

Series Number 406.3.5.3P Adopted February 2015 Revised January 2024

**NOTICE OF ALCOHOL, CANNABIS AND DRUG TESTING POLICY FOR EMPLOYEES
NOT PERFORMING DUTIES REQUIRING A COMMERCIAL DRIVER'S LICENSE (CDL)**

(EMPLOYEES WHOSE JOB DUTIES REQUIRE THE HOLDING OF A CDL
SHOULD READ SECTION 2(b) BELOW**)**

1. In accordance with Minnesota Statute 181.952, subd. 2, an employer must provide written notice of its alcohol, cannabis and drug testing regulation to all affected employees upon adoption of the policy and to a previously non-affected employee upon transfer to an affected position under the policy. Notice of the policy must also be posted.
2. **Alcohol, Cannabis and Drug Testing of Employees Not Performing Duties Requiring a Commercial Driver's License (CDL)**
 - a. With one exception (see section 2(b) below), all employees may be requested to submit to alcohol, cannabis and drug testing in accordance with the provisions of **Administrative Regulation 406.3.5AR, Alcohol, Cannabis and Drug Testing of Employees Not Performing Duties Requiring a Commercial Driver's License (CDL)** and as provided in **Minnesota Statutes 181.950-181.957**.
 - b. **SPECIAL NOTE TO EMPLOYEES REQUIRED TO HOLD A CDL:** An employee required to hold a CDL as part of their job duties may be subject to testing under **Administrative Regulation 406.3.5AR, Alcohol, Cannabis and Drug Testing of Employees Not Performing Duties Requiring a Commercial Driver's License (CDL)** when reasonable suspicion to test arises at a time at which the CDL employee is not subject to reasonable suspicion testing under **Administrative Regulation 406.3.4AR, Alcohol and Drug Testing of Employees Required to Have a Commercial Driver's License (CDL)**. Alcohol, cannabis and drug testing of employees required to hold a CDL as part of their job will otherwise be performed in accordance with Administrative Regulation 406.3.4AR.
 - c. Employees may be subject to reasonable suspicion testing in accordance with Minnesota Statute 181.951, subd. 5.
 - d. Alcohol, cannabis and drug testing will be done by analysis of a body component sample by a licensed or accredited laboratory as required by law following chain-of-custody procedures outlined in Minnesota Statute 181.953, subds. 3 and 5.
 - e. All employees will be provided written notice of this alcohol, cannabis and drug testing policy.
 - f. Tested employees will receive notice of test results reported to the district and a notice of various rights including limitations on employee discharge, discipline, and discrimination.
3. Employee test results are maintained in strict confidentiality by the district (and/or its agent), and the laboratory.
4. This is a summary of the drug, cannabis and alcohol testing policy for employees not performing duties requiring a CDL. The complete policy, regulation and accompanying procedures are available in school and district offices during regular business hours and online at www.district196.org.