

TOWN OF EAST HARTFORD

DRUG & ALCOHOL TESTING POLICY

Implementing FMCSA regulations



Revised 2/2018

OVERVIEW

This policy is designed to enhance productivity and safety and to foster excellence by maintaining a safe and productive environment for employees. The Town maintains a strong commitment to a drug-free and an alcohol-free work environment and has adopted this policy to provide guidance to supervisors and employees in dealing with drug use and alcohol abuse. This policy is applicable only to Town employees subject to Federal Motor Carrier Safety Administration (FMCSA) regulations on the misuse of alcohol and the use of controlled substances. The Town reserves the right to conduct drug and/or alcohol tests for applicants or current employees not covered by this policy in accordance with state and/or federal law.

To further our commitment to providing a safe, drug-free and alcohol-free environment, the Town has adopted the following policies:

- an education and training program
- a drug and alcohol testing program for employees who perform safety-sensitive functions, current employees seeking to transfer to a position that performs safety-sensitive functions; and a drug testing program for applicants seeking employment with safety-sensitive functions
- a program for evaluating drivers who violate the drug and alcohol abuse policy
- administrative procedures for record keeping, reporting, releasing information and certifying compliance

I. EMPLOYEE CATEGORIES SUBJECT TO TESTING

The FMCSA regulations apply to all drivers of commercial motor vehicles in interstate or intrastate commerce who perform safety-sensitive functions and are subject to commercial driver's license ("CDL") requirements. Applicants for employment and current employees seeking positions as drivers who will perform safety sensitive functions also are covered by the FMCSA regulations. The following job titles are subject to the policy:

Local 1174

Maintainer I (w/CDL)
Maintainer II
Maintainer III
Maintainer IV
Maintainer/Dike Control
Maintenance Mechanic
Mechanic I
Mechanic II

Parts Garage Clerk
Landscape Gardener
Parks Maintainer II
General Maintenance Worker
Utility Worker
Signs & Lines Maintainer
Parts & Project Coordinator

Local 818

Highway Services Supervisor
Highway Services Manager
Supervisor of Waste Services
Superintendent- Parks
Park Maintenance Supervisor
Fleet Services Manager
Waste Services Manager
Parks Project Coord. & Spvrsr.

Police Union

Officers who are assigned to drive a passenger van.

This list is subject to amendment at any time.

A driver is considered to be performing a safety-sensitive function during any period in which the driver is actually performing, ready to perform, or immediately available to perform any safety-sensitive function.¹ The FMCSA defines the following functions as safety-sensitive:

- 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 FMCSA regulations or otherwise inspecting, servicing, or conditioning any commercial motor vehicles 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 spent performing the driver requirements associated with an accident.
- 7) All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

II. PROHIBITED CONDUCT

- **Alcohol**

Drivers subject to this policy must not consume alcohol: 1) while performing a safety-sensitive function; 2) four hours prior to performing a safety-sensitive function; and 3) for up to eight

¹ An employee who is "on call" for duty, thus, is covered by this policy.

hours following an accident or until the driver undergoes a post-accident test, whichever occurs first. As referred to in this policy, *alcohol* means any food, beverage, mixture or preparation, including any medication containing ethyl alcohol or other low molecular-weight alcohol including methyl and isopropyl alcohol.

- **Controlled Substances**

Drivers subject to this policy are strictly prohibited from using or ingesting prohibited drugs at any time, except when the use is pursuant to the instruction of a physician who has advised the driver that the substance does not adversely affect the employee's ability to safely perform his/her job. Any employee taking such a substance at a physician's instruction must inform the Town of such drug use. The Town retains the right to verify the use with the employee's physician. Manufacturing, distributing, dispensing, possessing or using controlled substances in the work place is prohibited pursuant to the Drug-Free Workplace Act. Pursuant to Town policy, any employee who manufactures, distributes, dispenses, processes, sells, attempts to sell, or arranges to sell a controlled substance to any other person while on duty, whether on or off Town property, or on Town property, whether on or off duty, shall be subject to discipline up to and including discharge.

As referred to in this policy, a ***controlled substance***, or ***drug*** means a stimulant, hallucinogenic, narcotic, cannabinoid, or derivation or combination thereof, or any other substance as controlled by law. Pursuant to Town policy, this definition also applies to any other substance that impairs one's ability to perform his or her job fully and safely. FMCSA regulations prohibit the performance of safety-sensitive functions when a prohibited level of any of five specified drugs is detectable in the driver's urine.

