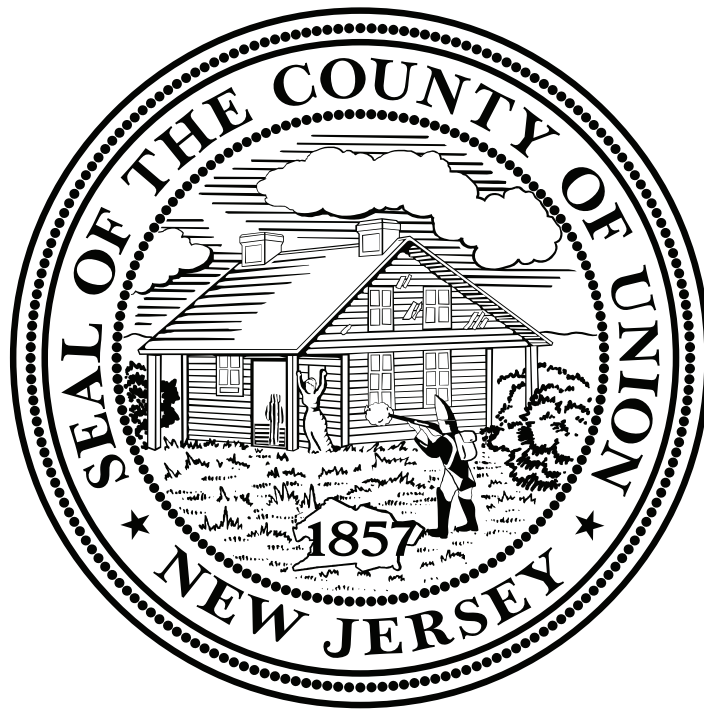


# COUNTY OF UNION

## FEDERALLY MANDATED CDL DRUG & ALCOHOL TESTING POLICY



EDWARD T. OATMAN  
COUNTY MANAGER

2018

**UNION COUNTY**  
We're Connected to You!

A SERVICE OF THE UNION COUNTY  
BOARD OF CHOSEN FREEHOLDERS

**COUNTY OF UNION FEDERALLY MANDATED  
CDL DRUG & ALCOHOL TESTING POLICY**

**I. PURPOSE:**

- A. The County of Union (hereinafter “County”) has always been committed to providing a safe environment and fostering the well-being and health of our employees and residents.
- B. To keep this commitment and to comply with federal and state statutes which require drug and alcohol testing for commercial driver’s licensed employees (hereinafter “Driver”), this policy outlines the County’s mandated drug and alcohol testing requirements.
- C. If an employee has a question concerning this policy they should contact their Supervisor, Department Head or the Division of Personnel.

**II. POLICY:**

- A. Under the regulations of the Federal Highway Administration (FHWA), all employees are prohibited from engaging in unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances in the Drug-Free workplace act of 1988.
- B. In an effort to ensure that the County complies with the United States Department of Transportation (hereinafter “U.S. DOT”) Regulations, a drug and alcohol testing program will be in effect for all Drivers. This program will provide for pre-employment, random, post-accident testing, reasonable suspicion, return to duty, and follow-up testing.

**III. AUTHORITY:**

This policy is intended to comply with all applicable federal and state statutes which relate to regulations relating to commercial driver's licensed employees, including but not limited to the following: U.S. Department of Transportation - Federal Highway Administration Title 49 CFR, Subtitle B, Chapter- III, Parts 382, 391, 392, 395 and 49 CFR Part 40.

#### **IV. DEFINITIONS**

A. “*Driver*” means any County employee who operates a commercial motor vehicle. All Drivers who operate a commercial motor vehicle must possess a commercial driver’s license (“CDL”).

(1) *Commercial motor vehicle* means a motor vehicle which:

- i. Has a gross combination weight rating or gross combination weight of 26,001 pounds or more inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 10,000 pounds; or
- ii. Has a gross vehicle weight rating or gross vehicle weight of 26,001 or more pounds; or
- iii. Is designed to transport 16 or more passengers, including the driver; or
- iv. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

B. “*Safety-sensitive function*” as used in this policy means all time from the time a driver begins to work or is required to be ready to work until the time he/she is relieved from work and all responsibility for performing work. For example, safety-sensitive functions include:

1. All time at work, unless the County relieved the driver from work;
2. All time inspecting, servicing, or conditioning a commercial motor vehicle;
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time, other than driving time, in or upon any commercial motor vehicle;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, or remaining in readiness to operate the vehicle.

6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

#### **V. ALCOHOL POSSESSION AND USE:**

A. No Driver required to perform a safety-sensitive function shall report for or remain on duty while having an alcohol concentration of 0.04 or greater. No supervisor having knowledge that a Driver has an alcohol concentration of 0.04 or greater shall permit a driver to perform or continue to perform safety-sensitive functions.

B. No Driver shall use or possess alcohol while performing a safety-sensitive function. No supervisor having knowledge that a driver is using or possesses alcohol while performing safety-sensitive functions shall permit him or her to perform or continue to perform safety-sensitive functions.

C. No Driver shall perform safety-sensitive functions within four hours after consuming alcohol. No supervisor having knowledge that a Driver has consumed alcohol within four (4) hours shall permit a Driver to perform or continue to perform safety-sensitive functions.

D. No Driver who will be required to take a post-accident test shall use alcohol for eight (8) hours following the accident or until he/she undergoes the post-accident test; whichever occurs first.

E. No Driver shall refuse to submit to any alcohol test required by this policy or U.S. DOT Mandate.

F. No supervisor shall permit a Driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions.

#### **VI. CONTROLLED SUBSTANCES POSSESSION AND USE**

A. No Driver shall report for duty or remain on duty requiring the performance of safety sensitive functions when the Driver uses any drug prohibited by the DOT.

