

TOWN OF WEBSTER
DRUG AND ALCOHOL POLICY
FOR EMPLOYEES WITH CDL LICENSES
2013

Adopted by Town Board 12/5/2013

INTRODUCTION:

The Town of Webster recognizes that our employees are our most valuable resource. It is our goal to provide a healthy, safe and efficient working environment in which to provide our diverse service to the citizens of The Town of Webster. It also recognizes that substance/alcohol abuse and/or addiction can pose serious risks to an employee's health and safety, have detrimental effects on co-workers, result in increased accidents and medical claims and adversely affect his or her family life. The use of alcohol and controlled substances will not be tolerated in the workplace. Failure to comply with the following policy will result in disciplinary action which may include penalties up to and including termination of employment.

The U.S. Department of Transportation (DOT) has issued regulations (49 CFR Parts 40, 382, 391, 392 and 395) ("the Regulations") and pursuant to the Omnibus Transportation Employee Testing Act of 1991, which governs the use of drugs and alcohol by commercial motor vehicle drivers, and which also require the Town of Webster to conduct mandatory drug and alcohol testing to covered drivers. The requirements of the DOT regulations are hereby incorporated into this Policy. If the regulations are amended, this Policy and its applicable terms, conditions and/or regulations shall be deemed to have been amended automatically at that time, without the need for redrafting. The Town reserves the right to apply the amended requirements immediately, and without giving prior notice to drivers and/or applicants unless such notice is required by the applicable law or regulation. The Town will meet with union representatives annually to review any updates to the regulations.

The Federal Motor Carrier Safety administration (FMCSA) published regulations prohibiting drug use and alcohol misuse by transportation employees who perform safety-sensitive functions. These regulations prohibit the performance of safety-sensitive functions when there is a positive drug or positive alcohol test result or an employee refuses to submit to DOT required drug or alcohol testing.

COVERED EMPLOYEES:

Under the Town of Webster & Department of Transportation FMCSA regulations, employees (hereinafter "drivers") who hold a CDL and drive Commercial Motor Vehicles (CMV) are subject to the drug and alcohol testing in accordance with federal regulations. CMV means a motor vehicle or a combination of motor vehicles which includes:

- That has a gross combination weight of 26,001 pounds or more (11,794 kilograms or more), including a towed unit with a gross vehicle weight rating of more than 10,000 pounds (4536 kilograms); or
- A gross vehicle weight rating of 26,000 pounds or more (11,794 kilograms or more); or
- Is designed to transport 16 or more passengers including the driver; or
- Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which require the motor vehicle to have a placard under the Hazardous Materials Regulations.

All drivers will be provided with this Town of Webster CDL Drug and Alcohol policy and educated on this policy. Drivers will be required to sign a confirmation receipt stating that they have received a copy of the Town of Webster Drug and Alcohol policy and that they have

received educational training that goes along with the policy. If asked to sign before reviewing the policy or before the education of the policy contact the human resource department or your union representative.

DEFINITIONS:

For purposes of this Drug and Alcohol Testing Policy for Employees with CDL Licenses, the following definitions apply (more detailed definition may be found in section 382.107):

Alcohol:

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

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 under this part.

Alcohol use:

The consumption of any beverage, mixture, or preparation, including any medication containing alcohol.

Breath Alcohol Technician (BAT):

An individual who instructs and assists individuals in the Alcohol testing process and operates an Evidentiary Breath Testing Device (EBT).

Collection Site:

A designated clinic/facility where applicants or employees may present themselves for the purposes of providing a specimen of their urine to be analyzed for the presence of Drugs or providing a sample of their breath to be analyzed for the presence of Alcohol.

Confirmation Test:

- A. For alcohol testing – A second test, following a screening test with a result of 0.02 or greater, that provides quantitative data of alcohol concentration.
- B. For Controlled substances testing – A second analytical procedure to identify the presence of a specific drug or metabolite, which is independent of the screen test and which uses a different technique and chemical principle from that of the screen test in order to ensure reliability and accuracy. (Gas chromatograph/mass spectrophotometry (GC/MS) is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine.

Controlled Substance:

- A. Any substance listed on Schedule 1 of Appendix D to Subchapter B of the Title 49 of Federal Regulations or other substance identified in Schedule 1;
- B. An amphetamine or any formulation thereof (including, but not limited to “pep pills” and “bennies”);
- C. A narcotic drug or any derivative thereof; or

- D. Any other substance, to a degree which renders the drive incapable of safely operating a motor vehicle.

