

**WALLA WALLA COMMUNITY COLLEGE
ADMINISTRATIVE PROCEDURE
ALCOHOL AND CONTROLLED SUBSTANCE TESTING
FOR CDL DRIVERS**

I. INTRODUCTION

This procedure implements the Board Policy which requires WWCC to establish programs and procedures as mandated by and in accordance with the Federal Motor Carrier Safety Administration (FMCSA) alcohol and controlled substance testing regulations. Many of the terms used in this procedure are defined in the Glossary of Terms at IX.

WWCC participates in Educational Service District 123's employer cooperative (ESD Cooperative) for the selection of a service agent to administer all or part of the alcohol and controlled substance testing. Alcohol and controlled substance testing procedures will be conducted in accordance with the procedures described in the Driver Education Materials.

The Human Resource Director is the Designated Employer Representative (DER) who serves as WWCC's point of contact for the program. The DER may delegate some of the responsibilities to a designee.

II. DER & DRIVER RESPONSIBILITIES

A. DER Responsibilities

1. Inform applicants for employment and/or WWCC employees' participating in the program of WWCC's testing requirements. Ensure they receive all required education materials.
2. Ensure that the required controlled substance testing is conducted prior to the first time a driver performs a safety-sensitive function for WWCC. This includes:
 - a. Having the prospective driver complete the release forms allowing WWCC to obtain information from the previous employer for the three (3) years preceding the date of inquiry on any alcohol test results, verified position controlled substance test results, and refusals to be tested.
 - b. Testing prospective drivers who have been offered employment in positions requiring possession of a valid commercial drivers license (CDL).
 - c. Testing current employees who may be performing safety-sensitive functions which require a valid CDL.
 - d. Disqualifying a prospective driver if he/she refuses to consent to the release of information or for a refusal to submit to or failure to satisfactorily pass a controlled substance test.

3. For employment and risk management purposes, annually request a complete driving record for every driver from the Department of Licensing.
4. Maintain a record-keeping and reporting system that meets the requirements of the Department of Transportation (DOT) while protecting the privacy of those tested.
5. Prepare and maintain a calendar year summary covering the results of the Alcohol and Controlled Substance Testing Program.
6. Assign an additional point of contact that is authorized to receive telephone test results in the absence of the DER.
7. Receive and provide confidential, segregated storage for all test related records.
8. Ensure that the contractor is provided with all current information needed for their database from which the random testing selections are made.
9. Ensure that supervisors of CDL drivers and other WWCC employees who may be in regular contact with CDL drivers attend any required training covering the effects of alcohol misuse and/or controlled substance use in the workplace and behavioral symptoms of being under the influence of alcohol and/or controlled substances.
10. Ensure the random testing process is administered in compliance with DOT rules and regulations.
11. Assist in planning and implementing appropriate action plans for employees who have positive test results.
12. Ensure that any driver who violates this Administrative Procedure is removed from performing safety-sensitive functions.
13. If WWCC continues to employ a driver who has engaged in a prohibited activity, make sure that they require return-to-duty and follow-up testing before the driver is returned to or maintained in the performance of safety-sensitive functions.

B Driver Responsibilities

The following alcohol and controlled substance-related activities are prohibited for CDL drivers. Drivers found in violation shall be removed from performing safety-sensitive functions and may be subject to discipline, up to and including termination of employment. If WWCC continues to employ a driver who has committed any of these offenses, WWCC must require return-to-duty and follow-up testing before the driver is returned to or maintained in the performance of safety-sensitive functions.

1. Reporting for duty, remaining on duty or performing safety-sensitive functions if the driver tests positive for having an alcohol concentration in excess of the standard set by the FMCSA.
2. Reporting for duty, remaining on duty or performing safety-sensitive functions when using alcohol.

3. Using alcohol or being under the influence of alcohol within four (4) hours of reporting for duty and/or operating or having physical control of a vehicle requiring a CDL to operate.
4. Reporting for duty, remaining on duty or performing safety-sensitive functions if the driver tests positive for controlled substances.
5. Reporting for duty, remaining on duty or performing safety-sensitive functions when using any controlled substance, except when instructed by a physician who has advised the driver and WWCC that the substance does not adversely affect the driver's ability to safely operate a vehicle. Drivers are required to inform WWCC of any therapeutic drug use.
6. Reporting for duty, remaining on duty or performing safety-sensitive functions if the driver possesses alcohol and/or controlled substances.
7. Refusing to submit to an alcohol and/or controlled substance test required by post-accident, random, reasonable suspicion or follow-up testing requirements.
8. When required to take a post-accident alcohol test, using alcohol within eight (8) hours following the accident or using alcohol prior to undergoing a post-accident alcohol test, whichever comes first.

