



Administrative Policy

Policy: Drug and Alcohol Testing for Employees with Commercial Drivers' Licenses

Administered By: Human Resources

The City of Corona ("City") is required to comply with all applicable regulations concerning misuse of alcohol or controlled substances and mandated testing as set forth by the United States Department of Transportation (49 CFR Part 40), Federal Transit Administration (49 CFR Parts 653 & 654), and Federal Highway Administration (49 CFR Part 382). Adoption of a policy is one of the City's obligations under the regulations. This policy ("Policy") sets forth the rights and obligations of covered employees. If you are an employee covered by these requirements you should familiarize yourself with the provisions of this Policy **because compliance with this Policy is a condition of your employment.** Violations of this policy are subject to disciplinary action up to and including termination.

A. EMPLOYEE QUESTIONS:

Employees shall refer any questions regarding their rights and obligations under this Policy to the Human Resources Department.

B. COVERED EMPLOYEES:

Definition: City employees who operate any of the following commercial motor vehicles are "covered employees" and subject to the provisions of this Policy:

1. a vehicle with a gross combination weight of at least 26,001 pounds inclusive of a towed unit with a gross vehicle weight of at least 10,000 pounds;
2. a vehicle with a gross vehicle weight of at least 26,001 pounds;
3. a vehicle designed to transport 16 or more passengers, including the driver; or
4. a vehicle of any size used to transport those hazardous materials found in the Hazardous Materials Transportation Act and which require the vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

Covered employee classifications are listed in Attachment "A." This list will be modified as needed by the City.

C. WHAT ARE SAFETY-SENSITIVE FUNCTIONS?

Covered employees may not be under the influence or in possession of controlled substances or alcohol during work hours. Further, certain conduct is prohibited (See Section D below) while performing and prior to performing "safety sensitive functions". The following are safety sensitive functions:

1. All time at a carrier or shipper, plant, terminal, facility, or other property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.
2. All time inspecting equipment as required by the Federal Motor Carrier Safety Regulations 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.
4. All time, other than driving time, spent on or in a commercial motor vehicle (except for time spent resting in the sleeper berth).
5. All time loading or unloading a commercial motor 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.
6. All time repairing, obtaining assistance for, or remaining in attendance upon a disabled vehicle.

D. PROHIBITIONS:

The following conduct is prohibited and may result in discipline, up to and including termination:

1. Reporting for duty or remaining on duty requiring the performance of safety sensitive functions while having an alcohol concentration of 0.04 or greater;
2. Performing a safety sensitive function within four hours of using alcohol;
3. Being on duty or operating a vehicle described in this section, while possessing alcohol;
4. Using alcohol while on duty;
5. Reporting for duty or remaining on duty requiring the performance of safety sensitive functions when the employee used any controlled substances, except if

the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely operate a vehicle;

6. Reporting for duty or remaining on duty requiring the performance of safety sensitive functions if the employee tests positive for controlled substances;
7. Refusing to submit to any alcohol or controlled substances test required by this Policy. A covered employee who refuses to submit to a required drug/alcohol test will be treated in the same manner as an employee who tested 0.04 or greater on an alcohol test or tested positively on a controlled substances test;

A "refusal to submit" to an alcohol or controlled substances test required by this Policy includes, but is not limited to:

- a. A refusal to take a drug or alcohol for a drug test;
- b. A failure to report to the collection site in the time allotted by the supervisor or manager who directs the employee to be tested;
- c. A failure to remain at a testing site until the testing process is complete or other follow up;
- d. A failure to permit the observation or monitoring of the provision of a urine sample when required;
- e. A failure or inability to provide a sufficient amount of urine, breath or saliva when directed without a valid medical explanation;
- f. A failure or refusal to take a second test as directed following a negative dilute result;
- g. A failure to undergo an additional medical examination as directed as part of the verification process or other follow up;
- h. A refusal to complete and sign the testing form and/or disclosure of medical information form, or otherwise to cooperate with the testing process in a way that prevents the completion of the test;
- i. Tampering with or attempting to adulterate the urine or breath specimen or collection procedure;
- j. Leaving the scene of an accident without a valid reason as to why authorization from a supervisor or manager, who shall make a determination whether to send the employee for a post-accident drug and/or alcohol test, was not obtained.

8. Consuming alcohol during the eight hours immediately following an accident.

In addition to the prohibitions listed in this section, employees are reminded of their obligations under the City's Drug and Alcohol Policy (Administrative Policy 200.21).

E. ALCOHOL CONCENTRATION LEVELS OF 0.02 OR GREATER BUT LESS THAN 0.04:

An employee whose alcohol test indicates an alcohol concentration level between 0.02 and 0.04 will be removed from his or her safety sensitive position without pay (unless the employee elects to use accrued leave) until the start of the employee's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

For drivers whose alcohol screening test indicates an alcohol concentration of 0.02 or greater, a confirmation test will be performed between fifteen (15) and thirty (30) minutes after the first alcohol screening test to confirm the results of the first test. If the screening and confirmation test results are not the same, the confirmation test results are used. If the confirmation test results indicate an alcohol concentration of 0.02, the driver will be prevented from working for a minimum of twenty-four (24) hours. A driver may use any available accrued leave during this period. A driver will not be returned to duty until a retest results in an alcohol concentration of less than 0.02 or for a minimum twenty-four (24) hour period.

F. CIRCUMSTANCES UNDER WHICH DRUG AND ALCOHOL TESTING WILL BE IMPOSED ON COVERED EMPLOYEES:

1. Pre-Employment/ Pre-Duty Testing:

All applicants for classifications which are covered by the DOT regulations (See "Covered Employees" in Section B) as well as all employees who transfer from classifications which are not covered to classifications which are covered will be required to submit to pre-employment/pre-duty drug testing. Applicants will not be assigned to a safety sensitive position if they do not pass the test. There is no pre-employment alcohol test.

In addition, the City is required to obtain from previous employers, pursuant to an employee or prospective employee's written consent, information on any alcohol tests of 0.04 or greater, positive drug test results, refusals to be tested, or other violations of drug and alcohol testing regulations. Such information may include not only records regarding a covered employee's violation of the DOT regulations resulting from alcohol or controlled substance testing while working for the previous employer, but may also include any records of violations within the past three (3) years that the previous employer received from other employers. The City must also require any documentation of the employee's successful completion of return to duty requirements if the employee had any DOT violations within the preceding two years. The form attached at Attachment "B"

will be used. This information must be obtained and reviewed as soon as possible. An employee may not perform safety-sensitive functions beyond 30 days unless the City obtains the necessary information. The City is required to obtain this information even if the employee stops performing safety-sensitive function during the 30-day period. The City is required to ask the employee or prospective employee whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by a prospective employer during the past two years.

The City shall not use an employee to perform safety-sensitive functions if it obtains information on the employee's alcohol test of 0.04 or greater, verified positive drug test result, or refusal to be tested without verifying that the employee fulfilled his/her obligations regarding evaluation, treatment, and return-to-duty testing as discussed in Section M below.

2. Post-Accident Testing:

As soon as practicable following an occurrence involving the vehicle, the City will test for alcohol and controlled substances for each surviving driver if the accident occurred while the driver was performing safety-sensitive functions and involved the loss of human life. The City will also test for alcohol for each surviving driver who receives a citation within eight hours of the occurrence under State or local law for a moving traffic violation arising from the accident, and for controlled substances for each surviving driver who receives a citation within 32 hours of the occurrence under State or local law for a moving traffic violation, if the accident involved: (a) bodily injury to any person who immediately receives medical treatment away from the scene of the accident; or (b) disabling vehicle damage requiring a motor vehicle to be transported away from the scene.

If a post-accident alcohol test is not administered within two hours following the accident, the City will prepare a record stating the reasons. No alcohol test may be administered more than eight hours following an accident. If such test is not administered within that time, the City will prepare a record stating the reasons. No drug test may be administered more than 32 hours following the accident. If such test is not administered within 32 hours, the City will prepare a record stating the reasons.

The following table sets forth when a post-accident test will be conducted as described in this section:

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

3. Random Testing:

Covered employees will be subject to random alcohol and drug testing as follows:

A random alcohol test may be administered just prior to the employee performing a safety sensitive function (e.g., driving) while the employee is performing a safety sensitive function, or just after the employee has stopped performing a safety sensitive function. (The employee is in a paid status during the administration of the testing procedures.) The City will subject at least 25% of the total number of covered employees to random alcohol testing per year, or that percentage as modified by the FMCSA Administrator.

A random, unannounced drug test will be administered to at least 50% of the total number of covered employees per year, or that percentage as modified by the FMCSA Administrator. Some employees may be tested more than once in a year, while others are not tested at all depending on the random selection.

Each covered employee shall have an equal chance at selection for random testing and shall remain in the selection pool even after being tested. The basis for random selection shall be by a scientifically valid random number generation method. The random selection process will be conducted by non-City personnel.

On the date an employee is selected for random drug or alcohol testing, his/her supervisor will ensure his/her duties are covered. **The employee will receive a written notice indicating the time he/she is to report to the lab for testing.**

4. Reasonable Suspicion Testing:

Covered employees are also required to submit to an alcohol or drug test when a trained supervisor has reasonable suspicion to believe the employee is under the influence of alcohol or controlled substances. The form shown in Attachment "C" lists the signs and symptoms of drug and alcohol use will be used by a trained supervisor to document the reasonable suspicion.

a. Drug Testing:

The City's determination that reasonable suspicion exists to require the employee to undergo a controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. The observations may include indications of the chronic and withdrawal effects of controlled substances.

b. Alcohol Testing:

The City's determination that reasonable suspicion exists to require the employee to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. The observations must be made during, just preceding, or just after the performance of safety-sensitive functions. An employee may be required to undergo reasonable suspicion testing only during, just preceding, or just after the performance of safety-sensitive functions.

The reasonable suspicion alcohol test will be administered within two hours of the observation. If not, the employer must prepare and keep written documentation as to why the test was not promptly conducted. No test may be administered after eight hours following the observation.

Notwithstanding the absence of a reasonable suspicion alcohol test, no employee may perform safety sensitive functions while under the influence of or impaired by alcohol, as shown by behavioral, speech, and performance indicators of alcohol misuse until the sooner of (1) an alcohol test is administered which shows a concentration level of .02 or less or (2) 24 hours following the determination of reasonable suspicion.

Once a reasonable suspicion determination is made, it is the responsibility of the supervisor to assure that the employee under suspicion is evaluated, and when necessary, transported to a specimen collection site to provide a urine and/or breath sample. Any employee tested for reasonable cause/suspicion will be denied commercial motor vehicle driving privileges until test results are received.

If test results are negative, the employee generally will resume regular work duties.

If it is believed that the employee is impaired, the supervisor makes arrangement to have the employee taken home. If the employee refuses assistance, a witness should verify that the employee refused assistance. If the employee cannot control his/her actions and leaves without assistance, the supervisor must call the police department immediately to inform them of the employee's condition and refusal for assistance. The supervisor shall give the police department the employee's name and description of the vehicle, including the license number.

To ensure that supervisors are trained to make reasonable suspicion determinations, supervisors vested with the authority to demand a reasonable suspicion drug and alcohol test will attend at least one hour of training on alcohol misuse and at least one hour of training on controlled substances use. The training will cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances.

5. Return to Duty/Follow-up Testing:

A covered employee who has violated any of the prohibitions of this Policy (See Section D) may, at the City's sole discretion, return to his/her position performing safety-sensitive functions only after (1) the employee's substance abuse professional ("SAP") has determined what assistance the employee may need in solving problems related to drug or alcohol abuse and that the employee has successfully complied with the prescribed education and/or treatment, (2) the employee has submitted to a return to duty test, and (3) the return to duty test indicates an alcohol concentration of less than 0.02 or a verified negative result on a controlled substances test. Before being allowed to return to either non-safety or safety-sensitive duty, the employee must be released by the SAP to be considered for return to safety-sensitive duty.

In addition, because studies have shown that the relapse rate is highest during the first year of recovery, the employee will be subject to follow-up testing which is separate from the random testing obligation. The employee will be subject to the amount and frequency of unannounced follow-up tests as directed by the employee's SAP, but no less than six unannounced and randomly scheduled tests during the first year back to the safety-sensitive position following the violation. Follow-up testing shall be conducted during the performance of, before the performance of, or just after the employee has performed a safety-sensitive function. The time period for follow-up testing may be up to five years from the employee's date of return to duty. The employee's obligation to undergo follow-up testing carries over to any new employment in a similar position.

G. PROCEDURES TO BE USED FOR DETECTION OF DRUGS AND ALCOHOL: Collection and testing of specimens from employees and random selection will be conducted by non-City employees.

1. Alcohol Testing:

Alcohol testing will be conducted by using an evidential breath testing device (EBT) approved by the National Highway Traffic Safety Administration. Non-EBT devices may be used for initial screening tests.

A screening test will be conducted first. If the result is an alcohol concentration level of less than 0.02, the test is considered negative test. If the alcohol concentration level is 0.02 or more, a second confirmation test will be conducted. The procedures that will be utilized by the lab for collection and testing of the specimen are described in more detail in Attachment "D".

2. Drug Testing:

The urine specimen will be split into two bottles labeled as "primary" and "split" specimen. Both bottles will be sent to the lab. Urine specimens shall be screened for the following substances:

- a. Amphetamines/Methamphetamines (Examples: Speed and Crystal)
- b. Cocaine
- c. Opiates (Examples: Codeine, Heroin and Morphine)
- d. Phencyclidine (PCP)
- e. Marijuana (THC Metabolite)

If the test is positive for one or more of the drugs, a confirmation test will be performed by the lab.

Testing for controlled substances will be performed according to the Toxicological cutoff standards required by 49 CFR Part 40, as amended. The City will use the highest cutoff levels permitted by the DOT for both screening and confirmation tests. The Toxicological Laboratory cutoff standards for positive test results are currently published as follows:

Type of Drug	Initial Screen ng/ml	Confirmatory Screen ng/ml
Marijuana Metabolites	50	15
Cocaine Metabolites	300	150

Opiate Metabolites	2000	2000 (Morphine) 2000 (Codeine) 10 (6-acetylmorphine)
Phencyclidine (PCP)	25	25
Amphetamines		500 (Amphetamine) 500 (Methamphetamine)

All confirmed drug test results will be reviewed and interpreted by a physician designated by the City before they are reported to the employee and then to the City. With all confirmed positive drug tests, or "refusal to test" determination because of adulteration or substitution, the physician (a.k.a. medical review officer ("MRO")) will first contact the employee to determine if there is an alternative medical explanation for the positive test result. If such documentation is provided and the MRO determines that there was a legitimate medical use for the prohibited drug, the test may be reported to the City as "negative." Otherwise, the test is deemed verified by the MRO.

When the MRO notifies the employee of a verified positive drug test or refusal to test because of adulteration or substitution, the employee has 72 hours to request that the split specimen be analyzed by a different certified lab.

The procedures that will be utilized by the lab for collection and testing of the specimen are described in more detail in Attachment "E".

In certain circumstances, an employee will be required to provide a urine sample under direct observation by a same gender observer. In such cases, the employee will be told the reason for the directly observed collection.

H. REFUSAL TO SUBMIT TO AN ALCOHOL AND/OR DRUG TEST:

A covered employee who refuses to submit to any required drug/alcohol testing as described in Section D(7) will be treated in the same manner as an employee who tested 0.04 or greater on an alcohol test or tested positively on a controlled substances test.

I. CONSEQUENCES OF FAILING AN ALCOHOL AND/OR DRUG TEST:

A verified positive result from a drug or alcohol test may result in disciplinary action, up to and including termination.

If a covered employee is not terminated, the employee:

1. Must be removed from performing any safety sensitive function and immediately placed in an unpaid status (unless they request use of accrued annual leave hours);
2. Must submit to an examination by a substance abuse professional. Upon a determination by the substance abuse professional, the employee may be required to undergo treatment for his/her alcohol or drug abuse. The City is not required to pay for this treatment;
3. Shall not be returned to his/her former safety sensitive position until the employee submits to a return-to-duty controlled substance and/or alcohol test (depending on which test the employee failed) which indicates an alcohol concentration level of less than 0.02 or a negative result on a controlled substance test; and
4. Will be required to submit to unannounced follow-up testing if he/she has been returned to his/her safety sensitive position (See Section F(5))

J. CONFIDENTIALITY

1. All records pertaining to drug and alcohol testing of an employee shall be contained in a confidential file kept separate from the employee's other personnel records. An exception to this rule is when disciplinary action results from the incident, in which case disciplinary notices and any resulting discipline will be placed in the employee's personnel file.
2. The results of any testing done pursuant to this Policy shall be used for employment purposes only and shall not be released for use in the criminal justice system, unless compelled by law.
3. Absent the employee's consent or as otherwise permitted or required by law, test results may be disclosed only to the Deputy Human Resources Director and management based strictly on a need-to-know basis (within the chain of command for that employee to the supervisory level), and to the employee upon request.
4. Any positive test results which are later refuted to the satisfaction of the City shall be removed from the employee's file, and not used for any purpose.

K. RECORD-KEEPING

The City will keep the following records for not less than the periods specified below. These records will be under the control of the Deputy Human Resources Director or designee:

1. Five Year Retention Period. Results of an employee's alcohol test which indicates an alcohol concentration level of .02 or higher; results of an employee's verified controlled substance test which is positive; documentation of any employee who refused to submit to a required alcohol/drug test; calibration

documentation; employee assessments and referrals by SAPs, as well as records of employee compliance with SAP recommendations, including results of return to duty and follow-up testing for drug use and alcohol misuse.

2. Two Year Retention Period. Records documenting the collection process for alcohol and controlled substances tests and training of supervisors.
3. One Year Retention Period. Results of any alcohol test which is less than .02; documentation of any negative or canceled drug test.

In accordance with the federal regulations, the City will keep records specified in Attachment "F."

L. ACCESS TO RECORDS

The employee is entitled, upon written request, to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances, including any test information. The City shall also release information regarding the employee's records as directed by the specific, written consent of the employee authorizing release of information to an identified person, including an employer or prospective employer.

The following agencies shall have access to all test results without the verbal or written consent of applicable employees:

1. The Department of Transportation (DOT) or any other State or local official with regulatory authority over the City or any of its drivers, including the Department of the California Highway Patrol.
2. National Transportation Safety Board when conducting an investigation of an accident where drug and/or alcohol testing were performed.
3. Any other agency as required by law.

The City may disclose test results without the employee's consent to decision makers in a lawsuit, grievance or other proceeding initiated by or on behalf of the individual and arising from the results of an alcohol or drug test or from a determination that the employee engaged in conduct prohibited by this Policy. This includes, but is not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.

M. REPORTING REQUIREMENTS

The City shall prepare, maintain, and report information regarding this Policy as specified in Section 382.403 of Title 49 of the Code of Federal Regulations. The text of Section 382.403 is attached as Attachment "G."

N. SUBSTANCE ABUSE PROFESSIONAL SERVICES (SAP)

The City shall provide violators, including an applicant or new employee information on one of the available resources for evaluation and treatment of drug/alcohol problems, including the names, addresses and telephone numbers of Substance Abuse Professionals (SAP's), counseling, treatment programs or other available services.

An SAP is a licensed physician (Medical Doctor or Doctor of Osteopathy), a licensed or certified psychologist, social worker, or employee assistance professional, or an addiction counselor certified by the National Association of Alcohol and Drug Abuse Counselors Certification Commission (NAACAC) or by the International Certification Reciprocity Consortium/Alcohol & Other Drug Abuse, with specific knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders.

Each covered employee who violates these rules must be evaluated by an SAP to determine whether the employee needs assistance resolving problems associated with alcohol misuse and/or drug use, and if necessary, a referral for further treatment.

Before returning to duty, each employee identified by the SAP as needing assistance must: (1) be evaluated again by a SAP to determine whether the employee has successfully complied with any treatment program prescribed following the initial evaluation; (2) undergo a drug and/or alcohol test to satisfy established acceptable results for return to duty; and, (3) be subject to a minimum of six (6) unannounced, follow-up drug and/or alcohol tests over the following 12 months.

The employee must not seek a second SAP's evaluation in order to obtain another recommendation. Any such evaluation shall not be considered by the City.

The City will require that the SAP who determines assistance is necessary does not refer the employee to the SAP's private practice or a facility in which the SAP has a financial interest.

The City has no obligation to provide or pay for SAP assessment or needed treatment.

O. EMPLOYEE ASSISTANCE PROGRAMS

Under some of the City's medical insurance programs an Employee Assistance Program (EAP) which provides initial counseling services for employees and eligible dependents may be available. If additional professional help is warranted, the employee or dependent may be referred to a community agency or other professionals for further assistance.

P. INFORMATION CONCERNING THE EFFECTS OF ALCOHOL AND CONTROLLED SUBSTANCES AND AVAILABLE METHODS OF INTERVENTION

Attached to this Policy at Attachment "H" are fact sheets, addressing the effects of alcohol and the various controlled substances which are tested for under this Policy.

Q. NOTICE AND CONSENT

All covered employees shall be given a copy of this Policy at the time they commence employment with the City. All covered employees currently employed by the City at the time this Policy is adopted shall be given a copy thereof. Each covered employee shall sign a statement, shown in Attachment "I," certifying that he/she received a copy of this Policy.

Before a drug or alcohol test is administered, the applicable employee will be required to sign consent forms authorizing the test and permitting release of the test results to the Deputy Human Resources Director or the employee's supervisor. The consent form is shown as Attachment "J."

R. COMPLIANCE WITH STATE AND FEDERAL LAW

The intent of this Policy is to comply with current applicable state and federal law concerning drug and alcohol testing. Issues or inconsistencies that are not addressed in this Policy will be determined by referring to state and federal law and regulations governing drug and alcohol testing. The City reserves the right to make changes to this Policy at any time for the purpose of complying with state and federal law or regulation on as it exists now or as it may be amended.

ATTACHMENT "A"

CLASSIFICATIONS OF EMPLOYEES
SUBJECT TO THE CITY'S
DRUG AND ALCOHOL TESTING POLICY

Dryer Facility Operator
Fire Apparatus Mechanic I
Fire Apparatus Mechanic II
Fire Apparatus/ Communications Supervisor
Fleet Services Technician
Lead Fleet Services Technician
Lead SCADA Maintenance Technician
Parks Landscape Contract Inspector
Police Officer/II (assigned to the Mobile Command Vehicle)
Police Corporal (assigned to the Mobile Command Vehicle)
Police Sergeant (assigned to the Mobile Command Vehicle)
Radio Safety Equipment Technician
Senior Street Maintenance Worker
Senior Utilities Service Worker
Street Maintenance Crew Leader
Street Maintenance Supervisor
Street Maintenance Worker
Utilities Maintenance Crew Leader
Utilities Service Worker I
Utilities Service Worker II
Water Maintenance Technician I
Water Maintenance Technician II

ATTACHMENT "B"

CONSENT TO OBTAIN INFORMATION
PREVIOUS EMPLOYERS

[TO BE TYPED ON CITY LETTERHEAD]

Dear Human Resources Department:

We understand that Mr./Ms. _____ was employed by your corporation within the past two years.

Mr./Ms. _____ is now being considered for a position in the City that is covered by the City's Drug and Alcohol Testing Policy established pursuant to federal laws and regulations. (Title 49 of the Code of Federal Regulations, Part 382.) We are required by law to obtain from previous employers information regarding drug and alcohol testing within the last two years of the person named below as a condition of his/her commencement of certain job duties. A consent form is enclosed. Therefore, please release the information specified in that form to _____ in the Human Resources Department of the City of Corona. You may contact _____ by calling () _____ or by mailing information to the following address:

Please direct any questions regarding this confidential matter to _____ at () _____.
Thank you for your prompt attention to this matter.

Sincerely,

AUTHORIZATION FOR USE OR DISCLOSURE
OF MEDICAL INFORMATION

A. EXPLANATION:

This authorization for use and disclosure of medical information is being requested of you to comply with the terms of the Confidentiality of Medical Information Act.

B. AUTHORIZATION:

I, _____, hereby authorize
(Name of Employee/Applicant)

(Name of Previous Employer)

to furnish to the City of Corona (the "City") medical information, including the results of drug or alcohol testing, in summary form pertaining to my drug and/or alcohol test results and related information. Specifically, please release the following information to the City:

- ☐ Any alcohol tests with a concentration result of 0.04 or greater in the past two years
- ☐ Any verified positive controlled substances test results in the past two years
- ☐ Any refusals to be tested in the past two years
- ☐ Other violations of DOT agency drug and alcohol testing regulations
- ☐ In the case of violations, any documentation of successful completion of return to duty requirement including follow up tests

C. USES:

I further authorize the City to receive and to use the summary medical information authorized hereunder for the purpose of evaluating my fitness for employment, possible disciplinary actions and other legitimate purposes set forth in the City's Drug and Alcohol Testing Policy for Employees with Commercial Drivers' Licenses.

D. DURATION:

This authorization shall become effective immediately and shall remain in effect for 45 days from the date of employee signing the form. Effective until _____
Date

E. RESTRICTIONS:

I understand that the City may not further use or disclose the medical information received pursuant to this authorization unless another authorization is obtained from me or unless such use or disclosure is specifically required or permitted by law.

F. ADDITIONAL COPY:

I further understand that I have a right to receive a copy of this authorization upon my request. Copy requested and received: YES _____ NO _____ Initial _____

G. CONSENT GIVEN:

(Print)

Signature

Date

Employee's/
Applicant's Name

CONSENT REFUSED:

Explanation for refusal: _____

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ATTACHMENT "C"

REASONABLE SUSPICION RECORD

OBSERVED BEHAVIOR - REASONABLE SUSPICION RECORD

Employee:

Name: _____ Identification Number _____

Observation:

Date: _____ Time: from _____ am/pm to _____ am/pm

Location:

(Street) (City) (State) (Zip)

CAUSE FOR SUSPICION:

1. Presence of Drugs and/or Drug Paraphernalia (specify): _____

2. Appearance:

☐ Normal	☐ Flushed	☐ Puncture Marks
☐ Disheveled	☐ Bloodshot Eyes	☐ Inappropriate
☐ Dilated/Constricted Pupils	☐ Profuse Sweating	☐ Dry-Mouth Symptoms
☐ Runny Nose/Sores	☐ Tremors	☐ Inappropriate use of sunglasses

Other _____ sunglasses

3. Behavior/Speech Normal Incoherent Slurred Silent
 Confused Slowed Whispering

Other _____

4. Awareness: _____ Normal _____ Confused _____ Mood Swings _____ Euphoria
 _____ Lethargic _____ Disoriented _____ Paranoid _____ Lacks Coordination

5. Motor Skills/Balance: _____ Normal _____ Swaying _____ Falling _____ Staggering

6. Walking & Turning:

_____ Normal	_____ Swaying	_____ Arms Raised for Balance
_____ Stumbling	_____ Falling	_____ Reaching for Support

Other _____

7. Other Observed Actions or Behavior (specify) _____

Witnessed by:

(Name) (Title) (Date) (Time) am/pm

(Name) (Title) (Date) (Time) am/pm

This document must be prepared and signed by the witnesses within 24 hours of the observed behavior or before the results of the tests are released, whichever is earlier.

