



ADDENDUM #3
ITB/RFP NUMBER: 2016004-HR-P
Medical Services RFP

DATE: November 13, 2015

TO: All Potential Bidders/Offerors

City of Harrisonburg's Medical Services RFP, is modified as follows:

****DUE DATE CHANGE:** Section IX. Instructions to Offerors – Proposals will now be received by the Purchasing Office no later than **November 20, 2015 at 3:00pm local time.**

1. Question: **Section III.A.8** of the solicitation states that the offeror “must have a facility located within thirty (30) minutes normal driving distance from the Harrisonburg City Hall Building.” Would COH consider an award to a prime contractor outside of this radius as long as all medical services are provided by subcontracted medical facilities within the required area?

Answer: Yes.

2. Question: If the contracted medical facility is not operational 24 hours per day, would COH provide a facility for an on-site, subcontracted collector for after-hours testing in the event of a post-accident or reasonable suspicion drug or alcohol test? (**Section III.A.1**)

Answer: The City currently does this on-site through the BAT Rental & Supplies and would prefer to have a facility but the COH is willing to discuss this as an option.

3. Question: Would COH consider replacing the “BAT Rental” and “BAT Supplies” line items with an “On-Site Collection” line item? (**Attachment M**)

Answer: Yes, as long as the total price includes all operational costs. See attached page 3. **Please use this in place of the current Attachment M.**

4. Question: **Sections V.B.3 and V.C.5** mention a requirement for occupational therapy protocols and personnel. These services were not outlined in Section III: Scope of Services. Please detail what is required in the area of physical/occupational therapy for this contract.

Answer: Please strike both V. B. 3. And V. C. 5. from this section.

5. Question: Is there an estimated time of day (i.e. 5:00pm – 8:00pm) where After Hours Pre-placement and Periodic Firefighter physicals are expected? Also, please provide the estimated volume for these after hours examinations. (**Attachment M**)

Answer: Currently the City performs over fifty (50) physicals on Saturdays. Only a handful of physicals are performed during the week after 4:00pm.

6. Question: **Section III.C.1.d** of the solicitation lists a requirement for a “Treadmill Stress Test, as indicated by physician if necessary.” Would COH consider adding a separate line item on Attachment M: Cost Proposal for Treadmill Stress Tests, or should the additional cost of a Treadmill Stress Test be added to the current line items of Preplacement and Periodic Firefighter physicals?

Answer: Yes, we will add this as a separate line item on the cost sheet. See attached page 3. **Please use this in place of the current Attachment M.**

7. Question: **Section III.B.5.b** of the solicitation states that “The Offeror must follow guidelines established for the City of Harrisonburg Drug Testing Program.” Please provide a copy or link to the guidelines incorporated by reference.

Answer: Attached (page 4 and beyond) is a copy of the City’s Policy Manual, Section 11, “Alcohol and Controlled Substances” dated 7-16-08. The section regarding “Post-Reportable Accident/Incident Testing” section is currently in the process of being updated.

All other requirements, terms and conditions of the ITB/RFP remain unchanged.

Addendum page must be signed and returned with your bid/proposal to acknowledge receipt of this addendum.

Authorized Signature

By: Pat Hilliard, CPPB
Procurement Manager



ATTACHMENT M. COST PROPOSAL

Note: Cost Proposals should be bound and sent in a separate envelope, submitted with the technical proposal. Submit prices only for the services which you are proposing.

Cost	Service Description
	Pre-placement/Post-Offer Examination (CDL/DOT)
	Pre-placement/Post-Offer Examination (Non-CDL/Non-DOT)
	Annual or Periodic Examination (CDL/DOT)
	Annual or Periodic Examination (Non-CDL/Non-DOT)
	Fitness-for-Duty
	Return-to-Work
	Pre-placement – Firefighters in accordance with NFPA 1582
	Periodic – Firefighters in accordance with NFPA 1582
	Asbestos Surveillance Examinations
	Hazardous Materials Surveillance Examinations
	Pre-placement – Police
	School Bus Driver’s Physician Certificate (Form EB.001)
	Medical Examination for Commercial Driver Fitness Determination Form 649-F (6045)
	DOT Drug Testing (5 panel test)
	Non-DOT Drug Testing (10 panel test)
	Breath-Alcohol Test
	Network Fee (Arranging out of area testing)
	Lab Only for Drug Test urine specimen collected by the City of Harrisonburg
	Hepatitis B Immunization (3 shots)
	Titer Test
	Hearing Exam
	Vision Testing
	On-Site Collection
	BAT Testing
	Treadmill Stress Test, as required by physician
	After Hours (before/after 8:00am – 5:00pm):
	Drug Testing
	Alcohol Testing
	Pre-placement – Firefighters in accordance with NFPA 1582
	Periodic – Firefighters in accordance with NFPA 1582
	Other:

****This document must be completed & returned with proposal submission in separate, sealed envelope.***

SECTION XI

ALCOHOL AND CONTROLLED SUBSTANCES TESTING POLICY

11.1 INTRODUCTION

7/1/08

This Alcohol and Controlled Substances Testing Program applies to all City of Harrisonburg employees, including without limitation, employees of the City's Public Safety Departments (the Police Department, the Fire Department and the Emergency Communications Center), the Resource Recovery Facility (Public Works Department), the Water Treatment Plant (Public Utilities Department), and any employee charged with the supervision of the health/safety of minors. This Program applies to full time, part time and seasonal employees.

Specific positions have been identified as: (1) Mandated Safety Sensitive positions; (2) Non-mandated Safety Sensitive positions, and (3) All Other Employees.

The Department of Transportation (DOT) has mandated that the City commercial vehicle operators and transit employees who perform safety-sensitive functions be tested for controlled substance use. DOT also requires that these employees be tested for alcohol misuse. The requirements and regulations for testing come under two different Department of Transportation operating authorities: the Federal Motor Carrier Safety Administration (FMCSA) for commercial drivers; and the Federal Transit Administration (FTA) for transit employees. **DOT allows for the City's program to be more specific than their regulations as long as language specific to the City's program is identified. Therefore, where this program goes beyond the requirements of DOT, the text is highlighted in bold print.**

The City has chosen to apply FMCSA and/or FTA procedures to other categories of City of Harrisonburg employees not covered by federal regulations.

