

Gadsden State Community College Policies and Procedures Manual Transportation Department



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Gadsden State Community College

Policies and Procedures Manual

Transportation Services

Introduction

Gadsden State Community College (GSCC) fleet vehicles are available for eligible employees conducting official GSCC business. Transportation Services, a part of GSCC Safety and Security, manages and coordinates the use and maintenance of fleet vehicles.

Whenever available, employees should use College-owned vehicles for travel unless approved by their supervisor for reimbursed travel in a personal vehicle. College vehicles may be reserved by contacting the Transportation Manager and completing a Vehicle Request for Transportation form (including a routing form with supervisor(s) approval (see attached form). If state cars are not available, employees may receive mileage reimbursement at the current state-mandated rate per mile with prior approval.

Current State Board Policy 401.01: Transportation

1. Definitions – For the purposes of these rules and regulations, the following definitions shall apply:
 - A. Commercial Driver License or “CDL”: A license issued in accordance with the (Article 1A of Title 32 Chapter 6 Code of Alabama 1975), and any amendment thereof or thereto, to an individual which authorizes the individual to drive a class of commercial motor vehicles subject to the *Federal Commercial Motor Vehicle Safety Act of 1986* (Title XII of Public Law 99-570).
 - B. Monthly Safety Inspection: As a minimum, check to ensure that all brakes and lights and the horn operate sufficiently and safely, and that no leaks exist in the exhaust system which would permit toxic fumes to endanger the driver and passenger. All vehicles must be inspected.
2. Transportation Manager

The President of each institution shall designate an employee of the respective institution to serve as transportation manager whose responsibilities shall include the general supervision of all transportation services provided by the institution to and/or from any campus or other site of the institution as well as to and/or from any institution activity or function. This responsibility shall include general supervision over the use of institution-owned vehicles as well as other private or publicly owned or hired vehicles used by the institution for official transportation.

3. Vehicle Maintenance

- A. General: All buses, vans, and other vehicles used by an institution to provide transportation to and/or from any campus or other site of the institution or to and/or from any institution-related activity shall be maintained by the institution in safe operating condition.
- B. State Inspections: All institution buses which fall into the category of “school bus” as defined by the rules and regulations of the Alabama Department of Education shall be subject to annual inspection by the Transportation Office of the Alabama Department of Education and shall conform to the applicable school bus safety specifications established by the Department of Education as shall then be in effect. In the event of a finding by an authorized school bus inspector of a violation of a safety standard or of any safety deficiency, the respective institution President shall take such immediate action as is appropriate to remedy the violation or deficiency. In the event that a school bus is deemed by an official inspector to be unsafe for operation, such school bus shall not be used until the bus is deemed safe for operation. Any restriction placed by an official school bus inspector on an institution-operated school bus shall be removed only (1) when a follow-up inspection by a school bus inspector confirms that the deficiency or deficiencies causing the restriction have been eliminated or (2) when the respective institution President certifies to the Alabama Department of Education Transportation Office and to the Chancellor that the prescribed repairs and/or corrections have been carried out. Such records and reports shall be maintained on file by the respective institution for a period of not less than three years after the date of the most recent entry to the particular records or reports.
- C. Local Inspections: In addition, to complying with the above safety inspection requirements for school buses, each institution which provides transportation services shall have monthly safety inspections made by a qualified mechanic of each institution-operated automobile, van, or bus used in transportation. Records of such monthly inspections and recommendations arising therefrom shall be maintained by the respective institution for a period of not less than three years from the date of the most recent entry made in a given record.

4. Appropriate Usage of College-operated Vehicles

No institution-owned or institution-operated vehicle shall be used for any purpose other than for the authorized official transportation of students, employees, visitors, and/or school property or for such other institution-related purpose as shall be specifically authorized by the respective institution President. No institution President shall participate in, authorize, or condone the use of any institution vehicle for any purpose which is in violation of any applicable state statute or State Board of Education rule, regulation, or policy.

5. Liability Insurance

- A. Each institution shall purchase and maintain liability insurance coverage on all vehicles owned by said institution.

- B. The following parties, in addition to the respective institution and its officials and employees, shall be included as named insured: The State of Alabama; The State of Alabama Board of Education; The Alabama Department of Postsecondary Education; and the officers and officials of each of the foregoing. In the event that any particular institution shall not be able to obtain insurance which meets all of the above-stated specifications or shall not be able to obtain such insurance except upon the payment of premiums which would create a financial hardship on the institution, the Chancellor shall have the authority to review and approve such automobile liability insurance coverage as the respective institution President shall submit to the Chancellor as the most appropriate coverage to be available under the existing circumstances.

6. Driver License Requirements

The *Alabama Uniform Commercial Driver License Act* requires that any person driving a vehicle designed to transport 16 or more persons, including the driver, have a current Class C Commercial Driver License. Therefore, no person shall be eligible to drive an institution-owned or institution-operated vehicle designed to carry 16 or more persons unless said driver possesses a current appropriate Commercial Driver License and provides evidence of such CDL to the respective institution's transportation manager. With regard to the official transportation of students, employees, visitors, or institution property in vehicles other than those requiring a CDL, the transportation manager of the respective institution shall ensure that each person who shall operate such a vehicle shall be properly oriented in the operation of such vehicle and possess such driver's license as may be appropriate under applicable State law for the particular vehicle.

7. Seat Belt Usage

Any person driving or riding in an institution-owned, institution-operated, or institution-hired vehicle shall have a duty to comply with Alabama's mandatory seat-belt law which includes drivers of vans and buses. Appropriate disciplinary action may be taken by the respective institution for failure by any employee or student to comply with said law. Failure by the driver of a hired vehicle to comply with the mandatory seat-belt law shall be included, in the hiring agreement, as grounds for immediate unilateral termination by the respective institution of the hiring agreement.

8. Controlled Substances and Intoxicating Beverages

- A. The institution President should establish policies and procedures which comply with provisions of Federal Motor Carrier Safety Regulations and Chapter 27, Laws of Alabama Relating to Education, latest edition. Further, the institution President must comply with the *Omnibus Transportation Employee Testing Act of 1991*. The President is required to conduct pre-employment/pre-duty, reasonable suspicion, random, and post-accident alcohol and controlled substances testing of each applicant for employment or employee who is required to obtain a CDL. An employee covered by the rules will be prohibited from refusing to take a required test.

