



CONTROLLED SUBSTANCES & ALCOHOL POLICY

College of the Redwoods

This written policy will provide an overview of the operational standards and education that is necessary for an employee to adhere to in order to be compliant to the regulations outlined and located in 49 CFR Parts 40 and 382. This policy applies to persons employed in safety sensitive positions as well as holding a commercial drivers license or an endorsement to a class C license. 40 CFR Part 382 requires said employees to be enrolled in a Controlled Substances and Alcohol testing program.

WHO IS REQUIRED TO COMPLY WITH TESTING

A Commercial Motor Vehicle (CMV) driver is defined as any person who operates a CMV and falls under the following instances.

1. Full time, regularly employed drivers
2. Casual Intermittent or occasional drivers
3. Leased Drivers and Independent Owner Operator contractors

SAFETY SENSITIVE FUNCTION

Most drivers qualify under the umbrella of being in a safety sensitive job function. A safety sensitive job function is defined as all operating hours that a driver begins to work or is required to be ready to work. This includes drivers on call, until they are relieved from the operating functions of their job. Meaning all times that they are on duty. Safety Sensitive functions include:

1. All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer;
2. All time inspecting equipment as required by Section 392.7 and Section 392.8 of this subchapter or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth.
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

In addition to employers that have two or more employees assigned to safety sensitive positions, this policy is also necessary for self employed owner operators to fulfill in order to meet the Department of Transportations rules and regulations.

In both of these instances an employee or authorized person must be assigned the role of a Designated Employer Representative (DER). The role of a DER is to act as a funnel of communication between a drug test management agency (TPA / Consortium) and the employer and is authorized to receive test results from service agents.

Other functions include the authority to take immediate action to remove drivers from safety sensitive functions and making the required decision in the testing and evaluation process. The individual must be an employee of the motor carrier. Service agents cannot act as a DER.

DRUG AND ALCOHOL PROHIBITIONS

Substance and Alcohol abuse can affect the performance of Safety Sensitive functions and is prohibited.

Drug prohibitions:

1. Use of any substance or drug outlined in 21 CFR 1308.11 Schedule I.
2. Abuse of a NON Schedule I substance or drug, unless under the direction of a licensed medical practitioner who has reviewed the drivers medical history and advised the driver that the drug will not affect the drivers ability to operate in a safety sensitive position.
3. Testing positive for Drugs.
4. An adulterated specimen
5. Refusal to test

Alcohol prohibitions:

1. Use of Alcohol while performing a safety sensitive function.
2. Use of Alcohol up to 4 hours before performing a safety sensitive function.
3. On duty or reporting for duty with an alcohol concentration of 0.04 or higher.
4. Use of Alcohol during the 8 hours following an accident, or until the driver undergoes a post accident test
5. Refusal to test.

Drivers having an alcohol concentration of 0.02 or higher must be immediately suspended from performing all safety sensitive functions for 24 hours.



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REQUIRED TYPES OF CONTROLLED SUBSTANCE AND ALCOHOL TESTING

There are 6 types of Controlled Substance and Alcohol Testing required under the regulations.

Pre-Employment Testing 49 CFR Part 382.301

Prior to the first time a driver performs safety-sensitive functions for an employer, the driver shall undergo testing for controlled substances as a condition prior to being used. No employer shall allow a driver, who the employer intends to hire or use, to perform safety-sensitive functions unless the employer has received a controlled substances test result from the MRO or C/TPA indicating a verified negative test result for that driver.

Random Testing 49 CFR Part 382.305

Random testing is unannounced and reasonably spaced throughout the year.

Random testing will take place at a certain percentage each year as defined by the DOT, each driver has an equal chance at being selected during the selected period. Selections are made using a computer generated scientifically validated method.

Random testing for alcohol is to be performed immediately before, during or immediately after performing safety-sensitive functions.

Random testing for controlled substances will take place anytime a driver is at work.

Reasonable Suspicion Testing 49 CFR Part 382.307

An employer shall require a driver to submit to a controlled substance and/or alcohol test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions concerning controlled substances and/or alcohol. The employer's determination that reasonable suspicion exists to require the driver to undergo a controlled substances and alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. Indications of chronic and withdrawal effects of controlled substances may also be used in determining reasonable suspicion for controlled substances testing.