B. No Driver shall refuse to submit to any test for controlled substance required by this policy or the U.S. DOT.

C. If a Driver is required to take a prescription medication pursuant to the instruction of a licensed physician, he/she shall provide documentation of same which effectually states that said medication does not adversely affect the ability to safely operate a commercial motor vehicle at the dosage prescribed or authorized. This documentation shall be presented to the County's Division of Personnel.

D. No supervisor having knowledge that a Driver has used a controlled substance shall permit the employee to perform or continue to perform safety-sensitive functions.

E. No Driver shall report for duty, remain on duty or perform a safety-sensitive function, if the Driver tests positive or has adulterated or substituted a test specimen for controlled substances. No supervisor having knowledge that a Driver has tested positive or has adulterated or substituted a test specimen for controlled substances shall permit the Driver to perform or continue to perform safety-sensitive functions.

## **VII. ALCOHOL AND DRUG TESTING PROCEDURES:**

### **A. Alcohol Testing Procedures and Results**

(1) The U.D. DOT rules require breath testing for alcohol. This testing must be done using an evidential breath testing device (EBT) approved by the U.S. DOT. This testing can only be performed by a breath alcohol technician (BAT) or Screening Test Technician that is certified in the equipment being used.

(2) When a Driver receives notice to report to the alcohol testing site for a Breath alcohol test, the Driver shall:

- i. Proceed immediately to the testing site;
- ii. Present positive identification, such as a photo driver's license, to the Breath Alcohol Technician or Screening Test Technician; and
- ii. Follow the Breath Alcohol Technician ("BAT") or the Screening Test Technician's instructions on completing the DOT Alcohol Testing Form.

(3) Procedure for testing:

- i. A screening test is conducted first. If the alcohol screening test results in a breath alcohol concentration of less than 0.02, no further testing is required. The Driver shall complete any remaining paperwork and shall be free to leave the testing site.
- ii. If the initial screening shows an alcohol concentration of 0.02 or greater, a second or confirmation test is required. The results of the confirmation test stand and become the official test result.
  - a. The confirmation test must be performed 15 to 30 minutes after the initial screening.
  - b. During that time period, the employee being tested is to remain with the BAT and must refrain from eating, drinking, smoking, putting any object or substance in his or her mouth, or belching.
- iii. If the confirmation breath alcohol test results in a breath alcohol concentration of less than 0.02, the Driver shall complete any remaining paperwork and shall be free to leave the testing site.
- iv. If the confirmation breath alcohol test results in a breath alcohol concentration of 0.02 or greater, but less than 0.04, the Driver shall not perform safety-sensitive functions for at least 24 hours and must pass a return-to-duty test before returning to work.
- v. If the confirmation breath alcohol test results in a breath alcohol concentration of 0.04 or higher, he/she must immediately be removed from any safety-sensitive duties and be subject to disciplinary action up to and including termination
- vi. If the Driver's breath test indicates an alcohol concentration of 0.04 or greater, said Driver shall not return to a safety-sensitive function until evaluated, treated if required by a Substance Abuse Professional (SAP), and retested with a result below 0.02.

- (4) Applicants and employees are expected to report for alcohol and drug testing as required by this policy and in accordance with County testing procedures.
- (5) Any refusal to submit to alcohol breath testing as directed by supervisory personnel will be considered a refusal-to-test and will require the same disciplinary action as a positive testing result.

**B. Drug Testing Procedures**

- (1) All drug testing required by the County will be performed in accordance with U.S. DOT guidelines. This testing process will look for the presence of the following substances: amphetamines, cocaine, opioids, marijuana, and phencyclidine or any other substance as required by the U.S. DOT.
- (2) Upon notification to report to the testing center for a Controlled Substances Test, the Driver shall:
  - i. Provide positive identification of his/her identity such as a County Identification Card, photo identification, or a valid photo driver's license.
  - ii. At the direction of the specimen collector, the Driver shall complete the Controlled Substance Use Consent/Authorization Form.
- (3) At the direction of the specimen collector, the CLD Holder shall provide a minimum of forty-five (45) milliliters of urine in an approved container.
  - i. In the event the Driver cannot provide the required amount of urine for the test, he/she shall be instructed to drink up to forty (40) ounces of fluids distributed reasonably through a period of up to three (3) hours and again attempt to provide a complete sample.
  - ii. If the Driver refuses to make the attempt to provide a new urine specimen or leaves the collection site before the collection process is complete, testing shall be discontinued, and the County will be immediately notified the DER. This will be considered a refusal to test.
  - iii. If the Driver is still unable to provide the required amount within three hours of the first unsuccessful attempt, attempts at testing shall be discontinued, any specimen provided during the collection event will be discarded and the collector will inform the County.

- a. The County will then consult with the MRO, and direct the Driver to obtain, within five days, an evaluation from a licensed physician acceptable to the MRO, who has an expertise in the medical issues raised by the employee's failure to provide the sufficient specimen. The physician will provide the MRO with a statement of his or her recommendations.
  - b. The MRO will assess the physician's recommendations and make a determination whether the employee has a medical condition that could have precluded the employee from providing a sufficient amount of urine. The MRO will report his or her determination to the County.
  - c. If the MRO makes the determination that the Driver has a medical condition has, or with a high degree of probability could have, precluded the employee from providing a sufficient amount of urine, the County will take no further action with respect to the Driver and the Driver will remain the random testing pool.
- (4) The collector will ship both specimen bottles to the laboratory for analysis. The laboratory will test the specimen containing 30 ml of urine in the initial screening, and reserve the specimen containing at least 15 ml of urine.
  - (5) The laboratory shall report the test results to the Medical Review Officer (MRO) who shall evaluate the chain of custody, urine custody form, and test results. If the test results are negative, the MRO will forward the results to the Division of Personnel.
  - (6) If the test result is confirmed positive, adulterated, or substituted, the MRO shall contact the Driver to determine whether a medical explanation for the test result exists. The MRO will release the test result to the Division of Personnel only after speaking with the Driver. If the Driver declines to speak with the MRO, the MRO will release the test result to the County's designee.
  - (7) In the event that the first sample tests positive for Controlled Substance Use, the results will be transmitted to the MRO. The MRO will contact the Division of Personnel and the Driver within eight (8) hours of test results and advise him/her of the results. At that time the MRO shall advise the Driver that he/she may not perform safety-sensitive functions and that at that time, or within seventy-two (72) hours, he/she may request in writing a test of the split sample. The MRO shall



transmit the request for a second analysis to a certified laboratory. The laboratory will then forward the split sample to a second facility for analysis.

