


DOT TRANSPORTATION WORKERS TESTING


- First issued drug testing rules in 1989
- Was further defined by the Omnibus Transportation Employees Testing Act of 1991
- Aims to deter and prevent drug use in the workplace
- Covers Safety-Sensitive positions in all 6 DOT commercial transportation agencies

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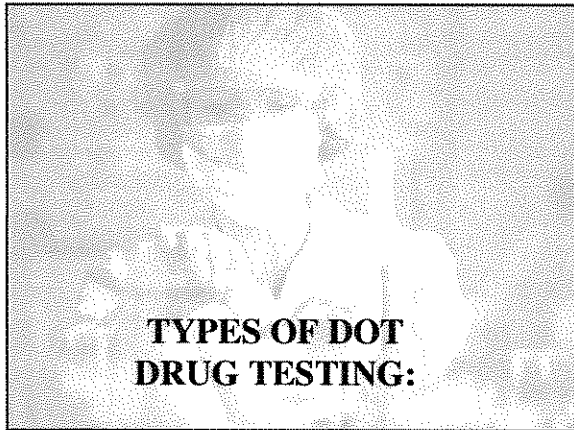
THIS INCLUDES:

- FMCSA: Professional Drivers holding a commercial driver's license (CDL), including truck and bus drivers
- FTA: Mechanics, or armed security working in the mass transit industry, including buses, subways, commuter rail, streetcars, and ferry boats
- FRA: Railroad workers, including engineers, conductors, signalmen, operators, dispatchers, and switchmen



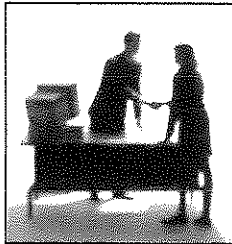


- FAA: Employees in the aviation industry, including pilots and other flight crewmembers, flight attendants, flight instructors, aircraft mechanics, ground security coordinators, and air traffic controllers
- PMHSA: All operators, emergency response members or maintenance workers of a pipeline or liquefied natural gas facility
- USCG: All employees operating commercial vessels, and all workers board U.S.-owned vessels




PRE-EMPLOYMENT TESTING

- Performed after the employee is offered a safety-sensitive position
- Must also include an employee who transfers from another position into a safety-sensitive position
- For FCSMA employees, pre-employment, drug testing is mandatory; alcohol testing is optional



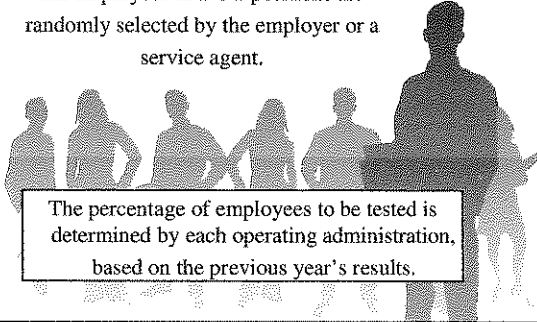
POST-ACCIDENT TESTING



- Each operating administration has its own definition of an accident
- FMCSA defines an accident as an incident in which:
 - There's been a fatality
 - Outside medical attention was necessary
 - One or more of the vehicles was disabled
- FMCSA will allow a breathalyzer given by the police to qualify as a post-accident alcohol test

RANDOM TESTING

All employees in DOT positions are randomly selected by the employer or a service agent.



The percentage of employees to be tested is determined by each operating administration, based on the previous year's results.

