

APPENDIX E:

DOT DRUG/ALCOHOL TESTING POLICY
(SEE THE FOLLOWING PAGES)

VILLAGE OF BEDFORD PARK'S DOT DRUG AND ALCOHOL TESTING RULES AND PROCEDURES

Approved 3/21/96

On January 1, 1996, the Village of Bedford Park implemented and enforced new drug testing rules and procedures for all employees required to have a Commercial Driver's License (CDL) pursuant to new regulations promulgated by the United States Department of Transportation (DOT). As drivers, your duties require you to perform safety-sensitive functions such as driving and/or maintaining vehicles which could lead to serious injury or death if such duties are not carried out properly. Congress has decided that you may not perform these and other types of functions if you are using drugs or alcohol because these substances may affect your ability to safely perform your duties.

The Village cannot allow you to perform safety-sensitive functions unless you submit to DOT mandated tests when ordered; therefore, complying with the DOT regulations has become a condition of employment for any Village employee who is required to have a CDL. If you are found to have violated the DOT's regulations or the Village's drug and alcohol policy as evidenced by a positive alcohol or drug test, you will be disciplined up to and including termination.

- **PERSON TO CONTACT FOR QUESTIONS ABOUT THE DOT REGULATIONS**
You may receive further information about the DOT regulations by calling the Village Administrative Office or your Department Head.

- **DRIVERS SUBJECT TO DOT REGULATIONS**
You are subject to DOT regulation and must be tested for both controlled substances and alcohol if you are required to perform any of the following functions:
 - Operate a Commercial Motor Vehicle (CMV) with a gross weight vehicle rating of 26,001 pounds or higher; or
 - Operate a vehicle (i.e., a bus) with the capacity to transport 16 or more persons, including the driver.

- **PERIOD OF WORKDAY WHEN DOT RULES APPLY**
The DOT regulations apply during on-duty time. On duty time includes all time from the time you begin work or are required to be ready for work, until the time you are relieved from work and all responsibility for performing work. Specifically, on duty time includes, but is not limited to, the performance of the following safety-sensitive functions:
 - All time spent at a Village terminal or other Village property, or on any public or private property, waiting to be dispatched, unless you have been relieved from duty;
 - All time spent inspecting equipment or otherwise inspecting, servicing, or conditioning any CMV at any time;
 - All driving time, defined as time spent at the driving controls of a CMV in operation;
 - All time spent, other than driving time, in, on, or with any CMV;
 - All time spent attending a vehicle being loaded or unloaded;
 - All time repairing, obtaining assistance, or remaining with a disabled vehicle;

- All time spent proving a breath sample or urine specimen, including travel time to and from the collection site, in order to comply with the random, reasonable suspicion, post-accident, or follow-up testing required by DOT regulations.

In addition, DOT regulations prohibit drivers and other CDL holders from consuming alcohol within 4 hours before going on duty. Therefore, the period of the day you are required to comply with the DOT regulations includes 4 hours before reporting for duty as well as any time thereafter that you are on duty or available for duty.

- **PROHIBITED CONDUCT**

Under the DOT regulations, you are not allowed to use alcohol or controlled substances in the following circumstances:

- **ALCOHOL**

- Alcohol Concentration. You may not report for duty or remain on duty in a safety-sensitive function with an alcohol concentration of .04 or greater. If your alcohol concentration level is .04 or greater, you will be disciplined, up to and including termination. If you have an alcohol concentration of .02 or greater, but less than .04, you may not perform or continue to perform any safety-sensitive functions for a minimum of 24 hours, and you may be disciplined up to and including discharge.
- Alcohol Possession. You may not possess alcohol while on duty or operating a CMV. No alcohol should ever be in the vehicle or otherwise in reach of the driver.
- On-duty Use. You may not use alcohol while performing a safety-sensitive function.
- Pre-duty Use. You may not perform safety-sensitive functions within 4 hours after using alcohol.
- Use After an Accident. You may not use alcohol for 8 hours following an accident which requires a post-accident alcohol test, or until you have taken the post-accident test, whichever occurs first.

