



City of Santa Ana
Administrative
Policies and Procedures


City Manager's Authorization

Section

Personnel Services

Subject

DOT SUBSTANCE ABUSE POLICY

Date

June 1, 2015
Revised

Number

I. POLICY PURPOSE

Drug and alcohol testing is mandated by the U.S. Department of Transportation (DOT). Effective January 1, 1995, the City of Santa Ana ("City") was required to comply with the Federal DOT Regulations implementing the Omnibus Transportation Employee Testing Act of 1991. Specifically, the City must comply with the Procedures for Transportation Workplace Drug and Alcohol Testing Programs and the Federal Motor Carrier Safety Administration (FMCSA) Rules ["DOT Rules"]. This policy sets forth the rights and obligations of safety-sensitive employees. The DOT Rules shall prevail over this policy in the event of any conflict between the two.

The primary safety objective of the DOT Rules is to prevent, through deterrence and detection, alcohol and controlled substances users from performing safety-sensitive functions. If you are a safety-sensitive employee covered by these requirements, you must familiarize yourself with the provisions of this policy. Compliance with this policy is a condition of your employment. You should also be aware that you are still required to comply with the provisions of the City's *Drug-Free Workplace: Non-DOT Substance Abuse Policy*. Specifically, the obligations and requirements as set forth below are in addition to existing obligations and requirements under the City's *Drug-Free Workplace: Non-DOT Substance Abuse Policy*.

Complaints concerning the application of this procedure will be resolved through the grievance process as outlined in the applicable MOU.

Questions about this policy may be directed to the Drug and Alcohol Testing Program Coordinator in the Personnel Services Department (See Appendix A).

II. DEFINITION OF SAFETY-SENSITIVE EMPLOYEES

City of Santa Ana employees, including full time, part time, part time civil service, and employees appointed on a temporary basis to positions in safety-sensitive classifications, who are currently filling positions in the classifications listed in Appendix B, who possess a Commercial Driver's License (CDL) and perform, or are immediately available to perform, any of the job duties listed below, will be subject to the drug and alcohol testing requirements described in this policy. These covered employees shall be called "safety-sensitive" employees.

Safety-sensitive employees also include supervisors who possess a CDL and perform, or are immediately available to perform these functions.

The FMCSA defines a safety-sensitive function as driving any of the following vehicles:

- A. A vehicle with a gross combination weight of at least 26,001 pounds inclusive of a towed unit with a gross vehicle weight rating of over 10,000 pounds;
- B. A vehicle with a gross vehicle weight rating of over 26,001 pounds;
- C. A vehicle designed to transport 16 or more passengers, including the driver;
- D. A vehicle placarded under Hazardous Materials Regulations and used to transport hazardous materials.

III. CLASSIFICATIONS SUBJECT TO THIS POLICY

Employees filling positions in the classifications listed in Appendix B, who possess a CDL and perform, or are immediately available to perform, any of the safety-sensitive functions listed in Section II [above], shall be subject to the provisions of this policy.

IV. PROHIBITED SUBSTANCES

The following substances (and their metabolites) are prohibited by Federal DOT Regulations: marijuana, cocaine, amphetamines (e.g. methamphetamines), opiates (e.g. heroin, morphine, codeine), phencyclidine (PCP), methylenedioxymethamphetamine (MDMA), methylenedioxyamphetamine (MDA), methylenedioxyethylamphetamine (MDEA), 6-acetylmorphine and alcohol. This is subject to change consistent with alteration to the DOT Rules.

