

**VILLAGE OF BLOOMINGDALE
VILLAGE SERVICES DEPARTMENT**

**CDL (DOT) DRUG/ALCOHOL
ABUSE POLICY**

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I. STATEMENT OF POLICY

A. Purpose and Goals

The Village of Bloomingdale and the Federal Motor Carrier Safety Administration (FMSCA) of the US Department of Transportation have determined that alcohol abuse and illegal drug use pose specific dangers to the safety and welfare of drivers and the public. In order to achieve the goal of ensuring a drug and alcohol-free transportation system, as well as to comply with requirements of the Omnibus Transportation Employee Testing Act of 1991 and the Federal Motor Carrier Safety Regulations, the Village of Bloomingdale has an alcohol and controlled substance testing program designed to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by drivers of commercial motor vehicles. The potential effects of alcohol and drug abuse are substantial in terms of lives lost, personal injuries, property damage, business losses (lost productivity, absenteeism, increased health care costs, etc.) and environmental damage. The Village of Bloomingdale's drug and alcohol testing program is designed to create a drug and alcohol-free transportation system and to provide help to those employees who have chemical dependency problems. As an employer who uses drivers to operate commercial motor vehicles on public roads, the Village of Bloomingdale is required to implement a controlled substances and alcohol misuse policy, including a drug and alcohol testing program, that is compliant with the requirements and procedures of 49 CFR Parts 40 and 382.

II. SCOPE

A. Employees Subject To Testing

The drug and alcohol testing required under this policy will apply to any individual who operates a commercial motor vehicle (CMV) in interstate or intrastate commerce and who is required to possess a commercial driver's license (CDL) for the operation of the CMV.

The requirements of this policy will therefore specifically apply to employees who work in the following positions whom are required or voluntarily have a CDL and operates, or has the reasonable possibility of operating, a commercial motor vehicle.

REQUIRED

Equipment Maintenance/Buildings & Grounds Supervisor	Water Distribution Supervisor
Equipment Mechanic	Crew Leaders
Plant Mechanic I	Plant Operator I
Urban Forester	Streets Supervisor
Water Production Supervisor	Water Systems Operator
Plant Mechanic II	Plant Operator II
Maintenance Worker I	Maintenance Worker II

VOLUNTARILY HAVE CDL

Various Seasonal Employees

- ❖ This list is subject to change upon written approval of the Director of Village Services. Individual exceptions to this list will be determined by the Director of Village Services. If an individual is excluded, he/she shall not perform a sensitive function.

B. Independent Contractors and Owner-Operators

Because this drug and alcohol testing program is required by the Federal Motor Carrier Safety Regulations, it applies to any individual who operates a motor vehicle on behalf of the Village of Bloomingdale in a contract, lease or other agreement with the Village of Bloomingdale. However, mere compliance with the provisions of this policy or the application of this policy to any person shall not operate to convert any independent contractor or other person into an employee of the Village of Bloomingdale unless such other circumstances indicate the existence of an employer-employee relationship.

C. Substances Tested For

The controlled substances testing required under this policy will test for drug and drug metabolites included in the following drug classes:

- 1. Marijuana**
- 2. Cocaine**
- 3. Amphetamines**
- 4. Opiates**
- 5. Phencyclidine (PCP)**

III. DEFINITIONS

- A. Adulterated Specimen**—A specimen that contains a substance not expected to be found in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.
- B. Alcohol**—the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.
- C. Alcohol use**—the drinking or swallowing of any beverage, liquid mixture, or preparation (including any medication) containing alcohol.
- D. Alcohol concentration (or content)**—the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test.
- E. Canceled Test**—A drug or alcohol test that has a problem or cannot be considered valid under DOT rules. A canceled test is neither a positive nor a negative test.
- F. Commercial Motor Vehicle (CMV)** is defined as a motor vehicle or combination of motor vehicles used to transport passengers or property which:
1. Has a gross combination weight rating of 26,001 or more pounds (11,794 or more kilograms) inclusive of a towed unit with a gross motor vehicle weight rating of more than 10,000 lbs. (4,536 kg.), or has a gross vehicle rating of 26,001 or more pounds (11,794 kg.); or
 2. Is designed to transport 16 or more passengers, including the driver; or
 3. Is of any size and is used in the transportation of hazardous materials required to be placarded under the Hazardous Materials Transportation Act.
- G. Controlled Substances**
1. Marijuana
 2. Cocaine

3. Opiates
4. Amphétamines
5. Phencyclidine

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

I. Driver-- any person who operates a commercial motor vehicle, including but not limited to: full-time, regularly employed drivers; casual, seasonal, intermittent or occasional drivers; leased drivers and independent, owner-operator contractors.

J. Designated Employer Representative (DER) -- The individual assigned to administer, update, review this policy. **This primary position shall be the Human Resources Director. The secondary position shall be the Assistant Director of Village Services.**

K. Medical Review Officer- Licensed physician with knowledge of substance abuse disorders who is trained and certified in accordance with 49 CFR Part 40 subpart G

L. Safety-Sensitive Function-- all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. "Safety-sensitive functions" include:

1. Operating, maintaining, repairing, inspecting, or controlling the movement of commercial motor vehicles.
2. First line supervision of anyone operating, maintaining, or controlling the movement of a commercial motor vehicle, if the supervisor's responsibilities include performance of safety sensitive function.
3. 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;
4. All time, spent performing the post-accident duties required of drivers under 49 CFR §392.40 and 392.41;
5. All time obtaining assistance or remaining in attendance upon a disabled vehicle.

A driver will be considered to be performing any of the safety-sensitive functions listed above during any period in which the driver is ready to perform, immediately available to perform, or actually performing, any such function. All Village positions, as outlined above, are required to be in a state of readiness at all times while on-duty and on-call, and therefore are subject to random and reasonable suspicion testing at any time.

M. Substance Abuse Professional (SAP) –Licensed physician (M.D. or D.O.) or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by NAADAC or ICRC) who has knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders. A Substance Abuse Professional must meet the qualification training standards of 49 CFR Part 40 Subpart O. The SAP's role is to evaluate the employee's need for assistance in resolving problems related to alcohol or drug abuse, determine if the employee has complied with the recommended treatment or rehabilitation, and to

determine a program of follow-up testing as appropriate.

N. Refusal To Test

1. Failing to provide adequate breath for alcohol testing, without a valid medical explanation after a driver has received notice of a required breath test;
2. Failing to provide an adequate urine sample for controlled substances testing, without a genuine inability to provide a specimen (as determined by a medical evaluation), after a driver has received notice of a required urine test;
3. Failing to cooperate with any part of the testing process, including failing to permit direct observation or monitoring of specimen collection where required by Part 40 procedures.
4. Submitting a substituted or adulterated specimen.
5. Failing to report for required testing; or failing to report within a reasonable time after notification to do so.
6. Failing to remain at the testing site until the testing process is complete.
7. Failing to undergo a medical examination when required as part of the test result verification process, or as directed for evaluation of the inability to provide an adequate urine or breath specimen.