The City's Human Resources Director will serve as the Program Manager for those employees tested under the FMCSA regulations (mandated safety sensitive positions) and those employees identified as non-mandated, and all others.

The Public Transportation Director serves as the Program Manager for those employees tested under FTA regulations. Questions regarding this policy should be directed to the City’s Human Resources Director or to the Director of Public Transportation. All documentation, forms and/or other written materials related to controlled substances testing shall be retained by the appropriate Program Manager.

11.2 POLICY STATEMENT

7/1/08

The City has established an alcohol and controlled substances testing program for all employees with safety-sensitive application to categories of employees as designated herein. The overall goals of this program are to ensure safe and drug-free public utilities, public works, public safety, child-care and transportation environments, and to attract and maintain a work force that is free of alcohol and controlled substances.

- A. All City employees who are required to possess a Commercial Driver’s License (CDL) are required to be drug and alcohol tested as stipulated in the federal regulations. This requirement includes City employees who are required to possess a CDL in order to perform their duties, even those who drive a City commercial vehicle only occasionally or employees who repair, inspect or maintain commercial vehicles.
- B. The federal laws that provide drug free workplace and alcohol and controlled substances testing standards are: (1) Drug Free Workplace Act of 1988 and (2) Omnibus Transportation Employee Testing Act of 1991 (Title 49 CFR Parts 382, et.al., FMCSA Regulations on Controlled Substances and Alcohol Use Testing and Title 49 CFR Part 40, Procedures for Transportation Workplace Drug and Alcohol Testing Programs).

11.3 PROHIBITED BEHAVIOR

7/1/08

The City of Harrisonburg prohibits the use of controlled substances and alcohol by all employees while on the job or on standby. The use of controlled substances and/or alcohol, while on the job or on standby, shall result in disciplinary action up to and including termination. The City prohibits the use of any controlled substance or other performance-altering drug that cannot be substantiated by medical evidence of legitimate drug use.

- A. City employees shall not:
1. Report for duty or remain on duty while having an alcohol concentration of 0.02 or greater;
 2. Drive a City owned vehicle within (4) hours after consuming alcohol;
 3. Refuse to submit to a reasonable suspicion alcohol or controlled substance test;
 4. Report for duty or remain on duty when using any controlled substances, except when the use is pursuant to the written instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to operate machinery and perform his/her job functions;
 5. Report for duty, remain on duty or drive a City vehicle if the employee tests positive for controlled substances.
- B. In addition to the above, a City employee who performs a safety sensitive function shall not:
1. Use alcohol for eight (8) hours following an accident or incident, or until the employee has undergone a post-accident/incident alcohol/controlled substance test, whichever is first;
 2. Refuse to submit to an alcohol or controlled substance test required by post-accident/incident, random, return-to-duty or follow-up testing requirements;
 3. Report for duty or remain on duty to perform a safety sensitive function while under the influence of prescription drugs that could impair the employee's ability to perform duties safely. City employees are required to verify with their physician, upon receipt of a prescription, that the substance will not adversely affect their ability to perform job functions. If the physician indicates that the substance might impair the employee's ability to safely perform his or her duties, the employee shall so advise his or her supervisor immediately or prior to performing the job functions.

If an employee, who is not scheduled for standby and is contacted and is requested to come to work outside his/her normal duty hours to perform emergency or unscheduled work, reports off-duty consumption of alcohol or medication that may affect the employee's ability to perform job functions, the supervisor shall not require the employee to report to work.

**11.4 ALCOHOL AND CONTROLLED SUBSTANCES TESTING REQUIREMENTS
7/1/08**

Employees in the following classifications/positions are subject to FMCSA or FTA drug and alcohol testing, as outlined below:

A. FMCSA – Federal Motor Carrier Safety Administration

- Employees in positions/classifications requiring a Commercial Driver’s License (CDL)
- School Bus Driver
- School Bus Driver/Trip Driver
- School Bus Aide
- Para Transit Coordinator
- School (Bus) Superintendent

B. FTA – Federal Transit Administration

- Transit Trainee
- Garage/Transportation Trainee
- Transit Bus Driver
- Transit Dispatcher
- Para Transit Driver
- Wash Bay Assistant
- Assistant Wash Bay Supervisor
- Bus Driver/Trainer
- Front Line Supervisor
- Equipment Mechanic I
- Equipment Mechanic II
- Assistant Equipment Maintenance Supervisor
- Equipment Maintenance Supervisor
- Transit Superintendent
- Director of Public Transportation

C. Non-Mandated Safety Sensitive Positions/Classifications

- All employees of the Harrisonburg Police Department
- All employees of the Harrisonburg Fire Department
- All employees of the Emergency Communications Center (ECC)
- All employees with the Water Treatment Plant
- All employees with the Resource Recover Facility

- Any other City position/classification responsible for the health and safety of minors, including, but not limited to:
 - Special Projects Coordinator
 - First Tee Coordinator
 - Athletic Program Supervisor
 - Stream Health Coordinator
 - Recreation Instructor
 - Recreation Program Supervisor I
 - Recreation Program Supervisor II
 - Recreation Center Supervisor
 - Community Activities Center Director
 - Lifeguard
 - Lifeguard/Instructor
 - Pool Supervisor
 - Aquatics Director
 - Assistant Golf Course Professional
 - Golf Course Professional
 - Pre-School Instructor
 - Skate Park Attendant
 - Pool Cashier

D. Any other non-mandated, safety sensitive City position/classification not included in the listing.

11.5 TRAINING

7/1/08

Employee Training

Every covered employee will receive a copy of this policy. In addition, all covered employees shall undergo a minimum of sixty (60) minutes of training on the signs and symptoms of drug use, including the effects and consequences of drug use on personal health, safety and the work environment. The training will include manifestations and behavioral clues that may indicate prohibited drug use.

Supervisor Training

Supervisors shall also receive sixty (60) minutes of reasonable suspicion training on the physical, behavioral and performance indicators of probable drug use and sixty (60) minutes of additional reasonable suspicion training on the physical, behavioral, speech and performance indicators of probable alcohol misuse.

Training records will be maintained indefinitely.