Driver:

Any employee, who operates a commercial motor vehicle. This includes, but is not limited to, full time, regularly employed drivers; casual, intermittent or occasional drivers who operate a commercial motor vehicle at the direction of or with the consent of the town.

Fail a Drug Test or Test Positive:

The confirmation test result shows positive evidence of the presence under DOT procedures of a prohibited Drug in the driver or applicant's system.

Medical Review Officer (MRO):

A licensed physician responsible for receiving laboratory results generated by an employer's drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result together with that individual's medical history and any other relevant biomedical information.

On-Duty Time:

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. On-duty time shall also include all time spent traveling to and participating in either a drug or alcohol test when it is pursuant to random, reasonable suspicion, post-accident or follow up test as directed by or on behalf of the Town.

Pass a Drug Test or Test Negative:

That initial testing or confirmation testing under DOT procedures does not show evidence of the presence of prohibited Drug in the driver's or applicant's system.

Refuse to submit to an alcohol or controlled substance test:

That a driver;

- A. Fails to provide adequate breath of testing without a valid medical explanation after he or she received notice of the requirement for breath testing in accordance with the provisions of this part; or
- B. Fails to provide adequate urine for controlled substances testing without a valid medical explanation after receiving notice of the requirement for urine testing in accordance with the provisions of this part; or
- C. Engages in conduct that clearly obstructs the testing process

Safety-Sensitive Function:

Safety-Sensitive function means all time, from the time a driver begins work, or is required to be in readiness to work, until the time they are relieved from work and all responsibility for performing work.

For the purpose of this Policy and the drug and alcohol testing program, drivers are considered to be performing a safety-sensitive function and subject to drug and/or alcohol testing at the following times:

- A. All time at an employer facility or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the Town;
- B. All time inspecting equipment as required by 49 CFR, 392.7 and 392.8 or otherwise inspecting, servicing or conditioning any commercial motor vehicle at any time;
- C. All time spent at the driving controls of a commercial motor vehicle in operation;
- D. All time, other than driving time, spent in or upon any commercial motor vehicles;
- E. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
- F. All time spent performing the driver requirements of 49 CFR 392.40 and 392.41 relating to accidents; and
- G. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

Screening Test (also known as “initial test”):

- A. In alcohol testing – An analytical procedure to determine whether a driver may have prohibited concentration of alcohol in his/her system.
- B. In Controlled substance testing- An immunoassay screen to eliminate “negative” urine specimens from further consideration.

Substance Abuse Professional (SAP):

A licensed physician or a licensed or certified psychologist, social worker, employee assistance professional, addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge and/or clinical experience in the diagnosis and treatment of alcohol-related and controlled-substance-related disorders.

RESPONSIBILITIES:

The Town:

The Town shall ensure that all Covered Employees are aware of the provisions and coverage of this Policy.

Supervisor:

Supervisors are responsible for observing the performance and behavior of drivers, documenting events which might require reasonable cause testing and requesting a second supervisor for substantiation and occurrence for reasonable cause testing if available.

Driver:

- Each covered driver has the responsibility to be knowledgeable of the requirements of the policy and to fully comply with the provisions of the policy.
- Drivers must notify their supervisor of any criminal drug statute conviction within five (5) days of such conviction.

- Upon receipt of such notification or other notice for a violation occurring within the workplace, the Town will, as required by law, advise the appropriate governmental agency to which it has a contract of such conviction.
- Drivers using drugs prescribed by a licensed physician or any other therapeutic drug use are required to notify his/her supervisor when such use may impact the Employee's ability to perform his/her duties safely.
- Drivers are responsible for costs associated with Return-to-Duty and Follow-up Testing as required and all costs associated with the treatment requirements prescribed following a positive test.