Work Performance:

Date: _____ Time: _____ Location: _____

Cause for Suspicion

(Controlled Substances Only):

____ Unusual or distinct pattern of absenteeism
and/or tardiness
____ Frequent complaints of illness negatively
affecting work performance
____ Increased high/low periods of productivity
____ Frequent lapses in concentration and/or
judgment
____ Repeated difficulty in recalling instructions

____ Frequent accidents, mistakes
____ Frequently misses deadlines or takes more
time to complete job than necessary
____ Takes needless risks
____ Disregard for safety of others
____ Frequent complains from co-workers
____ Frequently borrowing money from co-
workers
____ Constantly complaining
____ Bringing domestic or personal problems to
work

Other: _____

Incident(s) Observed: _____

Date: _____ Time: _____ Location: _____

Comments: _____

Name: _____ Signature _____ Date: _____
(Please Print)

Supervisor's
Comments: _____

Name: _____ Signature _____ Date: _____
(Please Print)

Employee's Response: _____

Name: _____ Signature _____ Date: _____
(Please Print)

ATTACHMENT "D"

ALCOHOL TESTING PROCEDURES

ALCOHOL TESTING PROCEDURES

ALCOHOL TESTING PROVIDERS

The City has contracted with the below listed Alcohol Testing Provider(s) for the analysis of Blood Alcohol Concentration levels of selected drivers:

Site Analysis

Quest Diagnostics
118 W. 9th Street
Corona, CA 92882
951.278.4398

Pactox Labs
9348 Da Soto Ave
Chatsworth, CA 91311
818.598.3110

Health Pointe and CompAccess will conduct all required alcohol tests “Off-Site” which are conveniently located and are close to City Hall. Quest and Pactox will be responsible for all chain-of-custody, testing, and reporting of results to the Health Pointe and CompAccess in accordance with the provision of 49 CFR Part 382. Health Pointe and CompAccess will report all results directly to the City’s Human Resources Department.

COLLECTION PROCEDURES

The City will assure that all of the specimen collection procedures outlined in 49 CFR Part 382 and any amendments thereto, are adhered to by any person assigned to collect those specimens. In addition, the City will review the collection site security and chain-of-custody procedures to assure compliance with the requirements of 49 CFR Part 382.

COLLECTION SITE(S)

The City will use any of the following collection sites for testing.

CompAccess
760 South Washburn, Suite #5 & #6
Corona, CA 92882
951.808.6700

Healthpointe
1171 Railroad St.
Corona, CA 92882
951.272.1400

The collection site(s) listed above meet or exceed the requirements as set forth in 49 CFR Part 382 and collection site procedures will follow the guidelines listed below. The collection site will:

1. afford visual and aural privacy to the driver/applicant, sufficient to prevent unauthorized persons from seeing or hearing test results; though in unusual circumstances a test could be conducted elsewhere in which case the BAT shall provide visual and aural privacy to the driver/applicant to the re-test extent practicable;

2. be equipped with all necessary equipment, personnel, and materials for breath testing;
3. not permit any unauthorized personnel access to the testing location when the EBT remains unsecured or in order to prevent such person from seeing or hearing a test result, at any time when testing is being conducted; and
4. provide a clean suitable writing surface for the completion of required forms.

INDIVIDUALS TO BE TESTED

The individual being tested for alcohol will:

1. present him/herself at the designated collection site at the specific date and time;
2. present to the BAT positive identification (Photo ID) or be identified by a company representative (supervisor) and social security number;
3. complete step two (2) on the Breath Alcohol Testing Form, and sign the certification; (Refusal by the employee to sign this certification shall be regarded as a refusal to take the test.)
4. choose an individually sealed mouthpiece, and view the BAT open the package and attach to it the EBT;
5. view the EBT in order to obtain the alcohol test number for the test to be taken;
6. blow forcefully into the mouthpiece for at least six (6) second or until the EBT indicates that an adequate amount of breath has been obtained. The individual will be given two (2) chances to blow into the EBT in order to obtain an adequate breath sample. If the individual fails to provide an adequate breath sample on the second try, it will be considered a refusal to submit to a test;
7. after seeing his/her result on the EBT, sign the certification in Step four (4) on the Breath Alcohol Test Form and initial the log book entry for a test, as well as sign the printed result form;
8. submit to a confirmation test if the initial screening test is great than 0.020 BAC, at which time:
 - a. not eat, drink, put any object or substance in his/her mouth, and, to the extent possible, not belch during a waiting period of fifteen (15) minutes before the confirmation test; and
 - b. be observed for the full fifteen (15) minutes and will provide another breath sample within twenty (20) minutes of the screening test. This confirmation test is required to prevent any accumulation of mouth alcohol leading to an artificially high reading and the fact that it is for the individual being tested benefit;
9. not distract or attempt to distract the collection site person from the performance of his/her duties; and
10. not permit anyone other than the collection site person to handle the EBT until he/she has received a hard copy of the result.

If the requirements above are not met, the BAT will continue to conduct the confirmation test, and note the violations in the remarks section on the Breath Alcohol Testing Form. The confirmation test results shall be deemed to be the final result upon which any action under operating administration rules shall be based.

ATTACHMENT "E"

CONTROLLED SUBSTANCES TESTING PROCEDURES

CONTROLLED SUBSTANCES TESTING PROCEDURES

LABORATORY

The City has contracted with the below listed certified laboratory for the analysis of urine specimens collected for controlled substance testing:

Quest Diagnostics
118 W. 9th Street
Corona, CA 92882
951.278.4398

Pactox Labs
9348 Da Soto Ave
Chatsworth, CA 91311
818.598.3110

The laboratory will conduct all requirements for chain of custody, testing, reporting, and specimen retention in accordance with the provision of 49 CFR Part 382. The laboratory will report all test results directly to the MRO designated in this plan.

COLLECTION PROCEDURES

The City will assure that all of the specimen collection procedures outlined in 49 CFR Part 382 and any amendments thereto, are adhered to by any person assigned to collect those specimens. In addition, the City will review the collection site security and chain of custody procedures to assure compliance with the requirements of 49 CFR Part 382.

SPLIT SAMPLE TESTING

Controlled substances tests must follow split sample procedures. Under this provision, a driver whose urine sample has tested positive for a controlled substance has the option (within seventy-two (72) hours of being notified by the MRO) of having the other portion of the split sample tested at another laboratory. If the second portion of the sample also tests positive, then the driver is subject to the sanctions contained in the regulations. If the second portion produces a negative result, or for any reason the second portion is not available, the test is considered negative and no sanctions are imposed.

COLLECTION SITE(S)

The City has designated on Schedule E to this plan the agency(s) and/or the location of the specimen collection site(s). The collection site(s) indicated on Schedule E meet or exceed the requirements as set forth in 49 CFR Part 382 and collection site procedures will follow the guidelines listed below. The collection site(s) will:

1. have or be an enclosure where private urination can occur;
2. have toilet for completion of urination;
3. have a clean suitable writing surface for the completion of required forms;
4. have a separate monitored source of water for washing hands;

5. have a water bluing agent added to the toilet water supply and holding tank;
6. be thoroughly inspected by the collection site person prior to the commencement of specimen collection;
7. if possible, be secured by the collection site person between specimen collections so as to be inaccessible to others;
8. if a public rest room is utilized, have a sign posted on the entrance restricting access to any person other than individual being tested; and
9. provide a means of securing all specimens until such time as they are ready for shipment to the testing laboratory in accordance with the laboratory procedures for sealing and shipping the specimen.