Observations for reasonable suspicion alcohol testing are to be made before, during or immediately after performing safety-sensitive functions. Observations for reasonable suspicion of controlled substances testing are to be made anytime an employee is at work.

The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor or company official who is trained in accordance with **49 CFR 382.603**. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test of the driver.



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A written record shall be made of the observations leading to an alcohol or controlled substances reasonable suspicion test, and signed by the supervisor or company official who made the observations, within 24 hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier.

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Post-Accident Testing 49 CFR Part 382.303

A Post-Accident test is required of any employee in a safety-sensitive function position involved in an accident during the operation of a commercial motor vehicle.

Table for 382.303 (a) and (b)

Type of accident involved	Citation issued to the CMV driver	Test must be performed by the employer
i. Human Fatality	YES NO	YES YES
ii. Bodily injury with immediate medical treatment away from the scene	YES NO	YES NO
iii. Disabling damage to any motor vehicle requiring tow away	YES NO	YES NO

Alcohol is to be tested for as soon as possible but no later than 8 hours after the accident.

Controlled substances are to be tested for as soon as possible but no later than 32 hours after the accident.

A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the employer to have refused to submit to testing. Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

Use Following an accident 49 CFR 382.209

No driver required to take a post-accident alcohol test under 49 CFR Part 382.303 shall use alcohol for eight



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hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.

Return-to-Duty Testing 49 CFR 382.309 & 49 CFR Part 40 Subpart O

Return-to-Duty testing is required after an employee has failed a controlled substance or alcohol test, or refused to take a test. This test is required before returning to safety-sensitive functions. Evaluation, treatment and referral from an authorized Substance Abuse Professional (SAP), must be submitted before a Return-to-Duty test can take place. All Return-to-Duty tests take place under direct observation.

Follow-Up Testing 49 CFR 382.311 & 49 CFR Part 40 Subpart O

Follow-Up testing is required for an employee who has completed a Return-to-Duty test and is strictly followed under the recommended timeline of an authorized Substance Abuse Professional (SAP). All Follow-Up tests take place under direct observation.

CONTROLLED SUBSTANCES TESTING PROCEDURES

Controlled substances testing is performed by analyzing a urine sample in a federally approved laboratory, which is collected by a trained professional in a private setting. The sample may be collected at your workplace or a certified collection site. The collection process must be done by someone trained in compliance with Part 40 regulations, and in a secure, clean, and equipped location.

To Avoid False Positives and Ensure Your Rights

It's important to understand the correct procedure for collecting specimens to avoid false positive results and ensure your rights are respected. If you have concerns about the testing process, speak with your supervisor immediately and refer to the drug testing section in Part 40 of the regulations.

Regulated Documentation

The collection site, laboratory, and your motor carrier must follow strict regulations for documenting the handling and testing of your urine sample. This is known as the "chain of custody." It ensures that the sample is properly tracked from collection to testing, and that all steps are taken to maintain the integrity of the test results. A federal drug testing custody and control form (CCF) must be used and filled out correctly. The person collecting your sample should not be your direct supervisor, unless absolutely necessary.

Specimen Collection

When collecting your urine sample, you must be positively identified by the collection site person using photo identification or a representative from your motor carrier. You may also request to see the collection site person's identification.

The collection process involves the following steps:

- Remove outer garments and leave them in a mutually agreed-upon location
- Empty your pockets and display the contents
- Wash and dry your hands before providing the urine specimen



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- Provide a urine specimen of at least 45 mL in a clean, single-use specimen bottle
- The temperature of the urine specimen will be taken within 4 minutes of collection

Split Specimen

After collecting the urine specimen, the collection site person will divide it into two containers in your presence. This provides two samples for testing, in case you dispute the results of the first test. The two samples are sent to a testing laboratory certified by the US Department of Health and Human Services (HHS) and must be tracked using the chain of custody form.

Your Rights and Responsibilities

You must:

- Initial the identification label on the specimen bottle to confirm that the specimen is yours
- Read, complete, and sign the chain of custody form
- Ensure that no other persons are present or can gain access to the area or specimens, to prevent any potential tampering or contamination

Laboratory Analysis.

The laboratory will perform an initial test on the primary sample. If this test is positive for controlled substances, a confirmation test will be conducted.

