

Weakley County Board of Education



Monitoring:

Descriptor Term:

Drug and Alcohol Testing for Employees

Descriptor Code:

5.403

Issued Date:

9/28/2015

1

2 **REASONABLE SUSPICION DRUG TESTING**

3

4 Trained supervisors have the responsibility to observe and document the cause for reasonable
5 suspicion and when appropriate, refer the matter to the director of schools/designee. It is not the
6 supervisor's responsibility to attempt diagnosis. All information, facts and circumstances leading
7 to and supporting this suspicion should be included in a written report detailing the basis for the
8 suspicion. After the report is filed, the employee should be notified.

9

10 Any employee may be required to submit to substance screening if the following conditions
11 exist: (list is not inclusive)

12

13 1. Observed use, possession or sale of illegal drugs and/or use, possession, sale, or abuse of
14 alcohol and/or prescription drugs.

15

16 2. Apparent physical state of impairment of motor functions.

17

18 3. Marked changes in personal behavior not attributed to other factors.

19

20 4. Employee involvement in or contribution to an accident where the use of alcohol or drugs
21 is reasonably suspected or employee involvement in a pattern of repetitive accidents
22 whether or not they involve actual or potential injury.

23

24 5. Violation of criminal statutes involving the use of illegal drugs, alcohol or prescription
25 drugs and/or violations of drug statutes.

26

27 **TESTING FOR CDL EMPLOYEES**

28

29 All drivers and applicants for driver positions who are required to hold a Commercial Drivers
30 License (CDL) to perform their job function must adhere to the requirements of this policy and
31 all procedures relating to this policy.¹

32

33 The use, possession, sale, purchase or transfer of any controlled substances except medically
34 prescribed drugs on school property, while on school business or while operating school vehicles
35 and equipment is prohibited. Drinking alcoholic beverages during working hours, four (4) hours
36 before reporting to work or having any measurable amount of alcohol in his/her system during
37 working hours is prohibited, whether on or off school property. Working hours include all
38 breaks. Off-duty use of drugs and alcohol is prohibited to the extent that it affects driver's
39 attendance or performance and his/her ability to pass required DOT alcohol and controlled

Legal Reference:

¹ 49 U.S.C. § 31306(b)

5.403 Drug and Alcohol Testing for Employees

1 substance tests. Any violation of this policy is grounds for termination as employee of the Board
2 and possible legal prosecution.

3
4 The use of any prescription drug that could affect the central nervous system or one that would
5 impair reaction time shall be reported to the director of schools/director of transportation. Notice
6 shall be given of non-prescription (over-the-counter) drugs being taken on a regular basis. The
7 notice shall include the duration of ingestion and the possible side effects.

8 9 **Procedures**

10
11 The execution and enforcement of this policy will follow set procedures to screen bodily fluids,
12 conduct breath testing, and/or search all employee/applicants for alcohol and drug use, and those
13 employees suspected of violating this policy who are involved in a reportable accident or who
14 are periodically or randomly selected. The procedures are designed not only to detect violations
15 of this policy, but also to ensure fairness to each employee. Disciplinary action will be taken as
16 necessary.

17 18 **Implementation**

19
20 The director of schools/director of transportation is authorized to implement this policy and
21 procedures for the drug testing program, including a periodic review of the program to address
22 any problems, changes and/or revisions of it, maintenance of all records required by the federal
23 regulations, and determination upon Board approval of how the program will be accomplished,
24 whether in-house, contracted or by consortium.

25 26 **Dissemination**

27
28 The director of schools/director of transportation shall be responsible for communicating this
29 policy and the procedures to all employees affected by this policy and shall be accountable for its
30 consistent enforcement.² The director of schools/director of transportation is designated to
31 answer questions about this policy, procedures and all other matters involved in alcohol and
32 controlled substance testing of CDL drivers and the reasonable suspicion testing of all other
33 employees.

Legal Reference:

² 49 CFR § 382.601