

CONTROLLED SUBSTANCE AND ALCOHOL TESTING

The Thompson School District is committed to assuring the safe operation of all district motor vehicles, including support of a strong accident and injury prevention program. Accordingly, the Board has adopted a controlled substances and alcohol testing program for certain district employees. The district program authorized by this policy fully complies with the Department of Transportation Federal Highway Administration Rule.

This policy applies to all district employees who are required to hold a Colorado commercial driver's license and may be required to perform safety-sensitive functions, to applicants for employment in such positions, and to employees seeking to transfer into such positions.

Such employees shall be prohibited from any alcohol misuse that could affect their performance on the job. This includes use on the job, use during the four hours before reporting to duty that may require the performance of safety-sensitive functions, having prohibited concentrations of alcohol in their systems while on duty, and use following an accident. They are also generally prohibited from reporting for or remaining on duty while using any controlled substances.

Alcohol and/or controlled substance testing will be done at district expense using the procedures set out in federal regulations. The testing program will include pre-employment/pre-duty, reasonable suspicion, random, post-accident, return-to-duty and follow up tests.

An employee covered by the federal regulations who refuses to take a required test will not be permitted to perform or continue to perform safety-sensitive functions and will be subject to the same consequences as if he had a positive test.

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-sensitive functions in accordance with the federal regulations, and shall be subject to other disciplinary actions up to and including discharge.

All employment decisions involving reinstatement, termination or dismissal shall be made in accordance with applicable district policies.

In compliance with federal regulations, the district shall maintain records in a secure location with controlled access and take appropriate steps to train supervisors and notify and train employees.

Adopted December 7, 1994
Revised September 4, 1995
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Legal ref: Americans with Disabilities Act of 1990
 49 U.S.C. §2717 et seq. (*Omnibus Transportation Employee Testing Act of 1991*)
 49 C.F.R. Part 40 (*procedures for transportation workplace drug and alcohol*)

testing programs)
49 C.F.R. Part 382 (*controlled substance and alcohol use and testing*)
49 C.F.R. Part 391 (*qualification of drivers*)
49 C.F.R. Part 395.2 (*on-duty time*)
C.R.S. 42-2-401 et seq. (*Commercial Driver's License Act*)
8 CCR 1507-1 (*Colorado Department of Public Safety Rules*)

Cross ref: EEAEA, Bus Driver Requirements, Training and Responsibilities
GBA, Open Hiring/Equal Employment Opportunity and Affirmative Action
GBEC, Drug-Free Workplace (Controlled Substance and Alcohol Use by Staff
Members)
GDQD, Discipline, Suspension and Dismissal of Support Staff