CURRENT RANDOM TESTING RATES



DOT AGENCY	2011 RANDOM DRUG TESTS	2011 RANDOM ALCOHOL TESTS
FAA	25%	10%
FMCSA	50%	10%
FRA	25%	10%
FTA	25%	10%
PHMSA	25%	N/A
USCG	50%	N/A

REASONABLE SUSPICION TESTING

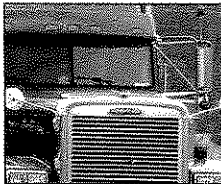


- A supervisor can require a urine screen when they observe signs impairment on the job
- To do so effectively, supervisors need to:
 - Receive specific training on the external signs of impairment and how to intervene.
 - Thoroughly document the behavior that appeared impaired
 - Involve a second trained supervisor, if possible

RETURN-TO-DUTY TESTING



- After testing positive and then complying with the SAP recommendations, the employee needs to pass a return-to-duty urine screen, before they can return to a safety-sensitive position.
- The SAP determines the type of test needed:
 - Urine drug test
 - Breathalyzer Alcohol Test
 - Both a urine and a breathalyzer



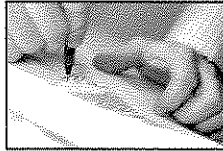
FOLLOW-UP TESTING

- Periodic random urines after the employee has returned to work
- The SAP determines:
 - The frequency of the testing
 - The length of testing (up to 60 months)
 - The type of tests to be conducted

**DOT URINE
SCREENS INCLUDE**

Marijuana	Cocaine
Opiates	PCP
Amphetamines	Ecstasy

**WITH NEW
HIRES:**



- The employer must ask that employee if they have had a positive test or a “refusal to test” in a past job
- The employer needs to obtain a release of information from that employee, and then obtain their testing information from the last two years of their previous job

**EMPLOYERS OR THEIR
SERVICE AGENTS MUST
KEEP FOR FIVE YEARS:**

- All verified positive drug tests
- All alcohol tests .02 or greater
- Documentation of refusals to test
- All SAP reports
- All follow-up tests

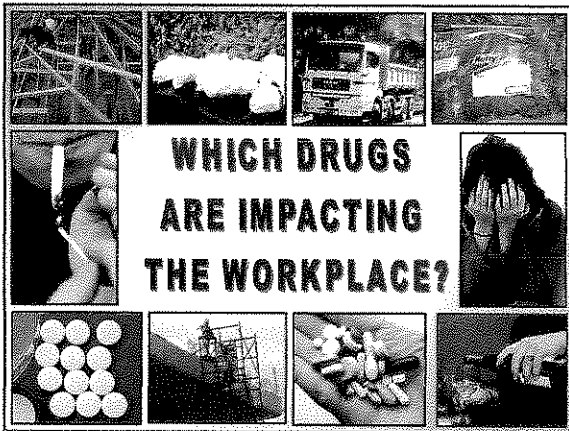
**EMPLOYERS OR THEIR
SERVICE AGENTS MUST
KEEP FOR THREE YEARS**

- Information contained from past employers
- Calibration of the EBT
- Negative drug test results
- Alcohol results less than .02

EDUCATION



- Employers must provide educational material to employees, explaining drugs and alcohol regulatory requirements and employer's policies
- Employers must provide supervisors with 2 hours of training on the physical, behavioral, and performance indicators of probable use of drugs and alcohol.



ALCOHOL	
Description	A legal, socially acceptable drug when used during off-hours; when used before or during work it creates more problems than any other psychoactive drug
Problems in the Workplace	Slowed performance, mistakes in the work, poor coordination,
Signs of Use on the Job	Odor of alcohol, flushed appearance, slurred speech, signs of poor coordination and balance, staggering, stumbling, and swaying, and/or a dramatic personality change
Signs of a Hangover on the Job	Poor concentration, slowed performance, increase in mistakes on the job, sleepiness, and sensitivity to light and sound

ALCOHOL TESTING

- Alcohol testing is conducted, most often in combination with drug testing, in cases of: reasonable suspicion testing, 10% of random urines, post-accident testing, return-to-duty testing and follow-up testing (if specified by the SAP)
- Alcohol is tested through breath or saliva
- The procedures are parallel with drug testing
- Is conducted by the STT (Screening Test Technician) or BAT (Breath Alcohol Technician)





CC: moacirpdp

IF AN ALCOHOL BREATH TEST IS POSITIVE:

- Between .02 and .039 --
 - The employee is removed from safety-sensitive functions for 24 hours (FCSMA regulations)
- At or over .04:
 - the employee is removed from a safety sensitive function

THE EMPLOYEE HAS VIOLATED A DOT ALCOHOL TESTING REGULATION IF:

- They refuse to submit to an alcohol test
- They test an alcohol level of .04 or greater.
- They use alcohol on duty
- They go on duty within 4 hours after using alcohol
- They use alcohol within 8 hours following an accident.