- i. The Driver shall not perform safety-sensitive functions until:
  - a. The test of the split sample indicates a verified negative Controlled Substances Test result or
  - b. If the split sample reconfirms a positive, adulterated or substituted test result, the Driver is referred to, evaluated and treated, if necessary, by a Substance Abuse Professional.

(8) No Driver shall refuse to submit to a controlled substance urine test required by this policy.

(9) If a Driver has questions about the accuracy of the positive, adulterated, or substituted test result of his or her own specimen, the Driver maintains the right to request the test of his or her split specimen.

## **VIII. REQUIRED TESTING**

### **A. Alcohol Testing**

Pursuant to the DOT regulations, the County will conduct the following alcohol testing:

#### **(1) Pre-Employment/Pre-Duty**

- i. The County upon making an offer of employment to an individual, who shall be required by law to maintain a CDL, shall inform said potential Driver that the offer is contingent upon successful completion of a test for Alcohol.
- ii. The potential employee shall be available for testing which shall be conducted in accordance with the mandates listed in Section VII of this policy and the U.S. Department of Transportation 49 CFR 40.
- iii. Those persons who undergo a pre-employment alcohol test with a result of 0.04 or greater shall not be hired to perform safety-sensitive functions. Consideration for employment may be given a later date.

- iv. Pre-employment alcohol testing applies to post-offer applicants and employees transferred into a safety-sensitive position.
- v. Current employees transferring from one position to another with the former not including a safety-sensitive function shall undergo a pre-duty alcohol test.

## **(2) Random Alcohol Testing**

- i. Annually, a specific minimum percentage of the County's Drivers will undergo drug testing and a specific percentage of the County's Drivers will undergo alcohol testing. The percentage is determined annually by the U.S. DOT. Random alcohol testing will be unannounced and the dates for administering random alcohol tests shall be spread reasonably throughout the calendar year.
- ii. A Driver may only be tested for alcohol usage while he/she is performing safety-sensitive functions; before performing safety-sensitive functions, or after performing safety-sensitive functions. All testing shall be done during normal duty hours. Any Driver selected for testing while on duty for the purposes of complying with the Federal Regulations, will remain on duty extend through the completion of the test. Employees shall be escorted to the site by a supervisor. The employee after learning of their selection for testing shall remain in a specified area under supervisory observation at all times until being escorted to the testing site.
- iii. The selection of Driver to be tested shall be selected by a specifically valid method. Once selected to undergo testing, the Driver's name will be re-entered into the system for the next round of testing announcements. This ensures that each covered Driver has an equal chance of being tested at least once annually without elimination. The desired effect therefore, is that a Driver may not be selected at all during the course of the year or he/she may be selected several times.
- iv. Upon notification of selection for testing, the selected Driver shall report immediately to the testing site. In the event that the selected Driver is performing a safety-sensitive function at the time of notification, he/she shall cease said function consistent with safety, and proceed to the testing site as soon as possible.

v. Failure to report will be viewed as an attempt to elude the test or alter its results and could result in disciplinary action up to and including termination.

vi. In the event that a Driver is off from work when selected, then his/her name shall be skipped and the next person's name on the list shall be selected and tested. Said Driver's name shall be returned to the system for the next round of testing.

### **(3) Reasonable Suspicion Alcohol Testing**

i. A supervisor shall require a Driver to submit to an alcohol test when he or she has reasonable suspicion to believe that the Driver has violated the prohibitions against alcohol concentration, on-duty use of alcohol, pre-duty use or use following an accident.

ii. The supervisor's determination that reasonable suspicion exists to require the Driver to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the Driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

iii. Alcohol testing is authorized by this section only if the supervisor's observations are made during, just preceding, or just after the Driver performs safety-sensitive functions.

iv. When a trained supervisor or other trained County Official has reasonable suspicion that a covered Driver may be under the influence of alcohol he/she shall;

a. Complete the Supervisors Report & the Supervisor's Report of Reasonable Suspicion following the appropriate instruction.

b. Contact the Department Head and Division of Personnel to report the occurrence immediately. The supervisor will be given instructions as to what action should be taken. (i.e. drive the Driver in question to the acknowledged site for breathalyzer testing or request that the Driver stay in the area and await the arrival of a portable intoxylizer, etc.).

c. Alcohol testing shall be conducted no more than two (2) hours after the reasonable suspicion determination has been made by the supervisor. If

said testing is not performed within the two (2) hour period, a report shall be prepared by the supervisor and forwarded to the Division of Personnel indicating the reason(s) for not promptly administering same. If an alcohol test required by this section is not administered within eight hours following the determination under paragraph (a) of this section, the County shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.

#### **(4) Return to Duty Alcohol Testing**

i. Prior to returning to a safety-sensitive function, any Driver who was determined to have engaged in alcohol related conduct prohibited by this policy and the U.S. DOT Mandate, shall undergo a return to duty alcohol test and will be allowed to return only with a result of less than 0.02. The Driver shall be responsible for the cost of return-to-duty testing.

