

**COMPANY**

**D.O.T.**

**DRUG**

**&**

**ALCOHOL**

**TESTING POLICY**

# **WOODS TRUCKING & EQUIPMENT**

## ***Table of Contents***

---

<b>1.0</b>	<b>Introduction and Overview.....</b>	<b>3</b>
<b>2.0</b>	<b>Definitions of Terms Used in This Policy.....</b>	<b>4</b>
<b>3.0</b>	<b>Prohibited Drug and Alcohol Use and Activities.....</b>	<b>4</b>
<b>4.0</b>	<b>Test Required.....</b>	<b>4</b>
<b>5.0</b>	<b>Pre-Employment/Pre-Duty Testing.....</b>	<b>5</b>
<b>6.0</b>	<b>Post Accident Drug Testing.....</b>	<b>6</b>
<b>7.0</b>	<b>Random Testing.....</b>	<b>7</b>
<b>8.0</b>	<b>Reasonable Suspicion Testing.....</b>	<b>7</b>
<b>9.0</b>	<b>Return-To-Duty Testing.....</b>	<b>8</b>
<b>10.0</b>	<b>Follow-Up Testing.....</b>	<b>9</b>
<b>11.0</b>	<b>Testing Methodology and Integrity.....</b>	<b>9</b>
<b>12.0</b>	<b>For All Drug Tests.....</b>	<b>10</b>
<b>13.0</b>	<b>For All Alcohol Tests.....</b>	<b>11</b>
<b>14.0</b>	<b>Drug Test Results.....</b>	<b>11</b>
<b>15.0</b>	<b>Alcohol Test Results.....</b>	<b>12</b>
<b>16.0</b>	<b>Maintaining Contact With the Company’s MRO.....</b>	<b>12</b>
<b>17.0</b>	<b>Drug and Alcohol Information.....</b>	<b>13</b>
<b>18.0</b>	<b>Payment of Tests.....</b>	<b>13</b>
<b>19.0</b>	<b>Confidentiality.....</b>	<b>13</b>
<b>20.0</b>	<b>Designated Employee Representative.....</b>	<b>14</b>
<b>21.0</b>	<b>Addendum Attachment A Sap List.....</b>	<b>16</b>
<b>22.0</b>	<b>Acknowledgement of Receipt .....</b>	<b>17</b>

# **WOODS TRUCKING & EQUIPMENT**

535 CATTLEBARON PARC DRIVE  
FORT WORTH, TX 76108

## **POLICY GOVERNING DRUG AND ALCOHOL USE AND TESTING**

### **1. INTRODUCTION AND OVERVIEW**

Required Department of Transportation (DOT) Regulations.

*The U. S. Department of Transportation (DOT) has issued regulations which govern the use of drugs and alcohol by motor vehicle drivers and which also requires The Company to conduct mandatory drug and alcohol testing of drivers at the times and under the conditions described in this Policy and the 49 CFR Part 40 and 382 of the Federal regulations as changed 1 August 2001 and amended 15 October 2001.*

It is The Company intention to comply fully with the DOT's regulations governing drug/ alcohol use; testing and those requirements of DOT's regulation have been incorporated into this Policy. In the event DOT's regulations are amended, this Policy and the applicable terms condition (s) and/or requirements (s) of this Policy, shall be deemed to have been amended automatically at that time, without the need for redrafting, in order to reflect and be consistent with DOT's regulations. In such case The Company reserves the right to apply the amended requirements immediately and without giving prior notice to drivers and/or applicants, unless DOT or another applicable law requires such notice. ***It is also the Company intention to comply with any applicable state requirements governing drug and/or alcohol testing, which is not preempted by DOT regulations. The Company intends to comply with the applicable requirements of the Drug-Free Workplace Act of 1988, The Americans with Disabilities Act and the Family and Medical Leave Act.***

Under the Company policy, drug and alcohol testing will be conducted on any current and/or Prospective driver who may be required to operate a motor vehicle, have a gross vehicle weight rating in excess of 26,001 pounds in interstate or intrastate commerce and on any driver of a motor vehicle that is used to transport hazardous materials, in a quantity which requires the vehicle to be placarded regardless of the vehicle's size.

