

TRI-TOWNSHIP CONSOLIDATED SCHOOL CORPORATION

POLICY AND GUIDELINES

REGARDING

DRUG AND ALCOHOL TESTING OF  
COMMERCIAL DRIVER'S LICENSE (CDL) HOLDERS



## ALCOHOL AND CONTROLLED SUBSTANCE EMPLOYEE'S CERTIFICATION

EMPLOYEE'S NAME \_\_\_\_\_

### TRI-TOWNSHIP CONSOLIDATED SCHOOL CORPORATION

This is to certify that I have been provided educational materials that explain the requirements of Section 382.601, and my employer's policies and procedures with respect to meeting these requirements. The materials included detailed discussion of the listed items:

1. Designated person(s) to answer questions about the materials.
2. Categories of drivers subject to part 382.
3. Sufficient information about the safety sensitive functions and periods of the work day that compliance is required.
4. Specific information concerning prohibited conduct.
5. Circumstances under which employees will be tested.
6. Test procedures, employee protection, and integrity of the testing processes and safeguarding of validity of the test.
7. The requirements that tests are administered in accordance with Part 382.
8. An explanation of what will be considered refusal to submit to a test and the consequence.
9. The consequences for Part 382, Subpart 2, Violations, including removal from safety-sensitive functions and procedures.
10. Consequences for employees found to have an alcohol concentration of 0.02 or greater.
11. Information of the effects of alcohol and controlled substances use on:
  - a. An individual's health;
  - b. Work;
  - c. Personal life;
  - d. Signs and symptoms of a problem;
  - e. Available methods of intervening when a problem is suspected.
12. Information on my employer's policies; applicable to the area.

**Signature of Employee:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## DRUG AND ALCOHOL TESTING OF CDL LICENSE HOLDERS

### TRI-TOWNSHIP CONSOLIDATED SCHOOL CORPORATION LaCrosse and Wanatah Schools

The School Board of the Tri-Township Consolidated School Corporation (LaCrosse and Wanatah Schools) believe that the safety of students while being transported to and from school or school activities is of utmost importance and is the primary responsibility of the driver of the school vehicle. To fulfill such a responsibility, each employee whose position requires a CDL and others who perform safety-sensitive functions with Corporation vehicles, must be mentally and physically alert at all times while on duty. To that end, and to meet the requirements of the Federal Omnibus Transportation Employee Testing Act of 1991, the governing bodies have established this and other policies related to drug and alcohol testing.

### **DEFINITIONS**

For purposes of this policy and the guidelines associated with this policy, the following definitions shall apply:

- A. The term *illegal drug* means drugs and controlled substances the possession or use of which is unlawful, pursuant to Federal, State, and local laws and regulations.
- B. The term *controlled substance* includes any illegal drug and any drug that is being used illegally, such as a prescription drug that was not legally obtained or not used for its intended purposes or in its prescribed quantity. The term does not include any legally obtained prescription drug used for its intended purpose in its prescribed quantity, unless such use would impair the individual's ability to safely perform safety-sensitive functions.
- C. The term *safety-sensitive functions* include all tasks associated with the driving, operation and maintenance of Corporation vehicles.
- D. The term *CDL license holder* means all regular and substitute bus drivers, and other staff members who may drive students in Corporation vehicles or inspect, repair, and maintain Corporation vehicles.
- E. The term *while on duty* means all time from the time the CDL license holder begins to work or is required to be in readiness for work until the time he/she is relieved from work and all responsibility for performing work.
- F. The term "*positive*" test shall mean a verified positive for controlled substances, and/or a verified breath alcohol result of 0.02% or higher.
- G. The term "Substance Abuse Professional (SAP)", shall mean a licensed physician, certified psychologist, social worker, driver assistance professional, or addiction counselor. For this policy, the SAP must also have clinical experience in the diagnosis and treatment of drug and alcohol related diseases and must have completed the required qualification training and completed the continuing education trainings, as detailed in 49 CFR Part 40.

## **PROHIBITED CONDUCT**

The governing bodies expect all CDL license holders to comply with the policy related to Drug Free Schools, which prohibits the possession, use, sale, or distribution of alcohol and any controlled substance on school property at all times. Further, the governing bodies concur with the Federal requirement that all CDL license holders should be free of any influence of alcohol, or controlled substance *while on duty* and during *safety-sensitive function*, including all tasks associated with the operation and maintenance of Corporation vehicles. Drivers who violate any of these provisions will be terminated.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater. No driver shall use alcohol while performing safety-sensitive functions.

