

# CITY OF DURANGO

## DURANGO TRANSIT

### Substance Abuse Policy<sup>1</sup>

#### 1.0 POLICY

The Durango Transit system is dedicated to providing safe, dependable and economical transportation services to our transit system passengers. Durango Transit employees are our most valuable resource and it is our goal to provide a safe working environment. In meeting this goal it is our policy to (1) assure that employees are not impaired in their ability to perform assigned duties in a safe, productive and healthy manner; (2) create a workplace environment free from the adverse effects of drug abuse and alcohol misuse; (3) prohibit the unlawful manufacture, distribution, dispensing, possession, or use of controlled substances. Participation in the agency's drug and alcohol testing program is a requirement of each safety-sensitive employee in accordance with 49 CFR Parts 655.15, and therefore, is a condition of employment.

The City of Durango City Council originally adopted this policy in 1994. It was revised in 1997, 2002, and 2005, 2008 and also in 2009. This policy will be kept current with the latest federal regulations. Future revisions and amendments shall be adopted by Durango City Council.

#### 2.0 PURPOSE

The purpose is to establish programs to be implemented by Durango Transit that are designed to help prevent accidents, injuries, and fatalities resulting from the misuse of alcohol and use of prohibited drugs by employees who perform safety-sensitive functions. This policy incorporates requirements from the Federal Transit Administration (FTA) and Department of Transportation (DOT) for safety-sensitive employees and others when noted.

<b>This policy approved by Durango City Council June __, 2009.</b>
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#### 3.0 APPLICABILITY

**This policy applies to all Durango Transit operators, transit supervisors, vehicle maintenance supervisors and vehicle maintenance staff, full or part-time** when they are on City property or **when performing any transit-related safety-sensitive functions**. This policy also applies to off-site lunch periods, breaks when an employee is scheduled to return to work or when as employee is on-call. Durango Transit regularly reviews the duties performed by all employees to determine safety-sensitive positions and any new job classifications will be analyzed for safety-sensitive duties.

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<sup>1</sup> **All provisions in bold face print are consistent with requirements in 49 CFR Part 655 or Part 40, as amended.** Provisions in *Italics* are set forth in the *Drug-Free Workplace Act (49 CFR Part 29)*. All other provisions are set forth under the authority of the City of Durango.

## 4.0 DEFINITIONS

**Blood Alcohol Concentration (BAC):** The accepted standard to determine the percentage of alcohol present in an individual's blood sample.

**Dispatcher:** Durango Transit's dispatcher is a safety-sensitive position and shall be considered as part of the safety-sensitive position for the purposes of this policy.

**Designated Contact Persons:** The **Transit Manager** will be the contact person for all the operators and supervisors and **Facilities and Fleet Manager** will be the contact person for the fleet maintenance operations and staff.

**Designated Employee Representative (DER):** The DER will be the **Safety Officer** for the City of Durango and the back up will be the **Human Resource Manager** for the City of Durango.

**Dilute Specimen:** **Creatinine <20mg/dL and Specific Gravity <1.003.** Dilute negative will be re-tested and the second test will become the test of the record. A dilute positive will be considered a positive.

**Drug and Alcohol Program Manager (DAPM):** The **Human Resources Manager** will serve as the Drug and Alcohol Program Manager.

**Substance Abuse Professional (SAP)**

**Breath Alcohol Technician (BAT)**

**Screening Test Technician (STT)**

**Insufficient volume:** Unable to provide 45 ml of urine during a test. May drink up to 40 ounces within three hours and then provide sample, following the protocol defined in 49CFR part 40.

**Invalid test:** There is an unidentified adulterant or unidentified interfering substance, abnormal physical characteristics, endogenous substance at an abnormal concentration or anything that prevents the lab from completing or obtaining a valid test result.

**Non-negative test:** Any test that is positive, adulterated, substituted or invalid.

**Observed collection:** Must occur when specimen temperature is outside range, collection personnel observes attempt to adulterate, the specimen is invalid with no medical explanation or the split sample is unavailable to confirm following a positive, adulterated or substituted test result.

**On-call:** On-call is defined as anytime an operator is scheduled to be available to be called into work by a transit supervisor or emergency/protective services personnel.

**On-duty:** The operator is on-duty when performing the pre-trip inspection, driving the shift and performing the post-trip inspection.