***All applicants for positions with as a driver will be notified of the Company's drug and alcohol use and testing policy at the time they apply for a driver position with the Company.***

All other employees will be provided a notice of the drug and alcohol testing policy, prior to the scheduled implementation date. **Date of Revision: September 30, 2010.**

The Company has spent a great deal of time and effort in developing and implementing the terms, conditions and requirements of the Policy, whose terms, conditions, requirements and implementing comply with DOT's 49 CFR Part 40 & 382

# **WOODS TRUCKING & EQUIPMENT**

Federal regulations. *In addition, The Company reserves the right to search all vehicles, individuals and personal effects while on client or company property.*

## **2.0 DEFINITIONS OF TERMS USED IN THIS POLICY**

- 2.1 For purposes of this Policy and The Company drug and alcohol testing program, “*Safety Sensitive Functions*” means any of the following, (1) Driving, (2) the time spent waiting to be dispatched at a carrier’s or shipper’s terminal, plant facility or other property, unless the driver has been relieved from duty; (3) inspecting, servicing or conditions equipment, (4) being in or on a commercial motor vehicle (except resting in the sleeper berth); (5) loading or unloading, including supervising or assisting in loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, giving or receiving receipts for a shipment being loaded or unloaded (6) securing the vehicle and taking all of the other precautionary measures required by DOT’s regulations following an accident (49 CFR 392.40 and 392.41); (7) repairing, obtaining assistance or attending a disabled vehicle.
- 2.2 For purposes of the Policy and the Company drug and alcohol testing program, “Company Business” includes but is not limited to, work performed on Company property, including a Company vehicle and work performed on or in a non-company vehicle being used for conducting Company business. The term also includes meals and break time.
- 2.3 For purposes of the Policy and the Company drug and alcohol testing program, *Refusing to be Tested* means any of the following; (1) failing to provide an adequate urine specimen for a drug test without a valid medical explanation, (2) failing to provide an adequate breath for an alcohol test without a valid medical explanation; (3) failing to submit to a test as directed; or (4) engaging in any conduct which clearly obstructs the testing process.
- 2.4 For purposes of this Policy and the Company alcohol testing program, an alcohol test will be considered “Positive” when the alcohol concentration level registers 0.02 or greater.

## **3.0 PROHIBITED DRUG AND ALCOHOL USE AND ACTIVITES**

- 3.1 The goals of the Company Policy and the testing of drivers is to insure a drug and alcohol free transportation and work environment, and to reduce and help eliminate drug and alcohol related accidents, injuries, fatalities and damage to property.
- 3.2 In furtherance of this company’s goals, the conduct specified in Section 3.3 of this Policy is prohibited whenever a driver is on duty, whenever a driver is performing or just about to perform, a safety sensitive function (as defined in Section 2.1 of this Policy), whenever a DOT work is performed, or just about to perform a safety-related activity, whenever a driver is otherwise engaged in company business (as defined in Section 2.2 of this (Policy), or at the items otherwise specified in this Policy.

# **WOODS TRUCKING & EQUIPMENT**

3.3 The following conduct is strictly prohibited: (1) drivers are prohibited from using, being under the influence of, or possessing illegal drugs; (2) drivers are prohibited from using or being under the influence of legal drugs whose use can adversely affect the ability of the driver to perform his/her job safely; (3) drivers are prohibited from selling, buying, soliciting to buy or sell, transporting or possessing illegal drugs while on Company time or property; (4) drivers are prohibited from using alcohol within four (4) hours of driving or performing any other safety-sensitive function; (5) drivers are prohibited from possessing any amount of alcohol (including possessing medication which contains alcohol) while on duty or driving, unless the alcohol is manifested and being transported as part of the shipment; (6) testing positive for drugs and/or alcohol; (7) refusing to be tested for drugs and/or alcohol (as defined in Section 2.3 of this Policy); (8) failing to submit to a drug and/or alcohol test as directed by the Company (9) failing to stay in contact with the Company and its medical review officer while awaiting the results of a drug test (10) violating any applicable federal and/or state requirement governing the use of drugs or alcohol; (11) doing anything to obstruct The Company. goals with respect to drugs and alcohol.