III. DRUG AND ALCOHOL TESTING PROGRAM

Drivers who perform safety-sensitive functions will be subject to testing pursuant to FMCSA regulations. Testing of other employees and any testing of drivers who perform safety-sensitive functions over and above the requirements of FMCSA is performed pursuant to separate authority of the Town.

Any testing procedures utilized by the Town will conform to applicable federal and state requirements, and the Town will conduct the appropriate tests required by applicable law to determine if a driver has a controlled substance or a prohibited level of alcohol in his or her system.

Pursuant to Town policy, refusal by a driver to submit to required testing or failure to pass a drug or alcohol test will lead to disciplinary action, up to and including discharge. Refusal to take a test includes: outright refusal to submit to a test; engaging in conduct that clearly obstructs the testing process; leaving the scene of an accident without a valid reason before tests are conducted and without notifying the Town of where he/she can be reached to be made available for testing; or failure to provide sufficient quantities of breath or urine to be tested without a valid medical explanation after receiving notice of the requirement for testing. If a driver is unable to provide a urine specimen, the will be allowed to drink up to 40 fluid ounces in 3 hours. If they are still

unable to provide a specimen, they must submit to a medical exam by an MRO approved physician within 5 calendar days. Any driver who refuses to submit to a required drug or alcohol test will not be permitted to continue to perform safety-sensitive functions.

Under Town policy, a refusal to take a test will constitute the equivalent of a positive drug test and an alcohol test of 0.04 or greater. Pursuant to Town policy, any employee who tampers with, falsifies, substitutes, or alters a urine sample or breath test, or who attempts to do so, shall be subject to disciplinary action, up to and including discharge.

The Town will adhere to all required standards of confidentiality. Testing records and results will be released only to those authorized to receive such information.

As a general policy, drug and alcohol testing will be conducted off the Town premises. Normally, administration of breath tests for alcohol will be performed concurrently with urine collections. However, the Town reserves the right to administer breath tests separately from urine collections and to administer breath tests and/or urine collections on Town premises.

IV. EMPLOYEE ASSISTANCE PROGRAM

The Town has a commitment to assist its employees through the Employee Assistance Program (EAP). The EAP is administered by Solutions and is available to safety-sensitive employees for initial counseling and referral services. For additional information, please call 1-800-526-3485.

V. TESTING PROCEDURES

The Town will select an appropriate site for the collection of urine and breath samples, which meets the requirements specified by the Department of Transportation.

The site selected for collecting urine specimens will provide, at a minimum, a privacy enclosure for urination; a toilet; a suitable, clean writing surface; and a water source for hand washing, which if practicable, will be located outside the privacy enclosure. The contractor who conducts the collection will ensure that access to the collection site is restricted during the collection process, that unauthorized persons are not present, and that there are no unobserved entrance points to the testing site. Furthermore, the Town shall ensure that the collection site personnel provided by the contractor protects the dignity and privacy of the donor and that all collection site personnel are trained to prepare the collection site, collect specimens, examine specimens for tampering or sample adulteration, observe collections, split the specimens, and properly label and preserve the chain of custody of the specimens. These steps will be taken to protect the driver and the integrity of the drug testing process, safeguard the validity of the tests results and ensure the test results are attributed to the correct covered driver.

Breath alcohol tests will be collected through the use of an evidential breath testing ("EBT") device approved by the National Highway Traffic Safety Administration and will be administered by a breath alcohol technician ("BAT") trained to proficiency in the operation of the EBT. Breath tests will be conducted at a site that provides privacy to the individual being tested and secured to prevent unauthorized access to the EBT. If the result of the screening test is an alcohol concentration of less than 0.02, no further testing is required and the test will be reported to the employer as a negative test. If the result is an alcohol concentration of 0.02 or

greater, a confirmation test must be performed. This test will be conducted at least 15 minutes, but not more than 30 minutes, after the completion of the initial test. These steps will be taken to protect the driver and the integrity of the alcohol testing process, safeguard the validity of the test results, and ensure the test results are attributed to the correct covered driver.

VI. TESTING FOR CONTROLLED SUBSTANCES

FMCSA regulations authorize drug testing of drivers who perform safety-sensitive functions. This testing is limited to the following substances:

1. Marijuana metabolites
2. Cocaine metabolites
3. Amphetamines
4. Opioids
5. Phencyclidine (PCP)

While drug testing by the Town normally will be limited to the five substances listed above, the Town reserves the right, pursuant to its policy and its own authority, to perform separate testing for other controlled substances.