I ALCOHOL & CONTROLLED SUBSTANCE TESTING REQUIREMENTS

A. Pre-Employment/Initial Testing Requirements

1. Controlled substance testing is required prior to the first time a driver performs a safety-sensitive function for WWCC. This includes:
 - a. Testing prospective employees who have been offered employment performing work which requires possession of a CDL.
 - b. Testing current employees who possess a CDL.
 - c. Testing current employees who are being reassigned to a position which requires a CDL.
2. WWCC shall advise applicants required to possess a CDL that controlled substance testing is a part of the employment process and that satisfactory completion of such is a condition of employment.
3. Prospective employees and WWCC employees selected for positions requiring alcohol and controlled substance testing will be offered the position pending a negative controlled substance test result. The DER/designee will inform the prospective driver of the requirement to report for testing and the consequences for failure to do so.
4. The Medical Review Officer (MRO) or designee will provide verbal communication to WWCC's DER/designee within 48 hours of a confirmed negative controlled substance test result. The MRO or designee will provide verbal communication to WWCC's DER/designee immediately upon a confirmed positive controlled substance test result. The MRO or designee will provide written test results to WWCC's DER/designee within

three days of the verbal communication.

5. Upon receipt of a negative controlled substance test result, the prospective driver may commence performing safety-sensitive functions.
6. Upon receipt of a positive controlled substance test result, the prospective driver will be notified that he/she will no longer be considered for employment with WWCC. Current employees who are potential transfer drivers with a positive controlled substance test result will not be permitted to transfer to a position requiring a CDL. Whether or not they are disciplined will depend on the individual circumstances and the application of other policies, laws and the collective bargaining agreements, if any. WWCC will provide the former applicant or potential transfer with a written list of the resources available for evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances.
7. WWCC shall notify the prospective driver of the results of a pre-employment controlled substance test conducted under this policy and procedure if the driver requests such results within 60 calendar days of being notified of the disposition of the employment application.
8. The DER may authorize exceptions to the Pre-Employment/Initial Testing Requirements in accordance with the provisions of section VIII of this Administrative Procedure.

B Random Testing Requirements

1. Random Alcohol Testing

25% of WWCC drivers participating in the ESD Cooperative will be randomly selected for alcohol testing annually. FMCSA may adjust the percentage required for annual random testing. Drivers shall only be tested for alcohol while they are performing safety-sensitive functions.

2. Random Controlled Substance Testing

50% of WWCC drivers participating in the cooperative will be randomly selected for controlled substance testing annually. The FMCSA may adjust the percentage required for annual random testing.

3. Random Testing Process

- a. The DER/designee will ensure that random alcohol and controlled substance testing is unannounced and dates for administering the random testing are spread reasonably through the calendar year.
- b. The selection of drivers for random alcohol and controlled substance testing shall be made by a scientifically valid method. Under the selection process used, each driver shall have an equal chance of being tested each time selections are made.
- c. WWCC shall ensure that drivers selected for random alcohol and/or controlled substance testing proceed immediately to the testing site upon notification of being selected, unless the driver is performing a safety-sensitive function, in which case the driver will cease

- performing and proceed to testing as soon as possible.
- d. In the event a driver who is selected for a random alcohol and/or controlled substance test is absent, WWCC may request another driver be selected for testing or keep the original selection confidential until the driver returns, if the driver is expected to be available for testing during the current designated testing period.

C Reasonable Suspicion Testing Requirements

WWCC shall require a driver to submit to an alcohol and/or controlled substance test when it has reasonable suspicion to believe the driver has violated the alcohol and/or controlled substance prohibitions of WWCC's policy and procedure. Only one supervisor is required to make a reasonable suspicion determination before an alcohol and/or controlled substance test can be required.

