

# Starline Collection

2024



# Drug & Alcohol Abuse Policy

# Drug and Alcohol Abuse Policy

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## Section 1

## Purpose

Starline Collection (the “Company”) has established a Drug and Alcohol Policy prohibiting certain conduct and requiring Drug and alcohol testing, based on the following objectives:

- to maintain a productive workforce and work environment to assure the highest quality service to our customers.
- to provide a workplace free of drug and alcohol abuse for our employees and others and thereby promote a safe work environment.
- to support employee Drug and alcohol abuse rehabilitation.
- to protect the Company’s assets and reputation with its clients, shareholders, and the public; and
- in certain instances, to comply with specific laws, regulations or the Company’s contractual obligations.

Additionally, the U.S. Department of Transportation (“DOT”) has issued regulations which govern the use of drugs and alcohol by commercial motor vehicle drivers, as well as all safety sensitive employees who perform services operated using 5311(f) funds are subject to FTA drug and alcohol requirements per 49 CFR 655 or under 23 U.S.C. Section 103(e)(4). All applicants and employees of Starline Collection who are covered by the DOT regulations are subject to additional rules of conduct and additional conditions for drug and alcohol testing to meet the DOT’s requirements, as described in the Starline Collection DOT Drug and Alcohol Testing Rules Handbook.

## Section 2

## Compliance and Coverage

### 2.1 Compliance

As a condition of initial and continued employment with Starline Collection, all applicants and employees must abide by the Starline Collection Drug and Alcohol Policy. Contractors and suppliers entering agreements with Starline Collection may be required to include a statement of certification that the contractor/supplier has a Drug and alcohol policy which has been approved by Starline Collection.

### 2.2 Coverage

The Starline Collection Drug and Alcohol Policy apply to all employees of Starline Collection, all applicants for employment with Starline Collection, and all DOT-regulated employees. DOT-regulated employees include all who hold a commercial driver’s license performs a safety sensitive function if he or she is:

1. Waiting to be dispatched.
2. Inspecting equipment.

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3. Inspecting, servicing, or conditioning the commercial motor vehicle.
4. At the driving controls of the commercial motor vehicle.
5. In or upon the commercial motor vehicle (except when resting in a sleeper berth);
6. Supervising or assisting in loading or unloading a vehicle.
7. Attending a vehicle being loaded or unloaded.
8. Waiting in readiness to operate the vehicle.
9. Performing any function relating to an accident; or
10. Repairing, obtaining assistance with, or remaining in attendance with a disabled vehicle.

## Section 3 No Change to At Will Employment

The Starline Collection Drug and Alcohol Policy is not intended to, nor should it be construed to, provide contractual rights of employment. Employment at Starline Collection is At-Will. Either the Company or the employee may terminate employment at any time for any reason, with or without cause and with or without notice. The Starline Collection Drug and Alcohol Policy supersedes and revokes all previous practices, procedures, policies, and other statements of the Company, whether written or oral, that conflict with this document. The Company reserves the right to interpret, revise, and suspend all or any portion of the Policy at any time without prior notice.

## Section 4 Statement of Policy

Starline Collection will not tolerate the use or abuse of alcohol or drugs which affects the ability of any person covered by the Drug and Alcohol Policy, or in any situation that reflects upon his or her status as an employee and representative of the Company. All people covered by the Drug and Alcohol Policy have a duty to report to work mentally and physically prepared to perform their assigned duties and to remain so throughout the workday. Accordingly, all people covered by the Drug and Alcohol Policy are expected to adhere to the terms therein.

### 4.1 Prohibited Activities

**All Applicants and Employees.** The following conduct is prohibited on Company property, during working hours or whenever any person covered by the Company's Drug and Alcohol Policy is engaged in Company business:

- manufacturing, distributing, dispensing, possessing, using, consuming, or selling any Prohibited Drug.
- reporting to work or being at work in an impaired condition caused by any Prohibited Drug.
- using or being under the influence of legal drugs, the use of which can adversely affect the ability of the employee to perform his or her job safely.

- having a measurable amount of alcohol, drugs, or drug metabolites in his or her system, as shown by a positive result of a Drug test.
- refusing to be tested for drugs and/or alcohol.
- failing to stay in contact with the Company and its medical review officer while awaiting the results of a drug test.
- failing to cooperate in a professional manner with drug and/or alcohol testing procedures.
- violating any applicable federal and/or state requirement governing the use of drugs or alcohol; and
- doing anything to obstruct the Company's goals with respect to drugs and alcohol.

Additionally, the following conduct is strictly prohibited whenever a DOT-Covered employee is on duty or whenever a DOT-Covered employee is performing, or just about to perform, a safety-sensitive function (see definition above – Section 2.1):

- DOT-Covered employees are prohibited from using alcohol within four (4) hours of driving or performing any other safety-sensitive function.
- DOT-Covered employees required to take a post-accident test may not consume alcohol during the first eight (8) hours after the accident or until they have undergone the required testing.

### **4.2 Criminal Drug Convictions**

As a condition of continued employment, any employee who receives a criminal drug statute conviction for workplace violations must notify the Company within five (5) days of the conviction.

### **4.3 Prescription Drugs**

The proper use of over-the-counter medications or prescribed drugs is not prohibited, provided the drugs are contained in the original prescription container, are in the possession of the person for whom the drugs were prescribed, and are being used for the purpose prescribed.