O. Split Specimen—In drug testing, a part of the urine specimen that is sent to the laboratory and retained unopened in secure storage until the employee whose test is positive, adulterated or substituted, requests that the specimen be transferred to a second laboratory for re-confirmation.

P. Substituted specimen—A specimen with creatinine and specific gravity values that are so diminished that they are inconsistent with human urine.

IV. QUALIFICATIONS FOR EMPLOYMENT

A. Prohibited Conduct

Village of Bloomingdale policy and the Federal Motor Carrier Safety Regulation (49 CFR Part 382) prohibit the following conduct as it relates to the use of alcohol and drugs with respect to the operation of a commercial motor vehicle:

1. No driver may report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. (§382.201).
2. No driver may use alcohol while performing safety-sensitive functions. (§382.205).
3. No driver may perform safety-sensitive functions within four hours after having used alcohol. (§382.207).
4. No driver required to take a post-accident alcohol test under this policy may use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first. (§382.209).

5. No driver may report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in § 382.107, who has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle. (§382.213).
6. No driver may report for duty, remain on duty or perform a safety-sensitive function, if the driver tests positive for controlled substances. (§382.215).
7. No driver may refuse to submit to any alcohol or controlled substance test required under this policy. (§382.211).

In the event Village of Bloomingdale has actual knowledge (Actual Knowledge for the purpose of subpart B of this part, means actual knowledge by an employer that a driver has used alcohol or controlled substances based on the employer's direct observation of the employee, information provided by the driver's previous employer(s), a traffic citation for driving a CMV while under the influence of alcohol or controlled substances or an employee's admission of alcohol or controlled substance use, except as provided in §382.121. Direct observation as used in this definition means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing under §382.307.) that a driver has violated any of the above prohibitions, it will prohibit him/her from performing any safety sensitive functions.

B. Removal From Service

A driver who has engaged in any prohibited conduct will be immediately removed from service and disqualified from the performance of any safety-sensitive functions, including driving a commercial motor vehicle, unless and until that driver has complied with the return to work requirements as prescribed in 49 CFR Part 40, subpart O and as described in Section VIII of this policy. The employee will also be subject to any discipline required by the Village of Bloomingdale in accordance with Section IX of this policy.

Any driver requested to submit to an alcohol test required under this policy and found to have an alcohol concentration of 0.02 or greater, but less than 0.04, will be disqualified from performing or continuing to perform any safety-sensitive functions, including driving a commercial motor vehicle, until the start of the employee's next regularly scheduled duty period, but not less than 24 hours following administration of the test.

C. Prescribed Medications

All drivers are required to notify the Village of Bloomingdale of his/her use of any therapeutic controlled substance use prescribed by a licensed medical practitioner.

The prohibitions outlined above do not apply to the use of a controlled substance pursuant to the instructions of a licensed physician who is familiar with the driver's medical history and assigned duties and has advised him/her that the substance will not adversely affect his/her ability to safely operate a commercial motor vehicle. All employees subject to this policy will therefore be required through written notification, from a physician, to inform the Village of Bloomingdale of his/her use of any medication prescribed by a physician.

Any driver requested to submit to a drug test under this policy will also be given the opportunity to list any prescribed medication that he/she may be taking or may have

recently taken on the back of the employee's copy of the Urine Custody and Control Form provided at the collection site. The driver will then have the opportunity to discuss the use of this medication with the Medical Review Officer (MRO) and may be required to identify the physician prescribing the medication and authorize the MRO to discuss the use of the medication with that physician, including its possible side effects and its relationship to the driver's ability to safely operate a commercial motor vehicle.

In the event it is determined that a driver is taking or is under the influence of a prescribed medication that will adversely affect his/her ability to safely operate a commercial motor vehicle and/or pose a significant risk of substantial harm to the driver of the general public, the driver will be removed from the performance of any safety-sensitive functions and/or placed on a medical leave of absence until that threat is acceptably reduced or eliminated. The Village further reserves the right to place any employee taking a prescribed medication on a temporary medical leave of absence until the information described above is provided.

Over-the-counter and herbal medications that may affect the employee's performance or compromise the safety of the workplace may not be used by an employee while on duty.

Hemp product ingestion will not be considered a valid explanation or excuse for a confirmed positive laboratory report for marijuana and will be reported by the Medical Review Officer as a positive drug test result for marijuana.

Coca leaf tea or other Coca Product Ingestion will not be considered a valid explanation or excuse for a confirmed positive laboratory report for cocaine and will be reported by the Medical Review Officer as a positive drug test result for cocaine.

The use of marijuana for medical purposes even if permitted by state law will not be considered explanation or excuse for a confirmed positive laboratory report for marijuana and will be reported by the Medical Review Officer as a positive drug test for marijuana.

D. Drug and Alcohol Background Check

Any driver the Village of Bloomingdale intends to hire or use to perform a safety-sensitive function will be required to undergo a background check of any violations of Department of Transportation drug and alcohol testing regulations during the previous three (3) years. All drivers will be required to sign an appropriate consent form authorizing previous employers to release this information to the Village of Bloomingdale. (Appendix A) The Village of Bloomingdale will then obtain information on the driver's alcohol tests with a concentration result of 0.04 or greater, verified positive drug test results and refusals to be tested within the preceding two years from all of the driver's previous employers during that time period.

This information may be provided through a personal interview, telephone interview, letter or other confidential method and will be maintained in a confidential log.

The Village of Bloomingdale will make a good faith effort to obtain and review the above information prior to allowing a driver to perform a safety-sensitive function. If this is not feasible, the Village of Bloomingdale will attempt to obtain the required information within thirty (30) days after the first time the driver performs a safety-sensitive function, regardless of that individual's subsequent performance of those duties. No driver will be allowed to perform a safety-sensitive function if this information has not been obtained within thirty (30) days, unless the Village of Bloomingdale is unable to do so through no fault of its own. In the event of such a circumstance, the Village of Bloomingdale will document its efforts to obtain the requested information.

No driver will be allowed to perform a safety-sensitive function if the Village of Bloomingdale discovers that he/she has had an alcohol test with a concentration of 0.04 or greater, a verified positive drug test result or has refused to be tested, unless and until the Village of Bloomingdale confirms that the driver has complied with the return to duty requirements of 49 CFR Part 40, Subpart O.

V. TESTING CIRCUMSTANCES

Before performing any alcohol or controlled substances test under this policy, the Village of Bloomingdale will notify a driver that the test is being required pursuant to this policy and the Federal Motor Carrier Safety Regulations. (Appendix C.)

A. Pre-Employment/Pre-Duty

Prior to the first time a driver performs a safety-sensitive function for the Village of Bloomingdale (including job applicants and employees transferring into a position requiring the operation of a commercial motor vehicle), he/she will be required to undergo testing for controlled substances and will not be allowed to perform any such function unless a verified negative drug test result is received from the medical review officer.