- B. The institution President must also impose penalties on covered employees whose test results confirm prohibited alcohol concentration levels or the presence of a controlled substance; comply with extensive new reporting and record keeping requirements; adopt an employee alcohol and controlled substances misuse program; and provide for alcohol and controlled substances misuse information for employees, supervisor training, and referral of employees to employee assistance programs.
- C. No driver of any institution vehicle may possess controlled substances or intoxicating beverages while operating buses. Institution Presidents shall establish random testing procedures in cases where more than 50 drivers are employed. Drivers must provide a urine sample for testing within 32 hours after a reportable accident occurs. Behavior which indicates “reasonable cause” for controlled substance testing must be witnessed by two individuals, preferably institution administrators with one witness being the transportation manager, when possible.

9. Service Areas

Institutions will operate within the service areas described and approved by the State Board of Education when transporting students. This policy shall not apply to transportation of students for athletic or extracurricular activities.

Procedures

1. Contacts

- a. The GSCC Transportation Services office is located on the Wallace Drive Campus, Fowler Hall, 1st Floor (256) 549-8425. The Transportation Manager reports to the Director of Physical Plant, (256) 549-8603.

2. Authorized Vehicle Use

- a. GSCC provides a limited number of vehicles for eligible staff, faculty, and pre-approved individuals who are conducting official GSCC business for either in-town or out-of-town use. Eligible drivers are only those drivers listed on the official permanent driver list or the temporary drivers list. Check with the transportation manager, Mark Light (256) 549-8425 or the business services analyst, Jason Millirons (256) 439-6831, regarding the official permanent driver list. A Cabinet member can request for additional drivers to be added.

3. Vehicle Reservations

- a. Reservations for fleet vehicles should be made with Transportation Services at least seven (7) business days prior to picking up a vehicle for travel by completing a request for transportation form (Form 1 attached) and a GSCC routing form.
- b. Cancellations should be made as soon as possible so vehicles can be reserved by others and maintenance and preparation can be scheduled.

- c. GSCC vehicles cannot be used for personal business; abuse of this may result in disciplinary action. Reservations are made on the basis of the availability of vehicles, subject to the following priorities:

- A. Priorities for car reservations:

- Priority #1 Transportation of College employees/students for instructional purposes and college sanctioned events such as athletic events and musical performances.

- Priority #2 Transportation of College employees/students for non-instructional purposes.

- Priority #3 Transportation of College employees with responsibilities on more than one campus.

- Priority #4 Transportation of College employees for activities such as workshops, conferences, and off-campus meetings.

- Priority #5 Transportation of College employees for Inter-Campus activities.

- B. Priorities for van reservations:

- Priority #1 Transportation of College employees/students for instructional purposes and college sanctioned events such as athletic events and musical performances.

- Priority #2 Transportation of College employees/students for non-instructional purposes.

- Priority #3 Transportation of College employees for activities such as workshops and conferences.

- C. Priorities for bus reservations:

- Priority #1 Transportation of College employees/students for instructional activities and college sanctioned events such as athletic events and musical performances.

- Priority #2 Transportation of College employees/students for non-instructional purposes.

Reservations for trips other than for priority #1 trips will be considered tentative up to seven (7) days prior to the trip. Departments with reservations of this type will be notified by telephone or by email if an activity with a higher priority takes precedence over their request. All reservations received and confirmed within seven (7) days of the scheduled trip will be considered as firm reservations.

- d. Reserved vehicles. Reserved vehicles that are not picked up within two hours of the scheduled reservation time will be returned to the fleet, unless arrangements are made to hold the reservation. Once the reservation is lost, individuals will be issued a vehicle based on availability. Cancellations should be made as soon as possible so vehicles can be reserved by others and maintenance and preparation can be scheduled.
- e.
 - A. The Transportation Manager will determine if a vehicle is available, assign a vehicle if possible, and notify the requestor in any case.
 - B. At the time of travel, the requestor will come to the Transportation Manager's office to sign out the vehicle. The driver will receive a driver's PIN and will be able to use the gas card (Wright Express) found in the glove compartment for Wright Express locations. The driver should check with the station before fueling to ensure they accept Wright Express.
 - C. When returning the vehicle, the driver must return the key to the Transportation Manager's office and sign that the vehicle is returned.

- f. A. Use the Wright Express card found in the glove compartment
- B. Slide card and enter Drive I.D. PIN
- C. Enter actual mileage in vehicle
- D. Leave the receipt in glove compartment along with the card

4. Eligible Drivers

- a. Employees who are required to drive a GSCC vehicle as a condition of employment or who drive regularly and have passed the insurance (MVR) requirements are placed on the official permanent driver list.
- b. Employees who request use of GSCC vehicles in the course of job duties and have met the insurance (MVR) requirements are placed on the temporary drivers list. This list is for temporary approval and the driver will need to request permission every time that the driver requests approval to drive. To be eligible for his/her temporary driver status, the employee must email a copy of his/her driver's license, with approval from your dean and the date(s) the vehicle is requested to Mark Light, milight@gadsdenstate.edu, and Jason Millirons, jmillions@gadsdenstate.edu.
- c. Student employees and other approved individuals such as volunteer drivers, who have met the insurance (MVR) requirements, and have supervisory approval for GSCC vehicle use only for GSCC business, are placed on the temporary drivers list.
- d. Information will be submitted to the GSCC insurance carrier for approval.
- e. Fleet Driver privileges are denied to anyone GSCC or our insurance carrier deems ineligible.

5. Authorized Passengers

- a. GSCC faculty and staff who hold a valid GSCC identification card are authorized to travel in GSCC vehicles.
- b. GSCC students, who are approved by deans and directors, are authorized to travel in GSCC vehicles. Children, even if accompanied by GSCC student parents, are NOT authorized passengers.
- c. Authorized volunteers affiliated with an official GSCC program and directly supervised by a GSCC employee can be passengers in GSCC vehicles.
- d. A temporary employee can be a passenger in a GSCC vehicle.
- e. Individuals under contract with GSCC can be a passenger in a GSCC vehicle.
- f. Research subjects who are unable to transport themselves can be transported in GSCC vehicles with permission of the appropriate director or dean.
- g. Vendors doing business with GSCC are authorized to travel in GSCC vehicles.
- h. Visiting dignitaries, speakers and scholars are authorized passengers.
- i. A spouse or immediate family member traveling to an approved event or function can be a passenger in a GSCC vehicle.