Persons taking prescribed drugs or over-the-counter medications are responsible for being aware of any effect the drug or medication may have on their performance and are urged to promptly report to their supervisor, or the Human Resources Department, the use of any drug or medication that is impairing their ability to perform their job, or which is likely to have that effect. Employees taking prescription drugs should check with their prescribing physician to determine whether such impairment is likely. The Company reserves the right, as it deems appropriate, to determine whether a prescription drug produces hazardous effects, and may limit or otherwise restrict the employment activities of an individual taking such medication if such employee is believed to be suffering those effects.

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Employees and applicants may contact the testing laboratory for technical information regarding prescription and non-prescription medications and any potential effect on drug test results.

## 4.4 Searches

The Company reserves the right to carry out reasonable searches of employees and their personal effects and property when the Company has reasonable grounds to believe such employees are in violation of this Policy.

Searches may include, but are not limited to, lockers, desks, files, lunch boxes, purses, bags, briefcases, and private vehicles if parked on Company property. Conducting a search is not an allegation of criminal conduct. Individuals are deemed to have consented to such searches by entering onto or being present on Company property. Such searches may be initiated by the Company without prior notice and will be conducted at times and in locations determined solely by the Company. Such searches may include, but are not limited to, the use of detection devices or scent-trained dogs.

An employee who refuses to submit immediately to such a search will be considered to have refused to accept the Company's terms and conditions of employment. Such employees will be subject to disciplinary action and may be deemed to have resigned his/her employment.

Nothing herein shall limit the Company's right to conduct searches for other reasons not related to the enforcement of this Policy.

## 4.5 Company-Sponsored Events

Controlled use and/or possession of alcoholic beverages are approved, Company sponsored events are not a violation of the Company's Drug and Alcohol Policy.

Only an officer of the Company has the authority to approve such events.

## 4.6 Consequences of a Policy Violation

### (A) Employees of Starline Collection

Any employee who violates any aspect of the Company's Drug and Alcohol Policy, including a first-time violation of any provision is subject to disciplinary action, up to and including discharge. Any employee testing positive for drugs or alcohol may be terminated. Any employee testing between .02 and .04 for alcohol is subject to discipline up to and including termination. If discipline other than termination is imposed, employees must meet all return-to-duty requirements including participation in a Substance Abuse Program (SAP). Any undisclosed Prohibited Drug(s) found by the Company will be confiscated and the appropriate law enforcement agencies will be notified. Any employee who is convicted by the judicial system of a felony for a drug, or alcohol related matter will be subject to disciplinary action, up to and

including discharge. An employee who violates the Company's Drug and Alcohol Policy shall be deemed to have engaged in "willful misconduct", which could result in loss of unemployment and worker's compensation benefits.

### (B) Contract Employees

Any violation of the provisions of this Policy by a contractor or a contractor's employee will result in the immediate removal from the worksite of the offending individual or individuals, a ban on the use of the individual offenders from any services, and a possible loss of approved status by the contractor in question. Decisions about appropriate discipline in each individual situation will be made by the Company.

### 4.7 Payment of Tests

The Company shall pay the costs for all tests which the Company imposes under its policies or is required to conduct under DOT regulations or applicable state law.

Employees are responsible for paying the costs for any test(s) conducted which the Company does not require, including secondary urine specimens requested by the employee.

### 4.8 Confidentiality

The results of all Drug tests will be kept in a secure location with controlled access. Except as otherwise required by state or federal laws concerning reporting, all information, interviews, reports, statements, memoranda, and test results are confidential communications that will not be released except:

- to the tested individual following a written request.
- to the designated representatives of the Company.
- to an EAP provider.
- in connection with any legal or administrative claim relating to the Company's Drug policies, or actions thereunder.
- as required by any governmental agency, or as required by federal or state law; or
- in response to inquiries relating to a workplace accident involving death, physical injury, or property damage of \$1,500 or more when there is reason to believe the individual may have caused or contributed to the accident.

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## Section 5 Drug and Alcohol Testing

### 5.1 General

The Company requires its applicants and employees to undergo Drug and alcohol testing as described below.

- Pre-employment - All offers of employment are conditioned upon the applicant passing a drug test. DOT regulated employees will not be allowed to be on, near or operate any commercial vehicle prior to a confirmed negative result. A pre-employment drug test will be required of any DOT regulated employee returning to duty from a leave of absence or any former employee re-applying for safety sensitive position with the company.
- Random – All qualified CDL drivers and all Maintenance employees performing safety sensitive functions are subject to random drug and alcohol testing and are included in a random pool of drivers and employees<sup>1</sup>. Names are randomly selected on a Quarterly basis. Federal regulations require that 25% of the pool be tested annually for drugs and 10% of the pool be tested annually for alcohol.
- Reasonable suspicion - Each employee is required to submit to a Drug and/or Alcohol test whenever the Company has reasonable suspicion that the employee is at the workplace in an impaired capacity or that the employee has used drugs or alcohol. Supervisors are trained<sup>2</sup> to identify circumstances and indicators that may create *reasonable suspicion* that a driver or other safety sensitive employee is using or under the influence of alcohol or drugs, and to generate supporting documentation for a referral of an employee for testing. (See Addendum 1 for a list of trained supervisors)
- Post-accident - Any employee who is involved in any accident on Company property, while operating a company vehicle or involving Company business may be asked to submit to a post-accident Drug and/or Alcohol test as prescribed by §382.303(d) and/or §49 CFR Part 655. (See Addendum 2)
- Return to Duty & Follow-up – Employees retained by the Company after a positive test result or a test refusal shall be subject to return-to-duty drug and alcohol testing. No employee shall be permitted to perform any safety-sensitive function until they have received a verified negative drug and alcohol test result. Thereafter, such employees will be subject to certain follow-up drug and alcohol testing as established by a Substance Abuse Professional (SAP).