B. Post-Accident

As soon as practicable following an accident, the Village of Bloomingdale will require any surviving driver to submit to tests for alcohol and controlled substances if:

1. The driver was performing safety-sensitive functions with respect to the vehicle and the accident involved the loss of human life; or
2. The driver received a citation under State or local law for a moving traffic violation arising from the accident and the accident involved:
 - a. Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - b. One or more motor vehicles incurring *disabling damage* as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

Drivers are prohibited from using alcohol for eight hours following any accident or until the required post-accident alcohol test is administered, whichever occurs first. Every effort will be made to conduct post-accident drug and alcohol tests within two hours following an accident. Any driver involved in an accident must therefore remain readily available for testing and will be considered to have refused to submit to testing if he fails to do so.

This requirement will not, however, require a driver to delay any necessary medical attention for injured people following an accident or to remain at the scene of an accident when his/her absence is necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care. In order to ensure expeditious testing, the Village of Bloomingdale will provide all drivers with information, procedures and instructions explaining the post-accident testing requirements.

If an alcohol test is not administered within eight hours following an accident, the Village of Bloomingdale will make no further effort to administer an alcohol test and will document the

reasons why the test was not administered within eight hours. In the event a drug test is not administered within 32 hours following an accident, the Village of Bloomingdale will cease its attempts to administer any further testing and prepare and maintain a record stating the reasons why the test was not promptly administered.

The results of any breath or blood test for the use of alcohol or a urine test for the use of controlled substances, conducted by Federal, State, or local officials having independent authority for the test, will be considered to meet the requirements of this section, provided such tests conform to applicable Federal, State or local requirements, and the results of the tests are obtained by the Village of Bloomingdale.

C. Random

The Village of Bloomingdale will conduct random drug and alcohol tests at a minimum annual percentage rate established by the FMCSA of the average number of driver positions. The random selection process will be completely objective and anonymous and will utilize a scientifically valid method such as a random number table or a computer-based random number generator matched with drivers' Social Security numbers, payroll identification numbers, or other comparable identifying numbers. The tests will be unannounced and the dates for testing will be reasonably spread throughout the course of the year. All drivers will have an equal chance of being tested at any time, regardless of the number of his/her previous selections.

Any driver notified of his/her selection for random alcohol and/or controlled substances testing will be expected to proceed to the test site immediately. If a driver is performing a safety-sensitive function, other than driving, at the time of his/her notification of a random test requirement, he/she will be required to cease performing the safety-sensitive function and proceed to the testing site as soon as possible. A driver is required to submit to a random alcohol and/or controlled substance test if the driver is performing a safety-sensitive function, is ready to perform a safety-sensitive function, or has just ceased performing a safety-sensitive function. All Village positions, outlined in this Policy, are required to be in a state of readiness at all times while on-duty and on-call, and, therefore, are subject to random and reasonable suspicion testing at any time.

In the event Village of Bloomingdale requires employees who are subject to FMSCA testing to submit to other non-FMSCA random drug and/or alcohol testing, the non-FMSCA testing will be completed separate (with separate pools) from the FMSCA testing program.

D. Reasonable Suspicion

Whenever the Village of Bloomingdale has reasonable suspicion to believe that a driver has engaged in prohibited conduct, the driver must submit to an alcohol and/or controlled substances test. Any such suspicion must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver, which may include indications of the chronic and withdrawal effects of controlled substances. These observations will only be made by a supervisor or Village of Bloomingdale official who has received appropriate training and will be documented in writing by that individual within twenty-four (24) hours after his/her observations, or before any drug test results are released. Any person who makes a determination that reasonable suspicion exists to require a driver to submit to an alcohol test will not be permitted to conduct the alcohol test for that driver. A reasonable suspicion alcohol test will only be required if the reasonable suspicion observations are made during, just preceding or just after the period of the work day that a driver is required to be in compliance with this policy. If the alcohol test is not administered within eight hours

following the reasonable suspicion determination, the Village of Bloomingdale will no longer attempt to administer an alcohol test and will document the reasons for its inability to do so.

Notwithstanding the above testing requirements, a driver may not report for duty or remain on duty requiring the performance of a safety-sensitive function if that driver is under the influence of or impaired by alcohol, as shown by the behavioral, speech and performance indicators of alcohol misuse.

In any reasonable suspicion testing circumstance, a Village of Bloomingdale representative will transport the individual to an appropriate testing facility and await the completion of the testing procedure. The Village of Bloomingdale representative will then transport the individual back to the Village of Bloomingdale's premises, where a spouse, family member or other individual will be contacted to transport the individual home. In the event no such individual is available, the Village of Bloomingdale will contact a taxi to transport the driver home. If the reasonable suspicion test result is negative, the Village of Bloomingdale will reimburse the employee for the cost of the taxi. If the employee refuses to comply with any of these procedures and attempts to operate his/her own vehicle, the Village of Bloomingdale will take appropriate efforts to discourage him from doing so, up to and including contacting local law enforcement officials. Any employee failing to cooperate with any of the above procedures will be subject to discipline, up to and including discharge.

E. Return-To-Duty

Before a driver who has engaged in any conduct prohibited by this policy will be allowed to return to duty to perform a safety-sensitive function, he/she will be required to undergo return-to-duty alcohol and/or controlled substance tests, with results indicating an alcohol concentration of less than 0.02 and a verified negative for controlled substances use, respectively.

F. Follow-Up

Any employee who has engaged in prohibited drug and/or alcohol-related conduct will be subject to unannounced follow-up testing for alcohol and/or controlled substances as directed by the Substance Abuse Professional for up to 60 months after return to safety-sensitive duties.

G. Refusal To Test

Any driver who refuses to submit to any drug or alcohol test required by this policy will be immediately removed from service and prohibited from performing or continuing to perform a safety-sensitive function. Employees will also be subject to any discipline outlined in Section XII of this policy. For purposes of this policy, "refusal to submit" to an alcohol or controlled substances test will include:

1. Failing to provide adequate breath for alcohol testing, without a valid medical explanation after a driver has received notice of a required breath test;
2. Failing to provide an adequate urine sample for controlled substances testing, without a genuine inability to provide a specimen (as determined by a medical evaluation), after a driver has received notice of a required urine test;
3. Failing to cooperate with any part of the testing process, including failing to permit direct observation or monitoring of specimen collection where required by Part 40

procedures.

4. Submitting a substituted or adulterated specimen.
5. Failing to report for required testing; or failing to report within a reasonable time after notification to do so.
6. Failing to remain at the testing site until the testing process is complete.
7. Failing to undergo a medical examination when required as part of the test result verification process, or as directed for evaluation of the inability to provide an adequate urine or breath specimen.