1. Supervisor Training

The required observations for alcohol and/or controlled substance reasonable suspicion testing shall be made by a supervisor or WWCC official who is trained in accordance with the following requirements:

- a. WWCC must ensure persons designated to determine whether reasonable suspicion exists to require a driver to undergo alcohol and/or controlled substance testing receive at least one hour of training on alcohol misuse and at least one hour of training on controlled substances use.
- b. The training shall cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and controlled substance use.

2. Reasonable Suspicion Alcohol Testing

Note: The mere possession of alcohol does not constitute a need for reasonable suspicion testing, which must be based on observations concerning the driver's appearance, behavior, speech or body odor. However, possessing alcohol while on duty or operating a commercial vehicle is a violation of this policy which must result in removal from performance of safety-sensitive functions and may result in discipline up to and including dismissal/termination of employment.

- a. Reasonable suspicion alcohol testing is authorized only if the observations are made during, just before, or just after the period of the work day the driver is required to be in compliance.
- b. WWCC's determination that reasonable suspicion exists to require the driver to undergo an alcohol test must be based on specific, contemporaneous observations that are able to be articulated concerning the appearance, behavior, speech or body odors of the driver.
- c. The supervisor who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test.
- d. If a reasonable suspicion alcohol test is not administered within two hours following the observations, WWCC shall prepare and maintain on file a record stating the reasons the alcohol test was not administered promptly. In addition, if not administered within eight-hours, WWCC shall cease attempts to administer the test, and shall

- prepare and maintain the record listed above.
- e. If reasonable suspicion exists, WWCC shall not permit the driver to perform or continue to perform safety-sensitive functions at least until:
 - i. An alcohol test is administered and the driver's alcohol concentration measures less than 0.02; or,
 - ii. 24 hours have elapsed following the determination that there is reasonable suspicion to believe that the driver has violated the prohibitions of the policy concerning alcohol misuse.
- f. Except as provided above, WWCC shall not take any action against a driver based solely on the driver's behavior and appearance, with respect to alcohol misuse, in the absence of an alcohol test. Action will be taken if a positive alcohol test result is obtained.
- g. A written record shall be made of the observations leading to an alcohol test, signed by the supervisor or WWCC official who made the observations, within 24 hours of the observations or before the results of the test are released, whichever is earlier.

3 Reasonable Suspicion Controlled Substance Testing

- a. WWCC's determination that reasonable suspicion exists to require the driver to undergo a controlled substance test must be based on specific, contemporaneous observations that are able to be articulated 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.
- b. WWCC will remove the driver from safety-sensitive functions at least until the verified test results are reported.
- c. A written record shall be made of the observations leading to a controlled substance test, signed by the supervisor or WWCC official who made the observations, within 24 hours of the observations or before the results of the test are released, whichever is earlier.

D. Post-Accident Testing Requirements

All drivers will be provided with necessary post-accident information, procedures, and instructions prior to commencing job responsibilities. Nothing in this policy should be construed to require the delay of necessary medical attention for injured people following an accident, 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.

1. Driver Responsibility

As soon as practical following an accident the driver shall make every attempt to contact his/her supervisor or a WWCC representative, as defined in this procedure.

- a. The driver will be given instructions for obtaining alcohol and/or controlled substance testing.
- b. The driver who is subject to post-accident testing must remain available for testing or WWCC shall consider the driver to have refused to submit to testing.
- c. The driver subject to post-accident testing must refrain from

consuming alcohol for eight (8) hours following the accident, or until he/she submits to an alcohol test, whichever comes first.

2 WWCC Responsibility

Upon receiving a report of an accident, WWCC shall instruct and ensure the driver (if surviving) is tested for alcohol and/or controlled substances as soon as practical.

3 Post-Accident Alcohol Testing

- a. The driver who is subject to post-accident testing shall remain readily available for such testing or shall be deemed to have refused to submit to the testing.
- b. If the test is not administered within two (2) hours following the accident, WWCC shall prepare and maintain on file a record stating the reasons the test was not promptly administered.
- c. If the test is not administered within eight (8) hours following the accident, the WWCC shall cease attempts to administer the test. WWCC shall prepare and maintain on file a record stating the reasons the test was not administered.
- d. The results of a breath or blood test for the use of alcohol testing, conducted by federal, state and/or local officials having independent authority to conduct the test, shall be considered to meet the requirements of this procedure, if the results are released to WWCC.