V. PROHIBITED BEHAVIOR

The following conduct is prohibited by Federal DOT Regulations and shall result in discipline, up to and including the termination of safety-sensitive employees:

- A. Reporting for duty or remaining on duty while having an alcohol concentration level of .04 or greater;
- B. Consumption of alcohol within four (4) hours prior to beginning work in a safety-sensitive position, regardless of the resulting alcohol concentration level;
- C. Consumption or possession of alcohol while performing a safety-sensitive function;
- D. Performing safety-sensitive duties when the employee has used any controlled substances, unless such use is prescribed by a physician who has advised the employee that the controlled substance will not adversely affect his/her ability to perform safety-sensitive functions;
- E. Refusal to take an alcohol and/or drug test pursuant to these regulations. A safety-sensitive employee who refuses to submit to a required drug and/or alcohol test shall

be treated in the same manner as an employee who tested .04 or greater on an alcohol test or positive on a controlled substance test;

F. Consumption of alcohol during the eight (8) hours immediately following an accident, unless the employee has been tested;

G. Remaining on duty once the employee has been notified that he/she has tested positive for a controlled substance.

For the purposes of this policy, “alcohol use” means the consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

“Work assignment” also includes any time period in which a covered employee is on “standby.” When designated safety-sensitive employees on “standby” are contacted by their manager/supervisor to report for active duty, they must inform their manager/supervisor if they consumed alcohol or drugs in violation of this policy or medication that may impair their abilities. A notified manager/supervisor shall not coerce or otherwise order such an employee to report for active duty. A safety-sensitive employee who takes medication that may impair his/her ability to perform safety-sensitive functions while on standby will not be subject to discipline.

VI. PRESCRIPTION AND OVER-THE-COUNTER (OTC) MEDICATIONS

The appropriate use of legally-prescribed drugs and non-prescription medication is not prohibited. When given a prescription by a physician, an employee must consult with his or her physician, practitioner or pharmacist, to make certain that the medicine will not affect the employee’s ability to perform his or her duties and will not result in illegal drugs being in the body’s system.

It is the employee’s responsibility to inform the physician of the employee’s job duties and determine from the physician or other health care professional, whether or not the prescribed drug may impair their job performance, or mental or motor function. When taking any prescribed medication that could affect the employee’s job performance, the employee must notify the City (supervisor) in advance of performing safety-sensitive duties. Any failure to report the use of such drugs will result in disciplinary action.

Safety-sensitive employees should use over-the-counter medications according to doctor’s directions and/or container/package directions.

VII. FIVE TYPES OF DRUG AND ALCOHOL TESTING REQUIRED

1) Pre-Employment Testing

After an offer of employment has been made, applicants for job classifications listed in Appendix B, who will be performing safety-sensitive duties, shall be required to submit to pre-employment drug testing, but not alcohol testing. Applicants must receive a negative test result in order to be appointed to a safety-sensitive position.

Additionally, FMCSA regulations require that the employer conduct pre-employment controlled substances testing whenever a safety-sensitive employee has not been part of an FMCSA-compliant controlled substances testing program for the previous thirty (30) days (e.g., because the employee was on an extended leave of absence).

2) Pre-Assignment Testing

The pre-employment testing requirement also applies to any non safety-sensitive City employee promoted, transferred or continuously and regularly assigned to perform safety-sensitive duties in any of the job classifications listed in Appendix B.

Additionally, employees who are placed on Temporary Upgrade assignments or other temporary assignments to positions in safety-sensitive classifications shall be subject to this requirement.

3) Random Drug and Alcohol Testing

DOT Federal Regulations require that employees subject to this policy shall be tested for drugs and alcohol on a random, unannounced and immediate basis. Each year, random drug tests must be performed on fifty percent (50%) of the number of employees in the random testing pool; random alcohol tests must be performed on at least ten percent (10%). Yearly testing percentages can be increased or decreased by the FMCSA Administrator. The City will remain in compliance with the DOT Regulations. The random selection of names shall be based upon a scientifically valid method. The City utilizes a computer program that generates this selection. There is no discretion on the part of management in the selection of individuals for random testing. To the extent feasible, the tests shall be spread equally throughout the year.

