

**PROCEDURES - ALCOHOL and DRUG TESTING**

A. Types of Tests - The following tests are required.

1. Post-Accident: All covered employees shall be tested after accidents where there has been a citation for a moving traffic violation, or there is a fatality, even if the driver is not cited for a moving traffic violation. Tests for alcohol use shall be conducted within two (2) hours if possible, but in no case shall it be done more than eight (8) hours after the accident. Tests for controlled substances shall be conducted within thirty-two (32) hours of the accident. Employees must refrain from all alcohol and controlled substance use until the test is complete. Employees are obligated to cooperate in such testing or be deemed to have refused. It is the employee's responsibility to make him/herself available for testing. Generally, the employee will be accompanied to/from the testing site by a Hadley Public Schools employee/supervisor.
2. Reasonable Suspicion: An employee shall be tested when a supervisor or manager observes behavior, speech, appearance or odor that leads to a reasonable suspicion that the employee has violated any sections 1-7 of the Drug and Alcohol Testing Policy, or has been, or is, using controlled substances without a doctor's prescription. In the case of alcohol use, the observation must be made during, or directly preceding or following the workday. No such limitations are placed on observations for impermissible use of controlled substances. Tests for alcohol shall be conducted within two (2) hours if possible, but in no case shall it be done more than eight (8) hours after the observation has been made. Tests for controlled substances shall be conducted within thirty-two (32) hours of the accident. Employees must refrain from all alcohol and controlled substance use until the test is complete. Employees are obligated to cooperate in such testing or be deemed to have refused. It is the employee's responsibility to make him/herself available for testing. Generally, the employee will be accompanied to/from the testing site by a Hadley Public Schools employee/supervisor.
3. Return to Duty and Follow-Up: An employee who has violated the prohibited alcohol or drug standards, including refusing to participate in testing, shall be tested for alcohol and/or drug use prior to his/her return to performing safety sensitive duties. Follow-up tests are unannounced and at least six (6) tests must be conducted in the first twelve (12) months after an employee returns to duty. The Hadley Public Schools agree to bear the expense of the follow-up tests. Follow-up testing may be extended for up to sixty (60) months following the return to duty.

B. Conducting Tests

1. Alcohol: DOT rules require breath testing using evidential breath testing (EBT) devices. Two breath tests are required to determine if a person has a prohibited alcohol concentration. A screening test is conducted first. Any result, less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is

0.02 or greater, a confirmation test must be conducted. Refusal of an employee to complete and sign the breath alcohol testing form or to cooperate otherwise shall be deemed to be a refusal to test. In addition, blood alcohol testing can be used in reasonable suspicion and post-accident testing where an evidentiary breath-testing device is not available or where an employee is not capable of producing adequate breath.

2. Drugs: Drug testing is conducted by analyzing a driver's urine specimen, and must be conducted through a U.S. Department of Health and Human Services certified facility. Specimen collection procedures and chain of custody requirements ensure that the specimen's security, proper identification and integrity are not compromised.

DOT rules require a split specimen procedure. Each urine specimen is subdivided into two bottles labeled as primary and split. Both bottles are sent to the laboratory. Initially, only the primary specimen is opened and used for the urinalysis. The split specimen remains sealed at the laboratory. If the analysis of the primary specimen confirms the presence of illegal controlled substances, the driver has seventy-two (72) hours to request that the split specimen be sent to another DHHS certified laboratory for analysis.

Testing is conducted using a two-stage process. First, a screening test is performed. If the test is positive for one or more drugs, a confirmation test is performed for each identified drug. Sophisticated testing requirements ensure that over-the-counter medications or preparations are not reported as positive results.

All drug tests are reviewed and interpreted by a physician designated as a Medical Review Officer (MRO) before they are reported to the employer. If the laboratory reports a positive result to the MRO, the MRO will contact the driver and conduct an interview to determine if there is an alternative medical explanation for the drugs found in the urine specimen. For many drugs, except PCP, there are some limited, legitimate medical uses that may explain a positive test result. If MRO determines that the drug use is legitimate, the test will be reported to the Hadley School District as a negative result.

#### Refusal to Participate/Tampering:

Any refusal to participate in any of the alcohol and/or drug tests authorized in this policy will be treated as indicative of a positive result.

If there is any evidence that an employee engaged in sample tampering, such conduct shall be treated as a refusal to participate in testing for purposes of imposing discipline.

#### C. Consequences of Alcohol/Drug Misuse

1. Drivers who have any alcohol concentration (defined as 0.02 or greater) when tested just before, during or just after performing safety sensitive functions, must be

removed from performing such duties for twenty-four (24) hours, and be suspended without pay for any lost work time.

- 2. Drivers who engage in prohibited alcohol or drug conduct (those who test positive for alcohol or drug use or refuse to take the alcohol and/or drug tests) must be immediately removed from safety sensitive functions, must be evaluated by a substance abuse professional and must undergo a treatment program as defined by the professional. In addition, such employees may be subject to disciplinary action up to and including dismissal.
- 3. Drivers who wish to continue employment with the Hadley Public Schools must be evaluated by a substance abuse professional and comply with any treatment recommendations to assist them with an alcohol or drug problem. Such employees will be placed on non-occupational sick leave or leave without pay status during the treatment period, whichever is appropriate.
- 4. Drivers who have been evaluated by a substance abuse professional, who have complied with any recommended treatment and who have taken a return to duty test with a result less than 0.02, may then return to work subject to unannounced follow-up tests.
- 5. Drivers who return to work under these conditions, and who subsequently test positive for alcohol or drugs in accordance with this policy, will be terminated immediately.

DATE: \_\_\_\_\_

I HAVE READ THIS POLICY: \_\_\_\_\_  
SIGNATURE

Adopted By The  
Hadley School Committee: May 19, 2014

Reviewed by Hadley School Committee: April 30, 2019