Reporting the Results

All test results must be reported to the Medical Review Officer (MRO) in a timely and confidential manner. The laboratory and MRO must ensure that the results are transmitted securely and confidentially.

Stand Down

Your motor carrier may not remove you from safety-sensitive functions (known as a "stand down") based solely on a laboratory report of a confirmed positive, adulterated, or substituted drug test before the test result has been verified by an MRO. However, this does not prevent your motor carrier from taking action against you based on other grounds, such as violating company policies or regulations.

Review by Medical Review Officer (MRO)

The MRO will review the test results and may contact you to discuss the results and explore any possible medical explanations for a positive result. If the MRO confirms a positive result, your motor carrier will be notified, and you will be subject to certain consequences, such as being removed from safety-sensitive functions or undergoing substance abuse treatment.



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Your Rights

You have the right to:

- Request a test of the split specimen (**within 72 hours**) if you dispute the results of the initial test
- Have the split specimen tested at a different HHS-certified laboratory
- Be notified of the test results and any actions taken by your motor carrier

Invalid Test Results

If the laboratory reports an invalid test result, the MRO will:

- Discuss the results with the certifying scientist
- Contact you to determine if you have taken any medications that may have interfered with the test
- Require a new test if necessary

Prescription Drug Use

If a non-Schedule I drug is found in your urine specimen, the MRO will verify whether it was legally prescribed. If it was, the test will be reported as negative. However, the MRO may still question your use of the medication if they believe it could impact your ability to perform safety-sensitive functions.

Medical Review Officer (MRO) Responsibilities

The MRO is responsible for:

- Reviewing test results and medical records
- Conducting medical evaluations and interviews
- Determining whether a positive test result is due to legitimate medical use or illegal drug use
- Reporting test results to your motor carrier

Your Responsibilities

You are responsible for:

- Providing accurate and complete medical information
- Cooperating with the MRO's review and evaluation process
- Adhering to any treatment or education programs prescribed by the MRO

ALCOHOL TESTING PROCEDURES

Alcohol testing is conducted using a breath or saliva testing device approved by the National Highway Traffic Safety Administration (NHTSA). The test must be conducted by a trained technician in a private setting, and you will be required to provide identification and sign a testing form.

Screening Test



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A screening test will be conducted first. Either an evidential breath testing device (EBT) or a non-evidential alcohol screening device (ASD) that tests breath or saliva may be used. If the screening test result is 0.02 or higher, a confirmation test will be conducted using an EBT.

Confirmation Test

The confirmation test will be conducted using an EBT that prints the results. The technician will show you the results and enter them on the testing form. If the confirmation test result is 0.04 or higher, you will be subject to certain consequences, such as being removed from safety-sensitive functions.

Your Rights

You have the right to:

- Request a test of the breath or saliva sample if you dispute the results of the confirmation test
- Have the sample tested at a different location
- Be notified of the test results and any actions taken by your motor carrier

REFUSAL TO SUBMIT TO A CONTROLLED SUBSTANCES OR ALCOHOL TEST

No driver shall refuse to submit to a pre-employment controlled substance test required under 382.301, a post-accident alcohol or controlled substance test required under 382.303, a random alcohol or controlled substances test required under 382.305, a reasonable suspicion alcohol or controlled substance test required under 382.307, a return-to-duty alcohol or controlled substances test required under 382.309, or a follow-up alcohol or controlled substance test required under 382.311. No employer shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions. A refusal to test incurs the same consequences as a positive test result.

Refusal to submit to a Controlled Substances or Alcohol test includes:

- Failure to appear for any test in a reasonable time.
- Failing to remain at the testing site until the testing process is complete
- Failure to provide a specimen
- Failure to provide enough urine for a drug test without a medical explanation.
- Failure to permit observation in the case of a required direct observation test.
- Failure to cooperate with a specimen collector's instructions.
- Declining to take a second test under the specimen collectors instructions.
- Failing to undergo a medical examination or evaluation as directed by the designated employer representative (DER).
- Have a verified adulterated drug test.
- Failure to provide sufficient breath for an alcohol test without medical explanation.
- Failure to sign Step 2 of an Alcohol Testing form.



