

## **EMPLOYEE ALCOHOL AND DRUG TESTING** *(Driver Testing—Drug and Alcohol Clearinghouse)*

The district will register for and participate in the Federal Motor Carrier Safety Administration Commercial Driver's License Drug and Alcohol Clearinghouse (Clearinghouse) as required by law.

### **Clearinghouse Queries**

#### ***Pre-Employment Queries***

The district will conduct a pre-employment full query of the Clearinghouse prior to allowing any driver to perform safety-sensitive functions. A full query provides access to information in the Clearinghouse pertinent to the driver being queried. The driver must submit electronic consent through the Clearinghouse to allow the administrator or designee to obtain the following information about the driver:

1. Any verified positive, adulterated or substituted controlled substances test
2. Any alcohol confirmation test with a concentration of 0.04 or higher
3. Any refusal to submit to a test in violation of law
4. Pre-duty or on-duty alcohol use in violation of law
5. Alcohol or controlled substance use following an accident in violation of law
6. Whether an employer reported actual knowledge that the driver used alcohol on duty

#### ***Limited Queries***

In addition to the pre-employment query, the district will annually conduct a limited query of all drivers. A limited query indicates that information is available but does not reveal the information. Drivers must give written or electronic consent at the time of hiring for the annual limited query.

#### ***Full Queries***

If the limited query indicates that additional information is available for any driver, the administrator or designee will conduct a full query of that driver within 24 hours. If the full query is not conducted within 24 hours, the driver will not be permitted to perform safety-sensitive functions until the full query is conducted. Drivers must provide consent electronically through the Clearinghouse for the administrator or designee to conduct the full query.

#### ***Limitations on Safety-Sensitive Functions***

Drivers who refuse to provide the consent necessary to conduct required queries will not be permitted to perform safety-sensitive functions. Drivers who are unable to perform the essential functions of their position as a result of being prohibited from performing safety-sensitive functions may be suspended or terminated. This does not preclude suspension or termination for other reasons.

The administrator or designee will not permit any driver to perform safety-sensitive functions unless a query of the Clearinghouse demonstrates that the driver has completed any education and treatment process required by law or the district agrees to assist the driver with completion.

### **Clearinghouse Submissions**

The administrator or designee will report the following to the Clearinghouse by the close of the third business day following the date on which the information was received:

1. An alcohol confirmation test with a concentration of 0.04 or higher
2. A negative return-to-duty test result
3. A refusal to submit to a test as required by law
4. A report that the driver has completed all required follow-up tests

The administrator or designee will report the following violations to the Clearinghouse by the close of the third business day after the district obtained actual knowledge:

1. Pre-duty or on-duty alcohol use
2. Pre-duty or on-duty use of a controlled substance
3. Alcohol use following an accident

### **Records**

Records of Clearinghouse queries and the information received will be retained for three years.

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***Note: The reader is encouraged to review policies and/or forms to related information in this administrative area.***

Implemented: September 8, 2020

Revised:

Livingston Co. R-III School District, Chula, Missouri