

**WALLA WALLA COMMUNITY COLLEGE  
FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION MANDATED  
ALCOHOL AND CONTROLLED SUBSTANCE TESTING PROGRAM  
ADMINISTRATIVE POLICY 5650**

---

The Board of Trustees of Walla Walla Community College directs the College 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.

**Prohibited Alcohol and Controlled Substance-Related Conduct:** The following alcohol and controlled substance-related activities are prohibited by Walla Walla Community College (WWCC) for employees required to possess a commercial driver's license (CDL) as part of their job responsibilities (hereafter referred to as "drivers").

Violations may result in appropriate corrective action ranging from removal from the performance of safety-sensitive functions up to and including termination of employment.

1. Reporting for duty, remaining on duty or performing safety-sensitive functions 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.

**Testing Requirements:** The following identify the occasions on which a driver shall be subject to alcohol and/or controlled substance testing. WWCC shall be responsible for the development and

implementation of procedures for conducting the tests and administering the exemptions consistent with the federal rules.

1. Pre-Employment Testing: Prior to the first time a driver performs a safety- sensitive function for WWCC, the driver shall undergo testing for controlled substances. This testing requirement may be waived under FMCSA regulations for CDL drivers recently employed elsewhere for whom testing records are available from their previous employers.
2. Post-Accident Testing: Each surviving driver of an accident, as defined by the FMCSA, shall be tested for alcohol and controlled substances.
3. Random Testing: Annually, WWCC will arrange for the unannounced random alcohol and/or controlled substance testing of its drivers. Fifty percent (50%) of WWCC's drivers must be randomly selected for controlled substance testing each year, and 25% of its drivers for alcohol testing (or whatever level of testing is required in a given year by the FMCSA). Alcohol testing under this program shall take place just prior to, during, or immediately after the driver engages in a safety-sensitive function for WWCC.
4. Reasonable Suspicion Testing: A driver must submit to alcohol and/or controlled substance testing whenever a trained supervisor has a reasonable suspicion of alcohol misuse or controlled substance use based on specific, contemporaneous observations that can be articulated concerning the appearance, behavior, speech, or body odors of the driver. Observations related to using alcohol and/or controlled substances must be made just prior to, during, or immediately after the driver engages in a safety-sensitive function for WWCC, and the alcohol and/or controlled substance test must be given within eight (8) hours following the determination of reasonable suspicion.
5. Return-To-Duty Testing: If a driver is to be returned to performing safety- sensitive functions for WWCC following a violation of this policy and/or the federal regulations, the driver shall be evaluated by a substance abuse professional (SAP) who shall determine what assistance, if any, the driver needs in resolving problems associated with alcohol misuse and controlled substance use. If a driver is to be returned to performing safety-sensitive functions for WWCC following a violation of this policy and/or the federal regulations, the driver shall first be evaluated by a SAP to determine that the driver has properly followed any rehabilitation prescribed. Before a driver can be returned to performing safety-sensitive functions for WWCC following a violation of this policy and/or the federal regulations, the driver shall undergo a return-to-duty alcohol and/or controlled substance test resulting in an alcohol concentration below the standard set by the FMCSA or a negative controlled substance test.
6. Follow-Up Testing: Any driver that continues performing safety-sensitive functions for WWCC following a determination of alcohol misuse and/or controlled substance use, shall be subject to unannounced follow-up alcohol and/or controlled substance testing as directed by a SAP. Follow-up alcohol testing shall be conducted only prior to, during, or immediately after the driver performs safety-sensitive functions.

**Record Retention and Reporting:** WWCC is responsible for developing procedures for securely retaining records collected under this policy with controlled access and for the time periods established by the federal regulations. WWCC is also responsible for developing procedures for reporting data collected under this policy as required by the federal regulations.

**Education, Training and Referral Services:** WWCC shall adopt educational materials that explain the requirements of this policy and the federal program. The educational materials shall be distributed to each driver prior to the start of the testing program and to each driver subsequently hired or transferred into a position covered by this policy.

Each driver, after receiving a copy of the educational materials, shall sign a certificate of receipt and WWCC shall maintain the original copy of the receipt. The educational materials shall include:

1. A copy of this policy and subsequent procedures.
2. The name of the person designated to answer questions about the materials.
3. The categories of employees covered by the policy.
4. A description of safety-sensitive functions, so that drivers will know which part of their tasks will be covered by this policy.
5. A specific description of conduct prohibited by this policy and the federal program.
6. The circumstances under which a driver is subject to testing.
7. The procedures used in the testing program, especially those that 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.
8. The requirement that drivers must submit to testing required by this policy and the federal program and a description of what constitutes refusal to submit to required testing and the consequences of refusal.
9. The consequences for drivers who violate this policy and the federal program, including immediate removal from conducting safety-sensitive functions.
10. The consequences for drivers found to have alcohol concentrations between 0.02 and 0.04.
11. Information about the effects of alcohol and controlled substances on an individual's health, work, and personal life and methods of intervening when a problem with alcohol or a controlled substance is suspected, including confrontation, referral to an assistance program, and referral to management.

Supervisors designated to determine if reasonable suspicion exists that a driver is under the influence of alcohol and/or controlled substances must have at least one hour of training on alcohol misuse and at least one hour of training on controlled substance use. The training shall

cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and controlled substance use.

The employed driver who violates this policy or the federal regulations shall be informed of resources available for evaluation and resolving problems associated with the misuse of alcohol and use of controlled substances, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs. Costs incurred by the driver for evaluation and/or rehabilitation are the driver's responsibility (other policies may apply).

The Board of Trustees adopted and approved this policy effective March 26, 1996. Administratively Revised October, 2008

<b>Policy Contact:</b> <u>VP of Human Resources</u>
<b>Approved by (Department/Body):</b> <u>WWCC Board of Trustees</u>
<b>Date Originally Approved:</b> <u>March 26, 1996</u>
<b>Last Reviewed/Revised on:</b> <u>October 2008</u>