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- 2519 - DRUG AND ALCOHOL TESTING - PROCEDURE
- 2519.1 The purpose of this procedure is to prescribe the manner in which the South Carolina Forestry Commission will comply with the mandatory drug and alcohol testing regulations issued by the Federal Highway Administration of the U.S. Department of Transportation.
- 2519.2 All South Carolina Forestry Commission employees required to have a Commercial Driver's License (CDL) are covered by the regulations effective January 1, 1995.
- 2519.3 The regulations require CDL employees to be subject to five (5) drug and alcohol tests:
- A. Pre-employment
  - B. Post-accident
  - C. Reasonable suspicion
  - D. Random
  - E. Return-to-duty and follow up
- 2519.4 The total number of random, unannounced alcohol tests each year must be equal to at least 25% of CDL employees.
- 2519.5 The total number of random, unannounced drug tests each year must be equal to at least 50% of CDL employees.
- 2519.6 The South Carolina Forestry Commission will contract for the drug and alcohol testing. CDL employees will be advised where to report for the tests.
- 2519.7 Alcohol Testing
- A. Testing will be performed by using Evidential Breath Testing (EBT) devices.
  - B. Two (2) breath tests are required to determine if a CDL employee has a prohibited alcohol concentration. The first test is a screening test. If alcohol concentration is less than 0.02 the test is considered negative. However, if the alcohol concentration is 0.02 or greater, a second confirmation test must be performed. A CDL employee must be removed from duty for twenty four hours if the second test is positive (0.02 or greater). If the test is 0.04 or greater, the rules do not permit return to duty until the CDL employee has been evaluated by a substance abuse professional, complied with any treatment instructions and passed an additional breath test.
- 2519.8 Drug Testing
- A. Drug testing will be performed by analyzing a CDL employee's urine specimen for marijuana, cocaine, amphetamines, opiates, and phencyclidine (PCP).
  - B. The specimen goes through a "chain of custody" procedure to ensure security and proper identification.
  - C. The "split specimen" procedures will be followed. This will mean that each urine specimen is subdivided into two bottles labeled "primary" and "split". Only the "primary" specimen is opened and used for testing. If the test results indicate the presence of illegal or controlled substances, the CDL employee has 72 hours to request that the "split" specimen be sent to another certified laboratory for analysis. This procedure provides the CDL employee with an opportunity for a "second opinion."

**South Carolina Forestry Commission**

- D. All drug test results will be reviewed and interpreted by a physician before they are released to the South Carolina Forestry Commission. If a positive result is found, the physician must then contact the CDL employee to determine if there are any medical explanations to the findings.
  - E. A CDL employee must be removed from duty if a positive result is found after testing, and can not return to duty until evaluated by a substance abuse professional, complied with any treatment instructions, and passed an additional drug test.
- 2519.9 Training will be provided to CDL employees and their supervisors on the following:
- A. The Drug and Alcohol Testing Regulations.
  - B. Alcohol misuse
  - C. Drug use and treatment
  - D. Signs and symptoms of alcohol and drug use to assist in making determinations for reasonable suspicion testing.
- 2519.10 Detailed records of the South Carolina Forestry Commission Drug and Alcohol Testing Program will be maintained and will be subject to inspections and audits by the Federal Highway Administration or their designee.
- 2519.11 CDL employees whose breath alcohol concentration is above 0.04, between 0.02 to 0.04, or whose drug test results are positive will either be placed on leave without pay or temporarily reassigned where possible to duties that do not require the use of a CDL. These options would remove the CDL employee from safety-sensitive duties during times they are prohibited by law from working in those areas.
- 2519.12 The refusal of a CDL employee to take an alcohol and/or drug test would be in violation of federal law and would mean that the employee would have to be removed from all safety-sensitive duties immediately, which could result in termination of employment if permanent reassignment to duties that do not require the use of a CDL is not possible.
- 2519.13 Testing positive a second time on an alcohol/and or drug test could result in termination of employment.