

Orange Windsor Supervisory Union

Royalton School District

Mandatory Drug & Alcohol Testing:

Transportation Employees

The Royalton School District will comply with the Omnibus Transportation Employee Testing Act of 1991. The superintendent or his or her designee will require the contracted transportation provider to implement procedures to conduct alcohol and drug testing for all safety sensitive transportation employees as required by the Testing Act.

Specific Categories of Employees Subject to Testing

This policy applies to safety sensitive employees. Safety sensitive employees are those who hold commercial drivers' licenses or who operate vehicles which may only be operated by holders of commercial drivers' licenses, or those who perform safety sensitive functions as defined in federal regulations.

Drug Tests Required

Employees will be tested for five prohibited drugs: marijuana, cocaine, opiates, amphetamines, and phencyclidine. Tests will also be conducted for specific prohibited alcohol related conduct while performing in safety sensitive functions as required by federal regulations. Federal regulations presently prohibit the performance of safety sensitive functions while having an alcohol concentration of 0.04 or greater as indicated by an alcohol breath test, while using alcohol, or within four hours after using alcohol. The performance of driving functions is prohibited within 24 hours of a test showing alcohol concentrations between 0.02 and 0.04.

When an Employee Will be tested

Employees will be tested as follows:

1. Pre-employment tests will be conducted before applicants are hired or after an offer to hire, but before actually performing safety-sensitive functions for the first time. Employees will also be tested when transferring from a non-safety sensitive position to a safety-sensitive position.
2. Post-accident tests will be conducted after accidents (as defined by federal regulation) on employees whose performance could have contributed to the accident.

3. Reasonable suspicion tests will be conducted when a trained supervisor observes behavior or appearance that is characteristic of alcohol misuse or prohibited drug use.

4. Random tests will be conducted on an unannounced basis just before, during or just after performance of safety sensitive functions.

5. Return to duty and follow-up tests will be conducted when an individual who has violated prohibited alcohol or drug conduct standards returns to performing safety sensitive duties. Follow-up tests will be unannounced and at least 6 tests will be conducted in the first 12 months after an employee returns to duty. Follow-up testing may be extended for up to 60 months following return to duty.

Refusal to Take Tests

Refusal to submit to testing as required by this policy will constitute a verified drug or alcohol test result. An employee who refuses a required test will be subject to the same sanctions as an employee who tests positively for drug or alcohol misuse.

Consequences of Alcohol Misuse

Employees of the contractor who engage in prohibited alcohol conduct will, at a minimum, must be immediately removed from safety sensitive functions. Employees who have engaged in alcohol misuse will not be returned to safety sensitive duties until they have been evaluated by a substance abuse professional designated by the district and have complied with any treatment recommendations to assist them with an alcohol problem.

Consequences of Drug Use

Employees who test positive for drug use will, at a minimum, be immediately removed from safety sensitive duty. Removal will not take place until a physician designated as the district's Medical Review Officer has interviewed the employee to determine whether the positive drug test resulted from the unauthorized use of a controlled substance. If the positive test result is determined by the Medical Review Officer to be caused by the authorized use of a controlled substance, the employee will not be removed from the safety sensitive position. An employee will not be returned to safety sensitive duties until he/she has been evaluated by a substance abuse professional designated by the district or a Medical Review Officer, has complied with rehabilitation recommendations, and has a negative result on a return to duty test. Follow-up testing will be conducted to monitor the returned employee's continued abstinence from drug use. In addition, employees of the contractor who engage in prohibited alcohol conduct shall not resume safety sensitive functions for the Royalton School District

unless and until permission is given in writing by the Royalton Board of School Directors.

Employee Education Programs

The contractor will provide information and educational materials to safety sensitive employees and supervisors of safety sensitive employees on the consequences of drug and alcohol abuse and treatment resources in accord with the requirements of the Testing Act. At a minimum, supervisory of safety sensitive employees will annually be required to attend at least on hour of training on the signs and symptoms of drug use and an additional hour on the signs and symptoms of alcohol abuse.

Cost of Testing

It shall be the contractor's obligation to pay for tests required by the Testing Act or this policy.

Dissemination of Policy Procedures

Each employee of the contractor providing services for the Royalton School District covered by this policy will be provided written notice of the district's anti-drug and anti-alcohol policies and procedures.

Date Reviewed: 10-2-01, 10-16-01, 11-6-01, 11-27-01

Date Warned: 12-6-01

Date Adopted: 12-18-01

Legal Reference(s): Omnibus Transportation Testing Act of 1991 (P.L. 102-143, Title V)

49 C.F.R. Parts 382, 391, 392, 395 and 653

Cross Reference: