



**DEPARTMENT OF
TRANSPORTATION**

Drug & Alcohol Program Policy

Effective as of February 5, 2025

Date Adopted: February 5, 2025
Last Revised: 1/14/2025

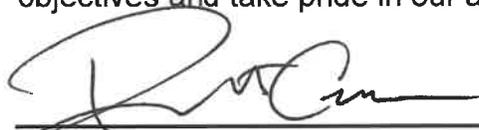
DRUG AND ALCOHOL PROGRAM POLICY ADOPTION

The Detroit Department of Transportation (DDOT) strives for excellence in providing public transit services that are reliable, customer-focused, and safe and secure for all users.

This policy was established in order to comply with the 'Drug-Free Workplace Act of 1988', the Omnibus Transportation Employee Testing Act of 1991", and the Federal Transit Administration (FTA) regulations. It applies to all DDOT employees.

The Department will provide employees with a copy of the Drug and Alcohol Program Policy. This policy will be applied consistently and justly throughout the Department.

It is the Department's foremost objective to provide the most efficient transportation services possible and maintain a model work environment for its employees. With the total cooperation and commitment from all employees at DDOT, we can attain these objectives and take pride in our accomplishments.



Robert John Cramer, Executive Director of Transit

1-14-25

Date

Date Adopted: 10/14/2025

Last Revised: 10/1/2024

DRUG-FREE WORKPLACE ACT (DFWA) POLICY STATEMENT

The Detroit Department of Transportation (DDOT) requires the workplace to be drug-free. Therefore, the term of this policy is a condition of employment for all DDOT employees (Safety-Sensitive and Non-Safety-Sensitive). Under the requirements of this law, the Department must assure the following:

- The workplace is drug-free
- The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the workplace.
- An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify their employer no later than five (5) days after conviction.
- Employees shall abide by the terms of the policy statement as a condition of employment.

The above policy can be amended at any time according to FTA regulations



Robert John Cramer, Executive Director of Transit

2/5/2025

Date

Date Adopted: 1/14/2025

Last Revised: 10/1/2024

Purpose of Policy

This policy complies with 49 CFR Part 655, as amended and 49 CFR Part 40, as amended. Copies of Parts 655 and 40 are available in the drug and alcohol program manager's office and can be found on the internet at the Federal Transit Administration (FTA) Drug and Alcohol Program website <http://transit-safety.fta.dot.gov/DrugAndAlcohol/>.

All covered employees are required to submit to drug and alcohol tests as a condition of employment in accordance with 49 CFR Part 655.

Portions of this policy are not FTA-mandated, but reflect Detroit Department of Transportation's policy. These additional provisions are identified by **bold text**.

In addition, DOT has published 49 CFR Part 32, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA.

All Detroit Department of Transportation employees are subject to the provisions of the Drug-Free Workplace Act of 1988.

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited in the covered workplace. An employee who is convicted of any criminal drug statute for a violation occurring in the workplace shall notify DDOT's Employee Services no later than five days after such conviction.

Covered Employees

This policy applies to every person, including an applicant or transferee, who performs or will perform a "safety-sensitive function" as defined in Part 655, section 655.4.

You are a covered employee if you perform any of the following:

- Operating a revenue service vehicle, in or out of revenue service
- Operating a non-revenue vehicle requiring a commercial driver's license
- Controlling movement or dispatch of a revenue service vehicle
- Maintaining (including repairs, overhaul and rebuilding) of a revenue service vehicle or equipment used in revenue service
- Carrying a firearm for security purposes

See Attachment A for a list of covered positions by job title.

Prohibited Substances & Behavior

Use of illegal drugs is prohibited at all times. Prohibited drugs include:

- marijuana
- cocaine
- phencyclidine (PCP)
- opioids
- amphetamines

All covered employees are prohibited from performing or continuing to perform safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

All covered employees are prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. If the on-call employee claims the ability to perform his or her safety-sensitive function, he or she must take an alcohol test with a result of less than 0.02 prior to performance.

All covered employees are prohibited from consuming alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

 All covered employees required to take a post-accident test are prohibited from consuming alcohol for eight (8) hours following involvement in an accident or until he or she submits to the post-accident drug and alcohol test, whichever occurs first.

Consequences for Violations

ZERO TOLERANCE

Any employee who tests positive for drugs or alcohol (**BAC at 0.02 to 0.039 will be referred to the Employee Assistance Program.** if the BAC is at or above 0.04) or refuses to test will be referred to a Substance Abuse Professional (SAP) and suspended for 29 days pending termination from employment.

