

WESTERN PACIFIC TRUCK SCHOOL
Addendum to DOT Policy - Update, October, 2010

Drug and Alcohol Testing Procedures

Effective August 31, 2009 the following regulations have been updated: 49 CFR Part 40.

Applicability: The updated regulations apply to transportation employers and safety-sensitive employees, contractors and volunteers regulated by the Department of Transportation (all CDL Operators including Students, Instructors, etc.)

A. Follow-Up and Return-to-Duty Testing

Under the new regulations, **all** Follow-UP and Return-to-Duty urine specimen collections must be directly observed.

2008 Changes to DOT Drug and Alcohol Testing

On August 25, 2008 the following regulations were updated: 49 CFR Part 40.

Applicability: The updated regulations apply to transportation employers and safety-sensitive employees, contractors and volunteers regulated by the Department of Transportation (all CDL Operators including Students, Instructors, etc.)

A. Direct Observation Procedures

The established procedures for direct observation collections described below is followed:

The donor is required to lower his or her pants and underpants to mid-thigh, and raise his or her shirt/blouse/skirt to the navel, and turn completely around so that the collector can ensure that the donor does not have a prosthetic device that could be used to cheat on the drug test. The donor will then be permitted to return his or her clothing to the proper position and proceed with the observed urination.

B. Refusal to Submit

In August 2008, the DOT made the following changes and additions to Part 40.191- *What is a refusal to take a DOT drug test, and what are the consequences?*

- *Fail to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fail to wash hands after being directed to do so by the collector).*
- *For an observed collection, fail to follow the observer's instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.*
- *Possess or wear a prosthetic or other device that could be used to interfere with the collection process.*
- *Admit to the collector or MRO that you adulterated or substituted the specimen.*

Financial Responsibility: Driver/Student is responsible for cost of all fees associated with Observed Testing, and Driver/Student agrees to reimburse employer (Western Pacific Truck school) for any and all fees charged in the case that Observed Testing is required.

Effective October 1, 2010 – NEW DOT REGULATIONS

The Department of Transportation has fine-tuned its 5-panel drug test in an effort to remove more drug-using drivers from the road. The changes outlined below are in effect as of October 1, 2010.

Effective October 1, 2010, the DOT is making the following changes to: *49 CFR Part 40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs*.

They are:

- Adding MDMA, commonly referred to as Ecstasy to the list of Amphetamines to be tested for;
- Testing for MDMA variants MDA and MDEA during confirmatory testing;
- Conducting initial testing for 6-Acetylmorphines, a common metabolite of Heroin, and
- Lowering the initial and confirmatory cut-off levels for Amphetamines and Cocaine.

Starting on October 1, 2010, all DOT drug tests will be conducted using the DOT's new 5-panel.

**ACKNOWLEDGMENT OF RECEIPT AND REVIEW OF
EMPLOYER'S ADDENDUM TO DOT POLICY**

I acknowledge that I have received a copy of the Employer's Addendum to the DOT Policy – October, 2010.

I have been made aware of the following changes to 49 CFR Part 40.

Effective August, 25, 2008

- New direct observation collection procedures.
- Expanded Refusal-to-Submit criteria.

Effective August 31, 2009:

- All Follow-Up and Return-to-Duty urine specimen collections will be directly observed.

Effective October 1, 2010

- New DOT Regulations - Changes to 49 CFR Part 40, DOT's revised 5-panel test.

I have also been made aware that it will be my financial responsibility to pay for any and all fees associated with Observed Testing.

Employee/Student Name (Printed)

Employee/Student Signature

Date

Maralyn Chavez

Designated Employer Representative (Printed)

Maralyn Chavez

Designated Employer Representative Signature)

Date