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CONSEQUENCES FOR DRIVERS ENGAGING IN SUBSTANCE USE RELATED CONDUCT

§ 382 Subpart E

Refusal and/or failure of a Controlled Substances or Alcohol test will result in immediate removal from duty performing a safety-sensitive function. 49 CFR Part 382.701, Results will be reported to the Federal Motor Carrier Safety Administration (FMCSA) Controlled Substances and Alcohol Clearinghouse and stored for a period of up to 5 years.

§ 382.501 Removal from safety-sensitive function.

- (a) Except as provided in subpart F of this part, no driver shall perform safety-sensitive functions, including driving a commercial motor vehicle, if the driver has engaged in conduct prohibited by subpart B of this part or an alcohol or controlled substances rule of another DOT agency.
- (b) No employer shall permit any driver to perform safety-sensitive functions; including driving a commercial motor vehicle, if the employer has determined that the driver has violated this section.
- (c) For purposes of this subpart, commercial motor vehicle means a commercial motor vehicle in commerce as defined in § 382.107, and a commercial motor vehicle in interstate commerce.

§ 382.503 Required evaluation and testing, reinstatement of commercial driving privilege.

- (a) No driver who has engaged in conduct prohibited by subpart B of this part shall perform safety-sensitive functions, including driving a commercial motor vehicle, unless the driver has met the requirements of part 40, subpart O. No employer shall permit a driver who has engaged in conduct prohibited by subpart B of this part to perform safety-sensitive functions, including driving a commercial motor vehicle, unless the driver has met the requirements of part 40, subpart O.
- (b) No driver whose commercial driving privilege has been removed from the driver's license, pursuant to § 382.501(a), shall drive a commercial motor vehicle until the State Driver Licensing Agency reinstates the CLP or CDL privilege to the driver's license.

§ 382.505 Other alcohol-related conduct.

- (a) No driver tested who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform or continue to perform safety-sensitive functions for an employer, including driving a commercial motor vehicle, nor shall an employer permit the driver to perform or continue to perform safety-sensitive functions, until the start of the driver's next regularly scheduled duty period, but not less than 24 hours following administration of the test.
- (b) Except as provided in paragraph (a) of this section, no employer shall take any action under this part against a driver based solely on test results showing an alcohol concentration less than 0.04. This does not prohibit an employer with authority independent of this part from taking any action otherwise consistent with law.



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§ 382.507 Penalties.

Any employer or driver who violates the requirements of this part shall be subject to the civil and/or criminal penalty provisions of 49 U.S.C. 521(b). In addition, any employer or driver who violates the requirements of 49 CFR part 40 shall be subject to the civil and/or criminal penalty provisions of 49 U.S.C. 521(b).

EMPLOYEE ADMISSION OF CONTROLLED SUBSTANCES AND ALCOHOL USE

Employees who admit to alcohol misuse or controlled substances use are not subject to the referral, evaluation and treatment requirements of this part and part 40 of this title, provided that:

- The admission is in accordance with a written employer-established voluntary self-identification program or policy that meets the requirements of paragraph 2 of this section;
- The driver does not self-identify in order to avoid testing under the requirements of this part;
- The driver makes the admission of alcohol misuse or controlled substances use prior to performing a safety sensitive function (i.e., prior to reporting for duty); and
- The driver does not perform a safety-sensitive function until the employer is satisfied that the employee has been evaluated and has successfully completed education or treatment requirements in accordance with the self-identification program guidelines.

A qualified voluntary self-identification program or policy must contain the following elements:

- It must prohibit the employer from taking adverse action against an employee making a voluntary admission of alcohol misuse or controlled substances use within the parameters of the program or policy and paragraph 1 of this section;
- It must allow the employee sufficient opportunity to seek evaluation, education or treatment to establish control over the employee's drug or alcohol problem;
- It must permit the employee to return to safety sensitive duties only upon successful completion of an educational or treatment program, as determined by a drug and alcohol abuse evaluation expert, i.e., employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor;
- It must ensure that:
 - (i) Prior to the employee participating in a safety sensitive function, the employee shall undergo a non-DOT return to duty test with a result indicating an alcohol concentration of less than 0.02; and/or
 - (ii) Prior to the employee participating in a safety sensitive function, the employee shall undergo a non-DOT return to duty controlled substance test with a verified negative test result for controlled substances use; and

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA) CONTROLLED SUBSTANCES AND ALCOHOL CLEARINGHOUSE

Effective January 6, 2020, The Federal Motor Carrier Safety Administration (FMCSA) established a repository to collect information on DOT drug and alcohol violations.