VII. TESTING FOR ALCOHOL

Breath testing of drivers will be performed pursuant to FMCSA regulations. The Town reserves the right, pursuant to its policy and its own authority, to perform alcohol tests of drivers who perform functions which are not safety sensitive, and of other employees, using the same procedures FMCSA requires for testing drivers who perform safety-sensitive functions. Any time an employee is required to provide a urine sample for testing under this policy, a breath test for the detection of alcohol may be administered under the Town's own authority.

VIII. ROLE OF THE MEDICAL REVIEW OFFICER (MRO)

All urinalysis drug test results will be communicated by the laboratory to a specially trained physician serving as MRO. The MRO will notify the Town directly if a driver's test result is negative. If the test result is positive, the MRO will contact the driver to discuss the test, to determine if the positive result is valid and to notify the driver that he/she has 72 hours to request a test of the split specimen. If, after making all reasonable efforts and documenting those efforts, the MRO is unable to reach the driver, the MRO shall contact a designated management official; who shall direct the driver to contact the MRO within 24 hours. The Town will be informed only that the individual has tested positive or negative. If the test is positive, the identity of the specific drug(s) involved, as well as other information regarding the test will be disclosed to the Town by the MRO.

IX. ROLE OF THE SUBSTANCE ABUSE PROFESSIONAL (SAP)

All drivers, including those who have been terminated, who have a verified positive drug test or a confirmed alcohol test result of 0.04 or greater will be evaluated by a SAP to determine what assistance, if any, the driver needs to resolve problems associated with prohibited drug use or alcohol misuse. After evaluating such a driver, the SAP will recommend to the driver the steps, if any, he/she should take to resolve his/her problems.

Drivers permitted to return to work following a positive test will be reevaluated by the SAP to determine whether the driver has complied with the SAP's recommendations. After that evaluation, the SAP will recommend to the employer the number and frequency of follow-up alcohol and/or drug tests following the driver's return to duty.

The follow-up testing shall consist of at least six tests in the first twelve months following the driver's return to duty. Finally, the SAP will recommend to the Town whether or not the driver should be subject to both drug and alcohol follow-up tests which can last up to 60 months.

XI. TYPES OF TESTING

The Town will perform the following types of drug and alcohol testing:

1. Pre-Employment Testing (alcohol testing is optional and must be done right before the first time an individual performs a safety sensitive function.)
2. Reasonable Suspicion Testing
3. Post-Accident Testing
4. Random Testing
5. Return to Duty Testing
6. Follow-Up Testing

1. PRE-EMPLOYMENT TESTING

All applicants for and current employees seeking transfers to employment as a driver who will perform safety-sensitive functions will be informed in writing of the testing requirements and will undergo a pre-employment drug test.² The Town will not hire an applicant or transfer an employee to such a position unless the result of the applicant or employee's drug test is negative. The Town also will make reasonable efforts to contact each of the applicant's employers over the previous three-year period to determine if the employee has tested positive for either drugs or alcohol. The Town will document this effort clearly and will maintain these records for a minimum of five years. The applicant must provide consent for the town to obtain this information. Failure to provide consent will disqualify an applicant from employment or disqualify an incumbent employee's applicant for transfer into a position as a driver who performs safety-sensitive functions.

² A positive drug test is one that reveals a prohibited level of a controlled substance. An applicant who tests positive for drugs has failed the test.

If the employee has tested positive while previously employed, the Town must verify that the employee completed the rehabilitation recommended by the SAP and obtained a verified negative test result.

- **Consequences of Positive Test Result**

A positive pre-employment test for drugs shall be considered sufficient grounds to disqualify the applicant or incumbent employee from employment with the Town in a position as a driver who performs safety-sensitive functions. In addition, an incumbent employee whose test result is positive will be subject to the same consequences as an employee whose results of a random test were positive. Please refer to “Consequences of Positive Test Result, Random Testing”.

The Town will not assign an applicant or incumbent employee who has failed a drug test or who has refused to take a test, to a position as a driver who performs safety-sensitive functions. If such an applicant or employee later applies for such a position, however, the Town may, in its sole discretion, administer another drug test. If the employee or applicant passes the second pre-employment test, the Town may, in its sole discretion, assign and/or hire the employee or applicant to work in a position as a driver who performs safety-sensitive functions.