4 Post-Accident Controlled Substance Testing

- a. WWCC must test the driver for controlled substances within thirty-two (32) hours following an accident. If WWCC cannot administer the test within thirty-two (32) hours following an accident, attempts to administer the test shall cease. WWCC shall prepare and maintain on file a record stating the reasons the test was not promptly administered.
- b. The results of a urine test for the use of controlled substance testing, conducted by federal, state and/or local officials having independent authority to conduct the test, shall be considered to meet the requirements of this procedure, if the results are released to WWCC.

E Return-to-Duty And Follow-up Testing Requirements

If for any reason WWCC continues to employ a driver who has refused to submit to a required test, has tested positive for alcohol and/or controlled substances or has otherwise violated this policy, WWCC must require return-to-duty and follow-up testing before the driver is returned to or maintained in the performance of safety-sensitive functions.

1 Return-to-Duty Testing

- a. WWCC shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function, after engaging in prohibited conduct regarding alcohol misuse, the driver shall undergo a return-to-duty alcohol test indicating a breath alcohol concentration

- of less than 0.02.
- b. WWCC shall ensure that before a driver returns to duty requiring the performance of a safety-sensitive function, after engaging in prohibited conduct regarding controlled substance use, the driver shall undergo a return-to-duty controlled substance test with a result indicating a verified negative result for controlled substance use.
- c. The driver must also be evaluated by a Substance Abuse Professional (SAP) and participate in any assistance program prescribed. WWCC must obtain written assurance from the SAP that the employee is fit to return to duty.
- d. The testing must be conducted at a facility designated by WWCC.

2. Follow-up Testing

- a. Following a determination by a SAP that a driver is in need of assistance in resolving problems associated with alcohol misuse and/or controlled substance use, WWCC shall ensure that the driver is subject to unannounced follow-up alcohol and/or controlled substance testing as directed by the SAP.
- b. Follow-up alcohol testing shall be conducted only when the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions.

IV. TESTING RESULTS AND CONSEQUENCES

A. Alcohol Tests

- 1 Results with an alcohol concentration less than 0.02 will be reported to the WWCC DER/designee as negative and the driver is clear to perform safety-sensitive job functions.
- 2 Results with an alcohol concentration of 0.02 or greater, but less than 0.04, will be reported to the WWCC DER/designee as positive and the driver shall be removed from performing safety-sensitive functions.
 - a. Conditions of return-to-work will be negative results in the return-to-work alcohol test. This test shall be completed no sooner than twenty-four (24) hours before returning to the performance of safety-sensitive functions.
 - b. The driver will be required to participate in a substance abuse education/awareness program within ten (10) working days of receipt of the test results. A list of approved programs will be provided to the driver and the cost of participating in such program will be the responsibility of the driver. Failure to comply with this requirement will result in the driver being removed from safety-sensitive functions until such time that a document of completion from the provider of the program is received.
 - c. A second offense in which the results of the driver's alcohol test indicate a blood alcohol concentration of 0.02 or greater, but less than 0.04, within a three year period will be sufficient grounds for discipline and may include termination of employment.

- 3 Results with an alcohol concentration of 0.04 or greater or refusal to be tested will be reported to the WWCC DER/designee.
 - a. The driver will be removed from performing safety-sensitive functions and will be subject to discipline and may include termination of employment.
 - b. The driver will be provided with a list of resources available for evaluation of resolving problems associated with alcohol misuse.
 - c. If the driver is not terminated from employment, the following will apply:
 - i. Conditions of return to work will be negative results in the return-to-work alcohol test.
 - ii. The driver will be required to participate in a substance abuse education/awareness program within ten (10) working days of receipt of the test results. Cost of participation in such a program will be the responsibility of the driver. Failure to comply with this requirement will result in the driver being removed from safety-sensitive functions until such time that a document of completion from the provider of the program is received.