H. On Duty Time

All time spent providing a breath sample or urine specimen, including travel time to and from a collection site, in order to submit to a pre-duty, post-accident, random, reasonable suspicion, and/or follow-up test required under this policy will be considered "on-duty" time. All times spent providing breath sample or urine specimen, including travel time to and from a collection site, in order to submit to return-to-duty testing required under this policy will not be considered "on-duty" time. In addition, responsibility for the expense of any drug or alcohol test required under this policy will be as follows:

Testing Circumstance	Expense	
	Employer	Driver (Employee)
1. Pre-employment	X	
2. Pre-duty	X	
3. Post-accident	X	
4. Random	X	
5. Reasonable suspicion	X	
6. Return-to-duty		X
7. Follow-up		X
8. Retest/split sample		X

VI. ALCOHOL TESTING PROCEDURES

A. Alcohol Testing Personnel and Equipment

All alcohol testing will be conducted by qualified Breath Alcohol Technicians (BAT) and/or Screening Test Technicians (STT) using Alcohol Screening Devices (ASD) or Evidential Breath Testing (EBT) devices approved by the National Highway Traffic Safety Administration.

B. Alcohol Testing Procedures

All alcohol testing conducted under this policy will be done in accordance with the procedures outlined in 49 CFR Part 40, Subparts L and M. After providing a photo identification to the BAT or STT, the employee and the BAT/STT will complete the Alcohol Testing Form. Any employee who refuses to sign the acknowledgment of testing in Step 2 of the form will be considered to have refused to test. The employee will follow the BAT/STT's instructions and provide a breath or saliva sample for the initial test. If the result of the test is <0.02 alcohol concentration, the test is considered negative and the process is complete.

If the initial alcohol test result is 0.02 or greater, a confirmation test, using an EBT capable of printing the test results, will be conducted. After a waiting period of at least 15 minutes, during which the employee is observed and requested not to take anything by mouth, the employee will be asked to provide a breath sample. The purpose of the waiting period is to ensure that no residual mouth alcohol is present for the confirmation test. If the confirmation test result is ≥ 0.02 , the BAT will immediately notify the Village of Bloomingdale representative, and the employee will remain at the testing facility until provided transportation home. The employee and the BAT will complete and sign the breath alcohol testing form and a copy of the form, including the test results, will be provided to the employee. If the confirmation test result is <0.02 , the test is negative.

C. Inability to Provide a Sample

In the event an employee is unable to provide, or alleges he/she is unable to provide a breath or saliva sample, the employee will make two attempts to complete the testing process. If the employee cannot provide a saliva sample for the screening test, the employee will submit to a breath alcohol test. If the employee cannot provide an adequate breath sample after two attempts, the BAT/STT will discontinue the testing process, notify the Village of Bloomingdale representative, and the employee shall, as soon as practical, be evaluated by a physician, designated by the Village of Bloomingdale. The physician will determine if there is a medical condition or diagnosis that prevents the employee from providing an adequate breath sample. If the physician is unable to document a medical condition or diagnosis responsible for the employee's failure to provide an adequate sample, it is considered a refusal to test.

VII. CONTROLLED SUBSTANCE TESTING PROCEDURES

A. Specimen Collection Procedures

Controlled Substances testing will be conducted using a urine specimen collected by qualified collection personnel at a collection site located on-site at the Village of Bloomingdale or at an off-site laboratory service center or medical clinic. For all FMCSA required testing, a Federal custody and control form (CCF) will be used to document the

collection process. The driver will be required to present photo identification to the collector at the start of the collection process. The collector will instruct the employee to empty the contents of his/her pockets, remove all outer clothing (jackets, hats, etc.) and leave all hand carried items outside the toilet enclosure. After washing his/her hands, the driver will be provided a wrapped collection container, which is, unwrapped in his/her presence. The wrapped/sealed specimen bottles will remain with the collector while the driver provides his/her specimen in the privacy of a toilet enclosure with a closed door. In circumstances where only a multi-stall restroom is available, the collector will accompany the driver into the restroom. The collector will remain outside the toilet stall/enclosure; the driver will provide the specimen while in the toilet stall with the stall door closed.

In certain circumstances, the driver will be required to provide his/her urine specimen while being directly observed. Observation of urination will only be done by an individual who is the same sex as the driver. The following circumstances will require a direct observation collection:

1. The driver presents a specimen which is outside the expected temperature range (90-100 °F)
2. The driver presents a specimen, which the collector believes is adulterated or substituted, or has specimen adulterant or substitution materials in his/her pockets.
3. A previous specimen provided by the driver was invalid for testing and there was no medical explanation for the specimen's invalidity
4. A previous specimen provided by the driver was verified as positive, adulterated, or substituted and the split specimen was unavailable for reconfirmation.
5. A previous specimen provided by the driver had a creatinine level of 2-5 and a specific gravity of <1.001.
6. The collection is for a return to duty or follow-up test.

Upon completion of urination, the driver will present the specimen to the collector. The collector will check the temperature and physical appearance of the specimen. In the driver's presence, the collector will unwrap/remove the seal from the two specimen bottles, and divide the urine specimen into the two bottles, ensuring that there is at least 30 mL in the A Bottle, and at least 15 mL in the B Bottle. The collector will apply the seal/label to each bottle, date the label and ask the driver to initial each bottle label. The driver will be permitted to wash his/her hands. The specimen shall remain in the sight of both the collector and the driver from time of presentation of the specimen to the sealing/labeling of the bottles.

If the employee is unable to urinate, or provides an insufficient quantity of urine (<45mL), the employee will be provided fluids to drink (up to 40 oz.) and up to three hours to provide an adequate specimen. If the employee is unable to provide an adequate specimen after three hours, the collection process will cease. The collector will inform the Village of Bloomingdale, and the Village of Bloomingdale will direct the employee to be evaluated by a Village of Bloomingdale-designated physician as soon as practical. If the MRO determines, after review of the physician's findings of the examination of the employee, that there is no medical explanation for the employee's failure to provide an adequate specimen, the employee will be considered to have refused to test.

The collector and driver will complete the CCF. The specimen bottles and a copy of the CCF will be placed in a plastic bag and sealed. The driver will be provided a copy of the CCF. Collection site personnel shall arrange shipment of the specimens to the drug testing laboratory. Prior to shipment, the specimens shall be maintained in a secure receptacle or area of the collection facility.

If the driver refuses to cooperate during the collection process, the collection site person will inform the Village of Bloomingdale Designated Employer Representative (DER) and document the employee's conduct on the Drug Testing Custody and Control Form. Employees are expected to exercise good faith and cooperate during the collection process and failure to do so will subject the employee to discipline, up to and including discharge, independent and regardless of the results of any subsequent drug test.

B. Laboratory Analysis

All urine specimens tested for drugs of abuse under this policy will be analyzed at a laboratory certified by the Department of Health and Human Services (DHHS), Substance Abuse and Mental Health Services Administration (SAMHSA). ~~The laboratory selected by Village of Bloomingdale for testing under policy is LabCorp.~~

All specimens will be tested for the drug or drug classes listed in Section II using an immunoassay screen approved by the Food and Drug Administration (FDA). The immunoassay screen will use cut-off levels established by the DHHS and DOT to eliminate negative specimens from further consideration. Any presumptive positive test will be subject to confirmation analysis.

Any urine specimen identified as positive on the initial screen will be confirmed by gas chromatography/mass spectrometry (GC/MS) methodology. GC/MS analysis will use cut-off levels established by the DHHS and DOT for confirmation. Any specimen that does not contain drug or drug metabolites above the GC/MS confirmation cut-off levels will be reported by the laboratory as negative.