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 duty and provided with contact information for Substance Abuse Professionals (SAPs).

Following a BAC below 0.019, the employee will be immediately removed from safety-sensitive duties until the start of their next regularly scheduled duty period (but for not less than eight hours) unless a retest results in the employee's alcohol concentration being less than 0.02.

Treatment/Discipline

Per Detroit Department of Transportation policy, any employee who tests positive for drugs or alcohol (BAC at or above 0.04) or refuses to test will **immediately be suspended 29-days pending termination.**

An employee will be responsible for the cost of any rehabilitation services and can use paid/unpaid leave during the rehabilitation program.

Circumstances for Testing

Pre-Employment Testing

A negative pre-employment drug test result is required before an employee can first perform safety-sensitive functions. If a pre-employment test is cancelled, the individual will be required to undergo another test and successfully pass with a verified negative result before performing safety-sensitive functions.

If a covered employee has not performed a safety-sensitive function for 90 or more consecutive calendar days and has not been in the random testing pool during that time, the employee must take and pass a pre-employment test before he or she can return to a safety-sensitive function.

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

A non-regulated negative pre-employment drug test results is required for all employees returning from a leave of absence of 89 days or less. Any non-safety-sensitive employee who is allowed to return to safety-sensitive duty after failing or refusing to submit to a Non-DOT drug and/or alcohol test must first be evaluated by a employee assistance program (EAP), complete an EAP-required program of education and/or treatment, and provide a negative pre-employment drug test result and/or an alcohol test result of less than 0.02.

Reasonable Suspicion Testing

All employees shall be subject to a drug and/or alcohol test when Detroit Department of Transportation has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. A reasonable suspicion referral for testing will be made by a trained supervisor or other trained company official on the basis of specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee.

Covered employees may be subject to reasonable suspicion drug and alcohol testing any time while on duty. All covered employees may be subject to reasonable suspicion alcohol testing 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.

Non-covered employees may be subject to non-DOT reasonable suspicion drug and alcohol testing any time while on duty.

Post-Accident Testing

Covered employees shall be subject to post-accident drug and alcohol testing under the following circumstances:

1. Fatal Accidents - As soon as practicable following an accident involving the loss of a human life, drug and alcohol tests will be conducted on each surviving covered employee operating the public transportation vehicle at the time of the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by Detroit Department of Transportation using the best information available at the time of the decision, will be tested.
2. Non-fatal Accidents - As soon as practicable following an accident not involving the loss of a human life, drug and alcohol tests will be conducted on each covered employee operating the public transportation vehicle at the time of the accident if at least one of the following conditions is met:

3. The accident results in injuries requiring immediate medical treatment away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident
4. One or more vehicles incurs disabling damage and must be towed away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident. In addition, any other covered employee whose performance could have contributed to the accident, as determined by Detroit Department of Transportation using the best information available at the time of the decision, will be tested.

A covered employee subject to post-accident testing must remain readily available, or it is considered a refusal 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.

Non-DOT regulated post-accident testing shall occur in situations involving non-covered employees.

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 will be conducted at all times of the day when safety-sensitive functions are performed.

Testing rates will meet or exceed the minimum annual percentage rate set each year by the FTA administrator. The current year testing rates can be viewed online at www.transportation.gov/odapc/random-testing-rates.

The selection of employees for random drug and alcohol testing will be made by a scientifically valid method, such as a random number table or a computer-based random number generator, with no discretion on the part of management or supervisors. Under the selection process used, each covered employee will have an equal chance of being tested each time selections are made.

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.

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

Return to Duty Testing

Any covered employee who is allowed to return to safety-sensitive duty after failing or refusing to submit to a DOT drug and/or alcohol test must first be evaluated by a substance abuse professional (SAP), complete an SAP-required program of education and/or treatment, and provide a negative return-to-duty drug test result and/or an alcohol test result of less than 0.02. Any return-to-duty drug testing will be directly observed. All FTA drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, Subpart O Testing Procedures as amended.

A follow-up alcohol testing only permissible 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.

Follow-up Testing

Employees returning to safety-sensitive duty following a return-to-duty test will be required to undergo unannounced follow-up alcohol and/or drug testing for a period of one (1) to five (5) years, as directed by the SAP. The duration of testing will be extended to account for any subsequent leaves of absence, as necessary. The type (drug and/or alcohol), number, and frequency of such follow-up testing shall be directed by the SAP.

