

**Concho Valley Transit District
RESOLUTION 081215 B**

WHEREAS, the Concho Valley Transit District (CVTD) is designated as the grantee for the §5307 and §5311 formula programs and the principal provider of public transportation services to the Concho Valley, and

WHEREAS, the Federal Transit Administration (FTA) requires all fund recipients to implement a drug and alcohol abuse policy in accordance with 49 CFR Parts 655 and 40, and

WHEREAS, on September 4, 2011 at a regular board meeting of the Concho Valley Transit District (CVTD), the Board approved and adopted a drug and alcohol policy in compliance with FTA requirements, and

WHEREAS, the Concho Valley Transit District (CVTD) desires to revised the Policy as set forth and attached.

Now therefore be it resolved the Board of Directors of the Concho Valley Transit District approve the following:

- 1. The Concho Valley Transit District Board of Directors does hereby adopt the revised CVTD Drug and Alcohol Policy.**

Duly adopted at the meeting of the Board of Directors of the Concho Valley Transit District this 12th day of August 2015.

Allen Amos, Chairman

Dwain Morrison, Secretary

Date: _____

Date: _____

2015

Concho Valley Transit District

FTA Drug and Alcohol Program



Address:

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Contact:

**Teresa Sanchez
Drug & Alcohol Manager
Writing in red = CVTD**

CONCHO VALLEY TRANSIT DISTRICT (CVTD)

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2801 LOOP 306 SUITE "A". SAN ANGELO, TX 76904

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FTA Drug and Alcohol Testing Program

CONCHO VALLEY TRANSIT DISTRICT

(CVTD), THE EMPLOYER, the grant recipient, and including subcontractors, has a long standing commitment to maintain the highest standards for employee safety and health and to help prevent accidents/injuries resulting from drug abuse and/or the misuse of alcohol by employees who perform covered functions. As an essential element of its commitment to provide safe and reliable transit service and to maintain a safe and healthy work environment for its employees, CVTD has had a drug and alcohol policy in force for a number of years, which has been strictly enforced.

In addition, the employer must comply with all DOT regulations and other regulations, which require affirmative actions to eliminate the impact of drug abuse and the misuse of alcohol in the workplace. The purpose of the drug abuse and alcohol misuse prevention plan is to reduce accidents that result from drug abuse and the misuse of alcohol, thereby reducing fatalities, injuries, and property damage. The use or possession of illegal drugs and alcoholic beverages while on the employer's property, or in any of the employer's vehicles, or on the employer's time, including breaks or lunch, paid or unpaid, on any shift, is strictly prohibited. The Drug Abuse and Alcohol Misuse Prevention Plan contained herein sets forth the requirements of 49 CFR Parts 655 and 40.

THE USE OF ILLEGAL DRUGS AND/OR MISUSE OF ALCOHOL BY AN EMPLOYEE IS PROHIBITED AND WILL RESULT IN TERMINATION

The use of any illegal drug or substance identified in Schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times unless a legal prescription has been written for the substance. Also amending certain provisions of its drug testing procedures defined in 49 CFR Part 40 as part of the final rule. This includes, but is not limited to; Ecstasy(MDMA), marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any substance which causes the presence of these drugs or drug metabolites. Illegal use includes, use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. The "use" of drugs means presence in the body system while you are on duty. A positive test is sufficient to support a finding of "use."

The use of alcohol is defined as having an alcohol test result of 0.04 or greater while on duty, subject to duty, or just after performing a safety-sensitive function, as confirmed by an evidential breath testing device.

Implementation of Drug Abuse and Alcohol Misuse Prevention Plan

The employer has implemented the Federal Transit Administration Regulations as set forth in 49 CFR Part 655 and the Department of Transportation, Procedures for Transportation Workplace Drug and Alcohol Testing Programs as set forth in 49 CFR Part 40. The privacy/ confidentiality of any covered employee subject to this plan must be maintained at all times.

The catalyst for the drug abuse and alcohol misuse plan is Title 49 Code of Federal Regulations (CFR) Part 655 which requires a recipient under Section 3, 9, or 18 of the Federal Transit Act, as amended (FT Act); or Section 103(e)(4) of title 23 of the United States Code to test their safety-sensitive employees under the following work-related conditions:

- a. Pre-employment (drug test only)
- b. Post-accident
- c. Random
- d. Reasonable Suspicion
- e. Return-to-Duty
- f. Follow-up

This page was amended on August 19, 2004.

DRUG-FREE WORKPLACE ACT

CONCHO VALLEY TRANSIT DISTRICT

NOTICE TO EMPLOYEES

Pursuant to the
Drug-Free Workplace Act of 1988

The unlawful manufacture, distribution, dispensing, possession or use of all controlled substances is prohibited in the workplace. Employees so found will be subject to discipline up to and including termination.

Substance abuse is a major focus in today's society. The effect of this abuse on an employee's job performance is costly to the employee, his/her family, and to the employer. In place is a testing procedure whose purpose is to ensure a drug-free and alcohol-free workplace. No employee who unlawfully uses is impaired by drugs and/or alcohol ever will be permitted to function in a position where his/her actions would affect the safe operation of a motor vehicle or endanger the safety of fellow workers.

Employees found unlawfully using or impaired by a controlled substance(s) and/or alcohol in the workplace will be immediately discharged. Employees engaged in the unlawful manufacture, distribution, or dispensation, or found in possession, of an unprescribed controlled substance(s) and/or alcohol in the workplace will be subject to the discipline up to and including termination.

All employees must notify CVTD of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after any such conviction. Within 30 days, CVTD will make a determination of action based on the incident. Employees will be subject to discipline up to and including termination.

All employees are expected to abide by CVTD policy on a drug-free workplace.

Concho Valley Transit District will notify the Texas Department of Transportation within 10 days of any drug related convictions for violations in the workplace.

FTA Drug and Alcohol Testing Program

Drug Policy of CVTD as Required by FTA

I. FTA Drug Policy

CONCHO VALLEY TRANSIT DISTRICT (CVTD) meets the compliance efforts of this Drug Policy Required by the Federal Transit Administration (FTA) of the Department of Transportation (DOT).

UNLAWFUL MANUFACTURE, DISTRIBUTION, DISPENSING, POSSESSION AND USE OF CONTROLLED SUBSTANCES ARE PROHIBITED IN THE WORKPLACE AND ENFORCED BY THIS POLICY.

A. Application of Policy

This policy shall apply to all employees who perform or are called upon to perform safety-sensitive functions. Such employees shall be referred to as "safety-sensitive employees." PARTICIPATION IN THE DRUG AND ALCOHOL TESTING PROGRAM IS A CONDITION OF EMPLOYMENT FOR ALL SAFETY-SENSITIVE EMPLOYEES

B. Definition of Safety-Sensitive Employees

A safety-sensitive employee is any employee whose duties relate to the safe operation of transportation services including: (a) operating a revenue vehicle, whether or not the

vehicle is in service, (b) operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License (CDL); (c) controlling the dispatch or movement of a revenue service vehicle, (d) maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service, (e) armed security personnel, or (f) supervisors who perform safety-sensitive duties.

