

AMENDMENT (01/01/2020): Queen Anne's County Public Schools

FMCSA Drug & Alcohol Testing Policy

Below is a summary of changes to the Queen Anne's County Public Schools FMCSA Drug & Alcohol Testing Policy. Effective 01/01/2020 the following provisions have been added to the policy; Requirement to notify the employer in writing of any drug and/or alcohol program violations that occur with current employers; registration, consent, and queries of the FMCSA Clearinghouse; and information that will be reported to the FMCSA Clearinghouse.

I. Requirement to notify QACPS in writing of any drug and/or alcohol program violations

Each person holding a commercial driver's license and subject to the DOT controlled substances and alcohol testing requirements of 49 CFR Parts 40 & 382, who has violated any alcohol and/or controlled substances prohibitions during the course of employment in any position covered under any DOT agency subject to adherence to 49 CFR Part 40 or any subparts; must notify QACPS in writing before the end of the business day, following the day the employee received notice of the violation, or prior to performing any safety-sensitive functions, whichever comes first. Failure to comply with this requirement is grounds for immediate termination.

II. Registration, consent, and queries of the FMCSA Clearinghouse

Any applicant for a position with QACPS that requires a commercial driver's license or commercial learner's permit (CDL) or (CLP) must register with the FMCSA Clearinghouse and approve QACPS's electronic request for a full query within 2 business days of the request, or the applicant will no longer be considered for the position.

QACPS must not employ a driver subject to drug and alcohol testing under 49 CFR Parts 40 & 382 as amended without first conducting a pre-employment full query of the FMCSA Clearinghouse to obtain information about whether the driver has a verified positive, adulterated, or substituted controlled substance test result; has an alcohol confirmation test with a concentration of 0.04 or higher; has refused to submit to a test in violation of §382.211; or that an employer has reported actual knowledge as defined in §382.107; that the driver used alcohol on duty in violation of §382.205; used alcohol before duty in violation of §382.207; used alcohol following an accident in violation of §382.209; or used a controlled substance in violation of §382.213.

Any current employee of QACPS in a position that requires a commercial driver's license (CDL) is required to sign a consent form authorizing QACPS to perform a limited query in the FMCSA Clearinghouse for the duration of their employment with QACPS in a position requiring a CDL. Employees who refuse to sign the consent form authorizing a limited query are not eligible to perform safety sensitive functions and will be removed from duty. Limited queries will be conducted at least once annually. Limited queries that return information exists will require QACPS to perform a full query. Employees will be notified if a limited query returns information and full query is required, and instructed to register in the FMCSA Clearinghouse in order for QACPS

to conduct the required full query. Any employee who does not register within 24 hours will be prohibited from performing any safety sensitive until a full query is conducted and QACPS confirms the driver's Clearinghouse record contains prohibitions as defined in §382.701 (d).

Current employees who obtain their commercial driver's license learner's permit (CLP) are not permitted to drive perform any safety sensitive functions including driving a CDL vehicle until the completion of a full query in the FMCSA Clearinghouse and the receipt of a negative urine drug screen.

III. Information reported to the FMCSA Clearinghouse

QACPS and/or its designated MRO and/or TPA is required to report personal information collected and maintained to the FMCSA Clearinghouse concerning the following drug and alcohol program violations;

- A verified positive, adulterated, or substituted drug test result;
- An alcohol concentration test with a concentration of 0.04 or higher;
- A refusal to submit to any test required under 49 CFR 382 Subpart C;
- An employer's report of actual knowledge, as defined in §382.107;
- On duty alcohol use pursuant to §382.205;
- Pre-duty alcohol use pursuant to §382.207;
- Alcohol use following an accident pursuant to §382.209; and
- Controlled substance usage pursuant to §382.213;
- Report of a successful completion of the return-to-duty process by a qualified Substance Abuse Professional (SAP);
- A negative return-to-duty test; and
- An employer's report that the employee has successfully completed a follow-up testing plan as prescribed by the qualified Substance Abuse Professional (SAP).

Signature of Employee

Date

«FIRST NAME» «LAST NAME»

Printed Name