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<sup>1</sup> The random pool also includes any supervisor/dispatcher of any safety sensitive employees who perform work for services operated using 5311(f) funds are subject to FTA drug and alcohol requirements per 49 CFR 655 or under 23 U.S.C. Section 103(e)(4).

<sup>2</sup> Supervisor Reasonable Suspicion training consists of the JJ Keller Reasonable Suspicion for Supervisors video, a presentation, discussion and a written test.

### 5.2 Drug Testing

All drug tests require applicants and employees to provide a specimen of his/her urine, which will be analyzed for the presence of the drug listed in Table A. With respect to DOT-mandated tests, specimens will also be analyzed for such other substances as DOT may from time to time direct, or as may otherwise be permitted by federal or state law. \* **NOTE: THERAPEUTIC LEVELS OF PRESCRIPTION DRUGS WILL NOT BE REPORTED.**

**Table A -Minimum Thresholds** for Drug Test Positives (49 CFR Part 40 § 40.87) All cutoff concentrations are expressed in nanograms per milliliter (ng/mL). The table is as follows:

Initial test analyte	Initial test cutoff <sup>1</sup>	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites (THCA) <sup>2</sup>	50 ng/mL <sup>3</sup>	THCA	15 ng/mL.
Cocaine metabolite (Benzoylecgonine)	150 ng/mL <sup>3</sup>	Benzoylecgonine	100 ng/mL.
Codeine/ Morphine	2000 ng/mL	Codeine Morphine	2000 ng/mL. 2000 ng/mL.
Hydrocodone/ Hydromorphone	300 ng/mL	Hydrocodone Hydromorphone	100 ng/mL. 100 ng/mL.
Oxycodone/ Oxymorphone	100 ng/mL	Oxycodone Oxymorphone	100 ng/mL. 100 ng/mL.
6-Acetylmorphine	10 ng/mL	6-Acetylmorphine	10 ng/mL.
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL.
Amphetamine/ Methamphetamine	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL. 250 ng/mL.
MDMA <sup>3</sup> /MDA <sup>5</sup>	500 ng/mL	MDMA <u>MDA</u>	250 ng/mL. 250 ng/mL.

<sup>1</sup> For grouped analytes (i.e., two or more analytes that are in the same drug class and have the same initial test cutoff): Immunoassay: The test must be calibrated with one analyte from the group identified as the target analyte. The cross-reactivity of the immunoassay to the other analyte(s) within the group must be 80 percent or greater; if not, separate immunoassays must be used for the analytes within the group. Alternate technology: Either one analyte or all analytes from the group must be used for calibration, depending on the technology. At least one analyte within the group must have a concentration equal to or greater than the initial test cutoff or, alternatively, the sum of the analytes present (i.e., equal to or greater than the laboratory's validated limit of quantification) must be equal to or greater than the initial test cutoff.

<sup>2</sup> An immunoassay must be calibrated with the target analyte, Δ-9-tetrahydrocannabinol-9-carboxylic acid (THCA).

<sup>3</sup>Alternate technology (THCA and Benzoylecgonine): When using an alternate technology initial test for the specific target analytes of THCA and Benzoylecgonine, the laboratory must use the same cutoff for the initial and confirmatory tests (i.e., 15 ng/mL for THCA and 100ng/mL for Benzoylecgonine).

<sup>3</sup> Methylendioxyamphetamine (MDMA).

<sup>5</sup>Methylendioxyamphetamine (MDA).

### 5.3 Alcohol Testing

Employees will also be tested for alcohol under certain circumstances specified in the Company's Substance and Alcohol Policy and the DOT Rules Handbook. An initial alcohol test may be conducted with a DOT-approved saliva-testing device. (See Section 8). All alcohol tests conducted require that the employees provide a breath and/or blood specimen for any confirmatory test conducted by, or on behalf of, the Company.

An initial alcohol test registering an alcohol concentration level less than 0.02 will be reported as a "negative" and no additional test will be required at that time.

If the initial test registers an alcohol concentration level of 0.02 or greater, a second, confirmatory test will be performed. If the confirmatory test registers less than 0.02, the test result will be reported to the Company as "negative."

An employee with a confirmed result of greater than 0.02, but less than 0.04, will be removed from his/her duties until his/her next scheduled shift and may be referred for evaluation by a substance abuse professional. (Length of removal for DOT-Covered employees is explained in Section 5.5.2). DOT-Covered employees are prohibited from performing safety-sensitive duties during this time.

Except as prohibited by applicable state law, a confirmatory test of 0.04 or greater will be reported as "positive," and will be grounds for Company action as described in Section 5.5.