#### **(5) Follow-Up Alcohol Testing**

i. Any Driver who has required referral, evaluation and/or treatment by a Substance Abuse Professional (SAP) for alcohol use other than voluntary treatment at the employee's own request not job related shall be subject to unannounced follow-up testing as directed by the SAP.

ii. Follow-up testing for alcohol use as required by this section shall only be performed just before, during or immediately after performing a safety-sensitive function.

iii. In no case shall said testing occur less than six (6) times in the first twelve (12) months following the Driver's return to duty nor shall testing extend more than five (5) years from the time he/she returned to duty.

iv. The SAP may excuse the requirement for follow-up testing at any time after the first six (6) tests have been administered if he/she determines that they are no longer required.

v. The employee shall be further evaluated by the SAP to ensure that he/she has properly followed any prescribed rehabilitation program.

**(6) Post- Accident Testing**

i. As soon as practicable following an accident involving a commercial motor vehicle, the County shall test for alcohol for each of the Driver:

- a. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- b. Who receives a citation within eight (8) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
- c. Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident;
- d. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

ii. If a test required by this section is not administered within two (2) hours following the accident, the supervisor shall prepare and maintain on file a record stating the reasons the test was not promptly administered. If a test required by this section is not administered within eight (8) hours following the accident, the supervisor shall cease attempts to administer an alcohol test and shall prepare and maintain the same record.

(iii) Receipt by the County of a negative alcohol test result is required prior to return to duty. A positive test result will disqualify the Driver from further employment or reinstatement at that time or any time in the future. Refusal to comply with the testing process will be considered insubordination and will carry the same disciplinary action as a positive test result.

(iv) The results of a breath or blood test for the use of alcohol, conducted by Federal, State, or local officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to the applicable Federal, State or local alcohol testing requirements, and that the results of the tests are obtained by the County.

## **B. REQUIRED CONTROLLED SUBSTANCES TESTING**

Pursuant to the DOT regulations, the County will conduct the following controlled substances testing:

### **(1) Pre-Employment**

- i. The County of Union upon making an approved offer of employment to an individual, who shall be required by law to maintain a CDL, shall inform said potential employee that the offer is contingent upon the successful completion of a test for controlled substances use.
- ii. The potential employee shall present himself/herself at the testing site on their scheduled date and time, for a post-offer controlled substance test. This test shall be conducted in accordance with the mandates listed in Section VI of this policy and the U.S. DOT. Additionally, the potential employee shall present him or herself to the County's Office of Medical Services for a physical examination after passing the pre-employment drug test.
- iii. Prior to the first time a Driver reports to duty, but after the County extends an offer of employment, the Driver shall undergo drug testing. The County will not hire a Driver who test positive for any drug prohibited by the DOT.
- iv. A Driver who undergoes a pre-employment controlled substances test in which the verified test results indicate positive use shall not be hired.
- v. Current employees transferring from one position to another with the former not including a safety-sensitive function shall undergo a pre-duty controlled substances test with a verified negative test result prior to beginning said functions.

### **(2) Post-Accident Controlled Substances Testing**

- i. As soon as practicable following an accident involving a commercial motor vehicle, the County shall test for controlled substances for each of its Drivers:
  - a. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or

b. Who receives a citation within thirty-two hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved;

c. Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or

d. One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

ii. Receipt by the County of a negative alcohol and drug test result is required prior to return to duty. A positive test result will disqualify an employee from further employment or reinstatement at that time or any time in the future. Refusal to comply with the testing process will be considered insubordination and will carry the same disciplinary action as a positive test result.

iii. Any Driver subject to post- accident testing as required by this section that leaves the scene of an accident or fails to remain readily available for testing, shall be deemed to have refused to submit to a Controlled Substances Test. Such a refusal or verbally refuses to take the test once notification has been given shall be treated by the County in the same manner as if the Driver had a verified positive test for Controlled Substances Use.

(i) Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

iv. If a Controlled Substance Test required by this section is not administered within thirty-two (32) hours following the accident, the County shall cease attempts to administer same and the supervisor shall prepare and maintain on file, a report stating the reason why a test was not promptly administered.

v. The County shall provide Driver with necessary post-accident information, procedures and instructions, prior to the Driver operating a commercial motor vehicle, so that Driver will be able to comply with the requirements of this section.

vi. The results of a urine test for the use of controlled substances, conducted by Federal, State, or local officials having independent authority for the test, shall be considered to meet the requirements of this section, provided such tests conform to the applicable Federal, State or local controlled substances testing requirements, and that the results of the tests are obtained by the County.

### **(3) Random Controlled Substances Testing**

i. Annually, a specific percentage of Drivers will undergo drug testing. The percentage is determined annually by the U.S. DOT. Random drug testing will be unannounced and the dates for administering random drug tests shall be spread reasonably throughout the calendar year.

ii. Drivers for random alcohol and drug testing shall be selected by a scientifically valid method, such as a random number table or a computer based random number generator. Once chosen to undergo testing, the employee's name will be re-entered into the system for the next round of testing announcements. Under this selection process, each CLD Holder shall have an equal chance of being tested each time selections are made.

iii. Upon selection, the Driver shall report to the test site immediately. If the Driver is performing a safety-sensitive function at the time of notification, the Driver shall stop performing that function in a manner consistent with safety, and proceed to the test site as soon as possible.

iv. In the event that the Driver is off from work his/her name shall be returned for future selection and another Driver shall be selected in his/her place.