After the employee is notified that he/she has been selected for testing, he/she shall be provided a union representative, if requested. A manager/supervisor shall immediately transport the employee directly to the collection site. If due to the nature of his/her duties, the employee is unable to immediately comply, he/she shall inform the person who made the notification. In such a case, the manager/supervisor shall ensure the employee is transported to the testing facility as soon as reasonably possible. Supervisors shall attempt to notify employees that their name has been selected no less than one (1) hour before the end of their work shift. If testing goes beyond the employee's scheduled shift, he/she will be paid overtime (time and one-half) for the excess time.

If an employee is absent the day he/she is scheduled to be tested, his/her name shall be held and the employee will be tested the day he/she returns to work, as long as this occurs before the testing period for the next random selection of names has begun.

An employee whose confirmation alcohol test indicates an alcohol concentration level of 0.020 through 0.039 shall be removed from his/her job duties for at least 24 consecutive hours. During this time, the employee shall be allowed to take a

leave of absence, either with, or without pay. After a minimum of 24 hours has passed, the City shall retest the employee. Before returning to a safety-sensitive position, the employee's alcohol concentration level must be below 0.020. Under the City's authority, the employee may be subject to discipline for repeated occurrences of testing between 0.020 and 0.039 on alcohol tests.

NOTE: If an employee tests at 0.020 or greater for alcohol, the manager/supervisor shall make arrangements for the employee's safe transportation to his/her address.

4) Reasonable Suspicion Testing

A manager/supervisor's determination that reasonable suspicion exists shall be based upon specific contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee.

A manager/supervisor who has been trained to identify the signs, symptoms and effects of drug use and alcohol misuse may order a drug test of an employee subject to this policy any time during the employee's workday. An alcohol test may only be ordered immediately before (up to 30 minutes), during, or immediately after (before sign-out while still at the worksite) the performance of safety-sensitive functions, or while the employee is on standby. "Performance" of safety-sensitive functions includes being immediately available to perform such functions. Unless prohibited by this section, the manager/supervisor shall order both an alcohol and drug test for reasonable suspicion.

If a manager/supervisor identifies an employee whom the manager/supervisor reasonably believes is under the influence of drugs and/or alcohol, the manager/supervisor shall complete the City of Santa Ana DOT Observation/Incident Report Form (Appendix C), prior to ordering a test. This Report will document the reasons for the manager/supervisor's decision to request an alcohol/drug test.

A copy of the completed DOT Observation/Incident Report Form shall be forwarded immediately through the manager/supervisor's chain of command to the Director of the City's Personnel Services Department or authorized representative. The Personnel Department will forward another copy of the Report to the testing facility.

The employee shall be transported to the designated testing facility by a manager/supervisor.

An employee may have a representative, friend, or witness present if he/she desires. However, there shall be no unreasonable delay in conducting the drug and/or alcohol analysis due to the request of a witness. Exceeding one hour, beginning the minute an employee is notified that a test is required, will constitute an "unreasonable delay." The refusal of an employee to submit to alcohol/drug testing due to the inability of a representative to be present shall constitute a refusal to test.

The DOT Regulations require that a reasonable suspicion alcohol test must be administered within two (2) hours of the observation. If it is not, the manager/supervisor must document why the test was not promptly conducted. No alcohol test may be administered after eight (8) hours following the observation.

An employee tested for reasonable suspicion shall not be permitted to return to work prior to receiving the results of the drug and alcohol test. The manager/supervisor shall make arrangements for safe transportation of the employee to his/her residence or other location agreed to by management and the employee. The employee shall be placed on paid administrative leave pending the results of the tests.

5) Post-Accident Testing

Post-accident drug and alcohol testing shall be conducted on employees following an accident involving a commercial motor vehicle. Under the City's authority, post-accident testing is conducted when one of the following takes place:

- A) An individual requires medical treatment away from the scene and the driver has received a citation;
- B) A vehicle sustains disabling damage and the driver has received a citation;
- C) A fatality occurs.