When appropriate, the laboratory may conduct analyses to determine if the specimen has been adulterated. Adulteration tests include but are not limited to specific gravity, creatinine, and pH. In addition, the laboratory may conduct additional analyses to identify or detect a specific adulterant added to the urine specimen. If the laboratory identifies an adulterant added to the specimen, the laboratory will report the specimen as adulterated.

If the laboratory determines that the specimen is inconsistent with human urine, the laboratory will report the specimen as substituted. If the laboratory is unable to obtain a valid screening or confirmation analysis, the laboratory will report the specimen as Invalid. If the laboratory determines that the specimen's specific gravity and creatinine are lower than the normal range, the laboratory will report the specimen as dilute.

The laboratory will report all test results to the Medical Review Officer (MRO) by confidential, secure electronic (not telephone) or hard copy transmission.

Negative specimens will be destroyed and discarded by the laboratory after results are reported to the MRO. Non-negative specimens (Positive, Adulterated, Substituted, Invalid) specimens will be retained in long-term frozen storage (-20 degrees C or less) for a minimum of one (1) year.

C. Medical Review Officer

All test results will be reported by the laboratory to a medical review officer (MRO). The MRO will be a licensed physician with knowledge of substance abuse disorders who is trained and certified in accordance with 49 CFR Part 40, subpart G. The MRO will review and consider possible alternative medical explanations for non-negative test results and will review the custody and control form to ensure that it is complete and accurate. The Village of Bloomingdale will designate an MRO for its controlled substance testing program. ~~The designated MRO is David Nahn, First Advantage.~~

Prior to making a final test result for a positive, adulterated, or substituted specimen, the MRO will give the individual an opportunity to discuss the test result. The MRO will contact the individual directly, on a confidential basis, to determine whether the individual wishes to discuss the test result. If, after making and documenting three attempts to contact the individual directly, the MRO is unable to reach the individual, the MRO will contact a designated Village representative who will direct the individual to contact the MRO as soon as possible. If, after making all reasonable efforts, the Village of Bloomingdale is unable to contact the employee, the Village of Bloomingdale will place the employee on temporary medically unqualified status or on a medical leave of absence.

The MRO may verify a test without having communicated directly with an individual about the results in three circumstances:

1. If the individual expressly declines the opportunity to discuss the test;
2. If the designated Village representative has successfully made and documented a contact with the individual and instructed him/her to contact the MRO, and more than 72 hours have passed since the individual was successfully contacted; or
3. If neither the MRO nor employer has successfully contacted the employee after 10 days of reasonable effort.

In the test result verification process for an opiate positive, adulterated or substituted result, the MRO may require that the employee submit to a medical examination by a Village of Bloomingdale-designated physician. If the employee refuses to undergo the medical examination, the MRO will verify the test as positive or a refusal to test

If the MRO determines that there is a legitimate medical explanation for the confirmed positive test result other than the unauthorized use of a prohibited drug, the MRO will report the test as negative. If the MRO determines that there is a legitimate physiologic explanation for the adulterated or substituted specimen finding, the MRO will report the result as a cancelled test.

If the MRO determines, that there is no medical explanation for a positive test result, the MRO will report the test as positive, and provide the name of drug(s) detected. If the MRO determines that there is no medical or physiologic explanation for the adulterated or substituted specimen, the MRO will report the result as refusal to test, and provide the adulteration or substitution criteria identified.

If the MRO determines that a specimen reported as invalid is due to medication interference or other legitimate medical circumstances, the MRO will cancel the test. If the MRO determines that there is no medical explanation for the specimen's invalidity, the MRO will cancel the test and inform the Village of Bloomingdale that another specimen must immediately be collected under direct observation.

If the MRO reports a negative dilute specimen, the Village of Bloomingdale may require the individual to undergo another drug test. If the second test is also reported as negative dilute, that result will be the test of record.

The MRO will not disclose to any third party medical information provided by the individual to the MRO as part of the testing verification process, except as provided below:

1. The MRO will disclose such information to the Village of Bloomingdale, Federal agency or a physician responsible for determining the medical qualification of the employee under an applicable DOT regulation, if in the MRO's reasonable judgment, the information could result in the employee being determined to be medically unqualified under a DOT rule; or
2. The MRO will disclose such information to the Village of Bloomingdale, if in the MRO's reasonable medical judgment; the information indicates that continued performance by the employee of his or her safety-sensitive function could pose a significant safety risk.

Before obtaining medical information from the employee as part of the verification process, the MRO will advise the employee that the information will be disclosed to third parties as provided above and of the identity of any parties to whom the information may be disclosed.

The MRO will notify each individual who has a verified positive, adulterated, or substituted result that he/she has 72 hours in which to request a test of the split specimen. If the employee requests an analysis of the split specimen within 72 hours of such notice, the MRO will direct, in writing, the laboratory to provide the split specimen to another DHHS-certified laboratory for analysis. *The split specimen testing will be at the employee's expense.*

If an employee has not contacted the MRO within 72 hours, the employee may present the MRO with information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the verified positive test, or other circumstances unavoidably prevented the employee from timely contacting the MRO. If the MRO concludes that there is a legitimate explanation of the employee's failure to contact him/her within 72 hours, the MRO will direct that analysis of the split specimen be performed

If the analysis of the split specimen fails to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, or fails to reconfirm the adulteration or substitution finding, the MRO will cancel the test and report the cancellation and the reasons for it to the DOT, the employer and the employee. If the split specimen is unavailable or unsuitable for reconfirmation, the MRO will cancel the test and inform the Village of Bloomingdale that another specimen must be immediately recollected under direct observation.

VIII. REFERRAL AND TREATMENT

A. Mandatory Referral

Employees with a first confirmed positive drug and/or alcohol screen will be referred for diagnosis and possible treatment except 1) where the violation involves the sale or possession of drugs; 2) where the employee is found using or consuming alcohol or

drugs while at work; 3) the violation involves a probationary employee; or 4) second or subsequent violation.

B. Voluntary Treatment and Counseling

An employee may desire to come forward on a self-initiated basis to seek help for an alcohol or drug abuse problem and to voluntarily resolve that problem. Employees are encouraged to do so before they have a DOT violation due to a positive test result or because they have engaged in other DOT prohibited conduct. Voluntary requests for help will be kept confidential.

Any employee voluntarily seeking assistance for a problem involving illegal drug use or alcohol abuse may avail himself or herself of this help once during the employee's tenure.

A driver who admits to a drug and/or alcohol problem will not have a DOT violation. He/she will be given an opportunity to obtain a chemical use assessment from the Village's Employer Assistance Program (EAP). Prior to the assessment, however, the Village's will require the driver to sign a release of information that will enable the Village's DER to receive the results of the assessment, and to receive subsequent reports related to the assessment, and the driver's successful completion of all recommendations for assistance. The Driver may also be required to sign an "employment last chance agreement".