## **4.0 TESTS REQUIRED**

***4.1 In general: The Company, is required by DOT to conduct tests under the following conditions or times; (1) before a Driver-applicant is hired or an existing NON-DOT worker performs DOT driving duties employment pre-duty testing), (2) for reasonable suspicion; (3) following certain accidents (post-accident testing), (4) on a random basis, (5) return to duty and follow-up.***

## **5.0 PRE-EMPLOYMENT / PRE-DUTY TESTING**

5.1 This test is required before any driver-applicant will be hired. This test is also required before any exiting worker in a NON-DOT driver position will be assigned, transferred or otherwise permitted to operate a commercial motor vehicle on behalf of this company for the first time. The Company policy, concerning pre-employment/pre-duty testing requirements of applicants and existing workers who are applying for a driver's position is collectively referred to in Section 4.1 "Applicants".

5.2 Prior to taking a pre-employment/pre-duty drug and alcohol test, the applicant may be given forms notifying the applicant to report for a drug and or alcohol test, which may include instruction and an explanation of the collection procedures for each test.

5.3 All offers by the Company to hire an applicant for, or to assign or transfer an applicant to a driver position, are conditioned upon the applicant (1) executing the Company general acknowledgment drugs and alcohol policy (2) taking a drug and alcohol test as directed by the Company and passing both tests, (3) executing the Company authorization to obtain past drug and alcohol test results form (which authorized the Company to obtain past drug and alcohol test results, including any refusals to test, from each Company for whom the driver either worked, or took or refused to take a pre-employment/pre-duty test during the previous three years and the results of those tests including any refusals), (4) passing the

# **WOODS TRUCKING & EQUIPMENT**

DOT-required physical exam required for drivers positions; (5) complying with any other conditions or requirements of which the Company, advises the applicant at the time of the offer.

**5.4 Any applicant who refuses or fails to execute the Company drug & alcohol acknowledgment form, who refuses or fails to execute the Company authorization to obtain past drug and alcohol test result form, who refuses or fails to submit to a pre-employment/pre-duty drug and alcohol test as directed, or whose results is positive for either test, will not be considered eligible to work for the Company Existing workers who test positive will not be considered qualified for the position for which they are applying and will also be subject to the company . Discipline action up to and including discharge.**

## **6.0 POST ACCIDENT DRUG TESTING**

61. A driver who is performing a safety-sensitive function must submit to a post-accident drug and a post accident alcohol test as soon as possible after the occurrence of any accident that meets the description of section 6.2 or section 6.3 of the Policy. For purposes of this Policy and the Company drug and alcohol test program, an accident, which meets the description of section 6.2 or section 6.3 of the Policy, is referred to as a "DOT" accident.

**6.2 A driver must always submit to a post-accident test as soon as possible after an accident which involves the loss of human life; or**

**6.3 A driver must submit to a post-accident test as soon as possible after an accident whenever the driver receives a citation for a moving violation involving or if the accident involved: (1) a person is injured because of the accident and the injuries require immediate medical treatment to the person away from the accident scene; or (2) one or more motor vehicles involved in the accident incur disabling damage and must be transported away from the accident scene by a tow truck or another vehicle.**

6.4 It is possible that a driver will be directed to submit to a drug and/or alcohol test at the accident scene by federal, state, or local law enforcement officer. For a test that is conducted by a law enforcement officer, the driver is required to contact the driver's supervisor or another Company Official immediately to report this and to provide the Company with the name, badge number and telephone number of the law enforcement agency.

6.5 Whenever a driver is involved in a DOT accident and is not tested for drugs and alcohol by law enforcement official, the driver is required to immediately report for a test. The driver will follow the procedures as detailed on the Driver's Post-Accident Test Checklist, which ever driver is given, when he/she is hired.

6.6 A driver who is required to take a post-accident drug and/or alcohol test will, at Company, discretion, either be assigned to a non safety-sensitive function, or placed on non-disciplinary suspension with pay, while awaiting the post-accident test results.

# **WOODS TRUCKING & EQUIPMENT**

6.7 In addition to the penalties imposed by DOT (discussed in section 14.3, 15.4 and 16.3 this Policy) a driver who tests positive for drugs and/or alcohol, who refuses or fails to submit to a post-accident drug and alcohol test as required, who unnecessarily delays reporting to the test site following an accident, or who otherwise fails to comply with the Company's post-accident testing procedures, will be subject to disciplinary action, up to and including discharge.