### **(4) Reasonable Suspicion Controlled Substances Testing**

i. A supervisor shall require a Driver to submit to a drug test when he or she has reasonable suspicion to believe that the Driver violated the prohibitions against drug use.

ii. The supervisor's determination that reasonable suspicion exists to require the Driver to undergo a drug test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the Driver. The observations may include indications of the chronic and withdrawal effects of drugs.



iii. When a trained supervisor has reasonable suspicion that a covered Driver may be under the influence of a controlled substance, he/she shall:

a. Complete the Supervisors Report and Supervisor's Report of Reasonable Suspicion form following the appropriate instructions.

b. Contact the Division of Personnel to report the occurrence immediately. The supervisor will be given instructions as to what action shall be taken. (i.e. drive the Driver to the testing site, etc.).

iv. Controlled substance Testing is authorized by this section at any time only if however, the required report is made, and the observation report is received by the Division of Personnel within 24 hours of said observation.

#### **(5) Return to Duty Controlled Substance Testing**

i. If a Driver tests positive for drugs, the Driver must be evaluated by a Substance Abuse Professional. The Driver shall be responsible for the cost of the Substance Abuse Professional. The Driver must complete all treatment recommended by the Substance Abuse Professional.

ii. Prior to returning to a safety-sensitive function, any Driver who was determined to have engaged in Controlled Substance Use prohibited by this policy, shall undergo a return to duty Controlled Substance Test with a verified negative result.

iii. Upon receipt of a negative finding, the County will then determine whether the employee will be allowed to return to work. If the Driver is allowed to return to work, he/she will be subject to follow-up testing, as determined by the County.

#### **(6) Follow-Up Controlled Substance Testing**

i. Any Driver returning to work with the County after receiving a positive drug test or returning to work after a leave of absence for voluntary substance abuse treatment will be subject to random follow-up testing.

ii. Any Driver who has required referral, evaluation, and/or treatment by the SAP for Controlled Substance use other than a voluntary request for help not job related may be subject to unannounced follow-up testing as directed by the SAP.

iii. In no case shall said testing occur less than six (6) times in the first twelve (12) months following the Driver's return to duty nor shall testing extend more than five (5) years from the time he/she returns to duty.

iv. The SAP may terminate the requirement for follow-up testing at any time after the first six (6) tests have been administered if he/she determines that they are no longer required.

iv. The Driver shall be further evaluated by the SAP to ensure that he/she has properly followed any prescribed rehabilitation program.

## **IX. CONSEQUENCES OF THE USE OF ALCOHOL AND DRUGS**

### **A. Penalties for Alcohol Violations**

- (1) If an alcohol test yields a breath alcohol concentration of more than 0.02 or the Driver refuses to take a breath alcohol test, the Driver will be subject to immediate suspension and disciplinary action up to and including termination of employment.

### **B. Penalties for Drug Violations**

- (1) If any drug test yields positive results or the Driver refuses to take a drug test, the Driver will be subject to immediate suspension and disciplinary action up to and including termination of employment.

## **X. CONFIDENTIALITY**

A. Except as required by law or expressly authorized or required by the U.S. DOT, the County of Union shall not release the Driver's information contained in records required to be maintained.

B. Any affected Driver currently employed by the County of Union, may request in writing copies of any written records pertaining to his/her own use of alcohol and/or controlled substances. There shall be no charge for these records.

C. Driver's alcohol and controlled substance records shall be made available to a subsequent employer upon receipt of a written request from a Driver. Disclosure by the

subsequent employer is permitted only as expressly authorized by the term of the Driver's request.

D. The County of Union may disclose information required to be maintained under this section pertaining to a Driver, the decision maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual, and arising from the results of an Alcohol and/or Controlled Substance Test administered under this policy if the County determines that the Driver engaged in conduct prohibited by this policy (including, but not limited to, a Worker's Compensation, unemployment compensation, or other proceeding relating to a benefit sought by the Driver).

E. The County of Union shall release information regarding a Driver's records as directed by the specific, written consent of the Driver authorizing release of the information to an identified person. Release of information by the person receiving same is permitted only in accordance with the terms of the Driver's consent.

#### **XI. EMPLOYEE ACCESS TO RECORDS**

- A. A Driver is entitled to obtain copies of any records pertaining to the Driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests.
- B. Procedure to Obtain Records:
  - (1) To obtain copies of any records pertaining to the Driver's use of alcohol or controlled substances, including any records pertaining to his or her alcohol or controlled substances tests, the Driver must submit a written request to the County's Division of Personnel.
  - (2) The County's Division of Personnel will promptly provide the records requested by the Driver.

#### **XII. RIGHT TO INSPECT**

Pursuant to its independent authority, the County reserves the right to inspect, investigate, and search for controlled substances at any time, with or without prior notice, on or in any and all County premises and vehicles. Refusal to cooperate with any inspection, investigation, or search that is authorized by a County representative shall result in termination of employment.

### **XIII. SUPERVISOR TRAINING**

The County shall provide supervisors designated to determine whether reasonable suspicion exists with at least sixty minutes of training on alcohol misuse and at least sixty minutes of training on drug use. The training will cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and drug use.

### **XIV. REHABILITATION**

- A. The County strongly encourages an employee with a drug/alcohol abuse problem to voluntarily step forward to tell his or her supervisor, department head or any other management representative with whom the employee feels comfortable.
- B. An employee may voluntarily admit to the County that he or she has an alcohol or substance abuse problem without fear of discipline or discharge. This section only applies if:
  - (1) The employee does not voluntarily admit that he or she has an alcohol or substance abuse problem to avoid testing under the Department of Transportation regulations;
  - (2) The employee admits alcohol misuse or controlled substances use prior to performing a safety sensitive function (i.e., prior to reporting for duty);
  - (3) The employee does not perform a safety sensitive function until the County is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements in accordance with the self-identification program guidelines.
- C. Upon admission of an alcohol or substance abuse problem, the County will provide the employee with information on where he or she may seek counseling and the individual will immediately enroll himself or herself in a rehabilitation program. The costs of counseling may be covered by the employee's medical insurance. If not, the costs of such outside services are the employee's responsibility. An unpaid leave of absence will be granted for a reasonable period for treatment.
- D. The County will make every effort to hold the employee's position during the rehabilitation process. The County will not take disciplinary action against an

employee who voluntarily admits having an alcohol or substance abuse problem unless that employee refuses to enroll in and complete a rehabilitation program. Employees who voluntarily enter rehabilitation on more than one occasion, however, shall be subject to disciplinary action up to and including immediate termination.