C. Testing of Safety-Sensitive Employees

A safety-sensitive employee shall be tested for drugs as follows:

- (a) Before an applicant or a non-safety-sensitive employee is allowed to perform a safety-sensitive function for the first time;
- (b) After an accident;
- (c) When there is reasonable suspicion to believe a test is necessary;
- (e) On a random unannounced basis;
- (f) For return-to-duty and follow-up purposes.

Safety-sensitive employees will be tested for MDMA (Ecstasy), marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any substance which causes the presence of these drugs or drug metabolites, such as hemp-related products, coca leaves or any substance 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 legal prescribed drugs, and use of illegally obtained prescription drugs in accordance with DOT and FTA regulations. Safety-sensitive employees may be tested at anytime while on duty.

D. Termination

A verified positive urine test shall result in termination.
A refusal to be tested shall result in termination.

Alcohol Policy of CVTD as Required by FTA

II. FTA Alcohol Policy

CONCHO VALLEY TRANSIT DISTRICT (CVTD) meets the compliance efforts of this Alcohol Policy Required by the Federal Transit Administration (FTA) of the Department of Transportation (DOT).

A. Application of Policy

This policy shall apply to all employees who perform or are called upon to perform safety-sensitive function. Such employees shall be referred to as "safety-sensitive employees."
PARTICIPATION IN THE DRUG AND ALCOHOL TESTING PROGRAM IS A CONDITION OF EMPLOYMENT FOR ALL SAFETY SENSITIVE EMPLOYEES

B. Definition of Safety-Sensitive Employees

A safety-sensitive employee is any employee whose duties relate to the safe operation of transportation services including: (a) operating a revenue vehicle, whether or not the vehicle is in service, (b) operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License (CDL); (c) controlling the dispatch or movement of a revenue service vehicle, (d) maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service, (e) armed security personnel, or (f) supervisors who perform safety-sensitive duties.

C. Testing of Safety-Sensitive Employees

A safety-sensitive employee shall be tested for alcohol as follows:

- (a) After an accident;
- (b) When there is reasonable suspicion to believe a test is necessary;
- (c) On a random unannounced basis;
- (d) For return-to-duty and follow-up purposes.

D. Use of Alcohol

The misuse of alcohol by any safety-sensitive employee, (as defined in Section 1B relating to drugs), is prohibited and will result in termination. The "use" of alcohol by a safety-sensitive employee is defined as having an alcohol test result of 0.04 or greater while on duty, subject to duty, or just after performing a safety-sensitive function, as confirmed by an evidential breath testing device.

E. Testing Results

Performing safety-sensitive duties with an alcohol concentration of 0.02 or greater is prohibited. A test result of less than 0.02, as evidenced by a breath-testing device shall be considered a "negative" test.

If the alcohol concentration is 0.02 or greater, as evidenced by a breath-testing device, a confirmation test will be performed. A confirmation test result equal to or greater than 0.02 but less than 0.04 will result in immediate removal of the employee from safety-sensitive functions for a period of eight hours or until a later re-test shows a concentration of less than 0.02.

A confirmed alcohol test of 0.04 or greater is a "verified positive test."

A verified positive test will result in termination.

A refusal to be tested for alcohol will result in termination.

F. Possession of Alcohol

Consistent with the Drug-Free Workplace Act of 1988, the possession, purchase, sale, distribution, or consumption of alcohol while on duty, or while on CVTD premises, in a CVTD uniform, or in a vehicle is operated by CVTD prohibited.

A violation of this provision will result in termination.

G. Alcohol Consumption

CVTD prohibits the consumption of alcohol by an employee within four hours before reporting for duty and performing safety sensitive functions. (655.33)

Employees are prohibited from consuming alcohol while on call. Employees will be given an opportunity to acknowledge the use of alcohol and the inability to perform safety-sensitive functions. (655.33)

Any safety-sensitive employee involved in an accident must refrain from alcohol consumption for eight hours following the accident or until a post-accident alcohol test can be administered. (655.34)

CVTD Drug and Alcohol Program Guidelines

I. Introduction

At CVTD, safety is the number one priority. Both employees and clients have a right to expect a drug- and alcohol-free workplace. In 1991, the United States Congress passed the Omnibus Transportation Employee Testing Act, which requires drug and alcohol testing of safety-sensitive employees in the mass transit industry. In February 1994, the Department of Transportation published rules requiring agencies such as CVCOG/CVRTD to implement specific drug and alcohol testing programs beginning January 1, 1995. And have updated the changes to the policy for the Final Rule which was effective October 1, 2010.

In response to these Federal requirements, and as a means of continuing our commitment to maintaining a safe and productive work environment, CVTD has revised its policies regarding drugs and alcohol to be in compliance with the Federal Transit Administration (FTA) rules on the Prevention of Prohibited Drug Use and Alcohol Misuse (49 CFR Part 655), and Procedures for Transportation Workplace Drug and Alcohol Testing Programs (49 CFR Part 40), as amended. Effective on June 25, 2013.

It is the goal of CVTD to establish a work environment that is free of drugs and alcohol, and to foster a sober and drug-free work force. To achieve the drug-free environment that every transit rider, community member, and employee of CVCOG/CVRTD is entitled to, requires the best efforts of employees and management.

The following Guidelines have been developed as a help in administering **CVTD Drug and Alcohol Policy**. However, in those situations governed by regulations promulgated under federal authority, such as the U.S. Department of Transportation, **Federal Transit Administration**, or as required by state or local law, the applicable law will govern.

FTA Drug and Alcohol Testing Program

CONCHO VALLEY TRANSIT DISTRICT

II. Contact Person

Questions regarding the Drug and Alcohol Policy or these guidelines should be referred to Teresa Sanchez, the CVTD Drug and Alcohol Program Manager (DAPM), at (325)947-8729.

III. Affected Employees

This policy applies to all safety-sensitive system employees as identified and described here in paid part-time employees and contractors, when performing safety-sensitive duties, are also covered by this policy when performing any CVTD related business. This policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Additionally, this policy applies to Volunteers who perform safety sensitive duties who are required to hold a commercial Driver's License, or who receive remuneration in excess of his or her actual expenses incurred while engaging in the volunteer activity. This

written policy shall be distributed to all employees and applicable volunteers in safety-sensitive positions. Adherence to this policy and its provisions are a condition of employment in a safety sensitive position; per 49CFR Part 655.

FTA Drug and Alcohol Testing Program

IV. Definitions

For purposes of these Guidelines, the following definitions of terms apply. The definitions are written for explanatory purposes to help in working with this document, and have been updated in compliance with the Final Rule that went into effect October 1, 2010.

Adulterated Specimen - A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol Concentration - is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath testing device.

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

Canceled Test - A drug test that has been declared invalid by a Medical Review Officer. A canceled test is neither positive nor negative.

Chain of Custody - Procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of specimen collection to final disposition.

Confirmatory Drug Test – A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or drug metabolite.

Dilute Specimen - A specimen with creatinine and specific gravity values that are lower than expected for human urine.

EBT - Evidential Breath Testing device used to measure breath alcohol concentration.