## **7.0 RANDOM TESTING**

7.1 The Company is required to test drivers on a random basis and all such tests will be unannounced ahead of time.

7.2 Under the Company random selection process, every driver will have an equal chance of being selected each and every time the selection is conducted. Appropriate safeguards are also present to ensure that the identity of individual drivers cannot be determined prior to or at the time of their selection.

7.3 Whenever a driver is randomly selected to be tested, he/she will be notified of this orally or in writing and instructed to report to the collection site immediately.

7.4 A driver who tests positive or who refuses to submit to a test is medically unqualified to drive and/or perform other safety-sensitive function.

7.5 In addition to the penalties imposed by DOT (discussed in section 14.3, 15.4 and 16.3 of this Policy), a driver, who refuses to submit to a random test, who fails to report for tests as directed, or who tests positive, will be subject to disciplinary action, up to and including discharge.

## **8.0 REASONABLE SUSPICION TESTING**

8.1 Each driver is required to submit to a drug and/or alcohol test whenever The Company has reasonable suspicion to believe that the driver has used drugs and/or alcohol in violation of DOT regulation and/or this Policy.

8.2 Reasonable suspicion will exist when a driver's appearance, behavior, speech or body odors indicate drug or alcohol use, or the chronic and withdrawal effects of drugs. Such observations must be personally observed and hand documented by at least one Company Official who has received training covering the physical, behavioral, speech and performance indicators of probable drug and alcohol use.

8.3 Whenever a driver is notified that there is reasonable suspicion to be tested, the driver will be expected to report to the test site immediately with a supervisor to be tested.

8.4 Drivers who are required to submit to a reasonable suspicion test will be escorted by an agent of the Company to the appropriate specimen collection site for a drug and alcohol test. ***NOTE: Donors will be check for Prosthetic devices and will be checked by observers of the same gender as the donor... The observer may have the employee raise***

# **WOODS TRUCKING & EQUIPMENT**

***and lower clothing, turn around and then put it back into place for the observed collection.***

8.5 The Company will attempt to contract the driver's spouse, another member of the family or another person designated by the driver, in order to make arrangements for transporting the driver to his/her home if the test is positive. In the event that the Company is unable to contact the driver's spouse, family member or another designated person; the Company will make arrangements for transporting the driver home by other suitable means.

8.6 ***If the driver rejects the Company's efforts in this regard and instead insists on driving his/her personal vehicle, the Company reserves the right to take whatever means are appropriate to prevent this including contacting appropriate law enforcement personnel and imposing disciplinary action, up to and including discharge.***

8.7 A driver, who is required to take a reasonable suspicion test, will be considered by this company as unqualified to work and placed on immediate suspension, without pay, pending the results of his/her test. A driver, whose test results are positive, will not be reimbursed for the time of the suspension.

8.8 ***In addition to the penalties imposed by DOT (discussed in section 6.6, 15.4 and 16.3 of the Policy) a driver whose reasonable suspicion test, is positive, or who fails or refused to submit to a reasonable suspicion test when directed to do so by the Company, will be subject to disciplinary action up to and including discharge.***

8.9 ***Donors will be check for Prosthetic devices and will be checked by an observer of the same gender as the donors. The observer will have the employee raise and lower clothing, and then put it back into place for the observed collection.***

## **9.0 RETURN-TO-DUTY TESTING**

9.1 The Company will ensure that before a driver returns to duty requiring the performance of a Safety-sensitive function, after engaging in conduct prohibited by this policy, shall undergo a return-to-duty alcohol test with the results indicating an alcohol concentration of less than 0.02 and have evaluated by a SAP.