No driver shall perform a safety-sensitive function within four (4) hours after using alcohol.

No driver required to take a post-accident alcohol test shall use alcohol for eight (8) hours following an accident or until he/she undergoes a post-accident alcohol test, whichever occurs first.

No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a licensed medical practitioner who advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.

No driver shall report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive or has adulterated or substituted a test specimen for controlled substances.

Engaging in unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances is prohibited by any safety-sensitive driver.

All drivers of Tri-Township Consolidated School Corporation are required to notify the Superintendent within five (5) days of any criminal drug statute conviction. Failure to comply with this provision shall result in termination.

## **PROHIBITED SUBSTANCES**

Any substance or illegal drug identified in the Controlled Substance Act (21 U.S.C. 812) is prohibited at all times. This includes, but is not limited to marijuana (THC), amphetamines, opiates, phencyclidine (PCP) and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes, but is not limited to, any illegal drug use, misuse of legally prescribed drugs and the use of illegally obtained prescription drugs.

The Department of Transportation's Drug and Alcohol Testing Regulation -49 CFR Part 40, at 40.151(3) – does not authorize "medical marijuana" under a state law to be a valid medical explanation for a transportation employee's positive drug test result. Marijuana remains a drug listed in Schedule I of the Controlled Substances Act. It remains unacceptable for any safety-sensitive employee subject to drug testing under the Department of Transportation's drug testing regulations to use marijuana.

The consumption of beverages or substances containing alcohol or in which alcohol is present (including any medication, mouthwash, food, candy) while performing safety-sensitive functions for Tri-Township Consolidated School Corporation is prohibited.

## **LEGAL DRUGS**

For a drug to be legally prescribed the driver must have a prescription or other written approval in his/her name from a licensed physician for the use of the drug in the course of medical treatment. The prescription or written document must also contain the name of the substance, the quantity/amount to be taken, and the period of authorized use. Any abuse or misuse of legal drugs while performing safety-sensitive function is prohibited by Tri-Township Consolidated School Corporation.

The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited by Tri-Township Consolidated School Corporation. However, the use of any substance which carries a warning label that indicates that motor skills, mental functioning, or judgment may be affected the driver must report this to the Superintendent immediately.

If a driver undergoes prescribed medical treatment with a drug or controlled substance, the driver is required to report this treatment to the Superintendent prior to performing a safety-sensitive function. A driver must obtain a written release from the prescribing licensed medical practitioner that the medication(s) will not affect the driver's ability to perform safety-sensitive functions safely, including operating a commercial motor vehicle.

Tri-Township Consolidated School Corporation reserves the right to obtain an independent medical opinion regarding the potential effects of a prescription or over-the-counter drug on a driver's ability to perform safety-sensitive functions.

Further, Tri-Township Consolidated School Corporation reserves the right to place any driver taking medication(s) on a non-paid leave of absence pending a decision as to whether the driver may continue to perform regular job duties while taking the medication.

## **CIRCUMSTANCES UNDER WHICH EMPLOYEES WILL BE TESTED**

Such tests are to be conducted in accordance with Federal and State regulations:

- A. Prior to employment;
- B. For reasonable cause;
- C. After any accident, and;
- D. On a random basis.

## **CATEGORIES OF DRIVER'S SUBJECT TO PART 382 (TESTING)**

The Tri-Township Consolidated School Corporation will be testing 50% of those employees who are required to hold CDLs for controlled substances and 10% for alcohol. All employees who hold a CDL license, including regular and substitute bus drivers and other staff members who may drive students in Corporation Vehicles, are required to submit to alcohol and controlled substance tests in accordance with this policy and DOT regulations to test for the presence of alcohol in his/her system, as well as for the presence of marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP).

## **CONSEQUENCES FOR REFUSAL TO TEST**

When you are required to report for a controlled substance and/or alcohol test, you will be directed as to the place and are expected to go as soon as is reasonably possible. There are no excuses for failing to report/test. Any refusal to test will result in the termination of employment.