PROHIBITED ACTIVITIES:

The Regulations expressly prohibit drivers from:

- A. Reporting to duty or remaining on duty requiring the performance of a safety-sensitive functions while having an alcohol concentration of 0.04 or greater.
- B. Possessing any amount of alcohol (including alcohol found in any medication, food or other alcohol-containing products) while on duty or operating a commercial vehicle.
- C. Using alcohol at any time while performing any safety-sensitive function.
- D. Using alcohol within four hours prior to performing any safety-sensitive function.
- E. Using alcohol for eight hours following an accident (as defined in this article) or until he or she undergoes a post-accident alcohol test, whichever occurs first.
- F. Refusing to submit to an alcohol or controlled substance test (as defined in this article)
- G. Reporting for duty or remaining on duty requiring the performance of a safety-sensitive function when the driver uses any controlled substances, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operation a commercial motor vehicle.
- H. Failing to inform the town that he/she is using any therapeutic drug.
- I. Reporting for duty, remaining on duty or performing safety-sensitive functions when the driver tests positive for controlled substance.

REQUIRED TESTING:

Drivers are required to undergo pre-employment, post-accident, random, reasonable suspicion, return-to-duty and follow-up testing, as necessary.

Testing for Safety-Sensitive Function:

- Prior to the first time that a driver performs a safety-sensitive function for the Town, the driver must undergo testing for alcohol and controlled substances.

Post-Accident Testing:

- This must be performed as soon as practicable following an occurrence involving a commercial motor vehicle on a public road, the employer shall test for alcohol if:
 - The driver was performing safety-sensitive functions with respect to the vehicle if the accident involved the loss of human life; or
 - The driver receives a citation within 8 hours of the occurrence under State or Local law for a moving traffic violation arising from the accident; or

- Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by tow truck or other motor vehicle.
- This must be performed as soon as practicable following an occurrence involving a commercial motor vehicle on a public road, the employer shall test for controlled substances if:
 - The driver was performing safety-sensitive functions with respect to the vehicle if the accident involved the loss of human life; or
 - The driver receives a citation within 32 hours of the occurrence under State or Local law for a moving traffic violation arising from the accident; or
 - Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by tow truck or other motor vehicle.
- Post-accident alcohol testing shall be done within two (2) hours of the accident.
- A driver required to take a post-accident alcohol test may not use alcohol for eight (8) hours after the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first. A post-accident alcohol test will not be performed more than eight (8) hours after an accident.
- Post-accident controlled substance tests shall be performed within thirty-two (32) hours following the accident or will not be performed at all.

Random Testing:

- The primary purpose of Random Testing is to determine prohibited drug and alcohol use and to ensure a drug-free and alcohol-free workplace.
- Unannounced random alcohol testing will be performed on ten percent (10%) of the average number of drivers and random controlled substance testing will be performed on fifty percent (50%) of the average number of drivers.
- The random selection process will ensure that each driver has an equal chance of being tested each time selections are made.
- Random testing for alcohol will be completed just before, during, or immediately after the driver performs safety-sensitive work.
- Random testing for controlled substances may be done at any time the driver is at work.
- Each driver selected for random testing must proceed immediately to the test site.

Reasonable Suspicion/Reasonable Cause Testing:

- Reasonable Suspicion/Reasonable Cause Testing is designed to identify drug and/or alcohol affected employees who may pose a danger to themselves and others in their job performance.
- This testing is conducted when a trained supervisor or Town official observes specific behavior or appearance that is characteristic of alcohol or controlled substances use.

- These observations must be made just before, during, or just after the performance or a safety-sensitive function.

Return-to Duty and Follow-Up Testing:

- Each driver who has tested positively for alcohol and/or controlled substances use must undergo a return-to-duty test before being allowed to resume the performance of a safety-sensitive function.
- A return-to-duty alcohol test must result in an alcohol concentration of less than 0.02. A return-to-duty controlled substances test must result in a negative finding.
- Follow-up alcohol and/or controlled substances testing will be unannounced.
- The frequency of such follow-up testing will be directed by a substance abuse professional and consist of at least six (6) tests in the first twelve months following the driver's return to duty.
- Follow-up testing may take place up to sixty (60) months after the driver returns to duty.
- The costs for all return-to-duty and follow-up testing will be the responsibility of the employee who has been tested positively for alcohol and/or controlled substances.

