

FTA DRUG
&
ALCOHOL POLICY

Drug and Alcohol Policy

A. PURPOSE.....	1
B. APPLICABILITY.....	1
C. DEFINITIONS.....	2
D. EDUCATION AND TRAINING.....	5
E. PROHIBITED SUBSTANCES.....	5
F. PROHIBITED CONDUCT.....	6
G. DRUG STATUTE CONVICTION.....	7
H. TESTING PROCEDURE.....	7
I. PRE-EMPLOYMENT TESTING.....	7
J. REASONABLE SUSPICION TESTING.....	8
K. POST-ACCIDENT TESTING.....	8
L. RANDOM TESTING.....	9
M. RESULT OF A POSITIVE DRUG/ALCOHOL TEST RESULT.....	10
N. TREATMENT / DISCIPLINE.....	10
O. RETURN TO DUTY TESTING.....	10
P. FOLLOW-UP TESTIN.....	11
Q. NEGATIVE DILUTE DRUG TEST RESULTS.....	11
R. GRIEVANCE AND APPEAL.....	11
S. PROPER APPLICATION OF THE POLICY.....	11
T. INFORMATION DISCLOSURE.....	11
U. SYSTEM CONTACTS.....	12
Drug and Alcohol Program Manager / DER.....	12
MEDICAL REVIEW OFFICER.....	12
SAP.....	12
Current Random Testing Rates 2012.....	13
ATTACHMENT A.....	14
ATTACHMENT B.....	15

Choctaw Transit

Policy Adopted 11/5/2007

Revised 04/09/2013

Any provisions set forth in this policy that are included under the sole authority of the Mississippi Band of Choctaw Indians (“MBCI”) and are not provided under the authority of the below named Federal regulations are underlined.

A. PURPOSE

The Mississippi Band of Choctaw Indians/Choctaw Transit – State Grant provides public transit and paratransit services. Part of our 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, MBCI declares that the unlawful manufacture distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.

This policy complies with 49 CFR Part 655, as amended, and 49 CFR Part 40, as amended. All drug and alcohol testing is conducted in accordance with these regulations.

Copies of Parts 655 and 40 are available in the drug and alcohol program manager’s office.

All covered employees are required to submit to drug and alcohol tests as a condition of employment.

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.

Additionally, MBCI operates the Education Division and Department of Public Works and Forestry Program that operate vehicles which require certain vehicle operators to have a Commercial Drivers License (“CDL”). It is the mission of MBCI to operate these vehicles in a safe and efficient manner and to establish policies to ensure the workplace remains free from the effects of drugs and alcohol. MBCI finds it is in its best interest to apply the policy outlined hereafter to MBCI positions other than FTA positions which perform a safety-sensitive function. This policy may be applied prospectively to any new positions which meet the definition of safety-sensitive function.

B. APPLICABILITY

This policy applies to every employee performing a “safety-sensitive function” as defined herein, and any person applying for such positions.

You are a safety-sensitive employee if you perform any of the following:

Operation of a revenue service vehicle, whether in or out of revenue service;

Operation of a non-revenue vehicle when required to be operated by a holder of a commercial driver’s license (CDL);

Controlling movement or dispatch of a revenue service vehicle;

Security personnel who carry firearms for security purposes;

Maintenance (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service;

Contractor employees that stand in the shoes of covered employees also are required to comply with this policy.

Covered employee means a person, including an applicant or transferee, who performs or will perform a safety-sensitive function. A volunteer is a covered employee if: (1) The volunteer is required to hold a commercial driver's license to operate the vehicle; or (2) The volunteer performs a safety-sensitive function and receives remuneration in excess of his or her actual expenses incurred while engaged in the volunteer activity.

See Attachment A for a list of covered positions by job title. MBCI has determined that the job duties for the list of covered positions by job title require or may require the performance of safety-sensitive duties.