6. Accidents

- a. All accidents must be reported to the police and Transportation Services as soon as possible.
- b. Any employee who has a driver's license revoked or suspended shall immediately notify the Transportation Manager by 9 a.m. central time the next business day and immediately discontinue operation of the vehicle. Failure to do so may result in disciplinary action, including termination of employment.
- c. The driver must follow the instructions in the transportation manual. A copy of the accident instructions is stored in the glove compartment of the vehicle. The driver's responsibilities include contacting local authorities, obtaining witness information, and completing the police accident report. Upon returning, the driver must file an Incident Report with Transportation Services.
- d. **In an attempt to minimize the results of an accident, the driver must prevent further damages or injuries and obtain all pertinent information and report it accurately.**
 - A. Call for medical aid if necessary.
 - B. Call the police. All accidents, regardless of severity, must be reported to the police. If the driver's cellphone is not operable, the driver should write a note giving location to a reliable appearing motorist and ask that person to notify the police.
 - C. Record names and addresses of drivers, witnesses, and occupants of the other vehicles and any medical personnel who may arrive at the scene.
 - D. Pertinent information to obtain includes: **license number of other drivers; insurance company names and policy numbers of other vehicles; make, model, and year of other vehicles; date and time of accident; and overall road and weather conditions.**
 - E. Do not discuss the accident with anyone at the scene except the police. Do not accept any responsibility for the accident. Don't argue with anyone.
 - F. Provide the other party with your name, address, driver's license number, and insurance information.
 - G. Immediately report the accident to the Transportation Manager. Provide a copy of the accident report and/or your written description of the accident to the Transportation Manager ASAP.
 - H. There will be a formal accident review conducted on each accident to determine cause and how the accident could have been prevented with the GSCC driver, the Transportation Manager, the Director of Physical Plant, and the business services analyst.

7. Vehicle Breakdowns

GSCC strives to maintain its fleet of vehicles in the best possible condition; however, unforeseen breakdowns can occur. The Department makes every effort to assist the user during any breakdown situation to minimize inconvenience and lost time.

- a. Contact Transportation Services regarding vehicle breakdowns.

8. Driver Responsibilities

- a. GSCC vehicles must not be used for personal use.
- b. Drivers are personally responsible for any tickets issued while driving a GSCC vehicle and must report all ticket citations received while operating a GSCC vehicle within 72 hours to Transportation Services.
- c. GSCC vehicles cannot be taken to personal residences for overnight parking except for the vehicle issued to the President.
- d. A current and valid driver's license must be presented when the vehicle is picked up from Transportation Services.
- e. Accidents are to be reported immediately (from the scene, during the same day, or as soon as practical if immediate or same day reporting is not possible). Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, up to and including termination of employment.
- f. **It is the responsibility of the approved driver to perform a pre-trip inspection. This includes at a minimum:**
 - A. Checking:
 - All Brakes
 - All Lights
 - Horn
 - Exhaust System that would permit toxic fumes to endanger the driver and passenger
 - B. Ensuring that the tires are drivable
 - C. Ensuring the Wright Express card and an updated insurance card are located inside the Vehicle.
- g. **It is the responsibility of the approved driver to report any transportation issues to the Transportation Manager.**
- h. All approved drivers must carry a cellphone with them while on a trip.

9. Safety Requirements

- a. GSCC prepares the vehicles to promote safe travel, but it is the driver's responsibility to observe safe driving practices. The following practices are noted as a reminder of some important safety tips for drivers using GSCC vehicles. Complaints of reckless driving in a GSCC vehicle may lead to disciplinary action.
- b.
 - A. No driver shall operate a college vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.
 - B. No unauthorized personnel are allowed to ride in college vehicles.
 - C. Drivers are responsible for the security of college vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.
 - D. Head lights shall be used 2 hours before sunset and until 2 hours after sunrise, or during inclement weather or at any time when a distance of 500 feet ahead of the vehicle cannot be clearly seen.

- E. Drivers are required to maintain a safe following distance at all times. Drivers should keep a safe interval between their vehicle and the vehicle immediately ahead. During slippery road conditions, the following distance should be increased.
- F. Drivers must yield the right of way at all traffic control signals and signs requiring them to do so. Drivers should also be prepared to yield for safety's sake at any time. Pedestrians and bicycles in the roadway always have the right of way.
- G. Drivers must honor posted speed limits. In adverse driving conditions, reduce speed to a safe operating speed that is consistent with the conditions of the road, weather, lighting, and volume of traffic. Tires can hydroplane on wet pavement at speeds as low as 40 mph.
- H. Radar detectors are strictly prohibited in College vehicles. Drivers are to drive at the speed of traffic but never to exceed the posted speed limit. Turn signals must be used to show where the vehicle is heading while going into traffic and before every turn or lane change.
- I. When passing or changing lanes, view the entire vehicle in the rear view mirror before pulling back into that lane.
- J. Be alert to other vehicles, pedestrians, and bicyclists when approaching intersections. Never speed through an intersection on a caution light. When the traffic signal turns green, look both ways for oncoming traffic before proceeding.
- K. When waiting to make left turns, keep the wheels facing straight ahead, so that if rear ended, the vehicle will not be pushed into the lane of oncoming traffic.
- L. When stopping behind another vehicle, leave enough space so you can see the rear wheels of the car in front. This allows room to go around the vehicle if necessary, and may prevent you from being pushed into the car in front of you if you are rear-ended.
- M. Avoid backing where possible, but when necessary, keep the distance traveled to a minimum and be particularly careful.
- N. Check behind your vehicle before backing.
- O. Plan the travel by looking at a map and plotting out the trip. Be sure to familiarize yourself with the features of the vehicle such as the headlights, windshield wipers, and other safety equipment.
- P. It is proven that seat belts save lives, and Alabama law requires that all automobile operators wear seat belts at all times. All drivers and passengers in GSCC vehicles must wear seat belts.
- Q. Driving safely requires all of your attention. Do not use cell phones or personal data devices while driving.
- R. Do not cause distractions by applying makeup or shaving. Do not try to change radio stations, CD's or tapes while driving. Do not eat or drink while driving. Do not allow conversations with passengers to draw attention away from the road. **No texting while driving.**
- S. Comply with all traffic laws at all times. Do not operate a motor vehicle while under the influence of alcohol or medicines which could cause impairment, and/or any controlled substance.
- T. Check on weather conditions prior to travel and plan additional driving time or possible delays if the weather is adverse.

10. Permanently Assigned Vehicles

- a. Vehicles may be permanently assigned to an employee such as the College President.
- b. Permanent assignment must have the approval of the President and follow the same process as stated above for temporary requests. That is, a request for transportation form with routing form must be completed and approved by the President.
- c. If an individual is permanently assigned a vehicle, financial services and payroll must be notified so that appropriate income tax regulations may be followed.

11. Vehicle Acquisitions

- a. Vehicles purchased by the College are managed by the Transportation Manager. It is the responsibility of the Transportation Manager to comply with the following:
 - A. Have the vehicles added to insurance coverage
 - B. Have College decals installed as necessary
 - C. Acquire a tag
 - D. Add them to the fleet management report
 - E. Maintain a file on each vehicle

12. Personal Use of Vehicles

- a. GSCC vehicles cannot be used for personal business; abuse of this may result in disciplinary action.