**2009 DOT URINE SCREENS
WERE POSITIVE FOR:**


Drug Category	% Positive
Marijuana	13.8%
Amphetamines	5.4%
Cocaine	4.8%
Opiates	4.4%
PCP	.04%

MARIJUANA
13.8%

Description	A mild hallucinogen, the most used illegal drug, and the drug most often test positive in a urine sample.
Problems in the Workplace	Memory and focus problems, tardiness and absenteeism, sluggishness, lack of motivation, and/or inattentiveness
Signs of Use on the Job	Strong odor of marijuana, red eyes, poor coordination, "drift-off sentences," and/or the presence of paraphernalia

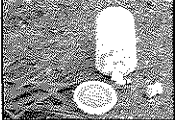
AMPHETAMINES
5.4%

Description	Central nervous system stimulants, that include medication for AD/HD, such as adderal and ritalin, and diet pills. The medication can be abused by using them to stay awake, or to enhance performance. Crystal meth is also seen in this category, but is seldom seen in the workplace.
Problems in the Workplace	Irritability, inconsistent performance, irritability and emotional outbursts
Signs of Use on the Job	Dilated pupils, pressured speech, difficulty focusing, "manic" behavior, severe weight loss




COCAINE

4.8%




Description	A central nervous system stimulant that is abused by snorting the powder, smoking it in the form of crack cocaine, or by melting it and injecting it intravenously
Problems in the Workplace	Severe drop in performance, tardiness and absenteeism, erratic behavior, days of severe exhaustion, and/or theft on the job
Signs of Use on the Job	Dilated pupils, rapid and disjointed speech, emotional outbursts, poor concentration and distractibility, and/or severe weight loss



OPIATE PAIN PILLS


4.4%




Description	Medication necessary to treat pain, but with a high potential for addiction. Abuse of opiate pain pills has increased, and is the primary reason why Ohio has a high overdose rate
Problems in the Workplace	Poor quality of work, with frequent and large mistakes, poor judgment, tardiness, and erratic behavior
Signs of Use on the Job	Pinpoint pupils, signs of "nodding," drowsiness and confusion, poor balance, trouble keeping balance, signs of withdrawal symptoms

PCP

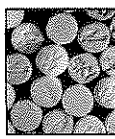
.04%




Description	A white or brown crystal powder, or a clear liquid, that is smoked with marijuana or a cigarette
Problems in the Workplace	It produces euphoria, hallucinations, and a strong potential for violence.
Signs of Use on the Job	Drastic change in personality, erratic behavior, hallucinations, or becomes very quiet




ECSTACY



Description	A capsule or colored tablet, often "branded" with pictures or words
Problems in the Workplace	Inattentiveness, difficulties with memory and decision-making
Signs of Use on the Job	Euphoria, excessive energy, anxiety, impulsivity and depression, presence of "homemade pills"



ADDICTION



Description	The use of alcohol and chemicals that causes life problems. The job is often the last to be affected. Addiction can cause performance problems long before use is seen on the job.
Problems in the Workplace	Inconsistent performance, decreasing productivity, poor judgment, an increase in errors, erratic behavior, defensiveness
Signs of Use on the Job	Absenteeism, an increase in performance problems that doesn't change despite coaching sessions, becoming less dependable

REASONABLE SUSPICION TESTING

- Recognition of a problem
- Investigation
- Documentation
- Consultation with others
- Intervention/Testing
- Referral

RECOGNITION OF A PROBLEM

- The Company makes the decision based upon specific, contemporaneous, articulable observations concerning the appearance or behavior of the employee.