- **CONTROLLED SUBSTANCES**

- You may not report for duty or remain on duty requiring the performance of safety-sensitive functions when you use any controlled substance, except when the controlled substance is prescribed by a physician and the physician has advised you that the substance will not adversely affect your ability to safely operate a CMV. You should always advise your doctor of the type of work you do before he or she prescribes any medication
- The Village may require you to report the use of any therapeutic drugs.
- You may not report for duty, remain on duty, or perform a safety-sensitive function if you test positive for controlled substances. If you test positive for a controlled substance, you will be disciplined, up to and including termination.

- **THE CIRCUMSTANCES THAT A DRIVER WILL BE TESTED FOR ALCOHOL AND/OR CONTROLLED SUBSTANCES**

DOT requires testing for alcohol and controlled substances under the following circumstances:

- **POST-ACCIDENT TESTING.** If you are involved in an accident with a CMV, you will be tested as soon as possible for controlled substances and alcohol if:
 - You were performing a safety-sensitive function at the time of the accident and the accident involved the loss of human life, or

- You receive a citation under state or local law for a moving traffic violation as a result of the accident.

If you are subject to post-accident testing, you will be tested for alcohol within 2 to 8 hours and for controlled substances within 32 hours. You may not drink alcohol for 8 hours after an accident, or until you have been tested for alcohol, whichever is first. You must remain available for testing after an accident. If you do not remain available for testing, your unavailability will be treated as a refusal to be tested. This does not mean that you may not seek necessary medical treatment after an accident.

If you are given a urine or breath test by Federal, State or Local officials as a result of the accident, you may not need to take any tests under the DOT regulations, provided the Village is able to obtain the results of the tests and the tests meet the Federal, State or Local requirements.

- **RANDOM TESTING.** You will be subject to random testing for controlled substances and alcohol use. Tests for alcohol will be conducted just before, during or just after you perform safety-sensitive functions. The Village is required to test at least 50% of the average number of driver or CDL positions for controlled substances and 25% of the average number of driver or CDL positions for alcohol use during the calendar year. You will have an equal chance of being selected each time random testing is conducted.

Drivers and other CDL holders will be selected for testing by a computer-generated process which randomly chooses a certain number of drivers and CDL holders each period. You may be selected for random testing more than once each year. If selected, you may be tested for controlled substances, alcohol, or both. The testing period will be unannounced and will be spaced throughout the year. Once you have been selected for random testing, your name goes back on the list and you may be selected again.

If you are selected for random testing, you must proceed immediately to the test site. If you are performing a safety-sensitive function at the time of notification, your supervisor will make arrangements for you to stop performance of the safety-sensitive function and proceed to the test site as soon as possible.

- **REASONABLE SUSPICION TESTING.** The Village must require you to submit to tests for alcohol and controlled substances if there is reasonable suspicion that you have engaged in any conduct prohibited by DOT regulations. Reasonable suspicion is based on suspicious behavior such as your appearance, conduct, body odor or speech.

A supervisor trained to determine reasonable suspicion will decide whether you should be tested. This supervisor has completed a training course covering the physical, behavioral, speech and performance indicators of probable alcohol misuse and the use of controlled substances. Only supervisors who have completed a training course will be allowed to make reasonable suspicion determinations.

Alcohol tests will be conducted within 2 to 8 hours after a supervisor has determined that there is reasonable suspicion to test you. Such tests will be given only if the suspicious behavior or observations are made during, just before or just after the period of work when you must comply with the alcohol prohibition. If the alcohol test is not completed within 8 hours, you will not be allowed to perform safety-sensitive functions until:

- You take an alcohol test and the alcohol concentration is less than 0.02, or
 - 24 hours have elapsed following the determination of reasonable suspicion, whichever occurs first.
- RETURN-TO-DUTY TESTING. If you engage in any conduct prohibited by the DOT regulations, you must be removed from all safety-sensitive functions and you may be subject to discipline, up to and including termination. If the Village decides to return you to duty, you must undergo additional testing. You must first be referred to a substance abuse professional for evaluation at your own expense. The substance abuse professional shall determine what treatment, if any, you need to resolve your problems with alcohol misuse or use of controlled substances. If you need treatment, you will not be returned to duty until you have completed the treatment. If you do not need treatment, you must be tested for controlled substances and alcohol before you can return to duty. You cannot be returned to duty unless your alcohol concentration is less than .02 and your test for controlled substances is negative.
 - FOLLOW-UP TESTING. If you are returned to duty after engaging in any conduct prohibited by the DOT rules, and you were required to undergo treatment, you will be subject to follow-up testing. You will be subjected to unannounced testing at least 6 times during the first 12 months after you return to duty. The substance abuse professional shall determine whether you require testing for controlled substances, alcohol, or both. The substance abuse professional may determine that no additional tests are needed after the initial six follow-up tests or may require testing for up to 5 years after you return to duty.
- ALCOHOL AND DRUG TESTING PROCEDURES