**Operator:** The person whose foot is on the accelerator/brake pedal and hands on the steering wheel or lift controls.

**Safety-sensitive functions:**

- **Operation of a revenue service vehicle, regardless of whether the vehicle is in revenue service**
- **Operation of a non-revenue vehicle when required to be operator by the holder of a Commercial Driver's License**
- **Supervisors when they are performing safety sensitive duty**
- **Controlling movement or dispatch of a revenue service vehicle**
- **Maintenance of a revenue service vehicle or equipment used in revenue service vehicle – includes all engaged in servicing engine, parts repair, rebuilding and overhaul of the revenue service vehicle**
- **Contracted employees that stand in the shoes of Transit System employees also have to comply – Maintenance contractors of systems that serve populations of <200,000 are exempt (Section 5307, 5309, 5311 sub-recipients**

**For a list of Job Categories and Corresponding Job titles see attached Appendix "A"**

## **5.0 PROHIBITED BEHAVIOR – ALCOHOL**

### **5.1 Consumption of alcohol is prohibited:**

- **By all covered employees reporting for duty or remaining on duty requiring the performance of safety-sensitive functions if such consumption will result in a blood alcohol concentration (BAC) of 0.04 or greater**

Any employee who is found to have a blood alcohol concentration (BAC) of  $\geq 0.02$  but less than 0.04 will be removed from safety-sensitive duty for three (3) days after the first offense.

- A second occurrence will require a referral to a Substance Abuse Professional (SAP)
- **On duty while performing safety-sensitive functions**
- **4 hours prior to duty requiring the performance of a safety-sensitive function**
- **8 hours following an accident or until the post-accident test has been performed**
- **While on-call**
- **While in Transit/City uniform**

## 6.0 PROHIBITED BEHAVIOR – DRUGS

**Consumption of illegal drugs is prohibited at all times.**

- **Prohibited substances** include but not limited to: **marijuana, cocaine, amphetamines, methamphetamine, opiates (heroin, morphine, codeine) and phencyclidine. Screening and confirmation of the drug metabolites will be conducted using the Federal cut-off levels defined in 49CFR Part 40.87.**

## 7.0 PROHIBITED BEHAVIOR – GENERAL

*Transit system employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of prohibited substances on transit authority premises, in the transit vehicles, in uniform or while on transit authority business. Law enforcement shall be notified where criminal activity is suspected. All safety sensitive employees are required to notify Durango Transit of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction, as stated in the Drug-Free Workplace Act of 1988.*

Durango Transit and the City of Durango are dedicated to assuring the fair and equitable application of the substance abuse policy. The supervisors and managers are required to use and apply all aspects of the policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of the policy or who is found to be deliberately misusing the policy in regard to subordinates will be subject to disciplinary action.

## 8.0 TESTING CATEGORIES

**Analytical urine drug testing and breathe testing for alcohol may be conducted when circumstances warrant or as required by Federal regulations. Such circumstances include:**

- **Pre-employment (prior to performance of safety-sensitive functions)**
  - **Drug testing required**
- **Random testing for drug and alcohol**
- **Reasonable Suspicion**
- **Post-Accident**
- **Return-to-Duty**
- **Follow-up**

## 9.0 PERIOD OF COVERAGE

- 9.1 **Drugs – Drug testing may be performed only when the employee is on duty.**
- 9.2 **Alcohol – Alcohol testing can only be conducted while the employee is on duty performing a safety-sensitive duty; just before or just after performing**

a safety-sensitive duty or is immediately available to perform a safety-sensitive duty.

## 10.0 TESTING METHODS

All testing for the presence of illegal drugs or alcohol misuse, will protect the employee and the integrity of the drug and alcohol testing process, safeguard the validity of the test results, and ensure the test results are attributed to the correct covered employee. This will be accomplished by conducting all drug and alcohol testing in accordance with the procedures set forth in 49 CFR Parts 40 and 655 as amended. The integrity of the process is ensured through a valid photo identification of the employee, Federal Drug Custody and Control Form with a unique specimen identification number completed by a trained collection site person who ensures that the Custody and Control Form is completed correctly and signed and certified by the donor. A urinalysis will be performed to test for the presence of five illegal drugs.

The integrity of the alcohol testing process is ensured by a valid photo identification of the employee, use of an approved Evidential Breath Testing (EBT) Device that displays and prints unique sequential numbers and is capable of producing 3 copies of the test result. A certified BAT administers the test. The BAT completes a Federal Breath Alcohol testing form and ensures that the donor signs it.