INDIVIDUALS TO BE TESTED

The individual being tested will:

1. present him/herself at the designated collection site at the specific date and time;
2. remove any outer garments such as coats, hats, sweaters, handbags, etc. prior to entering the collection site;
3. present to the collection site person positive identification (photo ID) or be identified by a company representative;
4. wash his/her hands prior to urination;
5. not tamper with, dilute, substitute, alter, or in any way change or attempt to cause a change to a specimen;
6. not distract or attempt to distract the collection site person from the performance of his/her duties;
7. not permit anyone other than himself/herself and the collection site person to handle his/her specimen until the container is properly sealed by the collection site person;
8. will keep his/her specimen in sight at all times until the container has been properly labeled by the collection site person;
9. will allow his/her oral temperature to be taken with a sterile thermometer if the temperature of her/her specimen is outside the normal temperature range; and
10. will indicate on the urine custody and control form any medications taken or administered in the past 30 days.

ATTACHMENT "F"

RECORDS TO BE MAINTAINED

(49 CFR § 382.401)

RETENTION OF RECORDS

This document explains which controlled substance and alcohol test records must be completed and maintained, where they must be maintained and for how long. All records shall be maintained in a secure location with controlled access.

Required period of Retention:

<u>Document to be maintained</u>	<u>Period Required</u>
Alcohol test results indicating a breath alcohol concentration of 0.02 or greater	5 Years
Verified positive controlled substance test results	5 Years
Refusals to submit to required alcohol or controlled substance tests	5 Years
Required calibration of Evidential Breath Testing Devices (EBTs)	5 Years
Substance Abuse Professional's (SAP's) evaluations and referrals	5 Years
Annual calendar year summary	5 Years
Records related to the collection process (except calibration) and required training	2 Years
Negative and canceled controlled substance test results	1 Year
Alcohol test results indicating a breath alcohol concentration less than 0.02.	1 Year

AMC will be responsible to maintain the following records.

- a) Documents related to the random selection process
- b) Consolidated annual calendar year summaries

Comp Access and Health Pointe will be responsible to maintain the following records.

1. Records related to the collection process:

- a) Collection logbooks
- b) Calibration documentation for EBT's
- c) Documentation of Breath Alcohol Technician (BAT) Training

- d) Documents verifying a medical explanation for the inability to provide adequate breath or urine for testing

City will be responsible for the maintenance of the following records:

1. Documentation of reasoning for reasonable suspicion testing
2. Records related to the driver's test results:
 - a) Employer's copy of the alcohol test from, including results
 - b) Employer's copy of the drug test chain-of-custody and control form
 - c) Documents sent to the employer by the Medical Review Officer
 - d) Documentation of any driver's refusal to submit to a required alcohol or controlled substance test
 - e) Documents provided by a driver to dispute results of test
3. Documentation of any other violations of controlled substance use or alcohol misuse rules.
4. Records related to evaluations and training:
 - a) Records pertaining to substance abuse professional's (SAP'S) determination of driver's need for assistance
 - b) Records concerning a driver's compliance with SAP's recommendations
5. Records related to education and training:
 - a) Materials on drug and alcohol awareness, including a copy of the employer's policy on drug use and alcohol misuse
 - b) Documentation of compliance with requirement to provide drivers with educational material, including driver's signed receipt of materials
 - c) Documentation of supervisor training
 - d) Certification that training conducted under this rule complies with all requirements of the rule
5. Records related to drug testing:
 - a) Agreements with CompAccess and Health Pointe
 - b) Names and positions of officials and their role in the employee's alcohol and controlled substance testing program
 - c) Monthly statistical summaries of urinalysis (40.29(g)(6))
 - d) The employer's drug testing policy and procedures

ATTACHMENT "F"

RECORDS TO BE MAINTAINED

(49 CFR § 382.401)

Sec. 382.401 Retention of records.

- (a) General requirement. Each employer shall maintain records of its alcohol misuse and controlled substances use prevention programs as provided in this section. The records shall be maintained in a secure location with controlled access.
- (b) Period of retention. Each employer shall maintain the records in accordance with the following schedule:
 - (1) Five years. The following records shall be maintained for a minimum of five years:
 - (i) Records of driver alcohol test results indicating an alcohol concentration of 0.02 or greater,
 - (ii) Records of driver verified positive controlled substances test results,
 - (iii) Documentation of refusals to take required alcohol and/or controlled substances tests,
 - (iv) Driver evaluation and referrals,
 - (v) Calibration documentation,
 - (vi) Records related to the administration of the alcohol and controlled substances testing programs, and
 - (vii) A copy of each annual calendar year summary required by Sec. 382.403.
 - (2) Two years. Records related to the alcohol and controlled substances collection process (except calibration of evidential breath testing devices).
 - (3) One year. Records of negative and canceled controlled substances test results (as defined in part 40 of this title) and alcohol test results with a concentration of less than 0.02 shall be maintained for a minimum of one year.
 - (4) Indefinite period. Records related to the education and training of breath alcohol technicians, screening test technicians, supervisors, and drivers shall be maintained by the employer while the individual performs the functions which require the training and for two years after ceasing to perform those functions.

- (c) Types of records. The following specific types of records shall be maintained. "Documents generated" are documents that may have to be prepared under a requirement of this part. If the record is required to be prepared, it must be maintained.

(1) Records related to the collection process:

- (i) Collection logbooks, if used;
- (ii) Documents relating to the random selection process;
- (iii) Calibration documentation for evidential breath testing devices;
- (iv) Documentation of breath alcohol technician training;
- (v) Documents generated in connection with decisions to administer reasonable suspicion alcohol or controlled substances tests;
- (vi) Documents generated in connection with decisions on post-accident tests;
- (vii) Documents verifying existence of a medical explanation of the inability of a driver to provide adequate breath or to provide a urine specimen for testing; and
- (viii) Consolidated annual calendar year summaries as required by Sec. 382.403.

(2) Records related to a driver's test results:

- (i) The employer's copy of the alcohol test form, including the results of the test;
- (ii) The employer's copy of the controlled substances test chain of custody and control form;
- (iii) Documents sent by the MRO to the employer, including those required by part 40, subpart G, of this title;
- (iv) Documents related to the refusal of any driver to submit to an alcohol or controlled substances test required by this part;
- (v) Documents presented by a driver to dispute the result of an alcohol or controlled substances test administered under this part; and
- (vi) Documents generated in connection with verifications of prior employers' alcohol or controlled substances test results that the employer:
 - (A) Must obtain in connection with the exception contained in Sec. 382.301, and
 - (B) Must obtain as required by Sec. 382.413.

(3) Records related to other violations of this part.

