

## **Frequently Asked Questions (FAQ)**

### **FAA Internal Substance Abuse Program**

#### **1. Who administers the testing of the Department of Transportation (DOT)/Federal Aviation Administration (FAA) federal employees drug-and alcohol-testing program?**

It is DOT policy to conduct both drug and alcohol testing through contractors. These contractors are private industry firms chosen through a competitive procurement process. In some cases there may be subcontractors involved. Therefore, in all situations in which a FAA employee is tested under the Order, the person administering the test will be an employee of a government contractor.

#### **2. Where does testing occur?**

Management shall designate the place where employees provide urine specimens or present themselves for the purpose of breath alcohol testing. The site shall possess all necessary personnel, materials, equipment, facilities, and supervision to provide for the collection, security, temporary storage, and transportation (shipping) of urine specimens to the drug-testing laboratory. Management and the Breath Alcohol Technician (BAT) must ensure that the alcohol testing site provides the privacy protections for the individual to the extent practicable (e.g., visual and aural privacy shall be sufficient to prevent unauthorized persons from seeing or hearing test results).

It is the responsibility of the drug collector or BAT to ensure that the collection site is secure and provides appropriate privacy during the time of each urine collection or alcohol test. In cases where a facility cannot be dedicated solely for the purposes of collection or testing, that portion of the facility being used for collection or testing should be made private during collection or testing operations.

#### **3. Does Site Coordinator (SC) responsibilities include notifying the union?**

Yes, however, the requirements are different for each union.

(NATCA – Article 73, Section 2, Substance Testing, dated September 1998)  
The principal Facility Representative or his/her designee shall be notified of the arrival, at the facility, of the collector/Blood Alcohol Technician (BAT) for the purposes of conducting substance testing of bargaining unit employees. The employer shall advise the principal representative or his/her designee when substance abuse testing has been completed.

(NAATS – Memorandum of Agreement #13, dated October 27, 1994)

The Agency will attempt to notify the Union representative or his/her designee of the arrival at the facility of the BAT for purposes of conducting random alcohol testing of bargaining unit employees.

(PASS – Memorandum of Agreement, Section III. Paragraph 2, Site Procedures, dated December 9, 1995)

The Union representative or his/her designee will be notified when the alcohol testing has been completed.

#### **4. As the SC, do I inform the union representative of who is going to be tested?**

No. However, under the three different union agreements, the SC is responsible for providing general information such as the collection/testing quota and the number of employees to be rescheduled.

(NATCA – Article 73, Section 2, Substance Testing, dated September 1998)

Upon request, the Employer will inform the representative of the number of people tested at the facility and the number of employees to be rescheduled.

(PASS – Memorandum of Agreement, Section III. 2, Site Procedures dated December 9, 1995)

Upon request, the Employer will inform the representative of the number of people tested at the facility and the number of employees to be rescheduled.

#### **5. How does the SC identify employees for testing?**

Once the SC identifies the estimated time it may take to conduct drug or alcohol testing, he/she should proceed to Phase II of working the test lists. The SC is responsible for: (1) moving down the test list in sequential order and (2) identifying and annotating the test lists for employees who are not available and why, who are there, and who will be present during the estimated time for testing.

[**Note:** the SC continues this process until the quota is met or the test list is exhausted.]

(DOT Drug and Alcohol Testing Guide, Chapter I. C. (2), and Chapter II.A. (7) and (8), and the FAA Site-Coordinator Handbook, Section III. (B))

#### **6. Does a SC skip their self while working the test list?**

No. As the SC you are responsible for ensuring that all employees (including yourself) are selected from the test list in accordance with the procedures outlined in the DOT Guide and FAA Site Coordinator's Handbook.

**7. What steps should a SC take after providing notification to the employee of testing when an emergency situation arises and the employee needs to leave the facility for the rest of the day?**

Once the SC has worked the test list in sequential order and identified those employees on duty or scheduled to report to duty during the estimated time for collection; the SC has the flexibility to test the employees identified in the most efficient order possible. If the SC is presented with a situation where an identified donor needs to leave for an emergency, every effort should be made to test that employee immediately prior to their departure.