2. REASONABLE SUSPICION TESTING

Drivers who perform safety-sensitive functions will be required to submit to a drug or alcohol test when the Town has a reasonable suspicion that the driver has used a prohibited drug or misused alcohol. Reasonable suspicion is established if a supervisor trained in detecting the signs of alcohol misuse and drug use reasonably concludes, based on his/her observation that the driver has used drugs or ingested alcohol. The determination that reasonable suspicion to test exists shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver.

The Town will direct a driver to undergo reasonable suspicion testing for alcohol only if such observations are made while the driver is performing safety-sensitive functions or just before or just after the driver performs such functions. Additionally, a reasonable suspicion test for alcohol must be performed within 8 hours following a determination that reasonable suspicion to test exists. If a reasonable suspicion test is not performed within two hours after such a determination, the Town will prepare and maintain a record stating the reasons the test was not promptly administered. A written record of the observations leading to a controlled substance reasonable suspicion test shall be made and signed by the supervisor or company official within 24 hours of the observation, or before the test results are released, whichever is earlier.

A driver who undergoes reasonable suspicion testing will be removed from service without pay pending the test results. If the test results are negative, the driver will be returned to work and paid for any time lost.

- **Consequences of Positive Test Result**

Pursuant to Town policy, if the reasonable suspicion drug or alcohol test is positive, the driver will be removed from the safety-sensitive position and will be subject to discipline, up to and including discharge, as determined by the Town. The driver shall, at a minimum, be subject to the same consequences applied to drivers following a positive random test. Please refer to “Consequences of Positive Test Result, Random Test”. If the driver is not discharged, the driver shall, at a minimum, be subject to the same requirements regarding assessment, rehabilitation, and return-to-work testing applied to drivers following a positive random test.

3. POST ACCIDENT TESTING

Tests for the use of prohibited drugs and misuse of alcohol will be administered as soon as possible after an accident involving a commercial motor vehicle. Each surviving driver who was performing a safety-sensitive function with respect to the vehicle will be tested if the accident involved the loss of a human life. Additionally, each driver who received a citation (including a written warning) for a moving violation arising from the accident will be tested if either of the following has occurred:

- anyone involved in the accident receives immediate medical attention away from the scene of the accident; or
- any of the involved vehicles are disabled and must be towed from the scene, except where the vehicle’s disability is entirely due to a flat tire.

Post-accident tests will be conducted as soon as possible following the accident. Drug tests must be performed within 32 hours and alcohol tests within 8 hours following an accident. If the driver has not submitted to an alcohol test within two hours of the accident, the Town will prepare and maintain on file a record stating the reason that the test was not administered promptly. If the alcohol test is not administered within 8 hours after the accident, the Town will cease efforts to administer the test and will maintain the same documents. If the drug test is not administered within 32 hours, the Town will cease efforts to test for drugs and will prepare and maintain the same type of record.

The results of a 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, shall be considered to meet the requirements of this section, provided such tests conform to applicable federal, state or local requirements and the Town receives the results of the test from the jurisdiction or the driver. If a drug or alcohol test cannot be performed by the Town’s contractor due to medical treatment being given the employee, any drug and/or alcohol tests conducted by the provider of the medical care shall be released to the contractor’s Medical Review Officer.

These testing requirements will not delay necessary medical attention for injured people, nor will they prohibit a driver who was performing a safety-sensitive function from leaving the scene of

an accident to obtain assistance in responding to the accident or to obtain necessary emergency medical care. However, drivers performing a safety-sensitive function must remain readily available for testing for 32 hours. This means the driver must ensure that the Town knows the driver's location for at least a 32-hour period following an accident, or until post-accident drug and alcohol tests have been completed, whichever occurs first. A driver who is not available for testing will be considered to have refused to submit to testing unless his/her unavailability is attributable to efforts to obtain assistance in responding to the accident or obtaining necessary emergency medical care. Drivers will be provided with necessary post-accident information, procedures and instructions prior to operating a commercial motor vehicle so they will be able to comply with this policy. The Town will consider a driver who is not available for testing to have refused to submit to testing. A driver subject to post-accident testing must refrain from consuming alcohol for 8 hours following the accident or until he/she submits to an alcohol test, whichever comes first.