EMIT - An immunoassay test used as the initial drug screening technique to eliminate "negative" urine specimens from further testing.

FTA - Federal Transit Administration; an agency of the United States Department of Transportation.

GC/MS - A drug testing technique called gas chromatography/mass spectrometry; used to confirm the presence of a specific drug or metabolite in the specimen.

Illegal Drugs – Any drug which is not legally obtainable, or which is legally obtainable but has not been legally obtained, or is not being used for its prescribed purpose or in the prescribed manner (this includes prescription drugs prescribed to someone else).

Initial Drug Test (Screening Drug Test) - The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test- The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid.

Invalid Drug Test – The result reported by an HHS-certified laboratory in accordance with the criteria established by HHS Mandatory Guidelines when a positive, negative, adulterated, or substituted result cannot be established for a specific drug or specimen validity test.

Laboratory- Any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Legal Drugs - Legally obtained drugs (prescription and non-prescription remedies) used according to directions to alleviate a specific condition.

Limit of Detection (LOD) - The lowest concentration at which a measured can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

Limit of Quantification- For quantitative assays, the lowest concentration at which the identity and concentration of the measured can be accurately established.

MRO (Medical Review Officer) - A licensed physician with knowledge of substance abuse disorders who is responsible for receiving laboratory results from drug tests; responsible for interpreting and evaluating an individual's confirmed positive test results together with his or her medical history and any other relevant biomedical information.

Metabolite - The specific substance produced when the human body metabolizes a given prohibited drug as it passes through the body and is excreted in urine.

Negative Result- The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen.

Non-negative Test - A test result found to be adulterated, substituted, invalid, or positive for drug/drug metabolites. Non-negative results are considered a positive test or refusal to test if the MRO cannot determine legitimate medical explanation.

Positive Result- The result reported by an HHS-certified laboratory when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

Positive Alcohol Test -The confirmed presence of alcohol in the body system at a concentration of 0.04 or greater as measured by an Evidential Breath Testing (EBT) device. Refusal to take a breath test without a valid medical explanation also constitutes a positive alcohol test.

Positive Drug Test - A confirmed test that shows the presence in the body system above the prescribed cut-off levels of a prohibited substance as verified by the MRO. A refusal to take a drug test without a valid medical explanation also constitutes a positive drug test.

Reconfirmed- The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

Rejected for Testing- The result reported by an HHS-certified laboratory when no tests are performed for a specimen because a fatal flaw or a correctable flaw that is not corrected.

Safety-Sensitive Employee - A safety-sensitive employee is any employee whose duties relate to the safe operation of transportation services including: (a) operating a revenue vehicle, whether or not the vehicle is in service, (b) operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License (CDL); (c) controlling the dispatch or movement of a revenue service vehicle, (d) maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service, (e) armed security personnel, or (f) supervisors who perform safety-sensitive duties.

SAP (Substance Abuse Professional) - A licensed physician or a licensed and certified psychologist, social worker, employee assistance professional, or addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of drug- and alcohol-related disorders.

Screening Test - Initial test. In drug testing, an immuno-assay screen to eliminate "negative" urine specimens from further analysis. In alcohol testing, an analytical procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen.

Split Specimen Collection- A collection in which the urine collected is divided into two separate specimen bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substituted specimen - A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

Validity Testing - The evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

FTA Drug and Alcohol Testing Program

V. Employee Education and Training

CVTD believes that education and training of all employees in the effects and treatment of substance abuse will contribute to a safer and more efficient workplace for everyone. Therefore, educating and informing employees about the dangers of drug abuse or alcohol misuse and the possible penalties for violation of the Drug and Alcohol Policy are essential components of the program.

Safety-sensitive employees are required to undergo at least 60 minutes of training on the effects and consequences of drug use. Additionally, informational material will be distributed to every covered employee on the effects, signs and symptoms of prohibited drug use. All supervisors making reasonable suspicion determinations shall undergo 60 minutes of training in the detection of probable drug use and 60 minutes of training on alcohol misuse.

VI. Responsibilities

A. Employer

CVTD is responsible for developing and implementing substance abuse policies and programs that include drug and alcohol testing of employees and applicants for employment. The goals of these activities are to enhance productivity and safety for our employees and our clients, and to foster a sober and drug-free workforce.

The Employer will make every effort to maintain a drug-free workplace.

The Employer must notify TXDOT within 10 days of any drug related convictions for violations in the workplace.

B. Employee

Employees at all levels are responsible for reading, understanding, and adhering to the CVTD Drug and Alcohol Policy. This policy will be made available to all employees.

Employees must notify employer within 5 days of any drug related convictions for violations in the workplace. Employees who violate the Drug Free Workplace Act will be terminated.

C. Managers and Supervisors

Managers and supervisors will be held accountable for the consistent application and enforcement of the policy.

FTA Drug and Alcohol Testing Program

VII. Enforcement

For any program to be effective, enforcement of policies is essential. CVTD will rigorously enforce its Drug and Alcohol Policy in order to protect the safety of our employees and customers, as well as to protect the efficiency of our operation.

It is the responsibility of all employees to ensure that the standards of performance contained in the Drug and Alcohol Policy are met.

Drug and Alcohol Testing will be conducted in accordance with DOT Regulations, 49 CFR Part 40 as amended. DOT Regulations, 49 CFR Part 40 (655 Subpart B, Section A), provide detailed explanation of the Testing procedures and are available for review by CVTD employees upon request.

Violations of the policy will result in removal from safety-sensitive duty and discipline up to and including termination.

CONSEQUENCES FOR POLICY VIOLATION

CONSEQUENCES FOR POSITIVE DRUG OR ALCOHOL TEST RESULTS OR REFUSING TO SUBMIT TO A DRUG OR ALCOHOL TEST CVTD enforces a "ZERO TOLERANCE" policy for drug and alcohol testing. Safety-sensitive employees who receive a verified positive test result will be removed from the safety sensitive position and will be terminated. Refusal to test is considered a positive test and the employee will be terminated. The employee will be referred to a Substance Abuse Professional.

1. Alcohol

Alcohol testing will be done using a

National Highway Traffic Safety Administration (NHTSA) approved Evidential Breath Testing Device (EBT), which measures Breath Alcohol Concentration.

If a safety-sensitive employee's test result is equal to or greater than 0.02 but less than 0.04, the employee will immediately be removed from performing safety-sensitive duties for at least eight (8) hours or until another breath test is administered, and the result is less than 0.02.

If a safety-sensitive employee's confirmed alcohol test result is equal to or greater than 0.04, the employee will be removed from duty, and will be subject to termination.

2. Illegal Drugs

A positive urine test as defined by the current cut-off limits (see Attachment 4) is sufficient to support a finding of "use" for safety-sensitive employees for the following substances:

- Cocaine
- Opiates (e.g., heroin, codeine)
- Phencyclidine (PCP)
- Cannabinoids (Marijuana)
- Amphetamines (includes methamphetamine and MDMA- Ecstasy)
- Alcohol Misuse as defined

If test results are verified positive, the employee will be terminated. A positive dilute test result will be considered a positive test.

3. Refusal to be Tested

If an employee refuses to be tested, he or she will be subject to termination.