**8. What steps should be taken when an employee is unable to provide a urine specimen (bashful bladder) or breath sample (shy lung)?**

If an employee is unable to provide a urine specimen, under random, reasonable suspicion, post-accident or follow-up testing, the SC is responsible for the following:

Bashful Bladder – (a) provide the employee a reasonable period of time to provide specimen. The employee will be allowed a minimum of 2 hours from time the last donor to be tested is notified to provide a specimen. (b) the SC shall instruct the donor to remain at the testing site and drink at least 8 ounces of fluid each ½ hour to facilitate urination (not to exceed 24 ounces). As the SC, you can make the determination that the employee is essential to work operation and allow him/her to return to the work site while waiting to provide a specimen. (c) if the employee returns to the work site, the SC is responsible for alerting the employee’s supervisor that the employee is still on tap to provide a specimen.

Shy Lung – if an employee is unable, or alleges that he/she is unable to provide a sufficient amount of breath sufficient to permit a valid breath test because of a medical condition, the SC shall immediately inform the employee supervisor.

(DOT Drug and Alcohol Testing Guide, Chapter VIII. C. (1))

(DOT Drug and Alcohol Testing Guide, Chapter VIII. D)

**9. What action should be taken if an employee fails to report to the testing site?**

**(DOT Drug and Alcohol Testing Guide, Chapter X. D.1.)**

If the employee fails to appear for a scheduled drug or alcohol test the following steps should occur:

Step 1. The contract collector should immediately notify the DPC/SC.

- Step 2. The DPC/SC should immediately contact the employee's supervisor.
- Step 3. The supervisor should discuss with the employee the reason(s) for failing to appear. If the employee provides a legitimate reason(s) for failing to report, no disciplinary action should be taken.

**For a TDP**

If a TDP employee does not provide a legitimate reason(s) for failing to report, the supervisor should document the failure in writing and initiate action to remove the employee from the federal service for such cause as to promote the efficiency of the service consistent with applicable collective bargaining agreements other statutes, orders, and regulations. **Note:** No opportunity to enter a substance abuse rehabilitation program will be offered to employees in a TDP.

**For a Non-TDP**

If a Non-TDP employee does not provide a legitimate reason(s) for failing to report, the supervisor should document the failure in writing and initiate appropriate disciplinary action. **Note:** If removal is not appropriate, a substance abuse rehabilitation program should be offered whenever the EAP or SAP recommends participation in a rehabilitation program.

**10. What action should be taken if an employee refuses to provide a urine specimen and/or an adequate alcohol sample?**

If the employee refuse to provide a urine specimen or an alcohol sample the following steps should occur:

- Step 1. The employee should be informed by the contractor that the DPC/SC would be contacted.
- Step 2. The contractor will document the refusal on the control form.
- Step 3. The DPC/SC will advise the employee to report to the worksite supervisor and await further instructions.
- Step 4. The DPC/SC will contact the employee's supervisor.
- Step 5. The supervisor will initiate action in accordance with Chapter X, Disciplinary Action, paragraph D.2., Refusal of Employee to Provide a Urine Specimen or Adequate Breath Sample at the testing Site, which states, "the supervisor should be responsible for

documenting all relevant details to support any disciplinary action taken against an employee, including the employee's reason(s).”

**For a TDP**

The supervisor will initiate action to remove an employee in a TDP from the Federal service for such cause as to promote the efficiency of the service consistent with applicable collective bargaining agreements other statutes, orders, and regulations. No opportunity to enter a substance abuse rehabilitation program will be offered to employees in a TDP.

**For a Non-TDP**

The supervisor will document the failure in writing and initiate appropriate disciplinary action against the employee. If the OA determines that removal is not appropriate, substance abuse rehabilitation will be offered whenever the EAP or SAP recommends participation in a rehabilitation program.

**(DOT Drug and Alcohol Testing Guide, Chapter X. D.2)**

**10. As a SC, am I responsible for monitoring the collection process?**

Yes. The SC shall be present during testing procedures or shall be immediately available to the collector. **Note:** If any problems occur during the testing process, report it immediately to the DPC and Facility Manager. Any problem encountered during the employee notification process shall be recorded on the official test list.

**12. What is the responsibility of the SC in cases involving an alcohol positive or not-ready-for-duty?**

As the SC, you should receive a report of a positive or not-ready-for-duty alcohol test result in a confidential manner from the BAT. You are then responsible for conveying confirmed not-ready-for-duty (0.02-0.39) and alcohol positive (0.04 or higher) to the supervisor of the covered employee and your regional DPC.

(DOT Drug and Alcohol Testing Guide, Chapter I. C. (4) and Chapter IX. 4(b) (5) and (FAA Site-Coordinator's Handbook, Section III. B. (2) (d) and (e)).