C. DEFINITIONS

Accident means an occurrence associated with the operation of a revenue service vehicle even when not in revenue service or a non-revenue-service vehicle which requires a Commercial Drivers 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) With respect to an occurrence in which the mass transit vehicle involved is a bus, electric bus, van, or automobile, one or more vehicles (including non FTA funded vehicles) incurs disabling damage as the result of the occurrence and such vehicle or vehicles are transported away from the scene by a tow truck or other vehicle.

Disabling Damage means damage that precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

Inclusion-Damage to a motor vehicle, where the vehicle could have been driven, but would have been further damaged if so driven.

Exclusion - (i) Damage that can be remedied temporarily at the scene of the accident without special tools or parts.

(ii) Tire disablement without other damage even if no spare tire is available.

(iii) Headlamp or taillight damage.

(iv) Damage to turn signals, horn, or windshield wipers, which makes the vehicle inoperable.

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

Alcohol Concentration is expressed in terms of grams of alcohol per 210 liters of breath as measured by an evidential breath-testing device.

Canceled Test is a drug test that has been declared invalid by a Medical Review Officer. A canceled test is neither positive nor negative.

Covered Employee means an employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function (See Attachment A for a list of covered employees.)

Designated Employer Representative (DER) an employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Part 40 and 655.

Department of Transportation (DOT) Department of the federal government which includes the Federal Transit Administration, Federal Railroad Administration, Federal Highway Administration, Federal Motor Carrier Safety Administration, Research and Special Programs, and the Office of the Secretary of Transportation.

Dilute specimen A specimen with creatinine and specific gravity values that is lower than expected for human urine.

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

Medical Review Officer (MRO) means a licensed physician (medical doctor or doctor of osteopathy) responsible for receiving laboratory results generated by the testing program who has knowledge of substance abuse disorders, and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history, and any other relevant bio-medical information.

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 for a drug test means a verified presence of the identified drug or its metabolites below the minimum levels specific 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 is a test result found to be adulterated, substituted, invalid, or positive for drug/drug metabolites.

Performing (a safety-sensitive function) means covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, immediately available to perform, or immediately after performing a safety sensitive duty.

Positive test result for drug test means a verified presence of the 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 drugs mean marijuana, cocaine, opiates, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

Revenue Service Vehicles include all transit vehicles that are used for passenger transportation service or that require a CDL to operate. Includes all ancillary vehicles used in support of the transit system.

Safety-sensitive functions include (a) the operation of a transit revenue service vehicle even when the vehicle is not in revenue service; (b) the operation of a non-revenue service vehicle by an employee when the operation of such a vehicle requires the driver to hold a Commercial Drivers License (CDL); (c) maintaining a revenue service vehicle or equipment used in revenue service; (d) controlling the movement of a revenue service vehicle; and (e) carrying a firearm for security purposes.

Substance Abuse Professional (SAP); A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

Substituted Specimen A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with normal human urine.

Test Refusal You have refused to take a test if you:

- Fail to appear for a test within a reasonable time and/or,
- Fail to provide a breath or urine sample and/or,
- Provide an insufficient volume of breath or urine without valid medical explanation and/or,
- Leave the collection facility prior to test completion and/or,
- Fail to permit an observed or monitored collection when required and/or,
- Fail to take a second test when required and/or,
- Fail to undergo a medical examination when required and/or,
- Fail to cooperate with any part of the testing process and/or,
- Fail to sign Step 2 of alcohol test form and/or,

Once test is underway, fail to remain at site and provide a specimen and/or fail to remain readily available for post accident testing, including notifying the employer of your location if you

leave the scene of the accident prior to submission to testing and/or,

For an observed collection, fail to follow the observer's instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process and/or,

Possess or wear a prosthetic or other device that could be used to interfere with the collection process and/or,

Admit to the collector or MRO that you adulterated or substituted the specimen and/or,

The MRO verifies that you provided an adulterated/substituted sample.

For pre-employment tests only, failure to appear, aborting the collection before the test commences, or failure to remain at site prior to commencement of test is NOT a test refusal:

Verified negative test means a drug test result reviewed by a medical review officer and determined to have no evidence of prohibited drug use above the minimum cutoff levels established by the Department of Health and Human Services (HHS).