The following actions constitute a "refusal to test" in accordance with 49CFR Part 40, as amended:

- (1) Failure to appear for any test within a reasonable time
- (2) Failure to remain at the testing site until the testing process is complete;
- (3) Failure to provide a urine or breath specimen for any drug or alcohol test required by DOT or FTA regulations;
- (4) In the case of a directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of your provision of a specimen;
- (5) Failure to provide a sufficient amount of urine or breathe when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- (6) Failure or decline to take a second test the collector has directed you to take;
- (7) Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by CVCOG/CVRTD as part of the "shy bladder" procedures; or
- (8) 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 or device. (40.191(a)(9))
- (9) Possess or wear a prosthetic or other device interfering with collection. (40.191(a)(10))
- (10) Admit to adulterate or substitute specimen. (40.191(a)(11))
- (11) Failure to cooperate with any part of the testing process (e.g., refusal to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process) or verbal or written refusal to provide a required urine specimen.
- (12) Failure to refrain from consuming alcohol within eight (8) hours following Involvement in an accident without first having submitted to post-accident drug/alcohol tests.
- (13) Failure to remain available for testing following an accident and failure to remain at the scene of an accident prior to submission to drug/alcohol tests without a legitimate explanation.

(14) Providing false information in connection with a drug test, or if verified to have falsified test results through adulteration, or substitution of a urine specimen.

(15) Failure or refusal to sign Step 2 of the Alcohol Testing Form.

(Note: Refusing to take a non-DOT test is not a refusal to take a DOT test)

(16) When the MRO verifies your drug test result as an adulterated or substituted.

Refusal to test will result in employee's immediate removal from safety sensitive duties and a referral to a Substance Abuse Professional that has knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders, and who meets the qualifications outlined in 49 CFR part 40.281 Subpart O.

FTA Drug and Alcohol Testing Program

VIII. Circumstances Requiring Testing

A. Pre-Employment Testing

- All applicants for safety-sensitive positions shall undergo urine drug testing prior to hire or transfer into a safety-sensitive position.
- All offers of employment for safety-sensitive positions shall be extended conditional upon the applicant passing a drug test.
- An applicant shall not be hired into a safety-sensitive position unless the applicant takes a drug test with verified negative results.
- A non-safety-sensitive employee shall not be placed, transferred or promoted into a covered position unless the employee takes a drug test with verified negative results.
- If an applicant's pre-employment urine drug test result is verified as positive, the applicant will be excluded from consideration from employment per CVTD authority. Applicant will be provided a referral to a Substance Abuse Professional meeting the required qualifications per 49 CFR Part 40.281, as amended.
- . If an employee being placed, transferred, or promoted from a non-safety-sensitive position to a safety-sensitive position fails to pass a drug and/or alcohol test, they shall be subject to disciplinary action.
- If a test is cancelled, the applicant/employee will be required to re-test with a negative test result. (A negative dilute test result on a pre-employment test will require a re-test.)
- Applicants are required to report the name and contact information for all DOT covered employers for the previous two years. The applicant is required to provide a written consent statement permitting the previous DOT covered employers to release drug and alcohol test results to the Company. Failure to provide information or provision of inaccurate or misleading information will result in immediate termination and/or rescission of employment offer. The outcome of the investigation may also result in termination and/or rescission of employment.
- If more than 90 days have elapsed between the time of successfully completing pre-employment tests and the assignment of safety-sensitive duties, another pre-

employment test will be required prior to the individual being assigned safety-sensitive duties.

- Safety-sensitive employees who have been off duty for 90 days or more for any reason, and have been out of the random pool, must successfully pass a pre-employment drug test prior to the performance of a safety-sensitive function.

B. Reasonable Suspicion Testing

- Employees are subject to reasonable suspicion testing. Reasonable suspicion testing is designed to provide a tool to identify employees who may pose a danger to themselves and others in the performance of their job duties.
- Employees may be at work in a condition that raises concern regarding their safety or productivity. A supervisor must then make a decision as to whether reasonable suspicion exists to conclude that substance abuse may be causing the behavior.
- A safety-sensitive employee may be required to submit to a drug and/or alcohol test, when a trained supervisor or manager reasonably suspects the employee has used a prohibited drug or has misused alcohol. The request to undergo a reasonable suspicion test will be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odor of the employee.
- Reasonable Suspicion Alcohol testing is permitted only if the observations are made just before, during or just after the workday of the safety-sensitive employee.
- If an alcohol test is not administered within 2 hours of being observed and determined, CVTD, CVCOG will document the reason the test was not performed and still attempt to administer the test. If an alcohol test is not administered within 8 hours following the observation and determination, attempts to administer an alcohol test will be ended and a record will be filed explaining the circumstance surrounding the missed test.

Examples of reasonable suspicion include but are not limited to:

- Physical symptoms consistent with alcohol or drug abuse.
- Evidence of illegal alcohol or drug use, possession, sale, or delivery.
- Altercations (either physical or verbal) with others, or erratic or violent behavior.
- Other unusual acts or unusual behavior that may suggest drug or alcohol use.

C. Post-Accident Testing

1. Definition of Accident

Testing for prohibited drugs and alcohol will be conducted in the case of certain mass transit accidents. An accident, as defined by the FTA, is an occurrence associated with the operation of a vehicle in which:

- An individual dies, or
- An individual receives injuries requiring immediate transport to a medical Treatment facility, or
- Any time one or more vehicles receive disabling damage. "Disabling damage" does not include damage to headlights, taillights, turn signals, horn, windshield wipers, and tires or other damage that could be remedied temporarily at the scene of the occurrence if special tools or parts were available.

This definition is not directed at vehicle collisions exclusively; it also includes incidents such as passenger or pedestrian injuries when the individual requires immediate transport to a medical treatment facility.

Testing for prohibited drugs and alcohol must be conducted when any of the above circumstances exist.

The agency may send an employee for a non-DOT drug and alcohol testing following any accident, which does not meet the above thresholds if the supervisor makes a determination that a test is necessary. (Under Agency Policy)

2. Fatal Accident

Whenever there is a loss of human life, the surviving safety-sensitive employee operating the transit vehicle at the time of the accident must be tested. Safety-sensitive employees not on the vehicle (e.g., maintenance personnel) whose performance could have contributed to the accident (using the best information available at the time of the accident) also must be tested.

3. Non-Fatal Accident

Following non-fatal accidents, the vehicle operator will be tested if one or more individuals receive injuries requiring immediate transport to a medical treatment facility or any time one or more vehicles receive disabling damage.

For non-fatal accidents, any other safety-sensitive employee whose performance could have contributed to the accident (as determined using the best information available at the time of the accident) will also be tested. However if an employee's performance can be completely discounted as a contributing factor, then he or she will not be tested under FTA.

4. Testing Guidelines

FTA post-accident drug and alcohol tests will be performed as soon as possible. Drug test will be performed within 32 hours following the accident. Alcohol tests will be performed within 8 hours.

