DRUG AND ALCOHOL TESTING POLICY
Cedar County Transit
Adopted as of April 26th, 2022

A. PURPOSE

1) The Cedar County Transit provides public transit and paratransit services for the residents of Cedar County and thirty miles west into Knox County Nebraska. Part of our mission is to ensure that this service is delivered safely, efficiently, and effectively by establishing a drug and alcohol-free work environment, and to ensure that the workplace remains free from the effects of drugs and alcohol in order to promote the health and safety of employees and the general public. In keeping with this mission, Cedar County Transit declares that the unlawful manufacture, distribution, dispense, possession, or use of controlled substances or misuse of alcohol is prohibited for all employees.

2) Additionally, the purpose of this policy is to establish guidelines to maintain a drug and alcohol-free workplace in compliance with the Drug-Free Workplace Act of 1988, and the Omnibus Transportation Employee Testing Act of 1991. This policy is intended to comply with all applicable Federal regulations governing workplace anti-drug and alcohol programs in the transit industry. Specifically, the Federal Transit Administration (FTA) of the U.S. Department of Transportation has published 49 CFR Part 655, as amended, that mandates urine drug testing and breath/saliva alcohol testing for safety-sensitive positions and prohibits performance of safety-sensitive functions when there is a positive test result, including an alcohol concentration of 0.04 or greater, or a refusal to test. The U. S. Department of Transportation (USDOT) has also published 49 CFR Part 40, as amended, that sets standards for the collection and testing of urine and breath/saliva specimens.

3) Any provisions set forth in this policy that are included under the sole authority of Cedar County Transit and <u>are not</u> provided under the authority of the above named Federal regulations are underlined. Tests conducted under the sole authority of Cedar County Transit will be performed on non-USDOT forms and will be separate from USDOT testing in all respects.

B. APPLICABILITY

This Drug and Alcohol Testing Policy applies to all safety-sensitive employees (full- or part-time) when performing safety sensitive duties. This includes applicants or transferee's, who performs or will perform safety sensitive functions. See Attachment A for a list of employees and the authority under which they are included.

A safety-sensitive function includes:

- Operating a revenue service vehicle including when not in revenue service.
- Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License (CDL.
- Controlling dispatch of movement of a revenue service vehicle.
- Maintaining (including repairs, overhaul, and rebuilding) a revenue service vehicle or equipment used in revenue service.
- Carrying a firearm for security purposes.

A volunteer is a covered employee if:

- The volunteer is required to hold a commercial driver's license to operate the vehicle; or
- The volunteer performs a safety-sensitive function for an entity subject to this part and receives remuneration in excess of his or her actual expenses incurred while engaged in the volunteer activity.

An individual will be considered to be performing a safety-sensitive function during any period in which he/she is actually performing, ready to perform or immediately available to perform such functions.

Contractors subject to the requirements if:

- An individual or organizations that provide services for an FTA covered "employer" is consistent with a specific understanding or arrangement, which can be evidenced by a written agreement and such contractors are also considered employers within the FTA definition of "employer".

C. DEFINITIONS

Accident: An occurrence associated with the operation of a vehicle even when not in revenue service, if as a result:

a. An individual dies;
b. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident; or,
c. With respect to an occurrence in which the public transportation vehicle involved is a bus, electric bus, van, or automobile, one or more vehicles (including non-FTA funded vehicles) incurs disabling damage as the result of the occurrence and such vehicle or vehicles are transported away from the scene by a tow truck or other vehicle; or

d. With respect to an occurrence in which the public transportation vehicle involved is a rail car, trolley car, trolley bus, or vessel, the public transportation vehicle is removed from operation.

Adulterated specimen: A specimen that has been altered, as evidence by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol: The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl or isopropyl alcohol.

Alcohol Concentration: Expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under 49 CFR Part 40.

Aliquot: A fractional part of a specimen used for testing, it is taken as a sample representing the whole specimen.

Canceled Test: A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which is cancelled. A canceled test is neither positive nor negative.

Confirmatory Drug Test: A second analytical procedure performed on a different aliquot of the original specimen to identify and quantify the presence of a specific drug or metabolite.

Confirmatory Validity Test: A second test performed on a different aliquot of the original urine specimen to further support a validity test result.