Verified positive test means drug test result reviewed by a medical review officer and determined to have evidence of prohibited drug use above the minimum cutoff levels specified in 49 CFR Part 40 as revised.

Validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is 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.

All supervisory personnel or company officials 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 B of this policy. Under MBCI's own authority, supervisory personnel will also be trained on how to intervene constructively and how to effectively integrate an employee back into his/her workgroup following intervention and treatment.

E. PROHIBITED SUBSTANCES

Prohibited substances addressed by this policy include the following.

Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any 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 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 drug, misuse of legally prescribed drugs, and use of hemp related products, as which cause drug or drug metabolites to present in the body above the minimum threshold is a violation of this policy.

Federal Transit Administration drug testing regulations (49 CFR Part 655) and MBCI policy requires that all covered employees be tested for marijuana, cocaine, amphetamines (including MDMA (Ecstasy)), opiates, and phencyclidine. Use of these illegal drugs is prohibited at all times, and thus covered employees may be tested for these drugs anytime that they are on duty.

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 must be reported to the Operations 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.

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 may only 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 Choctaw Transit's authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

F. PROHIBITED CONDUCT

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 CFR Part 40, as amended.

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 employee has consumed alcohol, they must acknowledge the use of alcohol at the time they are call to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline.

The MBCI 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.

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 0.02 or greater regardless of when the alcohol was consumed.

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.

No covered employee shall consume alcohol within four (4) hours prior to performance of safety-sensitive job functions.

MBCI prohibits the consumption of alcohol while the employee is on duty, or anytime the employee is in uniform.

Consistent with the Drug-Free Workplace Act of 1988, all covered employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the work place, including MBCI premises, transit vehicles, while in uniform or while on MBCI business.

G. DRUG STATUTE CONVICTION

Consistent with the Drug-Free Workplace Act of 1998, all employees are required to notify management of any criminal drug statute conviction for an occurrence, in the workplace within five days after such conviction. Failure to comply with this provision shall result in discipline, including termination.

H. TESTING PROCEDURE

All testing will be conducted as required in 49 CFR Part 40, as amended.

I. PRE-EMPLOYMENT TESTING

Pre-employment drug and alcohol tests are conducted after making a contingent offer of employment or transfer, subject to the employee passing the pre-employment drug and alcohol test.

A negative pre-employment drug and alcohol test result is required before an employee can first perform safety-sensitive duties.

A negative pre-employment drug and alcohol test result is required for covered employees who have been away from work for more than 90 consecutive calendar days, and have been removed from the random testing pool during that time, prior to resuming a safety-sensitive function.

When a covered employee or applicant has previously failed or refused a DOT pre-employment drug and/or alcohol test, the employee must provide proof of having successfully completed a referral, evaluation and treatment plan meeting DOT requirements.

Failure of a pre-employment drug and/or alcohol test will disqualify an applicant for employment for a period of at least one year.

When an employee being placed, transferred, or promoted from a non-covered position to a covered position submits a drug test with verified positive result, and/or an alcohol concentration above 0.02 the employee shall be subject to discipline, including termination.

Applicants are required to provide consent for MBCI to request previous DOT covered

employer drug and alcohol test results. Failure to do so will result in the employment offer being rescinded.

J. REASONABLE SUSPICION TESTING

All covered employees will be subject to a reasonable suspicion drug and/or alcohol test when there is a reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse.

The determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee. A supervisor, or other company official who is trained in detecting the signs and symptoms of drug use and alcohol misuse must make the required observations.

Under DOT authority, MBCI may direct a covered employee to undergo reasonable suspicion testing for alcohol only while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions. Under MBCI authority a non-DOT reasonable suspicion alcohol testing can be conducted at any time the employee is on duty.

If an alcohol test is not administered within two hours following the determination to conduct a reasonable suspicion test, the supervisor shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test is not administered within eight hours following the determination to test, the supervisor shall cease attempts to administer an alcohol test and update the record with the reasons for not administering the test.

MBCI shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation that might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action.

A written record of the observations that led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation as documentation for the file. This written record shall be submitted to MBCI's management and shall be attached to the forms reporting the test results.

