

**CITY AND BOROUGH OF JUNEAU**

**ADMINISTRATIVE POLICY 19-02R**

**DRUG AND ALCOHOL POLICY**

**AND**

**DRUG AND ALCOHOL TESTING PROCEDURES**

**Revised January 18, 2021**

## TABLE OF CONTENTS

I.	Policy Issuance	2
II.	Policy	2
III.	Purpose	2
IV.	Applicability	3
V.	Prohibited Substances	3
VI.	Prohibited Conduct	3
VII.	Circumstances of Drug and Alcohol Testing	5
	A. Pre-employment Testing	6
	B. Post-accident Testing	10
	C. Reasonable Suspicion Testing	14
	D. Random Testing	18
	E. Return-to-Duty and Follow-Up Testing	21
VIII.	Testing Procedures	23
IX.	Circumstances of Observed Collections	25
X.	Behavior That Constitutes Refusal to Submit to a Test	26
XI.	Positive Test Results	27
XII.	Self-Referrals	31
XIII.	Evaluation by a Substance Abuse Professional	32
XIV.	Disciplinary Action	32
XV.	Training	35
XVI.	Records of Tests	36
XVII.	Condition of Employment	36
XVIII.	Contact Person	36
XIX.	Responsibilities for Implementation	36
XX.	Definitions	37
XXI.	General Provisions	43

Attachments: Appendix A - List of Safety-Sensitive Classification Titles

**ADMINISTRATIVE POLICY 19-02**  
**DRUG AND ALCOHOL POLICY**  
**AND**  
**DRUG AND ALCOHOL TESTING PROCEDURES**

---

**I. POLICY ISSUANCE**

This policy has been updated to adopt federal regulatory drug testing rules that went into effect on January 1, 2018

**II. POLICY**

The City and Borough of Juneau (CBJ) has a long-standing commitment to maintain the highest standards possible for the health and safety of its employees, customers, clients, and the public at large. The use of, or impairment by, drugs and/or alcohol during work time is contrary to these high standards and will not be tolerated.

**III. PURPOSE**

The purpose of this Drug and Alcohol Policy (Policy) is to maintain the highest safety, health, and work performance standards possible, and to reduce work-related accidents, injuries, and damage that may be caused by drug or alcohol use or impairment. This policy is also intended to ensure the maintenance of productivity, the quality of products and services, and the security of property.

This policy also outlines the drug and alcohol testing program the CBJ has established as required by the Federal Department of Transportation, Federal Highway Administration at 49 CFR part 382 and Federal Transit Administration at 49 CFR part 655, and the Procedures for Transportation Workplace Drug Testing Programs at 49 CFR part 40. In the event that enforcement of any provision of this policy is inconsistent with enforcement of these federal laws and regulations, the federal laws and regulations will control.

Any provisions set forth in this policy that are included under the sole authority of CBJ and are not provided under the authority of the above named federal regulations are underlined. Tests conducted under the sole authority of CBJ will be performed on non-USDOT forms and will be separate from USDOT testing in all respects

This policy establishes procedures and guidelines for the detection and deterrence of alcohol misuse and drug abuse and their effects in the workplace. This policy identifies covered employees, specifies prohibited substances and conduct, explains testing procedures, and describes the consequences of non-compliance.

#### IV. APPLICABILITY

This policy applies to all employees in positions required to drive a commercial motor vehicle, subject to the commercial driver's license (CDL) requirements and/or perform safety-sensitive functions and applicants for employment in such positions, hereinafter referred to as "covered employees."<sup>1</sup> A list of positions presently designated as safety-sensitive is attached hereto as Appendix A.

#### V. PROHIBITED SUBSTANCES

Prohibited substances addressed by this policy include the following:

- A. Illegally Used Controlled Substances or Drugs** - Any illegal drug or substance identified in Schedules I – V Section 202 of the Controlled Substance Act (21 U.S.C. 812), as further defined by 21 CFR 1300.11 – 1300.15. This includes, but is not limited to, THC (Marijuana), Cocaine, Opioids, PCP (Phencyclidine), Amphetamines, as well as any yet-to-be-developed substances made illegal by changes to federal or state laws or regulations. Consumption of these products is prohibited at all times.
- B. Alcohol** - The use of beverages containing alcohol or substances including any medication, mouthwash, food, candy, or any other substance such that alcohol is present in the body while performing CBJ business, serving paid standby duty, or the consumption of an alcoholic product within four (4) hours of reporting for safety-sensitive work.

#### VI. PROHIBITED CONDUCT

##### A. Alcohol Consumption

- 1. Alcohol Concentration
  - a. No covered employee shall report for duty or remain on duty requiring performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
  - b. No supervisor, having actual knowledge that a covered employee has an alcohol concentration of 0.04 or greater, shall permit the covered employee to perform or continue to perform safety-sensitive functions. However, if a safety sensitive employee has a breath alcohol concentration of 0.02-0.039, USDOT-FTA regulations require the employee to be removed from the performance of safety-sensitive duties until:
  - c. The employee's alcohol concentration measures less than 0.02; or

---

<sup>1</sup> 49 CFR part 383; 382.107; 655.4  
CBJ Administrative Policy 19-02  
Drug and Alcohol Policy and Drug and Alcohol Testing Procedures

- d. Employees covered by FMCSA regulations are required to be removed for a period of 24 hours. Employees covered by FTA regulations are required to be removed for a period of 8 hours.

## 2. On-Duty Consumption

- a. No covered employee shall consume alcohol while on duty.
- b. No supervisor, having actual knowledge that a covered employee has consumed alcohol while on duty, shall permit the covered employee to perform or continue to perform safety-sensitive functions.

## 3. Pre-Duty Consumption

- a. No covered employee shall perform safety-sensitive functions within four (4) hours after consuming alcohol.
- b. No supervisor, having actual knowledge that a covered employee has consumed alcohol within four (4) hours prior to performing safety-sensitive functions, shall permit that covered employee to perform or continue to perform safety-sensitive functions.
- c. No covered employees shall consume alcohol while on stand-by status.<sup>2</sup> If the covered employee consumes alcohol while on stand-by status and is called in to work, the covered employee shall be given the opportunity to:
  - 1.) Acknowledge consumption of alcohol and the inability to perform safety-sensitive functions, in which case the covered employee will not be permitted to perform safety-sensitive functions; or
  - 2.) Take an alcohol test, if the covered employee has acknowledged the consumption of alcohol and claims ability to perform safety-sensitive functions. If the alcohol test is negative, the covered employee will be permitted to perform safety-sensitive functions. If the alcohol test is positive, the covered employee will not be permitted to perform safety-sensitive functions.

## 4. Consumption of Alcohol Following an Accident

No covered employee, who may be required to take a post-accident alcohol test, shall consume alcohol for eight (8) hours following any accident or until he/she undergoes a post-accident alcohol test, which ever occurs first.<sup>3</sup>

---

<sup>2</sup> 49 CFR 655.33; 382.207

<sup>3</sup> 49 CFR 382.209; 655.34

## **B. Illegally Controlled Substances and Drug Use**

1. No covered employee shall report to duty or remain on duty requiring the performance of safety-sensitive functions when the covered employee has used any drug that may adversely affect the covered employee's ability to perform safety-sensitive functions, unless its use is pursuant to the instructions of a licensed medical practitioner who advised the covered employee that the drug does not adversely affect the covered employee's ability to safely perform safety-sensitive functions.
2. No supervisor, having actual knowledge that a covered employee has used a drug that may adversely affect the covered employee's ability to perform safety-sensitive functions, shall permit the covered employee to perform or continue to perform safety-sensitive functions.
3. The CBJ may require a covered employee to provide information concerning the covered employee's use of prescription or over-the-counter drugs.
4. No covered employee shall report to duty, remain on duty, or perform safety-sensitive functions if the covered employee tests positive for illicit drugs. No supervisor, having knowledge that a covered employee has tested positive for illicit drugs, shall permit the covered employee to perform or continue to perform safety-sensitive functions.

## **C. Refusal to Submit to Required Alcohol or Drug Tests**

1. No covered employee shall fail to adhere to the requirements of any drug or alcohol treatment or rehabilitation program in which the covered employee is participating: (1) as a condition of continued employment, or (2) pursuant to a written agreement between CBJ and the covered employee.
2. No covered employee shall violate any criminal drug or alcohol law or statute.
3. No covered employee shall fail to notify CBJ of any arrest or conviction under any criminal drug or alcohol law or statute by the next workday following the arrest and/or conviction.
4. No covered employee shall test positive for drugs or alcohol in violation of this policy.

## **VII. CIRCUMSTANCES OF DRUG AND ALCOHOL TESTING**

The following drug and/or alcohol screening processes will be utilized by CBJ.

