

EDUCATION PROGRAM

- Conduct and document initial training for employees and their supervisors about drug use.
- Supervisors who will make reasonable cause/suspicion testing determinations must complete initial training.
- Supervisors who make reasonable cause drug testing determinations must receive recurrent training.
- Display and distribute your drug policy, a hotline number, and drug informational materials; distribute and document distribution of your alcohol misuse policy.
- Make sure your drug and alcohol policies include the consequences for using drugs while performing, testing positive, violating the alcohol prohibitions, or refusing to submit to testing.

Best Practices:

- ✓ Conduct recurrent training for supervisors on a 12-18 month schedule, and include a refresher on alcohol testing.
- ✓ Document all parts of training, including the date it took place, who attended, how long it lasted, and what topics were covered.

More Resources:
14 CFR part 120, sections 120.115; 120.219; and 120.223
FAA's Sample Posting and Policies:
www.faa.gov/go/drugabatement

PRE-EMPLOYMENT TESTING & RECORDS CHECK

- Before hiring or transferring an employee into a safety-sensitive position, verify that you have received a negative pre-employment drug test result.
- Conduct a drug and alcohol records check according to 49 CFR part 40, section 40.25.
- Ask all newly hired or transferred safety-sensitive employees if they have ever tested positive on or refused to submit to a pre-employment drug or alcohol test in the previous two years.
- Advise all individuals that a pre-employment drug test includes marijuana, cocaine, amphetamines, opioids and phencyclidine.

Best Practices:

- ✓ Consider revising your employee hiring status form to include a block that indicates when a negative pre-employment drug test result is received.
- ✓ Review employee applications carefully and talk to applicants about the duties they performed at previous jobs to determine whether they worked for a DOT-regulated employer.
- ✓ Document employees' answers when you ask them whether they previously tested positive or refused to take a pre-employment drug or alcohol test.
- ✓ Document your notification to employees of the five drugs included in pre-employment testing.

More Resources:
49 CFR part 40, sections 40.25
14 CFR part 120, sections 120.109(a) & 120.217(a)
DOT's "What Employers Need to Know about DOT Drug & Alcohol Testing" www.dot.gov/odapc/employer

COLLECTION PROCESS

- You are responsible for the actions of your collectors, breath alcohol technicians (BATs) and screening test technicians (STTs).
- For urine collections, provide collection information (such as type of test and whether the test is observed or not) to the collection site before each collection.
- Ensure that collection site personnel use the approved Federal forms for all DOT collections, and transmit employer copies and results to you within the timeframes outlined in 49 CFR part 40.

Best Practices:

- ✓ Schedule regular audits of your collection sites and personnel.
- ✓ Maintain open and regular communications with collection site personnel.
- ✓ Before notifying an employee to proceed to the collection site for a test, make sure the collection site is ready and available.
- ✓ After each collection, conduct a quality review of all custody and control forms and alcohol testing forms.

More Resources:
49 CFR part 40, Subparts B, C, D and E
"DOT's Urine Specimen Collection Guidelines" www.dot.gov/odapc/collectors
"What Employers Need to Know about DOT Drug and Alcohol Testing" www.dot.gov/odapc/employer



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COMPLIANCE AHEAD ↑





Every Designated Employer Representative (DER) should have the knowledge and authority to make decisions about his or her aviation employer's drug and alcohol testing program. The DER is responsible for educating employees, conducting drug and alcohol tests, making sure the program complies with DOT/FAA regulations, and maintaining all documentation.

For more information and answers to Frequently Asked Questions, please be sure to visit:
www.faa.gov/go/drugabatement

Designated Employer Representatives (DERs) play a vital role in maintaining safety in the aviation industry by ensuring that their employers and employees comply with DOT/FAA's Drug and Alcohol Testing regulations.

While there are numerous components to having a successful drug and alcohol program, knowledge of the areas described in this brochure will help the DER reduce violations and improve safety.

RANDOM TESTING

- Ensure that all safety-sensitive employees and only safety-sensitive employees are in the random pool.
- All random testing pools must meet the required minimum annual testing rate. FAA publishes the rates for the coming year each December on its web site.
- Maintain random testing records for at least two years, including the the list of employees in the random testing pool before each selection, the selection list, and documentation that the test was conducted.

Best Practices:

- ✓ Establish a process to update the random testing pool just before each selection.
- ✓ Before notifying an employee to report for testing, make sure that both the employee and the collection site are available and ready to test.
- ✓ Document your notification of random testing for each selected employee, and the reason any employee is excused from testing.
- ✓ Consider hiring a consortium/third party administrator to help manage your random testing program. This can be helpful if you are a small or single-owner operator.

More Resources:
 14 CFR part 120, sections 120.109(b); 120.217(c); 120.209(a)

DOT's "Best Practices for Random Testing"
www.dot.gov/odapc/employer

RETURN-TO-DUTY & FOLLOW-UP TESTING

- Do not conduct a return-to-duty test until you receive the written initial and follow-up evaluation reports, including the follow-up testing plan, from the substance abuse professional (SAP).
- Before returning an employee to duty, make sure that you receive a negative return-to-duty test result.
- Administer the follow-up testing plan exactly as prescribed by the SAP.
- Advise the collection site to conduct a direct observation for all return-to-duty and follow-up testing when you send the employee for testing.
- Explain to the employee the reason for a directly observed collection.

Best Practices:

- ✓ Talk to the SAP if you have any questions about the SAP's recommendations. You must follow the SAP's plan, so make sure you understand it.
- ✓ Before sending an employee for a return-to-duty or follow-up test, explain the direct observation process to the employee. After the test is taken, verify that the direct observation process was used.
- ✓ When an employee goes on extended leave during the follow-up testing program, the clock stops. The follow-up testing plan resumes whenever the employee returns or goes to a new DOT employer.

More Resources:
 49 CFR part 40, Subpart O
 14 CFR part 120, sections 120.109(e) & (f); 120.217(e) & (f); 120.209(a)

DOT's "Substance Abuse Professional Guidelines"
www.dot.gov/odapc/sap