## 11.0 TEST REQUIREMENTS

All covered safety sensitive employees are required to submit to drug and alcohol tests. Adherence to this policy is a condition of employment.

## 12.0 TEST REFUSAL – ALL CATEGORIES EXCEPT PRE-EMPLOYMENT

- Refusal to provide specimen (written/verbal refusal or physical absence)
- Failure to provide a urine specimen
- Insufficient volume without valid medical explanation
- Tampering, adulterating, or substituting specimen.
- Failure to arrive at the collection site or failure to appear within a reasonable time – 15 minutes
- Leaving the scene of an accident without just cause prior to submitting to a test
- Failure to remain readily available following an accident
- Leave collection facility prior to test completion
- Failure to permit an observed or monitored collection when required
- Failure to take a second test when required
- Failure to cooperate with any part of the testing process
- Failure to sign Step 2 of alcohol test form
- Failure to undergo a medical examination or evaluation as directed by the MRO
- A verified adulterated or substituted test result is a refusal to test
- Failure to follow the observer's instructions during an observed collection including instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process

- **Possess or wear a prosthetic or other device that could be used to interfere with the collection process**
- **Admit to the collector or MRO that you adulterated or substituted the specimen**

### 13.0 TEST REFUSAL – PRE-EMPLOYMENT TESTS

- **Failure to appear is not a refusal**
- **Failure to remain at site prior to commencement of test is not a refusal**
- **Failure to provide a specimen before the test commences is not a refusal**
- **Once a test is underway, failure to remain at site and provide a specimen is a test refusal with consequences**

### 14.0 CONSEQUENCES

- **Consequences of a positive drug or alcohol ( $\geq 0.04$ ) test result or test refusal include:**
  - **Removal from safety-sensitive position**
  - **Advise employee of available resources**
  - **Referral for assessment by a Substance Abuse Professional**
  - Possible dismissal from employment
- **Consequences of an alcohol test result of 0.02 or greater but less than 0.04 (first occurrence) include:**
  - **Removal from safety-sensitive position**
  - Suspension from safety-sensitive functions for three (3) days, per the transit system disciplinary policy
- **Consequences of the second occurrence of an alcohol test result of 0.02 or greater but less than 0.04 include:**
  - **Removal from safety-sensitive position**
  - **Referral for assessment by a Substance Abuse Professional**
  - Possible dismissal from employment

### 15.0 TESTING PROCEDURES

**“Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.”**

#### **Drugs Tested For:**

- **Marijuana – including all hemp products**
- **Cocaine**
- **Opiates (heroin, morphine, and codeine)**
- **Phencyclidine**
- **Amphetamine and Methamphetamine**

Note: DOT rule preempts state medicinal use of marijuana initiatives.  
There are federally mandated cut-off limits for the screening and confirmation tests.  
Refer to 49 CFR Part 40.87.

**“Observed collections are required in the following circumstances:**

- **All return-to-duty tests;**
- **All follow-up tests;**
- **Anytime the employee is directed to provide another specimen because the temperature on the original specimen was out of the accepted temperature range of 90°F - 100°F;**
- **Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with;**
- **Anytime a collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;**
- **Anytime the employee is directed to provide another specimen because the laboratory reported to the MRO that the original specimen was invalid and the MRO determined that there was not an adequate medical explanation for the result;**
- **Anytime the employee is directed to provide another specimen because the MRO determined that the original specimen was positive, adulterated or substituted, but had to be cancelled because the test of the split specimen could not be performed.**

**The employee who is being observed will be required to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show the collector, by turning around that they do not have a prosthetic device.”**

## 16.0 LEGAL DRUGS

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills or judgment may be adversely affected must be reported to supervisory personnel and medical advice and written authorization from the attending physician must be sought by the employee before working related duties. The misuse or abuse of legal drugs while performing transit business is prohibited.

## 17.0 OTHER DRUGS

Testing for other drugs will be performed separately and under the authority of Durango Transit.