13. Contract Driver Responsibilities

- a. The contract driver will return all trip paperwork including an invoice for the driver.

Appendices

- | | |
|------------|---|
| Appendix A | Request for Transportation |
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Request for Transportation

Attach routing form

Date Submitted: _____ Date of Trip: _____ Overnight: Yes or No

Campus: Ayers ____ Wallace Drive ____ East Broad ____ Valley Street ____ McClellan ____ Cherokee ____

Program/Activity/Event: _____

Requestor: Name: _____ Email: _____

Phone: Home _____ Office _____ Cell _____

Number of Participants: _____ Type of vehicle requested car _____ van _____ bus _____

Destination: _____

City _____ State _____

Departure Time: _____ Time Event Begins: _____

Specific Pick-up Location: _____

Time Leaving Event: _____ Estimated Return Time: _____

I hereby acknowledge that I have received, read, and understand the GSCC Transportation policies and procedures manual and by signing below I am agreeing to the terms and conditions of such, providing a copy of my driver's license, and allowing GSCC's insurance provider to run an MVP report. I agree to follow all rules regarding the use and care of the GSCC vehicle. I understand that violations may result in the loss of vehicle privileges. I will be responsible for any damages incurred as a result of rule violations.

_____ Name	_____ Requestor's Signature	_____ Date
---------------	--------------------------------	---------------

For Office Use Only

Usage approved by: _____
Transportation Manager Date

Vehicle Assigned: _____

Bus Driver Assigned: _____

Comments/Changes: Director of Physical Plant Notified: Yes or No



Gadsden State Community College
Vehicle Trip and Safety Inspection Form A

Reference: Board Policy 401.01

Note: To be completed for individual trips

Date: _____

I _____ / _____ the driver of the Gadsden State Community College _____
(print name) (D.L. #) Type of vehicle
vehicle number _____ certify that I have inspected the following:

In working order Problem noted

- All Brakes [] []
All Lights [] []
Horn [] []
Exhaust System [] []

that would permit toxic fumes to endanger the driver and passenger.

Destination: _____ Passengers _____

Date: From _____ To _____

Or attach passenger manifest

IF PROBLEM IS NOTED, DO NOT DRIVE VEHICLE. CALL SECURITY AT 256-312-2132

The beginning mileage of this vehicle is _____. Ending mileage is _____.

Additional issues that need to be brought to the Transportation Manager's attention are the following:

Signature of Driver _____ Print Name _____ Date _____

Signed out by Transportation Dept. Representative _____ Signature _____ Date Received _____

Note: Photo Copy form and place in vehicle file

The vehicle was returned with a full tank of fuel. _____ Yes _____ No

Vehicle and key signed in by: _____
Security Date

This form must be returned to the Director of Physical Plant.

Director of Physical Plant Date



Gadsden State Community College
Vehicle Safety Inspection Form

Reference: Board Policy 401.01

Date: _____

I _____ the driver of the Gadsden State Community College _____
(print name) Type of vehicle

Vehicle number _____ Current mileage is _____.

I certify that I have inspected the following:

Table with 2 columns: In working order (✓ if Working X if Not) and Problems noted. Rows include All Brakes, All Lights, Horn, and Exhaust System (toxic fumes).

IF PROBLEM IS NOTED, DO NOT DRIVE VEHICLE. CALL SECURITY AT 256-312-2132

Additional issues that need to be brought to the Transportation Manager's attention are the following:

Signature of Driver

Date

This form must be returned to the Transportation Manager.

Transportation Manager

Date

Grant Charge Request

Name of grant: _____ Driver: _____

Date of travel: _____ Mileage: _____

Budget number to be charged: _____

Destination: _____

Total cost: _____

Approved: _____ Disapproved: _____

Name: _____ Date: _____

Signature: _____



Vehicle Permanent Assignment Form

Vehicle Number _____ Odometer _____

Make _____ Model _____ Year _____

Assigned to _____

Driver Assigned _____

Department _____ Date _____

Received By Name _____

Signature _____

Date _____

Issued By Name _____

Signature _____

Date _____

Attach Routing Form

Pre-trip Bus Checklist

Make: _____ Model: _____ Year: _____ Vehicle # _____

If there is a Problem place an X in the box next to the item and Include a description in the space provided on the page.

<i>Item</i>	<i>X Here</i>	<i>Description</i>	<i>Item</i>	<i>X Here</i>	<i>Description</i>
Under Hood			Extra Fuses		
Oil Level			Flashlight (fresh batteries		
Coolant			Backup Alarm		
Battery Level			Rear Door Buzzer		
Windshield Washer Level			Fire Extinguisher		
Engine/Hoses/Belts			Accessibility Equipment		
Power Steering Fluid			Fully Operable Wheelchair Lift		
Transmission Fluid			(run through Cycle)		
Interior			Wheelchair Lift Fluids		
Brakes/Parking Brake Pedals			Proper Number of Belts		
Steering			And Securement Devices		
Transmission			Manual Emergency Handpump		
Mirrors (clean & adjusted)			Backup		
Cleanliness/Swept			Exterior		
Gauges/Instruments			Tires (including spare)		
Controls (equipment)			Turn Signals		
Radio			Headlights (low and high beam)		
Horn			Clearance Lights		
Blower Fan/AC/Heater			Mirrors (clean & adjusted)		
(front and Rear)			Tail/Brake Lights		
Entrance Door Operates			Windshield Wipers		
Odometer			No Grease or Fluid Leaks		
Beginning Mileage			Fresh Body Damage		
Ending Mileage			Cleanliness/ Washed		
Safety Equipment					
Flares/Triangles					
First Aid Kit					

Trip Details

Date: _____ Department: _____ Destination: _____

Is there a passenger Manifest Form ___ Yes ___ No

I believe this vehicle is safe to make the trip detailed above.

Print Drivers Name

Drivers Signature

Date

- Note: A) Bus Driver is to complete form for each trip.
 B) Transportation Manager is to complete the form twice annually.
 C) Passenger Manifest Form is to be attached.

GADSDEN STATE COMMUNITY COLLEGE

DRUG AND ALCOHOL TESTING POLICY



choose Your Direction

MISSION: Gadsden State Community College serves its diverse communities by offering quality academic education, workforce development, and adult education opportunities that are accessible and affordable and that foster lifelong learning and global awareness. Safety & Security at the College provides a wide range of support services that enable students, faculty, and staff to function in a diverse collegiate environment. The primary mission of this unit is to ensure that functions are carried out in a safe and secure manner to include an efficient safety/security, mail, transportation, residence hall, hazardous material storage and handling, severe weather monitoring, and switchboard operation with a firm commitment to high standards that are in keeping with the College mission statement. The College is committed to safety as a priority to insure that all students and staff can achieve their goals in as risk-free environment as possible. It is the duty of all employees and students to observe and report any suspected unsafe situations to the Director of Safety & Security. A safe campus is a successful campus.