11.6 PROHIBITED SUBSTANCES

7/1/08

Prohibited Substance: illegally used controlled substance or drug under the Drug-Free Workplace Act of 1988 or the Controlled Substance Act.

- A. The illegal use of any drug or substance is prohibited at all times unless a legal prescription has been written for the substance. This includes, but is not limited to: opiates, morphine, codeine, methadone, propoxyphene (Vicodin, Oxycodone and Percocet), phencyclidine (LSD, PCP and Ecstasy), cocaine, amphetamines/methamphetamines, barbiturates, benzodiazepines (Valium, Xanax and Rohypnol) and marijuana.

The medical use of marijuana, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy.

- B. The use of beverages containing alcohol (including any medication, mouthwash, food or candy) or any other substance such that alcohol is present in the body while performing safety sensitive (mandated or non-mandated) job functions is prohibited.
- C. 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, as appropriate, before resuming work-related duties.

A legally prescribed drug means that individual has a prescription or other written approval from a physician for the use of a drug in the course of the medical treatment. It must include the patient's name, the name of the substance, quantity/amount to be taken, and the period of authorization. The misuse or abuse of legal drugs while performing City business is prohibited.

11.7 TYPES OF TESTING**7/11/08**

Employees subject to this drug testing program may be required to be tested under the following seven types of tests. Employees subject to post offer, random screening, post-reportable accident/incident, reasonable suspicion and blind performance testing will be considered on the clock and compensated accordingly. Employees will not be compensated for return-to-work or any follow-up testing.

A. Post Offer Testing

1. A post offer drug test will be conducted when an individual is selected to be hired for a position listed in this policy.
2. A post offer controlled substance test will be conducted when a current employee transfers from a position not covered by this policy, into a position listed in this policy.
3. **Applicants offered a City position may be tested before beginning employment. If the applicant's controlled substance test is positive, then the matter will be referred to the Medical Review Officer (MRO) for review.** Post offer job applicants or employees seeking a transfer into a position covered by this policy who test positive will not be hired unless and until the City receives an opinion from the MRO explaining that the positive test result should not be a bar to employment or transfer. Applicants and employees transferring into a covered position have the option, at their expense, to have their sample retested if their request is made to the MRO within 72 hours of the receipt of the final test result from the MRO. Reimbursement shall be made to applicants and transferring employees if the second test is negative.
4. An employee who transfers from one position covered by this policy to another position covered by this policy does not require post offer testing.
5. Employees working in a position covered by this policy on the effective date and who continue to work in a covered position do not require a post offer test.

6. In the event that the MRO was not able to contact the applicant to discuss the results of their controlled substances test, the City shall notify an applicant of the results of a post offer controlled substance test, if the applicant requests such results within 60 calendar days of being notified of the disposition of the employment application.

7. Applicants offered positions requiring a CDL must give written consent to permit the City of Harrisonburg to contact all previous employers over the past two years to:
 - a. Determine if the applicant performed duties requiring a CDL;
 - b. Determine if the applicant has participated in alcohol and/or controlled substance testing programs that meet DOT guidelines;
 - c. Obtain the date last tested;
 - d. Verify that the CDL holder has not refused to submit to an alcohol or controlled substance test;
 - e. Obtain the record of any controlled substances or alcohol tests administered in the previous six months, and
 - f. Obtain the record of any violations of the alcohol or controlled substances rules.

Departments will obtain the applicant’s signature on the *Release of Information Form* (page 34 of this policy) and send the request to any employer the applicant has worked for in the last two years. The forms will be returned to the Human Resources Director. The Human Resources Director will notify the Department Director or his/her designee as to the results of the inquiry.

8. Offers of employment for positions requiring possession of CDL's are contingent upon:
 - a. The applicant demonstrating an alcohol test with a concentration of less than 0.02 and a verified negative controlled substance test;
 - b. Signature on the consent form to obtain reports from previous employers indicating that applicant's compliance with testing programs and DOT regulations when previous employment required a CDL;
 - c. Review of any reports received from prior employers to determine applicant's compliance with DOT controlled substances/alcohol testing requirements.

B. Random Testing

1. All employees working in a position covered by this policy are subject to unannounced testing based on random selection. This includes full time, regular part time and seasonal employees.
2. For FMCSA and FTA positions/classifications, the City will test at least fifty percent (50%) of covered employees every twelve (12) months based on the calendar year, for controlled substances.
3. For Non-mandated Safety Sensitive Positions/Classifications, the City will test at least ten percent (10%) of covered employees monthly, based on the calendar year, for controlled substances.
4. Random alcohol testing for FMCSA and FTA positions/classifications will be performed at a rate of at least ten percent (10%) of the average number of covered positions. This rate is subject to adjustment by DOT as based on the industry's violation rate.
5. For Non-Mandated Safety Sensitive Positions/Classifications, the City will test at least five percent (5%) of covered employees monthly based on the calendar year for random alcohol testing.

6. To assure that the selection process is random, employees will be placed in random pools.
- The Public Transportation Director will be responsible for the administration of the random selection process for all Public Transportation employees.
 - The Human Resources Director will be responsible for the administration of the random selection process for all other City employees covered by this policy.
 - Employees whose positions require a Commercial Driver's License to perform the essential job functions of the position will be maintain in a DOT testing random pool.
 - Employees whose positions are included in the Non-Mandated Safety Sensitive Positions/Classifications, will be maintained in a separate pool.

All full time, regular part time and seasonal employees covered by this policy shall be listed in their designated random pool. Employees remain in the random selection pool at all times, regardless of whether or not they have been previously selected for testing. A person may be randomly picked more than once or not picked at all during the annual period.