The following conditions must apply to the driver's self-admission:

- The driver's admission cannot be made during his/her on-duty time. It must occur prior to the driver's reporting for duty on any particular day.
- The driver's admission cannot be made in an attempt to avoid a required DOT drug test.
- Under 49 CFR Part 382.121, DOT requires the Village to remove the driver from safety-sensitive functions, including driving.
- When the Village is satisfied that the driver has complied with the EAP's recommendations for assistance, the Village will return the driver to safety-sensitive functions, provided that
 - Prior to returning to safety-sensitive functions, the driver will be required to provide a negative drug and/or alcohol test result and
 - After being returned to safety-sensitive function, the driver will be subject to follow-up non-DOT testing, as permissible by the Village's policy for non-DOT drug and alcohol testing, under the laws of this state.
- A driver who self-identifies under this policy, and who then fails to comply with the EAP's recommendations will be considered to have engaged in conduct prohibited by the DOT in 49 CFR Part 382 Subpart B, and will not be permitted to return to safety-sensitive function until he/she has successfully complied with the SAP return-to-duty process. The above failure and/or failure of future follow-up tests are subject to disciplinary action up to and including discharge...

The Village of Bloomingdale is committed to providing reasonable accommodation to those employees with diagnosed alcohol or drug dependencies, as required by applicable federal and/or state law, provided such dependencies do not constitute threats to property or safety and further provided that the employee has not committed a terminable offense.

The employee must pay all of the expenses associated with his or her evaluation, counseling, and treatment that are not covered by the employee's insurance plan. In

addition, if an employee continues working while seeking assistance under the program, the employee must meet all established standards of conduct and job performance set forth by the Village.

C. Evaluation, Development of Treatment Plan and Reassignment

An evaluation of the employee will be made at the designated treatment facility and a treatment plan may be developed, where necessary, based on the recommendations of the treatment professionals.

Such treatment plan may include referral to an outside treatment facility or program. As part of the evaluation, the evaluating treatment professionals, in consultation with the Director of Village Services and the Designated Employer Representative (DER), may request an employee to be reassigned to a different position or to different job duties, or to take a leave of absence for a reasonable period of time. Reassignment may also be limited or denied at the discretion of the Director of Village Services in view of the Village's operating requirements.

The Substance Abuse Professional assigned to an employee's case will ordinarily maintain contact with the employee, the treatment provider and the Designated Employer Representative (DER) to monitor progress. In cases where treatment participation is a condition of continued employment, the employee will be required to cooperate in and comply with all aspects of the treatment program (including referrals for additional treatment), undergo unannounced periodic drug and/or alcohol screening, successfully complete all aspects of, prescribed treatment and remain free of drug and alcohol use, and sign a "last chance agreement" setting forth the terms and conditions of continued employment. i.e.: 1) Return to duty; 2) After care and follow-up testing.

Failure to comply with these conditions of continued employment shall be deemed a breach of the conditions and cause for discharge. Moreover, confirmed positive test results from a periodic drug and/or alcohol screen during treatment will be cause for discharge. The employee shall cooperate fully in the completion of all phases of testing and rehabilitation.

If an employee disagrees with the Substance Abuse Professional (S.A.P.) or its recommendations they are to consult with their department's Designated Employer Representative (DER) who will confer with the Village's MRO. The employee will have the opportunity to participate in this conference. Once the matter has been reviewed, the joint decision of the DER and the MRO will be final.

The medical determination of returning an employee to full duty will be made by the Village's MRO.

IX. CONFIDENTIALITY AND RECORDKEEPING

A. Confidentiality

The Village will maintain records relating to this Policy as outlined in 49CFR Parts 40 and 382. The Village of Bloomingdale will maintain all records generated under this policy in a secure manner so that disclosure to unauthorized persons does not occur. Thus, the results of any tests administered under this policy and/or any other information generated pursuant to this policy will not be disclosed or released to anyone without the express written consent of the employee, except where otherwise required or authorized by federal regulation or law. In addition, the Village of Bloomingdale's contract with its

designated service agents requires them to maintain all employee test records in confidence.

However, the Village of Bloomingdale may disclose information required to be maintained under this policy to the employee, the employer or the decision-maker in a lawsuit, grievance, or other proceeding initiated by or on behalf of the individual, and arising from the results of an alcohol and/or drug test administered under this policy, or from the employer's determination that the employee engaged in conduct prohibited by this policy (including, but not limited to, a worker's compensation, unemployment compensation, or other proceeding relating to a benefit sought by the employee.) The Village of Bloomingdale may be required to release information to a DOT agency or other Federal agency as required by applicable law or Federal regulation.

B. Access to Facilities and Records

Upon written request by any covered employee, the Village of Bloomingdale will promptly provide copies of any records pertaining to the employee's use of alcohol or drugs, including any records pertaining to his or her alcohol or drug tests. Access to a covered employee's records will not be contingent upon payment for records other than those specifically requested.

The Village of Bloomingdale will also permit access to all facilities utilized and alcohol or drug testing documents generated in complying with the requirements of 49 CFR Part 382 to the Secretary of Transportation, any DOT agency with regulatory authority over the employer or any of its covered employees, or to a State oversight agency. When requested by the National Transportation Safety Board (NTSB) as part of an accident investigation, the Village of Bloomingdale will disclose information related to the employer's administration of a post-accident alcohol and/or drug test administered following the accident under investigation.

Records will also be made available to an identified person or a subsequent employer upon receipt of a written request from an employee, but only as expressly authorized and directed by the terms of the employee's written consent. The subsequent release of such information by the person receiving it will be permitted only in accordance with the terms of the employee's consent.

X. EMPLOYEE ASSISTANCE PROGRAM - EMPLOYEE EDUCATION – TRAINING - SUPERVISOR TRAINING – SUBSTANCE ABUSE PROFESSIONAL

A. Employee Assistance Program

The Employee Assistance Program (EAP) of the Village of Bloomingdale is available to employees who desire to seek help for an alcohol, drug, or substance abuse problem. Contact with the EAP can be made directly or through a referral.

B. Employee Education

The Village of Bloomingdale will provide employees subject to this policy with education materials explaining the requirements of the Federal Motor Carrier Safety Administration drug and alcohol regulations and the Village of Bloomingdale policies and procedures for meeting them. In addition, employees will be provided with information concerning the effects of drug use and alcohol misuse on an individual's health, work, and personal life; signs and symptoms of an alcohol or drug problem (the employee's or a co-worker's); and available methods of intervening when an alcohol or drug problem (the employee's

or a co-worker's) is suspected, including confrontation, referral to an employee assistance program and/or referral to management. This information will include the following:

1. Display and distribution of informational material
2. Display and distribution of a community service hotline telephone number or employee assistance program.

Any individual designated to determine whether reasonable suspicion exists to require a covered employee to undergo a drug or alcohol test under this policy will be required to receive at least 60 minutes of training on alcohol misuse and 60 minutes of training on drug use. This training will cover the physical, behavioral, speech and performance indicators of probable alcohol misuse and prohibited drug use.