### 5.4 Consent to Testing/Refusal to Consent

A condition of initial and continued employment requires all applicants and employees to give their consent to substance testing. This consent is effected by signing the appropriate consent forms and submitting to substance testing as directed by the Company. Failure to do so may render applicants ineligible for hire and may render existing employees in violation of the Company Substance and Alcohol Policy and the DOT Rules Handbook. Employees have the right to refuse to submit to a required substance test; however, unless otherwise prohibited by state law, an employee who refuses to submit to a substance test shall be considered to have refused to accept the Company's terms and conditions of employment. Such employees are subject to disciplinary action and may be deemed to have resigned his/her employment.

Refusal to submit to substance testing may also be grounds for the denial of unemployment benefits and/or workers' compensation benefits.

### 5.5 Consequences of a Positive Test

#### 5.5.1 All Tests

The first-time occurrence of a positive substance test result showing the presence of a drug or alcohol in an individual's system, or a test result showing purposeful adulteration of a sample, will result in disciplinary action, up to and including immediate discharge, depending upon the circumstances of the violation.

Any employee who tests positive, or who refuses to be tested or who uses or possesses drugs and/or alcohol in violation of the Company's Substance and Alcohol Policy and/or the DOT Rules, will be terminated and is permanently barred from working for any Starline Collection company. A CDL employee whose substance test result is confirmed positive will have the results reported to the state DMV.

An employee who tests positive in violation of the Company Substance and Alcohol Policy and/or the DOT Rules Handbook shall be deemed to have engaged in "willful misconduct," which could result in loss of unemployment and workers' compensation benefits under applicable state law.

Federal Regulations allow an individual that has tested positive to participate in a Substance Abuse Program conducted by a Substance Abuse Professional (SAP). Completion of this program will allow an individual to maintain their commercial driver license. Addendum 3 is a list of Substance Abuse Professionals. Regardless of participation in a Substance Abuse Program, a positive test may result in termination.

#### 5.5.2 Alcohol Tests Only

A DOT-Covered employee performing or about to perform a safety-sensitive function whose confirmatory test registers 0.02 or more but less than 0.04 must also be removed from performing such duties. The length of removal varies depending upon whether the employee was performing work at the time of testing. The employee will be removed for at least 24 hours following the test and until either:

- an alcohol concentration test measures less than 0.02; or
- the start of the employee's next regularly scheduled shift.

Any employee whose confirmatory test registers 0.04 or more will be removed from performing his or her job duties and is subject to disciplinary action, to the extent allowed by applicable

state law, up to and including termination. The employee may also be required to participate in an Employee Assistance Program and/or execute a "last chance" agreement.

Any DOT-covered employee, who is not discharged, may not perform safety-sensitive duties until he or she has:

1. been evaluated by a substance abuse professional.
2. complied with any recommended treatment.
3. taken a return-to-duty alcohol test (with a result less than 0.02); and
4. remain subject to unannounced follow-up alcohol tests.

### **5.6 Notification of Results/Opportunity to Rebut**

Applicants and employees will be notified of positive test results, and they may receive a written copy of the test results. Any employee who tests positive in connection with a substance test or whose results indicate sample adulteration will be given an opportunity to explain the result, and the individual has the right to have additional confirmatory testing performed at his or her own expense, unless applicable state law requires otherwise. Applicants and employees should contact the Human Resources Department or the Safety Department with any question about the procedure for contesting a positive substance test result.

## **Section 6 Testing Methodology and Integrity**

### **6.1 General**

To ensure the integrity and accuracy of each test, all specimen collection, analysis, and laboratory procedures shall be conducted in accordance with applicable state law. The DOT's procedural protocols and safeguards are set forth in Part 40 of Title 49 of the Federal Code of Regulations. Testing, which is called for under Company policy will generally follow the same procedures and protocols as testing done pursuant to DOT regulations.

Test accuracy will be maintained through: (i) procedures to ensure the correct identity of each employee at the time of testing; (ii) a strict chain-of-custody procedure to ensure that the employee's specimen is not tampered with by the Company; (iii) for DOT-mandated tests, the use of a trained breath alcohol technician (BAT) and DOT-approved testing devices for conducting alcohol tests; (iv) the use of a laboratory which otherwise complies with the requirements of applicable state law or, for DOT-mandated tests, a laboratory which has been certified by the Department of Health and Human Services (DHHS); (v) the confirmation of an initial positive drug screen by a second analysis using gas chromatography/mass spectrometry (GC/MS); (vi) the confirmation of an initial positive alcohol screen by a second analysis; and

(vii) the Company's appointment of a qualified Medical Review Officer (MRO) to review drug test results before they are reported to the Company's designated representative. Information obtained through testing that is unrelated to the use of controlled substances or alcohol will be held in strict confidentiality by the medical review officer and will not be released to the Company.

All drug test results are reviewed and interpreted by a physician (Medical Review Officer, MRO) before they are reported to the Company. If the laboratory reports a positive result to the MRO, the MRO contacts the employee (in person or by telephone) and conducts an interview to determine if there is an alternative medical explanation for the drugs found in the employee's urine specimen.

If the employee provides appropriate documentation and the MRO determines that it is legitimate medical use of the prohibited drug, the drug test result is reported as negative to the Company.