7. The random selection procedure will be a computer-based number generator that is matched with an employee's social security number (CDL-related positions) and an employee associated number for employees tested from the non-DPT random pool.
8. The selection procedure will select sufficient additional numbers/employees to be used to reach the appropriate testing level during each test period. These alternate numbers will be tested in order of selection only if persons selected are unavailable for testing due to vacations, medical leave or travel requirements.
9. **Collection will be conducted on different days and at different times during day and evening hours, to prevent employees from matching their controlled substances use patterns to a schedule of collection.**

C. Post-Reportable Accident/Incident Testing for DOT-tested Employees

1. Employees working in positions covered by this policy whose performance either contributed to an accident/incident, or cannot be completely discounted as a contributing factor to the accident/incident will be tested. Those employees holding CDL's will be tested based on FMCSA regulations.
2. The decision not to administer a test shall be based on the City's determination, using the best available information at the time of the determination, that the covered employee's performance could not have contributed to the accident/incident.
3. As soon as practical following an accident/incident, the City shall test for alcohol and controlled substances for each surviving employee if, as a result:
 - An individual dies;
 - An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident/incident;
 - One or more vehicles incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, "disabling damage" (for a vehicle) means damage that precludes departure on any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs.
4. Accident/Incident Testing may also be initiated for circumstances not involving a vehicle, should the responsible supervisor believe the testing is necessary based upon facts associated with the accident/incident.
5. **Department Directors or his/her designee shall notify the appropriate Program Manager as soon as possible when an employee is tested following an accident/incident.**

Controlled Substances Testing

The employee will be tested for controlled substances as soon as possible, but no later than 32 hours after the accident/incident. Because certain controlled substances or drug metabolites do not remain in the body for extended periods of time, testing should be done as soon as possible.

Alcohol Testing

As soon as practical following an accident/incident, the City shall test each surviving covered employee for alcohol if that employee's performance of a covered function either contributed to the accident/incident or cannot be completely discounted as a contributing factor to the accident.

If a test is required, but is not administered within two (2) hours following the accident/incident, the City shall prepare and maintain on file, a record stating the reasons the test was not promptly administered. If a required test is not administered within eight (8) hours following the accident/incident, the City shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test. These records shall be made available to FMCSA and FTA upon request.

A covered employee who is subject to post-accident/incident testing who fails to remain readily available for such testing, including notifying the supervisor or City representative of his/her location if he/she leaves the scene of the accident/incident prior to submission to such test, may be deemed by the City to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident/incident or to prohibit a covered employee from leaving the scene of an accident/incident for the period necessary to obtain assistance in responding to the accident/incident or to obtain necessary medical care.

- D. **Post-Reportable Accident/Incident Testing for non-DOT tested Employees**
The City shall allow each Department Director or his/her designee to make the determination of post-accident testing of employees from the non-DOT pool.

E. Reasonable Suspicion Testing

1. **All City employees are subject to reasonable suspicion testing.**
2. When there is reasonable cause/suspicion to believe that an employee is using a prohibited controlled substance or using alcohol while on duty, the employee will be required to take a test for controlled substances and/or alcohol.
3. The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor or City official who is trained through the Employee Assistance Program, or an equivalent program, in controlled substance use symptoms.
4. A decision to test must be based on specific observations concerning the appearance, behavior, speech, or body odors of the employee. The observations may include indications of the chronic and withdrawal effects of controlled substances. FMCSA and FTA covered positions may be tested (alcohol) only if the observations are made during, just preceding, or just after the period of the workday that the employee is performing a safety sensitive function.
5. If an alcohol test is required, but is not administered within two (2) hours following the request for the test, the City shall prepare and maintain on file, a record stating the reasons the test was not promptly administered. If a required test is not administered within eight (8) hours following the request, the City shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.
6. Supervisors shall discreetly inform the employee that there is reason to believe that his/her performance is being affected by some substance. Ask the employee to explain the suspected behavior and to describe the events that took place from their perspective. If there is still a reason to believe that controlled substances or alcohol are a factor in the situation, a request for testing should be made; if no reasonable belief is determined, then no request for testing should be made.

If a decision to test is made, inform the employee that they are being requested to accompany the appropriate City personnel to the specimen collection site to provide a urine/breath specimen, and inform the employee of the consequences of refusal to submit to testing.

7. The potentially affected employee should not be allowed to proceed to or from the collection site, alone. A supervisor or other appropriate personnel shall accompany him/her to and from the collection site.
8. After returning from the collection site, the employee shall not be allowed to perform FMCSA and/or FTA covered functions related to safety sensitive positions, nor will positions covered as a Non-Mandated Safety Sensitive position/classification be allowed to continue with certain essential job functions. Appropriate City personnel will determine which duties may be allowed after the testing has occurred, while waiting on test results. The employee should not be allowed to operate any motor vehicle due to the reasonable cause belief that they may be under the influence of alcohol or a controlled substance(s).
9. Record the activity performed that supports the determination to conduct a reasonable cause. This documentation should be prepared and signed by the supervisor within 24 hours for an employee being tested or before the results of the tests are released, whichever is earlier, if possible.

F. Return To Work Testing

Controlled Substances Testing

Should an employee be re-hired for a City position after testing positive to use of controlled substances, the employee shall undergo a return-to-work controlled substance test that results in a verified negative test result. The testing shall be completed before beginning the job assignment and a future testing schedule shall be determined by the Substance Abuse Counselor.

Directly observed collections are required for positions controlled by FTA regulations for return-to-work testing.

Alcohol Testing

The City shall ensure that before a covered employee returns to duty requiring the performance of both covered duties and Non-Mandated Safety Sensitive duties, the employee shall undergo a return-to-work alcohol test with a result indicating an alcohol concentration of less than 0.02.

G. Follow-Up Testing for DOT Mandated Classifications/Positions

1. Following the determination that a covered employee is in need of assistance in resolving problems associated with alcohol misuse or controlled substance use, the City shall ensure that the employee is subject to unannounced follow-up alcohol and/or controlled substance testing as directed by a Substance Abuse Professional (SAP).
2. Follow-up testing shall be conducted when the covered employee is performing applicable job functions; just before the employee is performing applicable job functions; or just after the employee has ceased performing the job functions.
3. A minimum of six (6) unannounced, follow-up tests must be administered within the first twelve (12) months after the employee has returned to duty. The SAP shall direct additional testing during this period or for an additional period, up to a maximum of sixty (60) months from the date that the employee returned to duty. The SAP can terminate the requirement for the follow-up testing in excess of the minimum at any time, if the SAP determines that the testing is no longer necessary.
4. The City may direct the employee to undergo return-to-duty and follow-up testing for both alcohol and controlled substances, if the SAP determines that it is necessary for that particular employee.
5. Observed collections are required for all FTA follow-up drug testing.
6. **Costs associated with return-to-work and follow-up testing are the responsibility of the employee.**