METHODS OF TESTING:

Alcohol Testing:

- Alcohol testing is performed by a certified Breath Alcohol Technician ("BAT") in a location where no one except the BAT and the driver can see or hear the test results.
- An evidential breath testing device ("EBT") approved by the National Highway Traffic Safety Administration will be used.
- The BAT will require the driver to provide a driver's license and then explain the testing procedure to the driver.
- After the driver has completed the test, the BAT must show the driver the test results.
- If the screening test indicates a breath alcohol concentration of less than 0.02, the driver has passed the test and must sign the certification and fill in the date on the test form.
- If the test result is 0.02 or over, a confirmation test must be performed. The BAT will instruct the driver how to proceed.
- If the screening and confirmation test results are not identical, the confirmation test result is considered the final result.
- If the confirmation test is 0.02 or over, the driver has failed the test.

Controlled Substances Testing:

- The Town must test drivers for marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).
- Testing is accomplished by analyzing a urine sample provided by the driver.
- The testing is performed in private at designated testing locations.
- The collected urine specimen is divided into one "primary" specimen and one "split" specimen.
- Both specimens are then sent to a certified testing laboratory.
- The primary specimen is tested for drugs.

- If the test is positive, a confirmation test using gas chromatograph-mass spectrometry techniques to ensure that over-the-counter drugs are not reported as the positive.
- If there is a confirmed positive test result, the Medical Review Officer (MRO) will contact the driver before any test result is reported to the Town.
- The MRO is a licensed physician with knowledge of substance abuse disorders.
- The MRO will review the chain of custody and contact the driver to determine whether there may be alternate medical explanation for any positive test result.
- If requested by the driver, the MRO will authorize a reanalysis of the original sample if requested to do so by the driver within seventy-two (72) hours after the driver received actual notice of a positive test result.
- If the retest is negative, the MRO will cancel the test result.
- Any retest will be performed at a different Department of Health and Human Services (HHS) certified laboratory.
- This process is used to safeguard the validity of the test results and to ensure that those results are attributed to the correct driver.

DISCLOSURE INFORMATION: (Privacy Issues)

All records generated as a result of testing, both alcohol and/or controlled substances, will be considered and treated as confidential medical records. These records must be kept in a locked file cabinet in the Human Resource Department. Records will be maintained separately from the employee's personnel records and access to these records will be limited and on a strict "need-to-know" basis.

Information regarding testing results or rehabilitation may be released only upon written consent of the affected employee except:

1. As part of an accident investigation, to the D.O.T. or other government agency with regulatory authority.
2. Information may be disclosed regardless of consent in a lawsuit or other proceeding initiated by or on behalf of the employee and arising from a verified positive controlled substance and/or alcohol test.

An employee is entitled, upon written request, to obtain copies of any records pertaining to their own use of alcohol or drugs including any test records.

Records pertaining to an employee's drugs and/or alcohol use or tests will be made available to a subsequent employer upon receipt of a written request from an employee. (Disclosure by the subsequent employer is permitted only as expressly authorized by the terms of the employee's request.)

REFUSAL TO TAKE A TEST:

A driver may not refuse to take any drug or alcohol test administered pursuant to this policy. **A refusal to submit to an alcohol and/or drug test will be treated as a positive test.** Refusal to submit to an alcohol or controlled substances test means that a driver:

- A. Failed to provide adequate breath for testing without a valid medical explanation after the driver received notice of the requirement for breath testing;

- B. Failed to provide an adequate urine sample for controlled substances testing without a valid medical explanation;
- C. Failed to appear at a designated testing site after being notified to do so; or
- D. Engaged in conduct that clearly obstructs the testing process.
- E. Refused to sign necessary release forms.

CONSEQUENCES OF A POSITIVE RANDOM AND/OR FOR CAUSE ALCOHOL TEST FOR LEVELS GREATER THAN 0.04 AND POSITIVE RANDOM AND/OR FOR CAUSE DRUG TESTS:

Candidates for positions requiring CDL per this policy (including current employees) will not be hired, transferred, reassigned or promoted if the results of their pre-employment alcohol or drug test are above identified levels of positive.

Procedure:

This section shall not be construed as a waiver by the Employer of its right to take appropriate disciplinary action.

An employee who tests positive on a random or for cause alcohol or drug test will be immediately removed from the performance of safety sensitive work.