### **6.2 Drug Tests**

All drug tests will be administered using the split-sample methodology. In the event the primary specimen is verified as positive, the employee will be notified of the positive test and given the option to have the second specimen bottle from the split sample sent to a different laboratory for analysis. To exercise this option, the employee must advise the Company's MRO within seventy-two (72) hours of being told that the primary specimen was positive.

If the employee cannot provide a specimen (referred to as "shy bladder") he or she will be allowed three hours and 40 ounces of liquid to assist the provision of the sample. If the employee still cannot produce one, he or she will be referred to a physician. If the physician can provide no medical reason for the employee's inability to provide a specimen, that employee will be subject to the same procedures as an individual who refuses to be tested.

### **6.3 Alcohol Tests**

DOT-mandated alcohol tests will be administered by a trained breath alcohol technician (BAT) or screening test technician (STT) using an approved testing device, which, for the protection of the employee, will be opened in view of the employee.

If an employee is unable to provide an adequate amount of saliva for an initial alcohol test, he or she will be required to submit to a breath test. If an employee is unable to provide an adequate amount of breath for the initial or confirmatory test after several attempts to do so, he or she will be required to submit to an evaluation by a licensed medical physician to determine whether a valid medical condition exists. If the physician determines that a valid medical condition does exist, the test result will be reported to the Company as "negative." If the physician determines

that a valid medical condition does not exist, the test result will be reported to the Company as a “confirmed positive.”

An initial result of less than 0.02 alcohol concentration is considered a “negative” test. If the alcohol concentration is 0.02 or greater, a second or confirmation test must be conducted. The employee and the individual conducting the breath test must complete the alcohol testing form to ensure that the results are properly recorded. The confirmation test for a DOT-mandated test must be conducted using an EBT that prints out the results, date and time, a sequential test number, and the name and serial number of the EBT to ensure the reliability of the results. The confirmation test result determines any actions taken.

Before the confirmatory test may be given, a minimum of 15 minutes must have passed since the initial test was performed. During this period the employee should avoid eating, drinking, or putting anything in the mouth which could increase mouth alcohol. The wait period is to ensure that the presence of mouth alcohol does not artificially raise the result. Before and after a DOT mandated confirmatory test, the individual conducting the test will conduct an “airblank” on the EBT to ensure the instrument reads 0.00. If the results of the initial and confirmatory tests are not identical, the confirmation test result is deemed to be the final test result.

If the results of the confirmatory test are less than .02 alcohol concentration, a negative result shall be reported. If the results of the confirmatory test are .02 or greater but less than .04 alcohol (non-negative results), the employee will be removed from his or her job duties and will be referred for evaluation by a substance abuse provider. If the employee is DOT-Covered, he or she must be removed from his/her safety-sensitive position. See Section 6.3 for length of removal period.

If the results of the confirmatory test show an alcohol concentration of .04 or greater, the employee will be removed from his or her job duties and subject to further Company action as provided in Section 6.3. If the employee is DOT-Covered, he or she must be removed from his/her safety-sensitive position and, in addition to any disciplinary action taken (including employment termination, if applicable), the employee must be informed about educational and rehabilitative programs and be evaluated by a substance abuse provider.

Testing procedures that ensure accuracy, reliability and confidentiality of test results are outlined in 49 C.F.R. Part 40. These procedures include training and proficiency requirements for breath alcohol technicians (BATs), quality assurance plans for all testing devices (including calibration), requirements for a suitable test location, and protection of employee test records.

### **6.4 Confidentiality**

The results of all substance tests will be kept in a secure location with controlled access. Except as otherwise required by state or federal laws concerning reporting, all information, interviews, reports, statements, memoranda, and test results are confidential communications that will not be released except:

- to the tested individual following a written request,
- to the designated representatives of the Company,
- to an EAP provider;
- in connection with any legal or administrative claim relating to the Company's substance policies, or actions there under;
- as required by any governmental agency, or as required by federal or state law; or
- in response to inquiries relating to a workplace accident involving death, physical injury, or property damage of \$1,500 or more when there is reason to believe the individual may have caused or contributed to the accident.

## Section 7 Employee Responsibilities

It is each employee's responsibility under the Illness and Injury Prevention Plan to immediately report any unsafe or unhealthy working conditions or hazardous activities that could jeopardize his or her safety or the safety of others. This responsibility includes the responsibility to report immediately any violation of any Company policy concerning drug and alcohol. Employees must also report all workplace injuries, and failure to do so is grounds for discipline.

## Section 8 Basic Information – Alcohol & Controlled Substances

### 8.1.1 Alcohol

Section 382.601(b) (11) FMCSR mandates that all employees be provided with training material discussing the effects of alcohol and controlled substance use on an individual's health, work, and personal life. The following information is intended to help individuals understand the consequences of alcohol and substance abuse.

Although used routinely as a beverage for enjoyment, alcohol can also have negative physical and mood-altering effects when abused. These physical or mental alterations in a driver may have serious personal and public safety risks.