Copies of the above materials and this policy will be distributed to each employee hired or transferred into a position requiring the performance of a safety-sensitive function covered by this policy. Each employee who receives a copy of these materials will be required to sign a statement certifying that he or she has received a copy of the same. Village of Bloomingdale will retain the original of the signed certificate and will provide a copy to the employee, if requested. Village of Bloomingdale will also provide a written notice to representatives of employee organizations as to the availability of this information, if applicable.

C. Substance Abuse Professional (SAP) Referral, Evaluation, and Treatment

- Available Resources

Any employee who engages in conduct prohibited by this policy will be provided information about the resources available for evaluating and resolving problems associated with the misuse of alcohol or prohibited drug use, including the names, addresses, and telephone numbers of qualified substance abuse professionals and counseling and treatment programs.

- Substance Abuse Evaluation

Although an employee's employment with the Village of Bloomingdale may be terminated for a violation of this policy, employees will be advised to undergo an evaluation by an appropriate substance abuse professional, who will determine what assistance the employee needs in resolving problems associated with alcohol misuse and/or prohibited drug use. This requirement will apply regardless of whether such conduct is discovered as a result of a drug or alcohol test, independent employer knowledge or a voluntary admission by the employee.

- Substance Abuse Professional (SAP)

For purposes of this policy, a substance abuse professional (SAP) is defined as a licensed physician (M.D. or D.O.) or a licensed or certified psychologist, social worker, employee assistance professional, or addiction counselor (certified by NAADAC or ICRC) who has knowledge of and clinical experience in the diagnosis and treatment of drug and alcohol-related disorders. A Substance Abuse Professional must meet the qualification training standards of 49 CFR Part 40 Subpart 0. The SAP's role is to evaluate the employee's need for assistance in resolving problems related to alcohol or drug abuse, determine if the employee has

complied with the recommended treatment or rehabilitation, and to determine a program of follow-up testing as appropriate.

XI. DISCIPLINE

In addition to the removal from safety-sensitive functions required by Federal Motor Carrier Safety Administration Regulations, the Village of Bloomingdale will take the following disciplinary action against any individual who violates this policy.

The Village will discharge any employee; 1) Possessing or selling drugs on or off duty; or 2) Using drugs or consuming alcohol while on duty.

A. Positive Test Results

Where the employee tests positive on both the initial and confirmatory tests for drugs or alcohol, the employee shall be subject to disciplinary action which can include discharge, even for the first offense, or be required to complete a drug/alcohol rehabilitative treatment program. However, when the employee is taking prescription medication in conformity with the lawful direction of the prescribing physician or a non-prescription medication in conformity with the manufacturer's specified dosage and the employee has notified the Village of the use of the prescription or nonprescription medication before any laboratory test is performed on the requested breath, urine, and/or blood specimen, a positive test result consistent with the ingredients of such medication may not constitute cause for discipline. (The Village may require an employee to provide evidence that any prescription medication has been lawfully prescribed by a physician, as well as information from the physician on any potential side effects of the medication.)

The Village will discharge any employee with a second confirmed positive drug and/or alcohol screen arising from a second separate incident or from violation of the employee's treatment, conditions, or following completion of the treatment process. This action will be taken whether or not the employee has been or is currently in treatment.

B. Refusal to Provide a Blood, Breath or Urine Specimen

In the event an employee refuses to complete and sign the breath alcohol testing form, or complete paperwork for urine test, refuses to provide a breath sample, an adequate amount of breath, or urine sample, or otherwise fails to cooperate with the collection process in a way that prevents the completion of the test, the BAT will record such conduct in the "remarks" section of the form, terminate the testing process and promptly notify the Village. Any such conduct will constitute a refusal to test. A refusal to test shall constitute disciplinary action, which can include discharge of the employee who engages in such activity, even for the first offense.

C. Tampering With or Substitution of a Specimen

Intentionally tampering with, causing another person to tamper with, substituting for, or causing another person to substitute for a urine and/or blood specimen, whether the employee's own specimen or another employee's specimen, shall constitute cause for disciplinary action which can include discharge of the employee who engages in such activity, even for the first offense.

D. Drug-Related Felony Conviction

The conviction of an employee for any felony involving the illegal possession, sale, use or distribution of a drug shall constitute cause for disciplinary action which includes discharge, whether or not such felony occurred during a restricted period and even if it is the employee's first offense. Such convictions must be reported to the employee's supervisor within five (5) calendar days of the conviction. In deciding appropriate action, the Village will consider the nature of the charges, the sentence, the employee's job assignment, the employee's record with the Village, any adverse impact of the employee's conviction on the public's trust in the ability of the Village to carry out its responsibility, and any other relevant factors.

E. Disciplinary Appeal Process

Any employee being suspended, dismissed or otherwise disciplined under this policy may file a grievance per the appropriate sections of union contract.

- If the applicant violated a drug and alcohol regulation, provide documentation of the successful completion of DOT return-to-duty requirements and information on the substance abuse professional (including follow up tests). Please check the appropriate box below:
 See Attached Not Applicable Did not complete or refused rehabilitation

- For an applicant who had successfully completed a SAP's rehabilitation referral, and remained in the employ of the previous referring employer, had the applicant had the following test violations subsequent to the completion of a 49 CFR Part 382.605 or 49 CFR Part 40, Subpart O referral? Please respond to the below by checking the appropriate box below each question below:
 - a) Did the applicant have any alcohol tests with a result of 0.04 or higher alcohol concentration?
 Yes No
 - b) Did the applicant have any verified positive drug tests?
 Yes No
 - c) Did the applicant refuse to be tested (include verified adulterated or substituted drug test results.)

9. Do you know if the applicant failed to undertake or complete a rehabilitation program prescribed by a Substance abuse professional (SAP) pursuant to 49 CFR Part 382.605 or 49 CFR Part 40 Subpart O?
 Yes No
 (If this information is unknown by the previous employer (e.g., an employer that terminated an employee who tested positive on a drug test), the prospective motor carrier must obtain documentation of the applicant's successful completion of the SAP's referral directly from the applicant.

Completed By (Please Print)

Date: _____

Name: _____

Title: _____

Note: Specific contact information on where the previous motor carriers must send the information requested is required by 391.23 (d). I would suggest that it be included here.

**APPENDIX B
VILLAGE OF BLOOMINGDALE
POST-ACCIDENT TESTING INSTRUCTIONS**

Any driver involved in an accident while operating a commercial motor vehicle on a public road will be required to submit to tests for alcohol and controlled substances as soon as practicable following the incident, if:

1. The driver was performing safety-sensitive functions with respect to the vehicle and the accident involved the loss of human life; or
2. The driver received a citation for a moving traffic violation arising from the accident and the accident involves:
 - a. Bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - b. One or more motor vehicles incur *disabling damage*¹ as a result of the accident, requiring the vehicle to be transported away from the scene by a tow truck or other vehicle.