Covered Employee Under FTA Authority: An employee who performs a safety-sensitive function including an applicant or transferee who is being considered for hire into a safety-sensitive function. A volunteer is a covered employee if the volunteer is required to hold a commercial driver's license to operate the vehicle or performs a safety-sensitive function and receives remuneration in excess oof his or her actual expenses incurred while engaged in the voluntary activity. (See Attachment A for a list of covered employees).

Designated Employer Representative (DER): An employee authorized by the employer to take immediate action to remove employees from safety-sensitive duties and to make required decisions in testing. The DER also receives test results and other communications for the employer, consistent with the requirements of 49 CFR Parts 40 and 655.

DOT, The Department, DOT Agency: These terms encompass all DOT agencies, including, but not limited to, the Federal Aviation Administration (FAA), the

Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Pipeline and Hazardous Materials Safety Administration (PHMSA), and the Office of the Secretary (OST). For purposes of 49 CFR Part 40, the United States Coast Guard (USCG), in the Department of Homeland Security, is considered to be a DOT agency for drug testing purposes. These terms include any designee of a DOT agency.

Dilute specimen: A urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

Disabling damage: Damage which precludes departure of a motor vehicle from the scene of the accident in its usual manner in daylight after simple repairs.

(1) Inclusion. Damage to a motor, where the vehicle could have been driven, but would have been further damaged if so driven.
(2) Exclusions.
    a. Damage that can be remedied temporarily at the scene of the accident without special tools or parts.
    b. Tire disablement without other damage even if no spare tire is available.
    c. Headlamp or taillight damage.
    d. Damage to turn signals, horn, or windshield wipers, which makes the vehicle inoperable.

Evidentiary Breath Testing Device (EBT): A device approved by the NHTSA for the evidential testing of breath at the 0.02 and the 0.04 alcohol concentrations and appears on ODAPC's Web page for "Approved Evidential Breath Measurement Devices" because it conforms with the model specifications available from NHTSA.

Initial Drug Test: (Screening Drug Test) The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Specimen Validity Test: The first test used to determine if a urine specimen is adulterated, diluted, substituted, or invalid

Invalid Result: The result reported by a laboratory for a urine specimen that contains an unidentified adulterant, contains an unidentified interfering substance, has an abnormal physical characteristic, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing testing or obtaining a valid drug test result.

Laboratory: Any U.S. laboratory certified by HHS under the National Laboratory Certification program as meeting standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT.

Limit of Detection (LOD): The lowest concentration at which a measurand can be identified, but (for quantitative assays) the concentration cannot be accurately calculated.

Limit of Quantitation: For quantitative assays, the lowest concentration at which the identity and concentration of the measurand can be accurately established.

Medical Review Officer (MRO): A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.

Negative Dilute: A drug test result which is negative for the five drug/drug metabolites but has creatinine and specific gravity values that are lower than expected for human urine.

Negative result: The result reported by an HHS-certified laboratory to an MRO when a specimen contains no drug, or the concentration of the drug is less than the cutoff concentration for the drug or drug class and the specimen is a valid specimen.

Non-negative test result: A urine specimen that is reported as adulterated, substituted, invalid, or positive for drug/drug metabolites, and or invalid.

Oxidizing Adulterant: A substance that acts alone or in combination with other substances to oxidize drugs or drug metabolites to prevent the detection of the drug or metabolites or affects the reagents in either the initial or confirmatory drug test.

Performing (a safety-sensitive function): A covered employee is considered to be performing a safety-sensitive function and includes any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Positive result: The result reported by an HHS- Certified laboratory when a specimen contains a drug or drug metabolite equal or greater to the cutoff concentrations.

Prohibited drug: Identified as marijuana, cocaine, opioids, amphetamines, or phencyclidine at levels above the minimum thresholds specified in 49 CFR Part 40, as amended.

Reconfirmed: The result reported for a split specimen when the second laboratory is able to corroborate the original result reported for the primary specimen.

Rejected for Testing: The result reported by an HHS- Certified laboratory when no tests are performed for specimen because of a fatal flaw or a correctable flaw that has not been corrected.

Revenue Service Vehicles: All transit vehicles that are used for passenger transportation service.