If an alcohol test is not administered within 2 hours following the accident, CVCOG/CVTD will document the reason the test was not performed and still attempt to administer the test. If an alcohol test is not administered within 8 hours following the accident, attempts to administer an alcohol test will be ended and a record will be filed explaining the circumstance surrounding the missed test.

The requirement to test for drugs and alcohol following an accident will in no way delay necessary medical attention for injured people or prohibit an employee from leaving the scene of an accident to obtain assistance in responding to the accident or to obtain necessary emergency medical care. However, the employee must remain readily available, which means that CVTD knows the location of the employee.

Failure to remain readily available will be considered a refusal to test.

A safety-sensitive employee involved in an accident must refrain from alcohol consumption for eight (8) hours following the accident or until a post-accident alcohol test can be administered.

When CVTD is unable to perform a post-accident test in accordance with FTA regulations, it will use the results of Post-Accident drug and alcohol tests administered by State or local law enforcement personnel under their independent authority. This is acceptable only

under limited circumstances, and the test results must be obtained in conformance with State and local law.

D. Random Testing

1. Requirement for Random Testing

FTA regulations require random testing for drugs and alcohol for all safety-sensitive employees. Random testing identifies employees who are using drugs or misusing alcohol but are able to use the predictability of other testing methods to escape detection. More importantly, it is widely believed that random testing serves as a strong deterrent against employees beginning or continuing prohibited drug use and misuse of alcohol.

2. Methodology for Random Testing

A scientifically valid random-number selection method to select safety-sensitive employees will be used. There is no discretion on the part of management or operations in the selection and notification of individuals for random testing.

The number of employees randomly selected for drug/alcohol testing during the calendar year shall be in accordance with FTA regulations. The current random testing rate for drugs established by FTA equals twenty-five percent of the number of covered employees in the pool and the random testing rate for alcohol established by FTA equals ten percent of the number of covered employees in the pool. However, the CVTD will test at fifty percent. A slightly higher percentage may be tested to provide for canceled tests. The test dates will be spread reasonably throughout the year. Every effort will be made to conduct testing on different days of the week and at different times throughout the annual cycle to reflect hours and days when safety-sensitive duties are performed.

All safety-sensitive employees in the random pool will have an equal chance of being selected for testing and will remain in the pool, even after being tested. It is possible for some employees to be tested several times in one year, and other employees not to be tested for several years.

The process for testing will be unannounced and unpredictable as well as random. Once the employee has been notified that he or she has been selected for testing, he or she must then report immediately to the collection site.

E. Return-to-Duty and Follow-Up Testing

The employee must be evaluated by a substance abuse professional, and pass a return-to-duty test. The purpose of this procedure is to provide some degree of assurance that the individual is presently free of alcohol and/or any prohibited drugs and is able to return to work without undue concern about continued substance abuse.

A return-to-duty test will include testing for both prohibited drugs and alcohol. The employee must have a negative drug test result and an alcohol test result of less than 0.02 to return to a safety-sensitive function. In addition, the employee must complete all return-to-duty requirements.

Once allowed to return to duty, an employee will be subject to unannounced follow-up testing for at least 12 but not more than 60 months. The frequency and duration of the follow-up testing will be recommended by a Substance Abuse Professional with a minimum of six tests performed during the first twelve months after the employee has returned to duty.

Follow-up testing is separate from and in addition to the regular random testing program. Employees subject to follow-up testing will remain in the standard random pool and must be tested whenever their names come up for random testing.

Under CV TD authority, an employee who voluntarily discloses a substance abuse problem, before a disciplinary matter develops and before being selected for a test, will be subject to non- DOT return-to-duty and follow-up testing. Otherwise, CV TD maintains a "ZERO TOLERANCE" policy: employees who receive a verified positive test result will be terminated.

Voluntary Disclosure of a substance abuse problem would require an employee to be subject to non- DOT return-to-duty and follow-up testing.

IX. Drug Testing Procedures

It is not the intent of these guidelines to specify the requirements and protocol of the collection site personnel. DOT Regulations, 49 CFR Part 40 as amended, provide detailed explanation of the Testing procedures and are available for review by CV TD employees upon request.

FTA Drug and Alcohol Testing Program

A. Drug Testing Methodology

1. Initial Test

Initial testing will be performed on the primary sample using the EMIT immunoassay technique. If the results are negative, no further testing will be required and a report will be

provided to the MRO. The MRO is responsible for collecting, interpreting, and recording results and communicating results.

3. Confirmation Test

Whenever a positive result is obtained on initial testing, confirmation testing will be automatically performed. This testing will also utilize the primary sample. All confirmations will be by quantitative analysis, i.e., Gas Chromatography/Mass Spectrometry (GC/MS). Results of confirmation testing will be immediately reported to the MRO. If the test is positive, the secondary sample will be kept in frozen storage for one year from the date of its receipt to allow re-testing.

B. Applicant/Employee Drug Testing Requirements

1. Report to the specimen collection site immediately after Notification to report. Refusal to report for collection or refusal to cooperate With the specimen. Collection process will result in a determination of a refusal To provide a specimen.
2. Picture identification must be presented, i.e. driver's license or employee ID. If identity cannot be verified, the collection will not proceed.
3. The individual will be required to check his or her belongings and remove any unnecessary outer garments, including purses, briefcases, bulky outerwear (sweaters, jackets, vests, etc). The collector will request that the individual empty his or her pockets, display the items, and explain the need for them during the collection. The individual may retain his or her wallet. If any of the individual's items could be used as a potential adulterant, the collector must submit to an observed collection.
4. The individual must rinse his or her hands with water and dry them.
5. Under normal circumstances collection site personnel will not observe the specimen collection. A specimen of at least 45 milliliters (about 1-½ ounces) of urine is required. The donor must urinate into the collection cup.
6. If the individual is unable to provide at least 45 ml, the collection site technician will instruct him or her to drink not more than 40 ounces of fluids during a period of up to three hours. The individual will then attempt to provide a complete sample using a fresh collection container. The original insufficient specimen will be discarded. If the individual is still unable to provide an adequate specimen, the insufficient specimen will be discarded. The individual then must obtain a medical evaluation "within five days to determine if there is an acceptable medical reason for not being able to provide a specimen .if it is determined that there is no legitimate physiological or pre-existing psychological reason for not providing a urine specimen, it will be considered a refusal to test.

7. The specimen will be sealed and labeled in the presence of the donor. It then will be processed according to specific chain of custody procedures to account for the integrity of the specimen.

C. Observed Drug Collections

During an observed collection, the employee who is being observed will be required to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show the collector, by turning around, that they do not have a prosthetic device. The collector /observer must witness the employee's urine leave the body and enter the collection cup. The collector / observer must be the same gender as the employee being observed.

Observed collections are required in the following circumstance:

1. Anytime the employee is directed to provide another specimen because the temperature on the original specimen was out of the accepted temperature range of 90°F – 100°F;
2. The collection site person observes conduct clearly and unequivocally indicating an attempt to substitute or adulterate the sample (e.g. substitutes urine in plain view, blue dye in specimen presented, etc.).
3. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to CVCOG/CVRTD that there was not an adequate medical explanation for the result.
4. The MRO reports to CVCOG/CVRTD that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed.
5. The direct observation must be by a collection site person of the same gender as the employee being tested.