K. POST-ACCIDENT TESTING

Safety-sensitive employees shall be subject to post-accident alcohol and controlled substances testing under the following circumstances:

Fatal Accidents. As soon as possible following an accident involving the loss of human life, DOT drug and alcohol tests shall be conducted on all surviving covered employees operating the vehicle at the time of the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, shall be tested.

Non-fatal Accidents. Post-accident testing is required if one of the following conditions is met,

An accident results in injuries requiring immediate medical treatment away from the scene, and the covered employee contributed to the accident,

or

One or more vehicles receive disabling damage and have to be towed from the scene, and the covered employee contributed to the accident.

In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, is tested.

Disabling damage means damage that prevented the 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, tail lights, turn signals, horn, or windshield wipers that makes them inoperative.

If an alcohol test is not administered within two hours following the time of the accident, MBCI will prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test is not administered within eight hours following the determination to test, MBCI will cease attempts to administer an alcohol test and update the record with the reasons for not administering the test. The drug test should be administered as soon as possible. MBCI will cease attempts to collect the drug test after 32-hours.

The decision not to administer a drug and/or alcohol test under this section shall be based on the employer's determination, using the best available information at the time of the determination that the employee's performance could not have contributed to the accident. Such a decision must be documented in detail, including the decision-making process used to reach the decision not to test.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident or to prohibit a covered 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.

In the rare event that MBCI is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), MBCI 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.

L. RANDOM TESTING

Random drug and alcohol tests are unannounced and unpredictable, and the dates for administering random tests are spread reasonably throughout the calendar year. Random testing must be conducted at all times of day when safety-sensitive functions are performed.

Testing rates will meet or exceed the minimal annual percentage rate set each year by the DOT Administrator. The current year testing rates can be obtained from the DER or viewed on line at <http://www.dot.gov/ost/dapc/rates.html>.

The selection of employees for random drug and alcohol testing shall be made by a scientifically valid method, such as a random number table or a computer-based random number generator that is matched with employees' Social Security numbers, payroll identification numbers, or other comparable identifying numbers. Under the selection process used, each covered employee shall have an equal chance of being tested each time selections are made.

Each employee selected for testing shall be tested during the selection period. A covered employee may only be randomly tested for alcohol misuse while the employee is performing safety-sensitive functions; just before the employee is to perform safety-sensitive functions; or just after the employee has ceased performing such functions. A covered employee may be randomly tested for prohibited drug use anytime while on duty.

Under MBCI's authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty.

Each covered employee who is notified of selection for random drug or random alcohol testing shall proceed to the test site immediately.

M. RESULT OF A POSITIVE DRUG/ALCOHOL TEST

Any applicant, transferee, or employee, who tests positive for drugs and/or alcohol or refuses to test will be immediately removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and referred to a Substance Abuse Professional (SAP) for assessment, treatment and education.

The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant, transferee, or employee.

N. TREATMENT / DISCIPLINE

Following a positive drug or alcohol (BAC at or above 0.04) test result or test refusal, the employee will be immediately removed from safety-sensitive duties, and will be referred to a substance abuse professional (SAP). The employee also will face discipline up to and including termination. The employee will be eligible to return to work only after being evaluated by the SAP, successfully completing the education and treatment program recommended by the SAP and passing a return-to-duty test.

Following a BAC of 0.02 or greater, but less than 0.04 – the employee is immediately removed from safety sensitive duties for at least eight hours unless a retest results in the employee's alcohol concentration of less than 0.02.

O. RETURN TO DUTY TESTING

Any employee who is allowed to return to duty after a refusal to submit to a test or failing an alcohol and/or drug test, must be first be evaluated by a substance abuse professional (SAP), and provide negative drug, alcohol (or both) return-to-duty test result.

All return to duty and follow-up testing will be under direct observation. The observer shall be the same gender as the employee, but need not be the collector. The observer is responsible for ensuring that the specimen goes from the employee's body into the collection container. If the employee declines to allow a directly observed collection when required or permitted under this policy, it is considered a refusal to test.