#### Health Effects

An average of three or more servings per day of beer (12 oz.), whiskey (1 oz.), or wine (6 oz.) over time may result in the following health hazards:

- Dependency
- Ulcers

- Fatal liver diseases • Decreased sexual functions
- Kidney disease • Malignant melanoma
- Pancreatitis
- Spontaneous abortion and neonatal mortality
- Increased cancers of the mouth, tongue, pharynx, esophagus, rectum and breast

### Social Issues

- 2-3% of the driving population are legally drunk at any one time. This rate doubles during nights and weekends.
- 2/3 of all Americans will be involved in an alcohol-related accident during their lifetime.
- The separation and divorce rate in families with alcohol dependency problems is 7 times the average.
- 40% of family court cases are alcohol related.
- Alcoholics are 15 times more likely to commit suicide.
- More than 60% of burns, 40% of falls, 69% of boating accidents, and 76% of private aircraft accidents are alcohol related.
- Over 17,000 fatalities occurred in 1993 in highway accidents, which were alcohol related. This was 43% of all highway fatalities.
- 30,000 people will die each year from alcohol caused liver disease.
- 10,000 people will die each year due to alcohol-related brain disease and suicide.

### Workplace Issues

- Up to 125,000 people die each year due to alcohol-related conditions or accidents.
- Workplace Issues
- It takes one hour for the average person (150 pounds) to process one serving of alcohol from the body.
- Impairment can be 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 is.

#### **8.1.2 Alcohol's trip through the body**

**Mouth and Esophagus:** Alcohol is an irritant to the delicate linings of the throat and food pipe. It burns as it goes down.

**Stomach and Intestines:** Alcohol has an irritating effect on the stomach's protective lining, resulting in gastric or duodenal ulcers. This condition, if it becomes acute, can cause peritonitis, or perforation of the stomach wall. In the small intestine, alcohol blocks absorption of such substances as thiamin, folic acid, fat, vitamin B1, vitamin B12 and amino acids.

**Bloodstream:** 95% of the alcohol taken into the body is absorbed into the bloodstream through the lining of the stomach and duodenum. Once in the bloodstream alcohol quickly goes to every cell and tissue in the body. Alcohol causes red blood cells to clump together in sticky wads, slowing circulation and depriving tissues of oxygen. It also caused anemia by reduction of red blood cell production.

Alcohol slows the ability of white cells to engulf and destroy bacteria, and the clotting ability of blood platelets is degenerated.

**Pancreas:** Alcohol irritates the cells of the pancreas, causing them to swell, thus blocking the flow of digestive enzymes. The chemicals, unable to enter the small intestine, begin to digest the pancreas, leading to acute hemorrhagic pancreatitis. One out of five patients who develop this disease die during the first attack. Pancreatitis can destroy the pancreas and cause a lack of insulin thus resulting in diabetes.

**Liver:** Alcohol inflames the cells of the liver, causing them to swell and block the tiny canal to the small intestines. This prevents bile from being filtered properly through the liver. Jaundice develops, turning the whites of the eyes and skin yellow. Each drink of alcohol increases the number of live cells destroyed, eventually causing cirrhosis of the liver. This disease is eight times more frequent among alcoholics than among non-alcoholics.

**Heart:** Alcohol causes inflammation of the heart muscle. It has a toxic effect on the heart and causes increased amounts of fat to collect, thus disrupting its normal metabolism.

**Urinary Bladder and Kidneys:** Alcohol inflames the lining of the urinary bladder making it unable to stretch properly. In the kidneys, alcohol causes increased loss of fluids through its irritating effect.

**Brain:** The most dramatic and noticed effect of alcohol is on the brain. It depresses brain centers, producing loss of coordination: confusion, disorientation, stupor, anesthesia, coma and possibly death. Alcohol kills brain cells and brain damage is permanent. Drinking over a period of time causes loss of memory, judgment and learning ability.

## 8.2 Controlled Substances

### 8.2.1 Marijuana

#### Health Effects

- Emphysema-like conditions
- One joint of marijuana contains cancer-causing substances equal to 1/2 pack of cigarettes.
- One joint causes the heart to race and overwork. People with heart conditions are at risk.
- Marijuana is commonly contaminated with the fungus aspergillus, which can cause serious respiratory tract and sinus infections.

- Marijuana lowers the body's immune system response, making users more susceptible to infection.
- Chronic smoking causes changes in brain cells and brain waves. The brain does not work efficiently or effectively. Long-term brain damage may occur.
- Tetrahydrocannabinol (THC) and 60 other chemicals in marijuana concentrate in the ovaries and testes.
- Chronic smoking of marijuana in males causes a decrease in testosterone and an increase in estrogen, the female hormone. Therefore, the sperm count is reduced, leading to temporary sterility.
- Chronic smoking of marijuana in females causes a decrease in fertility.
- A higher-than-normal incidence of stillborn births, early termination of pregnancy, and higher infant mortality rate during the first few days of life are common in pregnant marijuana smokers.
- THC causes birth defects including brain damage, spinal cord, forelimbs, liver, and water on the brain and spine in test animals.
- Prenatal exposure may cause underweight newborns.
- Fetal exposure may decrease visual functioning.
- User's mental function can display the following effects:
  - delayed decision making
  - diminished concentration
  - impaired short-term memory
  - impaired signal detection
  - impaired tracking
  - erratic cognitive function
  - distortion of time estimation
- THC is stored in body fat and slowly released.
- Marijuana smoking has long-term effects on performance.
- Increased THC potency in modern marijuana increases the impairment.
- Combining alcohol or other depressant drugs with marijuana increases impairment.

### 8.2.2 Cocaine

Cocaine is used medically as a local anesthetic. When abused, it becomes a powerful physical and mental stimulant.