. D. Drug Testing Split Sample

The urine specimen collected for FTA testing will be split and poured into two specimen bottles. This provides the employee or applicant with the option of having an analysis of the split sample performed at a second HHS laboratory should the primary specimen test result be verified positive. The employee or applicant has 72 hours after being informed by the MRO of a verified positive test to request a test of the split sample. All requests for split specimen analysis will be processed by the MRO, and sent to a second HHS laboratory. (Should the result of the split sample be positive, CVCOG/CVRTD will require the employee to reimburse the Company).

E. Dilute Test Results

Upon receipt of **negative-dilute** Pre-employment and random drug test results CVTD will Exercise the right to not require that applicants/employees submit to secondary urine

Collection as provided in 49 CFR Part 40.197, unless the MRO directs CVTD to conduct a Recollection under direct supervision (i.e. because the creatinine concentration of the specimen was equal to or greater than 2mg/dL, but less than or equal to 5mg/dL), it will be done immediately. The result of the second urine drug test will be accepted as the final Result. CVTD duties and a referral to a Substance Abuse Professional that has knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders, and who meets the qualifications outlined in 49 CFR Part 40.281 Subpart O, will be provided to employee.

Per CVTD authority, violation of this substance abuse policy will result in termination of Employment and/or exclusion from hire.

FTA Drug and Alcohol Testing Program

X. Alcohol Testing

FTA regulations prohibit an employer from allowing an employee with an alcohol concentration of 0.04 or greater to perform any safety-sensitive duties. An employee with an alcohol concentration of 0.02 or greater but less than 0.04 must be removed from duty for eight (8) hours or until a re-test shows an alcohol concentration of less than 0.02.

(An employee removed from work based on a violation of these conduct standards will not be paid for time missed.)

A confirmed alcohol test of 0.04 or greater is a "positive test."

(A positive test will result in termination.) Per CVTD authority, violation of this substance abuse policy will result in termination of Employment and/or exclusion from hire.

A. Alcohol Testing Methodology

A safety-sensitive employee may only be tested just before, during, and just after the performance of a safety-sensitive function, using an evidential breath-testing device (EBT).

B. Breath Alcohol Technician

Alcohol tests will be performed by a breath alcohol technician (BAT) who is trained to proficiency in the operation of the EBT being used and in the alcohol testing procedures specified in the Federal regulations.

D. Applicant/Employee Responsibilities

1. Present picture identification upon reporting for testing.
2. After testing procedures are explained, the employee and the BAT will complete, date, and sign the alcohol testing form. The form indicates that the employee is present and providing a breath specimen. The employee will receive a copy of the form.
3. An individually sealed, disposable mouth-piece will be given to the employee. The employee will be instructed to blow into the mouthpiece for at least six seconds or until an adequate amount of breath has been obtained. This initial test is considered a "screening test." The BAT will show the employee the result Displayed on the EBT or the printed result.

4. If the result of the screening test is an alcohol concentration of less than 0.02, no further testing is required and the test will be reported to CVCOG/CVTD as a negative test. The employee may return to his or her safety-sensitive position.

5. If the result of the screening test is an alcohol concentration of 0.02 or greater, a confirmation test will be performed. The confirmation test will be conducted at least 15 minutes, after the completion of the initial test. This delay prevents any accumulation of alcohol in the mouth from leading to an artificially high reading. The employee cannot eat, drink, or put any object or substance in his or her mouth. The employee must not belch to the extent possible while awaiting the confirmation test.

6. If the initial and confirmatory test results are not identical, the confirmation test result is deemed to be the final result.

7. The BAT will sign and date the form. If the results are 0.02 or greater the employee will sign and date the certification statement, which includes a notice that the employee cannot perform safety-sensitive duties or operate a motor vehicle if the results are 0.02 or greater.

8. In the event an individual must be removed from safety-sensitive duties, the BAT will notify CVCOG/CVTD designated representative immediately.

E. Incomplete Tests

If a screening or confirmatory test cannot be completed, the BAT must, if practicable, begin a new test using a new alcohol test form and a new sequential test number.

Refusal by an employee to complete and sign the alcohol testing form (at step 2), to provide breath, to provide an adequate amount of breath, or otherwise to cooperate with the collection process, will be noted on the form and the test will be terminated.

FTA Drug and Alcohol Testing Program

XI. Medical Review Officer

FTA drug testing laboratory results will be reviewed by a qualified Medical Review Officer (MRO). The purpose of this review is to verify and validate test results. The MRO is a licensed physician responsible for receiving laboratory results generated by CVCOG/CVTD drug testing program. The MRO has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with the individual's medical history and any other relevant biomedical information.

The MRO will perform various functions, including but not limited to the following:

1. Receive the results of drug tests.
2. Review and interpret an individual's confirmed non- negative test by a) reviewing the individual's medical history, including any medical records and biomedical information provided; b) affording the individual an opportunity to discuss the test results; and c)

Deciding whether there is a legitimate medical explanation for the result, including legally prescribed medication.

3. Notify each employee who has a verified positive test that the employee has 72 hours in which to request a test of the split specimen.

4. MRO will require a recollection under direct supervision if the creatinine level is >2 mg/dl but <5 mg/dl.

5. If, after the MRO makes all reasonable efforts, the MRO is unable to reach the individual directly, the MRO will contact the designated CVTD Representative who will direct the individual to contact the MRO as soon as Possible. If after making all reasonable efforts, the designated management Official is unable to contact the employee, CVCOG/CVRTD may place the Employee on mandatory leave status.

6. Report each verified test result to the person designated by CVTD to receive results.

7. Maintain all necessary records and send test results to CVTD drug and alcohol program manager.

8. Protect the employees' privacy and testing program confidentiality.

FTA Drug and Alcohol Testing Program

XII. Substance Abuse Professional (SAP)

A SAP is a professional who can determine what assistance, if any, an individual needs in resolving problems associated with prohibited drug use and/or alcohol misuse.

**A safety-sensitive employee who has a verified positive drug and/or confirmed alcohol test result will be immediately removed from his or her safety-sensitive job duties. In addition, he or she will be advised of the resources available to evaluate and resolve problems associated with drug abuse, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.

(Referral to a SAP does not shield an employee from disciplinary action or guarantee employment or reinstatement. Employees may also be referred to a SAP after voluntarily disclosing a substance abuse problem.)

XIII. Rehabilitation

Drug and alcohol abusers must be encouraged to make every effort to overcome the abuse and addiction that comes from use. Successful rehabilitation hinges upon users voluntarily rehabilitating themselves, with the assistance of outside professionals. Employees of CVTD who have problems with drugs or alcohol misuse are strongly encouraged to seek help voluntarily.

Voluntary enrollment in a rehabilitation program does not excuse or exempt an employee from discipline if he or she tests positive for drugs while on duty or for alcohol just before, during, or following the performance of a safety-sensitive function.