B Drug Tests

1. The MRO will notify WWCC of all controlled substance test results.
2. WWCC shall notify drivers of the results of random tests for controlled substances conducted under this policy. If the test results are verified positive, WWCC shall inform the driver which controlled substance or substances were verified as positive.
3. If tests results are positive, the driver will be removed from performing safety-sensitive functions and will be subject to discipline and may include termination.
 - a. If the driver is not terminated, as a condition of return to work the driver must have a negative result in the return-to-work controlled substance test.
 - b. The driver will be provided a written list of resources available for evaluating and resolving problems associated with substance abuse.
 - c. The driver will be required to participate in a substance abuse education/awareness program within ten (10) working days of receipt of the test results. Cost of participation in such a program will be the responsibility of the driver. Failure to comply with this requirement will result in the driver being removed from safety-sensitive functions until such time that a document of completion from the provider of the program is received.

V. REFERRAL, EVALUATION AND TREATMENT

When a driver receives a positive alcohol and/or controlled substance test under this policy or violates the other prohibitions of this policy, WWCC will provide the driver with information regarding the resources available to the driver for evaluating and resolving problems associated with alcohol misuse and controlled substance use. WWCC is not

required to provide any of these services under this policy. Other WWCC policies and provisions in the collective bargaining agreement, if any, may have application to the provision of services.

VI. TEST COSTS AND COMPENSATIONS

- A.** If WWCC's collective bargaining agreement covers testing costs and driver compensation, those provisions take precedence over this procedure.
1. Time traveling to and participating in the following alcohol and/or controlled substance testing – random, reasonable suspicion and post-accident—will be considered work time.
 2. If a driver is relieved from work due to positive alcohol and/or controlled substance test results, the driver may request approved leave or accrued compensatory time, if applicable.
 3. If a driver uses work time to seek evaluation of or treatment for alcohol misuse and/or controlled substance use, sick leave may be allowed.
 4. Drivers will be responsible for taking the pre-employment and return-to-work tests on their own time and at their own expense. However, if the return-to-work test is negative, the driver will be reimbursed for the cost of the test.
 5. If a driver's initial controlled substance test is positive and the driver requests that the split sample be tested, the second test will be at the employee's expense. If the confirming test is negative, WWCC will reimburse the employee for the cost of the split sample test.

VII. ALCOHOL AND CONTROLLED SUBSTANCE TESTING PROCEDURES

All alcohol and controlled substance testing procedures are described in detail in the Driver Education Materials.

VIII. EXCEPTIONS TO PRE-EMPLOYMENT TEST REQUIREMENTS

- A** WWCC is not required to administer a pre-employment controlled substance test if the following conditions are met:
1. The driver has participated in a controlled substance testing program in the previous 30 days; and,
 2. While participating in that program the driver must have either been tested for controlled substances in the previous six months, or participated in a random controlled substance testing program for the previous 12 months;
 3. WWCC ensures that no prior employer of the driver has record of violations of any FMCSA controlled substance use regulation for the driver in the previous six months.

- B.** In order to exercise the exceptions listed above, WWCC must first contact the alcohol and/or controlled substance testing program(s) in which the driver has participated and obtain the following information before the prospective employee is permitted to perform safety-sensitive functions:
1. The name(s) and address(s) of the program(s). This would generally be the driver's prior and/or current employer(s);
 2. Verification that the driver participates or participated in the program(s);
 3. Verification that the program(s) conforms to the required procedures set forth in the FMCSA regulations;
 4. Verification that the driver has not refused to submit to an alcohol and/or controlled substance test;
 5. The date the driver was last tested for alcohol and controlled substances; and,
 6. The results of any alcohol and controlled substance tests administered in the previous six months and any violations of the alcohol misuse or controlled substance use rules.

C Obtaining Alcohol and Controlled Substance Testing Information from Previous Employers

1. WWCC may obtain from any previous employer of a prospective driver, provided the driver has given his/her written consent, any information concerning the driver's participation in an alcohol and/or controlled substance testing program. Failure by a prospective driver to provide WWCC with a release for information the WWCC is required by federal rules to review, will result in any prospective offers of employment being withdrawn.
2. WWCC must obtain and review the information listed below from any employer the driver performed safety-sensitive functions for in the previous two (2) years. The information must be obtained and reviewed no later than 14 days after the first time a driver performs safety-sensitive functions.
 - a. Information on the driver's alcohol tests in which an alcohol concentration of 0.04 or greater was indicated;
 - b. Information on the driver's controlled substance tests in which a positive result was indicated; and,
 - c. Any refusal to submit to a required alcohol and/or controlled substance test.