9.2 The employer shall ensure that before a driver returns to duty requiring the performance of a safety function, after engaging in conduct prohibited by this policy, shall undergo a return-to-duty controlled substances test with a result indicating a verified negative result for controlled substance. **NOTE: Effective August 31, 2009, all Return-To-Duty tests are required to be DIRECT OBSERVED.**

9.3 ***Donors will be check for Prosthetic devices and will be checked for by an observer of the same gender as the donors. The observer will have the employee raise and lower clothing, and then put it back into place for the observed collection.***



# WOODS TRUCKING & EQUIPMENT

## 10.0 FOLLOW-UP -TESTING

**10.1** After returning to duty, each employer shall ensure that the driver is subject to unannounced follow-up alcohol and or controlled substances testing as directed by a substance abuse professional. *These tests must be conducted just before, during, or just after performance of a safety sensitive function* **NOTE: Effective August 31, 2009 all Return-To-Duty tests are required to be DIRECT OBSERVED.**

**10.2** *Donors will be check for Prosthetic devices and will be checked by an observer, of the same gender as the donors. The observer will have the employee raise and lower clothing, and then put it back into place for the observed collection.*

## 11.0 TESTING METHODOLOGY AND INTEGRITY

**11.1** To ensure the integrity and accuracy of each test, all specimen collection, analysis and laboratory procedures shall be conducted in accordance with DOT's procedural protocols and safeguards set forth in Part 40 of Title 49 of the federal Code of regulation. This includes, among other things: (1) procedures to ensure the correct identity of each driver at the time of testing: (2) a strict chain-of-custody procedures to ensure that the driver's specimen is not tampered with by the Company: (3) the use of a trained breath alcohol technician (BAT) and DOT approved testing devices for conducting alcohol tests: (4) the use of a laboratory that has been certified by the National Institute for Drug Abuse (NIDA): (5) the confirmation of an initial positive drug screen by a second analysis using Gas Chromatography/Mass Spectrometry (GCMS): (6) the Company's appointment of a qualified Medical Review Officer (MRO) to review drug test results before they are reported to The Company designated employee representative D. E. R.

### 11.2 Cut off levels for drugs being tested for:

<u>DRUG</u>	<u>SCREEN CUTOFF</u>	<u>GC/MS CUTOFF</u>	<u>Result</u>
THC	50 n g / ml	15 n g / ml	NEGATIVE
Extended Amphetamines	500 n g / ml	250 n g / ml	NEGATIVE
Cocaine Metabolites	150 n g / ml	100 n g / ml	NEGATIVE
Opiates	2000 n g / ml	2000 n g / ml	NEGATIVE
Phencyclidine	25 n g / ml	25 n g / ml	NEGATIVE
6-Acetylmorphine	10 n g / ml	10 n g / ml	NEGATIVE

**11.3** To further facilitate the integrity and accuracy of each test, The Company will provide drivers with written and/or oral instruction regarding the conduct of the specific test before each testing event. The Company considers all such instruction to be a part of this Policy. *Drivers who refuse or otherwise fail to comply with all instructions will be subject to disciplinary action, up to and including discharge.*

# **WOODS TRUCKING & EQUIPMENT**

## **12.0 FOR ALL DRUG TESTS**

- 12.1** All drug tests conducted under this Policy require that the driver must provide a specimen of his/her urine. **Directly observed collections will continue to occur only when there is a specific reason to believe that an employee may be attempting, or have sufficient reason, to evade the testing process.**
- 12.2** A minimum urine specimen will be analyzed for the presence of the following drugs: (1) marijuana, (2) cocaine, (3) opiates, (4) amphetamines, and (5) phencyclidine. Specimens will also be analyzed for other substances as DOT expands the list of drugs for which testing is or may be required. This company reserves the right to begin testing immediately for those drugs without prior notice to drivers or applicants, unless notice is required by DOT or other applicable law.
- 12.3** In general, drivers will be permitted to give a urine specimen in privacy and without being observed by collection site personnel. **However, a driver forfeits this right whenever there is reason to believe that he/she may alter or substitute a specimen.**
- 12.4** All drug tests will be administered using the split sample methodology required by DOT. Under this methodology, the driver must provide at least 45 milliliters (ml) in a specimen container. The collector will divide the specimen into two specimen bottles. Thirty (30) (ml) will be poured into one bottle and fifteen (15) (ml) into a second bottle. Both bottles will be sealed and sent to the laboratory. The bottle containing 30 (ml) will be analyzed as the drivers primary specimen. The second bottle is held by the laboratory, for shipment to another lab at the driver's request in the event that the primary specimen is verified as positive. In the event the primary specimen is verified as positive, the driver will be notified by the Company's MRO of the positive test and given the option to have the second bottle sent to a different laboratory for analysis. To exercise this option, the driver must advise the Company's MRO within 72 hours of being told that the primary specimen was positive.
- 12.5** Except for the use of methadone and medications containing alcohol, nothing in this Policy prohibits a driver's use of a medication legally prescribed by a licensed physician: (1) who is familiar with the driver's medical history and specific safety-sensitive duties, and (2) who has advised the driver that the prescribed medication will not adversely affect the driver's ability to operate a motor vehicle safely. Medication prescribed for someone other than the driver, will not be considered lawful use, when taken by the driver under any circumstances.
- 12.6** Before being tested for drugs, drivers will be given an opportunity to list, on their copy of the chain-of-custody form any prescription or non-prescription medication being lawfully used by the driver. A "Positive" drug test may be declared "Negative" by the Company's MRO, if the driver can prove with clear and convincing evidence that the drug which was used was prescribed by a licensed physician who is familiar with the driver's medical history and specific duties. The determination of this will be made by the Company, medical review officer.