("Disabling damage" is defined as damage which precludes the departure of a motor vehicle from the scene of an accident in its usual manner, after simple repair. This includes damage to vehicles that could have been driven, but would have been further damaged by such movement [i.e. limped away]. Disabling damage does NOT include damage that can be readily fixed on the scene, such as a flat tire, damage to headlights, taillights, turn signals, horn, or windshield wipers).

After an accident has taken place, a manager/supervisor shall transport the employee to the designated testing facility. Post-accident drug tests should be administered within eight (8) hours following an accident, and may not be administered after thirty-two (32) hours following the accident. (If a drug test is not administered within eight (8) hours following the accident, the manager/supervisor must document the reason(s) why the test was not properly administered).

Post-accident alcohol tests should be administered within two (2) hours following an accident and may not be administered after eight (8) hours. (If an alcohol test is not administered within two (2) hours following the accident, the manager/supervisor must document the reason(s) why the test was not promptly administered).

VIII. TESTING PROCEDURES

Alcohol and drug tests shall be conducted in conformance with current DOT Regulations.

1. Drug Testing

A. Collection Site Protocol

Applicant/Employee must:

- Present picture identification to the technician or nurse.
- Sign a consent form authorizing the collection site to perform the test and permit release of this medical information to the City of Santa Ana. These forms must be signed in the presence of and witnessed by a representative of the collection site.
- Fill out the applicable portions of the Federal Drug Testing Custody and Control Form and read specimen collection procedures before collection.

Refusal to comply with the above requirements shall constitute a refusal to test and be treated in the same manner as a positive test result.

A technician or nurse will collect one (1) urine specimen at a time.

The employee shall be instructed not to alter the urine specimen with water, soap, cleansing agents or any other material(s) that could adulterate a specimen. He/she shall also be advised not to flush the toilet or run water until the specimen has been given to the collector.

The employee shall return the specimen to collection site staff. In front of the employee, staff will separate 30 ml. of the specimen into a primary specimen bottle and at least 15 ml. into a secondary bottle (split sample). The secondary bottle shall not be tested initially, but shall be held by the lab in case the employee requests a test of the split sample.

Both bottles shall be shipped with copies of the Federal Drug Testing Custody and Collection Form to a Department of Health and Human Services (DHHS) certified laboratory.

B. Initial Test of Urine

Initial testing shall be performed on the primary sample using an immunoassay test. If results are negative, no further testing will be required, and a report will be provided to the Medical Review Officer (MRO) who is responsible for interpreting and verifying results.

The following levels are established by the Department of Health and Human Services (DHHS) as adopted by DOT Regulations to determine whether a urine specimen is positive for the prohibited drugs. All cutoff concentrations are expressed in nanograms per milliliter (ng/mL):

DRUG	INITIAL TEST CUTOFF CONCENTRATION
Marijuana metabolites	50 ng/mL
Cocaine metabolites	150 ng/mL
Opiate metabolites:	
Codeine/Morphine ²	2000 ng/mL
6-Acetylmorphine	10 ng/mL
Phencyclidine	25 ng/mL
Amphetamines ³ :	
Amphetamines/Methamphetamines (AMP/MAMP ⁴)	500 ng/mL
MDMA ⁶	500 ng/mL

C. Confirmation Test of Urine

If a positive result is obtained on the initial drug test, a confirmation drug test shall be performed. All confirmations shall be made by quantitative analysis – Gas Chromatography/Mass Spectrometry (GC/MS).

The following levels are established by the DOT Regulations to determine whether a urine specimen is positive for the prohibited drugs. All cutoff concentrations are expressed in nanograms per milliliter (ng/mL):

CONFIRMATORY TEST ANALYTE	CONFIRMATORY TEST CUTOFF CONCENTRATION
(Marijuana metabolite) THCA ¹	15 ng/mL
(Cocaine metabolite) Benzoylcegonine	100 ng/mL
(Opiate metabolite) Codeine	2000 ng/mL
(Opiate metabolite) Morphine	2000 ng/mL
6-Acetylmorphine	10 ng/mL
Phencyclidine	25 ng/mL
(Amphetamine) AMP	250 ng/mL
(Methamphetamine ⁵) MAMP	250 ng/mL
MDMA ⁶	250 ng/mL
MDA ⁷	250 ng/mL
MDEA ⁸	250 ng/mL