11.8 TESTING PROCEDURES

A. Controlled Substances

1. Tests shall be conducted as specified in DOT regulations, Title 49 CFR Part 40 and per procedures established by the City of Harrisonburg with the testing facility for non-DOT testing.
2. Under DOT regulations, employees will be tested for the following five specific controlled substances:
 - Marijuana
 - Cocaine
 - Opiates
 - Amphetamines
 - Phencyclidine (PCP)

Employees who do not fall under DOT regulations will be tested for the following controlled substances:

- Marijuana
 - Phencyclidine (PCP)
 - Amphetamines
 - Cocaine
 - Opiates
 - Barbituates
 - Benzodiazepines
 - Methadone
 - Methaqualone
 - Propoxyphene
3. All testing shall be conducted from urine specimens administered by qualified contractor personnel. Urine specimen collection procedures require:
 - a) A designated collection site.
 - b) Security of the collection site.
 - c) Chain-of-custody documentation.
 - d) Privacy during collection.
 - e) Integrity and identification of the specimen.
 - f) Transportation to the designated laboratory.

4. Contractor personnel and laboratories used for the analysis of the specimens must meet the federal requirements set forth by NIDA and follow the guidelines by the U.S. Department of Health and Human Services (USDA).
5. **Upon notification that a controlled substances test is required, an applicant and/or employee will be required to report to the controlled substance testing collection site specified by the supervisor within a specific predesignated date and time.**
6. Upon entering the test location, the employee will be asked to provide identification with a current photograph to the technician, and to submit the *Service Request Form*. The applicant/employee and the technician will complete the required forms distributed at the test site and follow required testing procedures. Providing incomplete information, engaging in conduct that obstructs the testing process or failing to sign the required certifications shall be regarded as a refusal to take the test, therefore the test results shall be considered positive and the employee shall be terminated from City employment.

A urine sample is collected to split sample testing procedures. If the employee is unable to provide the specified quantity of urine, the employee will be instructed to drink not more than 24 ounces of fluid and wait up to two hours to provide another sample. If a complete sample cannot be provided, the employee will return to the work site but will not be allowed to perform safety sensitive functions (as regulated by DOT or determined by the City) until the City has consulted with the Medical Review Officer (MRO).

The information about the incomplete test will be sent to the MRO. The MRO will refer the employee for a medical evaluation to determine if the inability to provide a specimen is genuine. If the MRO determines that the inability to provide a specimen is not genuine, then he/she will report the findings as a refusal to test in writing to the appropriate Program Manager.

B. Alcohol

1. Tests shall be conducted as specified in DOT regulations, Title 49 CFR Part 40 and per procedures established by the City of Harrisonburg with the testing facility for non-DOT testing.

2. Under these regulations, all testing will be conducted for alcohol from breath tests administered by qualified contractor personnel. Breath specimen collection requires:
 - a) A designated collection site.
 - b) Security of the collection site.
 - c) Privacy during collection.
3. Alcohol Breath Testing requires the use of an appropriately certified Evidential Breath Testing (EBT) device operated by a certified Breath Alcohol Technician.
4. **Upon notification that a controlled substances test is required, an applicant and/or employee will be required to report to the controlled substance testing collection site specified by the supervisor within a specific predesignated date and time.**
5. Upon entering the test location, the employee will be asked to provide identification with photograph to the technician and to submit the *Service Request Form*. The applicant/employee and the technician will complete the required forms distributed at the test site and follow required testing procedures. Providing incomplete information, engaging in conduct that obstructs the testing process or failing to sign the required certifications shall be regarded as a refusal to take the test, therefore the test results shall be considered positive and the employee shall be terminated from City employment.
6. At the completion of the screening test, the results will be shown to the employee. If test results are negative, the employee will be given a copy of the Breath Alcohol Testing Form and he/she will return to work. If the result of the screening test shows a detectable alcohol of .02 or greater, a confirmation test will be performed within specified time limits. If detectable amounts of alcohol of .02 breath alcohol concentration (BAC) or higher are verified in the confirmation test, the applicant/employee will be in violation of this policy. An individual with a verified confirmation test shall not leave the test collection site without the approval of his/her supervisor. **Prior to return to duty, the individual who tests positive must be approved for return to duty by the City Manager.**

At the conclusion of testing, copies of the BAT form will be retained by the testing location, provided to the employee, and transmitted in a confidential manner to the appropriate Program Manager **within three business days**. If a screening or confirmation test cannot be completed, or an event occurs that would invalidate the test, the BAT will conduct a new screening or confirmation test, as applicable.

11.9 REFUSAL TO TEST

Compliance with this controlled substances/alcohol testing policy is a condition of employment. Refusal to take a required controlled substance test or failure of a controlled substance test shall result in removal from performing covered functions. **Refusal to test, failing a test, or attempting to adulterate a sample will result in the same disciplinary procedure as a positive test which shall result in termination from City employment.**

11.10 MEDICAL REVIEW OFFICER (MRO)

The MRO must be a licensed physician or doctor of osteopathy who is responsible for receiving laboratory results generated by the Commercial Motor Vehicle and the Transit Division controlled substance testing program, and who has knowledge of substance abuse disorders and has approved medical training to interpret and evaluate an individual's confirmed positive test result together with his/her medical history and any other relevant biomedical information.

The MRO is responsible for reviewing all controlled substance test results before they are reported to the individual, and for reviewing and interpreting each confirmed positive test result to determine if there is an alternate medical explanation for the confirmed positive test result.

11.11 TESTING SITE AND LABORATORY

- A. The collection site and collection agency is Rockingham Memorial Hospital, Center for Corporate Health. After hours testing will be performed at the Rockingham Memorial Hospital Emergency Room.
- B. The City will use a controlled substance testing laboratory under DHHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; 5 3 FR II 970.

- C. The testing laboratory will comply with all methods and procedures of 49 CFR Parts 40, 199, 382, and 653 and 654 and will provide quarterly and annual reports to the City of Harrisonburg showing compliance. The laboratory shall have a qualified individual to assume professional, organizational, educational and administrative responsibility for the laboratory’s urine drug testing facility.