- **Consequences of Positive Test Result**

Pursuant to Town policy, if the result of either test (drug or alcohol) is positive, the driver will be removed from the safety-sensitive position and will be subject to discipline, up to and including discharge, as determined by the Town. In no event shall the consequences of a positive post-accident drug or alcohol test be less than the consequences of a positive random drug or alcohol test. Please refer to "Consequences of Positive Test Result, Random Test". If the driver is not discharged, the driver shall, at a minimum, be subject to the same requirements regarding assessment by a SAP, rehabilitation, follow-up and return-to-work testing applied to drivers following a positive random test.

Pursuant to FMCSA regulations, a driver who refuses to submit to post-accident drug and alcohol tests after a fatal accident will be disqualified from performing safety-sensitive functions for one year. Additionally, the Town will treat the driver as if he/she had a positive drug test and an alcohol concentration of greater than 0.04.

4. RANDOM TESTING

Random testing will be conducted at least at the rate established by law for all drivers performing safety-sensitive functions. Random tests will be unannounced and spread reasonably throughout the year. There will be no pattern to when random tests will be conducted, and all drivers who perform safety-sensitive functions will have an equal chance of being selected for testing from the random pool each time a random selection is conducted. Drivers shall remain in the pool even after being selected and tested. A driver, therefore, may be selected for a random test more than once during a year. FMSCA's current random selection rate is 50% for drugs and 10% for alcohol every year.

Drivers will be selected anonymously using an identification number having no correlation to their names. The driver must report to the collection site immediately after receiving notification of his/her selection from the random pool. It is the responsibility of the Town's contractor to maintain the database of drivers who perform safety-sensitive functions and to perform the

random selection of drivers to be tested each month. In the event a randomly selected driver is absent from work on the day his/her test was scheduled, the driver will be tested immediately upon his or her return to work as practicable, unless the employee fails to return to work before the next randomly selected random testing date. In such an event, an additional driver identification number will be selected for each absent driver previously selected for testing. In the event it is necessary to collect a urine specimen from a driver for random testing outside his or her regular work hours, the driver will be paid for the extra time at the applicable overtime rate. A driver will be subject to random testing for alcohol only while the driver is performing safety-sensitive functions or just before or just after performing safety-sensitive functions.

- **Consequences of Positive Test Result**

After learning of a driver whose random drug test is positive or whose alcohol test result is 0.04 or greater, the Town will suspend the safety-sensitive employee until he/she has been evaluated by the SAP, completed all recommended treatment, and taken a return-to-duty drug and/or alcohol test with a verified negative result. During the suspension period, the employee will be allowed to use accrued earned days and vacation time, if any. If the employee has no accrued earned days or vacation time, or if they are exhausted during the suspension, the employee may use accrued sick leave, if any. If during such suspension, the employee exhausts earned days, vacation, and sick leave, the employee may apply for unpaid leave of absence as specified in the collective bargaining agreement. Authorization for such unpaid leave will not be unreasonably withheld.

The second positive result in any type of drug and/or alcohol test (transfer, random, reasonable suspicion, post-accident, return-to-duty, or follow-up) will result in immediate termination.

5. RETURN-TO-DUTY TESTING

A driver with a verified positive drug test result, an alcohol test result of 0.04 or greater, a refusal to submit to a test, or any other activity violating this policy or state or federal law may not return to work until he/she is evaluated by a SAP and passed a return-to-duty drug or alcohol test. To take the return-to-duty test, the driver must be released for return to duty by a SAP who has concluded that the driver has followed the recommendations for treatment made by the SAP. To pass the return-to-duty test, the result must be a verified negative drug test result and/or an alcohol test result of less than 0.02.

The Town will not use a driver who previously tested positive but has not been recertified and tested negative.

- **Consequences of Positive Test Result**

Any positive return-to-duty drug test or any return-to-duty alcohol test with a result of 0.02 or higher for a driver subject to return-to-duty testing will be grounds for and result in immediate termination.

6. FOLLOW-UP TESTING

Employees permitted to return to duty are subject to unannounced follow-up testing for at least 12, but not more than 60, months after returning to duty. Follow up testing for alcohol will be conducted only when the driver is performing safety-sensitive functions or just before or just after the driver performs such functions. The SAP will determine the frequency and duration of the follow-up testing. A minimum of 6 follow-up tests during the first 12 months after the employee has returned to duty will be performed.

This testing will be conducted separate from and in addition to the regular random testing program. Accordingly, drivers subject to follow-up testing will remain in the standard random pool and will be tested whenever their names come up for random testing, even if this means being tested twice in the same day, week or month.