¹Delta-9-tetrahydrocannabinol-9-carboxylic acid (THCA)

²Morphine is the target analyte for codeine/morphine testing

³Either a single initial test kit or multiple initial test kits may be used provided the single test kit detects each target analyte independently at the specified cutoff

⁴Methamphetamine is the target analyte for amphetamine/methamphetamine testing

⁵To be reported positive for methamphetamine, a specimen must also contain

amphetamine at a concentration equal to or greater than 100 ng/mL
⁶ Methylenedioxymethamphetamine (MDMA)
⁷ Methylenedioxyamphetamine (MDA)
⁸ Methylenedioxyethylamphetamine (MDEA)

If the test is positive, the split sample shall be kept in frozen storage for one year from the date of its receipt for testing at the employee's request.

DILUTE URINE SPECIMEN

A dilute specimen is a specimen with creatinine and specific gravity values that are lower than expected for human urine. Dilution occurs when a donor drinks excessive fluids in an attempt to dilute the urine so only traces of a drug can be detected. If the dilute specimen tests positive for prohibited drugs, this will be considered a positive test result. If the dilute specimen tests negative for prohibited drugs, the safety-sensitive employee/applicant will be required to retest.

D. Informing the Employee of Positive Results

The Medical Review Officer (MRO), a licensed physician knowledgeable in substance abuse disorders and trained to evaluate and interpret test results, will receive laboratory results generated under this testing program. The MRO shall be responsible for interpreting the test results in light of the employee's medical history and biomedical information.

The MRO shall inform the employee that a positive test has been indicated and arrange to meet or speak with the employee before finalizing the test result. Nothing shall be placed in the record or any action taken, until the MRO has determined that the result is final.

A positive test result will be considered final, if the employee elects not to meet or speak with the MRO, or if the MRO determines that there is no legitimate medical explanation for the positive test result.

All final drug test results shall be reported to an authorized representative of the City of Santa Ana Personnel Services Department.

An employee who has a confirmed positive drug test may elect to have the split sample tested at another NIDA certified laboratory. Please see Section XI for the details of this procedure.

2. Alcohol Testing

A. Collection Site Protocol

Applicant/Employee must:

- Present picture identification to the Breath Alcohol Technician (BAT)

- Complete and sign the required Alcohol Testing Form

Refusal to comply with the above requirements shall constitute a refusal to test and will be treated in the same manner as a positive test result.

The BAT will conduct the tests of breath.

B. Initial Test of Breath

The BAT, who operates the breathalyzer, will explain the process to the employee. The employee will be asked to blow forcefully into the breathalyzer. The BAT shall compare the test result shown on the machine with that on the printout. If the test result shows a blood alcohol level of less than .02, the test is negative. If the test result shows a blood alcohol level of .02 or greater, a confirmation test of breath shall be performed. In such cases, the employee will be asked to wait between 15 and 20 minutes before taking the confirmation test of breath.

C. Confirmation Test of Breath

Before the confirmation test of breath is conducted, the BAT will perform an air blank test to ensure the breathalyzer is calibrated at 0.00. The employee will again be asked to exhale forcefully into the breathalyzer. After the confirmation test of breath, the BAT will again perform the air blank test.

All breath alcohol test results shall be reported to an authorized representative of the City of Santa Ana Personnel Services Department.

IX. CONSEQUENCES OF A POSITIVE TEST RESULT

For the purposes of this policy, a positive test is:

- A drug test whose results are above federal cutoff levels with no medically valid explanation. (NOTE: Federal cutoff levels are subject to change at any time by the DHHS).
- A refusal to test (includes, but is not limited to, failure to provide a sample or tampering with the sample).
- An alcohol test with an alcohol concentration of .04 or greater.