**There will be a urinalysis performed using a separate non-DOT custody and control form.**

## 18.0 PRE-EMPLOYMENT DRUG TESTING

### 18.1 Who will be tested?

- **All applicants for safety-sensitive positions**
- **All transfers into safety-sensitive positions**
- **During the hiring interview, employee/applicant will be notified in writing of the requirement to pass a drug test**
- **A negative test result is required prior to the employee's assignment of safety-sensitive duties**
- **No waivers will be accepted**
- **No acceptance of previous employer's statement in lieu of FTA test**

## **18.2 Pre-employment Testing Following Leave**

**Persons on leave for any purpose (i.e. Seasonal layoff, leave of absence, worker's compensation) are required to have a pre-employment test if 90 days have elapsed since the employee performed safety-sensitive duties and the individual was not in the random pool.**

## **18.3 Applicants who were tested more than 90 days before assigned safety-sensitive duties must have a new pre-employment test**

## **18.4 Pre-employment Testing and the ADA**

**Pre-employment drug tests for disabled individuals unable to provide sufficient volume can be reported as negative if medical examination shows no evidence of illegal drug use.**

## **18.5 Pre-employment Testing Test Refusals**

- **Failure to appear for test, delayed test or leaving the collection site prior to commencement of the test is not a test refusal for pre-employment test**
- **Once the collection has commenced, the donor has committed to the process and must complete it – failure to do so is a test refusal**

# **19.0 PREVIOUS EMPLOYER RECORD CHECKS**

## **19.1 Durango Transit will obtain written consent from applicants/employers to request information from previous DOT-regulated employers that had employed the individual within the preceding two years.**

If the employee does not provide consent, he/she will not be considered for safety-sensitive functions.

**Written consent for the release must accompany the request.**

## **19.2 Information requested:**

- **Alcohol test results  $\geq 0.04$**
- **Verified positive drug tests**
- **Test refusals including adulterated or substituted**
- **Other violations of the DOT regulations**
- **As appropriate, documentation of successful completion of return-to-duty process (if unavailable from the employer, seek out information from employee/applicant)**

## **19.3 Information must be reviewed prior to employee's performance of safety-sensitive functions – if not obtained within 30 days the employer may not allow employee to perform safety-sensitive functions unless the employer has documented good faith efforts**



- 19.4 **The employer will also ask the employee whether he/she has tested positive or refused to test on any pre-employment drug/alcohol test within the last two years**
- 19.5 **If record of previous rule violations, the employee may not perform safety-sensitive functions unless information is provided documenting successful completion of the return-to-duty process**
- 19.6 **All information obtained and any good faith efforts will be maintained for 3 years**

## 20.0 RELEASING INFORMATION

- 20.1 **A covered employee is entitled, upon written request, to obtain copies of his/her drug and alcohol testing records, to provide information to dispute the results and have access to any pertinent records such as equipment calibration records and laboratory certifications**
- 20.2 Employers who receive requests for information must immediately release the requested information
- 20.3 Release must be in any written form that ensures confidentiality, a fax can be used but it must be secured.
- 20.4 Durango Transit will maintain copies of information released

## 21.0 REASONABLE SUSPICION TESTING

- 21.0 In order to make a reasonable suspicion determination; the supervisor must evaluate only the following:  
  
**Specific, contemporaneous and articulable observations concerning appearance, behavior, speech or body odors of the employee consistent with possible drug use or alcohol misuse**
- 21.1 **Supervisors and managers who will be authorized to make reasonable suspicion determinations will be trained on the facts, circumstances, physical evidence, physical signs and symptoms or patterns of performance and/or behavior associated with drug use and/or alcohol misuse.**
- 21.2 **Only one supervisor is required for a reasonable suspicion test.**
- 21.3 **Sufficient documentation should be maintained for each reasonable suspicion determination**
- 21.4 **Any employee is reasonably suspected of prohibited drug use or alcohol misuse when a trained supervisor:**
  - **Can substantiate specific behaviors that may indicate drug use or alcohol misuse**

- **Can identify job performance problems that may indicate prohibited drug use or alcohol misuse**
- **Actually observes physical indications that prohibited drug use or alcohol misuse may be occurring**
- **In instances where there is a reason to believe an employee is abusing a substance other than the five listed drugs above, Durango Transit reserves the right to request a separate sample and to test for additional drugs under the City of Durango's authority using standard laboratory testing protocols. Durango Transit also reserves the right to require a fitness for-duty examination by a licensed physician when an employee's observable behavior and actions are considered to be inconsistent with a safe, drug-free workplace.**

## **22.0 REASONABLE SUSPICION PERIOD OF REQUIRED COMPLIANCE**

### **22.1 Drugs – anytime on duty**

**22.2 Alcohol – Only if the observations are made during, just before or immediately after performing a safety-sensitive function.**