- E. Employees will not return to safety sensitive duties until or unless:
- (1) The employee successfully completes an educational or treatment program, as determined by a drug and alcohol abuse evaluation expert, i.e., employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor; and
  - (2) The employee undergoes a return to duty test with a result indicating an alcohol concentration of less than 0.02; and/or
  - (3) The employee undergoes a return to duty controlled substance test with a verified negative test result for controlled substances use; and
  - (4) The employee complies with any required non-DOT follow up testing.
- F. It is crucial to note that the accommodations in this section apply only when an employee voluntarily comes forward. The County will not consider an employee to have voluntarily come forward if a substance abuse problem is disclosed to the County only after there has been:
- (1) A positive alcohol or drug test, or the request to submit to an alcohol or drug test pursuant to this policy;
  - (2) A violation of a County rule or standard;
  - (3) A violation of law; or
  - (4) A violation of this policy.
- G. If an employee fails to remain drug free after the first voluntary rehabilitation, he/she may be terminated.

*Resolution No: 2018-993 Adopted: November 28, 2018*



# Appendix A

Union County

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# Drug and Alcohol Policy

Effective as of 09/10/2020



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## 1. Purpose of Policy

This policy complies with 49 CFR Part 655, as amended, 49 CFR Part 382, as amended, and 49 CFR Part 40, as amended. Copies of Parts 655, 382, and 40 are available in the drug and alcohol program manager's office and can be found on the internet Department of Transportation ("DOT") Office of Drug and Alcohol Policy and Compliance website <http://www.transportation.gov/odapc>.

All covered employees are required to submit to drug and alcohol tests as a condition of employment in accordance with these regulations.

Portions of this policy are not DOT-mandated, but reflect the County's policy. These additional provisions are identified by **bold text**.

In addition, DOT has published 49 CFR Part 32, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to Federal agencies.

**All County employees are subject to the provisions of the Drug-Free Workplace Act of 1988.**

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace. An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify the employee's Supervisor no later than five days after such conviction.

## 2. Covered Employees

This policy applies to every person whose position requires the possession of a commercial driver's license (CDL); every employee performing a "safety-sensitive function" as defined below, and any person applying for such positions.

### Federal Motor Carrier Safety Administration ("FMSCA") Covered Employees

Under the FMSCA (Part 382), you are a covered employee if you operate a commercial motor vehicle and perform any of the following safety-sensitive functions:

- Driving a commercial motor vehicle
- Waiting to be dispatched to operate a commercial motor vehicle, unless the employee has been relieved from duty by the County
- Inspecting, servicing, or conditioning any commercial motor vehicle
- Performing all other functions in or upon a commercial motor vehicle (except resting in a sleeper berth)
- Loading or unloading a commercial motor vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloading, remaining in readiness to operate the vehicle, or giving or receiving receipts for shipments being loaded or unloaded
- Repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

An employee is considered to be performing a safety-sensitive function during any period in which the employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions.

### Federal Transit Administration (“FTA”) Covered Employees

Under the FTA (Part 655), you are a covered employee, including applicants and transferees, if you perform or will perform any of the following safety-sensitive functions:

- Operating a revenue service vehicle, in or out of revenue service
- Operating a non-revenue vehicle requiring a commercial driver’s license
- Controlling movement or dispatch of a revenue service vehicle
- Maintaining (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service
- Carrying a firearm for security purposes.

A volunteer is considered an FTA covered employee if the employee: (1) is required to hold a commercial driver's license to operate the vehicle; or (2) performs a safety-sensitive function and receives remuneration in excess of the employee’s actual expenses incurred while engaged in the volunteer activity.

See Attachment A for a list of covered positions by job title.

### 3. Prohibited Behavior

Use of illegal drugs is prohibited at all times. All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body at or above the minimum thresholds defined in Part 40. Prohibited drugs include:

- Marijuana
- Cocaine
- Phencyclidine
- Opioids
- Amphetamines

All covered employees are prohibited from performing or continuing to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

All covered employees are prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call FTA employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. If the on-call FTA employee claims the ability to perform the safety-sensitive function(s), the employee must take an alcohol test with a result of less than 0.02 prior to performance.

All covered employees are prohibited from consuming alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

All covered employees are prohibited from consuming alcohol for eight (8) hours following involvement in an accident or until the employee submits to the post-accident drug and alcohol test, whichever occurs first.

## 4. Consequences for Violations

### FTA Covered Employees

Following a positive drug or alcohol (BAC at or above 0.04) test result, or after refusing to submit to the drug or alcohol test, the employee will be immediately removed from performing a safety-sensitive duty. The employee shall also be advised by the employee's Supervisor of the resources available for evaluating and resolving problems associated with prohibited drug use and alcohol misuse, including the names, addresses, and telephone numbers of substance abuse professionals (SAPs) and counseling and treatment programs.

Following a BAC of 0.02 or greater, but less than 0.04, the employee will be immediately removed from safety-sensitive duties for at least eight (8) hours unless a retest results in the employee's alcohol concentration being less than 0.02.

**Any employee found to have violated this drug and alcohol policy may be subject to disciplinary action up to, and including, termination of employment.**

### FMSCA Covered Employees

Following a positive drug or alcohol (BAC at or above 0.04) test result or test refusal, the employee will be immediately removed from safety-sensitive duty and referred to a Substance Abuse Professional (SAP).