THE CITY HAS A ZERO TOLERANCE POLICY FOR ANY EMPLOYEE WITH A POSITIVE DOT DRUG TEST RESULT AND/OR AN ALCOHOL TEST RESULT WITH A BLOOD ALCOHOL LEVEL GREATER THAN .08.

1. Random, Post-Accident, and Reasonable Suspicion Tests

If an employee tests positive, three actions shall take place:

- He/she shall be immediately removed from safety-sensitive duties, pending an investigation into the situation; AND
- He/she shall be referred to a Substance Abuse Professional (SAP) for evaluation, per the DOT Regulations; AND
- **THE CITY SHALL TERMINATE THE EMPLOYEE.**

NOTE: Because alcohol is a legal drug, in individual circumstances in which the employee's alcohol level is between .04 and .08, the Appointing Authority may impose discipline less than termination for a first offense for a non-probationary employee. This discipline may include suspension, demotion, or transfer. Any action taken which is less than termination shall be conditioned upon signing a Last Chance Agreement. The details of the Last Chance Agreement shall be determined on a case-by-case basis.

2. Pre-Employment and Pre-Assignment Tests

If an applicant tests positive on a Pre-Employment test, the conditional offer of employment shall be rescinded and the candidate shall be rendered ineligible for any safety-sensitive position for a minimum of one year. If an employee tests positive on a Pre-Assignment test, he/she shall be subject to the provisions of the City's Substance Abuse Policy (Non-DOT).

NOTE: If an employee tests at 0.02 or greater for alcohol, the manager/supervisor shall make arrangements for the employee's safe transportation to his/her residence.

X. EMPLOYEE ASSISTANCE PROGRAM

An Employee Assistance Program (EAP) is offered to City employees and their families at no cost to the employee. The program includes professionals qualified in the area of substance abuse evaluations and referrals. Confidential assistance may be obtained by calling the City's EAP provider, REACH, at 1-800-273-5273.

If an employee has a substance abuse problem and voluntarily discloses it to the City before a disciplinary matter develops and before being selected for testing, the City will refer the employee to a substance abuse or chemical dependency program. Upon successful completion of an education or treatment program as determined by an alcohol/drug evaluation expert, the employee shall undergo alcohol and drug testing and must receive a negative drug test result and alcohol test result below 0.020 prior to performing safety-sensitive duties. However, participation in an EAP or rehabilitation program will not excuse the employee's failure to comply with the requirements of this policy.

XI. SPLIT SAMPLE TESTS

Any employee who tests positive for prohibited drugs may submit a verbal or written request to the MRO for the split sample to be tested at a different NIDA certified laboratory. This request must be received within 72 hours of the employee's notification of a positive test result.

An employee who requests that the split sample be tested shall be required to advance the cost of the additional analysis and all costs associated with the transfer of the specimen to another laboratory, including shipping and handling. In the event the split sample test reverses the findings of the original positive test, the City shall reimburse any costs collected from the employee.

XII. REFUSAL TO TAKE A TEST

If an employee refuses to be tested, the test shall be treated in the same manner as a positive test result.

The following actions constitute a refusal to be tested by a safety-sensitive employee:

- Failure to appear for any test within a reasonable time, as determined by the City, after being directed to do so by the City;
- Failure to remain at the testing site until the testing process is complete;
- Failure to provide a urine or breath specimen for any drug or alcohol test required by DOT or FMCSA regulations;
- Failure to provide a sufficient amount of urine or breath without valid medical explanation;
- Failure or decline to take a second test the City or collector has directed an applicant/employee to take;
- Failure to comply with any part of the testing process (e.g. refusal to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process) or verbal or written refusal to provide a required urine specimen;
- Failure to refrain from consuming alcohol within eight (8) hours following involvement in an accident without first having submitted to post-accident/drug/alcohol tests;
- Failure to remain at the scene of an accident prior to submission to drug/alcohol tests without a legitimate explanation;
- Providing false information in connection with a drug test, or if verified to have falsified test results through adulteration or substitution of a specimen;
- Failure or refusal to sign Step 2 of the Alcohol Testing Form.

