



## Standard Operating Procedure

Procedure No:  
**OOCDAP-18.25**

Page: **1 of 5**

### **VIOLATORS RETURN TO DUTY PROCEDURE**

Supersedes:  
**N/A**

Rev. No.:  
**5 of 5**

Issuing Department:  
Office of Compliance

Approval:  
*Alicia Miller*  
Compliance Manager

Previous Rev. Date:  
**June 7, 2023**

Effective Date:  
**July 1, 2023**

### Table of Contents

- 1.0 Purpose of Procedure**
- 2.0 Procedural Objective**
- 3.0 Scope of Application**
- 4.0 Definitions**
- 5.0 Method (Process)**
- 6.0 Supporting Form/Checklist**
- 7.0 Roles and Responsibilities**
- 8.0 Related Documentation**
- 9.0 Authority/Regulation**
- 10.0 Records**

### **1.0 Purpose of Procedure**

The purpose of this procedure is to ensure that an employee who wants to return to work for DDOT after a drug or alcohol violation has completed an evaluation by a Substance Abuse Professional (SAP) for a DOT-FTA violation or an Employee Assistance Program (EAP) Counselor for a NON-DOT violation.

### **1.0 Procedural Objective**

The procedural objective is to establish a process for returning an employee to duty after they have completed an evaluation/treatment program with a SAP or EAP Counselor and has been approved for a Last Chance Re-Entry Agreement (LCA) with DDOT.

## **2.0 Scope of Application**

This standard operating procedure (SOP) provides practical guidance to the DDOT Drug and Alcohol Program Manager (DAPM) and Designated Employer Representative (DER) who will coordinate with the Assistant Deputy Director for the divisions, DDOT Executive Director, Employee Services, the employee and their union representative to administer the LCA Re-entry agreement.

## **4.0 Definitions**

BAT - Breath Alcohol Test

CCF - Chain of Custody Form

CMCA – Concentra Medical Compliance Administration

DAPM – Drug and Alcohol Program Manager

DDOT - Detroit Department of Transportation

DER - Designated Employee Representative

ePassport – an electronic clinic authorization with a barcode

(this can be electronic or a generic/manual ePassport)

LCA - Last Chance Re-entry Agreement

EAP – Employee Assistance Program

HR - Human Resources – Employee Services

RTD – Return to Duty

SAP - Substance Abuse Professional

Specimen Result - Results from a collection of urine

## **5.0 Method (Process) – Employee Requests to RTD on a LCA**

- 1) If an employee wants to be considered for returning to duty after a DOT-FTA drug or alcohol violation occurred, he/she is required to see a Substance Abuse Professional (SAP). If it was a NON-DOT violation it is recommended for the employee to see an Employee Assistance Program (EAP) Counselor.
- 2) For FTA violators, the SAP will send the DAPM/DER:
  - An initial evaluation advising of the prescribed treatment plan.
  - A final evaluation indicating completion of their treatment program and advising that they can be returned to work.
- 3) For NON-DOT violation the EAP will send the DAPM/DER:
  - An EAP completion certification

## **5.0 Method (Process - continued) – Employee Requests to RTD on a LCA**

- 4) The DAPM/DER will notify DDOT leadership of the employee's SAP program completion by filling out the Request to RTD on a LCA Request Form with the information below:

Employee's length of service

Attendance

Performance

Previous Drug and Alcohol violations

Pictures if post-accident

Then the form will be emailed to:

- Deputy Director of Operations and Vehicle Maintenance or Operation Leadership
- DDOT Executive Director for their final approval

### **Method (Process) – Approval or Denial to RTD on a LCA**

- 5) Once the DAPM/DER receives the approval/denial of the RTW on a LCA request form from the Executive Director's office, they will contact the employee to advise of the decision.
- 6) If approved, the DAPM/DER will call the employee and set up a time for them to go to the clinic to be tested, because they will have to submit to observed return to duty drug and alcohol testing. If denied, the DAPM/DER will just be informing the employee that their request was denied.
- 7) During the call, the DAPM/DER will review the initial screening form over the phone and either obtain a verbal authorization/signature from them or have them sign the form via adobe if they have the capabilities and then schedule a time for them to go to the clinic to do step 5 and then the DAPM/DER will do step 8.
- 8) After the DAPM/DER speaks with the employee, they will then send an email to the Employee Services Manager, Department designee, and the Union President/Vice President notifying them of the approval to RTW on a LCA along with the signed approval Request to RTD on a LCA Form, also advising them that the employee is set up to do Observed RTD testing.

## **Method (Process - continued) – Approval or Denial to RTD on a LCA**

- 9) **In person:** The DAPM/DER will call the employee to advise they were approved and set up a time for them to come to the DDOT Administrative offices and have them review/sign the initial screening agreement and then proceed immediately to the clinic.
- 10) **Via Phone or In person:** The DAPM/DER will then email the ePassport to the assigned Concentra clinic and if in person, they will also call the clinic with a courtesy notification that the employee is on their way to the clinic for observed RTD drug and alcohol testing.
- 11) The employee will return home and wait until they are called again by the DAPM/DER, regarding their test results. If they are negative, the DAPM/DER will call the employee to set up a time for them to meet with their Union President/Vice President to review/sign the LCA virtually (Microsoft Teams or Zoom) or in person. The DAPM/DER will then follow the steps in the Last Chance Agreement SOP.
- 12) If the results are positive the DAPM/DER will contact the employee to advise they did not pass the RTD testing and they cannot RTD on a LCA and the DAPM/DER will send an email to Employee Services Manager, Department designee, and the Union President/Vice President notifying them that the employee did not pass their RTD testing. The DAPM/DER will update the Violators Listing with the 2<sup>nd</sup> Violation information.

### **6.0 Supporting Form/Checklist**

DDOT Drug and Alcohol Program Policy  
DDOT Notice of Drug and Alcohol Testing Form (ePassport)  
Return to Duty on a LCA Request Form

### **7.0 Roles and Responsibilities**

Once the SAP evaluation is submitted and LCA is approved by the DDOT Executive Director, then the DAPM/DER will work with the previous employee and union representation on returning previous employee to duty.

## **8.0 Related Documentation**

Initial Screening Agreement  
SAP Evaluations  
Sample Emails for RTD on a LCA Requests

## **9.0 Authority/Regulation**

FTA 49 CFR, Part 40  
FTA 49 CFR, Part E  
DDOT Drug and Alcohol Program Policy  
Drug-Free Workplace Act

## **10.0 Records**

This policy is kept electronically in DDOT's SharePoint Folder for Standard Operating Procedures and in the Office of Compliance Drug and Alcohol SharePoint folder.