



# San Diego Unified School District

TRANSPORTATION SERVICES DEPARTMENT  
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Neighborhood Schools & Enrollment Options

## **DRUG AND ALCOHOL POLICY**

The Omnibus Transportation Employee Testing Act of 1991 requires that employers provide controlled substance and alcohol testing to all employees who are required to obtain commercial driver's licenses.

### **I. Employee Requirements:**

- 1) In keeping with the provisions of this regulation, The San Diego Unified School District notifies its employees upon hiring and before driving a commercial vehicle the following:
  - a) Shall not report for duty or remain on duty requiring the performance of safety-sensitive functions when the employee uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a commercial motor vehicle.
  - b) Performing any safety-sensitive function, the driver shall not be on duty or operate a commercial motor vehicle while the employee possesses alcohol.
  - c) Shall not use alcohol while performing safety-sensitive functions.
  - d) Shall not perform safety sensitive functions within four hours after using alcohol.
  - e) May be required to take a post-accident alcohol test. The Employee shall not use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.
  - f) Shall not report for duty, remain on duty or perform a safety-sensitive function, if the employee tests positive for controlled substances or has a positive alcohol test showing an alcohol concentration of 0.04 or greater.
  - g) In a safety sensitive position, the employee shall not refuse to submit to a post-accident alcohol or controlled substance test, a random alcohol or

controlled substances test, a reasonable suspicion alcohol or controlled substances test or a follow-up alcohol or controlled substances test.

- 2) Violation of any or all of subparagraphs (a) through (g) of paragraph (1) by any employee in a safety-sensitive position may result in one of the following actions:
  - a) Referral to a Substance Abuse professional for determination of appropriate treatment/rehabilitation consistent with the employee's established benefit plan.
  - b) Or, subject to disciplinary action up to and including dismissal.
- 3) Violation of subparagraph (f) of paragraph (1) by any employee in a safety-sensitive position will result in the employee being:
  - a) immediately removed from safety-sensitive positions,
  - b) Referred to a Substance Abuse professional for determination of appropriate treatment/rehabilitation consistent with the employee's established benefit plan, and
  - c) subject to disciplinary action up to and including dismissal
- 4) Violation of subparagraph (g) of paragraph (1) by any employee in a safety-sensitive position will result in the employee being:
  - d) immediately removed from safety-sensitive positions,
  - e) Referred to a Substance Abuse professional for determination of appropriate treatment/rehabilitation consistent with the employee's established benefit plan, and
  - f) subject to disciplinary action up to and including dismissal
- 5) Refusal to test by any individual applying for a safety-sensitive position will result in withdrawal of any employment offer.
- 6) An employee may not perform safety sensitive functions for 24 hours when a alcohol test indicates a positive alcohol concentration of greater than 0.01 but less than 0.04.

**II. Refusal to test:** The following is an explanation of what constitutes a refusal to test. As an employee, you have refused to submit to an alcohol or controlled substance test if you:

- 1) Fail to appear for any test within a reasonable time, as determined by the employer, after directed to do so.
- 2) Fail to remain at the testing site until the testing process is complete.
- 3) Fail to provide a urine specimen or fail to provide an adequate amount of breath for an alcohol test.
- 4) In the case of a directly observed or monitored collection in a drug test, fail to permit the observation or monitoring of your provision of a specimen.
- 5) Fail to provide a sufficient amount of urine or breath specimen when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.

- 6) Fail to or decline to take an additional drug test the employer or collector has directed you to take.
- 7) Fail to undergo a medical examination or evaluation, as directed by the Medical Review Officer as part of the verification process, or as directed by the employer.
- 8) Fail to provide signatures as required on the alcohol testing form.
- 9) Fail to cooperate with any part of the testing process.
- 10) Have a verified adulterated or substituted test result as reported by the Medical Review Officer.

**III. Circumstances for Testing:** All employees performing any safety-sensitive function are subject to drug or alcohol testing in the following situations:

- 1) **Pre-Employment:**  
As a new hire, you are required to submit to a drug test. Only after receiving a negative drug test result will you perform safety-sensitive functions unsupervised.
- 2) **Reasonable Suspicion/Cause:**  
You are required to submit to any test requested by a supervisor based on reasonable suspicion. Reasonable suspicion means that one or more trained lead employees reasonably believes or suspects that you are under the influence of drugs or alcohol.
- 3) **Random**  
You are subject to unannounced random drug & alcohol testing.
- 4) **Post-Accident**  
If involved in an event (accident, crash, etc.) a post-accident test may be required.
- 5) **Return to Duty**  
If you have violated the prohibited drug & alcohol rules, you are required to take a drug and/or alcohol test before returning to safety-sensitive functions. Return-to-duty tests must be conducted under direct observation.
- 6) **Follow-up**  
Follow-up testing is determined by a Substance Abuse Professional (SAP) and may continue for up to 5 years. Follow-up testing is in addition to all other DOT required testing. All follow-up tests will be observed.

**IV. Additional information concerning the testing process:** Controlled substance testing is performed through split specimen collection urinalysis done by a certified laboratory. The testing methodology complies with guidelines issued by the Department of Health and Human Services and reflects the scientific and technical procedures necessary to assure that the results are highly reliable and accurate. These procedures will include an initial screening of the urine sample you provide for the presence of illegal drugs and, if appropriate, a confirmation test.

To assure that the sample collected from you is not accidentally confused with any other sample, strict procedures will be used when collecting and transferring the sample. These procedures are known as the chain of custody. The test results from your sample will be handled with maximum respect for individual confidentiality consistent with safety. A confirmed positive test result reported by the laboratory will be reviewed by a Medical Review Officer (MRO) before a determination is made that you have used controlled substance(s). The MROs are licensed physicians with experience in substance abuse disorders. You will be given an opportunity to submit medical documentation to the MRO to establish your legitimate use of the specific controlled substance(s) detected by testing before any administrative action is taken provided you contact the MRO within specified time limits. You will have 72 hours from the time of your initial notification to submit your documentation to the MRO.

Alcohol testing will usually be conducted in the Safety and Training section of the Transportation Services Department in the counseling room but may be conducted at an accident site or another work location. Strict chain of custody procedures will be used. Confidentiality of test results will be maintained to the maximum extent consistent with safety. Alcohol testing will only be conducted just preceding or just after the period of the workday that you are/were performing a safety-sensitive function.

**V. Effects of Alcohol and Controlled Substances:** Alcohol misuse and controlled substances use can effect an individual's health, work, and personal life. More information can be found on the signs and symptoms of an alcohol problem and available methods of intervening when an alcohol and/or controlled substance problem is suspected in the US Department of Transportation employee handbook entitled "What Employees Need To Know About DOT Drug And Alcohol Testing".

**VI. Designated Employer Representative:** Should you have questions about this information or about anything related to the DRUG AND ALCOHOL POLICY OF THE SAN DIEGO UNIFIED SCHOOL DISTRICT, you may contact your supervisor or you may contact the designated employer representative.

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