SUMMARY: Gadsden State Community College has a drug and alcohol policy that is in compliance with the drug-free workplace requirements of Public Law 100-690 for recipients of Federal contracts and grants and is committed to the maintenance of a drug-free environment for its employees and students. The purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991.

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Regular text = FTA requirements

Underlined = Gadsden State Community College requirements

A. PURPOSE

Gadsden State Community College provides public transit services for their students, faculty, and staff. Part of the College's mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Gadsden State Community College declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees. Gadsden State Community College declares a policy of zero tolerance for drug/alcohol abuse as defined in this policy.

Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace antidrug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath alcohol testing for safety-sensitive positions, and prohibits performance of safety-sensitive functions when there is a positive test result. The U.S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath specimens.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing any transit-related business. A safety-sensitive function is any duty related to the safe operation of mass transit service vehicle, security personnel who carry firearms, dispatchers or person controlling the movement of college vehicles and any other college employee who is required to hold a Commercial Driver's License. Supervisors are safety-sensitive only if they perform one of the above functions.

C. DEFINITIONS

Accident - an occurrence associated with the operation of a College vehicle which requires a Commercial Driver's License to operate, if as a result:

- (1) A person dies,
- (2) An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
- (3) One or more vehicles incur disabling damage as the result of the occurrence and are transported away from the scene by a tow truck or other vehicle. For purposes of this definition, *disabling damage* means damage which precludes departure of

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any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, mirrors or windshield wipers that makes them inoperative.

Adulterated specimen – a specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

Alcohol – the intoxicating agent in beverage alcohol, grain alcohol, ethyl alcohol, or other low molecular weight alcohol contained in any beverage, mixture, mouthwash, candy, food, preparation or medication.

Alcohol Concentration - a measurement of the quantity of alcohol in a person's body expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath testing device.

Cancelled Test – a drug test that has been declared invalid. A cancelled test is neither positive nor negative.

College Vehicle – all college vehicles used for passenger transportation service that require a Commercial Driver's License (CDL) to operate.

Covered Employee – an employee who performs a safety-sensitive function including and applicant or transferee who is being considered for hire into a safety-sensitive function. (See Part B. Applicability for list.)

Department of Transportation (DOT) – the department of the federal government which includes the U.S. Coast Guard, Federal Transit Administration, Federal Railroad Administration, Federal Aviation Administration, Federal Highway Administration, Federal Motor Carrier Safety Administration, Research and Special Programs, and the Office of the Secretary of Transportation.

Drug and Alcohol Program Manager (DAPM) – the Director of Safety and Security is authorized by the President to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DAPM also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

Dilute Specimen – a specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling Damage – damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, taillights, turn signals, horn, mirrors or windshield wipers that makes them inoperative.

Evidentiary Breath Testing Device (EBT) – an instrument approved by the National Highway Traffic Safety Administration (NHTSA) for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations. Approved devices are listed on the NHTSA conforming products list.

Negative Dilute – a drug test result which is negative for the five drug/drug-metabolites but has a specific gravity value lower than expected for human urine.

Negative Test Result – a verified measure below the minimum level of concentration of an identified drug or its metabolite specified in 49 CFR Part 40, as amended. An alcohol concentration of less than 0.02 BAC is a negative test result.

Non-negative Test Result – a test result found to be adulterated, substituted, invalid, or positive for drug/drug-metabolites.

Performing (a Safety-Sensitive Function) – any period during which a covered employee is considered to be performing a safety-sensitive function, including being ready to perform, being on-call to perform, actually performing, or directing others to perform such functions.

Positive Test Result – a verified presence of an identified drug or its metabolite at or above the minimum levels specified in 49 CFR Part 40, as amended. A positive alcohol test result means a confirmed alcohol concentration of 0.04 BAC or greater.

Prohibited Drug – Marijuana, cocaine, opiates, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

Safety-Sensitive Functions – (a) the operation of a college transit service vehicle by an employee when the operation of such a vehicle requires the driver to hold a CDL; (b) controlling the movement of a transit service vehicle; and (c) carrying a firearm for security purposes.

Substituted Specimen – a specimen with creatinine and specific gravity values that are not consistent with normal human urine.

Test Refusal – the following are considered a refusal to test if the employee:

- Fails to appear for any test (excluding pre-employment) within a reasonable time, as determined by the employer, after being directed to do so by the employer;
- Fails to remain at the testing site until the testing process is complete;
- Fails to provide a urine or breath specimen for any drug or alcohol test required by Part 40 or DOT agency regulations;
- In the case of a directly observed or monitored collection in a drug test, fails to permit observation or monitoring of the provision of a specimen;
- Fails to provide a sufficient amount of urine or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- Fails or declines to take a second test the employer or collector has directed the employee to take;
- Fails to undergo a medical examination or evaluation, as directed as part of the verification process, or as directed by the DAPM as part of the “shy bladder” or “shy lung” procedures;
- Fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process.)
- A report that there is a verified adulterated or substituted test result.

Verified Negative Test – a drug test result determined to have no evidence of prohibited drug or alcohol use above the minimum levels specified in 49 CFR Part 40, as amended.

Verified Positive Test – a drug test determined to have evidence of prohibited drug or alcohol use above the minimum levels specified in 49 CFR Part 40, as amended.

Validity Testing – the evaluation of the collected specimen to determine if it is consistent with normal human urine to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

D. EDUCATION AND TRAINING

Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use.

All college supervisory personnel, who are in a position to determine employee fitness for duty, will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse. Information on the signs, symptoms, health effects, and consequences of alcohol misuse is presented in Attachment I of this policy.

E. PROHIBITED SUBSTANCES

Prohibited substances addressed by this policy include the following:

(1) Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 – any drug or substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to, marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal substance, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also the medical use of marijuana or the use of hemp related products which cause drug or drug metabolites to be present in the body above the levels is a violation of this policy.

(2) Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all covered employees be tested for marijuana, cocaine, amphetamines, opiates, and phencyclidine as described in Section H of this policy. Illegal use of these five drugs is prohibited at all times, and thus covered employees may be tested for these drugs anytime that they are on duty.

(3) Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected or a warning from a physician or nurse practitioner to that effect must be reported to a supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.