The entire nervous system is energized. Muscles tense, the heart beats faster and stronger, and the body burns more energy. The brain experiences exhilaration caused by a large release of neurohormones associated with mood elevation.

#### Health Effects

- Regular use may upset the chemical balance of the brain. As a result, it may speed up the aging process by causing damage to critical nerve cells.
- Parkinson's disease could also occur.
- Cocaine causes the heart to beat faster, harder, and rapidly increases blood pressure. It also causes spasms of blood vessels in the brain and heart. Both lead to ruptured vessels causing strokes and heart attacks.
- Strong dependency can occur with one "hit" of cocaine. Usually, mental dependency occurs within days for "crack" or within several months for snorting coke. Cocaine causes the strongest mental dependency of all the drugs.
- Treatment success rates are lower than other chemical dependencies.
- Extremely dangerous when taken with other depressant drugs. Death due to overdose is rapid.
- Fatal effects are usually not reversible by medical intervention.

#### Workplace Issues

- Extreme mood & energy swings create instability. Sudden noise causes a violent reaction.
- Lapses in attention and ignoring warning signals increases probability of accidents.
- High cost frequently leads to theft and/or dealing.
- Paranoia and withdrawal may create unpredictable or violent behavior.
- Performance is characterized by forgetfulness, absenteeism, tardiness and missing assignments.

### 8.2.3 Opiates/Opioids

Opiates/Opioids are narcotic drugs that alleviate pain and depress body functions and reactions.

### Health Effects

- Intravenous users have a high risk of contracting hepatitis or AIDS when sharing needles.
- Increased pain tolerance. As a result, a person may more severely injure themselves and fail to seek medical attention as needed.
- Narcotic effects are multiplied when combined with other depressants causing an increased risk for an overdose.
- Because of tolerance, there is an ever-increasing need for more.
- Strong mental and physical dependency occurs.
- Nausea and vomiting.
- Abdominal distention and bloating.
- Constipation.
- Liver damage (especially prevalent in abuse of drugs that combine opiates with acetaminophen).
- Brain damage due to hypoxia, resulting from respiratory depression.

With increased tolerance and dependency combined, there is a serious financial burden for the user.

### Workplace Issues

- Side effect such as nausea, vomiting, dizziness, mental clouding and drowsiness place the user at high risk for an accident.
- Causes impairment of physical and mental functions.

#### **8.2.4 Amphetamines**

Amphetamines are central nervous system stimulants that speed up the mind and body.

### Health Effects

- Regular use causes strong psychological dependency and increased tolerance.
- High doses may cause toxic psychosis resembling schizophrenia.
- Intoxication may induce a heart attack or stroke due to increased blood pressure.
- Chronic use may cause heart or brain damage due to severe constriction of capillary blood vessels.
- Euphoric stimulation increases impulsive and risk-taking behavior, including bizarre and violent acts.
- Withdrawal may result in severe physical and mental depression.

### Workplace Issues

- Since the drug alleviates the sensation of fatigue, it may be abused to increase alertness during periods of overtime or failure to get rest.
- With heavy use or increasing fatigue, the short-term mental or physical enhancement reverses and becomes an impairment.

### **8.2.5 Phencyclidine (PCP)**

Often used as a large animal tranquilizer and abused primarily for its mood-altering effects. Low doses produce sedation and euphoric mood changes. Mood can rapidly change from sedation to excitation and agitation. Larger doses may produce a coma-like condition with muscle rigidity

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and a blank stare. Sudden noises or physical shocks may cause a “freak out” in which the person has abnormal strength, violent behavior, and an inability to speak or comprehend.

### Health Effects

- The potential for accidents and overdose emergencies is high due to the extreme mental effects combined with the anesthetic effect on the body.
- PCP, when combined with other depressants, including alcohol, increases the possibility of an overdose.
- If misdiagnosed as LSD induced, and treating with Thorazine, can be fatal.
- Irreversible memory loss, personality changes, and thought disorders may result.
- Workplace Issues
- Not common in workplace primarily because of the severe disorientation that occurs.
- There are four phases to PCP abuse:
  - Acute toxicity causing combativeness, catatonia, convulsions, and coma. Distortions of size, shape, and distorted perception are common.
  - Toxic psychosis with visual and auditory delusions, paranoia and agitation.
  - Drug induced schizophrenia.
  - Induced depression, which may create suicidal tendencies and mental dysfunction.

### **8.2.6 Ecstasy, MDMA (3,4 methylenedioxyamphetamine)**

This is a synthetic, psychoactive drug that is chemically like the stimulant methamphetamine and the hallucinogen mescaline.

### Health Effects

MDMA causes an increase in serotonin which plays an important role in the regulation of mood, sleep, pain, appetite, and other behaviors. The excess release of serotonin by MDMA likely causes the mood elevating effects experienced by users. However, by releasing large amounts of serotonin MDMA causes the brain to become significantly depleted of this important neurotransmitter, contributing to the negative behavioral after-effects that users often experience for several days after taking MDMA.

According to the National Institute on Drug Abuse, studies have shown that some heavy MDMA users experience long-lasting confusion, depression and selective impairment of working memory and attention processes.

