



Supervisor's Training

for FTA Drug and Alcohol
Regulations



Welcome

- Today's presentation will consist of two parts:
 - In the first section, we will discuss Reasonable Suspicion testing and the role of the supervisor in making the determination to send safety sensitive employees for reasonable suspicion drug or alcohol testing
 - The second phase of the presentation we will discuss Post Accident testing and the role of the supervisor in making determinations as to whether or not an accident meets the criteria to conduct FTA Post Accident drug and alcohol testing



Who is a Supervisor?

- For the purpose of the FTA regulations, “Supervisors” are defined as individuals who are authorized to determine when it is appropriate to administer reasonable suspicion drug and/or alcohol tests to *safety sensitive employees*.
- Supervisors are also likely to be responsible for determining when an accident meets the FTA criteria to conduct post accident drug and alcohol tests



Which employees are “safety sensitive”?

- Safety-sensitive **functions** determine whether an employee is covered under the FTA regulations, not job title.
- Safety-sensitive functions include:
Operating a revenue service vehicle, dispatching or controlling movement of revenue service vehicles, performing maintenance on revenue service vehicles or carrying a firearm

Section 1-

Reasonable Suspicion Testing

Supervisor Refresher



Reasonable Suspicion Testing

Key Points

- Only Supervisors trained in the signs and symptoms of probable drug use and the signs and symptoms of probable alcohol misuse can “make the call to test”
- Gut feelings, hunches, gossip and rumor are not legitimate cause for referral to testing
- Remember, it is not a supervisor’s job to try to determine what substance a covered employee may be using



Reasonable Suspicion Testing

Key Points Continued

- Regulations require that only one trained company official needs to witness the behavior to “make the call”
- The referral must be based on specific, contemporaneous, observations concerning the appearance, behavior, speech or body odor of the covered employee



Reasonable Suspicion Testing

Key Points Continued

- Documentation of the signs and symptoms observed is critical to the integrity of the supervisor's referral
- It is imperative that reasonable suspicion decisions be made quickly and correctly based on the objective facts that are present at the time of observation



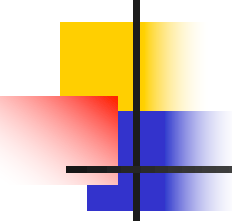
Identifying Alcohol Misuse and Prohibited Drug Use



Alcohol Misuse

■ Alcohol

- Alcohol is the most abused drug in society today. It is a depressant, and affects vision, judgment, reaction time, memory and most importantly, public safety.
- Blatant drunkenness is easy to detect on sight and so it is assumed that most employees would not show up for work in this condition. However, it is possible for one's state of intoxication to be less outwardly visible, thereby giving a person false sense of security that he/she can function with a small buzz.



Signs and symptoms of Alcohol Misuse

- Lack of coordination
- Constricted pupils
- Bloodshot or watery eyes
- Sleepy or stuporous condition
- Aggressive or antagonistic behavior
- Slurred speech
- Slowed reaction time
- Odor of alcohol on breath and body



Prohibited Drug Use

- A DOT urine drug testing panel includes these five drugs:
 1. Amphetamines (includes methamphetamine)
 2. Cocaine
 3. Marijuana
 4. Opiates
 5. PCP



Prohibited Drug Use

- It is not the supervisors job to determine WHICH of the five prohibited drugs the covered employee may be using. However, the following descriptions of how the five drugs affect the behavior, speech and performance of an individual can aid in identifying use of the drugs:



Signs and Symptoms of Prohibited Drug Use

- Amphetamines
 - Talkativeness
 - Confusion
 - Heightened aggressiveness
 - Increased heart rate/profuse sweating
 - Redness in nasal area, runny or bleeding nose
 - Restlessness, hyper-excitability



Signs and Symptoms of Prohibited Drug Use

- Cocaine

- Talkativeness
- Wide mood and energy swings
- Profuse sweating
- Paranoia and hallucinations
- Frequent non-business visitors, phone calls
- Frequent absences from
- Runny or irritated nose



Signs and Symptoms of Prohibited Drug Use

- Marijuana

- Reddened, bloodshot eyes
- Lack of motivation
- Delayed decision making
- Diminished concentration
- Impaired vision
- Irritating cough and chronic sore throat
- Pungent aroma, distinctive smell on clothing



Signs and Symptoms of Prohibited Drug Use

- Opiates

- Low raspy speech
- Mood changes
- Drowsiness
- Depression and apathy
- Nausea, vomiting
- Increase in pain tolerance
- Constricted pupils
- Possible puncture marks (tracks)



Signs and Symptoms of Prohibited Drug Use

- PCP

- Impaired coordination
- Incoherent speech
- Extreme mood shifts
- Violent and combative
- Accident prone
- Involuntary jerky eye movement
- Profuse sweating



Making the Call to Test

“Making the call and being wrong is just a mistake, but making the call and being **right** can save lives”.

Making the Call

- Is decreasing job performance a cause for referral?



Making the Call

- Are physical signs and symptoms a cause for referral?



Making the Call

- Is a Phone tip cause for referral?