(1) vehicle and
(2) Carrying a firearm for security purposes.

Split Specimen Collection: A collection in which the urine collected is divided into two separate bottles, the primary specimen (Bottle A) and the split specimen (Bottle B).

Substance Abuse Professional (SAP): A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

Substituted specimen: A urine specimen with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine.

Vehicle: A bus, electric bus, van, automobile, rail car, trolley car, trolley bus, or vessel. A public transit vehicle is a vehicle used for public transportation or for ancillary services.

Verified test: A drug test result or validity testing result from an HHS-certified laboratory that has undergone review and final determination by the MRO.

D. EDUCATION AND TRAINING

1) Every covered employee will receive a copy of this policy and will have ready access to the corresponding federal regulations including 49 CFR Parts 655 and 40, as amended. In addition, all covered employees will undergo a minimum of 60 minutes of training on the signs and symptoms

of drug use including the effects and consequences of drug use on personal health, safety, and the work environment. The training also includes manifestations and behavioral cues that may indicate prohibited drug use. This information will include the following:

a. Display and distribution of informational material
b. Display and distribution of community service hot-line number for employee assistance.

2) All supervisory personnel or company officials who are in a position to determine employee fitness for duty will receive 60 minutes of reasonable suspicion training on the physical, behavioral, and performance indicators of probable drug use and 60 minutes of additional reasonable suspicion training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse.

E. PROHIBITED SUBSTANCES

1) Prohibited substances addressed by this policy include the following.

a. Illegally Used Controlled Substance or Drugs Under the Drug-Free Workplace Act of 1988 any drug or any substance identified in Schedule I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812), and as further defined by 21 CFR 1300.11 through 1300.15 is prohibited at all times in the workplace unless a legal prescription has been written for the substance. This includes, but is not limited to marijuana, amphetamines, opioids, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs. Also, the medical use of marijuana and/or recreational ma, or the use of hemp related products, which cause drug or drug metabolites to be present in the body above the minimum thresholds is a violation of this policy

Federal Transit Administration drug testing regulations (49 CFR Part 655) require that all employees covered under FTA authority be tested for marijuana, cocaine, amphetamines, opioids, and phencyclidine as described in Section H of this policy. Illegal use of these five drugs is prohibited at all times and thus, covered employees may be tested for these drugs anytime that they are on duty.

b. Legal Drugs: The appropriate use of legally prescribed drugs and non-prescription medications is not prohibited. However, the use of any substance which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to a Cedar County Transit supervisor and the employee is required to provide a written release from his/her doctor or pharmacist indicating that the employee can perform his/her safety-sensitive functions.

c. Alcohol: The use of beverages containing alcohol (including mouthwash, medication, food, candy) or any other substances containing alcohol in a manner which violates the conduct listed in this policy is prohibited.

F. PROHIBITED CONDUCT

1) All covered employees are prohibited from reporting for duty or remaining on duty any time there is a quantifiable presence of a prohibited drug in the body above the minimum thresholds defined in 49 CFR Part 40, as amended.

2) Each covered employee is prohibited from consuming alcohol while performing safety-sensitive job functions or while on-call to perform safety-sensitive job functions. If an on-call employee has consumed alcohol, they must acknowledge the use of alcohol at the time that they are called to report for duty. The covered employee will subsequently be relieved of his/her on-call responsibilities and subject to discipline for not fulfilling his/her on-call responsibilities.

3) The Transit Department shall not permit any covered employee to perform or continue to perform safety-sensitive functions if it has actual knowledge that the employee is using alcohol

4) Each covered employee is prohibited from reporting to work or remaining on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater regardless of when the alcohol was consumed.

   a. An employee with a breath alcohol concentration which measures 0.02-0.039 is not considered to have violated the USDOT-FTA drug and alcohol regulations, provided the employee hasn't consumed the alcohol within four (4) hours of performing a safety-sensitive duty. However, if a safety-sensitive employee has a breath alcohol concentration of 0.02-0.039, USDOT-FTA regulations require the

employee to be removed from the performance of safety-sensitive duties until:

i. The employee's alcohol concentration measures less than 0.02; or
ii. The start of the employee's next regularly scheduled duty period, but not less than eight hours following administration of the test.

