

Policies and Regulations

NEPN Code: GBECA-R/STI

Personnel

Drug Free and Alcohol-Free Work Place

Drug and Alcohol Testing for Commercial Drivers/Students

To carry out STC's drug and alcohol testing program for employees and all students enrolled in a truck driving program whose positions require the possession of a commercial driver's license, the following guidelines will be used:

All STC employees required to have a commercial driver's license and all students enrolled in a truck driving program at Southeast Technical College shall be subject to drug and alcohol testing. All drug and alcohol testing will be conducted in accordance with U.S. Department of Transportation guidelines and regulations. There will be five circumstances in which drug and alcohol testing may occur for employees and students enrolled in a truck driving program subject to the DOT regulations:

1. Pre-enrollment/pre-employment testing

All prospective truck driving students and all applicable STC drivers must submit to a urine drug test prior to class enrollment or employment.

2. Post accident testing

Post accident testing for drugs and alcohol will occur when any driver is involved in an accident where there is a fatality. In addition, post accident testing will occur whenever the driver receives a citation and the accident results in an injury requiring medical attention away from the scene or if any vehicle involved in the accident has to be transported away from the scene by a tow truck or other vehicle.

3. Random testing

All drivers will be subject to random testing with a minimum of 50 percent of the average number of driver positions being tested for drugs and 25 percent of the average number of driver positions being tested for alcohol.

4. Reasonable suspicion testing

Reasonable suspicion testing will occur when a driver who exhibits physical or behavioral symptoms or reactions commonly attributed to the use of alcohol or a controlled substance, as witnessed by at least one supervisor trained in compliance with the regulation.

5. Return-to-duty and follow up

A driver who has violated the alcohol use policy must submit to unannounced follow up tests. At least six (6) tests must be conducted in the first twelve (12) months after

the driver returns to duty. Follow up testing may be extended for up to 60 months following return to duty. No provision for repeat testing will be made for a driver whose test results indicate the presence of a controlled substance.

All drivers must submit to urine drug tests and breath alcohol tests. There are no exceptions. Consideration will not be given to prospective employees or students if they refuse to submit to tests or if they fail the tests.

The following behavior constitutes a refusal to test: Inability to provide sufficient quantities of breath, saliva, or urine to be tested without a valid medical explanation; tampering with or attempting to adulterate the specimen; interfering with the collection process; not immediately reporting to a collection site; failing to remain at the collection site until the collection process is complete; having a test result reported by an MRO as adulterated or substituted; or leaving the scene of an accident without a valid reason before the tests have been conducted.

Refusal to test or failing a drug or alcohol test on the part of an employee or student will be grounds for termination or expulsion. Such termination or expulsion shall be made in accordance with policies of STC and will, where permitted or required by applicable law or regulation, result in immediate suspension, which in the case of employees, shall be suspension without pay.

Employees or students subject to this policy shall not consume alcohol while on duty, four hours prior to on duty time and up to eight hours after an accident or until the employees or student undergoes a post-accident test, whichever occurs first. A driver who has an alcohol concentration of 0.02 or greater but less than 0.04 shall not perform any safety-sensitive functions until 24 hours following administration of the test.

A driver shall not report to work or remain on duty when the driver uses any controlled substance.

A driver who has a verified positive controlled substance test result or an alcohol test result of 0.04 or greater will be immediately removed from any safety sensitive function. The driver with these results or who refuses to submit to a test will be evaluated by a substance abuse professional.

Those who test positive will be provided with the names of qualified substance abuse professionals.

Designated STC supervisors/instructors will be certified on drug and alcohol awareness as required by federal regulation.

STC retains the authority to determine whether to terminate an employee or expel a student for a positive drug or alcohol test.

Questions regarding STC Policy GBECA/STI – GBECA-R/STI should be directed to STC Human Resources.

Legal Reference: 49 USC Transportation 31306 – Omnibus Transportation Employee Testing Act of 1991
49 CFR Part 40 – Procedures for Transportation Workplace Drug and Alcohol Testing Programs
21 U.S.C. 802 – Comprehensive Drug Abuse Prevention and Control Act of 1970
Federal Motor Carrier Safety Administration Regulation Part 382

Regulation		Board Action
approved:	03-11-96	28420
revised:	02-27-06	34355
revised:	11-08-10	35880
amended:	03-26-12	36325