

## **DRUG & ALCOHOL TESTING NOTIFICATION REQUIREMENTS FOR EMPLOYEES**

### **Post-Accident Tests**

Before any driver operates a vehicle designed to transport ten or more passengers, the District must provide the driver with post-accident procedures that will make it possible to comply with post-accident testing requirements.

### **Random Tests**

#### **Educational Material Requirements & Notification**

Each employer shall provide educational materials that explain the requirements under federal law and the employer's policies and procedures with respect to meeting these requirements.

1. The employer shall ensure that a copy of these materials is distributed to each driver prior to the start of alcohol and controlled substances testing under this part and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle.
2. Each employer shall provide written notice to representatives of employee organizations of the availability of this information.
3. The materials to be made available to drivers shall include detailed discussion of at least the following:
  - a. The identity of the person designated by the employer to answer driver questions about the materials.
  - b. The categories of drivers who are subject to the provisions of this part.
  - c. Sufficient information about the safety-sensitive functions performed by those drivers to make clear what period of the work day the driver is required to be in compliance with this part.
  - d. Specific information concerning driver conduct that is prohibited.
  - e. The circumstances under which a driver will be tested for alcohol and/or controlled substances, including post-accident testing.
  - f. The procedures that will be used to test for the presence of alcohol and controlled substances, protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver, including post-accident information, procedures and instructions.
  - g. The requirement that a driver submit to alcohol and controlled substances tests administered in accordance with this part.
  - h. An explanation of what constitutes a refusal to submit to an alcohol or controlled substances test and the attendant consequences.
  - i. Consequences for drivers found to have violated drug and alcohol prohibitions, including the requirement that the driver be removed immediately from safety-sensitive functions, and the procedures for referral, evaluation, and treatment.

- j. Consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04.
- k. Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or a controlled substances problem (the driver's or a co-worker's); and available methods of intervening when an alcohol or a controlled substances problem is suspected, including confrontation, referral to any employee assistance program, and/or referral to management.

The employer shall ensure that each driver signs a statement certifying that he or she has received a copy of these materials described in this section. Each employer shall maintain the original of the signed certificate and may provide a copy of the certificate to the driver. Each employee must sign a statement certifying the receipt of a copy of the above materials.

### **Testing Notification**

The District will notify an applicant of the results of a pre-employment drug test if the applicant requests such results within 60 calendar days of being notified of the disposition of the employment application.

The District will notify an employee of the results of random, reasonable suspicion, and post-accident drug tests if the test results are verified positive. The District also will tell the employee which controlled substances were verified as positive.

### **Referral**

An employee who in any other way violates district prohibitions related to drugs and alcohol will receive from the District the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs available to evaluate and resolve drug and alcohol-related problems. The employee will be evaluated by a substance abuse professional who will determine what help, if any, the employee needs in resolving such a problem.

Any substance abuse professional who determines that an employee needs assistance will not refer the employee to a private practice, person or organization in which the substance abuse professional has a financial interest except under circumstances allowed by law.

**End of Yellowstone Exhibit DBBA-E**

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