11.12 TEST RESULTS

A. Alcohol Test Results

1. If the results of the screening test are negative, the testing laboratory will inform the employee and the Program Manager of the negative report and no further testing of the specimen will be conducted. The BAT shall forward the results of all alcohol tests to the appropriate Program Manager.
2. If the result of the screening test is an alcohol concentration of 0.02 or greater, the BAT shall perform a confirmatory test according to DOT regulations and City of Harrisonburg regulations.
3. If the confirmatory test is negative, the testing lab will so inform the employee and the appropriate Program Manager.
4. If the result of the confirmatory test is equal to or exceeds 0.02 percent, the employee and the appropriate Program Manager will be notified and the employee shall be removed immediately from all safety/health related duties. The employee shall not be permitted to perform the job duties until he/she receives approval from his/her Department Director.
5. The appropriate Program Manager will notify the department which will make arrangements for transporting the employee home.
6. The procedures in Section 11.14, *Positive Test Results*, must be followed. MRO evaluation is not required for BAC tests.

B. Controlled Substances Test Results

1. First, an immunoassay test will be conducted which will screen for use of any of the following five controlled substances for employees tested to DOT standards:

- Marijuana metabolites 50 ng/ml*
- Cocaine metabolites 300 ng/ml*
- Opiates metabolites 300 ng/ml*
- Phencyclidine (PCP) 25 ng/ml*
- Amphetamines 1000 ng/ml*

(*ng/ml is nanograms per milliliter. A nanogram is one billionth of a gram.)

2. The 10-panel non-DOT testing consists of the following standards:

- Marijuana metabolites 50 ng/ml*
- Phencyclidine (PCP) 25 ng/ml*
- Amphetamines 1000 ng/ml*
- Cocaine metabolites 300 ng/ml*
- Opiates metabolites 300 ng/ml*
- Barbituate metabolites 300 ng/ml*
- Benzodiazepine metabolites 300 ng/ml*
- Methadone metabolites 300 ng/ml*
- Methaqualone metabolites 300 ng/ml*
- Propoxyphene metabolites 300 ng/ml*

(*ng/ml is nanograms per milliliter. A nanogram is one billionth of a gram.)

3. If the result of the immunoassay test is *negative*, the testing laboratory will forward the results to the MRO and no further testing of the specimen will be conducted. MRO staff will “administratively review” the records and report the results to the appropriate Program Manager. The Program Manager will notify the Department Director, if applicable.
4. If the result of the immunoassay test is *positive* (results exceed the levels for any of the controlled substances listed previously), a gas chromatography/mass spectrometry confirmatory test will be performed.

5. A positive conclusion will not result unless both immunoassay and the gas chromatography/mass spectrometry test results are *positive*.
6. The laboratory shall forward the results of the test to the MRO for review.
7. The MRO reviews and interprets confirmed *positive* test results. The MRO shall examine alternate medical explanations for any *positive* results. This may include, but is not limited to conducting a medical interview and a review of the employee's medical history. If the sample is suspected of adulteration the MRO shall recommend that the City obtain and analyze another sample from the employee.
8. The MRO shall afford the employee the opportunity to discuss a *positive* test result before reporting the result to the appropriate Program Manager. The MRO shall inform the employee of his/her right to request the specimen be tested in a different NIDA approved laboratory for the presence of controlled substance(s) for which a positive result was obtained. The MRO shall honor the employee's request if it is made within seventy-two (72) hours of the employee being informed by the MRO of a verified positive test result.
9. After contacting the employee, the MRO shall provide the appropriate Program Manager with the following:
 - The name of the employee for whom results are being reported;
 - The reason for the test (e.g., pre-employment [post offer testing], random, post-accident, etc.);
 - The date and location of the test collection;
 - The identities of the persons performing the collection and analysis of the specimen(s);
 - The verified results of a controlled substances test, either positive or negative, and, if positive, the identity of the controlled substance(s) that was verified.

10. If the MRO is not able to contact the employee, the MRO shall report to the appropriate Program Manager, that he/she has made and documented all reasonable efforts to contact the employee. The Program Manager shall, as soon as practicable, ask the appropriate Department Director to direct the employee to contact the MRO before performing any of his/her job functions or within twenty-four (24) hours, whichever is earlier.
11. Without communicating with the employee, the MRO may verify a test as positive to the Program Manager if:
 - The employee declines the opportunity to discuss the results with the MRO; or
 - More than five (5) days have passed since the employee was instructed to contact the MRO; or
 - Permitted as specified in the DOT regulations (for those employees regulated under DOT).
12. If the MRO determines that there is a legitimate medical explanation for a positive test result, the MRO shall report the results as *negative*.

11.13 POSITIVE TEST RESULTS

- A. In the event of a positive alcohol or controlled substances test result, the employee shall be assigned to a non-safety sensitive position (as defined by both DOT and the City of Harrisonburg) or placed in a leave-without-pay status until a determination is made regarding discipline and/or medical treatment. The Department Director/supervisor shall discuss individual cases with the Human Resources Director.
- B. An employee who is relieved of his/her duties as a result of a positive alcohol test shall not be permitted to operate a motor vehicle, or perform other safety or health related job functions (as defined by the City of Harrisonburg). Every attempt shall be made to locate a family member or friend to transport the employee home. If this is unsuccessful, a supervisor shall make arrangements for the employee to be taken home. Any transportation expenses incurred by the supervisor are reimbursable by the City.

C. A thorough review of the circumstances will be conducted prior to determining if disciplinary action shall be taken. The disciplinary action will depend on the severity of the offense and the employee’s work history. Disciplinary action shall be based on the following guidelines:

1) Alcohol

a. BAC equal to or greater than 0.02 but less than 0.04

1. Removal from job.

2. Suspended without pay for two (2) work days.

b. BAC equal to or greater than 0.04

1. Removal from job.

2. Suspended without pay for minimum of five (5) work days.

2) Controlled Substances

Termination of City employment.

D. Prior to returning to safety sensitive duties (as defined by DOT and the City of Harrisonburg), and/or prior to a rehire of the employee by the City, the employee must:

1) Be referred to, and assessed by a Substance Abuse Professional (SAP) and comply with the recommended treatment program. The employee shall authorize the release of information to the (appropriate) City’s Program Manager, verifying assessment and treatment recommendations and successful compliance with any recommended plan.

2) Undergo a return-to-duty alcohol and controlled substance test, as applicable. An alcohol test must indicate an alcohol concentration of less than 0.02 and a controlled substances test must indicate a verified negative result.

