



Code: **GBEDA**
Adopted: 9/13/95
Revised/Readopted: 2/28/96; 3/13/02; 4/09/14
Orig. Code(s): GBEDA

Drug and Alcohol Testing - Transportation Personnel

The district is committed to compliance with federal state drug and alcohol prevention and testing programs.

Accordingly, all employees subject to commercial driver's license (CDL) requirements shall be prohibited from:

1. The use of drugs, unless a written prescription from a licensed doctor or osteopath is provided, including a statement advising that the prescribed substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle;
2. The use of alcohol including:
 - a. While on duty;
 - b. Eight hours before driving, in accordance with Oregon Administrative Rules;
 - c. Eight hours following an accident;
 - d. Consumption resulting in prohibited levels of alcohol in the system.

"Drugs" as used in this policy refers to controlled substances as covered by the Title 49 C.F.R. Part 40, including marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

All covered individuals offered employment with the district and district employees transferring to positions subject to the Title 49 C.F.R. Part 40 shall be required to submit to pre-employment drug testing. Additionally, covered employees will be subject to reasonable suspicion, random and post-accident alcohol and drug testing. Return-to-duty and follow-up testing may also be required.

Pre-employment alcohol and drug testing costs will be paid by the district. All current employee drug and alcohol testing, including reasonable suspicion, random, post-accident, return-to-duty and follow-up testing costs, as applicable, will be paid for by the district. The district will comply with collective bargaining agreement provisions.

All offers of employment or transfer to covered positions with the district will be made contingent upon testing results. An individual who tests positive for drugs or tests with a breath alcohol content level of 0.02 or higher will not be hired or transferred.

An offer of employment or transfer will also be immediately withdrawn from an individual who refuses alcohol and drug testing.

Employees who refuse to comply with testing requirements are subject to immediate disciplinary action up to and including dismissal in accordance with Board policy.

Covered employees who, under the district’s reasonable suspicion, random, post-accident, return-to-duty or follow-up testing program, test positive for drugs or test with the breath alcohol content level of 0.02 or higher will be subject to immediate dismissal in accordance with Board policy. Notification of available resources for evaluation and treatment will be made as required by law. Additionally, employees may be subject to CDL prohibitions and penalties under the Title 49 C.F.R. Part 40 and applicable Federal Motor Carrier Safety Regulations (FMCSA).

END OF POLICY

Legal Reference(s):

[ORS 657.176](#)

[OAR 581-053-0420\(4\)\(b\)\(B\)\(ii\)](#)

[OAR 581-053-0620\(1\)\(d\)](#)

[OAR 581-053-0220\(3\)\(h\)](#)

[OAR 581-053-0430\(13\),\(14\)](#)

SB 193 (2013)

[OAR 581-053-0230\(9\)\(t\)](#)

[OAR 581-053-0531\(12\),\(13\)](#)

[OAR 581-053-0615\(2\)\(c\)\(D\)\(ii\)](#)

Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §§ 31301-31317; 49 C.F.R. Parts 40, 382, 391-395 (2006).

Cross Reference(s):

EEACA - School Bus Driver Examination and Training

GCBD/GDBD - Personal Illness and Injury Leave