# **WOODS TRUCKING & EQUIPMENT**

## **13.0 FOR ALL ALCOHOL TESTS**

- 13.1** All alcohol tests conducted under this Policy requires the driver to provide a breath sample for any test conducted by or on behalf of the Company. In the case of an alcohol test be a federal, state or local law enforcement officer following an accident, the driver must provide either a breath or blood sample, as directed by enforcement official.
- 13.2** Alcohol tests will be administered using a breath sample, taken by a breath alcohol technician (BAT) using an approved breath-testing device (EBT), except in cases of on scene post-accident testing conducted by federal, state or local officials.
- 13.3** Before being tested, each driver will be required to (1) present his/her personal identification and (2) execute a DOT **“Breath Alcohol Test Form”** provided by the BAT. A driver who refuses to provide his/her identification, provides a false ID, refuses to execute the DOT “Breath Alcohol Test Form: or who otherwise refuses or fails to cooperate, will be treated as though he/she tested positive and be subject to disciplinary action, up to and including discharge, in addition to penalties imposed by DOT.
- 13.4** Prior to each alcohol breath test conducted by the Company the BAT will instruct the driver on how the test will be performed. To protect each driver, the BAT will open and attach a sealed mouthpiece in the driver’s view. The driver will then be directed to blow forcefully into the EBT device until an adequate amount of breath has been obtained.
- 13.5** In the event that a driver is unable to provide an adequate amount of breath for the initial or confirmatory test after several attempts, the driver will be required to submit to an evaluation by a licensed medical physician to determine whether a valid medical condition exists. If the physician determines that a valid medical condition does exist, the test result will be reported to the Company as “Negative”. If the physician determines that a valid medical condition does not exist, the test result will be reported to The Company D. E. R. as a “Confirmed Positive”.

## **14.0 DRUG TEST RESULTS**

- 14.1** For all drug tests, in the event that the test result of a driver’s primary specimen is positive, the driver will be notified by the MRO and advised that he/she has 72 hours to request that the MRO send his/her secondary specimen to a second DOT approved laboratory for analysis. Pending the outcome of this additional analysis, the driver will continue being considered physically unqualified to work by DOT.
- 14.2** Before a driver’s test result is confirmed positive for drugs, the driver is given the opportunity to speak with the Company’s MRO. If there’s a legitimate medical explanation for the positive test result, and the MRO determines that a legitimate medical reason does exist, the test result will be reported to The Company D. E. R. as “Negative”. When the MRO determines that a legitimate medical reason does not exist, the test result will be reported to The Company as “Confirmed Positive.”

# **WOODS TRUCKING & EQUIPMENT**

**14.3** Except as provided in Section 5.0 of this Policy (concerning pre-employment and pre-duty tests), a driver whose test results is confirmed positive for drugs will be considered unqualified to perform or continue performing his/her functions safely and may be immediately discharged. In addition, a driver whose test results are confirmed positive for drugs will also be subject to civil and criminal penalties imposed by DOT.

## **15.0 ALCOHOL TESTS RESULTS**

**15.1** In the event that the driver provides an adequate breath sample and the initial test registers an alcohol concentration level is less than 0.02, the test result will be reported as a “Negative” and no additional test will be required.