The DOT testing procedures are designed to protect the driver or CDL holder by carefully maintaining the integrity of the testing process. Further, the procedures safeguard the validity of the test results to assure that those results are attributed to the correct person. This section will explain the collection procedures for drug and alcohol testing, and explain the precautions taken to ensure that the results are correct.

 - DRUG TESTING PROCEDURES
 - THE COLLECTION PROCESS
 1. When asked to report for a drug test, you will be sent or taken to an approved collection site. The collection site personnel will obtain the urine sample and forward it to a drug testing laboratory certified by the Substance Abuse and Mental Health Services Administration (SAMHSA). SAMHSA is the agency that sets the federal standards for drug testing.
 2. The collection site procedures are designed to ensure that the specimen has not been adulterated, contaminated or tampered with in any way. Only you and authorized collection site personnel will handle the specimen.
 3. Once your identity is established, you will be asked to remove all unnecessary clothing and to wash your hands. This ensures that you cannot hide or conceal anything which may contaminate or adulterate the urine specimen. It also ensures that you did not bring urine donated by someone else.
 4. You will be given a container and asked to provide a specimen. You will be allowed to go into the restroom or stall alone to provide the specimen, although

the collection site personnel will be nearby. The water in the toilet will have been dyed and there will be no access to a workable faucet.

5. After you have provided the specimen, you will give it to the collection site personnel. The specimen will remain within your view at all times until it has been sealed in the proper shipping container. The collection site personnel will only process one specimen at a time to prevent mislabeling of the specimen. Prior to sealing the container, the collection site personnel will perform visual inspections and temperature checks to ensure that the specimen has not been contaminated.
 6. The specimen will be poured into two bottles and sealed with evidence tape. Your name, identifying number, the date, and other information will be written on the tape. You will be asked to sign or initial the tape, to guarantee that it is the specimen you provided. Collection site personnel will complete chain of custody and control forms and place them in envelopes with the urine bottles containing your specimen. The bottles and forms will be shipped to a SAMHSA certified lab for testing.
 7. If the collection site personnel receive a specimen that does not appear to be the right color or temperature, you will be asked to provide another specimen. If this happens, a person of the same sex will accompany you into the bathroom and watch you as you give the specimen. The same procedures for inspecting, sealing and initialing the specimen will be followed. Both this sample and the one suspected of being adulterated will be sent to the SAMHSA approved lab for testing.
- TESING THE SAMPLE
1. When the specimen arrives at the laboratory, it is checked for signs of tampering. If any discrepancies are noted, the specimen will not be processed and the lab may ask you to provide another sample. If, however, everything is in order, processing will begin.
 2. The lab will assign an accession number to your sample. The accession number allows the lab to track your specimen. Your accession number is unique to your specimen and is yet another safeguard to ensure that the sample is yours.
 3. The lab will inspect the sample for signs of contamination or adulteration. The lab will visually inspect the sample and test its specific gravity. If the specific gravity is not within normal limits, or if there are other discrepancies, no test will be performed. The lab may ask you to provide another sample. If a new sample is requested by the lab, the collection site personnel will observe you as you give the sample, to ensure that you are not adulterating or contaminating the sample.
 4. Your urine specimen will undergo an initial screening test. This test is called an immunoassay test.
 5. If the immunoassay is positive, your specimen will be subjected to a second test called the Gas Chromatography/Mass Spectrometry or GC/MS. The GC/MS is the most sensitive and accurate drug test available. Courts of law have determined that a positive screening test which is confirmed by the GC/MS is proof of drug use.

6. SAMHSA labs are required to maintain all positive samples in locked frozen storage for a certain period of time. These specimens are retained so that they can be retested if necessary.

