



Title: Controlled Substance and Alcohol Testing of Staff Members Required to Hold a Commercial Driver's License

Code: GBECA

Section: Section G: Personnel Policies

In accordance with federal law and regulations, the District shall be responsible for implementing a drug and alcohol testing program for all staff members, including part-time, temporary, substitute, and contractor, who are required to hold a Colorado Commercial Driver's License (CDL), to perform their duties. This policy also applies to all applicants for employment into positions requiring a Colorado CDL, including current District staff members seeking to transfer into such positions. The purpose of the testing program shall be to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances. For the purpose of this policy, those required to hold a Colorado Commercial Driver's License (CDL) will be referred to as "driver(s)."

All staff members are required to follow administrative policy and procedure GBEC/GBEC R Alcohol/Drug-Free Workplace.

Required Testing

Drivers shall be subject to pre-employment/pre-duty drug testing and to reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. These procedures use an evidential breath testing device for alcohol testing. For controlled substances testing, urine specimen collection, and testing by a laboratory certified by the U.S. Department of Health and Human Services shall be required.

Pre-employment drug testing shall be administered to an applicant offered a position in the District prior to the first time the driver performs any safety-sensitive function for the District.

Random alcohol testing shall be limited to the time period surrounding the performance of safety-related functions which includes just before or just after the staff member performs the safety-related function. Controlled substances testing may be performed at any time while the driver is at work.

A staff member covered by the federal regulations shall complete the required test.

Consequences if testing indicates drug or alcohol use

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the staff member shall be removed immediately from safety-related functions in accordance with the federal regulations. Before a driver is reinstated, if at all, the driver shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation, and undergo a return-to-duty test with verified test results.

A driver who is prohibited from performing safety-sensitive functions may be assigned to non-safety-sensitive functions until such time as the driver complies with the requirements for returning to duty.

The Board retains the authority consistent with state and federal law to discipline or terminate any staff member who is an alcoholic or chemically dependent and whose current use of alcohol or drugs affects the staff member's qualifications for and performance of his or her job.

The District is not required under federal law requiring drug and alcohol testing to provide rehabilitation, pay for substance abuse treatment, or to reinstate the staff member. All employment decisions involving reinstatement, termination, or dismissal shall be made in accordance with applicable District administrative policies.

Record Retention

The District shall maintain records in compliance with the federal regulations in a secure location with controlled access. With the driver's consent, the District may obtain any of the information concerning drug and alcohol testing from the driver's previous employer. A driver shall be entitled upon written request to obtain copies of any records pertaining to the driver's use of alcohol or controlled substances including information pertaining to alcohol or drug tests.

Records shall be made available to a subsequent employer upon receipt of a written request from a driver only as expressly authorized by the terms of the driver's request. Records are held for five years after employment ends.

Other Provisions

The District shall take steps to ensure that supervisors receive proper training to administer the drug and alcohol testing program and that staff members receive the notifications required by federal regulations. A District designated liaison will answer any questions regarding the testing requirements.

Adopted: December 15, 1994

Revised: October 3, 1996

February 11, 1999

December 13, 2006

June 30, 2009

March 31, 2010

July 1, 2016

July 1, 2018

July 1, 2021

July 1, 2024

Legal Refs:

49 U.S.C. § 2717 (*Omnibus Transportation Employee Testing Act of 1991*)

49 C.F.R. Part 40 *procedures for transportation workplace drug and alcohol testing programs*)

49 C.F.R. Parts 382, et seq. (*controlled substance and alcohol use and testing*)

49 C.F.R. §§ 390.31 and 395.2

49 C.F.R. Part 391 (*qualification of drivers*)

C.R.S. 25-1.5-106 (12)(b) (*possession or use of medical marijuana in or on school grounds or in a school bus is prohibited*)

C.R.S. 42-2-401 et seq. (*Commercial Driver's License Act*)

Cross Refs:

GBEB – Staff Conduct and Responsibilities

GBEC – Alcohol/Drug-Free Workplace

GBECA – Controlled Substance and Alcohol Testing

EL 2.0 Global Executive Constraint

EL 2.3 Treatment of Staff

EL 2.7 Employment, Compensation and Benefits

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Last Revised: **July 01, 2024**

Attachments

[GBECA Controlled Substance and Alcohol Testing.pdf](#)