P. FOLLOW-UP TESTING

Employees returning to duty following leave for substance abuse rehabilitation will be required to undergo unannounced follow-up alcohol and/or drug testing as directed by the SAP. The SAP shall direct the number and frequency of such follow-up testing with a minimum of six tests in the first 12 months. The employee will be subject to follow-up testing for a period of 1 to 5 years as determined by the SAP. All testing will be conducted in accordance with Part 40, subpart O.

Q. NEGATIVE DILUTE DRUG TEST RESULTS

With the exception of pre-employment tests, a negative dilute specimen will not require a retest.

R. GRIEVANCE AND APPEAL

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

S. PROPER APPLICATION OF THE POLICY

MBCI 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 supervisor/manager who knowingly disregards the requirements of this policy, or who deliberately misuses the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

T. INFORMATION DISCLOSURE

Drug/Alcohol testing records shall be maintained by MBCI's Drug and Alcohol Program Manager 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.

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 SAP follow-up testing plans.

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

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

Records of an employee's drug/alcohol tests shall be released to the adjudicator 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 that the decision maker

will make it available only to parties in the proceeding.

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

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

Records will be released if requested by a Federal, state or local safety agency with regulatory authority over MBCI or the employee.

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.

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 of the FTA.

U. SYSTEM CONTACTS

Any question regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s):

Drug and Alcohol Program Manager / DER

Billy Robertson / Sandra McNeil
Choctaw Transit Program Manager / Project Director
258 Industrial Rd
Choctaw MS 39350
301-650-7429

MEDICAL REVIEW OFFICER

Dr. Amos Belknap
7 Lakeland Circle
Suite 100A
Jackson MS 39216
601-693-6638

SAP

Tamara Pucket
4500 I-55 North
Suite 293-S
Jackson MS
601-613-6088

Current Random Testing Rates 2012

DOT Agency	2012 Random Drug Testing Rate	2012 Random Alcohol Testing Rate
Federal Transit Administration [FTA]	25%	10%

ATTACHMENT A

SAFETY-SENSITIVE POSITIONS/CHOCTAW TRANSIT

Program Director
Project Director
Program Administrative Assistant
Office Manager
Secretary
Bus Driver
Dispatcher
Other Staff Secretary
Driver/Custodian
Custodian/Sub. Driver
Job Coach
Field Trainer
Industrial Trainer
Vocational Evaluator
Placement Specialist
Horticultural Trainer
Rehabilitation Counselor
Personal Attendant/ Driver
Rehabilitation Technician
Work Adjustment Counselor
Vocational Training Assistant
Career Exploration & Preparation Instructor
Mechanics
Service Writer
Service Manager
Parts Manager
Parts Specialist
Mechanic Trainers
Tire/Wrecker Specialist

ATTACHMENT B

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 response and progressively impairs mental functions.

Signs and Symptoms of Use

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

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

1\ Health Effects

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

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 double at night and weekends.

- Two-thirds of all Americans will be involved in an alcohol-related vehicle accident during their lifetime.
- The rate of separation and divorce in families with alcohol dependency problem is 7 times the average.
- Forty percent of family court cases are alcohol problem related.
- Alcoholics are 15 times more likely to commit suicide than are other segments of the population.
- More than 60 percent of burns, 40 percent of falls, 69 percent of boating accidents, and 76 percent of private aircraft accidents are alcohol related.

The Annual Toll

- 24,000 people will die on the highway due to the legally impaired driver.
- 12,000 more will die on the highway due to the alcohol-affected driver.
- 15,800 will die in non-highway accident.
- 30,000 will die due to alcohol-caused liver disease.
- 10,000 will die due to alcohol-induced brain disease or suicide.
- Up to another 125,000 will die due to alcohol-related conditions or accidents.

Workplace Issues

- It takes one hour for the average person (150 pounds) to process one serving of an alcoholic beverage from the body.
- Impairment in coordination and judgment can be objectively measured with as little as two drinks in the body.
- A person who is legally intoxicated is 6 times more likely to have an accident than a sober person.