Following a BAC of 0.02 or greater, but less than 0.04, the employee will be immediately removed from safety-sensitive duties until the start of the employee's next regularly scheduled duty period, but not less than twenty-four (24) hours following administration of the test.

**Any employee found to have violated this drug and alcohol policy may be subject to disciplinary action up to, and including, termination of employment.**

## 5. Circumstances for Testing

### FMCSA Pre-Employment Testing

Pre-employment alcohol tests are conducted after making a contingent offer of employment or transfer. All pre-employment alcohol tests will be conducted using the procedures set forth in 49 CFR Part 40. An alcohol test result of less than 0.04 is required before an employee can first perform safety-sensitive functions. If a pre-employment alcohol test is cancelled, the individual will be required to undergo another test with a result of less than 0.04 before performing safety-sensitive functions.

A negative pre-employment drug test result is required before an employee can first perform safety-sensitive functions. An employee is not required to undergo a drug test required under this section if:

- a. The employee has participated in a controlled substances testing program that meets the requirements of 49 CFR Part 382 within the previous thirty (30) days; and
- b. While participating in that program, either: (i) was tested for controlled substances within the past six (6) months (from the date of application with the County), or (ii) participated in the random controlled substances testing program for the previous twelve (12) months (from the date of application with the County); and
- c. The County can ensure that no prior employer of the employee of whom the County has knowledge has records of a violation of this part or the controlled substances use rule of another DOT agency within the previous six (6) months.

### FTA Pre-Employment Testing

Pre-employment alcohol tests are conducted after making a contingent offer of employment or transfer. All pre-employment alcohol tests will be conducted using the procedures set forth in 49 CFR Part 40. An alcohol test result of less than 0.02 is required before an employee can first perform safety-sensitive functions. If a pre-employment alcohol test is cancelled, the individual will be required to undergo another test with a result of less than 0.02 before performing safety-sensitive functions.

A negative pre-employment drug test result is required before an employee can first perform safety-sensitive functions. If a pre-employment test is cancelled, the individual will be required to undergo another test and successfully pass with a verified negative result before performing safety-sensitive functions.

If a covered employee has not performed a safety-sensitive function for 90 or more consecutive calendar days, and has not been in the random testing pool during that time, the employee must take and pass a pre-employment test before the employee can return to a safety-sensitive function.

A covered employee or applicant who has previously failed or refused a DOT pre-employment drug and/or alcohol test must provide proof of having successfully completed a referral, evaluation, and treatment plan meeting DOT requirements.

### FMCSA and FTA Reasonable Suspicion Testing

All covered employees shall be subject to a drug and/or alcohol test when the County has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made by a trained supervisor or other trained company official on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.

Covered employees may be subject to reasonable suspicion drug testing any time while on duty. Covered employees may be subject to reasonable suspicion alcohol testing while the

employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions.

### FMCSA Post-Accident Testing

Covered employees shall be subject to FMCSA post-accident drug and alcohol testing under the following circumstances:

#### Fatal Accidents

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee who was performing safety-sensitive functions with respect to the vehicle.

#### Non-fatal Accidents

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and not involving the loss of a human life, an alcohol test will be conducted on each driver who receives a citation within eight (8) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if:

- (1) The accident results in injuries requiring immediate medical treatment away from the scene; or
- (2) One or more motor vehicles incur disabling damage and must be transported away from the scene by a tow truck or other motor vehicle.

As soon as practicable following an occurrence involving a commercial motor vehicle operating on a public road in commerce, and not involving the loss of a human life, a drug test will be conducted on each driver who receives a citation within thirty-two (32) hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if:

- (1) The accident results in injuries requiring immediate medical treatment away from the scene; or
- (2) One or more motor vehicles incur disabling damage and must be transported away from the scene by a tow truck or other motor vehicle.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

This section does not apply to:

- (1) An occurrence involving only boarding or alighting from a stationary motor vehicle; or
- (2) An occurrence involving only the loading or unloading of cargo; or

- (3) An occurrence in the course of the operation of a passenger car or a multipurpose passenger vehicle (as defined 49 CFR 571.3) by an employer unless the motor vehicle is transporting passengers for hire or hazardous materials of a type and quantity that require the motor vehicle to be marked or placarded in accordance with 49 CFR 177.823

### FTA Post-Accident Testing

Covered employees shall be subject to FTA post-accident drug and alcohol testing under the following circumstances:

#### Fatal Accidents

As soon as practicable following an accident involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee operating the public transportation vehicle at the time of the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by the County using the best information available at the time of the decision, will be tested.

#### Non-fatal Accidents

As soon as practicable following an accident not involving the loss of a human life, drug and alcohol tests will be conducted on each covered employee operating the public transportation vehicle at the time of the accident if at least one of the following conditions is met:

- (1) The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
- (2) One or more vehicles incurs disabling damage and must be towed away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the County using the best information available at the time of the decision, will be tested.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal to test. Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

### FMCSA and FTA Random Testing

Random drug and alcohol tests are unannounced and unpredictable, and the dates for administering random tests are spread reasonably throughout the calendar year. Random testing will be conducted at all times of the day when safety-sensitive functions are performed.

Testing rates will meet or exceed the minimum annual percentage rate set each year by the FTA administrator. The current year testing rates can be viewed online at [www.transportation.gov/odapc/random-testing-rates](http://www.transportation.gov/odapc/random-testing-rates).

The selection of employees for random drug and alcohol testing will be made by a scientifically valid method, such as a random number table or a computer-based random number generator. Under the selection process used, each covered employee will have an equal chance of being tested each time selections are made.

A covered employee may only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

Each covered employee who is notified of selection for random drug or random alcohol testing must immediately proceed to the designated testing site.