CONSEQUENCES FOR POLICY VIOLATION
CONSEQUENCES FOR POSITIVE DRUG OR ALCOHOL TEST RESULTS OR REFUSING TO SUBMIT TO A DRUG OR ALCOHOL TEST CVTD enforces a "ZERO TOLERANCE" policy for drug and alcohol testing. Safety-sensitive employees who receive a verified positive test result will be removed from the safety sensitive position and will be terminated. Refusal to test is considered a positive test and the employee will be terminated. The employee will be referred to a Substance Abuse Professional.

FTA Drug and Alcohol Testing Program

XIV. Confidentiality

Laboratory reports or test results for FTA testing will not appear in a safety-sensitive employee's personnel file. Information of this nature, however, will be included in a separate confidential medical folder maintained in a confidential manner. The reports or test results may be disclosed to CVTD management on a strictly need-to-know basis and to the tested employee, who has the right to access his own drug and alcohol records, upon request by a written signed release.

Disclosure, without employee consent, may also occur when:

- The disclosure is compelled by legal proceedings, (civil or criminal). These Proceedings include a lawsuit (e.g., a wrongful discharge action), grievance (e.g. An arbitration concerning disciplinary action taken by the employer), or Administrative proceeding (e.g., an unemployment compensation hearing) brought by, or on behalf of, an employee and resulting from a positive DOT drug or alcohol test or a refusal to test (including, but not limited to, adulterated, or substituted test results). These proceedings also include a criminal or civil action resulting from an employee's performance of safety-sensitive duties. In such a proceeding, the release of information to the decision maker in the proceeding (e.g., the court in a lawsuit) will only be released with a binding stipulation that the decision maker to whom it is released will make it available only to parties to the proceeding.
- The information is requested by the DOT, FTA or any DOT agency, or federal, state, or local safety agency with regulatory authority over CVTD or Any of its employees.
- The information is requested by a subsequent employer (if the employee has expressly authorized the particular records are transmitted to that employer);
- The information has been placed at issue in a formal dispute between the tested employee or applicant and CVTD;
- The information is needed by medical personnel for the diagnosis or treatment of the employee or applicant who is unable to authorize disclosure;
- The information is requested by the National Transportation Safety Board during an accident investigation; or

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•In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

FTA Drug and Alcohol Testing Program

Attachment 1

Drug and Alcohol Abuse Information Help lines

Alcohol & Drug Abuse Council for the Concho Valley
Substance Abuse Professional
(325) 224-3481

Alcohol and Drug Referral Hotline
(800) 252-6465

American Council on Alcoholism Hot Line
(800) 356-9996

Al-Anon
(800) 344-2666

Center for Substance Abuse Treatment
(800) 662-4357

Mothers Against Drunk Driving (MADD)
(800) 438-6233

National Cocaine Hot Line
(800) 262-2463

National Institute on Drug Abuse Hot Line
(800) 662-HELP

FTA Drug and Alcohol Testing Program

Attachment 2

Health and Safety Issues

Related to Drug Abuse and Alcohol Misuse

Substance abuse, the misuse of drugs and alcohol, is not a new issue, but it is one of growing concern to employers. Substance abuse is a problem in the workplace. Research has shown that substance abuse affects organizations, as evidenced by increased medical benefit claims, increased absenteeism, increased worker's compensation claims, and decreased productivity.

Substance abuse poses serious safety and health risks not only to the user, but also to those who work with or come into contact with the user. As a result, employers have become even more concerned about the misuse of drugs and alcohol by employees who perform safety-sensitive functions in the organization, and in functions involving direct contact with the public.

Alcohol Facts

Alcohol, when consumed primarily for its physical and mood-altering effects, is a substance of abuse. As a depressant it slows down physical responses and progressively impairs mental functions. Signs and symptoms of use include dulled mental processes, lack of coordination, odor of alcohol on the breath, slowed reaction rate, and slurred speech. The chronic consumption of alcohol over time may result in decreased sexual functioning, dependency, fatal liver disease, kidney disease, and birth defects.

It takes one hour for the average person (150 pounds) to process one serving of an alcoholic beverage from the body. Impairment in coordination and judgment can be objectively measured with as little as two drinks in the body. A person who is legally intoxicated is six times more likely to have an accident than a sober person.

Amphetamine Facts

Amphetamines are central nervous system stimulants that speed up the mind and body. Signs and symptoms of use include hyper excitability, restlessness, confusion, panic, talkativeness, inability to concentrate, and heightened aggressive behavior. Regular use produces strong psychological dependence and increasing tolerance to the drug.

Low-dose amphetamine use will cause short-term improvement in mental and physical functioning. With greater use, however, the effect reverses and has an impairing effect. Hangover effect is characterized by physical fatigue and depression, which may make operation of equipment or vehicles dangerous.

Cocaine Facts

Cocaine is abused as a powerful physical and mental stimulant; the entire central nervous system is energized. Signs and symptoms of use include financial problems, increased physical activity and fatigue, isolation and withdrawal from friends and normal activities, unusual defensiveness, anxiety, agitation, and wide mood swings. Cocaine use causes the heart to beat faster and harder and rapidly increases blood pressure. Cocaine causes spasms of blood vessels in the brain and heart and can lead to ruptured vessels causing strokes or heart attacks.

Extreme mood and energy swings create instability. Work performance is characterized by forgetfulness, absenteeism, tardiness, and missed assignments.

Marijuana Facts

People use marijuana for the mildly tranquilizing, mood altering and perception altering effects it produces. Signs and symptoms of use include reddened eyes, slowed speech, chronic fatigue, and lack of motivation. Chronic smoking of marijuana causes emphysema-like conditions.

Regular use can cause diminished concentration, impaired short-term memory, impaired signal detection, and impaired tracking (the ability to follow a moving object with the eye). Marijuana smoking has a long-term effect on performance. Combining alcohol and other depressant drugs and marijuana can produce a multiplied effect, increasing the impairing effect of both the depressant and marijuana.

Opiates (Narcotics) Facts

Opiates (also called narcotics) are drugs that alleviate pain, depress body functions, and when taken in large doses, cause a strong euphoric feeling. Signs and symptoms of use include mood changes, impaired mental functioning, depression and apathy, impaired coordination, and physical fatigue and drowsiness. IV needle users have a high risk for contracting hepatitis and AIDS due to sharing of needles.

Unwanted side effects of opiates such as nausea, vomiting, dizziness, mental clouding, and drowsiness place the legitimate user and abuser at higher risk for an accident.

Workplace use may cause impairment of physical and mental functions.

Phencyclidine (PCP) Facts

Phencyclidine acts as both a depressant and a hallucinogen, and sometimes a stimulant. Signs and symptoms of use include impaired coordination, severe confusion and agitation, extreme mood shifts, rapid heartbeat, and dizziness. The potential for accidents and overdose is high due to the extreme mental effects combined with the anesthetic effect on the body. PCP use can cause irreversible memory loss, personality changes, and thought disorders.