**22.3 Employees will be escorted to the collected site following a reasonable suspicion determination by the on duty supervisor. The supervisor making the decision to test for reasonable suspicion will not act as the BAT or STT for that test.**

**22.4 If an alcohol test is delayed beyond 2 hours, reasons for the delay will be documented.**

## **23.0 POST ACCIDENT TESTING**

**23.1 Post accident testing shall include all occurrences associated with the operation of a revenue service vehicle, whether or not the vehicle is in revenue service**

**23.2 Testing is automatic under FTA guidelines:**

- **Fatality**
- **Non-fatality – Anytime an individual requires immediate transportation to a medical treatment facility**
- **Non-fatality – One or more vehicles have disabling damage that requires a tow from the site**

**23.3 Testing will be done under local authority unless the employee can be completely discounted as a contributing factor.**

## **24.0 POST ACCIDENT TESTING – WHO WILL BE TESTED**

**24.1 Each covered employee operating the vehicle at the time of the accident**

**24.2 Any other covered employee whose performance could have contributed to the accident**

- 24.3** The decision of who to test shall be determined by the on-duty supervisor, using the best available information at the time of determination
- 24.4** **Employee must remain readily available – employer must know of whereabouts**
- 24.5** **Employee must provide specimen – cannot test deceased or unconscious employee**

## 25.0 TIME LIMITATIONS ON POST ACCIDENT TESTING

### 25.1 Alcohol

- **Test should be performed as soon as possible, but no longer than eight hours following the accident**
- **If alcohol test cannot be performed within two hours, transit system must document reasons for test delay**
- **If alcohol test cannot be performed within eight hours, the reasons for the failure to conduct the test must be documented**

### 25.2 Drugs

- **Test should be performed as soon as possible, but no more than 32 hours following the accident**
- **The results of a blood, urine or breath test conducted by Federal, State or local officials shall be considered to meet the requirements of this section, provided such test conforms to the applicable Federal, State or local testing requirements and the test results are obtained by the employer**

## 26.0 RANDOM TESTING

- 26.1** **Scientifically valid method of selection using a random number table or a computer based random number generator**
- 26.2** **Each employee shall have an equal chance of being selected**
- 26.3** **Employees shall be replaced back into random pool after selection**
- 26.4** **The pool shall be updated immediately prior to draw**
- 26.5** **Random numbers selections shall be made as frequently as possible**
- 26.6** **Durango Transit shall choose a replacement number only if employee is unavailable during the testing period because of legitimate excuse**
- 26.7** **Operational difficulties are not legitimate excuses**
- 26.8** **Test distribution - The random testing period will be quarterly starting in January and will be spread throughout the year. Tests may be performed weekends, holidays, late night, and early morning, whenever safety-sensitive functions are performed**

**26.9 Random testing shall be unannounced**

**Test shall be conducted immediately after notifying individual**

26.10 Durango Transit shall exercise care in scheduling substitute tests so no advance warning is given

26.11 There shall be no discretion on the part of management or operations in the selection and notification of individuals for testing

**26.12 The random testing shall be done in accordance to FTA regulation as set forth in 49 CFR Part 40 as amended. These rates are subject to annual review and adjustment.**

Appendix "B" contains the current FTA drug and alcohol testing rates.

## 27.0 EMPLOYEE ASSESSMENT

27.1 **Any safety-sensitive employee who tests positive for the presence of illegal drugs or alcohol above the minimum thresholds set forth in 49 CFR Part 40, as amended, will be referred for evaluation by a Substance Abuse Professional (SAP). A SAP is a licensed or certified physician, psychologist, social worker, employee assistance professional or addiction counselor with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders. The SAP will meet the requirements and follow the protocols defined in 49CFR Part 40. If the employee is eligible for a second chance, a SAP will evaluate him/her to determine what assistance is needed to resolve problems associated with prohibited alcohol, illegal and other drug misuse.**

27.2 Assessment by a SAP does not shield an employee from disciplinary action or guarantee employment or reinstatement with the transit system.