The FMCSA Controlled Substances and Alcohol Clearinghouse is accessible at the following web address:

<https://clearinghouse.fmcsa.dot.gov/>



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Pre-employment query required. Employers must not employ a driver subject to controlled substances and alcohol testing under this part to perform a safety-sensitive function without first conducting a pre-employment query of the Clearinghouse to obtain information about whether the driver has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test in violation of § 382.211; or that an employer has reported actual knowledge, as defined at § 382.107, that the driver used alcohol on duty in violation of § 382.205, used alcohol before duty in violation of § 382.207, used alcohol following an accident in violation of § 382.209, or used a controlled substance, in violation of § 382.213. The employer must conduct a full query under this section, which releases information in the Clearinghouse to an employer and requires that the individual driver give specific consent.

Annual query required. Employers must conduct a query of the Clearinghouse at least once per year for information for all employees subject to controlled substance and alcohol testing under this part to determine whether information exists in the Clearinghouse about those employees.

In lieu of a full query, an employer may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell the employer whether there is information about the individual driver in the Clearinghouse, but will not release that information to the employer. The individual driver may give consent to conduct limited queries that are effective for more than one year.

If the limited query shows that information exists in the Clearinghouse about the individual driver, the employer must conduct a full query, within 24 hours of conducting the limited query. If the employer fails to conduct a full query within 24 hours, the employer must not allow the driver to continue to perform any safety-sensitive function until the employer conducts the full query and the results confirm that the driver's Clearinghouse record contains no prohibitions.

Prohibition. No employer may allow a driver the employer employs or intends to hire or use to perform any safety-sensitive function if the results of a Clearinghouse query demonstrate that the driver has a verified positive, adulterated, or substituted controlled substances test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test in violation of § 382.211; or that an employer has reported actual knowledge, as defined at § 382.107, that the driver used alcohol on duty in violation of § 382.205, used alcohol before duty in violation of § 382.207, used alcohol following an accident in violation of § 382.209, or used a controlled substance in violation of § 382.213, except where a query of the Clearinghouse demonstrates:

- (1) That the driver has successfully completed the SAP evaluation, referral, and education/treatment process set forth in part 40, subpart O, of this title; achieves a negative return-to-duty test result; and completes the follow-up testing plan prescribed by the SAP.
- (2) That, if the driver has not completed all follow-up tests as prescribed by the SAP in accordance with § 40.307 of this title and specified in the SAP report required by § 40.311 of this title, the driver has completed the SAP evaluation, referral, and education/treatment process set forth in part 40, subpart O, of this title and achieves a negative return-to-duty test result, and the employer assumes the responsibility for managing the follow-up testing process associated with the testing violation.



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Recordkeeping required. Employers must retain for 3 years a record of each query and all information received in response to each query made under this section. As of January 6, 2023, an employer who maintains a valid registration fulfills this requirement.

Driver consent to permit access to information in the Clearinghouse § 382.703

No employer may query the Clearinghouse to determine whether a record exists for any particular driver without first obtaining that driver's written or electronic consent. The employer conducting the search must retain the consent for 3 years from the date of the last query.

Before the employer may access information contained in the driver's Clearinghouse record, the driver must submit electronic consent through the Clearinghouse granting the employer access to the following specific records:

- (i) A verified positive, adulterated, or substituted drug test result;
- (ii) An alcohol confirmation test with a concentration of 0.04 or higher;
- (iii) A refusal to submit to any test required by § 382.211;
- (iv) An employer's report of actual knowledge, as defined at § 382.107:
 - (A) On duty alcohol use pursuant to § 382.205;
 - (B) Pre-duty alcohol use pursuant to § 382.207;
 - (C) Alcohol use following an accident pursuant to § 382.209; and
 - (D) Controlled substance use pursuant to § 382.213;
- (v) A substance abuse professional report of the successful completion of the return-to-duty process;
- (vi) A negative return-to-duty test; and
- (vii) An employer's report of completion of follow-up testing.

EFFECTS OF ALCOHOL AND DRUGS ON HEALTH, WORK AND PERSONAL LIFE

The hazards of misuse of alcohol and illegal drugs extends far beyond the individual user. Impaired employees endanger themselves, fellow workers, and other highway users. Employees with drugs or alcohol in their systems are less productive and more likely to injure themselves or other persons in an accident.