The following are considered a refusal to test:

- A. Failure to appear or remain at the test site.
- B. Failure to report/test within the anticipated time period.
- C. Failure to appear with appropriate photo identification available.
- D. Failure to provide a urine specimen when required.
- E. Failure to permit direct observation or monitored collection when required.
- F. Declines to take a second test when directed.
- G. Failure to provide sufficient urine or breath without a valid medical explanation.
- H. Failure to undergo a medical evaluation.
- I. Failure to cooperate with the testing process.
- J. Attempt to dilute, substitute, or tamper with a specimen.
- K. Failure to sign the Custody Control Form or Breath Alcohol Form.
- L. Admits to the collector that he or she adulterated or substituted their specimen.
- M. Failure to follow the observer's instructions to raise and lower their clothing and to turn around to permit the observer to determine if the driver has a prosthetic or other device that could be used to interfere with the process.
- N. If MRO reports that there is a verified adulterated or substituted test result.
- O. During the MRO review the employee admits adulterating or substituting the specimen.

## **CONSEQUENCES FOR PART 382, SUBPART 2, VIOLATIONS**

Any staff member who tests positive for controlled substances shall be prohibited from driving any school vehicle and his/her employment will be immediately terminated.

## **CONSEQUENCES FOR EMPLOYEES WITH ALCOHOL CONCENTRATION OF 0.02 OR GREATER**

The policy of Tri-Township Consolidated School Corporation concerning controlled substance and alcohol testing is a "Zero Tolerance Policy". Any employee who tests positive for controlled substances and/or tests 0.02% or higher in a breath alcohol test will be immediately terminated from employment.

## **RETURN TO DUTY TESTING**

The Tri-Township Consolidated School Corporation acknowledges transporting students as the primary job responsibility for CDL drivers in this Corporation and the safety of our students is of utmost importance. Therefore, it is the policy of the Tri-Township Consolidated School Corporation to **NOT** allow drivers to return to duty after a positive drug or alcohol test or a refusal to test.

## **TESTING PROCEDURES**

Testing will be done in accordance with the procedures established by the Certified Lab contracted with the Tri-Township Consolidated School Corporation, as outlined below, to protect the driver and the integrity of the testing processes, safeguard the validity of the test results and ensure those results are attributed to the correct driver in accordance with DOT regulations set forth in Part 382. Effective August 31, 2009, the return to duty and follow-up testing will be performed as outlined by the DOT's Direct Observation Procedure. (See Addendum B)

Federal regulations required analytical urine drug testing and breath alcohol testing to be conducted when circumstances warrant or as outlined in the regulations. Tri-Township Consolidated School Corporation affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the tests results are compromised, the test will be cancelled.

## **DRUG TESTS**

The drugs that will be tested for include marijuana (THC), cocaine (COC), opiates (OPI), amphetamines (AMP), and phencyclidine (PCP). Urine specimens will be conducted using the split specimen sample method as described in 49 CFR Part 40. Each specimen will be accompanied by a DOT Chain of Custody and Control Form (CCF) and identified using a unique identification number that attributes the specimen to the correct individual.

The specimen will be sent to a laboratory where a validity test will be performed to ensure that it is non-adulterated human urine. Then an initial drug screen test will be conducted on the primary specimen. For the primary specimen that is not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) test will be performed. The primary test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR Part 40.

All test results from the laboratory will be reported to a Medical Review Officer (MRO). The MRO is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO is knowledgeable of DOT MRO guidelines and DOT operating administration regulations. The MRO must obtain the appropriate qualification training, satisfactorily complete an examination, and annually complete twelve (12) hours of professional development related to MRO functions as mandated in 49 CFR Part 40.

The MRO will review all test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive test result. The MRO will contact the driver, notify him/her of the positive laboratory result, and provide the driver with an opportunity to explain the confirmed test result. The MRO will subsequently review the driver's medical history/records to determine whether there is a legitimate medical explanation for the positive test result. If no legitimate medical explanation is found, the test will be verified positive and reported to the TRI-TOWNSHIP CONSOLIDATED SCHOOL CORPORATION Designated Employee Representative (DER). If a legitimate medical explanation is found, the MRO will report the test as negative.