Unless otherwise required by the Village of Bloomingdale, post-accident drug and alcohol tests will not be required for occurrences involving only boarding or alighting from a stationary motor vehicle or the loading or unloading of cargo. In order to ensure that the above requirements are met, in the event of any accident, all drivers are required to take the following actions:

- Driver is to immediately report all vehicle accidents to the appropriate Police department and notify his/her immediate Supervisor
- The Immediate Supervisor will make the post-accident testing determination based on the above Federal guidelines

These procedures do not require a driver to delay any necessary medical attention for injured people following an accident or to remain at the scene of an accident when his/her absence is necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.

DRIVERS ARE STRICTLY PROHIBITED FROM USING ALCOHOL FOR EIGHT HOURS FOLLOWING AN ACCIDENT, OR UNTIL THE POST-ACCIDENT TESTING REQUIREMENTS ARE CARRIED OUT, WHICHEVER OCCURS FIRST.

FAILURE OR REFUSAL TO FOLLOW THESE INSTRUCTIONS, INCLUDING THE USE OF ALCOHOL PRIOR TO THE REQUIRED POST-ACCIDENT ALCOHOL TEST, WILL BE CONSIDERED A REFUSAL TO SUBMIT TO A TEST AND RESULT IN DISCIPLINE UP TO AND INCLUDING DISCHARGE.

¹ *“Disabling damage,”* means damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs, including damage to motor vehicles that could have been driven, but would have been further damaged if so driven. *“Disabling damage”* does not include:

- a. Damage which can be remedied temporarily at the scene of the accident without special tools or parts
- b. Tire disablement without other damage even if no spare tire is available.
- c. Headlight or taillight damage.
- d. Damage to turn signals, horn, or windshield wipers, which make them inoperative.

**APPENDIX C
VILLAGE OF BLOOMINGDALE
SUPERVISOR'S REPORT OF REASONABLE SUSPICION**

Employee: _____
Location: _____

Date: _____
Time: _____

OBSERVATIONS

Breath (Odor of Alcoholic Beverage): () Strong () Faint () Moderate () None

Eyes () Bloodshot () Glassy () Normal () Watery () Clear
 () Heavy Eyelids () Fixed Pupils () Dilated Pupils () Normal

Speech () Confused () Stuttered () Thick-Tongued () Accent () Mumbled
 () Fair () Slurred () Mush Mouthed () Good () Not
 () Cotton Mouthed () Other Understandable

Attitude () Excited () Combative () Hilarious () Indifferent () Talkative
 () Insulting () Care-Free () Cocky () Sleepy () Cooperative
 () Profane () Polite () Other

Unusual () Hiccoughing () Belching () Vomiting () Fighting () Crying
Action () Laughing () Other

Balance () Needs Support () Falling () Wobbling () Swaying () Other

Walking () Falling () Staggering () Stumbling () Swaying () Other

Turning () Falling () Staggering () Stumbling () Swaying () Hesitant
 () Other

Indicate any other unusual actions, statements or observations: _____

Signs of complaints of illness or injury: _____

Safety-sensitive function: () Yes () No Describe: _____

SUPERVISOR'S OPINION

Apparent effects of alcohol/drug use: () None () Slight () Obvious () Extreme

Additional Comments: _____

Supervisor: _____
Signature: _____
Date: _____
Time: _____

Witnesses: _____
(optional) _____

**APPENDIX D
VILLAGE OF BLOOMINGDALE
URINE SPECIMEN COLLECTION PROCEDURES**

1. The collector will ask the donor for photo identification.
2. After verification of the donor's identification, the collector will complete Step 1 of the Custody and Control Form (CCF).
3. The collector will ask the donor to remove any unnecessary outer clothing (coat, jacket, hat, etc.) and to leave hand carried items(i.e. briefcase, pocketbook, bags, etc.) outside the toilet enclosure. The collector will secure these items and provide a receipt if requested by the donor. The donor will be required to empty his/her pockets and display the contents of the pockets. Any items, which can be used to adulterate or substitute the specimen, must be left outside the toilet enclosure.
4. The collector will instruct the donor to wash and dry his/her hands.
5. The collector will provide the donor a wrapped/sealed collection container. Either the collector or the donor may open the container in the donor's presence.
6. Only the collection container should be taken into the toilet enclosure. The wrapped/sealed specimen bottle(s) should remain outside the enclosure and be opened in the donor's presence when the donor presents the filled collection container to the collector.
7. The collector will accompany the donor to the toilet enclosure where the donor will provide the urine specimen. The donor will enter the toilet enclosure and shut the door; the collector remains outside the closed door. If a multi-stall restroom is used, the collector will enter the restroom with the donor and remain outside the closed toilet stall door while the donor provides the urine specimen.
8. The donor will hand the filled collection container to the collector. Both the donor and the collector should maintain visual contact of the specimen until the labels/seals are placed over the bottle cap(s).
9. The collector checks the specimen, reading the specimen temperature indicator within 4 minutes of receiving the specimen from the donor. The collector marks the appropriate box in Step 2 of the CCF.
10. The collector checks the specimen volume, ensuring that there is at least 45 ml of urine.
NOTE: If the employee is unable to void or voids an insufficient amount of urine, the employee will be provided up to 40 mL of fluids and up to three hours to provide the specimen. Any partial specimen will be discarded.
11. The collector checks the specimen for unusual color, odor, or other physical qualities that may indicate an attempt to adulterate the specimen.
12. The collector will pour at least 30 ml of specimen into a specimen bottle (designated Bottle A). The remainder of the specimen (at least 15 ml) will be poured into a second bottle (designated Bottle B).
13. The collector immediately places the lid/cap(s) on the specimen bottle(s), and then applies tamper-evident label/seals (CCF, Step 3).

14. The collector will write the date on the label/seal(s). The donor will be asked to initial the label/seal(s) once they are affixed to the bottle(s).
15. After sealing the specimen bottle(s), the donor will be permitted to wash and dry his/her hands, if he/she so desires.
16. The donor will be instructed to read and complete the donor certification section of the CCF (Step 5), including signing the certification statement.
17. The collector will record any remarks concerning the collection process in the "remarks" section of the CCF.
18. The collector will complete the collector certification section of the CCF (Step 4), including signing the certification statement and recording the date and time of the collection, and the "specimen released to" block.
19. The collector will place the specimen bottles and copy 1 of the CCF in the plastic bag and seal it.
20. The collector will give the donor his/her copy of the CCF (copy 5). The donor may leave the collection site at the completion of this step of the collection process.
21. The plastic bag containing the specimen bottles and CCF copy will be shipped in a padded mailer or shipping container if being transported by an express carrier or mail. The specimens will be maintained in a secure area until picked up by the courier or transport service.
22. The collector will distribute the remaining copies of the CCF as appropriate.

**APPENDIX E
VILLAGE OF BLOOMINGDALE
CERTIFICATION OF RECEIPT OF POLICY and DRUG AND ALCOHOL
AWARENESS INFORMATION**

I, _____, hereby certify that I have been provided with copies of the *Village of Bloomingdale's* Drug and Alcohol Abuse Policy, including the requirements for compliance with 49 CFR Part 382. I have also received drug and alcohol abuse awareness information, including resources available for evaluation and treatment of substance abuse problems.

Date: _____ Employee: _____