## A. Pre-employment Testing

### 1. Persons subject to Pre-employment Testing:

Such tests shall be limited to:

- a. Candidates for employment in positions required to drive a commercial motor vehicle subject to CDL requirements and/or perform safety-sensitive functions;
  - b. Employees transferring from a non-safety-sensitive position to a safety-sensitive position (on a temporary or permanent basis);
  - c. Returning seasonal employees in covered positions; and
  - d. FMCSA employees who have been out of the random pool or have otherwise been unavailable for testing for longer than thirty (30) days. FTA employees who have not performed safety-sensitive functions for a period of 90 consecutive days and were removed from the random testing pool during that time. However, under the authority of CBJ, any FTA covered employees who have been out of the random pool, or have otherwise been unavailable for testing longer than (30) but less than (90) days must have a NON-DOT pre-employment test with a verified negative result prior to resuming safety-sensitive functions.
2. Candidates and covered employees shall undergo urine drug testing immediately following the offer of employment or re-employment. A notice of drug testing shall be included in the CBJ Job Announcement for any position subject to this policy.
  3. Once a conditional job offer is extended, the candidate or covered employee will be scheduled for a drug screen at an authorized collection site. The CBJ will not permit a candidate to begin work or perform safety-sensitive functions until a verified negative drug test result from the Medical Review Officer (MRO) has been received.
  4. If a candidate or covered employee refuses to be tested or fails the pre-employment drug test, they will be denied employment or re-employment and disqualified for employment with CBJ for a period of six (6) months.
  5. Employees transferred from a non-safety-sensitive position to a safety-sensitive position (on a temporary or permanent basis) shall be required to receive a verified negative pre-employment drug test result from the MRO. Refusals to be tested or failure of the pre-employment test will result in the CBJ immediately invoking the Return-to-Duty and Follow-up testing procedures outlined in this policy.

6. Refusals to be tested or failure of the pre-employment test will result in the CBJ immediately invoking the Return-to-Duty and Follow-up testing procedures of this policy.

Returning seasonal employees and candidates must complete and sign a written consent for release of positive drug test results, alcohol test results of 0.04 or greater alcohol concentration, and refusal to be tested from previous employers during the preceding two (2) years from date of application.

7. Human Resources will attempt, for up to thirty (30) days from the date the employee first performed safety-sensitive functions, to contact previous employers to complete the two- (2) year check for drug and alcohol testing violations. If Human Resources is unable to obtain the information within thirty (30) days, the employee will be removed from safety-sensitive functions, unless a good faith effort to obtain this information has been documented.

8. The costs of the drug and alcohol tests required by this section shall be borne by the CBJ.

9. Procedures:

- a. The hiring manager will forward a "Request and Authorization to Fill an Established Position" form to Human Resources.

- b. Human Resources will review the request and authorize the appointment conditionally by checking the "Conditional Authorization as Noted Below" box indicating that a verified negative test result is required.

- c. Human Resources will notify the hiring manager of the conditional approval to hire.

- d. The hiring manager will extend a conditional job offer to the selected candidate and will refer the candidate to Human Resources to complete the pre-employment process.

- e. Human Resources will provide the candidate or covered employee with a referral form and instructions to report to the collection site. The referral form will have an expiration date for the same date in which it was issued.

- f. Human Resources will have the candidate or covered employee complete appropriate authorization forms for previous employers so that they will release information regarding the candidate's alcohol and drug testing and training records.

- g. Human Resources will describe the CBJ's testing policy and procedures with the candidate.



- h. Human Resources will give the candidate: a copy of the CBJ's testing policy and procedures; CBJ's Standard Operating Procedures; and the "DOT Alcohol and Drug Rules, Handbook for Safety-Sensitive Employees."
- i. Human Resources will have the candidate sign the "Acknowledgement of Receipt of Information Relating to Alcohol and Drug Testing of Employees."
- j. When Human Resources receives the results of the drug test they will e-mail the Department Director and hiring manager that the employee either may or may not assume the duties of the position.
- k. A candidate or covered employee who receives a negative pre-employment drug test result will be appointed and scheduled for work. Human Resources will continue to contact previous employers to complete the two- (2) year check for drug and alcohol testing violations. The check will be completed within thirty (30) days from the first time the employee performs a safety-sensitive function.

10. Two- (2) Year Check for Previous Violations

New hires, rehires, and transfer appointments into positions covered by the Drug and Alcohol Testing Policy are conditional on the employee successfully passing the two- (2) year check with previous employers.<sup>4</sup> The Human Resources Division will contact the previous employers and attempt to secure the information before the employee begins work. The contact may be by -mail, fax, in person, or other means that will ensure confidentiality.

a. Candidate's Specific Written Permission

The candidate will complete Release of Information forms for each previous employer in the preceding two (2) years in order to release information regarding the candidate's alcohol and drug testing and training records when the candidate reports to Human Resources for pre-employment testing referral.

b. The Human Resources Division will verify if the candidate participated in a drug and alcohol testing program as required by the United States Department of Transportation. If not, the contact will be concluded. The form will be signed, dated, and retained in the employee's file.

c. If the candidate did participate in a USDOT testing program, Human Resources will ask if the candidate was ever tested and if

---

<sup>4</sup> 49 CFR 382.413; 49 CFR 40.25

so, ever tested positive for drugs, more than 0.04 alcohol concentration, or refused to be tested.

- d. If the candidate had a previous violation, the candidate must have been evaluated by a Substance Abuse Professional (SAP) and must have successfully completed any assistance recommended by the SAP.
- e. Human Resources will ask the previous employer:
  - 1). Did a Substance Abuse Professional evaluate the candidate or covered employee?
  - 2). What treatment plan or course of action did the SAP recommend?
  - 3). Did the candidate or covered employee adhere to the SAP's recommendations and successfully complete the program?
  - 4). Did the candidate or covered employee successfully complete at least six (6) unannounced follow-up tests? If so, were any of these tests positive?

- f. If the candidate or covered employee had a violation of the testing rules and employment was terminated as a result, the employer may not have any additional information. In that case, the candidate or covered employee must provide the name, address, and telephone number of the SAP and a signed release authorizing the SAP to provide information to the Human Resources Division.

g. Information Directly From the Candidate or Covered Employee

If it is not possible to obtain the information on previous drug and alcohol testing from the previous employer, the information may be obtained directly from the candidate or covered employee. All information received directly from the candidate or covered employee must be verified. The candidate or covered employee must provide specific written authorization for each individual or agency to be contacted during this process to release information to the Human Resources Division.

h. "Good Faith" effort to obtain information

Federal regulations require the CBJ to make a good faith effort to obtain the above information. If, after making a good faith effort, it is not possible to obtain the information from employer(s), all contacts and efforts to obtain the information will be documented and placed in the candidate's file.

- i. CBJ is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a DOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a DOT covered employer, the applicant must provide CBJ proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

## **B. Post-accident Testing**

1. Persons subject to Post-Accident Testing:
  - a. Employees meeting the threshold of testing requirements as dictated by the Federal Motor Carrier Safety Administration or the Federal Transit Administration.
  - b. Such a test will be conducted as soon as practicable after the accident, but not later than thirty-two (32) hours after the accident for drugs and not later than eight (8) hours for alcohol. CBJ will make reasonable attempts to obtain a sample from an employee after an accident, as defined in the Definitions section of this policy, but any injury should be treated first.
2. Federal Motor Carrier Safety Administration (FMCSA) Testing Requirements:
  - a. Employees subject to the FMCSA testing requirements must be tested for alcohol if:
    - 1). the accident involved the loss of human life; or
    - 2). the employee receives a citation within eight (8) hours of the occurrence under state or local law for a moving traffic violation arising from the accident, if the accident involved:
      - (a). Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
      - (b). One or more motor vehicles incurring disabling damage as a result of the accident.
  - b. Employees subject to the FMCSA testing requirements must be tested for controlled substances if:
    - 1). the accident involved the loss of human life; or

- 2). the employee receives a citation within thirty-two (32) hours of the occurrence under state or local law for a moving traffic violation arising from the accident, if the accident involved:
  - (a). Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
  - (b). One or more motor vehicles incurring disabling damage as a result of the accident.
3. Federal Transit Administration (FTA) Testing Requirements:
  - a. Employees subject to the FTA testing requirements must be tested for alcohol and controlled substances if the accident involved the loss of human life. Additionally, any other covered employee shall be tested whose performance could have contributed to the accident, as determined by the supervisor using the best information available at the time of the decision.
  - b. An accident not involving the loss of human life in which a public transit vehicle is involved (as specifically defined in Section XX of this policy), each covered employee operating the public transit vehicle will be tested at the time of the accident unless the employer determines, using the best information available at the time of the decision, that the covered employee's performance can be completely discounted as a contributing factor to the accident. Additionally, any other covered employee will be tested whose performance could have contributed to the accident, as determined by the supervisor using the best information available at the time of the decision.
  - c. Supervisors should attempt to conduct alcohol and controlled substances screening within two (2) hours following the accident. If an alcohol test is not administered within two (2) hours following the accident, the supervisor shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test is not administered within eight (8) hours following the accident, the employer shall cease attempts to administer an alcohol test and maintain the record. Records shall be submitted to FTA upon request.
- 4 Obligations of Employee Subject to Post-Accident Testing:
  - a. An employee shall notify the supervisor immediately that the employee has been involved in an accident. All accident reporting policies and procedures must be followed.