○ THE MEDICAL REVIEW OFFICER (MRO)

The MRO is a medical doctor who has received training on drugs and drug abuse. The laboratory will send all test results to the MRO. The actual test results are never sent to the Village.

The MRO reviews all positive test results, checks medical records and interviews the CDL holder to determine whether there is a legitimate reason for the result. If the MRO finds there is a legitimate reason for the positive test result, the MRO will report your test results as negative to the Village.

If your test is positive, and the MRO is unable to contact you within 24 hours, the MRO will contact the Village and request that you be told to contact the MRO. The MRO will not tell the Village why he or she wants to talk to you. The Village will contact you and tell you to contact MRO within 24 hours. If you fail to contact the MRO within the allotted time, the MRO will notify the village that your test results are positive.

- ALCOHOL TESTING PROCEDURES

The DOT regulations require the use of breath analysis to determine whether alcohol is present in the body, and if so, the amount. Alcohol concentration is measured by a computerized instrument called a breathalyzer. Breathalyzer results are used in courts as evidence in Driving While Intoxicated (DWI) or Driving Under the Influence (DUI) proceedings.

The person administering the breath alcohol test is trained on how to use the machine and interpret the results. Because the breath alcohol results are printed automatically by the machine, the MRO is not involved. To take the test, you simply blow into a tube.

If the results of the initial test are 0.02 or higher, you will be asked to take a confirmation test 15 to 20 minutes later. During the waiting period, you will be asked not to eat or drink anything.

If the confirmation test indicates a breath alcohol level of 0.02 or greater but less than 0.04, you will not be allowed to perform any safety-sensitive functions for 24 hours, and you may be disciplined up to and including discharge. If your breath alcohol level is 0.04 or greater, you will be disciplined, up to and including termination.

● MANDATORY COMPLIANCE

As a condition of employment with the Village, when ordered, a driver or CDL holder must submit to alcohol and controlled substance tests administered in accordance with the DOT regulations.

● REFUSAL TO SUBMIT TO AN ALCOHOL OR CONTROLLED SUBSTANCE TEST

- REFUSAL TO SUBMIT TO AN ALCOHOL OR CONTROLLED SUBSTANCE TEST INCLUDES:
 - o Failure to provide adequate breath for testing without a valid medical explanation;
 - o Failure to provide adequate urine for controlled substances testing without a valid medical explanation; or
 - o Engaging in any conduct that clearly obstructs the testing process.
- CONSEQUENCES OF REFUSING TO BE TESTED
You may not refuse to submit to post-accident, random, or reasonable suspicion testing. If you refuse to be tested, you will be discharged.

- CONSEQUENCES FOR VIOLATING THE DOT REGULATIONS
If you violate DOT regulations, you may be disciplined up to and including discharge. If you engage in conduct violative of DOT regulations that warrants your discharge, you will not be returned to duty under any circumstances.

- CONSEQUENCES IF DRIVERS FOUND TO HAVE AN ALCOHOL CONCENTRATION OF 0.02 OR GREATER, BUT LESS THAN 0.04
If you are tested under the DOT regulations and have an alcohol concentration of 0.02 or greater but less than 0.04, you cannot perform or continue to perform safety-sensitive functions, including driving a CMV until the start of your next regularly scheduled duty period or 24 hours following administration of the test, whichever is greater. Under such circumstances, you may be disciplined up to and including discharge.

- EFFECTS OF ALCOHOL AND CONTROLLED SUBSTANCES
The misuse of alcohol and the use of controlled substances can have negative effects on your health, work and personal life. Statistics show that a typical abuser of alcohol or controlled substances:

- Is absent 2 ½ times more often than the average worker;
- Is late to work 3 times more often;
- Uses 3 times as many sick benefits;
- Collects 5 times as much workers compensation; and
- Has 300% higher medical costs and benefits.

Even if you are not abusing drugs or alcohol, you are affected by those who do. The higher costs you pay for insurance, medical treatment, and materials and services can be traced to drug and alcohol abuse.

- SIGNS AND SYMPTOMS OF AN ALCOHOL OR DRUG PROBLEM
 - ALCOHOL – The effects of alcohol vary depending on many factors including body weight, age, gender, stomach content, and physical condition. The degree of impairment and the effect on the individual increases as more alcohol is ingested.