(4) Alcohol: The use of beverages containing alcohol (including any mouthwash, medication, food, candy) or any other substances such that alcohol is present in the body while performing safety-sensitive job functions is prohibited. An alcohol test can be performed on a covered employee under 49 CFR Part 655 just before, during, or just after the performance of safety-sensitive job functions. Under Gadsden State Community College authority, an alcohol test can be performed any time a covered employee is on duty. See “PERFORMING” above.

F. PROHIBITED CONDUCT

- (1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 DFR Part 40, as amended.
- (2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline.
- (3) The Safety and Security Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol.
- (4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.
- (5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.
- (6) No covered employee shall consume alcohol within eight (8) hours prior to the performance of safety-sensitive job functions.
- (7) Gadsden State Community College under its policies and the Alabama State Board of Education policies also prohibits the consumption of alcohol all times employee is on duty.
- (8) Consistent with the Drug-Free Workplace Act of 1988, all Gadsden State Community College employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substance in the work place including college premises, college vehicles, while in uniform or while on college business.

G. DRUG STATUTE CONVICTION

Consistent with the Drug free Workplace Act of 1998, all employees are required to notify Gadsden State Community College management of any criminal drug statute conviction within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q.9 of this policy.

H. TESTING REQUIREMENTS

Analytical urine drug testing and breath testing for alcohol will be conducted as required by 49 CFR part 40 as amended. All covered employees shall be subject to testing prior to

employment, for reasonable suspicion, following an accident, and random as defined in Section K, L, M, and N of this policy. Gadsden State Community College is a zero-tolerance institution. All covered employees who have tested positive for drugs or alcohol on a random, reasonable suspicion, or post-accident will be subject to disciplinary actions pursuant to College and Alabama State Board of Education policies and procedures.

Covered employees who self-referred to management will be tested prior to returning to duty after completion of the DAPM's recommended treatment program and subsequent release to duty. Follow-up testing will also be conducted following return-to-duty for a period of one to five years, with at least three tests performed during the first year. The duration and frequency of the follow-up testing above the minimum requirements will be at the discretion of the DAPM.

A drug test can be performed any time a covered employee is on duty. An alcohol test can be performed just before, during, or after the performance of a safety-sensitive job function. Under Gadsden State Community College authority, an alcohol test can be performed any time a covered employee is on duty.

All covered employees will be subject to urine drug testing and breath or blood alcohol testing as a condition of ongoing employment with Gadsden State Community College. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in Section Q.3 of this policy. Any covered employee who is suspected of providing false information in connection with a drug test, or who is suspected of falsifying test results through tampering, contamination, adulteration, or substitution will be required to undergo an observed collection. Verification of the above listed actions will be considered a test refusal and will result in the employee's removal from duty and disciplined as defined in Section Q.3 of this policy. Refer to Section C for behavior that constitutes a refusal to test.

I. DRUG TESTING PROCEDURES

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.

The drugs that will be tested for include marijuana, cocaine, opiates, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected using the split specimen collection method described in 49 CFR Part 40, as amended. The specimen analysis will be conducted at a HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory Gas

Chromatography/Mass Spectrometry (GC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.

The test results from the HHS certified laboratory will be reported to the DAPM. The DAPM will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The DAPM will attempt to contact the employee to notify the employee of the nonnegative laboratory result, and provide the employee with an opportunity to explain the confirmed laboratory test result. The DAPM will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to the Gadsden State Community College DAPM. If a legitimate explanation is found, the DAPM will report the test result as negative to the Gadsden State Community College DAPM and no further action will be taken. If the test is invalid without a medical explanation, a retest will be conducted under direct observation.

Any covered employee who questions the results of a required drug test under paragraphs L through P of this policy may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory with no affiliation with the laboratory that analyzed the primary specimen. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the DAPM within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the DAPM if the delay was due to verifiable facts that were beyond the control of the employee. The Gadsden State Community College DAPM will ensure that the cost for the split specimen is covered in order for a timely analysis of the sample, however Gadsden State Community College will seek reimbursement for the split sample test from the employee.

If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the DAPM will declare the original test to be canceled and will direct the Gadsden State Community College DAPM and the collection site to retest the employee under direct observation.

The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary is positive, the split will be retained for testing if so requested by the employee through the DAPM. If the primary specimen is positive, it will be

retained in frozen storage for one year and the split specimen will also be retained for one year.

Observed collections:

Consistent with 49 CFR part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:

- (1) The laboratory reports to the DAPM that a specimen is invalid and that there was not an adequate medical explanation for the result; or
- (2) The laboratory reports to the Gadsden State Community College DAPM that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed.
- (3) The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen or
- (4) The temperature on the original specimen was out of range.

In addition, the Gadsden State Community College DAPM may direct a collection under direct observation of an employee if the drug test is a return-to-duty test or a follow-up test.

J. ALCOHOL TESTING PROCEDURE

Tests for breath alcohol concentration will be conducted utilizing a National Highway Traffic Safety Administration (NHTSA)-approved Evidential Breath Testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). Alcohol screening tests may be performed using a non-evidential testing device which is also approved by NHSTA. If the initial test indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. The confirmatory test must occur on an EBT. The confirmatory test will be conducted at least fifteen minutes after the completion of the initial test. The confirmatory test will be performed using a NHSTA-approved EBT operated by a trained Bat. The EBT will identify each test by a unique sequential identification number. This number, time and unit identifier will be provided on each EBT printout. The EBT printout, along with an approved alcohol testing form, will be used to document the test, the subsequent results, and to attribute the test to the correct employee. The test will be performed in a private, confidential manner as required by 49 CFR Part 40, as amended. The procedure will be followed as prescribed to protect the employee and to maintain the integrity of the alcohol testing procedures and validity of the test result.

An employee who has a confirmed alcohol concentration of 0.04 or greater will be considered a positive alcohol test and in violation of this policy. The consequences of a positive alcohol test are described in Sections Q.4-5 of this policy. Even though an employee who has a confirmed alcohol concentration of 0.02 to 0.039 is not considered positive, the employee shall still be removed from duty for at least eight hours or for the duration of the work day whichever is longer, and will be subject to the consequences

described in Section Q.6 of this policy. An alcohol concentration of less than 0.02 will be considered a negative test.

The Safety and Security Department affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be cancelled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.

The alcohol testing form (ATF) required by 49 CFR Part 40, as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

All applicants for covered transit positions shall undergo urine drug testing and breath alcohol testing prior to performance of a safety-sensitive function.

(1) All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug and alcohol test. An applicant shall not be hired into a covered position unless the applicant takes a drug test with verified negative results, and an alcohol concentration below 0.02.

(2) A non-covered employee shall not be placed, transferred or promoted into a covered position until the employee takes a drug test with verified negative results and an alcohol concentration below 0.02.