**15.2** In the event that the driver provides an adequate breath specimen and the initial test registers an alcohol Concentration level of 0.02 or greater, a confirmatory test will be performed not sooner than 15 minutes and no later than 30 minutes. In the event that the driver provides an adequate breath specimen and the confirmatory test registers less than 0.02, the result will be reported “Negative”.

**15.3** DOT prohibits any driver whose confirmatory test registers 0.02 or greater, but less than 0.04 from performing or from continuing to perform any safety-sensitive function until the driver’s next regularly scheduled duty period, but for not less than 24 hours. Except as provided in Section 4.24 of this Policy (concerning pre-employment and pre-duty tests) a driver who after providing an adequate breath specimen, has a confirmatory test which registers 0.02 or more but less than 0.04 will at a minimum be suspended without pay until his/her next regular-scheduled duty period, but for no less than 24 hours and may be subject to additional disciplinary action by the Company, up to and including discharge.

**15.4** A driver after providing an adequate breath sample, has a confirmatory test which registers 0.04 or greater will be suspended without pay and will be required to see a SAP, (substance abuse professional) or will be subject to additional disciplinary action by the Company, up to and including discharge.

## **16.0 MAINTAINING CONTACT WITH THE COMPANY’S MRO**

**16.1** Drivers that tested for drugs are required to remain in contact with the Company and the Company’s MRO, while awaiting the results of their test. Drivers are required to advise the Company of their whereabouts and the telephone number when they can be reached.

**16.2** THE COMPANY, MRO is Neil J Dash M.D., Phone: 1-800-526-9341

**16.3** *A driver who refuses or fails to remain in contact with the Company and the company’s MRO will be considered insubordinate and subject to disciplinary action, up to and including discharge. A driver who fails to remain in contact may waive his/her right, under Section 14.2 of this Policy, to speak with the Company’s, MRO,*

# **WOODS TRUCKING & EQUIPMENT**

*before a test is confirmed positive. NOTE: Effective August 25, 2008: During an invalid result Medical Review Officer (MRO) review, an employee admission of adulterating or substituting a specimen is now a refusal to test.*

## **17.0 DRUG AND ALCOHOL INFORMATION**

**17.1** The Company is required to provide training and educational materials for all drivers, explaining the DOT's requirements and the Company's policies and procedures to meet those requirements. In addition to this Policy, the Company will provide drivers with training and information concerning: (1) the effects of drugs and alcohol on an individual's health, work and personal life: (2) the signs and symptoms of drug or alcohol problem and (3) the available methods of intervention when a problem does exist.

**17.2** *Each driver is required to certify that he/she has read or been given a copy of this Policy and other drug and alcohol information by the Company, in accordance with paragraph 17.1 of this Policy. In accordance with paragraph 5.0 of this Policy, applicants are required to execute the certification as a condition of being hired. An applicant who refuses to sign the certificate will not be considered for employment.*

**17.3** Any existing driver who engages in any conduct prohibited under this Policy will be provided with information concerning the resources available to evaluate and resolve a drug or alcohol problem and the names, address and telephone numbers of substance abuse professionals, counseling and treatment programs.

**17.4** Employees who admit to alcohol misuse or controlled substances use are not subject to the referral, evaluation and treatment requirements of 49 CFR Part 40 of this title, provided that the procedures listed in regulation 382.121 (a) and (b) are followed. In order for the exception of 382.121 to be used, all the provisions and conditions of this section must be met. In this instance, none of the consequences of prohibited conduct would apply and the company will not report the admission to any subsequent employers. However, if any of the conditions in 382.121 is absent, then the exception may not be used and the driver will be subject to all of the consequences of prohibited conduct, including referral and treatment in accordance with 49 CFR Part 40, Subpart O, and reporting the subsequent employers in accordance with 49 CFR Part 40.25 and 391.23 (e).

**17.5** All questions concerning the educational material provided by The Company or about this Policy are directed, to the Company "D.E.R.", designed employer representative, **Name of the DER.... WARREN WOOD**.

## **18.0 PAYMENT OF TESTS**

**18.1** At its discretion, the Company shall pay the costs for all tests which the Company is required to conduct on their drivers under DOT regulations.

# **WOODS TRUCKING & EQUIPMENT**

**18.2** Drivers are responsible for paying the costs for any test or tests conducted which the Company does not require, unless otherwise prohibited by the applicable state law. The Company, reserves the right to withhold cost of pre-employment tests if employee terminates employment before 90 days.