27.3 **If a safety-sensitive employee is allowed to return-to-duty, he/she must properly follow the rehabilitation program prescribed by the SAP, the employee must have two negative return-to-duty drug and alcohol tests and be subject to unannounced follow-up testing for a period of one to five years.**

## 28.0 RETURN TO DUTY TESTING (if applicable)

28.1 **The purpose of this testing is to provide a degree of assurance to the employer that the individual is presently drug and alcohol free and is able to return to work without undue concern of continued drug abuse or alcohol misuse.**

28.2 **Following a positive test result or test refusal, the individual will not be allowed to perform safety-sensitive duties until:**

- **Assessed by SAP**

- **Completed SAP recommended treatment program**
- **Completed two return-to-duty tests with a negative (<0.02 alcohol) test result**

**28.3 A cancelled test requires that the employee must submit to and pass another test**

**28.4 A return-to-duty test for disabled individuals unable to provide sufficient volume can be reported as negative if medical examination shows no evidence of illegal drug use**

**28.5 SAP may request tests for both drugs and alcohol; however, the return to duty testing must be minimally for whichever substance(s) the employee previously tested positive.**

## **29.0 FOLLOW-UP TESTING (if applicable)**

**29.1 The purpose of the follow-up testing is to motivate employees to remain drug and alcohol free after returning to duty following a positive test and to provide the employer with assurance that the person has not resumed drug use or alcohol misuse**

**29.2 The SAP shall submit a follow-up testing plan to the employer**

**29.3 Follow-up testing shall be unannounced. The SAP may not establish actual date for follow-up testing – dates and times are to be scheduled by the employer**

**29.4 Follow-up testing shall include a minimum of six tests during the first twelve months after return-to-duty and may be required for up to 60 months. The frequency and duration shall be dependent on the SAP assessment**

**29.5 Employers must not go beyond the SAP recommendations for follow-up testing**

**29.6 An employer's follow-up testing plan follows the employee to the next employer**

**29.7 A cancelled follow-up test must be rescheduled**

**29.8 Follow-up testing is non-negotiable**

**29.9 Employees subject to follow-up testing shall also be included in the random testing pool**

## **30.0 VERIFIED TEST RESULTS**

**30.1 Negative result: no action**

**30.2 Negative-dilute: employer requires a retest. If retest comes back dilute again, test is considered negative.**

- 30.3 Positive: positive – rule violation
- 30.4 Positive-dilute: positive – rule violation
- 30.5 Test refusal: rule violation
- 30.6 Insufficient volume (medical explanation): cancelled
- 30.7 Insufficient volume (no medical explanation: test refusal/rule violation)
- 30.8 Insufficient volume (disability and medical explanation for pre-employment, return-to-duty, and follow-up test): negative
- 30.9 Fatal flaw/rejected for testing: cancelled
- 30.10 Fatal flaw/rejected for testing pre-employment and return-to-duty: cancelled and retested
- 30.11 Invalid result (medical explanation): cancelled
- 30.12 Invalid result (no medical explanation): cancelled and retest under direct observation
- 30.13 Primary positive/adulterated/substituted and split unavailable or invalid: cancelled and retest under direct observation
- 30.14 Primary positive, split fails to confirm but is adulterated: test primary for adulteration

## 31.0 TRAINING FOR A SAFETY-SENSITIVE EMPLOYEE

### **Education for all safety-sensitive employees shall include:**

- **Minimum – 60 minutes for drugs**
- **Minimum – 60 minutes for alcohol**
- ***Display and distribution of materials***
- ***Information materials***
- ***Community service hotline for employee assistance program (EAP)***
- **Durango Transit Substance Abuse Policy**

## 32.0 EMPLOYEE DRUG AND ALCOHOL TRAINING

- 32.1 All Durango Transit employees shall receive training on the effects and consequences of drug use and alcohol abuse on personal health, safety, and the work environment. They shall be advised of manifestations and behavioral cues that may indicate prohibited drug use
- 32.2 Supervisors shall discuss this policy with employees
- 32.3 All Durango Transit employees shall be advised of testing procedures

32.4 Supervisors shall encourage employees to get help, as needed

### 33.0 SUPERVISORY TRAINING

33.1 **Supervisors and managers who will be making reasonable suspicion referrals shall be trained, as follows:**

#### **Drugs**

- **Minimum of 60 minutes of training in addition to employee training**
- **Physical, behavioral and performance indicators of probable drug use**

#### **Alcohol**

- **Minimum of 60 minutes of training in addition to employee training**
- **Physical, behavioral and performance indicators of probable alcohol use**

33.2 Supervisors and managers shall be trained in the following areas:

- Definition of reasonable suspicion
- Definition of role and responsibility of supervisors
- Recognition of signs and symptoms of drug abuse and alcohol misuse
- Short-term indicators
- Initiating, substantiating and documenting the referral
- Employee intervention
- Record keeping/document event

### 34.0 TRAINING TIMELINE

34.1 All new hires/transfers shall receive training as soon as possible after hire.

34.2 **All supervisors shall receive reasonable suspicion training before they perform job duties that could require the supervisor to make reasonable suspicion determinations.** They will receive refresher training every three years.