11.14 REHABILITATION

A. Participation in rehabilitation shall not result in disciplinary action. However, successful completion of the prescribed program, if it is determined that participation is needed, will be required for the employee to continue in the employment of the City of Harrisonburg. The employee shall be placed in a leave status, if leave is available, in order to enter into an approved rehabilitation program.

- B. **Participation in rehabilitation through the Employee Assistance Program (EAP) will not waive disciplinary action where warranted for violations of this policy.**
- C. **Reinstatement and/or re-hire will be conditioned upon consent for substance/alcohol retesting as scheduled by the MRO or SAP for a time period not to exceed sixty (60) months. Positive results on a follow-up test or other evidence of relapse within two years will be grounds for immediate dismissal.**
- D. Each employee identified as needing assistance in resolving problems associated with alcohol abuse or controlled substances use shall be evaluated by a substance abuse professional to determine that the employee has properly followed a rehabilitation program and shall be subject to unannounced follow-up alcohol and controlled substances tests.
- E. The City shall ensure that a substance abuse professional who determines that an employee requires assistance in resolving problems with alcohol misuse or controlled substances use does not refer the employee to the substance abuse professional's private practice or to a person or organization from which the substance abuse professional receives remuneration or in which the substance abuse professional has a financial interest.

This paragraph does not prohibit a substance abuse professional from referring an employee for assistance provided through:

- 1) A public agency, such as a State, county or municipality or;
- 2) The employer, or a person under direct contract to provide treatment for alcohol or controlled substance problems on behalf of the City.

- F. **Employees who have been determined to need treatment to resolve an alcohol misuse or controlled substance use problem shall be referred to the City's Employee Assistance Program (EAP), unless a member of the EAP made the determination that treatment is needed. This referral does not waive the City's authority to impose disciplinary actions, that may include termination of employment.**
- G. **Costs associated with referral to a SAP and/or EAP are the responsibility of the employee. Some associated costs may be covered under the City's group health insurance program.**

- H. The requirements with respect to referral, evaluation and rehabilitation does not apply to applicants who refuse to a pre-employment/post-offer controlled substances test or who have a pre-employment/post-offer controlled substances test with a positive result.

11.15 TEST RECORDS AND CONFIDENTIALITY

- A. The records pertaining to the alcohol and controlled substance testing program shall be maintained by the appropriate Program Manager.
- B. Both positive and negative controlled substance test information shall be maintained by the appropriate Program Manager. **Positive** controlled substance test results must be maintained for five (5) years in a confidential file. **Negative** test results are maintained in the employee’s confidential medical file by the Program Manager for a minimum of twelve (12) months.
- C. Records and report data shall be maintained as specified in DOT regulations, Title 49 CFR Part 382.
- D. Except as required by law or expressly authorized or required by DOT regulations, Title 49 CFR Part 382, test information maintained under the alcohol and controlled substances testing program will be released only to the employee or as directed by the specific written consent of the employee authorizing release of the information.

TERMS AND DEFINITIONS

Alcohol - means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohol including methyl and isopropyl alcohol.

Alcohol Use - means the consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

Blind Sample or Blind Performance Test - A urine specimen submitted to a laboratory for quality control testing purposes, with a fictitious identifier, so that the laboratory cannot distinguish it from employee specimens, and which is spiked with known quantities of specific controlled substances or which is blank, containing no drugs.

Breath Alcohol Technician - An individual who instructs and assists individuals in the alcohol testing process and operates an EBT.

BAC - Breath alcohol concentration (*City policy*).

Certified Laboratory - A laboratory which has been certified by the by the U.S. Department of Health and Human Services to perform job-related forensic testing for controlled substances and alcohol.

Chain of Custody (COC) - procedures to account for the integrity of each urine specimen by tracing its handling and storage from point of specimen collection to final disposition of the specimen. These procedures shall require that an appropriate controlled substance testing custody form from a Department of Health & Human Services (DHHS) certified laboratory be used from time of collection to receipt by the laboratory.

Collection Site - A place designated by the employer where individuals present themselves for the purpose of providing a specimen of their urine to be for the presence of controlled substances.

Commercial Motor Vehicle (CMV) means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle 1) Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight of more than 10,000 pounds; or 2) Has a gross vehicle weight rating of 26,001 pounds; or 3) Is designed to transport 16 or more passengers, including the driver, or 4) Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

Confirmation Test - For alcohol testing means a second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration. For controlled substances testing it means a second analytical procedure to identify the presence of a specific controlled substance or metabolite which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy.

Covered Position (Safety Sensitive Position) - A duty position or job category that requires the performance of safety sensitive (covered) function(s) as described below.

Covered function (safety-sensitive function) means 1) FHWA: operation of a commercial motor vehicle. 2) FTA: (a) Operating a revenue service vehicle, including when not in service; (b) Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License; (c) Controlling dispatch or movement of a revenue service vehicle; (d) Maintaining a revenue service vehicle or equipment used in revenue service, unless the recipient receives section 18 funding and contracts out such services; (e) Carrying a firearm for security purposes.

Employee Assistance Program - A program provided to assist employees in dealing with controlled substance or alcohol dependency and other personal problems. Rehabilitation and re-entry to the work force are usually arranged through an EAP.

Evidential breath testing device (EBT) - An EBT approved by the National Highway Traffic Safety Administration (NHTSA) for evidential testing of breath and placed on NHTSA's conforming products list of evidential breath measurement devices (CPL), and identified on the CPL as conforming with the model specifications available from the National Highway Traffic Safety Administration, office of Alcohol and State Programs.

Federal Highway Administration (FHWA) - The DOT operating authority that regulates commercial motor vehicles.

Medical Review Officer (MRO) - A licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by an employer's controlled substance testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test results together with his or her medical history and any other relevant biomedical information.

Reasonable Suspicion - The evidentiary standard which must be met before a “for cause” controlled substance/alcohol test is required of an employee in a safety-sensitive driving position. In order to meet this standard, the appointing authority must determine, based on specific objective facts and reasonable inferences drawn from those facts, that there is a reasonable basis to suspect that a test would show the employee has a controlled substance/alcohol in his or her body.