The split specimen sample will be stored at the initial laboratory until the analysis of the primary specimen is complete. If the primary specimen is negative, the split sample will be discarded. However, if the primary specimen is positive, the split sample specimen will be retained by the initial laboratory for testing if so requested by the driver through the MRO within 72 hours of being notified. The split sample specimen, if requested to be tested, will be sent to an alternate certified laboratory for testing, at the expense of the driver or applicant.



## **SAFEGUARDS FOR CONTROLLED SUBSTANCE TESTING**

- A. The Collector must complete mandated qualification training as defined in 49 CFR Part 40 to be able to perform collections.
- B. The Collector must obtain photo identification from the driver or be identified by a TRI-TOWNSHIP CONSOLIDATED SCHOOL CORPORATION representative prior to administering the test.
- C. The Collector will ask the driver to display the contents of their pockets prior to the test being taken.
- D. The Collector will ask the driver to wash their hands only with water or a moist towelette.
- E. The Collector and driver will check the identification numbers of the seals with the number on the CCF.
- F. The Collector will ask the driver to sign the CCF signifying the correctness of the data for test reporting.
- G. The Collector will unwrap and wrap the specimen containers in the presence of the driver.
- H. After the specimen is collected, the Collector will inspect the specimen for sufficient volume, temperature and signs of tampering.
- I. The specimen sample containers are placed in a shipping container, sealed with tamper proof seals in the presence of the driver. The driver will be asked to initial the seals on the specimen sample containers.
- J. The Laboratory will check the seals on the specimen bottles upon receipt to ensure they are not broken, if they are broken, the Laboratory will report the test as cancelled.
- K. The Laboratory will report the results to the MRO by electronic communication.

## **DIRECT OBSERVATION COLLECTION IS MANDATORY IN THE FOLLOWING CIRCUMSTANCES**

- A. The Laboratory reports an invalid specimen and the MRO reports there was not an adequate medical explanation for the results.
- B. The test results are reported as positive, adulterated or substituted cancelled with no split specimen sample available.
- C. The Collector observed materials brought to the collection site or the driver's conduct clearly indicated an attempt to tamper with the specimen.
- D. The Collector notes that the temperature of the specimen was out of range or the specimen appeared to have been tampered with. Note: The Collector is NOT required to take the driver's body temperature. The DER from TRI-TOWNSHIP CONSOLIDATED SCHOOL CORPORATION will be notified of the out of temperature specimen after the direct observation test is completed.
- E. The MRO reports a negative-dilute result with a creatinine concentration greater than or equal to 2 mg/DI, but less than or equal to 5 mg/DI.
- F. The test is a Return-to-Duty or Follow-up test.

The observer must be the same gender as the driver. The observer may be someone other than the collector to ensure the same gender; however, the observer may not handle the specimen.

## **SHY BLADDER PROCEDURE**

If the driver cannot provide a specimen at the initial attempt, the driver will be urged to drink up to 40 oz of water. The amount of water is to be spaced out over a three-hour period. The driver is not required to drink the water by 49 CFR Part 40 regulations.

If the driver does not provide a specimen, or refuses to provide a specimen, the test will be marked as a "Refusal to Test" and considered a violation of the DOT regulations. The driver will be sent to a physician with expertise in the field, within five (5) days for an evaluation as to why the individual was not able to provide a specimen. If there is a valid medical reason, the test result will be changed to "Cancelled."

## **BREATH ALCOHOL TEST**

All tests for breath alcohol will be conducted using a National Highway Traffic Safety Administration (NHTSA) approved Evidential Breath Testing (EBT) device. The device must be operated by a certified Breath Alcohol Technician (BAT). The certification training must meet the qualification as defined in 49 CFR Part 40.

A blank air test will be administered prior to the screening test and the confirmation test, if required. This indicates the EBT chamber is clear. A screening breath test will be given. If the results are less than a concentration of 0.020, the test results is negative. No additional tests will be required.

If the screening test results in a concentration of 0.020 or higher, a confirmation test will be conducted. A waiting period of at least fifteen (15) minutes, but no longer than thirty (30) minutes after completion of the screening test, must be completed before the confirmation test is done.

The confirmation test will be completed using the same EBT as the screening test. Each test will have its own unique sequential number. A printout of each test will be provided and attached to the Alcohol Test Form. The printout will also include the time the test was taken, and EBT identification number. The test will be performed in a private, confidential manner as required by 49 CFR Part 40.