### 35.0 CONFIDENTIALITY

- 35.1 The confidentiality of drug testing information is a critical concern of all; therefore:
- **Records will be maintained in a secure location with controlled access (separate from personnel records)**
  - **A separate release must be signed each time information is to be disclosed**
  - **Releases must be signed by the employee anytime information is released to:**
    - **The employee**
    - **Subsequent employers**
    - **Any third party designated by the employee**
- 35.2 **Strict confidentiality standards to all aspects of the substance abuse program will be applied particularly with respect to identification of any specific individuals**

## 36.0 SYSTEM CONTACT

Any questions regarding this policy or any other aspect of the drug-free and alcohol-free transit program should be directed to the following system representatives:

### **Designated Employer Representative: Primary**

#### **City of Durango, Safety Officer:**

Name: Jerry Harms  
Title: Safety Officer  
Address: 949 E., 2<sup>nd</sup> Avenue, Durango, CO 81301  
Telephone Number: (970) 375.5055  
Fax Number: (970) 375.5058 (not secured)

### **Designated Employer Representative: Secondary**

Name: Linda Crouse  
Title: Human Resources Manager  
Address: 949 E., 2<sup>nd</sup> Avenue, Durango, CO 81301  
Telephone Number: (970) 375.5059  
Fax Number: (970) 375.5058 (not secured)

### **Drug and Alcohol Program Manager:**

Name: Linda Crouse  
Title: Human Resources Manager  
Address: 949 E., 2<sup>nd</sup> Avenue, Durango, CO 81301  
Telephone Number: (970) 375-5059  
Fax Number: (970) 375-5058



**Medical Review Officer:**

Name: Dr. Natalie P. Hartenbaum, M.D., M.P.H. or successor  
Address: First Lab  
1364 Welsh Road, Suite C-2  
North Wales, PA 19454-1913  
Telephone Number: (800) 732-3784  
Fax Number: (215) 641-4959

**Substance Abuse Professional:**

Name: Nancy Choquette or successor  
Title: Western Employee Assistance Counselor  
Address: 1010 Three Springs Blvd., Suite 248  
Telephone Number: (970) 764-3760  
Fax Number: (970) 764-3769

**Collection Site:**

Name: Four Corners Drug Testing Service  
Address: 278 Sawyer Drive #4  
Durango, CO 81303  
Telephone Number: (970) 259-6414  
Fax Number: (970) 259-2048

**DHHS Laboratory:**

Name: First Lab  
Address: 1364 Welsh Road, Suite C-2  
North Wales, PA 19434-1913  
Telephone Number: (800) 732-3784  
Fax Number: (215) 641-4959

**Designated Contact Persons:**

Name: Amber Blake  
Title: Multi-Modal Coordinator  
Address: 105, Sawyer Drive  
Durango, CO 81303  
Telephone No: (970) 375-4949  
Fax No: (970) 375-4988

Name: Tom Kramer  
Title: Fleet Services Manager  
Address: 105 Sawyer Drive,  
Durango, CO 81303

Telephone Number: (970) 375-4909  
Fax Number: (970) 375.4988

## Appendix "A"

<b>City of Durango Job Categories and Job Titles – TRANSIT Safety Sensitive Positions</b>
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### JOB CATEGORY

### JOB TITLE

#### Managers

General Services Director  
Transit & Parking Manager  
Facilities & Fleet Manager  
Assistant Facilities & Fleet Manager

#### Operations

Mechanics

Mechanic I  
Mechanic II

Transit Services Supervisors

Transit Services Supervisor  
Lead Transit Operator  
Lead Transit Operator  
Lead Transit Operator

Transit Services Operators

Transit Operator – Full Time  
Transit Operator – Part Time

Transit Dispatcher

Transit Assistant/Dispatcher

## Appendix "B"

<b>Federal Transportation Administration Annual Alcohol and Drug Testing Rates for 2007</b>
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<b>Drug Testing</b>	<b>25%</b>	<b>of the number of covered employees</b>
<b>Alcohol Testing</b>	<b>10%</b>	<b>of the number of covered employees</b>