**18.3** Drivers are responsible for paying the costs of the analysis of any secondary urine specimen which they request under Section 12.4 Policy, except as otherwise required by applicable state law before analysis of second sample.

## **19.0** CONFIDENTIALITY

**19.1** The results of all individual drug and alcohol tests will be kept in a secure location with controlled access.

**19.2** All individual test results will be considered confidential. Upon written authorization of the individual, release of an individual driver's results will be released, or as is required by DOT's regulation or by other applicable federal or state law.

## **20.0** DESIGNATED EMPLOYEE REPRESENTATIVE and SERVICE AGENTS

**The DER is:** WARREN WOOD  
535 CATTLEBARON PARC DRIVE  
FORT WORTH, TX 76108  
**Phone Number is:** 830-275-4705

**Collection Agency is:** Driving Safety Services  
110 Merchant St.  
El Campo, Texas 77437  
**Phone** 979-543-7849

**Testing Agency is:** Quest Diagnostic  
11010 Renner  
Lenexa, Ks 66219  
**Phone:** 1-800-877-7484

**Service Provider:** Driving Safety Services  
110 Merchant St.  
El Campo, Texas 77437  
**Phone** 979-543-7849

**Medical Review Officer** Doctors Review Service  
546 Franklin Ave.  
Massapequa, NY 11758  
**Phone:** 800-526-9341

# WOODS TRUCKING & EQUIPMENT

## 21.0 Addendum A

### SAP List:

SAP Name	City	State	ZIP Code	Best Way to Contact
<a href="#">Suzanne Lofton</a> 1814 8th Ave. Ste. A	Ft. Worth	TX	76110	phone: (817) -917 ext. 9270
<a href="#">Dr. James Williams</a> Metropolitan Center for Counseling and Psychotherapy 6737 Brentwood Stair Road Suite 236	Fort Worth	TX	76112	email: mccp.counseling@sbcglobal.net
<a href="#">Valerie Nae Johnson</a> Branch Office	Fort Worth	TX	76134	phone: (817) 921-2272
<a href="#">Danny Jordan</a> 3001 W. 5th	Fort Worth	TX	76107	phone: (972) 989-8354
<a href="#">Beth Foster</a> Hulen Heights Counseling Center 3600 Hulen Street, Suite B-4	Fort Worth	TX	76107	phone: (817) 377-2800
<a href="#">Teresa Sawyer</a> 7525 John T White Rd	Fort Worth	TX	76120	phone: (817) 874-6732
<a href="#">Vicky Key</a> 226 Bailey	Fort Worth	TX	76111	email: v.key@tcchallenge.org
<a href="#">Teresa Sawyer</a> Branch Office	Fort Worth	TX	76120	phone: (817) 874-6732
<a href="#">Valerie Nae Johnson</a> 5523 W. Rosedale Street	Fort Worth	TX	76110	phone: (817) 921-2272
<a href="#">Toni Sue Giddens</a> 2700 Airport Freeway	Fort Worth	TX	76111	phone: (817) 332-6329 ext. 263

# WOODS TRUCKING & EQUIPMENT

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# WOODS TRUCKING & EQUIPMENT

## 22.0 ACKNOWLEDGEMENT OF RECEIPT

# WOODS TRUCKING & EQUIPMENT

### STATEMENT OF POLICY

### ACKNOWLEDGEMENT OF RECEIPT

This letter is to inform you of WOODS TRUCKING & EQUIPMENT, position in regarding drug and alcohol abuse and testing and provide you with a copy of the Companies controlled substance abuse policy.

While there is not intent to intrude upon the private lives of employees or contractors, the Company is concerned with those situations where drug and alcohol use interferes with the employee's health or job performance, affects to job performance of other employees or contractors is detrimental to the Company's business. It is WOODS TRUCKING & EQUIPMENT, responsibility to provide safe working conditions for all employees and contractors.

Should you have any questions regarding this policy, contact WARREN WOOD **Please** sign and date in the spaces below as your receipt of this policy.

Employee Signature \_\_\_\_\_ Date \_\_\_\_\_

Designated Employee Representative \_\_\_\_\_ Date \_\_\_\_\_  
WARREN WOOD