XIII. TRAINING

All safety-sensitive employees are required to attend at least 60 minutes of training on the effects of prohibited drug use and alcohol misuse.

All supervisors/managers responsible for safety-sensitive employees are required to attend one hour of training for reasonable suspicion determinations for alcohol and

one hour of reasonable suspicion determination training for drugs. This is in addition to the sixty (60) minutes of training on the effects of prohibited drug use and alcohol misuse.

XIV. CONFIDENTIALITY

Laboratory reports or test results shall not appear in an employee's personnel file. They will be included in a separate confidential medical file. The reports or test results may be disclosed to City Management on a strictly need-to-know basis and to the tested employee upon request. Disclosure, without patient consent, may also occur when:

- The disclosure is compelled by law or by judicial or administrative process;
- The disclosure is required by the National Transportation Safety Board (NTSC), or other regulatory agency;
- The information is requested by a subsequent employer, if the employee has expressly authorized the particular records be transmitted to that employer;
- The information has been placed at issue in a formal dispute between the tested employee or applicant and the City of Santa Ana;
- The information is needed by medical personnel for the diagnosis or treatment of the employee or applicant when he is unable to authorize disclosure.

XV. FEDERALLY REQUIRED RECORDKEEPING

The City is obligated by DOT Regulations to maintain records of drug and alcohol testing (misuse prevention) programs, report the results in a management information system (MIS), and have controlled access to the recorded information.

The following record retention requirements shall apply:

- | | |
|----------|--|
| 1 year: | Verified negative drug tests, alcohol test results less than 0.02, and tests cancelled by the laboratory; |
| 2 years: | Documentation of the collection process for tests, the names of covered employees attending training on prohibited drug use, documentation of training provided to supervisors; |
| 5 years: | Alcohol test results of 0.02 or greater, verified positive drug test results, documentation of refusals to take required tests, calibration documentation, employee evaluations and referrals by substance abuse professionals, and annual calendar year MIS summary reports required by federal agencies. |

This policy supersedes the DOT Substance Abuse Policy dated October 1, 2010. Effective date of original City of Santa Ana DOT Substance Abuse Policy: March 1, 2000.

LIST OF CONTACTS

Drug and Alcohol Testing Program Coordinator

**Mary Kelley, Senior Personnel Analyst
Personnel Services Department
20 Civic Center Plaza, M-24
City Hall, 5th Floor
(714) 647-5347**

Medical Review Officer (MRO)

**Dr. Gary A. Linnemann, MD
Pacific Medical Clinic
1534 East Warner, Suite A
Santa Ana, CA 92705
(714) 557-5599**

Substance Abuse Professional (SAP)

**Dr. Marcus Dayhoff, Psy.D., CEAP
REACH Employee Assistance
101 E. Lincoln Avenue, Suite 230
Anaheim, CA 92805
(714) 533-5701**

For Confidential Assistance, call 1-800-273-5273

DHHS Certified Laboratory

**PhamaTech Laboratories
10151 Barnes Canyon Road
San Diego, CA 92121
(877) 635-5849**

SEIU Local 721 – Santa Ana Office

**1651 E. 4th Street, Suite #120
Santa Ana, CA 92701
(714) 338-5201**

**CLASSIFICATIONS WITH POSITIONS SUBJECT TO DOT SUBSTANCE
ABUSE POLICY**

Equipment Operator	Program Coordinator
Equipment Operator – Water Services	Public Works Crew Leader
Fleet Equipment Supervisor	Senior Maintenance Worker
Fleet Equipment Technician I	Senior Program Leader
Fleet Equipment Technician II	Senior Water Systems Operator
Fleet Equipment Technician III	Tree Trimmer
General Maintenance Leader	Water Services Crew Leader
General Maintenance Supervisor	Water Services Worker I
General Maintenance Worker	Water Services Worker II
Maintenance Worker I	Water Systems Operator I
Maintenance Worker II	Water Systems Operator II
Park Maintenance Assistant	Water Systems Operator III

PLEASE NOTE: An individual whose permanent classification is not listed above will be added to the random testing pool and be subject to the provisions of this policy if he/she is temporarily appointed to perform safety-sensitive functions in one of the classifications listed above.



