

MISSOURI DEPARTMENT OF TRANSPORTATION

**PROCEDURES MANUAL
FOR PERSONNEL POLICIES**



Procedures for Policy Number and Title 2508 "Drug Testing Program"	Effective Date of Procedures January 1, 2020
Approved By Steve Meystrik, Human Resources Director Signature on File	Supersedes Procedures Dated January 1, 2018

PROCEDURES

1. In accordance with U.S. Department of Transportation (DOT) regulations, drugs for which MoDOT will test include marijuana metabolites, cocaine metabolites, amphetamines, opioids, and phencyclidine (PCP). For drug tests conducted by MoDOT, urine specimens will be used. Additionally, specimen collection, handling, and testing will be conducted according to DOT urine specimen collection procedures. These guidelines require a urine sample be divided between two containers (split specimen) to allow one container for immediate testing and one for testing at a later date, if the employee requests that the split specimen be tested.
2. For drug tests conducted by MoDOT, applicants and employees will be positively identified by a photo ID, such as a driver's license, and will be asked to remove their outer garments (hats, coveralls, coats, jackets, etc.) and empty their pockets prior to specimen collection. The collection site and procedure will be designed to allow individual privacy and preserve the dignity of each person tested. Direct observation of the urine sample collection will not normally be required, but may be necessary if there is reason to believe a specimen could be adulterated or substituted. In these cases, collections will be observed by a person who is of the same sex as the person being tested.
3. Reports of each drug test conducted by MoDOT will be reviewed by a DOT qualified Medical Review Officer (MRO) who is a licensed physician

- with knowledge of controlled substance abuse disorders and issues relating to adulterated and substituted specimens as well as the possible medical causes of specimens having an invalid result. The MRO will interpret and evaluate the results of each test, along with relevant medical information about each applicant or employee. Verified positive test results will be reported to the Employee Health and Wellness Unit who will notify the employee's supervisor and the local human resources staff for follow-up.
4. Employees who are in positions which require a CDL (CDL positions) are subject to DOT random drug testing. For DOT random drug testing, the federal regulations specify the percentage of employees to be tested annually. Although not specifically required by DOT regulations, the department also conducts random drug tests on employees which are safety-sensitive, but do not require a CDL. For this non-DOT random drug testing, three employees per district are randomly selected every quarter to be drug tested. Employees in safety-sensitive positions that do not require a CDL and volunteer or are required to perform DOT safety-sensitive functions during winter operations will be included in the non-DOT random testing pool from May through October. They will be excused from the non-DOT random testing pool and placed in the DOT random testing pool from November through April each year. If an employee is excused from testing or otherwise not available during the quarter in which they are selected for non-DOT random drug testing, an alternate employee will be selected. A computer generated selection process will be used to ensure each covered employee has an equal chance of being selected for testing.
 5. The following parameters apply for employees who are absent, temporarily assigned to another org unit, or attending training the day their assigned org unit is selected for DOT Random Drug Testing.
 - a. Employees absent before/during their assigned org unit's testing day due to illness or pre-approved leave usage are not required to test.
 - b. Employees temporarily assigned to another org unit before/during their assigned org unit's testing day are not required to test.
 - c. Employees attending training during their org unit's testing day are required to test if the training is within the state of Missouri or if the training is outside of Missouri, but within a 100 mile radius of an approved testing/collection location within Missouri's state lines. Employees may test at a clinic if the training is a great distance from the mobile testing unit's collection location.
 - d. Employees performing job duties for their assigned org unit a great distance away from the mobile testing unit's collection location during their org unit's testing day are required to test provided they are performing the work within the state of Missouri or if the work is

being performed outside of Missouri, but within a 100 mile radius of an approved testing/collection location within Missouri's state lines. Employees may test at a clinic if the job site is a great distance from the mobile testing unit's collection location.