The Supervisor monitors, in particular:



- Signs of Use
- Productivity
- Behavior



THE EMPLOYEE APPEARS UNDER THE INFLUENCE



- Staggering, slurred speech, unsteady gait, swaying, stumbling, or other indications of poor muscle control
- Dilated pupils, pinpoint pupils, or reddened eyes
- Hyperactive, unable to sit still, talks rapidly
- Attitude is hostile, explosive, overly euphoric, or profane
- Repetition of incoherent statements
- Severe exhaustion, disorientation or lethargy, seems "spacey" or "out of it"
- Strong odor of alcohol or marijuana

THE QUALITY OF THE WORK DETERIORATES



- Work and productivity becomes mediocre
- Unreliability in keeping appointments and/or deadlines
- Unpredictable quality: either excellent or poor days
- Ordinary tasks require take more time to complete
- Disregard of safety regulations and/or near-accidents
- Attendance problems, such as frequent absences, tardiness or "on the job absences"
- Failure to improve despite previous supervisor interventions



THE EMPLOYEE'S BEHAVIOR CHANGES

- Difficulties handling stress, including overreaction, outbursts, or “falling apart,” often over minor issues
- Becoming critical and negative regarding the company, coworkers, or the supervisor
- Withdrawal from responsibility
- Difficulties working with supervision
- Financial problems, as evidence by stealing or frequent borrowing

INVESTIGATION

- In order to decide on the appropriate action, the supervisor needs as thorough a view of the employee's performance as possible.



- Gathering “evidence” helps the supervisor put the employee's actions in context, guides his or her actions, and protects the company.
- The supervisor considers, among other things, any past performance problems, feedback from other Supervisors, the employee's attendance record, and any productivity issues.

DOCUMENTATION

- **The supervisor puts into writing a description of the incident, as well as the results of his or her investigation.**
- **It adds authority to the supervisor's actions.**
- **It also helps to clarify thoughts, to articulate the facts, to aid the memory, and to help perceive patterns over a period of time.**
- **The supervisor needs to include the physical and emotional signs of impairment, and the observations of any witnesses.**
- **Checklists with a “narrative” section can include the most essential signs, while giving room for the supervisor's own description.**

CONSULTATION WITH OTHERS



- Meet with another supervisor, Human Resources, or the Safety officer.
- Refer back to the company policy on the situations where reasonable suspicion testing is appropriate.
- Reach a decision on what action to take.
- Decide how the employee is going to be approached.
- Take time to be comfortable with your decision.

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THE SUPERVISOR MEETS WITH THE EMPLOYEE



- Maintain control of the meeting; be clear and firm.
- State the problem, focusing on work performance.
- Have the documentation available.
- Set clear expectations for improvement.
- Offer resources that can help.
- Inform the employee that, due to the Drug-Free Workplace policy, the urine testing is required when these types of performance problems are observed.
- Avoid drawing conclusions.

DRAWING NO CONCLUSIONS



- The supervisor has a suspicion of drug or alcohol abuse.
- However, those same behaviors can be caused by some physical illnesses, such as diabetes, a mild stroke or a brain tumor.
- It can also be caused by emotional and personal problems
The approach conveys:
 - Here is the behavior that's been observed
 - When that behavior is observed, we automatically ask for a urine screen, in order to rule out drugs as one of the causes of the performance/behavior problem.

REFERRAL TO A LABORATORY



- The company arranges transportation to the contracted lab for the urine screen
- Employees are given a set amount of time to arrive, or will be reported as tardy
- The lab administers a “chain of custody,” a set of consistent procedures to insure that the sample came from that person and that no contaminants entered into the sample.
- The lab uses a “chain of custody form” to document the handling and storage of the urine from collection to disposal.

- Employees must produce a photo ID or be accompanied by a supervisor who can verify their identity.
- The collector will explain the basic procedures.



- The lab follows strict urine procedures, as designated by the DOT. This includes: leaving outer clothing with the collector, having the employee wash their hands, removing the testing kit, disconnecting the hot water faucet in the restroom and coloring the toilet water blue, and asking the employee to provide at least 45 ml of fluid.
- In most cases, the urine is unobserved.