- A covered driver is responsible for costs associated with Return-to-Duty and Follow Up Testing as required and all costs associated with the treatment requirements prescribed following a positive test.
- When a driver has been notified by the Medical Review Officer of a positive test as a result of a random drug test, or greater than 0.04 on a random or for cause alcohol test, he/she will be required to contact a Substance Abuse Professional (SAP), as identified by the Town within 24 hours of notification of the positive test to schedule an evaluation appointment.
- The SAP will evaluate the employee to determine whether he/she needs assistance resolving problems associated with alcohol and/or drug misuse and refer the employee for any necessary treatment.
- The employee must accept, participate in and successfully complete any course of action recommended by the SAP prior to being returned to safety sensitive functions. Under the regulations, the employee must be evaluated again by the SAP to determine whether the employee has successfully complied with the treatment program prescribed following the initial evaluation, undergo a Return to Duty test, and be subject to Follow Up testing for the next twelve months (a minimum of six (6) as described in the regulations) and/or additional testing as set forth by the SAP.) Failure to successfully complete the recommended course of action or a positive test will be grounds for immediate termination without recourse.
- The employee must accept the first available opportunity if the SAP recommends a rehabilitative program as a condition of the employee returning to the performance of safety sensitive functions.

- If the employee is unable to perform all the duties within the employee's job description as stated above, the employee will be suspended without pay **pending disciplinary action.**
- **Use of Accruals:** An employee who for the first time is placed on a leave of absence as a result of a positive alcohol and/or prohibited drug test will be allowed to use accumulated sick leave, vacation leave and other accrued leave up to the limits set forth in the collective bargaining agreement. (Note: Accruals cannot be taken during any unpaid disciplinary suspension period.)
 - Once the employee has exhausted their leave accruals they will be placed on a leave of absence without pay.
 - When the credit banks of the employee are exhausted, the Town will then place the employee on an administrative leave without pay until the employee has met the requirements to be returned to his/her full job duties, as defined in the regulations. This includes release by the SAP and successful completion of return to duty testing.
- Nothing herein shall be construed to diminish any rights which may apply under the Americans with Disabilities Act, Family Medical Leave Act or other relevant laws.

IF AN EMPLOYEE IS REFERRED TO A SUBSTANCE ABUSE PROFESSIONAL FOR A VIOLATION OTHER THAN A FIRST TIME VIOLATION, THE TOWN WILL TERMINATE THE EMPLOYEE IMMEDIATELY AND IS UNDER NO REQUIREMENT TO REINSTATE SAID EMPLOYEE.

CONSEQUENCES FOR DRIVERS FOUND TO HAVE AN ALCOHOL CONCENTRATION OF BETWEEN 0.02 AND 0.04:

A driver whose test result falls between 0.02 and 0.04 is considered temporarily unfit to perform his or her duties.

- The Town will handle positive alcohol tests of greater than .02 but less than .04 through the progressive discipline process. The employee will be sent home, without pay, until the start of his/her next regular shift, as long as it is not less than 24 hours from the time of the positive test. Once released from work, the employee shall be responsible for alternate transportation from the facility.

NOTE:

Employees covered by this DOT/CDL Drug & Alcohol Policy are also accountable for Town policies as outlined in the Employee Handbook with respect to:

- Section 905 Drug Free Workplace / Drug Awareness Program
- Section 906 Controlled Substance and Alcohol Testing
- Section 506 Vehicle Usage
- Section 507 Driver License and Insurance Requirements

EMPLOYEE ASSISTANCE (EAP):

It is the policy of the Town to work with an employee suffering from substance abuse so that the employee will receive assistance necessary to overcome dependency. An employee seeking such assistance is encouraged to contact the employee's Department Head to discuss the situation before problems begin to surface in the workplace. Any disclosures made by an employee will be treated as strictly confidential to the greatest extent practicable. The employee's decision to seek assistance will not be used as the basis for disciplinary action nor used against the employee in any disciplinary proceeding.

EAP FOR THE TOWN:

Bree Health by ENI (1-800-327-2255 login.breehealth.com company code: 8850

THE EFFECT OF ALCOHOL AND CONTROLLED SUBSTANCE ABUSE:

Attached are fact sheets covering alcohol, marijuana, cocaine, amphetamines, opiates, and PCP. These sheets describe each substance, give the signs and symptoms of its use, its health effects, related workplace issues and other information.

Drivers are reminded that certain over-the-counter medications contain warnings that state in effect "Product may cause drowsiness. Do not operate heavy equipment or machinery while taking". It is a violation of DOT regulations to take such medications and drive a commercial motor vehicle.

If you believe that you or someone else may need help, you may contact one of the following agencies listed below who will be able to refer you to a substance abuse professional.