- e. Mechanics, emergency workers, etc., performing job duties at a facility/org unit (other than their assigned org unit) that is selected for testing are required to test as part of that facility/org unit.
 - f. Employees working in Temporary Modified Duty (TMD) status when there is a reasonable expectation they will return to driving a CDL/performing DOT safety-sensitive functions will not be assigned to a new org unit while on TMD and are required to test when their assigned org unit is selected for testing.
 - g. Central Office's Supplemental Bridge Inspection employees working in the office during their assigned Bridge Inspection org unit's testing day are required to test. They may test at a clinic if their location is a great distance from the mobile testing unit's collection location.
6. Safety-sensitive positions include positions that require a Commercial Drivers' License (CDL), which is a DOT requirement, as well as positions that do not require a CDL but meet the department's safety-sensitive criteria described below. The safety-sensitive status of each position is identified in the Title (TITL) window in the SAM II HR/Payroll System.

Criteria which makes an employee's position require a CDL is described in Personnel Policy 0510, "Commercial Driver's License." Employees are not required to obtain a CDL unless they meet the requirements of policy 0510.

Activities considered to make a position safety-sensitive include, but are not limited to, those listed below. The amount of exposure or extent of operation is considered when determining whether or not to classify a position as safety-sensitive.

- a. Exposure to traffic or heavy equipment while working on highways right-of-ways, construction sites, and other work zones.
- b. Operation of aircraft.
- c. Operation of heavy equipment.
- d. Operation of forklifts.
- e. Operation of department vehicles for a significant portion of the time; or driving in a manner inconsistent with normal traffic patterns

- (frequent entering and exiting traffic, driving much slower than speed limit, etc.).
- f. Operation of power equipment or tools (lathes, drill presses, chain saws, etc.).
 - g. Performance of maintenance on department automobiles, trucks, heavy equipment, or aircraft.
 - h. Use of or exposure to corrosive chemicals (acids, alkalines, etc.).
7. Wage and salaried employees in any position will be required to complete a drug test when evidence shows reasonable suspicion that an employee has used illegal drugs on the job; performed job duties while affected by drugs; or used illegal drugs off the job (for employees performing safety-sensitive duties only). Evidence which may support reasonable suspicion includes, but is not limited to, the following:
- a. Employee is observed using or possessing what appears to be an illegal drug while on the job. Also see Personnel Policy 2507, "Federal Drug-Free Workplace Act."
 - b. Employee's appearance, behavior, speech, or body odors indicate employee may be affected by illegal drugs while on the job. This includes indications of the chronic and withdrawal effects of controlled substances (for employees in CDL and other safety-sensitive positions only).
 - c. Employee is arrested for a drug-related offense, or identified as the focus of a criminal investigation into illegal drug possession, use, distribution, or manufacturing (for employees in CDL and other safety-sensitive positions only). Also see Personnel Policy 2507, "Federal Drug-Free Workplace Act."
 - d. Information is provided either by reliable and credible sources or independently corroborated that an employee has used illegal drugs.
8. If an applicant or employee wishes to challenge their drug test results for drug tests conducted by MoDOT, they may do so by requesting a test of their split specimen within 72 hours of when the MRO notifies them of their right to have the split specimen tested. The MRO will make arrangements for the split specimen to be sent to another certified laboratory for testing. Applicants and employees will be responsible for paying for transporting their sample to the second laboratory, laboratory testing, review by an MRO, and all other related costs. The results of these second tests will

determine what action will be taken. For applicants, if the results of the second test are positive, the conditional offer will be withdrawn. Applicants and employees will be reimbursed for the cost of the second test if it is negative. Copies of vendor invoices for amount requested must be submitted with the reimbursement request. If the results of the second test are positive, the employee will be released from employment or the applicant's job offer will be withdrawn. Only one split specimen test is permitted under the DOT regulations. Employees may not request further tests or challenge the results of the split specimen test.

CROSS REFERENCES

[Personnel Policy 2507, "Federal Drug-Free Workplace Act"](#)
[Personnel Policy 0510, "Commercial Drivers License"](#)
[Drug and Alcohol Sharepoint Site](#)

FORM

[DOT Random Testing Roster](#)
[Reasonable Suspicion Testing – Drugs Flowchart](#)
[Reasonable Suspicion Observation Form](#)