### **13. What are the responsibilities of the BAT?**

The BAT conducts screening and confirmation alcohol testing and ensures that all appropriate test procedures and document preparation are performed. The BAT remains at the testing site while the testing of an individual is in progress.

### **14. What are the training requirements for the BAT?**

BAT's are trained to operate and use the Evidential Breath Testing Device (EBT) and apply the FAA alcohol-testing procedures. They must successfully complete a course of instruction which provides training in: (1) overview of Title 49 of the Code of Federal Regulations (CFR) Part 40; (2) EBT methodology; (3) preparing for testing, obtaining a breath sample, interpreting, and recording results; (4) conducting DOT screening tests; (5) conducting DOT confirmation tests; (6) obstacles to completing a test; (7) recordkeeping; (8) proficiency in the use of the specific EBT used for testing including operation and calibration checks. Only courses of instruction equivalency to the DOT Model Course maybe used to demonstrate BAT proficiency. The alcohol-testing contractor must keep documentation that training requirements have been properly met.

Any BAT who performs an external calibration check of an EBT device must be trained to conduct a check on the particular model of EBT, to include practical experience and demonstrated competence in preparing the blood alcohol simulator and/or alcohol standard. If the BAT is to perform maintenance and/or calibration(s) of the EBT device, additional training and certification by the manufacturer of the EBT device is required. The alcohol-testing contractor must keep documentation that training requirements have been properly met. The BAT shall receive additional training, as needed, to ensure proficiency. As a minimum, BAT's shall receive refresher training at least annually. Respective documentation for refresher training must be maintained.

### **15. What is an EBT device?**

An EBT device is an instrument used to measure the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath. Breath testing devices used to test FAA employees must be approved by the National Highway Traffic Safety Administration (NHTSA) and placed on NHTSA's "Conforming Products List of Evidential Breath Measurement Devices."

### **16. How is an EBT evaluated for NHTSA approval?**

The instrument must be submitted to NHTSA for evaluation. For use in the DOT/FAA testing program, the instruments are evaluated at the following alcohol concentration levels: 0.000, 0.020, 0.040, 0.080, and 0.160 blood alcohol concentration (BAC). The instruments are also tested for detection of acetone.

The manufacturer's quality assurance plan (QAP) must be approved by NHTSA in order for the instrument to be used to test under the DOT/FAA program.

### **17. How are EBT's used in testing FAA employees?**

The actual testing of FAA employees is conducted through a contractor. Our current contractor is BAE Systems. BAE subcontractors principally with Examination Management Services, Inc. (EMSI), a nation-wide firm with over 200 offices around the USA, to provide the alcohol testing services required in over 750 FAA duty locations. BAE and EMSI have chosen to use one type of EBT exclusively. That EBT device is the Alcosensor IV (AS IV) manufactured by Intoximeters, Inc., located in St. Louis, MO.

The AS IV is approved by NHTSA and covered by a NHTSA approved QAP. The contractor has linked the AS IV by way of a shielded cable to a laptop computer. The computer operates under specialized software that prompts each step of the testing process and records the results and certain identifying information. Currently a portable printing device prints the test results on self-sticking labels to be placed on the Breath Alcohol Testing forms.

### **18. How are EBT's maintained to ensure that equipment is functioning properly?**

An EBT device used for FAA program testing must meet criteria specified in a QAP developed by the manufacturer and approved by NHTSA. The QAP specifies all inspection, maintenance and calibration requirements, and recommended service intervals. Minimum intervals for performing external calibration checks (i.e., accuracy checks) and acceptable tolerances within which the EBT device regarded to be in proper calibration are defined in the QAP. Only calibration standards listed on NHTSA's Conforming Products List of Calibration Units for Breath Alcohol Testers and approved in the manufacturer's QAP may be used to perform external calibration checks and calibrations. The contractor must comply with the NHTSA-approved QAP for each EBT used for alcohol testing. Any EBT found to be out of calibration following an external calibration check resulting in a reading outside the acceptable tolerance limits outlined in the manufacturer's QAP (or as configured in the AS IV software system's configuration) shall be taken out of service. Following a failed external calibration check, the EBT may not be used for alcohol testing under the DOT program until it has been calibrated by a calibration technician certified by the EBT manufacturer. The calibration must be followed by an external calibration check resulting in a reading within acceptable tolerance limits established by the EBT manufacturer. The alcohol-testing contractor shall maintain records of calibration and calibration checks of its EBT devices. All EBT devices must be secured when not in use at the alcohol-testing site.