(3) If an applicant fails a pre-employment drug or alcohol test, the conditional offer of employment shall be rescinded. Failure of a pre-employment drug and/or alcohol test will disqualify an applicant for employment for a period of at least one year.

Evidence of the absence of drug dependency from a substance abuse professional that meets with 49 CFR part 40 as amended and a negative pre-employment drug test and an alcohol concentration below 0.02 will be required prior to further consideration for employment. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.

(4) When an employee being placed, transferred, or promoted from a non-covered position to a covered position submits a drug test with a verified positive result, and an alcohol concentration below 0.02 the employee shall be subject to disciplinary action in accordance with the Alabama State Board of Education policy.

(5) If a pre-employment/pre-transfer test is canceled, Gadsden State Community College will require the applicant to take and pass another pre-employment drug test.

(6) In instances where a covered employee is on extended leave for a period of 120 days or more regardless of reason, the employee will be required to take a drug and alcohol test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.

(7) An applicant with a dilute negative test result will be required to retest.

(8) Applicants are required to report previous DOT covered employer drug and alcohol test results. Failure to do so will result in the employment offer being rescinded.

L. REASONABLE SUSPICION TESTING

All Gadsden State Community College covered employees will be subject to a reasonable suspicion drug and/or alcohol test when there are reasons to believe that drug or alcohol use is impacting job performance and safety. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one supervisor who is trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Gadsden State Community College's authority, a reasonable suspicion alcohol test may be performed any time the covered employee is on duty.

The Gadsden State Community College DAPM or designee shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Sections Q.4-6 and 8-9 of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall immediately be placed on administrative leave pending disciplinary action as specified in Section Q.3 of this policy.

A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation prior to the release of the test results. This written record shall be submitted to the DAPM and shall be attached to the forms reporting the test results.

When there are no specific, contemporaneous, articulable objective facts that indicate current drug or alcohol use, but the employee (who is not already a participant in a treatment program) admits the abuse of alcohol or other substances to a supervisor in their chain of command, the employee shall be referred to a substance abuse professional for an assessment. The President shall place the employee on administrative leave in accordance with the provisions set forth under Section Q.8 of this policy. Testing in this circumstance would be performed under the direct authority of Gadsden State Community College. An employee self-referred to management, testing under this circumstance would not be considered a violation of this policy or a positive test result under Federal authority. However, self-referral does not exempt the covered employee from testing under Federal authority as specified in Sections L through N of this policy or the associated consequences as specified in Sections Q.46 and 9.

M. POST-ACCIDENT TESTING

All covered employees will be required to undergo urine, breath, or blood testing if they are involved in an accident with a college transit vehicle that results in a fatality, regardless of whether or not the vehicle is in college service. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance cannot be completely discounted as a contributing factor to the accident.

In addition, a post-accident test will be conducted if an accident results in injuries requiring immediate transportation to a medical treatment facility; or one or more vehicles incurs disabling damage, unless the operator's performance can be completely discounted as a contributing factor to the accident.

(1) As soon as practicable following an accident, as defined in this policy, the college supervisor investigating the accident will notify the college employee operating the vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

(2) The appropriate supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and within 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

(3) Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

(4) An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

(5) Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

(6) In the rare event that Gadsden State Community College is unable to perform a FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Gadsden State Community College may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

N. RANDOM TESTING

All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees.

- (1) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year.
- (2) The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates established by Federal regulations for those safety-sensitive employees subject to random testing by Federal regulations. The current random testing rate for drugs established by FTA equals fifty percent of the number of covered employees in the pool and the random testing rate for alcohol established by FTA equals ten percent of the number of covered employees in the pool.
- (3) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection and notification of the individuals who are to be tested.
- (4) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of employees that are included solely under Gadsden State Community College authority.
- (5) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can be performed just before, during, or just after the performance of a safety sensitive duty. However, under Gadsden State Community College authority, a random alcohol test may be performed any time the covered employee is on duty. Testing can occur during the beginning, middle, or end of an employee's shift.
- (6) Employees are required to proceed **immediately** to the collection site upon notification of their random selection. Failure to report to the collection site within 2 hours of notification will be deemed a test refusal.

O. RETURN-TO-DUTY TESTING

With the exception of a single incident of self-referral to management (see L. Reasonable Suspicion Testing), Gadsden State Community College declares a policy of zero tolerance for drug/alcohol abuse as defined in this policy.

All covered employees who self-referred to management, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the substance abuse professional before returning to work. For an initial positive drug test a Return-to-Duty drug test is required and an alcohol test is allowed. For an initial positive alcohol

test a Return-to-Duty alcohol test is required and a drug test is allowed. Following the initial assessment, the substance abuse professional will recommend a course of rehabilitation unique to the individual. The substance abuse professional will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there is no undo concerns for public safety.

P. FOLLOW-UP TESTING

Covered employees will be required to undergo frequent, unannounced drug and alcohol testing following their return-to-duty. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up test (beyond the minimums) will be determined by the substance abuse professional reflecting the substance abuse professional's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion and return-to-duty testing.

Q. RESULT OF DRUG/ALCOHOL TEST OR PROHIBITED ACTIVITY

Any covered employee that has a verified positive drug or alcohol test will be removed from safety-sensitive position, informed of educational and rehabilitation programs available, and referred to a substance abuse professional for assessment. No employee will be allowed to return to duty requiring the performance of safety-sensitive job functions without the approval of a substance abuse professional. Employee is subject to review and disciplinary procedures pursuant to College and Alabama State Board of Education policies and procedures.

A positive drug and /or alcohol test or other prohibited acts as described herein will also result in disciplinary action as specified herein.

