Background

Policy C17 requires Cloud County Community College to have procedures stating compliance with the Omnibus Transportation Act of 1991. The Federal Motor Carrier Safety Administration requires employers to adhere to drug and alcohol testing procedures for drivers who are required to have a CDL.

Procedure

1. A representative of Cloud County Community College will review the policy on Drug and Alcohol testing and the procedures with all registered CDL drivers. All registered CDL drivers will sign a consent form for chemical test. Failure to sign the consent form will result in removal from the driver's pool.
2. Cloud County Community College staff associated with the chemical testing will respect the confidentiality of the driver and the driver may request a copy of the test results.
3. A driver who tests positive will have the right to obtain an independent second test from the split specimen method at his/her own expense. The driver must notify the Secretary for Transportation within twenty-four hours of the notification of positive test results if he/she wishes to exercise their right of a second test.

Alcohol Tests Required

1. Post Accident. Conducted after accidents on drivers whose performance could have contributed to the accident (as determined by a citation for a moving traffic violation) and for all fatal accidents even if the driver is not cited for a moving traffic violation.
2. Reasonable Suspicion. Conducted when a trained supervisor or a college official observes behavior or appearance that is characteristic of alcohol misuse.
3. Return to duty and follow-up. Conducted when an individual who has violated the prohibited alcohol conduct standards returns to performing safety-sensitive duties. Follow-up tests are unannounced. At least 6 tests must be conducted in the first 12 months after a driver returns to duty. Follow-up testing may be extended for up to 60 months following return to duty.

Alcohol Testing

1. If the result of the testing is a positive result, a second confirmation test must be conducted.
2. The driver and the individual conducting the confirmation breath test complete the alcohol testing form to ensure that the results are properly recorded.
3. Drivers who engage in prohibited alcohol conduct will be immediately removed from safety-sensitive functions.
4. Drivers who test positive may be referred to a substance abuse professional for evaluation. Any treatment or rehabilitation will be at the driver’s expense and the driver is subject to removal from the driver’s pool.

Drug Testing

Drug testing is conducted by analyzing a driver’s urine specimen. Once notified of selection for testing, a driver must proceed immediately to a collection site to accomplish the urine specimen collection. In the event of a drug screen:

1. A release form is completed. The release form will allow the testing by the employer and the information released to the Medical Review Officer (MRO).
2. The driver is provided with a secure and private area for the urine collection.
3. The collector seals and labels the split specimen and documents the custody.
4. The specimen collection, procedures, and chain of custody will ensure that the specimen’s security, proper identification, and integrity are not compromised.
5. A screening test is performed.
6. If it is positive for one or more of the prohibited drugs, then a confirmation test is performed for each identified drug using a certified lab.
7. If the laboratory reports a positive result, the Director of Human Resources is notified and contacts the driver (in person or by telephone) and conducts an interview to determine if there is an alternative medical explanation for the drugs found in the driver’s urine specimen. A driver who tests positive will have the right to obtain an independent second test from the split specimen method at his/her own expense. The driver must notify the Director of Human Resources within twenty-four hours of the notification of positive test results if he/she wishes to exercise their right of a second test.
8. After consultation with the MRO, if it is determined that it is a legitimate medical use of the prohibited drug, the drug test result is reported as negative.
9. A driver will be removed from duty if he/she has a positive drug test result. A driver cannot be returned to the driver’s pool until he/she has been evaluated by a substance abuse professional, has complied with recommended rehabilitation, and has a negative result on a return-to-duty drug test. Any additional testing will be at the driver’s expense.
10. Follow-up testing (for no less than 12 months) to monitor the driver’s continued abstinence is required.
Testing Results

Driver drug testing results and records are maintained under strict confidentiality. They cannot be released to others without the written consent of the driver. Exceptions to confidentiality provisions are limited to a decision maker in administration, litigation, or administrative proceedings arising from a positive drug test. Statistical records and reports are maintained by the College and testing labs.