- b. An employee who is subject to post-accident testing *shall not* consume alcohol for eight (8) hours after the accident, or until he/she has taken a post-accident alcohol test, whichever occurs first.
- c. An employee who is subject to post-accident testing must remain readily available for such testing and may not take any action to interfere with the testing or the results of testing. If the employee does not remain available for testing, he/she may be deemed by the supervisor to have refused to submit to testing. If the employee is allowed to leave the accident scene prior to testing, the employee must advise the supervisor where the employee will be and how the employee may be contacted.
- d. In the case of all accidents, the supervisor shall be summoned to the accident scene. The supervisor responding to the accident will assess if there is reasonable suspicion to believe the driver has violated Section VI of this policy.
- e. Employees who do not comply with the post-accident testing requirements, or who fail or refuse to provide a sample for testing will be considered to have refused to submit to testing and will be subject to appropriate disciplinary action, including termination.

5. Obligations of the Supervisor

- a. When a supervisor is notified that a subordinate employee has been involved in an accident as defined in this policy, the supervisor will:
  - 1). Go to the accident site;
  - 2). If the employee is hospitalized, arrange to have the required testing conducted through the hospital;
  - 3). Determine whether the accident meets the testing requirements established under the Federal Motor Carrier Safety Administration, Federal Transit Administration, or if there is reasonable suspicion to believe the employee has engaged in the prohibited use of alcohol or drugs. If the accident does meet the testing requirements under the Federal Motor Carrier Safety Administration, Federal Transit Administration, or if there is reasonable suspicion, the employee will be removed from safety-sensitive functions until the results of the alcohol and drug tests are obtained. If there is not reasonable suspicion, the employee will be instructed to return to duty after the post-accident alcohol and drug testing is completed.

- 4). Drive the employee to and from the collection site.
  - 5). If the alcohol test was not administered within the established timeframes, document the reason the test was not promptly administered and forward the documentation to the Human Resources Division to be included in the employee's medical file. The supervisor will continue efforts to administer the test. If the alcohol test is not administered within eight (8) hours, the supervisor will cease attempts to administer the test and document the reason. The supervisor will forward the documentation to the Human Resources Division to be included in the employee's file.
  - 6). If the drug test was not administered within the established timeframes, document the reason the test was not promptly administered and cease attempts to administer the test. The supervisor will forward the documentation to the Human Resources Division to be included in the employee's file.
  - 7). If the collection site is unable to make arrangements to conduct the testing within the allowable time, collection site staff is responsible for documenting the reason. The supervisor will contact the Human Resources-Risk Management Director who will secure the required documentation from the collection site.
  - 8). Contact the Human Resources-Risk Management Director or designee to report the accident.
  - 9). Transport the covered employee safely home.
6. The results of a breath test (for the use of alcohol) or a urine test (for the use of drugs) conducted by federal, state, or local officials having independent authority for the test, will meet the requirements for post-accident testing provided the tests conform to the applicable federal, state, or local requirements and the CBJ Human Resources-Risk Management Director obtains a copy of the results.
  7. Test Results
    - a. If the employee has a test result for alcohol concentration of 0.02 or greater, the supervisor will remove the employee from safety-sensitive functions immediately and will contact the Department Director and the CBJ Human Resources-Risk Management Director to coordinate disciplinary action.

- b. The Human Resources-Risk Management Director will monitor the status of drug test results.
8. If there is reasonable suspicion, and the employee performs safety-sensitive functions, the employee will be removed from safety-sensitive functions until the results of the drug test are obtained.
9. If there is no non-safety-sensitive function to which the employee can be assigned, the director shall request approval from the City Manager to place the employee on administrative leave until the results of the drug test are obtained.
10. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a covered employee from leaving the scene to obtain assistance in responding to the accident or obtain necessary medical care.
11. Alcohol testing shall be administered within two (2) hours following the accident. If the test was not administered within that time, the supervisor shall document the reason the test was not promptly administered. If the test is not administered within eight (8) hours, the supervisor shall cease attempts to administer the test and document the reason. These records shall be retained and available to submit to the FMCSA or FTA upon request.
12. Drug testing shall be administered within thirty-two (32) hours following the accident. If the test was not administered within that time, the supervisor shall document the reason the test was not promptly administered and shall cease attempts to administer the test. The records shall be retained and available to submit to the FMSCA or FTA request.
13. The costs of the drug and alcohol tests required by this section shall be borne by the CBJ.

### **C. Reasonable Suspicion Testing**

1. Persons subject to Reasonable Suspicion Testing:

Covered employees are subject to urine and/or breath testing when there are reasons to believe that the employee has used a prohibited drug and/or engaged in alcohol misuse.

2. Reasonable suspicion shall be based on documented specific, contemporaneous, articulable observations concerning appearance, behavior, speech, or body odors of the covered employee that are consistent with possible drug use or alcohol misuse.

3. A supervisor who is trained in accordance with federal regulations shall make the required reasonable suspicion observations for alcohol and/or drug.<sup>5</sup> When feasible, reasonable suspicion indicators are to be observed by two (2) trained persons in supervisory positions.

4. Obligations of the Supervisor

a. Reasonable Suspicion Testing for Alcohol

A covered employee will be required to undergo a test for alcohol when at least one (1) trained supervisor has a reasonable suspicion that the employee has violated the alcohol prohibitions of the Drug and Alcohol Testing Policy and Procedures. The supervisor will:

- 1). Immediately remove the employee from safety-sensitive functions;
- 2). Prepare a “Referral for Alcohol and Controlled Substance” form;
- 3). Drive the employee to the collection site; DO NOT permit the employee to drive. If this occurs after the collection site is closed for the day, call the 24-hour emergency number;
- 4). Remain at the collection site and drive the employee home after the completion of the test;
- 5). If an alcohol test is not administered within two (2) hours following the determination of reasonable suspicion, document the reasons the alcohol test was not promptly administered. Continue attempts to have the test administered. If an alcohol test is not administered within eight (8) hours following determination, the supervisor will cease attempts to have the alcohol test administered and document the reasons;
- 6). If the employee has a result for alcohol of a concentration of 0.02 or above do not allow the employee to return to safety-sensitive duty. Notify the Department Director and the Human Resources-Risk Management Director. If there are no non-safety-sensitive functions to which the employee can be assigned, contact the Department Director and ask to seek approval from the City Manager to place the employee on administrative leave; and
- 7). Complete and sign an “Observations Requiring a Reasonable Suspicion Test for Alcohol or Controlled

---

<sup>5</sup> 49 CFR part 382.603; 655.43  
CBJ Administrative Policy 19-02  
Drug and Alcohol Policy and Drug and Alcohol Testing Procedures



Substance” form to document your findings within twenty-four (24) hours. Forward the documentation to the Human Resources-Risk Management Director.

- 8). If an alcohol test required by this section is not administered within two (2) hours following the determination, the supervisor shall document the reason the alcohol test was not promptly administered. If an alcohol test is not administered within eight (8) hours following determination, the supervisor shall cease attempts to administer an alcohol test and document the reason.
- 9). If the results of the alcohol test are positive, the Human Resources-Risk Management Director will coordinate all disciplinary consequences and ensure all testing program requirements are met. The Human Resources-Risk Management Director will review documentation of the reasonable suspicion determination and place it in the employee’s medical file. The first offense for a positive test for alcohol will result in disciplinary action up to and including dismissal.
- 10). A USDOT reasonable suspicion alcohol test may only be conducted just before, during, or just after the performance of a safety-sensitive function.

b. Reasonable Suspicion Testing for Drugs

A covered employee will be required to undergo a test for drugs when at least one (1) trained supervisor has a reasonable suspicion that the employee has violated the drug prohibitions of the Drug and Alcohol Testing Policy and Procedure. The supervisor will:

- 1). Immediately remove the employee from safety-sensitive functions.
- 2). Prepare a “Referral for Alcohol and Controlled Substance” form.
- 3). Drive the employee to the collection site; DO NOT permit the employee to drive. If it is after hours of the collection site, call the 24-hour emergency number.
- 4). Remain at the collection site and drive the employee home after the completion of the test.
- 5). Assign the employee to non-safety-sensitive functions pending the results of the drug test. If there is no non-safety-sensitive function to which the employee can be assigned, contact the Department Director and request the

Department Director seek approval from the City Manager to place the employee on administrative leave.