- (1) As soon as practicable after receiving notice of a verified positive drug test result, a confirmed alcohol test; or a test refusal, the Gadsden State Community College DAPM will contact the employee's supervisor to have the employee cease performing any safety-sensitive function.
- (2) The employee shall be referred to a substance abuse professional for an assessment. The substance abuse professional will evaluate each employee to determine what assistance, if any, the employee needs in resolving problems associated with prohibited drug use or alcohol misuse.
- (3) Refusal to submit to a drug/alcohol test shall be considered a positive test result and a direct act of insubordination and can result in disciplinary procedures pursuant to College and State Board of Education policies and procedures. A test refusal includes the following circumstances:

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- (a) A covered employee who consumes alcohol within eight (8) hours following involvement in an accident without first having submitted to post-accident drug/alcohol tests.
- (b) A covered employee who leaves the scene of an accident without a legitimate explanation prior to submission to drug/alcohol tests.
- (c) A covered employee who is suspected of providing false information in connection with a drug test.
- (d) A covered employee who provides an insufficient volume of urine specimen or breath sample without a valid medical explanation. The medical evaluation shall take place within 5 days of the initial test attempt.
- (e) A verbal or written declaration, obstructive behavior, or physical absence resulting in the inability to conduct the test within the specified time frame.
- (f) A covered employee whose urine sample has been verified by the laboratory as substitute or adulterated.
- (g) A covered employee fails to appear for any test within a reasonable time, as determined by the employer, after being directed to do so by the employer.
- (h) A covered employee fails to remain at the testing site until the testing process is complete.
- (i) A covered employee fails to provide a urine specimen for any drug test required by Part 40 or DOT agency regulations;
- (j) A covered employee fails to permit the observation or monitoring of a specimen collection.
- (k) A covered employee fails or declines to take a second test the employer or collector has directed you to take;
- (l) A covered employee fails to undergo a medical examination or evaluation, as directed by the DAPM as part of the verification process, or as directed by the DAPM as part of the “shy bladder” or “shy lung” procedures.
- (m) A covered fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process).

(4) For a covered employee who self-referred to management and has successfully completed the treatment requirement recommend by the substance abuse professional and has been approved for return-to-duty by the substance abuse professional, a periodic unannounced follow-up drug/alcohol test which results in a verified positive shall result in disciplinary actions pursuant to College and Alabama State Board of Education policies and procedures.

(5) A verified positive post-accident, random, or reasonable suspicion drug and/or alcohol test greater than 0.04 BAC shall result in disciplinary actions pursuant to College and Alabama State Board of Education policies and procedures.

(6) An alcohol test result of less than 0.04 (<0.04) BAC shall result in the removal of the employee from duty for eight hours or the remainder or the work day whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to an alcohol test with a result of less than

0.02 BAC. If the employee has an alcohol test result of 0.02 to 0.039 BAC two or more times within a six month period, the employee will be subject to disciplinary actions pursuant to College and Alabama State Board of Education policies and procedures.

(7) The cost of any treatment or rehabilitation services will be paid directly by the employee or their insurance provider. The employee will be permitted to take accrued sick leave or administrative leave to participate in the substance abuse professional prescribed treatment program. If the employee has insufficient accrued leave, the employee shall be placed on leave in accordance with the Alabama Community College System State Board of Education Policy until the substance abuse professional has determined that the employee has successfully completed the required treatment program and releases him/her to return-to-duty. Any leave taken, either paid or unpaid, shall be considered leave taken under the Family and Medical Leave Act.

(8) In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:

(a) Mandatory referral to a substance abuse professional for assessment, formulation of a treatment plan, and execution of a return to work agreement.

(b) Failure to execute, or remain compliant with the return-to-work agreement shall result in disciplinary procedures pursuant to College and Alabama State Board of Education policies and procedures.

- Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test immediately prior to returning to work; the result of that test is negative; in the judgment of the DAPM the employee is cooperating with his/her substance abuse professional recommended treatment program; and the employee has agreed to periodic unannounced follow-up testing as defined in Section P of this policy;

(c) Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and can result in disciplinary procedures pursuant to College and Alabama State Board of Education policies and procedures.

(d) A self-referral or management referral to the substance abuse professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section Q.5 of this policy.

(e) Periodic unannounced follow-up drug/alcohol test conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section Q.4-6 and 8 of this policy.

(f) A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Gadsden State Community College.

(g) A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.

(9) Failure of an employee to report within five days any criminal drug statute conviction shall result in disciplinary procedures pursuant to College and Alabama State Board of Education policies and procedures.

R. GRIEVANCE AND APPEAL

The consequences specified by 49 CFR Part 655 for a positive test or test refusal are not subject to arbitration.

S. PROPER APPLICATION OF THE POLICY

Gadsden State Community College is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any employee who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action in accordance with the Alabama Community College System State Board of Education Policy.

T. INFORMATION DISCLOSURE

Drug/alcohol testing records shall be maintained by the Gadsden State Community College DAPM and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.

(1) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to substance abuse professional referrals and follow-up testing plans.

(2) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager and Department Supervisor on a need to know basis.

(3) Records will be released to a subsequent employer only upon a receipt of a written request from the employee.

(4) Records of an employee's drug/alcohol tests shall be released to the DAPM in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding. The information will only be released with binding stipulation from the decision maker will make it available only to parties in the proceeding.

(5) Records will be released to the National Transportation Safety Board during an accident investigation.

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(6) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.

(7) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over Gadsden State Community College or the employee.

(8) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended necessary legal steps to contest the issuance of the order will be taken.

(9) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

Attachment I Alcohol Fact Sheet

Alcohol is a socially acceptable drug that has been consumed throughout the world for centuries. It is considered a recreational beverage when consumed in moderation for enjoyment and relaxation during social gatherings. However, when consumed primarily for its physical and mood-altering effects, it is a substance of abuse. As a depressant, it slows down physical responses and progressively impairs mental functions.

Signs and symptoms of Use:

Dulled Mental Processes Sleepy or stupor us condition Lack of coordination Slowed reaction rate Odor of alcohol on breath Slurred speech Possible constricted pupils

(Note: Except for the odor, these are general signs and symptoms of any depressant substance.)

- Health Effects

The chronic consumption of alcohol (average or three servings per day of beer {12 ounces}, whiskey {1 ounce}, or wine {6 ounce glass} over time may result in the following health hazards:

Decreased sexual functioning Malignant melanoma Dependency (up to 10 percent Kidney disease of all people who drink alcohol Pancreatitis become physically Spontaneous abortion and neonatal And/or mentally dependent on mortality alcohol and can be termed Ulcers “alcoholic”) Birth defects (up to 54 percent of all Fatal liver diseases birth defects are alcohol related). Increased cancers of the mouth, tongue, pharynx, esophagus, rectum breast

- Social Issues

Two-thirds of all homicides are committed by people who drink prior to the crime. Two to three percent of the driving population is legally drunk at any one time. This rate is doubled at night and on weekends. Two thirds of all Americans will be involved in an alcohol-related vehicle accident during their lifetimes.

**Attachment II
Minimum Thresholds**

**INITIAL TEST CUT-OFF LEVELS
(ng/ml)**

Marijuana metabolites	50
Cocaine metabolites	300
Opiate metabolites	2,000
Phencyclidine	25
Amphetamines	1,000

**CONFIRMATORY TEST CUT-OFF LEVELS
(ng/ml)**

Marijuana metabolites	15
Cocaine metabolites	150
Opiates:	
Morphine	2,000
Codeine	2,000
Phencyclidine	25
Amphetamines	
Amphetamines	500
Methamphetamine	500