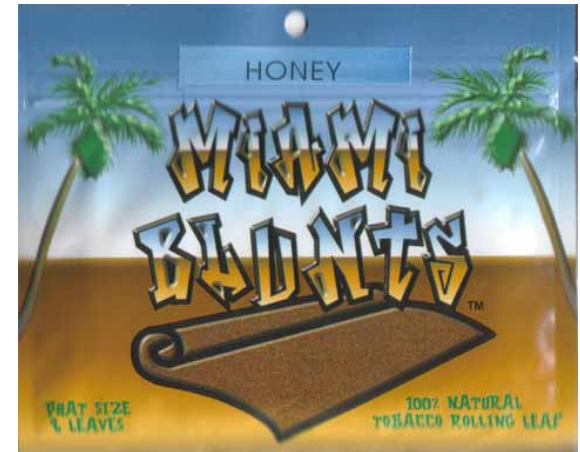
Making the Call

- Is the odor of alcohol cause for referral?



Making the Call

- Is possession of drug paraphernalia cause for referral?



Making the Call

- Is the evidence of alcohol use cause for referral?





Procedures for Making Reasonable Suspicion Referrals

Supervisors must approach the employee with dignity, privacy and respect when conducting a reasonable suspicion interview



Procedures for Reasonable Suspicion Testing

- If possible, ask another trained supervisor to observe the employee's behavior.
- Approach the employee discreetly and with respect
- Conduct interview behind closed doors
- Document the behavior, speech, etc. on the Reasonable Suspicion Determination form (refer to form)



Procedures for Reasonable Suspicion Testing Continued

Once you have determined that testing is required:

- Alert the collection site (testing facility) that an employee is being referred for a reasonable suspicion test, this will prioritize testing and avoid delays
- Transport the employee to the site
- Make arrangements for the employee to be transported home



Consequences for Drug Positive

- If an employee is tested for **prohibited drugs**, he or she must remain suspended from safety sensitive functions until an MRO verified drug test result is received.
- A positive drug test result requires a referral to a SAP and continued removal from safety sensitive duties. (A Zero Tolerance Policy would require termination)
- A refusal to test constitutes the same action as a positive result; removal from safety sensitive functions and referral to a SAP. (A Zero Tolerance Policy would require termination)



Consequences for B/A Positive

- If employee's breath alcohol test results are between 0.02 and less than 0.04, the employee must be suspended from safety sensitive duties for a period of eight hours.
- If employee's breath alcohol test results are 0.04 or greater, employee must be removed from safety sensitive functions and provided a referral to a SAP-agency policy would dictate whether or not the employee would be terminated.
- A refusal to test constitutes the same action as a positive result; removal from safety sensitive functions and referral to a SAP. (A Zero Tolerance Policy would require termination)



Post Accident Testing

Supervisor Refresher



Definition of an Accident

- The FTA's defines an accident as an occurrence associated with the operation of a vehicle in which:
 1. An individual dies;
 2. An individual suffers bodily injury and immediately receives medical treatment away from the scene of an accident;
 3. One or more vehicles incurs *disabling damage* and is transported away from the scene by a tow truck or other vehicle



Definition of a Disabling Damage

- “Damage that precludes the departure of vehicle from the scene of the occurrence in its usual manner in daylight hours after simple repairs is known as disabling damage”.

Ref: Implementation guidelines for Drug and Alcohol Testing in Mass Transit



Not Disabling Damage

- “Disabling damage” does **not** include damage that could 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 or wipers that makes them inoperative



Summary of FTA Criteria to Test

- Fatality of anyone involved: **TEST**
- Injury: If an individual requires immediate transportation to a medical treatment facility away from the accident scene- **TEST** (unless the covered employee's actions can be completely discounted)
- Disabling Damage: If one or more road vehicles have disabling damage that requires a tow from the site-**TEST** (unless the covered employee's actions can be completely discounted)



Arriving on the scene of the accident:

- **Treat any injury first.** The accident victim's physical health is always a higher priority than conducting a substance abuse test
- **Cooperate with law enforcement officials.** Note: the results of a test given for law enforcement purposes do not satisfy your requirement to test
- **Determine if the accident meets the FTA criteria to test** Using the Post Accident Decision Form, document the accident, if it does:



Post Accident continued

- **Explain the need for testing.** Tell the employee(s) that a urine drug test and breath alcohol test are required by FTA* *This is important because an employee who fails to remain for testing will be considered to have refused the test.
- **Conduct tests promptly.** Notify collection site of a post accident test requirement or contact a mobile collector to conduct on-site testing



Post Accident Testing Continued

- Breath alcohol testing should be conducted within two hours of the accident and must be conducted within 8 hours of the accident.
 - If not conducted within the first two hours, FTA requires that the reason for delay be documented
 - After 8 hours attempts to test for alcohol misuse must cease



Post Accident Testing Continued

- A urine drug test should be conducted within 8 hours of the accident but must be conducted within 32 hours of the accident.
 - FTA requires that reasons for delays in testing be documented
 - After 32 hours all efforts to conduct a urine drug test should cease



Post Accident Testing continued

- It is extremely important to document any reasons why tests were delayed or failed to be conducted.
- Failure to locate a collector and or breath alcohol technician is not an acceptable cause for failure to conduct testing.



Question and Answer Breakout Session

At this time,
we will begin our question and
answer session