**19. Are saliva test kits and non-EBT devices used in FAA employee alcohol testing?**

Alcohol testing using approved saliva testing devices is permissible for DOT industry testing as a screening instrument only. Confirmation tests must be conducted with an EBT. Saliva testing has not been authorized for use in the FAA employee-testing program.

**20. What, if anything, can impact the functioning of the EBT device?**

The EBT device is designed as a stand-alone instrument and is powered by a nine-volt battery. Since it is an electronic/mechanical device, it is subject to malfunctioning due to power failures (low battery), loss of calibration, physical damage, and radio frequency interference (RFI). The EBT will not perform a test if the battery is too low or it is physically damaged in some manner.

The following are examples of EBT device displays indicating attention is necessary.

**“Void”** followed by an intermittent beep

An improper condition exists that requires the EBT unit to be turned off (mouthpiece ejected) and restarted from Step 1.

**“NoGo”**

The proper conditions for an automatic sample have not been achieved. When “test” appears again start a new sample.

**“>XXX”** or a result of **“ 0.400”**

A sample has been introduced that exceeds the measuring range of the instrument (e.g. **>0.400**).

**“BAT”**

The 9-volt alkaline battery should be changed. If this display is followed by normal operation, the battery is capable of completing the current test. If **“BAT”** is followed by **“Void”**, the test must be terminated and a new battery must be installed. Good practice demands that the battery be changed at the end of the first test where **“BAT”** appears.

**“RFI”**

Followed by **“Void”** indicates that a RFI signal was detected. The test must be started over by ejecting the mouthpiece and beginning again. This may be a transitory interference. However, if it occurs more than once in the same area, consider moving testing to another room, if possible.

**XX C**

A high resistance or loose battery is indicated and should be replaced.

**TMP>**

Temperature of the instrument is greater than allowed.

**TMP<**

Temperature of the instrument is less than allowed.

**21. What is RFI?**

RFI has been described simply as the unwanted reception of radio signals. A more complete explanation involves the definition of electromagnetic interference (EMI) which is any electromagnetic disturbance that interrupts, obstructs, or otherwise degrades or limits the effective performance of electronics/electrical equipment. This can be intentional or unintentional. Stray voltages and/or currents coupling between electronic systems creating undesirable results cause unintentional EMI/RFI. These results may range from an annoyance, such as interference in television reception, to a serious operational deficiency.

**22. Does RFI affect the alcohol measurement function of the EBT device?**

The manufacturer, Intoximeters, Inc., has determined through independent testing that the AS IV is not influenced, i.e. it is immune to, by EMI/RFI at certain commonly encountered ranges of power and frequency (3 to 10 volts per meter from 26 megahertz (MHz) to 1000 MHz). The testing was conducted under strict standards required for marketing of this type of equipment in Europe and confirmed that the alcohol measurement function was not significantly effected by RFI at the tested frequency and power levels.

**23. How is the potential for RFI handled by the EBT device?**

Even with technical support data establishing the accuracy of the measurement under RFI conditions, Intoximeters designed the AS IV with an RFI detector. Although the AS IV casing (enclosure) is shielded, it is not practical to completely shield the instrument from EMI/RFI. Taking into consideration the purpose of the instrument, i.e. testing for breath alcohol levels, Intoximeters preferred to have the instrument prohibited from conducting a test while detecting EMI/RFI. Therefore, the RFI detector in the AS IV is operational from the time a mouthpiece is inserted into the EBT and the instrument temperature reading is taken until the "SET" button is pushed after completion of the test procedure. If EMI/RFI is detected at any time during that process, the AS IV displays will show "RFI" and the test may not be completed until the interference is no longer detected. The RFI detector will prohibit the completion of the test the instant the interference is detected.

## **24. Do elevation or pressure changes affect the EBT device?**

Alcohol testing will normally be performed at FAA work sites. These comprise approximately 750 duty locations and over 1000 separate testing sites. These sites will be at various altitudes and testing will occur during various weather conditions. Barometric pressure changes caused by altitude and/or certain weather conditions will affect the value of the pressurized dry gas standard used to check the calibration or accuracy of the Evidential Breath Testing device (EBT) not the breath measurement performed by the EBT. If a calibration check is done, the expected dry gas value must be documented prior to the performance of the external calibration check for purposes of comparison with the AS IV result.

