

PROCEDURE 407-2

CDL DRIVER REPORTS

Effective 05-01-2021, Resolution No. 014-21

The Federal Motor Carrier Safety Administration (FMCSA) Clearinghouse is a centralized data base that the County must utilize to determine whether its current and prospective employees for positions requiring a commercial driver's license (CDL) are prohibited from performing safety-sensitive functions and to report drug and alcohol violations of its CDL drivers. Only drug and alcohol tests required under FMCSA authority are reported in the Clearinghouse.

"Safety-sensitive functions" are the functions defined in Procedure 407-1.

Pre-employment and Annual Clearinghouse Queries.

Prior to employment and at least annually thereafter the County will query the Clearinghouse to determine if:

- Its CDL drivers have had a positive drug test or alcohol test of 0.04 or greater.
- Its CDL drivers have refused a drug or alcohol test.
- Another employer of the driver has reported actual knowledge that the driver used alcohol or a controlled substance in violation of FMCSA regulations.
- A CDL driver who has had a violation of FMCSA regulations has completed the required return-to-duty process.

CDL drivers are required to consent to the query. Refusal to consent may result in corrective action up to and including separation from employment.

In addition to Clearinghouse queries, the County will send queries directly to a driver's former employers where required by law.

Reports to the Clearinghouse.

As required by law, the County will report the following information to the FMCSA Clearinghouse within three days of receiving the information:

- A verified positive, adulterated, or substituted drug test result on an FMCSA-required drug test.
- An alcohol confirmation test with a result of 0.04 or greater on an FMCSA-required alcohol test.
- A refusal to submit to an FMCSA-required drug or alcohol test.
- Actual knowledge of a CDL driver's use of drugs or alcohol in violation of Human Resources Policy 407.
- The CDL driver's successful completion of a drug or alcohol treatment program, negative return to duty test (for alcohol a result less than 0.02), and completion of required follow-up testing where these activities are DOT-required.

"Actual knowledge" means direct observation of a CDL driver's use of alcohol or a controlled substance, information provided by the driver's previous employer(s), a traffic citation for driving a commercial motor vehicle while under the influence of alcohol or a controlled substance, or the employee's admission.

Questions and Assistance

Questions regarding this procedure and requests for additional information regarding drug and alcohol use should be directed to the Human Resources partner assigned to the driver's department/agency/office. Drivers are encouraged to utilize the Employee Assistance Plan for assistance with drug and alcohol dependence.