ______________________________

Substance Abuse Professional referral:

Name ________________________________

Address ____________________________________________

Phone ________________________________ city state zip

I have received a copy of this referral

Print Employee Name ___________________________ Employee Signature ________________ Date

Print Company Representative Name ___________________________ Signature ________________ Date

Additional Substance Abuse Professional referral:

Name ________________________________

Address ____________________________________________

Phone ________________________________ city state zip

I have received a copy of this referral

Print Employee Name ___________________________ Employee Signature ________________ Date

Print Company Representative Name ___________________________ Signature ________________ Date

Allied Compliance Services, Inc.®
800.411.6906
Form 8

Rev 4/14
Substance Abuse Professional Evaluation
Copy to be returned to Employer

Name of SAP assessor________________________________________

Address________________________________________________________________________

Phone________________________________________

Evaluation:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Recommendation:

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

_____ Follow the guidelines set by the DOT 49 CFR Regulations for Return to
   Duty/Follow Up Testing

_____ Release

Employee Signature ___________________________ Date _________________

SAP Signature ___________________________ Date _________________

Allied Compliance Services, Inc.®
800.411.6906
Form 9

Rev 4/14
Collection Site Request to Test

Allied Compliance Services, Inc.

951 W. Pipeline Rd., Ste.320, Hurst, TX 76053
Pho. 817-589-9996 Fax 817-589-0809
Pho. 806-748-1120 Fax 806-748-7096
email: mail@alliedcompliance.com

2827 74th St.
Lubbock, TX 79423

Instructions: Please complete and fax or email to Allied Compliance Services, Inc. at the time the donor is notified to take a test.

Send this form with the donor to the collection site to ensure the test is performed correctly.

To:

__________________________
Name of Collection Site

City________________________ State____________________

Date______________________ Company Name________________________

Authorized By:________________________

Print Name________________________ Signature____________________

Donor SS# or ID#________________________ Donor name________________________

Request for a U/A collection:

Check FEDERAL DOT Mode: __FAA__FMCSA__FRA__FTA__PHMSA__USCG

__U/A Drug test__ Alcohol test

Check reason to test: __Pre-employment__ Random__ Reasonable Cause__ Post Accident

__Return to Duty-MUST BE OBSERVED__ Follow up-MUST BE OBSERVED

__DOT Physical__

NON-FEDERAL: __U/A Lab test__ U/A Instant Screening Test__ Alcohol__ Other

Check reason to test: __Pre-Employment__ Random__ Reasonable Cause__

__Post Accident__ Return to Duty__ Follow up

Please Fax this form to Allied Compliance Services, Inc.

Fax: 806.748.7096

This information will help us report your test results more efficiently.

Thank you

800-411-6906

Form 10

Rev 4/14
Dräger

Breathtalyser® 7410 - Alcotest® 6510 - 6810 - 7410 - 7410Plus - 7510

CERTIFICATE OF CALIBRATION

This is to certify that this 6510 - 6810 - 7410 - 7510 series’ instrument has been calibrated and found to be in compliance with the Model Specification for Evidentiary Devices to Measure Breath Alcohol according to the National Highway Traffic Safety Administration, DOT.

Calibration date: 03/27/13  
SERIAL NUMBER: ARDN - 0244

Model: ☐ Breathtalyser® 7410  
☐ Alcotest® 6510  
☒ Alcotest® 6810  
☐ Alcotest® 7410  
☐ Alcotest® 7410Plus  
☐ Alcotest® 7510

Dräger Safety Diagnostics, Inc.  
Technical Service Department  
S.Y.
Dräger

Breathtalyzer® 7410 - Alcotest® 6510 - 6810 - 7410 - 7410Plus - 7510

CERTIFICATE OF CALIBRATION

This is to certify that this 6510 - 6810 - 7410 - 7510 series' instrument has been calibrated and found to be in compliance with the Model Specification for Evidentiary Devices to Measure Breath Alcohol according to the National Highway Traffic Safety Administration, DOT.

Calibration date: 08/01/13

SERIAL NUMBER: ARDN-0344

Model: ○ Breathtalyzer® 7410
○ Alcotest® 6510
✓ Alcotest® 6810
○ Alcotest® 7410
○ Alcotest® 7410Plus
○ Alcotest® 7510

Draeger Safety Diagnostics, Inc.
Technical Service Department

SY
CERTIFICATE OF CALIBRATION

This is to certify that this 5510 - 6510 - 6810 - 7410 - 7510 series' instrument has been calibrated and found to be in compliance with the Model Specification for Evidentiary Devices to Measure Breath Alcohol according to the National Highway Traffic Safety Administration, DOT:

Calibration date: 02/03/14

SERIAL NUMBER: ARDN-0344

Model: ○ Dräger® 7410
○ Alcotest® 5510
○ Alcotest® 6510
○ Alcotest® 6810
○ Alcotest® 7410
○ Alcotest® 7410 Plus
○ Alcotest® 7510

Dräger Safety Diagnostics, Inc.
Technical Service Department

SY
<table>
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<tr>
<th>Name of Technician</th>
<th>Test Result</th>
<th>Time</th>
<th>Date</th>
<th>Expiration Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Doe</td>
<td>Pass</td>
<td>10/21/2023 10:00</td>
<td>11/21/2023</td>
<td></td>
</tr>
<tr>
<td>Jane Smith</td>
<td>Fail</td>
<td>10/22/2023 14:30</td>
<td>11/22/2023</td>
<td></td>
</tr>
</tbody>
</table>

**Accuracy Log**

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**Dive Safety**

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**ACCUARACY TEST-LOG**

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**Serial #:** 6810

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**AEC04-00% C02 equivalent dry gas or Watermark Standards**