(4) Records related to evaluations:

- (i) Records pertaining to a determination by a substance abuse professional concerning a driver's need for assistance; and

- (ii) Records concerning a driver's compliance with recommendations of the substance abuse professional.
- (5) Records related to education and training:
 - (i) Materials on alcohol misuse and controlled substance use awareness, including a copy of the employer's policy on alcohol misuse and controlled substance use;
 - (ii) Documentation of compliance with the requirements of Sec. 382.601, including the driver's signed receipt of education materials;
 - (iii) Documentation of training provided to supervisors for the purpose of qualifying the supervisors to make a determination concerning the need for alcohol and/or controlled substances testing based on reasonable suspicion;
 - (iv) Documentation of training for breath alcohol technicians as required by Sec. 40.213(a) of this title; and
 - (v) Certification that any training conducted under this part complies with the requirements for such training.
- (6) Administrative records related to alcohol and controlled substances testing:
 - (i) Agreements with collection site facilities, laboratories, breath alcohol technicians, screening test technicians, medical review officers, consortia, and third party service providers;
 - (ii) Names and positions of officials and their role in the employer's alcohol and controlled substances testing program(s);
 - (iii) Semi-annual laboratory statistical summaries of urinalysis required by Sec. 40.111(a) of this title; and
 - (iv) The employer's alcohol and controlled substances testing policy and procedures.
- (d) Location of records. All records required by this part shall be maintained as required by Sec. 390.31 of this subchapter and shall be made available for inspection at the employee's principal place of business within two business days after a request has been made by an authorized representative of the Federal Motor Carrier Safety Administration.
- (e) OMB control number.
 - (1) The information collection requirements of this part have been reviewed by the Office of Management and Budget pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.) and have been assigned OMB control number 2126-0012.
 - (2) The information collection requirements of this part are found in the following sections: Sections 382.105, 382.113, 382.301, 382.303, 382.305, 382.307, 382.401, 382.403, 382.405, 382.409, 382.411, 382.601, 382.603.

ATTACHMENT "G"

REPORTING REQUIREMENTS

(49 CFR § 382.403)

Sec. 382.403 Reporting of results in a management information system.

- (a) An employer shall prepare and maintain a summary of the results of its alcohol and controlled substances testing programs performed under this part during the previous calendar year, when requested by the Secretary of Transportation, any DOT agency, or any State or local officials with regulatory authority over the employer or any of its drivers.
- (b) If an employer is notified, during the month of January, of a request by the Federal Motor Carrier Safety Administration to report the employer's annual calendar year summary information, the employer shall prepare and submit the report to the FMCSA by March 15 of that year. The employer shall ensure that the annual summary report is accurate and received by March 15 at the location that the FMCSA specifies in its request. The report shall be in the form and manner prescribed by the FMCSA in its request. When the report is submitted to the FMCSA by mail or electronic transmission, the information requested shall be typed, except for the signature of the certifying official. Each employer shall ensure the accuracy and timeliness of each report submitted by the employer or a consortium.
- (c) Detailed summary. Each annual calendar year summary that contains information on a verified positive controlled substances test result, an alcohol screening test result of 0.02 or greater, or any other violation of the alcohol misuse provisions of subpart B of this part shall include the following informational elements:
 - (1) Number of drivers subject to this part;
 - (2) Number of drivers subject to testing under the alcohol misuse or controlled substances use rules of more than one DOT agency, identified by each agency;
 - (3) Number of urine specimens collected by type of test (e.g., pre-employment, random, reasonable suspicion, post-accident);
 - (4) Number of positives verified by a MRO by type of test, and type of controlled substance;
 - (5) Number of negative controlled substance tests verified by a MRO by type of test;
 - (6) Number of persons denied a position as a driver following pre-employment verified positive controlled substances test and/or a pre-employment alcohol test that indicates an alcohol concentration of 0.04 or greater;
 - (7) Number of drivers with tests verified positive by a medical review officer for multiple controlled substances;
 - (8) Number of drivers who refused to submit to an alcohol or controlled substances test required under this subpart, including those who submitted substituted or adulterated specimens;
 - (9) (i) Number of supervisors who have received required alcohol training during the reporting period; and

- (ii) Number of supervisors who have received required controlled substances training during the reporting period;
 - (10)
 - (i) Number of screening alcohol tests by type of test; and
 - (ii) Number of confirmation alcohol tests, by type of test;
 - (11) Number of confirmation alcohol tests indicating an alcohol concentration of 0.02 or greater but less than 0.04, by type of test;
 - (12) Number of confirmation alcohol tests indicating an alcohol concentration of 0.04 or greater, by type of test;
 - (13) Number of drivers who were returned to duty (having complied with the recommendations of a substance abuse professional as described in Sec. 382.503 and part 40, subpart O of this title), in this reporting period, who previously:
 - (i) Had a verified positive controlled substance test result, or
 - (ii) Engaged in prohibited alcohol misuse under the provisions of this part;
 - (14) Number of drivers who were administered alcohol and drug tests at the same time, with both a verified positive drug test result and an alcohol test result indicating an alcohol concentration of 0.04 or greater; and
 - (15) Number of drivers who were found to have violated any non-testing prohibitions of subpart B of this part, and any action taken in response to the violation.
- (d) Short summary. Each employer's annual calendar year summary that contains only negative controlled substance test results, alcohol screening test results of less than 0.02, and does not contain any other violations of subpart B of this part, may prepare and submit, as required by paragraph (b) of this section, either a standard report form containing all the information elements specified in paragraph (c) of this section, or an "EZ" report form. The "EZ" report shall include the following information elements:
- (1) Number of drivers subject to this part;
 - (2) Number of drivers subject to testing under the alcohol misuse or controlled substance use rules of more than one DOT agency, identified by each agency;
 - (3) Number of urine specimens collected by type of test (e.g., pre-employment, random, reasonable suspicion, post-accident);
 - (4) Number of negatives verified by a medical review officer by type of test;
 - (5) Number of drivers who refused to submit to an alcohol or controlled substances test required under this subpart, including those who submitted substituted or adulterated specimens;
 - (6)
 - (i) Number of supervisors who have received required alcohol training during the reporting period; and
 - (ii) Number of supervisors who have received required controlled substances training during the reporting period;

- (7) Number of screen alcohol tests by type of test; and
- (8) Number of drivers who were returned to duty (having complied with the recommendations of a substance abuse professional as described in Sec. 382.503 and part 40, subpart O, of this title), in this reporting period, who previously:
 - (i) Had a verified positive controlled substance test result, or
 - (ii) Engaged in prohibited alcohol misuse under the provisions of this part.
- (e) Each employer that is subject to more than one DOT agency alcohol or controlled substances rule shall identify each driver covered by the regulations of more than one DOT agency. The identification will be by the total number of covered functions. Prior to conducting any alcohol or controlled substances test on a driver subject to the rules of more than one DOT agency, the employer shall determine which DOT agency rule or rules authorizes or requires the test. The test result information shall be directed to the appropriate DOT agency or agencies.
- (f) A C/TPA may prepare annual calendar year summaries and reports on behalf of individual employers for purposes of compliance with this section. However, each employer shall sign and submit such a report and shall remain responsible for ensuring the accuracy and timeliness of each report prepared on its behalf by a C/TPA.

ATTACHMENT "H"

FACT SHEETS ON USE OF ALCOHOL AND CONTROLLED SUBSTANCES

The negative effects of alcohol and controlled substances on an individual's health, work, and personal life are often devastating. Take a look at some of the following statistics for example:

- One out of ten people who drink becomes an alcoholic.
- Nearly half of all motor accident fatalities are alcohol related.
- Alcohol is a significant factor in 75 percent of child abuse and spouse battering cases.
- Alcohol and drug users and abusers are three to four times more likely to be injured on the job, and the average cost for medical care for drug users is three times higher than non-drug using workers.

The negative effects of drug and alcohol usage and abuse also include a reduced life expectancy of 10 to 12 years, a 65 percent greater chance of being injured at home or on the job, and a likelihood of greater than three times being fired from your employer over those who are non-drug or alcohol users and abusers.

