

Drug and Alcohol Testing and Record Query - Transportation Personnel

The district is committed to the establishment of a drug and alcohol misuse prevention program that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991 (OTETA).

Accordingly, all employees subject to commercial driver's license (CDL) requirements shall be prohibited from:

1. The use of drugs, unless a written prescription from a licensed doctor or osteopath is provided including a statement advising that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle;
2. The use of alcohol including:
 - a. While on duty;
 - b. Eight hours before driving, in accordance with Oregon Administrative Rules;
 - c. Eight hours following an accident;
 - d. Consumption resulting in prohibited levels of alcohol in the system.

"Drugs" as used in this policy refers to controlled substances as covered by the OTETA, including marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

All covered individuals offered employment with the district and district employees transferring to positions subject to OTET shall be subjected to pre-employment/pre-duty drug testing, including reasonable suspicion, random and post-accident testing. Additionally, covered employees will be subject to reasonable suspicion, random and post-accident alcohol and drug testing. Return to duty and follow-up testing may also be required.

Pre-employment testing costs will be paid for by the district. All current employee drug and alcohol testing including reasonable suspicion, random and post-accident testing costs will be paid for by the district. The district will comply with collective bargaining agreement provisions.

All offers of employment or transfers to covered positions with the district will be made contingent upon testing results. An applicant who tests positive will not be hired or transferred.

Applicants who refuse drug and alcohol testing will be terminated from employment consideration immediately.

Covered employees who, under the district's reasonable suspicion, random, post-accident, return-to-duty or follow-up testing program, test positive for drugs or test with a breath alcohol content level of 0.02 or higher, will be subject to immediate disciplinary action up to and including dismissal in accordance with Board policy. Employees who refuse to comply with testing requirements will also be regarded as testing positive for drugs or testing with a breath alcohol content level of 0.02 or higher. Notification of available resources for evaluation and treatment will be made as required by law. Additionally, employees may be subject to CDL prohibitions and penalties under the OTETA and applicable Federal Motor Carrier Safety Administration (FMCSA) regulations.

END OF POLICY

Legal Reference(s):

[ORS 657.176](#)

OAR 581-053-0015(7)(u)

Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §§ 31301-31317; 49 C.F.R. Parts 40, 382, 391-395 (2006).

Cross Reference(s):

GBEDA-AR - Drug and Alcohol Testing and Record Query - Transportation Personnel