Employees found to abuse alcohol and drugs increase the costs related to lost productivity, absenteeism, accidents, loss of trained personnel, theft, and treatment and deterrence programs. Also, medical costs are



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higher and are passed on to the employer in the form of higher health insurance rates. Alcohol and drug abuse cost both the employer and the employee. Alcohol is still the number one abused drug in this country.

Alcohol consumption causes a number of changes in behavior. Even consuming small amounts can impair the judgment and coordination required for driving. Low to moderate intake increases the incidence of a variety of aggressive acts. Moderate to high consumption causes marked impairments in mental functions, severely altering a person's ability to learn and remember information. Very high consumption can cause respiratory depression and death. If combined with other depressant drugs, much lower amounts of alcohol consumed can lead to permanent damage to vital organs such as the brain and the liver.

SIGNS AND SYMPTOMS OF AN ALCOHOL OR DRUG PROBLEM

Drugs can show their effects in many different ways. Some of the most noticeable signs of drug abuse are drowsiness, respiratory depression, constricted pupils, nausea, slurred speech, excitement, loss of appetite, poor perception of time and distance, relaxed inhibitions, disoriented behavior, watery eyes, runny nose, chills and sweat, convulsions, apathy, depression, and the use of drug paraphernalia.

Some of the signs and symptoms of alcohol misuse are the odor of alcohol, slurred speech, staggering, tremors, vomiting, cramps, delirium, loss of appetite, using arms for balance, leaning against walls and doorways, swaying while maintaining balance, and confusion.

Abuse of multiple substances involves the use of more than one drug, either at the same time or over a period of time, and involves any combination of:

- Alcohol
- Prescription drugs
- Over-the-counter drugs
- Illegal drugs

Multiple substance abuse is especially dangerous because different substances interact with each other to produce unexpected effects and dangers.

Multiple substance abuse often begins with abuse of a single substance. This may happen because once a person begins to rely on a drug, abuse of other substances becomes more likely. People who abuse one substance are at high risk for developing dependence and tolerance for other substances.

WHERE TO FIND HELP

Information on where to find treatment for substance and alcohol abuse can be found at the Substance Abuse and Mental Health Services Administration (SAMHSA) national helpline at:

1-800-662-4357 and **<https://findtreatment.gov/>**



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DEFINITIONS

Adulterated specimen. A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol. The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol.

Alcohol concentration. The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under this part.

Alcohol confirmation test. A subsequent test using an EBT, following a screening test with a result of 0.02 or greater, that provides quantitative data about the alcohol concentration.

Alcohol screening device (ASD). A breath or saliva device, other than an EBT, that is approved by the National Highway Traffic Safety Administration (NHTSA) and appears on ODAPC's Web page for "Approved Screening Devices to Measure Alcohol in Bodily Fluids" because it conforms to the model specifications from NHTSA.

Alcohol screening test. An analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

Breath Alcohol Technician (BAT). A person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device.

Canceled test. A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which this part otherwise requires to be canceled. A canceled test is neither a positive nor a negative test.

Chain of custody. The procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Drug Testing Custody and Control Form (CCF) as approved by the Office of Management and Budget.

Collection site. A place selected by the employer where employees present themselves for the purpose of providing a specimen for a drug test.

Collector. A person who instructs and assists employees at a collection site, who receives and makes an initial inspection of the specimen provided by those employees, and who initiates and completes the CCF.

Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse). A database, administered by the Federal Motor Carrier Safety Administration, containing records of commercial motor vehicle drivers' violations of controlled substances and alcohol testing program requirements, as set forth in part 382 of this title, as well as their return-to-duty status.



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Confirmed drug test. A confirmation test result received by an MRO from a laboratory.

Consortium/Third-party administrator (C/TPA). A service agent that provides or coordinates the provision of a variety of drug and alcohol testing services to employers. C/TPAs typically perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members. C/TPAs are not “employers” for purposes of this part.

Designated employer representative (DER). An employee 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, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer, consistent with the requirements of this part. Service agents cannot act as DERs.

Dilute specimen. A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Drugs. The drugs for which tests are required under this part and DOT agency regulations are marijuana, cocaine, amphetamines, phencyclidine (PCP), and opioids.