- 6). Temporary or on-call employees shall be removed from duty and not called in to work pending the results of the drug test.
  - 7). Notify the Human Resources-Risk Management Director there is a pending drug test result for reasonable suspicion.
  - 8). Complete and sign an “Observations Requiring a Reasonable Suspicion Test for Alcohol or Controlled Substance” form to document findings within twenty-four (24) hours. Forward the documentation to the Human Resources-Risk Management Director.
  - 9). If the results of the drug test are negative, return the employee to regular duties.
  - 10). If the results of the drug test are positive, the Human Resources-Risk Management Director will coordinate all disciplinary consequences and ensure all testing program requirements are met. The Human Resources-Risk Management Director will review documentation of the reasonable suspicion determination and place it in the employee’s medical file.
- c. If reasonable suspicion is observed but a reasonable suspicion test has not yet been administered, no employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while the employee is under the influence of, or impaired by alcohol, as shown by the behavioral, speech, and performance indicators of alcohol misuse, nor shall the CBJ permit the employee to perform or continue to perform safety-sensitive functions until:
- 1). An alcohol test is administered and the covered employee’s alcohol concentration measure is less than 0.02; or
  - 2). Twenty-four (24) hours have elapsed following the determination that there is reasonable suspicion to believe the employee has violated the prohibitions in this policy.
- d. written record shall be made of the observations leading to a drug reasonable suspicion test, and signed by the supervisor, or CBJ official, who observed, within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

## D. Random Testing

### 1. Persons subject to Random Testing:

Such tests shall be limited to employees who occupy safety-sensitive classifications (Appendix A). All safety-sensitive employees will remain in the random selection pool at all times, regardless of whether or not they have been previously selected for testing.

### 2. The selection of employees for random drug and alcohol testing shall be made by a scientific valid method, such as a random number table or a computer-based random number generator that is matched with each employee's employee number.

### 3. These employees shall be subject to unannounced random testing for the presence of alcohol and drugs. Testing rates will meet or exceed the minimum annual percentage rate set each year by the FTA and FMCSA Administration. The percentages may change as mandated by the regulations. The dates for administering the random tests will be spread reasonably throughout the calendar year, throughout all days of the week, and hours of the day which safety-sensitive functions are performed.

### 4. Each employee will have an equal chance of being selected each time the random pool is drawn.

### 5. A covered employee shall only be tested for alcohol while the covered employee is performing safety-sensitive functions, just before the covered employee is to begin safety-sensitive functions, or just after the covered employee has ceased performing safety-sensitive functions.

### 6. When an employee is selected for testing, Human Resources will forward a "Notification of Random Test for Alcohol or Controlled Substance" to the employee's department director. Confidentiality must be protected and employees to be tested are not to be alerted prior to being directed to report for testing.

### 7. Upon notification of the random selection, employees selected for random testing shall proceed to the test site immediately. When an employee selected for a random test is not available for the test until after the next random selection, an alternate may be used in accordance with USDOT, FTA, and FMCSA regulations. The name of the employee who was not available for the random test shall remain in the random pool.

### 8. The department director will determine if the employee to be tested is active. If an employee selected for testing is on layoff status or other leave status exceeding thirty (30) calendar days, the director will notify Human Resources.

9. If an employee to be tested works outside of collection site business hours (before 8:00 a.m. or after 4:30 p.m.), the department director will notify the collection site to schedule a time for the employee to be tested.

10. Referring the employee for testing:

Employees must not have advance notice that they have been selected for testing. The supervisor will:

- a. Call the employee to a place of privacy and inform the employee they have been selected for a random test. An employee selected for alcohol testing must be notified of the random test just before, during, or just after performing safety-sensitive functions. An employee selected for drug testing may be tested at any time while at work for the employer.
- b. Complete the form following the instructions printed on the form.
- c. Enter their name and telephone number in the section on who to contact if the alcohol concentration exceeds 0.02. The supervisor will be contacted immediately by the collection site if the covered employee's breath alcohol concentration exceeds 0.02.
- d. Give the employee the top half of the "Notification of Random Test for Alcohol and Controlled Substance" form.
- e. Return the bottom half of the form to the Human Resources Department.
- f. Direct the employee to report immediately to the collection site and to make no stops along the way.
- g. Instruct the employee to take picture identification to the collection site.
- h. Inform the employee that failing to participate in the testing, failing to arrive at the collection site, leaving the collection site after testing has started but before it has been completed, or failing to cooperate with any part of the collection process constitutes a refusal to test (A specific and exhaustive list of all behaviors that will be considered a refusal to test are defined in Section X of this policy). Refusal to submit to testing will be treated as a positive test result and the employee will be subject to the disciplinary process described in the Drug and Alcohol Testing Policy and Procedures.
- i. Instruct the employee to report back when the test has been completed as appropriate.

11. Test Results

- a. If the employee has an alcohol result concentration of 0.02 or greater, the supervisor will immediately remove the employee from safety-sensitive functions. The supervisor will immediately contact the Department Director and the Human Resources-Risk Management Director to coordinate disciplinary action. If there is no non-safety-sensitive function to which the employee can be assigned, the supervisor will contact the Department Director and request seeking approval from the City Manager to place the employee on administrative leave.
- b. The Human Resources-Risk Management Director will monitor the status of drug test results.

12. Employee's Responsibility

- a. An employee in a position that performs a safety-sensitive function and/or requires a commercial driver's license (CDL) will be in the random pool for drug and/or alcohol testing. A scientifically verified, computerized random selection program is used to select the names. Even if the employee has been selected for random testing before, the name will remain in the pool each time the pool is drawn. Every employee has an equal chance of being selected each time the pool is drawn. This random selection process means an employee may get tested one or more times in a year, or not at all.
- b. The supervisor will notify the employee privately of being selected for random testing.
- c. The employee will be told to report to the collection site.
- d. The employee will report immediately to the collection site and make no stops on the way.
- e. Failing to participate in the testing, refusing to take a required test, failing to arrive at the collection site in a timely manner, leaving the collection site after testing has started but before it has been completed, or failing to cooperate with any part of the collection process constitutes a refusal to test (A specific and exhaustive list of all behaviors that will be considered a refusal to test are defined in Section X of this policy). Refusal to submit to testing will be treated as a positive test result and the employee will be subject to disciplinary action as defined in the Drug and Alcohol Testing Policy and Procedures.
- f. The employee will take a CDL or other picture identification to the collection site.

- g. The employee will not eat or drink anything prior to the testing or while waiting at the collection site. When selected for a breath alcohol test, the employee is not to use mouthwash or breath sprays, chew gum, or use chewing tobacco. Use of these items can result in a false positive test result.
  - h. When testing has been completed, the employee is to report back to the supervisor.
13. The costs of the drug and alcohol tests required by this section shall be borne by the CBJ.

#### **E. Return-to-Duty & Follow-Up Testing**

1. The Return-to-Duty and Follow-Up Testing process is the CBJ's anti-drug use and/or alcohol use program.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under CBJ authority and will be performed using non-DOT testing forms.

2. Persons subject to Return-to-Duty & Follow-Up testing:

Covered employees who have previously had a positive test or refused to take a drug or alcohol test, shall be tested for prohibited drugs or alcohol use before they return to duty. The covered employee must first be certified as capable of resuming duties. Any such covered employee, once returned to duty, may be administered unannounced follow-up drug and alcohol tests for a minimum of twelve (12) months, up to sixty (60) months after their return to duty.

3. Alcohol

- a. The CBJ shall ensure that before a covered employee returns to duty after having a positive alcohol test (of 0.04 or greater) or a refusal to test, the covered employee shall undergo a return-to-duty alcohol test with a result of 0.02 and/or a drug test with verified negative results.
- b. Following the initial positive test or refusal to test, the CBJ shall advise the covered employee of the resources available in evaluating and resolving problems associated with the misuse of alcohol. This information will include the names, addresses

and telephone numbers of at least two USDOT qualified SAPs, including counseling and treatment programs.<sup>6</sup>

- c. A SAP shall evaluate each covered employee who engaged in conduct prohibited in Section VI. The SAP shall determine what assistance the employee needs in resolving problems associated with alcohol misuse.
- d. After the SAP determines the type of assistance needed, the following will need to occur before the covered employee returns to the performance of safety-sensitive functions:
  - 1). The SAP will determine that the employee properly followed any rehabilitation program prescribed.
  - 2). The covered employee must undergo a return-to-duty drug and/or alcohol test as required by the SAP. The covered employee shall be subject to unannounced follow-up drug and/or alcohol testing. The number and frequency of the follow-up testing shall be determined by the SAP and consist of at least six (6) tests in the first twelve (12) months following the employee's return-to-duty. Follow-up testing shall not exceed sixty (60) months from the date of the employee's return to duty.
  - 3). The SAP may terminate the follow-up testing any time after the first six (6) tests have been administered, if the SAP determines the tests are no longer necessary.
- e. Return-to-duty testing will be performed at the CBJ collection site and paid for by the **employee**.
- f. Follow-up alcohol testing will only be conducted just before, during, or just after the performance of safety-sensitive functions.

#### 4. Drugs

- a. The CBJ shall ensure that before a covered employee returns to duty after having a verified positive drug test, or refusal to test, the covered employee shall undergo a return-to-duty drug test with a verified negative result and/or an alcohol test with a result of less than 0.02. The SAP may recommend a return-to-duty alcohol test be performed.
- b. Following the initial positive test or refusal to test, the CBJ shall advise the covered employee of the resources available in evaluating and resolving problems associated with the drug abuse. This information will include the names, addresses, and

---

<sup>6</sup> as required by 49 CFR 382.605 and 655.62  
CBJ Administrative Policy 19-02  
Drug and Alcohol Policy and Drug and Alcohol Testing Procedures

telephone numbers of at least two USDOT qualified SAPs, including counseling, and treatment programs.