Note: If the driver stops performing safety-sensitive functions for the employer before expiration of the 14 day period or before WWCC has obtained the information listed above, WWCC must still obtain the information. For example, if a driver quits after one week of employment and the information has not been obtained, WWCC must still obtain the information.

- D.** WWCC must provide to each of the driver's previous employers of the past two

(2) years, a written authorization from the driver for release of the required information. The release of information may take the form of personal interviews, telephone interviews, letters, or any other method that ensures confidentiality. WWCC must maintain a written, confidential record with respect to each past employer contacted.

- E. WWCC may not use a driver to perform safety-sensitive functions if information is received indicating the driver has tested positive for controlled substances, tested at or above 0.04 alcohol concentration, or refused a test. Unless WWCC has evidence that the driver has been evaluated by a SAP, completed any required treatment, passed a return-to-duty test, and been subject to follow-up testing.

IX. GLOSSARY OF TERMS

For purposes of this policy:

An Accident is defined as: An occurrence involving a commercial motor vehicle operating on a highway in interstate or intrastate commerce which results in:

- A fatality;
- Bodily injury to a person who as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
- One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicles to be transported away from the scene by a tow truck or other motor vehicle.

Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

Alcohol Concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test (EBT).

Alcohol Use means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

Breath Alcohol Technician (BAT) is an individual who instructs and assists individuals in the alcohol testing process and operates an EBT.

Confirmation Test for alcohol testing means a second test, following a screening test that had a result of 0.02 or greater, which provides quantitative data of alcohol concentration. For controlled substances testing, it means a second analytical procedure to identify the presence of a specific controlled substance or drug metabolite; the confirmation test must be independent of the screen test and use a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy.

Driver means any person who is required or chooses to have, as part of his or her job responsibilities, possession of a valid CDL. For the purpose of pre-employment testing/pre-duty testing only, the term driver includes a prospective employee for a position which requires a valid CDL.

Evidential Breath Testing Device (EBT) is a device approved by the National Highway

Traffic Safety Administration (NHTSA) for the evidential testing of breath for alcohol concentration and placed on NHTSA's "Conforming Products List of Evidential Breath Testing Devices" (CPL).

Medical Review Officer (MRO) is a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's controlled substance testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with his/her medical history and any other relevant biomedical information.

Reasonable Suspicion is the belief that the driver has violated the alcohol and/or controlled substance prohibitions based on specific, contemporaneous observations that are able to be articulated concerning the appearance, behavior, speech or body odors of the driver.

Refusal to Submit (to an alcohol or controlled substance test) occurs when a driver:

1. Fails to provide adequate breath for testing without a valid medical explanation after he/she has received notice of the requirement for breath testing;
2. Fails to provide adequate urine for controlled substance testing without a valid medical explanation after he/she has received notice of the requirement for urine testing;
3. Engages in conduct that clearly obstructs the testing process; or,
4. Consumes alcohol within eight (8) hours after a defined accident or before being tested, whichever occurs first.

Safety-Sensitive Functions occur during any period when a driver is actually performing, ready to perform, or immediately available to perform any safety-sensitive functions. Drivers participating in the alcohol and controlled substance testing program for CDL Drivers are assumed to be immediately available to perform safety-sensitive functions any time he/she is on duty. For WWCC the typical safety-sensitive function is operating a school bus or other commercial vehicle and any function related to the operation of that vehicle to include, but not limited to: 1) pre- and post-trip inspections; 2) fueling; 3) cleaning; 4) repairing; 5) obtaining assistance; 6) standby time or remaining in attendance with a disabled vehicle by employees required to or choosing to drive using their CDL as part of their employment.

Screening Test (initial test). In alcohol testing it means an analytical procedure to determine whether a driver may have a prohibited concentration of alcohol in his/her system. In controlled substance testing it means an immunoassay screen to eliminate "negative" urine specimens from further consideration.

Substance Abuse Professional (SAP) means a licensed physician (MD or Doctor of Osteopathy) or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders.

X. AUTHORITY

The authority for this procedure comes from Federal Motor Carrier Safety Regulations (FMCSR) Part 40 – Procedures for Transportation Workplace Drug and Alcohol Testing Programs, Subparts A – R and from WWCC’s Board Policy, Federal Motor Carrier Safety Administration Mandated Alcohol and Controlled Substance Testing Program.