Some of the signs and symptoms of alcohol or controlled substance problems are:

For Alcohol:

- Slurred speech or reduced coordination
- Excessive fatigue
- Watery bloodshot eyes
- Poor grades or poor work performance
- Isolation from family, friends, and co-workers

For Marijuana:

- Appearance of intoxication yet no odor of alcohol
- Red or bloodshot eyes
- Excessive laughter
- Eating binges
- Roach clips, rolling papers, or pipes

Stimulants (such as cocaine and amphetamines):

- Hyperactivity
- Rapid speech
- Excessive sweating
- Agitation or aggressiveness
- Paranoia
- Dilated pupils

Non-visible signs include:

- Increased blood pressure and pulse
- Respirations

Depressants (such as opiates):

- Constricted pupils
- Droopy eyelids
- Slow or deliberate speech or walk
- Cold clammy skin
- Dry mouth
- Scratching
- Puncture or injection wounds

PCP (phencyclidine):

- Pupil dilation
- Slight tremors of the fingers and hands
- Dramatic mood swings
- Disorientation
- Anxiety
- Paranoia
- Muscle rigidity

Non-visible include:

- Increased body temperature, heart rate, and blood pressure

INTERVENTION:

If you or someone you know has, or you suspect has, an alcohol or controlled substance abuse problem, there are many methods of intervention which can help get you or someone you know back on track to a more productive and healthy life. First of all, when the problem is suspected, the abuser must be confronted and made aware that others know he or she does, in fact, have an abuse problem. If you know a coworker or friend who has a problem they refuse to acknowledge, or you wish to get help for this person anonymously, refer this person to safety officer, management or make management aware of the suspected problem. Some of the intervention programs and options available are:

Alcoholics Anonymous

Narcotics Anonymous

Betty Ford

These programs, along with a variety of drug and alcohol programs, are also available at different locations. Further information on assistance options can be obtained from the safety office.

ATTACHMENT "T"

CERTIFICATE OF RECEIPT
OF DRUG AND ALCOHOL TESTING POLICY

I have received a copy of the City's Drug and Alcohol Testing Policy for Employees with Commercial Drivers' Licenses. I fully understand its provisions and acknowledge that compliance with the Policy is a condition of continued employment. I have also received a copy of the "Drug Abuse & Alcohol Misuse Training Guide for CDL Drivers."

Employee Signature

Date

Print Name Here

Witness Signature

Date

Print Name Here

ATTACHMENT "J"

SAMPLE CONSENT FORMS FOR
TESTING AND RELEASE OF INFORMATION



**REQUEST FOR DOT DRUG AND ALCOHOL TESTING INFORMATION
FROM PREVIOUS EMPLOYER**

Section I To be completed by the new employer, signed by the employee, and transmitted to the previous employer:

Employee Printed or Typed Name: _____

Employee SS or ID Number: _____

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

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

Employee Signature: _____ Date: _____

I-A

New Employer Name: City of Corona

Address: 400 S. Vicentia Ave. Corona, CA 92882

Phone #: (951) 736-2209 Fax #: (951) 736-2449

Designated Employer Representative: Rick Thompson

I-B

Previous Employer Name: _____

Address: _____

Phone #: _____ Fax #: _____

Designated Employer Representative (if known): _____

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

II-A In the two years prior to the date of the employee's signature (in Section I), for DOT-regulated testing –

- | | |
|---|--------------|
| 1. Did the employee have alcohol tests with a result of 0.04 or higher? | YES___ NO___ |
| 2. Did the employee have verified positive drug tests? | YES___ NO___ |
| 3. Did the employee refuse to be tested? | YES___ NO___ |
| 4. Did the employee have other violations of DOT agency drug and alcohol testing regulations? | YES___ NO___ |
| 5. Did a previous employer report a drug and alcohol rule violation to you? | YES___ NO___ |
| 6. If you answered "yes" to any of the above items, did the Employee complete the return-to-duty process? | YES___ NO___ |

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

II-B Name of person providing information in Section II-A: _____

Title: _____

Phone #: _____

Date: _____

AUTHORIZATION FOR USE OR DISCLOSURE
OF MEDICAL INFORMATION

A. EXPLANATION:

This authorization for use and disclosure of medical information is being requested of you to comply with the terms of the Confidentiality of Medical Information Act.

B. AUTHORIZATION:

I, _____, hereby authorize _____
(Name of Employee/Applicant) (Name of Physician, Hospital or Health
care Provider)

to furnish to the City of Corona (hereinafter "Employer") medical information, including the results of drug or alcohol testing, in summary form pertaining to my drug and/or alcohol test results and related information.

C. USES:

I further authorize the Employer to receive and to use the summary medical information authorized hereunder for the purpose of evaluating my fitness for employment, possible disciplinary actions and other legitimate purposes set forth in the Employer Drug and Alcohol Testing policy.

D. DURATION:

This authorization shall become effective immediately and shall remain in effect until _____
(up to one year).

E. RESTRICTIONS:

I understand that Employer may not further use or disclose the medical information received pursuant to this authorization unless another authorization is obtained from me or unless such use or disclosure is specifically required or permitted by law.

F. ADDITIONAL COPY:

I further understand that I have a right to receive a copy of this authorization upon my request. Copy requested and received:

YES ____ NO ____ Initial ____

G. CONSENT GIVEN:

(Print)	Signature	Date	Employee's/ Applicant's Name
(Print)	Signature	Date	Witness' Name

CONSENT REFUSED:

_____	_____	_____	_____
(Print)	Signature	Date	Employee's/ Applicant's Name

Explanation for refusal:

_____	_____	_____
Witness' Name (Print)	Signature	Date

CONSENT FOR DRUG AND ALCOHOL TESTING

Pursuant to the City's ("Employer") Alcohol and Drug Policy ("Policy"), I _____
(Insert name of employee/applicant)

hereby authorize _____ to collect from me the following
(Insert name of laboratory or clinic)

specimens: _____ and to conduct tests on such samples to
(Blood, urine, breath, or other specimens)

determine the presence of alcohol, drugs, or other controlled substances.

Further, I consent to the release of the examination and/or test results to representatives of the Employer for use in considering my fitness for employment, disciplinary actions and other legitimate purposes as set forth in the policy.

I hereby attest that this consent is voluntarily given and shall be effective immediately, and shall remain in effect until _____, 200__.

I understand that I have a right to receive a copy of this authorization. **I further understand that if the test results are positive (show evidence of drug and/or alcohol use), I may be subject to discipline.**

I acknowledge that I have been advised of, and given a copy of, the City's Drug and Alcohol Testing Policy for Employees with Commercial Drivers' Licenses.

CONSENT GIVEN:

Employee's/ (Print) Applicant's Name	Signature	Date
---	-----------	------

Witness' Name (Print)	Signature	Date
-----------------------	-----------	------

CONSENT REFUSED:

Employee's/ (Print) Applicant's Name	Signature	Date
---	-----------	------

Explanation for refusal:

Witness' Name (Print)	Signature	Date
-----------------------	-----------	------