- c. A SAP shall evaluate each covered employee who engaged in conduct prohibited in Section VI concerning drugs. The SAP shall determine what assistance the employee needs in resolving problems associated with drug use.
- d. The SAP's determination of assistance will need to occur before the covered employee returns to safety-sensitive functions<sup>7</sup>:
  - 1). The SAP will determine that the employee properly followed any rehabilitation program prescribed.
  - 2). The covered employee shall be subject to unannounced follow-up drug and/or alcohol testing. The number and frequency of the follow-up testing shall be determined by the SAP and consist of at least six (6) follow-up tests in the first twelve (12) months following the employee's return to duty. Follow-up testing shall not exceed sixty (60) months from the date of the employee's return to duty.
  - 3). The SAP may terminate the follow-up testing at any time after the first six (6) tests have been administered.
- e. Return-to-duty and follow-up testing is separate from and in addition to random testing.
- f. Return-to-duty testing will be performed at the CBJ collection site and paid for by the **employee**.

## VIII. TESTING PROCEDURES

### A. Drugs

- 1. Analysis of drugs tested for under this policy shall be performed by a laboratory certified by the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Administration and shall meet the requirements set forth in 49 CFR Part 40, as amended..
- 2. The urine specimen will be collected at a collection site that follows the federal regulations.<sup>8</sup> A strict chain of custody will be maintained on the specimen as described in the regulations.
- 3. Specimen validity testing will be conducted on all urine specimens provided for testing under DOT authority. Specimen validity testing is the evaluation of the specimen to determine if it is consistent with

---

<sup>7</sup> 49 CFR 382.605; 655.46

<sup>8</sup> 49 CFR part 40.31 - 40.73



normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted<sup>9</sup>.

4. The initial test shall be an immunoassay test that meets the requirements of the Food and Drug Administration for commercial distribution.<sup>10</sup>
5. All specimens identified as positive on the initial test shall be confirmed using gas chromatography/mass spectrometry (GC/MS) or liquid chromatography/mass spectrometry (LC/MS) techniques.
6. Collection Site procedures:
  - a. Employee privacy will be respected at the collection site. The employee will be asked to remove any coat, hat, jacket, or other outer clothing. The collector will not allow packages or handbags into the restroom, but will secure them until the testing process is complete.
  - b. The collector will have detailed instructions. Attempting to tamper or interfere with the testing process is strictly prohibited by federal regulations.
  - c. The collector will either unwrap the specimen container in the employee's presence or ask the employee to do so and ensure the employee understands exactly what to do. The federal regulations are very specific as to how the testing will be conducted, the minimum quantity of urine to be collected, and how the specimen will be transported to the testing laboratory. The collector will have the details available to review.
  - d. The employee will be directed to wash their hands before providing the specimen.
  - e. The employee will be directed to provide a minimum of 45 ml of urine.

The sample will be split into two (2) containers in the employee's presence. The employee will be asked to sign the Custody and Control form. The collector will assist the employee in completing the form. The employee is to indicate a telephone number for MRO contact if there is a need.
  - f. If the employee has difficulty providing a sufficient quantity, the collector will allow the employee to wait up to three (3) hours and drink up to forty (40) ounces of fluid before making a second attempt to provide a complete specimen. The employee will be provided a fresh collection kit.

---

<sup>9</sup> 49 CFR 40.89

<sup>10</sup> 49 CFR 40.87

- g. The employee is NOT to leave the test site. It is very important that the employee remain at the collection site. If the employee leaves, it will be considered a refusal to submit to testing.
- h. If, after three (3) hours, the employee is still unable to provide a sample, the collector will call the DER who will work with the MRO, the collection site, the employee, and the employee's physician to determine if there is a medical reason for the difficulty.

**B. Alcohol**

- 1. Alcohol breath testing will be performed in accordance with 49 CFR Part 40, as amended.

**IX. CIRCUMSTANCES OF OBSERVED COLLECTIONS**

**A. Observed collection of a specimen will be required for the following circumstances<sup>11</sup>:**

- 1. All return-to-duty tests.
- 2. All follow-up tests.
- 3. Anytime the covered employee is directed by collection site personnel to provide another specimen because the temperature on the original specimen was out of the accepted temperature range of 90 degrees – 100 degrees Fahrenheit.
- 4. Anytime the covered employee is directed by the collection site personnel to provide another specimen because the original specimen appeared to have been tampered with.
- 5. Anytime collection site personnel observe materials brought to the collection site or the covered employee's conduct clearly indicates an attempt to tamper with a specimen.
- 6. Anytime a covered employee is directed to provide another specimen because the laboratory reported to the MRO that the original specimen was invalid and the MRO determined that there was not an adequate medical explanation for the result.
- 7. Anytime the employee is directed to provide another specimen because the MRO determined that the original specimen was positive, adulterated, or substituted, but had to be cancelled because the test of the split specimen could not be performed.

---

<sup>11</sup> 49 CFR Part 40.67  
CBJ Administrative Policy 19-02  
Drug and Alcohol Policy and Drug and Alcohol Testing Procedures

- B. The employee who is being observed will be required to raise his or her shirt, blouse, or dress/skirt, as appropriate, above the waist; and lower clothing and underpants to show the collector, by turning around that they do not have a prosthetic device.

## **X. BEHAVIOR THAT CONSTITUTES REFUSAL TO SUBMIT TO A TEST**

Behavior that constitutes a refusal to submit to a drug and/or alcohol test includes but is not limited to the following:

- A. Failure to appear for any test (except for pre-employment) within a reasonable time, as determined by CBJ.
- B. Failure to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.
- C. Failure to provide a urine or breath specimen for any required drug or alcohol test. An employee who does not provide a urine or breathe specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- D. Failure to permit the observation or monitoring of the specimen when required to do so.
- E. Failure to provide a sufficient amount of urine or breathe when directed and there is no adequate medical explanation for the failure.
- F. Failure to take a second test when directed to do so by CBJ or the collector.
- G. Failure to undergo a medical examination when directed to do so by the MRO or CBJ.
- H. Failure to cooperate with any part of the testing process.
- I. Failure to follow the observer's instructions during an observed collection including instructions to raise clothing above the waist , lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- J. Possess or wear a prosthetic or other device that could be used to interfere with the collection process.
- K. Admit to the collector or MRO that you adulterated or substituted the specimen.
- L. Refuse to sign Step 2 of the Alcohol Testing Form.
- M. If the MRO reports that there is verified adulterated or substituted test result.

N. Fail to remain readily available following an accident.

## XI. POSITIVE TEST RESULTS

- A. A positive drug and/or alcohol test is a violation of CBJ Personnel Rule 16 PR 055, this policy, and applicable federal law. An employee who refuses to submit to a drug and/or alcohol test will be considered to have failed the test. Refusal to take a required test or receiving a positive test result will result in immediate removal from all safety-sensitive functions and referral to a list of USDOT qualified SAPs. Additional disciplinary action up to and including dismissal may result following CBJ's normal procedure for employee discipline including applicable collective bargaining agreements.
- B. If the MRO reports a positive test for drugs, it is understood that the screening test was positive and a second confirmation test, based on a different scientific principle, was positive. The acceptable method of confirmation testing is gas chromatography/mass spectrometry (GC/MS) or liquid chromatography/mass spectrometry (LC/MS) . Receiving a verified positive drug test will result in an immediate removal from the performance of safety-sensitive functions and the employee will be provided with a list of at least two USDOT qualified SAPs for evaluation.
- C. If a positive test, or refusal to test, for alcohol is reported, it is understood that a positive test was the result of the confirmation test on an EBT. Receiving a positive alcohol test result of 0.04 or greater alcohol concentration, or a refusal to test, will result in an immediate removal from the performance of safety-sensitive functions and the employee will be provided with a list of at least two (2) USDOT qualified SAPs for evaluation of the employee.
- D. Their department director or designee will inform covered employees with a positive drug and/or alcohol test result.
- E. What the employee can expect from the Medical Review Officer (MRO)
1. If a urine sample for drugs is tested as positive, it has undergone an initial screening test and a confirmation test. The confirmation test uses gas chromatography/mass spectrometry (known as GC/MS) or liquid chromatography/mass spectrometry (LC/MS). If the confirmation test confirms the presence of a controlled substance, the test is reported as confirmed (but not yet verified) positive to the MRO. If the sample has been adulterated, it will be reported as such to the MRO and treated as a positive result.
  2. The MRO is required to contact the Human Resources-Risk Management Director immediately with any test that is positive because of **adulteration**. The employee will be removed from safety-sensitive duty and the results will be considered positive.
  3. The MRO shall verify positive results. A positive test result does not automatically identify an employee or applicant as having used drugs

in violation of a federal regulation or this policy. It is the responsibility of the MRO to review, interpret, and verify a test as positive or declare the test as negative. The MRO shall examine alternate medical explanations for any positive test result.