Alcoholics Anonymous Rochester	585-232-6720 www.rochesteraa.org
Al-Anon/Alateen Family Groups Rochester	585-288-0540 www.aisrochester.org
Drug & Alcoholics Addiction Treatment	800-315-2056 www.addictions.com
National Institute of Drug Abuse	800-662-HELP www.findtreatment.gov

QUESTIONS ABOUT MATERIALS:

If you have any questions regarding this Policy or the DOT drug and alcohol testing requirements, please contact the following individual:

Kelsey Feeney, PHR Human Resources Director
1000 Ridge Road Webster New York 14580
585-872-7083
kfeeney@websterny.gov

APPENDIX A

Town of Webster Drug and Alcohol Testing Administrative Personnel and Service

1. Drug/Alcohol Program Manager (DAPM)
 - Director of Personnel
 - Highway Superintendent
2. Medical Review Officer (MRO)
 - Provided by Third Party Administrator
3. Third Party Administrator:
 - Wellnow Urgent Care
1867 Empire Boulevard
Webster, NY 14580
585-347-3689
WN5164@wellnow.com
4. Substance Abuse Professional (SAP)
 - Employee Assistance Program – Town (EAP) Provider
5. Certified Laboratory
 - To be provided by Third Party Administrator

APPENDIX B

FITNESS FOR DUTY REASONABLE SUSPICION AND POST ACCIDENT TESTING

Please Check Appropriate Testing Criteria

_____ Reasonable Suspicion/Reasonable Cause

As part of a Fitness for Duty determination, you are being directed to submit to a Drug and Alcohol Test to determine your fitness for duty. Understand that if you refuse to be tested, it will be considered a positive test and you will immediately be suspended from work without pay and become subject to disciplinary action up to and including termination of employment.

Having read and understood the above:

_____ I refuse to be tested as required by my supervisor

_____ I agree to be tested as required by my supervisor

_____ Post Accident Testing

As part of a Post Accident Fitness For Duty determination, you are being directed to submit to a Drug and Alcohol Test to verify that you are not impaired due to the use of illegal drugs or alcohol.

Understand that if you refuse to be tested, you will immediately be suspended from work without pay and become subject to disciplinary action up to and including termination of employment.

Having read and understood the above:

_____ I refuse to be tested as required by supervisor

_____ I agree to be tested as requested by my supervisor

Employee Number: _____

Employee Signature: _____

Date: _____

Witness/Supervisor: _____

Witness/Union Representative (if elected by employee): _____

**CONFIRMATION OF RECEIPT AND UNDERSTANDING
TOWN OF WEBSTER DRUG & ALCOHOL POLICY &
EMPLOYEE COMMITMENT TO ALCOHOL & DRUG FREE EMPLOYMENT**

I acknowledge that I have received:

A copy of the Town's Drug and Alcohol Policy for employees with CDL licenses.

This policy includes the following information:

- DOT requirements for random drug and alcohol testing
- Prohibited driver conduct
- Circumstances under which a driver will be tested for alcohol and/or controlled substances
- Procedures that will be used to test for the presence of alcohol and controlled substances
- What constitutes safety sensitive work
- What period of time compliance is required
- What constitutes a refusal to be tested and the associated consequences
- Consequences for drivers found to have violated the prohibitions of this policy
- Consequences for drivers found to have an alcohol concentration of 0.02 or greater, but less than 0.04, and consequences for greater than 0.04
- Information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life
- Signs and symptoms of an alcohol or controlled substance problem, and available methods of intervening when an alcohol or a controlled substance problem is suspected
- Identity of the person designated by the Town to answer driver questions about the materials

A copy of Department of Transportation Office of Drug & Alcohol Policy & Compliance brochure entitled "What Employees Need to Know About DOT Drug & Alcohol Testing"

I understand that I have an obligation and a duty to the Town, my co-workers, the community, residents, and taxpayers. I am committed to fulfilling my obligations outlined in the DOT regulations, my responsibilities holding a CDL license and the Town's safety policies. I understand this material and agree to abide by all the provisions of this policy and procedures as a condition of my employment.

I further understand that violation of this policy may result in discipline; up to and including termination of employment with the Town.

Employee Name (Printed): _____ Date: _____

Employee Signature: _____

Town Official _____