THE URINE IS EXAMINED



- Within 4 minutes of the donation, the collector will measure the temperature of the specimen, to ensure it is within range (90-100 degrees F)
- The collector will make additional observations, regarding the color, odor, and appearance of the specimen
- In front of the employee, the collector will pour off 30 ml into bottle A and the remainder into bottle B.

- The bottles will be tightly capped
- A tamper-evident strip is applied to both bottles.
- The employee is asked initial each strip



- The employee is asked to read a certification statement and sign a section saying that the written description of the process matched the process that was conducted with him

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IF THE URINE IS POSITIVE, THE MEDICAL REVIEW OFFICER:

- Calls the employee, explains the review process to them, and explained the urine screen results.



- Informs the employee that they can have their split sample reanalyzed by another lab, at their own expense
- Warns the employee that they are required to report any information that they give them that may endanger the employee's job performance.

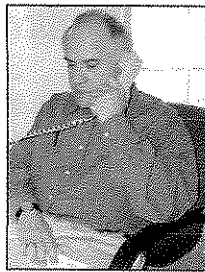
- **Asks if there is a reasonable explanation for the urine screen result.**
- **Asks for written proof of any legitimate use**
- **Once verification has been received, the MRO may downgrade the positive to a negative**
- **Will also report any use of prescription medication that may pose a risk to the employee's performance**

REFERRAL



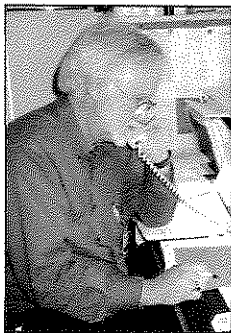
- If the urine or alcohol test is positive, or is labeled as a "refusal to test," the DER must immediately remove the employee from a safety sensitive position
- The Supervisor gives the employee the name and number of the Company contracted to provide SAP Services for the Company (CONCERN, 891-1691).
- The employee must cooperate with the SAP's recommendations and pass a return to duty test, in order to be reinstated in a safety-sensitive position.

THE SAP (Substance Abuse Professional)

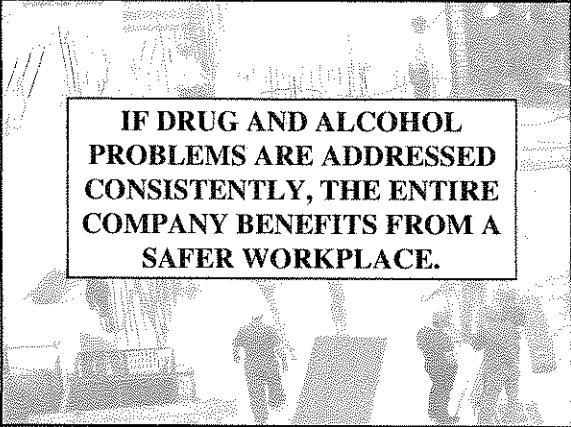


- A licensed professional who has an understanding of chemical dependency and counseling, and received training specific to DOT regulations and processes.
- The gatekeeper of the "return to duty" process
- Evaluates employees who have violated a DOT testing regulation, and makes recommendations concerning education, treatment, follow-up testing, and/or aftercare

THE COMPANY CALLS CONCERN








- The Company representative will be directed to the SAP Coordinator
- They will take basic information, regarding the positive urine screen and other behaviors that will aid the SAP in their assessment.
- They will set up the appointment with a qualified SAP.



**IF DRUG AND ALCOHOL
PROBLEMS ARE ADDRESSED
CONSISTENTLY, THE ENTIRE
COMPANY BENEFITS FROM A
SAFER WORKPLACE.**

ON-LINE REFERENCES

-  • U.S. Department of Transportation
www.dot.gov/ost/dapc
-  • U.S. Department of Labor
www.dol.gov/elaws/drugfree.htm
-  • National Institute of Chemical Dependency
www.nicd.us
-  • Substance Abuse and Mental Health Services
www.workplace.samhsa.gov
-  • U.S. Drug Enforcement Administration
www.dea.gov