4. The MRO will attempt to contact the employee at the telephone number on the Custody and Control form when a test result is positive or adulterated. The employee should make every effort to make sure there is a phone number on the form where the employee can be reached during normal business hours. If the MRO is unable to contact the employee, the MRO will contact the Human Resources-Risk Management Director for assistance in contacting the employee.
5. If the MRO is unable to reach the employee, the Human Resources-Risk Management Director will attempt to contact the employee and instruct the employee to contact the MRO. If CBJ successfully reaches the employee, the employee must comply with the requests of the MRO within seventy-two (72) hours or the test will be reported as positive. If the employee cannot be contacted at all, the MRO will report the test as positive.
6. The MRO will discuss the test with the employee and inform them of what drug(s) or adulterant(s) were found. The MRO will consider an alternate medical explanation that would explain a positive test result.
7. The MRO will ask the employee about any prescription medications taken before the test.
8. The MRO will allow the employee to discuss anything else that might account for the test result.
9. If the MRO requests, the employee may provide the MRO with access to the employee's personal medical records to verify prescription medications.
10. If the MRO determines there is not a valid reason for the presence of the drug(s) in the sample, the MRO will tell the employee it will be reported as positive and inform the employee of the right to request the split sample specimen be tested.
11. If the MRO contacts the employee, it is very important for the employee to cooperate in discussing the results of the test. At this point, the MRO is gathering information that may explain the positive or adulterated test result and allow the MRO to report the test as negative. The employee may, within seventy-two (72) hours following the MRO's official verified result, request a test of the split sample.
12. The MRO may be able to reach an immediate determination or may require access to the employee's medical records.

13. If the MRO determines that there is an acceptable explanation for the presence of the drug(s) or the adulterant(s) found, the test is reported as negative.
14. If the MRO determines there is no acceptable explanation for the presence of the drug(s) or the adulterant(s) found in the sample, the test is reported as positive.
15. The MRO will verbally inform the employee that the test is verified as positive. The MRO will inform the employee of the right to request a separate test of the split sample.
16. The MRO will immediately report the test as positive to the Human Resources-Risk Management Director. The MRO will not wait for the result of the split sample to verify the test as positive.

F. Split Sample<sup>12</sup>

1. The MRO will notify each employee who has a verified positive test result or a test refusal due to adulteration or substitution that the employee has seventy-two (72) hours in which to request a test of the split sample specimen. If the employee requests an analysis of the split sample, the MRO shall direct, in writing, the laboratory to provide the split sample to another DHHS-certified laboratory for analysis.
2. Employees do not have access to a test of their split specimen following an invalid result.
3. The MRO is not required to delay verification or notification of a positive test result pending the outcome of the split sample.<sup>13</sup> The second laboratory will analyze the split sample to reconfirm the presence of drug(s) or adulterant(s) found in the primary sample. The result of the split sample is sent by the second laboratory to the MRO.
4. If the analysis of the split sample fails to reconfirm the presence of the drug(s) found in the primary sample, or if the split sample is unavailable, inadequate for testing or un-testable, the MRO shall cancel the test and report the cancellation and reasons for it to the Human Resources-Risk Management Director and the employee.
5. If the analysis of the split sample is reconfirmed by the second laboratory for the presence of drug(s), the MRO shall notify the Human Resources-Risk Management Director and the employee of the results of the test.
6. If the employee does not contact the MRO within seventy-two (72) hours to request testing of the split sample, the employee may present the MRO information documenting a serious illness, injury, lack of actual notice of the positive test, inability to contact the MRO or other

---

<sup>12</sup> 49 CFR part 40.153

<sup>13</sup> 49 CFR part 40.133

circumstances that unavoidably prevented the employee from contacting the MRO within seventy-two (72) hours. If the MRO concludes there was a legitimate explanation for the employee's failure to contact the MRO within seventy-two (72) hours, the MRO must honor the request.

7. CBJ will ensure that the cost for the split specimen is covered in order for a timely analysis of the sample; however CBJ may seek reimbursement for the split sample test from the employee.
8. The employee will be removed from safety-sensitive functions while waiting for the results of the split sample test. If there are no non-safety-sensitive functions to which the employee can be assigned, the supervisor shall contact the department director and request approval from the City Manager to place the employee on administrative leave.

#### G. Dilute Samples

##### 1. Positive test result

A test reported by the MRO as positive. Dilute shall be regarded as a positive test.

##### 2. Negative test result

###### a. Creatinine concentration equal to or greater than 2 mg/dl but equal to or less than 5 mg/dl

- 1). When the MRO directs CBJ to conduct a re-collection under direct observation, the employee shall be required to report for re-testing immediately.
- 2). The re-collection shall be conducted under direct observation.

###### b. Creatinine concentration greater than 5 mg/dl

- 1). When the MRO reports that a pre-employment, random, reasonable suspicion, return-to-duty, or follow-up test was negative and dilute, the test will be considered to be a negative result and no further testing will be required.

###### c. When the MRO reports a post-accident test as negative and dilute, no further testing will be required. Following an accident, the employee to be tested will be taken directly to the collection site in the company of a supervisor.

## XII. SELF-REFERRALS

- 1) In the instance of a self-referral or a management referral, the employee shall be required to complete the following:
  - a. Mandatory referral by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return to work agreement;
  - b. Failure to execute, or remain compliant with the return-to-work agreement may result in discipline up to and including dismissal from City & Borough of Juneau.
    - i. Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in Section VII. E of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under section XII of this policy is under the sole authority of City & Borough of Juneau and will be performed using non-DOT testing forms.
  - c. Refusal to submit to a periodic unannounced follow-up drug/alcohol tests may be considered a direct act of insubordination and may result in discipline up to and including dismissal. All tests conducted as part of the return-to-work agreement will be conducted under company authority and will be performed using non-DOT testing forms.
  - d. A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section XIV of this policy.
  - e. Periodic unannounced follow-up drug/alcohol tests conducted as a result of a self-referral or management referral which result in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section XIV of this policy.
  - f. A voluntary referral does not shield an employee from disciplinary action or guarantee employment with City & Borough of Juneau.
  - g. A voluntary referral does not shield an employee from the requirement to comply with drug and alcohol testing.



### **XIII. EVALUATION BY A SUBSTANCE ABUSE PROFESSIONAL (SAP)**

- A. A covered employee who received a verified positive drug test result, , refused to submit to required testing, or received an alcohol test result of 0.04 or greater alcohol concentration shall be evaluated by a SAP. The SAP shall determine what assistance a covered employee needs in resolving problems associated with alcohol misuse or drug use.
- B. The CBJ shall advise the covered employee of the resources available in evaluating and resolving problems associated with the misuse of alcohol and the abuse of drugs. This information shall include the names, addresses, and telephone numbers of SAPs and counseling and treatment programs.
- C. The cost of evaluation and treatment is the responsibility of the employee, either through CBJ's health care coverage or as a personal expense. Should the employee require in-patient treatment or outpatient treatment during work hours, the time is to be charged to the employee's leave or, if the employee is out of leave, the time will be charged to leave without pay.
  - 1). A SAP is a licensed physician (Doctor of Medicine or Osteopathy); licensed or certified social worker; licensed or certified psychologist; licensed or certified employee assistance professional; state-licensed or certified marriage and family therapist; or a drug and alcohol counselor certified by an organization listed at <https://www.transportation.gov/odapc/sap>, with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders. Additionally, a SAP has received training and passed a nationally recognized test on the DOT regulations and procedures.
- D. The CBJ's Human Resources Division will act as a liaison between the SAP and the covered employee's department director or designee. Human Resources shall monitor the status of the covered employee's treatment and be the contact for the department director regarding the covered employee's treatment.
- E. The covered employee may choose to use the CBJ EAP for assistance. The EAP may serve as the SAP or may refer the employee to a SAP.

### **XIV. DISCIPLINARY ACTION**

- A. The Human Resources-Risk Management Director will coordinate all disciplinary consequences and ensure all testing program requirements are met. The Human Resources-Risk Management Director will review documentation and place it in the employee's medical file.
- B. Combined Offenses

If an employee violates this policy by testing positive for drugs or alcohol and that employee is subject to discipline less than dismissal, a further violation of this policy, whether it be testing positive for drugs or alcohol will be considered a second offense.

C. Alcohol

1. First Offense – Alcohol Concentration of 0.02 or Greater but Less Than 0.04

- a. A covered employee whose breath alcohol concentration is within this range will be immediately removed from safety-sensitive functions and not be permitted to perform safety-sensitive functions until the start of the covered employee's next regular shift but not less than twenty-four (24) hours following administration of the test.<sup>14</sup>
- b. If there are no non-safety-sensitive functions to which the employee can be assigned, the director shall request approval from the City Manager to place the employee on administrative leave pending the outcome of a pre-disciplinary conference to determine whether discipline is appropriate. Covered employees are subject to disciplinary action under CBJ Personnel Rule 13 or applicable collective bargaining agreement.
- c. At the conclusion of the pre-disciplinary conference, if discipline is determined to be appropriate, a covered employee whose breath alcohol concentration was found to be within this range may expect to receive at least one (1) calendar day suspension without pay.