If the results of the confirmation test are between 0.020-0.039; the driver must be removed from the safety-sensitive position for at least 24 hours.

If the result is 0.040 or higher, the DER is contacted and the driver is referred to a Substance Abuse Professional (SAP).

## **SAFEGUARDS FOR ALCOHOL TESTING**

- A. The BAT will request photo identification from the driver or be identified by a TRI-TOWNSHIP CONSOLIDATED SCHOOL CORPORATION representative prior to administering the test.
- B. The Driver will select an individually sealed mouthpiece and it will be opened by the BAT while in the presence of the driver for the initial test.
- C. The EBT used for the test will be approved by the National Highway Traffic Safety Administration.
- D. Calibration checks will be frequently performed to insure the EBT is working efficiently. The driver may ask to see the last calibration.
- E. The Driver will select an individually sealed mouthpiece and it will be opened by the BAT while in the presence of the driver for the confirmation test.

## **POST-ACCIDENT TESTING-DOT REGULATIONS**

All drivers of Tri-Township Consolidated School Corporation are required to undergo urine drug testing and breath alcohol testing if they are involved in an accident with a vehicle owned or leased by Tri-Township Consolidated School Corporation, if one or all of the following conditions are met:

- A. The accident resulted in a human fatality.
- B. The driver was issued a citation and a vehicle was towed from the scene of the accident.
- C. The driver was issued a citation and an individual involved in the accident received bodily injury requiring immediate medical treatment away from the scene of the accident.

The surviving driver that operated the vehicle or any other driver whose performance cannot be completely discounted as contributing to the accident must be tested.

The driver(s) must be tested for controlled substances within (32) hours following the accident. If a drug test is not administered within (32) hours following the accident, Tri-Township Consolidated School Corporation shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons the test was not promptly administered.

An alcohol test should be administered within two (2) hours of the accident. If this has not been done, Tri-Township Consolidated School Corporation will document the reason the test was not completed within two (2) hours of the accident and will continue to attempt to obtain a test and document their attempts within the eight (8) hour period. At the end of the eight (8) hours, Tri-Township Consolidated School Corporation will cease the attempt to administer the test and document why the test was not completed.

Any driver of Tri-Township Consolidated School Corporation involved in an accident must refrain from alcohol use for eight (8) hours following the accident or until he/she has completed an alcohol test or is released from duty.

The driver must remain readily available for testing, until they are released from the scene of the accident. Any driver of Tri-Township Consolidated School Corporation who voluntarily leaves the scene of an accident prior to submission to drug and alcohol testing will be considered to have refused to test and the driver's employment will be terminated.

If the driver is required to leave the scene under the authority of medical or police personnel, they must notify the Tri-Township Consolidated School Corporation Superintendent as to their whereabouts.

If Tri-Township Consolidated School Corporation is unable to perform a urine drug test and a breath alcohol test, (i.e., driver is unconscious, driver is detained by a police agency), Tri-Township Consolidated School Corporation may use drug and alcohol post-accident test results administered by the State and/or Local law enforcement officials if they were completed. Tri-Township Consolidated School Corporation will obtain the results in conformance with State and Local law.

## **POST- ACCIDENT TESTING FOR NON-DOT CIRCUMSTANCES**

Tri-Township Consolidated School Corporation requires a driver to submit to drug and alcohol tests following a motor vehicle accident or property damage accident involving injury to any individual involved in the accident requiring immediate medical treatment away from the scene, serious damage to any motor vehicle or equipment involved in the accident, a workplace fatality, or serious property damage even if the driver did not receive a citation. Any driver having a physical injury that requires

immediate medical attention away from the work site will be required to submit to drug and alcohol tests.

The test for Non-DOT Post-Accident will be a five panel urine test. The drugs that will be tested for under Non-DOT include Marijuana, Cocaine, Opiates, Amphetamines, and Phencyclidine. The time requirements of the Non-DOT Post-Accident Testing are the same as listed for DOT Post-Accident Testing.

Tests will not be required if the supervisor in charge determines, using the best information available at the time of the decision, that the performance of the driver can be completely discounted as a contributing factor to the accident.