If a driver is subject to follow-up drug tests, the driver may be required to take one or more follow-up alcohol tests with a result of less than 0.02. If the employee is subject to follow-up alcohol tests, the employee may be required to take one or more follow-up drug tests with a verified negative result.

- **Consequences of Positive Test Result**

Any positive test result for a driver subject to follow-up testing (including the positive result of a safety-sensitive job transfer, random, reasonable suspicion, post-accident, or other test) will be grounds for and result in immediate termination.

XII. CONSEQUENCES OF ENGAGING IN DRUG AND ALCOHOL RELATED CONDUCT

Controlled Substances

Any driver who tests positive for drugs or refuses to submit to a drug test will be removed from performing safety-sensitive functions immediately. Pursuant to Town policy, a verified positive drug test may subject the employee to discipline, up to and including discharge. A driver who tests positive for drugs or refuses to submit to a drug test may not perform a safety-sensitive function until he/she has been evaluated by a SAP in consultation with the MRO, completed all recommended treatment, and taken a return-to-duty test with a verified negative result. The Town retains the right to terminate or otherwise discipline a driver who tests positive for drugs or refuses to submit to a drug test.

Alcohol

Drivers are prohibited from possessing unmanifested alcohol, alcohol-containing products or medication that is not specifically manifested to be on the truck or bus.

Any driver who has an alcohol concentration of 0.02 or greater but less than 0.04 may not perform a safety-sensitive function until the start of the driver's next regularly scheduled duty

period, provided such period is not less than 24 hours following administration of the confirmation alcohol test. Any driver who has an alcohol concentration of 0.02 or greater but less than 0.04 in three tests given for any reason (transfer, random, reasonable suspicion, or post-accident) will be subject to immediate termination.

A driver whose alcohol test reveals a breath alcohol concentration of 0.04 or greater will not be permitted to perform a safety-sensitive function until he/she has been seen by a SAP, completed all recommended treatment, and passed a return-to-duty test with a breath alcohol concentration of less than 0.02. The Town retains the right to terminate or otherwise discipline a driver who tests positive for alcohol or refuses to submit to an alcohol test.

XIII. RETESTING AT THE EMPLOYEE'S REQUEST

FMCSA regulations provide for a "split sample" procedure, which requires a portion of each urine specimen to be retained in a separate, sealed container. A driver whose urine test is positive may request that the split specimen be tested at a separate laboratory meeting the required Federal certification. FMSCA regulations require that the driver make such request to the MRO within 72 hours of learning of a verified positive test.

All costs associated with retesting or split sample testing must be prepaid by the driver, including shipping and handling, transportation, testing and reporting to the MRO. Payment for split sample testing must be made by the driver within 72 hours of the request to the MRO for the test. If the result of the retest or split sample test is negative, these costs will be reimbursed to the driver. The Town will review the results of a retest in consultation with laboratory staff and the MRO. If the results of the retest are negative, the Town reserves the right to require the driver to provide a new urine sample for testing. If the Town does not require a new test, or if the results of this new test are negative, the driver will be reinstated with no loss of seniority and paid for lost back wages.

XIV. NOTIFICATION OF CONVICTIONS

Pursuant to the requirements of the Drug-Free Workplace Act, employees must notify the Town within five days of any criminal drug statute conviction for a violation occurring in the workplace.

XV. CONTACT PERSON

FMCSA regulations require that a single contact person be identified to answer questions about this policy. For the purposes of this policy, the contact person will be Terry Jones, Benefits Manager, East Hartford Town Hall, 740 Main Street, East Hartford, CT 06108, (860) 291- 7223. Copies of relevant regulations are also available at this address.

XVI. EFFECTS OF ALCOHOL

FMCSA regulations require that written drug and alcohol testing policies include a discussion of the effects of alcohol misuse. Information on the effects of alcohol abuse on employees' health, safety and the work environment will be provided to each employee.

XVII. EFFECTS OF CONTROLLED SUBSTANCES

FMCSA regulations require that written drug and alcohol testing policies contain a discussion of the effects of controlled substance use. Information on the effects of drug use on employees' health, safety and the work environment will be provided to each employee.

XVIII. EDUCATION AND TRAINING

TRAINING FOR SUPERVISORS

Supervisors responsible for determining when to administer Reasonable Suspicion tests will receive training. This training will consist of at least 60 minutes for alcohol awareness training and at least 60 minutes for drug awareness training.