2. First Offense – Alcohol Concentration 0.04 or greater

- a. A covered employee whose breath alcohol is 0.04 or greater will be immediately removed from safety-sensitive functions and will not be permitted to perform safety-sensitive functions until he/she has met the requirements of Section VII - E Return-to-Duty and Follow-up Testing of this policy.<sup>15</sup>
- b. If there is no non-safety-sensitive functions to which the employee can be assigned, the director shall request approval from the City Manager to place the employee on administrative leave pending the outcome of a pre-disciplinary conference to determine whether discipline is appropriate. Covered employees are subject to disciplinary action under CBJ Personnel Rule 13 or applicable collective bargaining agreement.
- c. At the conclusion of the pre-disciplinary conference, if discipline is determined to be appropriate, a covered employee whose breath alcohol concentration was found to be greater than 0.04 may expect to be suspended without pay or dismissed.

---

<sup>14</sup> 49 CFR part 382.505 (a)

<sup>15</sup> 49 CFR part 382.605 and 655.46, 655.47

- d. Covered employees refusing to be evaluated by or participate in the program recommended by the SAP will be dismissed. Employees not completing the program recommended by the SAP will be dismissed.
- 3. Second Offense – Alcohol Concentration of 0.02 or Greater
  - a. The covered employee whose breath alcohol concentration is 0.02 or greater will be immediately removed from safety-sensitive functions.
  - b. If there is no non-safety-sensitive function to which the employee can be assigned, the director shall request approval from the City Manager to place the employee on administrative leave pending the outcome of a pre-disciplinary conference to determine whether discipline is appropriate. Covered employees are subject to disciplinary action under CBJ Personnel Rule 13 or applicable collective bargaining agreement.
  - c. At the conclusion of the pre-disciplinary conference, if discipline is determined to be appropriate, a covered employee whose breath alcohol concentration was found to be greater than 0.02 may expect to be dismissed.

#### D. Drugs

##### 1. First Offense

- a. A covered employee who receives a positive drug test result will be immediately removed from safety-sensitive functions and will not be permitted to perform safety-sensitive functions until he/she has met the requirements of Section VII - E Return-to-Duty and Follow-up Testing of this policy.<sup>16</sup>
- b. If there is no non-safety-sensitive function to which the employee can be assigned, the director shall request approval from the City Manager to place the employee on administrative leave pending the outcome of a pre-disciplinary conference to determine whether discipline is appropriate. Covered employees are subject to disciplinary action under CBJ Personnel Rule 13.
- c. At the conclusion of the pre-disciplinary conference, if discipline is determined to be appropriate, a covered employee may expect to be suspended without pay or dismissed.
- d. Covered employees refusing to be evaluated by or participate in the program recommended by the SAP will be dismissed.

---

<sup>16</sup> 49 CFR part 382.605 and 655.46, 655.47  
CBJ Administrative Policy 19-02  
Drug and Alcohol Policy and Drug and Alcohol Testing Procedures

Employees not completing the program recommended by the SAP will be dismissed.

2. Second Offense

- a. A covered employee who receives a positive drug test result will be immediately removed from safety-sensitive functions.
- b. If there is no non-safety-sensitive function to which the employee can be assigned, the director shall request approval from the City Manager to place the employee on administrative leave pending the outcome of a pre-disciplinary conference to determine whether discipline is appropriate. Covered employees are subject to disciplinary action under CBJ Personnel Rule 13.
- c. At the conclusion of the pre-disciplinary conference, if discipline is determined to be appropriate, a covered employee may expect to be dismissed.

E. Refuse to Submit to Testing

1. First Offense

- a. A covered employee who refuses to submit to alcohol and/or drug testing will be immediately removed from safety-sensitive functions and will not be permitted to perform safety-sensitive functions until he/she has met the requirements of Section VII - E Return-to-Duty and Follow-up Testing of this policy.<sup>17</sup>
- b. If there is no non-safety-sensitive function to which the employee can be assigned, the director shall request approval from the City Manager to place the employee on administrative leave pending the outcome of a pre-disciplinary conference to determine whether discipline is appropriate. Covered employees are subject to disciplinary action under CBJ Personnel Rule 13.
- c. At the conclusion of the pre-disciplinary conference, if discipline is determined to be appropriate, a covered employee may expect to be dismissed.

## **XV. TRAINING**

A. Supervisor Training

Supervisors who are designated to determine whether reasonable suspicion exists to require an alcohol test must receive at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse. Supervisors who are designated to determine whether

reasonable suspicion exists to require a controlled substance test must receive at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable use of controlled substances.<sup>18</sup> The Human Resources & Risk Management Department is responsible to coordinate and arrange for the training of these supervisors.

**B. Employee Education and Training**

Covered employees shall receive at least sixty (60) minutes of training on the effects and consequences of drug use on personal health, safety and the work environment and on the signs and symptoms that may indicate prohibited drug use.<sup>19</sup>

**C. The CBJ shall maintain records of employee and supervisor training.**

**XVI. RECORDS OF TESTS**

A. All drug and alcohol records shall be maintained in the employee's confidential medical record. Positive test results will be retained for five (5) years and negative test results for one (1) year.

B. A summary of all testing shall be assembled at the end of each calendar year showing the number of individuals tested for drugs in each category of required testing; the annual number of individuals who tested positive; and the number and types of drugs for which individuals tested positive.

**XVII. CONDITION OF EMPLOYMENT**

Participation in the CBJ Drug and Alcohol Policy and Testing Procedures and subsequent testing programs is a mandatory requirement of federal law for each covered employee and, therefore, a condition of employment.

**XVIII. CONTACT PERSON**

The contact person available to answer questions about the CBJ's Drug and Alcohol Testing Policy and Procedure is the Human Resources-Risk Management Director or his/her designee. The Human Resource Director may be contacted at 586-5250.

**XIX. RESPONSIBILITIES FOR IMPLEMENTATION**

A. Management shall provide leadership by making it known to all employees that CBJ will have a work environment free of alcohol and drug abuse and by providing training and support of this policy. Management shall also ensure that employees are properly trained and get referrals for assistance when appropriate.

---

<sup>18</sup> 49 CFR part 382.603 and 655.14

<sup>19</sup> 49 CFR part 382.601 and 655.14

- B. Department directors and division managers shall ensure the implementation of this policy within their areas of responsibility and require full compliance by all supervisors and employees subject to this policy. They shall also ensure that the contents of this policy are communicated to supervisors and employees, and that supervisors are trained to recognize and appropriately respond to employee behaviors that indicate alcohol misuse and drug abuse.
- C. Supervisors shall enforce this policy within their areas of responsibility.
- D. The Division of Human Resources shall:
  - 1. Be available to answer questions regarding this policy.
  - 2. Coordinate with the contractor providing drug and alcohol testing services under this policy.
  - 3. Promote a drug- and alcohol-free work environment by informing applicants and employees of CBJ's policies on drug and alcohol use and abuse.
  - 4. Facilitate training of employees, supervisors and management on the effects of drugs, alcohol, and behavioral clues that indicate possible drug and/or alcohol use or abuse.
  - 5. Assist supervisors and employees in making referral to the CBJ EAP for employees suffering from alcohol and/or drug abuse.
  - 6. Assist supervisors in applying appropriate disciplinary action for covered employees found violating the provisions of this policy.
  - 7. Develop and maintain a record keeping system meeting the requirements of the US DOT while protecting the privacy of the employee.

## **XX. DEFINITIONS**

- A. Accident (Non-Vehicular) means where an employee sustains an on-the-job injury that results in casting, suturing or overnight hospitalization or, in the opinion of Risk Management with the concurrence of at least one supervisor was the result of an employee's negligence.
- B. Accident (Vehicular) means an occurrence associated with the operation of a motor vehicle or other motorized equipment, if, as a result:
  - 1. FTA Defined Accident:
    - a) An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:
      - 1. An individual dies;
      - 2. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,

3. One or more vehicles incur 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* means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, or windshield wipers that makes them inoperative.

2. FMCSA Defined Accident:

- a) An occurrence associate with the operation of a vehicle on a public road in commerce, if as a result:
  1. An individual dies;
  2. The driver receives a citation and an individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident;
  3. The driver receives a citation and one or more vehicles incur disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle.

3. Additionally, under the sole authority of CBJ, the following provisions may also be identified as an accident

- a) The employee receives a citation under state or local law for a moving violation arising from the accident; or
- b) In the opinion of Risk Management, with the concurrence of at least one (1) supervisor, the employee driver's negligence contributed to the accident.

- C. Adulterated means a specimen contains a substance that is not a normal constituent or contains an endogenous substance at a concentration that is not a normal physiological concentration.
- D. Alcohol means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl or isopropyl alcohol.
- E. Alcohol concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test under this policy.
- F. Aliquot means a portion of a specimen used for testing.
- G. Breath Alcohol Technician (BAT) means an individual trained to proficiency and certified in the use of an evidential breath-testing device (EBT).