### **AVAILABLE METHODS OF INTERVENING WHEN A PROBLEM IS SUSPECTED**

The Superintendent shall arrange for the required amount of training for appropriate staff members in drug recognition, and in the proper assistance of staff members who are subject to the effects of substance abuse. The available methods of intervening when an alcohol or controlled substance problem is suspected include confronting the employee, immediate mandatory drug testing for reasonable cause, referral to management and/or termination at the employer's discretion. Contact information for regional substance abuse professionals and treatment centers will be made available.

### **SUPERVISOR TRAINING**

Supervisors of Tri-Township Consolidated School Corporation who are designated to determine whether or not Reasonable Suspicion exists and who then order a DOT-covered driver to undergo testing under DOT regulations, shall receive a minimum of 60 minutes of training on recognizing alcohol misuse; and receive at least an additional 60 minutes of training on recognizing controlled substance use. The training shall include the signs and symptoms of alcohol misuse and use of drugs, including the effects and consequences of drug use on personal health, safety, and the work environment. The training must include manifestations and behavioral cues that may indicate prohibited drug use or alcohol misuse.

### **EDUCATION REGARDING THE EFFECTS OF CONTROLLED SUBSTANCE & ALCOHOL**

The Corporation shall provide to each employee who holds a CDL license, when hired or transferred into a safety-sensitive position, educational materials regarding the effects of alcohol and controlled substances on:

- A. An individual's health;
- B. Work;
- C. Personal Life;
- D. Signs and symptoms of a problem

Each driver shall sign a statement certifying that he/she has received a copy of the educational materials, which will be kept on file.

## **DESIGNATED PERSON TO ANSWER QUESTIONS**

The Superintendent of the Tri-Township Consolidated School Corporation, who can be contacted at 219-754-2709, is the official designated to answer any employee questions about this policy or educational materials you have received.

## **CONFIDENTIALITY OF DRUG TEST RESULTS**

The results of all drug and alcohol testing results will be maintained in a secure confidential manner by the employer, laboratory, collection site, MRO, SAP, and the Consortium/Third Party Administrator (C/TPA). Information can only be released in the following circumstances and with the driver being notified in writing of the release.

- A. To a third party only as authorized in writing by the driver.
- B. To the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the employee tested.
- C. To a subsequent employer upon receipt of a written request from the driver as required by 49 CFR Part 40 of the DOT regulations.
- D. To the National Transportation Safety Board during investigation of an accident.
- E. To the DOT or any DOT agency with regulatory authority over the employer or any of its drivers, or to a State agency with oversight.
- F. To the driver upon written request.

Adopted by the Tri-Township Consolidated School Corporation School Board this 14th day of November, 2011.

**ADDENDUM B**  
**DOT's DIRECT OBSERVATION PROCEDURES**  
Return to duty and follow-up testing  
Effective August 31, 2009

1. DOT's 49 CFR Part 40 directly observed collections are authorized and required only when:
  - **The employee attempts to tamper with his or her specimen at the collection site.**
    - The specimen temperature is outside the acceptable range:
    - The specimen shows signs of tampering – unusual color/odor/characteristics, or;
    - The collector finds an item in the employee's pockets or wallet which appears to be brought into the site to contaminate a specimen; or the collector notes conduct suggesting tampering.
  - **The Medical Review Officer (MRO) orders the direct observation because:**
    - The employee has no legitimate medical reason for certain atypical laboratory results, or;
    - The employee's positive or refusal (adulterated / substituted) test result had to be cancelled because the split specimen test could not be performed (for example, the split was not collected);
  - **The employer orders direct observation for a Follow-up test or a Return-to-Duty test.**
2. The observer must be the same gender as the employee.
3. If the collector is not the observer, the collector must instruct the observer about the procedures for checking the employee for prosthetic or other devices designed to carry "clean" urine and urine substitutes AND for watching the employee urinate into the collection container.
  - **The observer request the employee to raise his or her shirt, blouse or dress/skirt, as appropriate, above the waist, just above the navel; and lower clothing and underpants to mid-thigh and show the observer, by turning around, that the employee does not have such a device.**
  - **If The Employee Has A Device: The observer immediately notifies the collector; the collector stops the collection; and the collector thoroughly documents the circumstances surrounding the event in the remarks section of CCF. The collector notifies the DER. This is a refusal to test.**
  - **If The Employee Does Not Have A Device: The employee is permitted to return clothing to its proper position for the observed collection. The observer must watch the urine go from the employee's body into the collection container. The observer must watch as the employee takes the specimen to the collector. The collector then completes the collection process.**
4. Failure of the employee to permit any part of the direct observation procedure is a refusal to test.