SIGNS AND SYMPTOMS OF MISUSE

Slurred speech	Drowsiness
Aggressiveness	Coma
Blackouts	Memory loss
Slowed reactions	Unsteadiness
Impaired judgement	Smell of alcohol

Nausea	Incoherence
Hostility	Short attention span

- CONTROLLED SUBSTANCES

The DOT regulations require the Village to test for five controlled substances: Amphetamines, Cocaine, Marijuana, Opiates and Phencyclidine (PCP).

Amphetamines. Amphetamines stimulate the central nervous system. They are often used to combat drowsiness. Using amphetamines impairs your ability to perform activities which require mental alertness or physical coordination, such as operating machinery or driving a vehicle.

SIGNS AND SYMPTOMS OF USE

Nervousness	Irritability
Exhaustion	Sweating
Grinding teeth	Loss of appetite
Dry mouth	Excessive talking

Cocaine. Cocaine also stimulates the central nervous system. It gives the user a sense of well-being or euphoria, known as a high. The high lasts from 10 to 60 minutes. Crack cocaine is more potent than powdered cocaine, and the high lasts only 5 to 8 minutes. Using cocaine affects your driving by slowing your reaction time; distorting your vision and depth perception; and affecting your ability to measure time and distance.

SIGNS AND SYMPTOMS OF USE

Mood swings	Weight loss
Hypersensitivity	Restlessness
Nose bleeds	Runny nose

Marijuana. Marijuana is a depressant and a mind-altering drug. Marijuana does not affect the central nervous system; it works on the brain. It causes hallucinations. Marijuana slows your reflexes and thought processes. Marijuana use distorts your vision and depth perception and affects your ability to measure time and distance. Using marijuana with alcohol increases the effects of both. The effects of marijuana are unpredictable. The marijuana available today is more potent than that available in the 1960's. It also is likely to be laced with PCP or other dangerous chemicals.

SIGNS AND SYMPTOMS OF USE

Dilated pupils	Slowed reflexes
Giddiness	Moodiness
Impaired vision	Reduced concentration
Slowed thinking	Trance-like state
Memory loss	Odor of burning rope
Rolling papers	Dried plant material
Roach clip	Hash pipe

Opiates. Opiates act as depressants on the central nervous system. Opiates are prescribed to relieve pain but are abused because they allow the user to relax and escape from the real world. Use of opiates affect concentration, vision and perception of time and

distance. Use of opiates may have unpleasant side effects such as nervousness, nausea, restlessness, coma or death.

SIGNS AND SYMPTOMS OF USE

Confusion	Slurred speech
Hostility	Memory loss
Excessive talking	Euphoria
Short attention	Drowsiness
Depression	Span
Sweating	Reduced feeling of pain
Red eyes	Dizziness

Phencyclidine (PCP). Commonly known as angel dust, PCP is an anesthetic. Users of PCP may have hallucinations and exhibit signs of intoxication. PCP may also cause long-term psychotic behavior associated with violent acts. Use of PCP impairs coordination, may lead to more aggressive driving and a tendency to take greater risks while driving.

SIGNS AND SYMPTOMS OF USE

Delusions	Confusion
Flashbacks	Panic
Anxiety	Increased blood pressure

- OVER-THE-COUNTER AND PRESCRIPTION DRUGS

DOT regulations do not allow you to take anything that can affect your ability to drive. If you take any medication that causes drowsiness, it is a violation of DOT regulations to drive a commercial motor vehicle. The Village therefore has a right to require that you inform them of all medications that you take, including cough medicines.

• INTERVENTION

If you suspect that you or a coworker has a problem with alcohol or drugs, there are several steps you can take. You may speak to your coworker in a nonconfrontational way about your suspicions. If you choose this method, do not make accusations. Be as objective as possible and stick to concrete examples of behavior. Suggest that your coworker seek help from a supervisor or other member of management. Alternatively, you may discuss your suspicions directly with a supervisor or other member of management.

CERTIFICATE OF RECEIPT

The undersigned certifies that he or she has received a copy of the Village of Bedford Park's DOT Drug and Alcohol Testing Rules and Procedures. Moreover, the undersigned acknowledges and understands that full compliance with these rules and procedures is a condition of his or her employment with the Village.

Employer/Driver

Witness

Date