**CITY OF SANTA ANA
DOT SUBSTANCE ABUSE PROGRAM
OBSERVATION/INCIDENT REPORT**

CHECK ONE:

☐ **REASONABLE SUSPICION** **OR** ☐ **POST – ACCIDENT**

Date of Report _____ Date and Time of Incident _____

Location of _____

Observation/Incident _____

Name of Employee _____ Job Title _____

Department _____ Supervisor's Name _____

Reasonable Suspicion Testing

Reasonable suspicion for testing means suspicion based on specific personal observation by a supervisor or manager trained in detecting the signs and symptoms of drug or alcohol abuse.

CITY OF SANTA ANA DOT SUBSTANCE ABUSE POLICY MANDATES TESTING WHEN:

☐ Specific and contemporaneous observations can be articulated by a supervisor or manager concerning the appearance, behavior, speech, or body odors of the employee.

Post-Accident Testing

Any employee must submit to drug and/or alcohol testing after an accident, whenever it is determined he/she contributed to the accident or cannot be completely discounted as a contributing factor to the accident.

CITY OF SANTA ANA DOT SUBSTANCE ABUSE POLICY MANDATES TESTING WHEN:

- ☐ A fatality occurs; OR
- ☐ An individual requires medical treatment away from the scene and the driver was cited; OR
- ☐ The vehicle sustained disabling damage and the driver was cited.

Associated with the above-mentioned kinds of behavior are a variety of “warning signs” that usually appear on the job.

PLACE A CHECK MARK ✓ NEXT TO THE SYMPTOM(S) OBSERVED IN THE ABOVE-NAMED EMPLOYEE

SYMPTOMS		
☐ Euphoria	☐ Exaggerated Sense of Ability	☐ Constricted Pupils
☐ Relaxed Inhibitions	☐ Drowsiness	☐ Dilated Pupils
☐ Slow/Depressed Breathing	☐ Depressed/Mood Changes	☐ Wandering Aimlessly
☐ Observed Use of Drugs	☐ Observed Use of Alcohol	☐ Disoriented Behavior
☐ Drunken Behavior (with or without smell of alcohol)	☐ Staggering Walk	☐ Odor of Alcohol
	☐ Slurred Speech	☐ Odor of Marijuana
☐ Rapid Breathing	☐ Excessively Talkative	☐ Hand Tremors
☐ Violent Behavior	☐ Combative/Argumentative	☐ Excessive Irritability
☐ Watery, Glassy, Red Eyes	☐ Staring into Space	☐ Poor Hand/Eye Coordination
☐ Hallucinations	☐ Poor Time Perception	☐ Other

Briefly describe **your observations** that led to this request for drug/alcohol testing. Be specific as to the conduct/behavior observed and the date/time it was observed. If more space is needed, use additional page.

Was the employee involved in an on-the-job accident?

☐ Yes

☐ No

If yes, please describe accident briefly:

Please **identify any witnesses** to the employee's behavior/conduct.

Name	Department/Address	Telephone Number
------	--------------------	------------------

Date/Time of Notification to Personnel Services Department: _____

Person making notification: _____ (Print Name)

Person receiving information: _____ (Print Name)

Was the employee given an opportunity to call a representative? ☐ Yes ☐ No Time: _____

Reasonable Suspicion/Post-Accident Test Performed: ☐ Yes ☐ No Date: _____

If "No", please explain:

Additional Information:

Name of Person Completing
this Report (Please Print)

Signature

Date