# EFFECTS OF ALCOHOL AND CONTROLLED SUBSTANCE USE

## COCAINE

### Signs and Symptoms of Use:

- Financial problems
- Frequent & extended absences from work
- Sensation of bugs
- Isolation/withdrawal from friends & activities
- Insomnia
- Unusual defensiveness, anxiety
- Agitation, wide mood swings
- Difficulty in concentration Dilated pupils
- Visual impairment
- Restlessness
- Hyper excitability
- Paranoia/hallucinations
- Talkativeness
- Runny/irritated nose
- Decreased appetite/weight loss

### Health Changes Attributed to Cocaine

- Respiratory failure
- Heart attack, chest pain, arrhythmia
- Stroke
- Seizures
- Hepatitis/HIV/AIDS
- Addiction
- Death

## OPIATES (NARCOTICS)

### Signs and Symptoms of Use:

- Mood changes
- Impaired mental functioning/alertness
- Constricted pupils
- Depression and apathy
- Raspy speech
- Impaired coordination
- Physical fatigue/drowsiness
- Nausea, vomiting and Constipation
- Impaired respiration
- Lack of ability to reason

### Health Changes Attributed to Opiates (Narcotics):

- Dependence
- Tolerance
- Addiction
- Addiction to prescription pain relievers
- Withdrawal

## PHENCYCLIDINE (PCP)

### Signs and Symptoms of Use:

- Impaired coordination
- Severe confusion and agitation
- Extreme mood shifts
- Muscle rigidity
- Nystagmus (jerky eye movements)
- Dilated pupils
- Profuse sweating
- Rapid heartbeat
- Dizziness

### Health Changes Attributed to Phencyclidine:

- Hallucinations
- Feel stronger, powerful, or invincible
- Accident prone
- Loss of Ability to Concentrate
- Anxiety, Depression
- Memory loss
- Weight loss
- Coma
- Violent

## AMPHETAMINES:

### Signs and Symptoms of Use:

- Hyper excitability, restlessness
- Dilated Pupils
- Increased heart rate & blood pressure
- Heart palpitations & irregular beats
- Profuse sweating
- Appetite suppression
- Rapid respiration
- Confusion
- Panic
- Inability to concentrate
- Heightened aggressive behavior
- Increased urine output

### Health Changes Attributed to Amphetamines:

- Loss of appetite
- Extreme behavior
- Overdoes easily and addicted easily
- Depressed & tired
- Loss of muscle mass
- Loss of teeth
- Ages rapidly

## **CANNABINOIDS (MARIJUANA)**

### Signs and Symptoms of Use:

- Reddened eyes
- Increased blood pressure
- Increased heart rate
- Lackadaisical attitude
- Slowed speech
- Distinctive odor on clothing
- Chronic sore throat
- Chronic fatigue
- Lack of motivation
- Irritating cough
- Lack of body coordination

### Health Changes Attributed to Cannabinoids (Marijuana):

- Loss of interests, motivation, lazy
- Damage to entire respiratory system
- Affects on brain, forgetful, can't focus
- Loss of energy and drive
- Cell abnormalities
- Difficulty comprehending complex ideas
- Lung cancer
- Changes to reproductive system
- Decreased masculinity in males
- Decreased femininity in females
- Impotency and Infertility

## **ALCOHOL**

### Signs and Symptoms of Use:

- Dulled mental processes
- Lack of coordination
- Odor of alcohol on breath
- Possible constricted pupils
- Sleepy or stuporous condition
- Slowed reaction rate
- Slurred speech

### Health Changes Attributed to Alcohol

- Travels to every cell, tissue and organ
- Raises blood pressure
- Damages heart
- Causes liver disease, brain damage, ulcers
- Weakens muscles
- Adversely affects judgment, decision-making
- Adversely affects acuteness of vision
- Withdrawal symptoms are just as worse as a "hard" drug
- Death

## **EFFECTS OF ALCOHOL AND CONTROLLED SUBSTANCES ON WORK AND PERSONAL LIFE:**

In addition to the risks previously identified, adverse affects to work and an employee's personal life may include:

- Termination of employment
- Criminal charges
- Incarceration
- Financial difficulties
- Breakdown of the family structure
- Civil lawsuits
- Deterioration of health

\*\*The above lists are not exhaustive.