Refuse to submit - means that a covered employee (1) Fails to provide adequate breath for testing without a valid medical explanation after he/she has received notice of the requirement for breath testing; (2) fails to provide adequate urine for controlled substances testing without a valid.

Return to Work Test - An initial controlled substance or alcohol test prior to return to duty and additional unannounced controlled substance tests (Follow-up Tests) given to employees performing in safety-sensitive functions who previously tested positive, or refused, a controlled substance/or alcohol test and are returning to safety-sensitive positions.

Revenue Service Vehicle - A vehicle used to transport passengers, including a bus, van, car, railcar, locomotive, trolley car, trolley bus, ferry boat, or a vehicle used on a fixed guideway or inclined plane.

Section XI – Alcohol and Controlled Substances Testing

Screening test (Initial test) - In alcohol testing, it means an analytical procedure to determine whether a covered employee may have a prohibited concentration of alcohol in his/her system. In controlled substances testing, it means an immunoassay screen to eliminate "negative" urine specimens from further consideration.

Split Specimen - An additional specimen collected with the original specimen, to be tested in the event the original specimen tests positive.

Substance Abuse Professional (SAP) - A licensed physician (medical doctor or doctor of osteopathy), or licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission), with knowledge of and clinical experience in the diagnosis and treatment of controlled substance and alcohol related disorders.

Verified Positive (controlled substance test result) - A controlled substance test result reviewed by a Medical Review Officer and determined to have evidence of prohibited drug use.

**CONTROLLED SUBSTANCES AND ALCOHOL
TESTING PROGRAM FORMS**

City of Harrisonburg

Alcohol and Controlled Substances Forms

Instructions for New Employees

All employees hired or promoted to fill positions considered ‘safety sensitive’ classification/positions with the City of Harrisonburg (DOT or non-DOT regulated) shall be provided with a copy of the City of Harrisonburg Alcohol and Controlled Substances Testing Policy, Section XI of the Human Resources Policy Manual.

The following forms will need to be completed and returned to the Human Resources Director:

- Acknowledgement of Receipt and Understanding of the Alcohol and Controlled Substances Testing Policy.
- Release of Information Form to be transmitted to previous employer(s) for those applicants/employees requiring Commercial Drivers’ Licenses.

**City of Harrisonburg
Alcohol and Controlled Substances Testing Policy, Section XI, HR Policy Manual.**

Acknowledgement of Receipt and Understanding

I HEREBY ACKNOWLEDGE THAT:

- I have received, read and understand the Alcohol and Controlled Substances Testing Policy and the associated procedures, and I understand that I must abide by the terms as a condition of employment.
- I understand that during my employment I may be required to submit to a controlled substances and/or alcohol test based on Department of Transportation (DOT) regulations or as required by the City of Harrisonburg (non-DOT).
- I also understand that refusal to submit to a controlled substances or alcohol test is a violation of DOT regulations and the City of Harrisonburg Alcohol and Controlled Substances Testing Policy (as the policy defines non-mandated safety sensitive positions to be tested). Refusal to submit to testing shall result in disciplinary actions, e.g., termination of employment. I further understand the consequences related to controlled substances use or alcohol misuse conduct as prohibited by the City of Harrisonburg.
- _____ I have participated in the employee training provided by Rockingham Memorial Hospital (RMH) Corporate Health and I understand the information that was provided during this session (or);
_____ I am scheduled to attend the next training session to be provided by RMH Corporate Health on the following date: _____.
(Please check/complete the appropriate line.)

I acknowledge that the provisions of the Alcohol and Controlled Substances Testing Policy are part of the terms and conditions of my employment, and I agree to abide by them.

THE UNDERSIGNED STATES THAT HE OR SHE HAS READ THE FOREGOING ACKNOWLEDGEMENT AND UNDERSTANDS THE CONTENTS THEREOF.

Signature of Employee/Applicant

Date

Printed Name

Signature of Supervisor

(Return this form to the Human Resources Director)

**City of Harrisonburg – Department of Human Resources
Release of Information Form – 49 CFR Part 40 Drug and Alcohol Testing
(to be completed for CDL holders only)**

Section I --To be signed by the employee and transmitted to the previous employer

Employee Printed or Typed Name _____

Social Security # or ID # _____

I hereby authorize release of information related to Department of Transportation regulated drug and alcohol testing records by my previous employer. This release is in accordance with DOT Regulation 49 CFR Part 40, Section 40.25. I understand that information to be released by my previous employer, is limited to the following DOT regulated testing items:

1. Alcohol tests with a result of 0.04 or higher;
2. Verified positive drug tests;
3. Refusals to be tested;
4. Other violations of DOT agency drug and alcohol testing regulations;
5. Information obtained from previous employers of a drug and alcohol rule violation;
6. Documentation, if any, of completion of the return-to-duty process following a rule violation.

Employee Signature _____ **Date** _____

New Employer: City of Harrisonburg, 345 South Main Street, Harrisonburg, VA 22801

Phone: 540-432-8920 (or) 540-432-7738

Fax: 540-437-4403

Previous Employer Information:

Name _____

Address _____

Phone # _____ **Fax#** _____

Designated Employer Representative (if known) _____

Section II – To be completed by previous employer and transmitted by mail or fax to the new employer:

In the two years prior to the date of the employee’s signature (see above date), for DOT-regulated testing:

- | | | |
|--|------------------|-----------------|
| 1. Did the employee have alcohol tests with a result of 0.04? | Yes _____ | No _____ |
| 2. Did the employee have verified positive drug tests? | Yes _____ | No _____ |
| 3. Did the employee refuse to be tested? | Yes _____ | No _____ |
| 4. Did the employee have other violations of DOT agency drug and alcohol testing regulations? | Yes _____ | No _____ |
| 5. Did a previous employer report a drug and alcohol violation to you? | Yes _____ | No _____ |
| 6. If you answered ‘yes’ to any of the above items, did the Employee complete a return-to-duty process? | Yes _____ | No _____ |

Note: If you answered ‘yes’ to item 5, you must provide the previous employer’s report. If you answered ‘yes’ to item 6, you must also transmit the appropriate return-to-duty documentation (e.g., SAP report(s) and follow up testing record).

Name of person completing this information _____

Title _____ **Phone** _____ **Date** _____