5) No covered employee shall consume alcohol for eight (8) hours following involvement in an accident or until he/she submits to the post-accident drug/alcohol test, whichever occurs first.

6) No covered employee shall consume alcohol within four (4) hours prior to the performance of safety-sensitive job functions.

7) Cedar County Transit under its own authority, also prohibits the consumption of alcohol at all times the employee is on duty, or anytime the employee is in uniform.

8) Consistent with the Drug-free Workplace Act of 1988, all Cedar County Transit employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of prohibited substances in the workplace including transit system premises and transit vehicles.

G. DRUG STATUTE CONVICTION

Consistent with the Drug Free Workplace Act of 1998, all employees are required to notify the Cedar County Transit management of any criminal drug statute conviction for a violation occurring in the workplace within five days after such conviction. Failure to comply with this provision shall result in disciplinary action as defined in Section Q of this policy.

H. TESTING REQUIREMENTS

1) Analytical urine drug testing and breath/saliva testing for alcohol will be conducted as required by 49 CFR Part 40 as amended. All employees covered under FTA authority shall be subject to testing prior to performing safety-sensitive duty, for reasonable suspicion, following an accident, and random as defined in Section K, L, M, and N of this policy, and return to duty/follow-up.

2) A drug test can be performed any time a covered employee is on duty. A reasonable suspicion, random, or follow-up alcohol test can only be

performed just before, during, or after the performance of a safety-sensitive job function. Under Cedar County Transit authority, a non-DOT alcohol test can be performed any time a covered employee is on duty.

3) All covered employees will be subject to urine drug testing and breath/saliva alcohol testing as a condition of ongoing employment with Cedar County Transit. Any safety-sensitive employee who refuses to comply with a request for testing shall be removed from duty and subject to discipline as defined in Section Q of this policy.

I. DRUG TESTING PROCEDURES

1) Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities which have been approved by the U.S. Department of Health and Human Service (HHS). All testing will be conducted consistent with the procedures set forth in 49 CFR Part 40, as amended. The procedures will be performed in a private, confidential manner and every effort will be made to protect the employee, the integrity of the drug testing procedure, and the validity of the test result.

2) The drugs that will be tested for include marijuana, cocaine, opioids, amphetamines, and phencyclidine. After the identity of the donor is checked using picture identification, a urine specimen will be collected by a trained collection site person using the split specimen collection method described in 49 CFR Part 40, as amended. Each specimen will be accompanied by a DOT Custody and Control Form (CCF) and identified using a unique identification number that attributes the specimen to the correct individual. The specimen analysis will be conducted at an HHS certified laboratory. An initial drug screen and validity test will be conducted on the primary urine specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GC/MS) or Liquid Chromatography/Mass Spectrometry (LC/MS) test will be performed. The test will be considered positive if the amounts of the drug(s) and/or its metabolites identified by the GC/MS or LC/MS test are above the minimum thresholds established in 49 CFR Part 40, as amended.

3) The test results from the HHS certified laboratory will be reported to a Medical Review Officer (MRO). An MRO is a licensed physician with detailed knowledge of substance abuse disorders and drug testing. The MRO will review the test results to ensure the scientific validity of the test and to determine whether there is a legitimate medical explanation for a confirmed positive, substitute, or adulterated test result. The MRO will

attempt to contact the employee to notify the employee of the non-negative laboratory result and provide the employee with an opportunity to explain the confirmed laboratory test result. The MRO will subsequently review the employee's medical history/medical records as appropriate to determine whether there is a legitimate medical explanation for a non-negative laboratory result. If no legitimate medical explanation is found, the test will be verified positive or refusal to test and reported to Cedar County Transit. If a legitimate explanation is found, the MRO will report the test result as negative.

4) If the test is invalid without a medical explanation, a retest will be conducted under direct observation. Employees do not have access to a test of their split specimen following an invalid result.