FTA Drug and Alcohol Testing Program

Attachment 3

**EMPLOYEE/SUPERVISORY POSITIONS
SUBJECT TO DRUG AND ALCOHOL TESTING
(JOB CLASSIFICATIONS/TITLES)**

***SUPERVISORY POSITIONS SUBJECT TO DRUG AND ALCOHOL TRAINING**

EMPLOYEE TITLES

SUPERVISORY

TITLES

Drivers

***Supervisor**

Backup Drivers/POC

Dispatcher

Maintenance Technician / Maintenance supervisor

Customer Service Representative

Analysis of Positions:

Drivers and Backup Drivers - Operate a revenue service vehicle including when not in revenue service (includes non-revenue vehicles that require Commercial Driver License)

Dispatcher – Controls dispatch or movement of a revenue service vehicle, which could impact public safety

Maintenance technician – Operates program vehicle or equipment used in revenue service including repairs, component overhaul and rebuilding

Customer Service- acts as backup dispatching function

Supervisory/Volunteer Positions Not Subject to Drug and Alcohol Testing

FTA defines volunteers as non-employees who perform a service

As a charitable act without the expectations of receiving benefit.

Operation manager – is not in a safety-sensitive position and are exempt from Drug and Alcohol testing.

*Supervisors are subject to training if they will determine when to administer a reasonable suspicion test. However, all supervisors are provided an opportunity to attend training and given informational material under CVTD authority.

Procurement Specialist- is in a non-safety-sensitive position and exempt from Drug and Alcohol testing.

Drug& Alcohol Specialist / Driver Trainer- is in a non-safety-sensitive position

Volunteers are exempt from FTA drug and alcohol testing requirements unless they are required to operate a vehicle that requires a Commercial Driver's License.

Regional planning Community outreach– director of transportation for CVTD – is not a safety-sensitive position.

Transit Business Manager – is in a non-safety-sensitive position and exempt from drug and alcohol testing.

Medicaid claims/Service Processing Coordinator- is in a non-safety-sensitive position and exempt from drug and alcohol testing.

Accounting Tech/Driver Manifests Database- is in a non-safety-sensitive position and exempt from drug and alcohol testing.

FTA Drug and Alcohol Testing Program

Attachment 4

Minimum Thresholds

INITIAL TEST CUT-OFF LEVELS

(ng/ml)

Marijuana metabolites 50

Cocaine metabolites 150

Opiate metabolites 2,000

Phencyclidine 25

Amphetamines 500

CONFIRMATORY TEST CUT-OFF LEVELS

(ng/ml)

Marijuana metabolites 15

Cocaine metabolites 100

Opiates (heroin): Additional test for 6-Acetylmorphines (6-AM) will be conducted for opiate positives above the initial test cutoff concentration of 2000 ng/ml.

Morphine 2,000

Codeine 2,000

Phencyclidine 25

Amphetamines:

Amphetamines 250

Methamphetamine 250

Delta-9-tetrahydrocannabinol-9-carboxylic acid.

Benzoyllecgonine

Specimen must also contain amphetamine at a concentration greater than or equal to 200 ng/ml.

FTA Drug and Alcohol Testing Program

Attachment 5

List of Contacts

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

Drug and Alcohol Program Manager

Name: Teresa Sanchez
Address: CONCHO VALLEY TRANSIT DISTRICT
2801 W.Loop 306 Suite A
San Angelo, Texas 76904
Telephone No: (325) 947-8729

Medical Review Officer

Name: Dr. Stephen Kracht
Title: Medical Review Officer
Address: West Texas Rehab Center
Telephone No: (855)355-7058

Substance Abuse Professional

Donna Masterson M Ed, LCDC, AAC III
Title: Substance Abuse Professional
Address: 2307 W Harris
San Angelo, TX 76901
Telephone No: (325) 947-7729

HHS Certified Laboratory

Name: E-Screen / Alere Toxicology
Dr. Stephen Kracht
Address: 7500 W. 100th Ste, STE 400 A

2801 LOOP 306 SUITE "A". SAN ANGELO, TX 76904

Overland Park. KS 66225

Telephone No: 800-881-0722 Fax: 913-498-5038

FTA Drug and Alcohol Testing Program

Attachment 6

CONSORTIUM/THIRD PARTY ADMINISTRATOR (C/TPA)

Name: West Texas Rehab Center
Address: 3001 S. Jackson St., San Angelo, TX 76904
Phone Number: 325-223-6370

DRUG PROGRAM MANAGER (DPM) OR DESIGNATED EMPLOYER REPRESENTATIVE (DER) AND ALCOHOL PROGRAM MANAGER (APM)

Name: Teresa Sanchez
Address: 2801 Loop 306. San Angelo, TX 76904
Phone Number: (325) 947-8729

MEDICAL REVIEW OFFICER (MRO)

Name: Dr. Stephen Kracht
Address: P.O Box 25903
Overland Park, KS 66225
Phone Number: 855-355-7058
Fax Number: 913-498-5038

SUBSTANCE ABUSE MENTAL HEALTH LABORATORY (SAMHSA)

Name: E-Screen/ Alere Toxicology
Dr. Stephen Kracht
Address: 7500 W. 100th Ste , STE 400 A
Phone Number: 800-881-0722
Fax: 913-498-5038

COLLECTION SITE(S)

Name: West Texas Rehab Center
Address: 3001 S. Jackson St San Angelo, TX 76904
Phone Number: 325-223-6370

2801 LOOP 306 SUITE "A". SAN ANGELO, TX 76904

EMPLOYEE ASSISTANCE PROGRAM (EAP)

Name: West Texas Rehab Center

Address: 3001 S. Jackson St. San Angelo, TX 76904

Phone Number: 325-223-6370 24-HOUR FAX: 325-223-6327

SUBSTANCE ABUSE PROFESSIONAL (SAP)

Donna Masterson M Ed, LCDC, AAC III

Title: Substance Abuse Professional

Address: 2307 W Harris

San Angelo, TX 76901

Telephone No: (325) 947-7729

THE APPROVED EVIDENTIAL BREATH TESTING DEVICES (EBTS) UTILIZED:

ALCO-SENSOR IV 015673

ALCO-SENSOR IV 007562

DRUG-FREE WORKPLACE ACT

CONCHO VALLEY TRANSIT DISTRICT

NOTICE TO EMPLOYEES

Pursuant to the
Drug-Free Workplace Act of 1988

The unlawful manufacture, distribution, dispensing, possession or use of all controlled substances is prohibited in the workplace. Employees so found will be subject to discipline up to and including termination.

Substance abuse is a major focus on today's society. The effect of this abuse on an employee's job performance is costly to the employee, his/her family, and to the employer. In place is a testing procedure whose purpose is to ensure a drug-free and alcohol-free workplace. No employee who unlawfully uses, is impaired by, or under the influence of drugs and/or alcohol ever will be permitted to function in a position where his/her actions would affect the safe operation of a motor vehicle or endanger the safety of fellow workers. Employees found unlawfully using, impaired, or under the influence of, controlled substance(s) and/or alcohol in the workplace will be immediately discharged. Employees engaged in the unlawful manufacture, distribution, or dispensation, or found in possession, of an unprescribed controlled substance(s) and/or alcohol in the workplace will be subject to the discipline up to and including termination.

All employees must notify CVTD of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after any such conviction. Within 30 days, CVTD will make a determination of action based on the incident. Employees will be subject to discipline up to and including termination.

All employees are expected to abide by CVTD policy on a drug-free workplace.

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