Reviewed and approved on April 21, 2016



## REGIONAL SUBSTANCE ABUSE PROFESSIONALS

<p><b>La Porte Hospital</b>                  Deb Leroy, SAP                  219-326-2436                  La Porte, IN</p>	<p><b>Lois A. Weiss, LMHC, CEAP, SAP</b>                  765-281-1061</p> <p><b>Susan A. Adrians, MA, SAP</b>                  Merrillville Office, 708-418-8671</p> <p><b>Jan Reisch, SAP</b>                  Michigan City Office, 312-787-7441</p>	<p><b>Jill Underwood</b>                  Fresh Start Counseling                  Treatment Only                  Valparaiso, Hammond and                  Merrillville                  219-548-9400</p>
<p><b>Tom Klopfenstein, LCSW, SAP</b>                  Brighter Tomorrows                  310 N. Michigan Street, Suite 208                  Plymouth, IN 46563                  Phone: 574-935-9449                  Fax: 574-935-3956</p>	<p><b>ANISA Group</b>                  2512 Coving Street                  West Lafayette, IN 47906</p> <p><b>Lisa B. Werth, LCSW, ACSW, CADAC II, SAP</b>                  Phone: 765-497-3932 Ext. 93                  Cell: 765-427-5758</p>	<p><b>Mary J. Osberger, SAP</b>                  Phone: 574-246-4055                  South Bend, IN</p>
<p><b>Sharon Burden, SAP</b>  <b>Alcohol &amp; Addictions Resource Center</b>                  818 E. Jefferson Boulevard                  South Bend, IN 46617                  Phone: 574-234-6024                  Fax: 574-234-6025                  Email: <a href="mailto:aarc@aarinfo.org">aarc@aarinfo.org</a></p>	<p><b>Pamela H. Forsey, SAP</b>  <b>Crossroads Counseling</b>                  2319 Edison Road                  South Bend, IN 46615                  Phone: 574-233-4183</p>	<p><b>For additional SAP List visit:</b>  <b>SAPLIST.com</b></p>

## REGIONAL DRUG & ALCOHOL TREATMENT CENTERS

<p><b>Otis Bowen Center</b>                  990 Illinois                  Plymouth, IN 46563                  Phone: 800-342-5652 Ext. 2890                  Crisis Phone: 800-342-5652</p> <p>Other Locations: Warsaw, Syracuse,                  Huntington, Ft. Wayne, Albion, Wabash                  and Columbia City</p>	<p>Darrell Knowlton (Michigan City – 219-873-2395)                  David Johnson (La Porte – 219-362-2145)                  Day and Evening Intensive Outpatient Program (IOP)</p> <p>Vicky Ley, Addiction Service Coordinator                  800-342-5653</p> <p>Kathleen Davidson, National Association of                  Addictions Drug Abuse Counselor</p>	<p><b>Michiana EAP</b>                  818 E. Jefferson Boulevard                  South Bend, IN 46617                  574-287-1879                  800-388-0157</p>
<p><b>Kay Grask, LCSW (CISM only)</b>                  211 W. Washington Street, Suite 1910                  South Bend, IN 46601                  574-232-1405</p> <p><b>Don Gentner, LCSW (EAP)</b>                  Same Address</p>	<p><b>Addictions Recovery Centers, Inc.</b>                  114 North Main Street                  Goshen, IN 46526                  574-533-6154</p>	

Typically *Treatment* runs 3 times per week for 2 months.  
*After Care* typically runs 6 months, one time per week, 3 hours a day, approximately 20 – 26 sessions

**FIGMENTgroupINC.**

2328 North US 35, Suite B ~ ~La Porte, IN 46350 ~ Phone 219.326.8880 ~ ~ Fax 219.324.4493

updated: 11-0-07; 12-23-08; 03-30-09; 07-20-09; 01-06-10; 01-20-10; 02-03-10; 09-29-10; 03-29-11