An accuracy check following a positive test confirms the validity of a confirmation test result and any subsequent action taken as a result of the test. To achieve the most accurate and defensible test results possible with the EBT equipment utilized in testing DOT employees, the contractor is responsible for ensuring that breath alcohol testing is performed in compliance with the contract, that test results are accurate, and equipment is in calibration. Therefore, whenever possible, the contractor should utilize, in conjunction with any external calibration check or actual calibration of EBT's, performed using a dry gas standard, a device that will sense changes in absolute altitude/barometric pressure and report an accurate adjusted value for the dry gas standard. The Intoximeter True-Cal Device is in current use with the AS IV. The device must be portable, i.e. suitable for transport to and from FAA testing sites, and be employed according to manufacturer's instructions. The person conducting the accuracy check must enter the expected value provided and the results of the accuracy test into the EBT Calibration Log. The use of this device must also be documented on each occasion in the EBT Calibration Log.

If a True-Cal device is not available, the BAT may use the adjustment chart on the gas standard bottle to adjust for approximate altitude variations.

These are some points to consider about altitude and weather changes and alcohol testing:

- ◆ The amount of alcohol in employee's blood does not change.
- ◆ The ability of the AS IV to properly calculate alcohol concentration readings does not change.
- ◆ The expected value of the dry gas changes according to the altitude chart on the dry gas standard.
- ◆ The True Cal device displayed value changes when changes in altitude and barometric pressure occur.
- ◆ The expected value from a wet bath simulator does not change.
- ◆ BAT's must account for altitude changes when performing accuracy checks or calibrations at varying altitudes.

- ◆ Devices do not require calibration when taken to a different altitude. Linearity ensures that the device can read alcohol properly at any altitude.

## **25. There are reports of 1.000 and above test results. What triggers these impossible results?**

These results are actually an error message generated by the software in the laptop computer. In each and every situation that this has occurred, the BAC test result of 1.000 or above was displayed on the EBT **but** an error message was shown on the laptop screen and printed on the result label. These were handled as invalid tests since there is a disparity between the displayed and printed numbers. These events do not relate at all to the calibration of the EBT itself but to the transmission of data from the EBT to the laptop. The laptop software program performs data integrity checks on the inbound data stream from the EBT. These events occur in the following cases: (1) where the EBT battery is low, but not low enough that the instrument cannot run a test which triggers the low battery signal on the EBT, and there may not be enough power to drive the serial port properly to transmit the data completely; (2) if RFI is experienced at the cable connection between the EBT and the laptop during the data transmission phase; or (3) a cable is loose. In the above cases the data may be corrupted.

- ◆ A message of 1.000 means that the transfer of the AS IV serial number was corrupted.
- ◆ A message of 2.000 means that the transfer of the temperature field was corrupted or the data stream is missing one or more bytes.
- ◆ A message of 3.000 means that the data stream has one or more extra bytes.

## **26. What constitutes an invalid alcohol test?**

A breath alcohol test shall be invalid under the following circumstances:

EBT out of tolerance. The next external calibration of an AS IV EBT produces a result that differs by more than +/- 0.005 from the known value of the test standard. In this event, every test result of 0.02 or above obtained on the device since the last valid external calibration check is invalid.

Less than a 15-minute wait. The BAT does not observe the 15-minute waiting period prior to a confirmation test. The software program includes a step that counts down the 15 minutes and prohibits a confirmation until the time period has elapsed.

Air blank results not 0.000. The BAT does not perform an air blank before the screening or confirmation test, which results in a reading of 0.000. The BAT may choose one of two available options in the testing software. An air blank is done before each test, however, the correct option must be used in order to show and print the air blank.

No BAT certification signature or notes. The BAT does not sign the form as required, or the BAT fails to note on the form that the individual has failed or refused to sign the form as required.

Disparity between displayed and printed numbers. An EBT fails to print a confirmation test result, or the sequential test number or alcohol concentration displayed on the EBT is not the same as the sequential test number or alcohol concentration on the printed result.

When an alcohol test is declared invalid, the test shall be treated as if it (the test) had never been conducted. However, this does not mean that the testing process is over. If the test can be repeated with the same or different equipment, then it must be completed.

## **27. How does this safeguard the employee from an erroneous test result?**

The test may not be completed until the interference detected by the AS IV instrument is no longer present. EMI/RFI is typically an occasional/sporadic occurrence and can be overcome by testing again after a short wait or moving the EBT elsewhere, perhaps only a few feet. It is DOT policy that whenever a screening or confirmation alcohol test cannot be completed, or if an event occurs that would invalidate the test, the Breath Alcohol Technician shall, if practicable, begin again (e.g., new screening or confirmation test, as applicable), using a new alcohol testing form with a new sequential test number.