

Drug Testing

Legal Description: Every employer shall comply with the requirements of **Section 382.305** of the **Federal Motor Carrier Safety Regulations Handbook**. Every driver shall submit to random alcohol and controlled substance testing as required in this section.

(School District) Policy: Transportation employees shall follow NEOLA policies and District's Administrative Guidelines.

Consequences of a Positive Drug Test: A CDL license holder shall be removed from duty in the event the employee has a positive drug test result. The removal shall take place after the Medical Review Officer (MRO) has interviewed the employee and determined the positive drug test resulted from the unauthorized use of a controlled substance. Such use of a controlled substance will result in the immediate termination of the CDL license holder from employment from the (School District).

Alcohol Consumption: A CDL license holder who is consuming alcohol while on duty or who has consumed alcohol within the four (4) hours previous to duty shall be terminated from employment from the (School District).

***Issues: Shy Bladder:** If an employee can not or will not provide a urine specimen required by US DOT Regulations, the following will apply:

- ✓ A failure to provide a specimen after a three hour period of drinking the recommended water (up to 40 ounces) is considered a refusal to test. A refusal carries the same consequences as having failed the test. A medical examination by a qualified physician must be scheduled by the employer. If no medical reason is found that would affect the person's ability to provide the sample is considered a positive test.

Missed Testing: If an employees name is randomly selected by the drug testing company, and that employee is not available that day to test, the Director of Transportation must set up an appointment with (School District's Drug Testing Firm, i.e. Joseph A. Young & Associates) to conduct the test for the employee at the office of (School District's Drug Testing Firm, i.e. Joseph A. Young & Associates) in (City, State). The employee is not given prior notice of this appointment. If the employee refuses to go to this appointment, it will be considered a refusal, and will be on the employee's record of refusing a drug test.

***Testing Results:** Drug & Alcohol test results are confidential and must **not** be shared with anyone except the Director of Transportation having the need to know. The recommended action of a request for test results by a union for one of its members is the following:

- ✓ The union shall obtain a signed release from the employee authorizing the employer to release any information resulting in drug testing of said employee.

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