#### FMCSA and FTA Return to Duty Testing

Any employee who is allowed to return to safety-sensitive duty after failing or refusing to submit to a DOT drug and/or alcohol test must first be evaluated by a substance abuse professional (SAP), complete a SAP-required program of education and/or treatment, and provide a negative return-to-duty drug and/or alcohol test result. Any return-to-duty drug testing will be directly observed. All tests will be conducted in accordance with 49 CFR Part 40, Subpart O.

#### FMCSA and FTA Follow-up Testing

Employees returning to safety-sensitive duty following leave for substance abuse rehabilitation will be required to undergo unannounced follow-up alcohol and/or drug testing for a period of one (1) to five (5) years, as directed by the SAP. The duration of testing will be extended to account for any subsequent leaves of absence, as necessary. The type (drug and/or alcohol), number, and frequency of such follow-up testing shall be directed by the SAP.

## 6. Testing Procedures

All FMCSA and FTA drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended.

#### Dilute Urine Specimen

**If there is a negative dilute test result, the County will conduct one additional retest. The result of the second test will be the test of record.**



Dilute negative results with a creatinine level greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL require an immediate recollection under direct observation (see 49 CFR Part 40, section 40.67).

### Split Specimen Test

In the event of a verified positive test result, or a verified adulterated or substituted result, the employee can request that the split specimen be tested at a second laboratory. The County guarantees that the split specimen test will be conducted in a timely fashion.

## 7. Test Refusals

As an FMCSA or FTA covered employee, you have refused to test if you:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by Union County.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- (3) Fail to attempt to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because the employee has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
- (6) Fail or decline to take a second test as directed by the collector or Union County for drug testing.
- (7) Fail to undergo a medical evaluation as required by the Medical Review Officer (“MRO”) or Union County’s Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer’s instructions to raise and lower clothing and turn around during a directly-observed test.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.

As an FMCSA or FTA covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

As an FMCSA or FTA covered employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing safety-sensitive functions, and referred to a SAP.

## 8. Voluntary Self-Referral

### FMCSA Self-Referral Procedures

Any FMCSA covered employee who has a drug and/or alcohol abuse problem and has not been selected for reasonable suspicion, random or post-accident testing or has not refused a drug or alcohol test may voluntarily refer her or himself to the employee's Supervisor, Department Head, or any other management representative with whom the employee feels comfortable who will refer the individual to a substance abuse counselor for evaluation and treatment.

The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment. Employees are encouraged to voluntarily seek professional substance abuse assistance before any substance use or dependence affects job performance.

Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from his/her safety-sensitive function until successful completion of a prescribed rehabilitation program. Prior to participating in a safety-sensitive function, the employee must also undergo a DOT return-to-duty drug test with a verified negative result and/or a return-to-duty alcohol test with a result indicating an alcohol concentration of less than 0.02.

### FTA Self-Referral Procedures

**The County strongly encourages an employee with a drug/alcohol abuse problem to voluntarily step forward to tell the employee's Supervisor, Department Head, or any other management representative with whom the employee feels comfortable, who will refer the individual to a substance abuse counselor for evaluation and treatment. The substance abuse counselor will evaluate the employee and make a specific recommendation regarding the appropriate treatment.**

**Any safety-sensitive employee who admits to a drug and/or alcohol problem will immediately be removed from the safety-sensitive function and will not be allowed to perform such function until successful completion of a prescribed rehabilitation program. The costs of counseling may be covered by the employee's medical insurance. If not, the costs of such outside services are the employee's responsibility. An unpaid leave of absence will be granted for a reasonable period for treatment.**

**The County will not take disciplinary action against an employee who voluntarily admits having an alcohol or substance abuse problem unless that employee refuses to enroll in and complete a rehabilitation program. Employees who voluntarily enter rehabilitation on more than one occasion, however, shall be subject to disciplinary action up to and including immediate termination.**

## 9. Prescription Drug Use

**The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported by the FMCSA or FTA covered employee to County's Division of Personnel, who may require additional medical documentation before allowing the employee to perform safety-sensitive functions.**

## 10. FMCSA Drug and Alcohol Clearinghouse

Beginning January 6, 2020, a database created by the FMCSA will collect information on violations of the FMCSA's drug and alcohol testing program for holders of commercial driver's licenses. The following personal information collected and maintained in accordance with 49 CFR Part 382 shall be reported to the FMCSA Drug and Alcohol Clearinghouse:

- A verified positive, adulterated, or substituted drug test result;
- An alcohol confirmation test with a concentration of 0.04 or higher;
- A refusal to submit to any test required by this policy
- Actual knowledge, as defined in 49 CFR 382.107 of: (1) on duty alcohol use pursuant to 49 CFR 382.205; (2) pre-duty alcohol use pursuant to 49 CFR 382.207; (3) alcohol use following an accident pursuant to 49 CFR 382.209; and/or (4) controlled substance use pursuant to 49 CFR 382.213;
- A substance abuse professional, as defined by 49 CFR 40.3, report of the successful completion of the return-to-duty process;
- A negative return-to-duty test; and/or
- An employer's report of completion of follow-up testing.

A copy of the County's Federal Motor Carrier Safety Administration Drug & Alcohol Clearinghouse Policy is annexed hereto as Attachment B.

## 11. Effects of Alcohol and Controlled Substances

Information on the effects of alcohol misuse and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol problem; and available methods of intervening when an alcohol and/or controlled substance problem is suspected, can be obtained by contacting your Supervisor, Department Head, or Division of Personnel.

## 12. Contact Person

For questions about Union County's anti-drug and alcohol misuse program, contact \_\_\_\_\_.

## Attachment A: Covered Positions

Attachment B: Federal Motor Carrier Safety  
Administration Drug & Alcohol Clearinghouse Policy

## Employee Confirmation of Receipt

I hereby certify that I was given a copy of the County's Drug and Alcohol Testing Policy, and have been given an opportunity to ask questions of my Supervisor about the content of the policy.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_