### Workplace Effects

Ecstasy users make extremely dangerous drivers. They can exhibit the same impairments as amphetamine, heroin, cocaine and hallucinogen users. Some ways driving ability is affected by ecstasy use include:

- Slowed thinking and reflexes – making reacting difficult
- Distorted visual and depth perception
- Difficulty making complex decisions
- Lengthened glare recovery time
- Overly confident in driving skills and judgment
- Lapses in attention and concentration – driver is unable to display continuous attention
- Distorted vision
- Auditory and visual hallucinations

**CONTACT LIST**

**FOR QUESTIONS REGARDING**

**CONTACT PERSON**

- \*DOT Drug and Alcohol Testing Requirements ..... – Safety  
..... – Operations
- \*Drug and Alcohol Educational Materials ..... – Safety
- \*Human Resource/Personnel ..... --Safety
- \*Employee Assistance Program ..... – Safety

**Addendum 1 – Reasonable Suspicion Trained Supervisors**

The following supervisors have received training in Reasonable Suspicion for identifying potential Drug and Alcohol use.

## Addendum 2 – Post Accident Testing Thresholds

**Drug and Alcohol Testing is required:** in any accident involving an FMCSA Regulated commercial vehicle that meets the following:

- A fatality
- OR –
- An injury that requires immediate treatment away from the scene – and/or –
- A vehicle is disabled and REQUIRES towing
- AND –
- Our driver is cited.

**Drug and Alcohol Testing is required:** in any accident involving an FTA Regulated (Line Haul) commercial vehicle that meets the following:

- A fatality
- An injury that requires immediate treatment away from the scene – and/or –
- A vehicle is disabled and REQUIRES towing

**Post-Accident Drug** test must be done within 32 hours. If unable to test within 32 hours, document WHY the test was not completed.

**Post-Accident Breath Alcohol** test must be done within 2 hours, if not possible, document WHY the test was not completed within the first 2 hours and continue to try for up to 8 hours. If unable to test within 8 hours, document WHY the test was on completed.

**DO NOT TRUST** the collection site. Once you have a commitment to complete the testing, follow up within the hour and receive documentation that the testing was completed. We cannot accept a verbal statement that the testing was completed... have them fax or scan the COC for the drugs and the test results for the Breath Alcohol!

**Addendum 3 – Substance Abuse Professionals**

Below is a list of Substance Abuse facilities for each location:

Add SAP information for company

## Addendum 4 – Drug and Alcohol Clearinghouse

**CERTAIN PERSONAL INFORMATION SHALL BE REPORTED TO THE CLEARINGHOUSE AS REQUIRED (effective date of this section, 1/6/2020):**

Drivers should be aware that the motor carrier is required to collect, maintain, and report certain information to the Clearinghouse as required:

- A verified positive, adulterated, or substituted drug test result;
- An alcohol confirmation test with a concentration of 0.04 or higher;
- A refusal to submit to any test required by subpart C of this part;
- An employer's report of actual knowledge, as defined at §382.107;
- On duty alcohol use pursuant to §382.205;
- Pre-duty alcohol use pursuant to §382.207;
- Alcohol use following an accident pursuant to §382.209; and
- Controlled substance use pursuant to §382.213;
- A substance abuse professional (SAP as defined in §40.3 of this title) report of the successful completion of the return-to-duty process;
- A negative return-to-duty test; and
- An employer's report of completion of follow-up testing.

## **Starline Collection Drug and Alcohol Policy Acknowledgement and Consent Form – Employee Copy**

I have received and read the Company's Drug and Alcohol Policy (attached to this Acknowledgment and Consent Form). I agree to abide by the terms of that Policy as a condition of my initial and continued employment.

I understand that the Company requires a post-offer Drug test which may involve the testing of my blood, breath, urine, saliva, or other samples to determine the presence or use of drugs and/or alcohol. I understand that, once hired for any position with Starline Collection, I may be subject to additional Drug testing under anyone or more of the circumstances set forth in the Company's Drug and Alcohol Policy. I further understand that, as an applicant for employment, if I decline to sign this Consent Form and/or decline to submit to a post-offer Drug testing, the Human Resources Department will be notified, and I will be ineligible for employment. I also understand that if I decline to submit to Drug testing after commencing employment, I may be subject to disciplinary action and may be deemed to have resigned from employment. I hereby consent to the collection of my blood, breath, urine, saliva, and other samples, and to the Drug testing and other medical testing of those samples.

I further consent to and hereby authorize the release of the screening and/or medical test results and other relevant medical information to the Company and/or its designated agent and/or representative. I further understand that the Company has the right to search my personal effects and property, while on Company property, including, but not limited to, lockers, desks, files, lunch boxes, purses, bags, briefcases, and private vehicles parked on Company property, and I hereby consent to any such searches. I agree to hold harmless the Company and its agents and/or representatives from any liability arising, in whole or in part, out of any search, and the use and/or disclosure of information obtained from any such search, or Drug testing. I agree that a reproduced copy of this Consent Form shall have the same force and effect as an original. I acknowledge that I have carefully read this Acknowledgment and Consent Form and fully understand its contents. I acknowledge that my signing of this Consent Form is a voluntary act on my part and that I have not been coerced into signing this document in any way. Finally, I acknowledge that I have been given a copy of this Acknowledgment and Consent Form.

## **Employee Copy**

**Starline Collection Drug and Alcohol Policy  
Acknowledgement and Consent Form – Sign and Submit**

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**Name (Printed)** \_\_\_\_\_ **Witness** \_\_\_\_\_

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_