Employee. Any person who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. For purposes of drug testing under this part, the term employee has the same meaning as the term “donor” as found on CCF and related guidance materials produced by the Department of Health and Human Services.

Employer. A person or entity employing one or more employees (including an individual who is self-employed) subject to DOT agency regulations requiring compliance with this part. The term includes an employer's officers, representatives, and management personnel. Service agents are not employers for the purposes of this part.

Evidential Breath Testing Device (EBT). A device that is approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath at the .02 and .04 alcohol concentrations, and appears on ODAPC's Web page for “Approved Evidential Breath Measurement Devices” because it conforms with the model specifications available from NHTSA.

Laboratory. Any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards set by HHS; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part.

Medical Review Officer (MRO). A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.

Negative result. The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the



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specimen is a valid specimen.

Office of Drug and Alcohol Policy and Compliance (ODAPC). The office in the Office of the Secretary, DOT, that is responsible for coordinating drug and alcohol testing program matters within the Department and providing information concerning the implementation of this part.

Oral fluid specimen. A specimen that is collected from an employee's oral cavity and is a combination of physiological fluids produced primarily by the salivary glands. An oral fluid specimen is considered to be a direct observation collection for all purposes of this part.

Oxidizing adulterant. A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or drug metabolites, or affects the reagents in either the initial or confirmatory drug test.

Primary specimen. In drug testing, the specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of specimen validity testing. The primary specimen is the portion of the donor's subdivided specimen designated as the primary ("A") specimen by the collector to distinguish it from the split ("B") specimen, as defined in this section.

Positive result. The result reported by an HHS-certified laboratory when a specimen contains a drug or drug metabolite equal to or greater than the cutoff concentrations.

Qualification Training. The training required in order for a collector, BAT, MRO, SAP, or STT to be qualified to perform their functions in the DOT drug and alcohol testing program. Qualification training may be provided by any appropriate means (e.g., classroom instruction, internet application, CD-ROM, video).

Rejected for testing. The result reported by an HHS-certified laboratory when no tests are performed for a specimen because of a fatal flaw or a correctable flaw that is not corrected.

Screening Test Technician (STT). A person who instructs and assists employees in the alcohol testing process and operates an ASD.

Service agent. Any person or entity, other than an employee of the employer, who provides services to employers and/or employees in connection with DOT drug and alcohol testing requirements. This includes, but is not limited to, collectors, BATs and STTs, laboratories, MROs, substance abuse professionals, and C/TPAs. To act as service agents, persons and organizations must meet DOT qualifications, if applicable. Service agents are not employers for purposes of this part.

Specimen. Fluid, breath, or other material collected from an employee at the collection site for the purpose of a drug or alcohol test.

Split specimen. In drug testing, the specimen is sent to a laboratory and stored with its original seal intact, and which is transported to a second laboratory for retesting at the employee's request following MRO verification of the primary specimen as positive, adulterated or substituted.



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Split specimen collection. A collection in which the single specimen collected is divided into two separate specimen bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Stand-down. The practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test result.

Substance Abuse Professional (SAP). A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

Substituted specimen. An employee's specimen not consistent with a normal human specimen, as determined by HHS (e.g., a urine specimen, with creatinine and specific gravity values that are so diminished, or so divergent that they are not consistent with normal human urine).

Urine specimen. Urine collected from an employee at the collection site for the purpose of a drug test.

Verified test. A drug test result or validity testing result from an HHS-certified laboratory that has undergone review and final determination by the MRO.

All questions regarding this policy should be directed to the company's Designated Employer Representative (DER) :

Name: Amber Cavanaugh **Phone:** 707-476-4503



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CERTIFICATE OF RECEIPT

CONTROLLED SUBSTANCES and ALCOHOL POLICY

I certify that I have received, read and understand the Alcohol and Substance Abuse Policy for:

College of the Redwoods

I have received, read and understood the information and training concerning controlled substances and alcohol effects on my health, work , and personal life.

I understand it is my responsibility to inquire about anything I do not understand concerning the contents of this policy and any questions I have should be directed to:

_____ Designated Employer Representative.

I hereby certify that I agree and will adhere to the terms of :

College of the Redwoods

_____ Controlled Substance and Alcohol policy.

Employee Name: _____ CDL # _____

Employee Signature: _____ Date: _____



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