- H. Canceled (or Invalid) Test means a test that has been declared invalid by a Medical Review Officer for drug testing. In alcohol testing: a test that is deemed to be invalid under section 40.79. A canceled test is neither positive nor negative.
- I. CBJ means the City and Borough of Juneau, Alaska.
- J. Chain of Custody means procedures to account for the integrity of each urine or blood specimen by tracking the handling and storage from point of collection to final disposition of the specimen. There is a specific drug testing custody form to be used.
- K. CDL means a Commercial Driver's License issued by the State of Alaska pursuant to applicable DOT regulations including 49 CFR part 383.
- L. Collection site means a place designated by the CBJ where covered employees go for the purposes of providing a urine specimen for drug testing and a breath sample for alcohol testing.
- M. Confirmation test means a second analytical procedure to identify the presence of a specific drug or metabolite that is independent of the screening test and that uses a different technique and chemical principle from that of the screening test in order to ensure reliability and accuracy. Gas chromatography/mass spectrometry (GC/MS) or liquid chromatography/mass spectrometry (LC/MS) are the only authorized confirmation methods. In alcohol testing a second test following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration.
- N. Commercial Motor Vehicle 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 combined weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
  2. Has a gross vehicle weight rating of 26,001 or more 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 purpose of the Hazardous Materials Transportation Act and which required the motor vehicle to be placarded under the Hazardous Material Regulations.<sup>20</sup>
- O. Covered Employee means any person, including an applicant, candidate or transferee, who performs a safety-sensitive function and/or operates a commercial motor vehicle (CMV). This includes, but is not limited to full-time,



regularly employed drivers, volunteers, casual, intermittent or occasional drivers, leased drivers and independent, owner-operated contractors who are either directly employed by or under lease to the CBJ or who operate a CMV at the direction of or with the consent of CBJ. A volunteer with Capital Transit is covered only if operating a vehicle requiring a CDL or who performs any safety-sensitive function and received remuneration.

- P. Designated Employer Representative (DER) means an individual authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties or cause employees to be removed from these covered duties, to make required decisions in the testing and evaluation processes, and to receive test results and other communications for the employer.
- Q. Dilute Specimen means a specimen with creatinine and specific gravity values that are lower than expected for human urine.
- R. DHHS means the United States Department of Health and Human Services.
- S. DOT means the United States Department of Transportation.
- T. Drugs (or controlled substances) mean the drugs that are required for testing under the federal regulations including marijuana, cocaine, opioids, amphetamines, and phencyclidine (PCP).
- U. EAP means the Employee Assistance Program provided by the CBJ to assist its employees in dealing with drug and alcohol dependency or other personal problems.
- V. Evidential Breath Testing Device (EBT) means an instrument reliable in measuring an accurate alcohol concentration from breath, meeting the National Highway Traffic Safety Administration's specifications and appears on ODAPC's Web page for "Approved Evidential Breath Measurement Devices" because it conforms with the model specifications available from NHTSA.
- W. FTA means the Federal Transit Administration, an agency of the US DOT.
- X. FMCSA means the Federal Motor Carrier Safety Administration, an agency of the US DOT.
- Y. Invalid Specimen means one that contains an unidentified adulterant, contains an unidentified interfering substance, has an abnormal physical characteristic, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing testing or obtaining a valid test result.
- Z. Medical Review Officer (MRO) means a licensed physician responsible for receiving laboratory results 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.

AA. Negative Test means a test that shows no such detectable level(s) as defined by USDOT

BB. NIDA means the former National Institute on Drug Abuse. Now known as SAMHSA.

CC. Performing (a safety-sensitive function) is any period in which a covered employee is actually performing, ready to perform, or immediately available to perform any safety-sensitive function. This includes all time from the time a covered employee begins work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work.

DD. Policy means the CBJ's Drug and Alcohol Testing Policy and Procedures.

EE. FMCSA Safety-sensitive functions shall include:

1. All time at a CBJ property or on any public property waiting to be dispatched unless driver has been relieved from duty by the CBJ.
2. All time inspecting equipment as required by 49 CFR section 392.7 and .8 or otherwise inspecting, servicing or conditioning a commercial motor vehicle at any time.
3. All time spent at the driving controls of a CMV in operation.
4. All time, other than driving time, in or upon any CMV except time spent resting in a sleeper berth.
5. All time spent loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, in giving or receiving receipts for shipments loaded, or unloaded.
6. All time spent repairing, obtaining assistance or remaining in attendance upon a disabled vehicle.

FF. FTA Safety Sensitive Functions shall include:

1. Operating a revenue service vehicle, including when not in revenue service.
2. Operating a non-revenue service vehicle, when required to be operated by a CDL holder.
3. Controlling dispatch or movement of a revenue service vehicle.
4. Maintaining a revenue service vehicle or equipment in revenue service
5. Carrying a firearm for security purposes.

- GG. SAMHSA means the Substance Abuse and Mental Health Services Administration of the DHHS. Formerly known as NIDA.
- HH. Screening (or initial) Test: means in drug testing, an immunoassay screen to eliminate negative urine specimens from further analysis. In alcohol testing an analytic procedure to determine whether a covered employee may have a prohibited concentration of alcohol in a breath specimen.
- II.. Split Sample means that the urine sample is divided at the time of collection, with a minimum specified amount of urine being used for the primary sample and the remainder being poured off and saved in the event the original specimen tests positive and the employee requests a second test.
- JJ.. Substance Abuse Professional (SAP) means a licensed physician (medical doctor or doctor of osteopathy) or licensed or certified psychologist, social worker, employee assistance professional, state-licensed marriage and family therapist, or drug and alcohol counselor (certified by an organization listed at <https://www.transportation.gov/odapc/sap>) with knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol related disorders.
- KK. Substituted Specimen means a urine sample that has creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.
- LL. Supervisor means a supervisor, manager or other employee of the CBJ who is responsible for supervising or monitoring the conduct or performance of one or more employees.
- MM. Under the influence means behavior that may limit a covered employee's ability to safely and/or effectively perform his/her job duties, or poses a threat to the safety of the covered employee or others resulting from the use of drugs and/or alcohol.
- NN. Verified Positive Test means both the screen and confirmation test shows an established detectable level of alcohol or drugs, as defined by SAMHSA and/or US DOT. In the case of drugs, the test results have been reviewed by the MRO and determined to have evidence of prohibited drug use.

**XXI. GENERAL PROVISIONS**

A. Authority to Promulgate Policy

The City Manager of the City and Borough of Juneau, Alaska maintains the authority granted by the CBJ Charter to order policy and the guidelines for implementation.

B. Effective Date

The effective date of this revised policy is the signing date.

**Dated at Juneau, Alaska this 25th day of January, 2021.**

---

Rorie Watt  
City and Borough Manager

## **APPENDIX A**

### **LIST OF SAFETY-SENSITIVE CLASSIFICATION TITLES**

(Updated 8/13/2019)

---

This is a current list of job classifications that are subject to the required testing in this policy. This is not an exclusive list and may be amended as needed to add new job classifications that perform safety-sensitive functions.

#### **Streets – Operation under the Federal Motor Carrier Safety Administration**

Equipment Operator-In-Training I  
Equipment Operator-In-Training II  
Equipment Operator I  
Equipment Operator II  
Sr. Equipment Operator  
\*Streets, Fleets & Transit Operations Superintendent II

#### **Fleet - Operation under the Federal Motor Carrier Safety Administration**

Service Technician I  
Service Technician II  
Mechanic I  
Mechanic II  
Sr. Mechanic  
Fleet Manager  
\*Streets, Fleets & Transit Operations Superintendent II

#### **Transit – Operation under the Federal Transit Administration**

##### **Operations Division**

Transit Operator  
Lead Transit Operator  
Transit Operations Supervisor  
\*Streets, Fleets & Transit Operations Superintendent II

##### **Maintenance Division**

Service Technician I  
Service Technician II  
Mechanic I  
Mechanic II  
Sr. Mechanic  
Vehicle Maintenance Supervisor

\*Streets, Fleets & Transit Operations Superintendent II is a single position over the Streets, Fleet and Transit Division in the Department of Public Works.

**Wastewater Utilities – Operation under the Federal Motor Carrier Safety Administration**

\* **Wastewater Treatment Division**

- \* WW Treatment Plant OIT I
- \* WW Treatment Plant OIT II
- \* Asst. WW Treatment Plant Operator
- \* WW Treatment Plant Operator
- \* Sr. WW Treatment Plant Operator

**Wastewater Collections Division**

WW Collections OIT I  
WW Collections OIT II  
Asst. WW Collection Operator  
WW Collection Operator  
Sr. WW Collection Operator

**Water Maintenance Division**

Maintenance Water Utility OIT I  
Maintenance Water Utility OIT II  
Asst. Maintenance Water Utilities Operator  
Maintenance Water Utilities Operator  
Sr. Maintenance Water Utilities Operator

**Airport - Operation under the Federal Motor Carrier Safety Administration**

Equipment Operator I  
Equipment Operator II  
Sr. Equipment Operator  
Sr. Mechanic  
Airfield Operations Superintendent I

**Eaglecrest - Operation under the Federal Motor Carrier Safety Administration**

Bus Driver  
Lead Bus Driver  
Vehicle Maintenance Supervisor

**Parks & Recreation - Operation under the Federal Motor Carrier Safety Administration**

Park Maintenance Crew Lead

- \* The requirement for a Commercial Driver's License and inclusion in testing program will be determined on a position-by-position basis.