A covered employee may only be subject to follow-up alcohol testing 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 subject to follow-up drug testing anytime while on duty. All follow-up drug tests will be directly observed. All testing will be conducted in accordance with 49 CFR Part 40, Subpart O.

Testing Procedures

All FTA drug and alcohol testing will be conducted in accordance with 49 CFR Part 40, as amended.

Dilute Urine Specimen

If a Pre-Employment, Random, Return to Duty, or Follow-up test results in a negative dilute test result, Detroit Department of Transportation will conduct one additional retest. The result of the second test will be the test of record. If there is a negative dilute test result and the test type was not a Pre-Employment, Random, Return to Duty, or Follow-up test, Detroit Department of Transportation will accept the test result and there will be no retest, unless the creatinine concentration of a negative dilute specimen was greater than or equal to 2 mg/dL, but less than or equal to 5 mg/dL.

Dilute negative results with a creatinine level greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL require an immediate recollection under direct observation (see 49 CFR Part 40, section 40.67).

Split Specimen Test

In the event of a verified positive test result, or a verified adulterated or substituted result, the employee can request that the split specimen be tested at a second laboratory. Detroit Department of Transportation guarantees that the split specimen test will be conducted in a timely fashion. **The employees will not be required to pay for the test.**

Test Refusals

As a covered employee, you have refused to test if you:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by Detroit Department of Transportation.
- (2) Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.

- (3) Fail to provide a specimen for a drug or alcohol test. An employee who does not provide a specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
- (4) In the case of a directly-observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
- (5) Fail to provide a sufficient specimen for a drug or alcohol test without a valid medical explanation.
- (6) Fail or decline to take a second drug test as directed by the collector or Detroit Department of Transportation.
- (7) Fail to undergo a medical evaluation as required by the MRO or Detroit Department of Transportation's Designated Employer Representative (DER).
- (8) Fail to cooperate with any part of the testing process.
- (9) Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly-observed urine drug test.
- (10) Possess or wear a prosthetic or other device used to tamper with the collection process.
- (11) Admit to the adulteration or substitution of a specimen to the collector or MRO.
- (12) Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
- (13) Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

As a covered employee, if you refuse to take a drug and/or alcohol test, you incur the same consequences as testing positive and will be immediately removed from performing safety-sensitive functions and provided with contact information for SAPs.

Prescription Drug Use

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 DDOT's Employee Services. Medical advice should be sought, as appropriate, while taking such medication and before performing safety-sensitive duties.

DDOT Contact Person

For questions or concerns regarding the Drug and Alcohol Program Policy and/or the federal regulations, please contact:

Alicia Miller

Office of Compliance Division
Compliance Manager/DAPM/DER
100 Mack Avenue
Detroit, MI, 48201
Cell: 313-244-2327
Fax: 313-833-1496

Tamacie Crosby

Office of Compliance Division
Regulatory Compliance Officer
100 Mack
Detroit, MI 48201
Cell: 313-303-1953
Fax: 313-833-1496

Lakeya Mann

Office of Compliance Division
Regulatory Compliance Officer
100 Mack Avenue
Detroit, MI, 48201
Cell: 313-421-9155
Fax: 313-833-1496

Attachment A - Covered Positions by Job Title

1. Administrative Special Service Staff 1, 2, 2-Exempt
2. Auto Body Mechanic (ABM)
3. Auto Repair Foreman
4. Automotive Research Assistant
5. Body Shop Foreman – Transit
6. Coach Service Attendant (CSA)
7. Dispatcher – Paratransit 1 & 2
8. General Auto Body Mechanic (GABM)
9. General Auto Mechanic (GAM) - DDOT
10. Instructor – Transportation Equipment Operation
11. Instructor – Vehicle Maintenance
12. Repair Mechanic
13. Senior Transportation Service Inspector (STSI)
14. Supervising Coach Service Attendants
15. Transportation Emergency Dispatcher
16. Transportation Equipment Operator (TEO)
17. Transportation Equipment Operator 1, 2, 3, 4, & 5
18. Transportation Equipment Student
19. Transportation Station Worker (TSW)
20. Transportation Terminal Supervisor (TTS)
21. Transportation Terminal Assistant (TTA)
22. Vehicle Operator 3