5) Any covered employee who questions the results of a required drug test may request that the split sample be tested. The split sample test must be conducted at a second HHS-certified laboratory. The test must be conducted on the split sample that was provided by the employee at the same time as the primary sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40, as amended. The employee's request for a split sample test must be made to the Medical Review Officer within 72 hours of notice of the original sample verified test result. Requests after 72 hours will only be accepted at the discretion of the MRO if the delay was due to documentable facts that were beyond the control of the employee. Cedar County Transit will ensure that the cost for the split specimen analysis is covered in order for a timely analysis of the sample, <u>however Cedar County Transit will seek reimbursement for the split sample test from the employee.</u>

6) If the analysis of the split specimen fails to confirm the presence of the drug(s) detected in the primary specimen, if the split specimen is not able to be analyzed, or if the results of the split specimen are not scientifically adequate, the MRO will declare the original test to be canceled.

7) The split specimen will be stored at the initial laboratory until the analysis of the primary specimen is completed. If the primary specimen is negative, the split will be discarded. If the primary specimen is positive, it will be retained in frozen storage for one year and the split specimen will also be retained for one year. If the primary is positive, the primary and the split will be retained for longer than one year for testing if so, requested by the employee through the MRO, or by the employer, by the MRO, or by the relevant DOT agency.

8) Observed collections

a. Consistent with 49 CFR Part 40, as amended, collection under direct observation (by a person of the same gender) with no advance notice will occur if:

i. The laboratory reports to the MRO that a specimen is invalid, and the MRO reports to Cedar County Transit that there was not an adequate medical explanation for the result;

ii. The MRO reports to Cedar County Transit that the original positive, adulterated, or substituted test result had to be cancelled because the test of the split specimen could not be performed;

iii. The laboratory reported to the MRO that the specimen was negative-dilute with a creatinine concentration greater than or equal to 2 mg/dL but less than or equal to 5 mg/dL, and the MRO reported the specimen as negative-dilute and that a second collection must take place under direct observation (see §40.197(b)(1)).

iv. The collector observes materials brought to the collection site or the employee's conduct clearly indicates an attempt to tamper with a specimen;

v. The temperature on the original specimen was out of normal range;

vi. Anytime the employee is directed to provide another specimen because the original specimen appeared to have been tampered with.

vii. Directed by the DER to perform an observed collection.

viii. All follow-up-tests; or

ix. All return-to-duty tests

J. ALCOHOL TESTING PROCEDURES

1) Alcohol testing will be performed at locations determined by the Company in a private setting. The testing technician, who has been trained, will ask the donor to verify their identity and the information will be recorded on a DOT Alcohol Testing Form (ATF).

2) A breath or saliva testing device approved by the federal government will be used for all alcohol testing. Two tests are required to determine if a person has a prohibited alcohol concentration. A screening test is conducted first. Any result less than 0.02 alcohol concentration is considered a "negative" test. If the alcohol concentration is 0.02 or greater, a second confirmation test must be conducted after at least a 15-minute waiting period from the completion of the screening test. The driver and the individual conducting the confirmation breath test (the BAT) complete the alcohol testing form to ensure that the results are properly recorded.

3) The confirmation test, if required, must be conducted using an Evidential Breath Testing device (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.

4) A confirmation test result under 0.02 means the driver has passed. A confirmation alcohol concentration level of 0.02 or higher will result in the driver's removal from safety-sensitive functions. The DOT prohibits any driver whose confirmation test registers 0.02 or greater but less than 0.04 from performing or from continuing to perform safety-sensitive functions until the driver's next regularly scheduled duty period, but no less than twenty-four (24) hours. If the confirmation level is 0.04 or more, or if the driver refuses to cooperate, the driver is in violation of DOT alcohol regulations and subject to the Consequences for Policy Violation as described in section Q of this policy and Post-Violation/Return-to-Duty Procedures as outlined in the regulations. Certified BATs and STTs will conduct all alcohol tests.

5) If a driver tries but fails to provide a breath specimen adequate for testing, the driver will be asked to try again. If the driver still does not provide an adequate specimen, the driver's failure will be noted on the ATF and the Company's DER will be informed. The driver will be removed from performing "safety-sensitive" functions and required to see a physician, acceptable to the Company, within five days for an evaluation. If a physician determines that there was no medical reason for not providing the sample, this will be considered a refusal to test, and the employee will

be immediately removed from performing safety-sensitive functions and could result in termination of employment.

6) Cedar County Transit affirms the need to protect individual dignity, privacy, and confidentiality throughout the testing process. If at any time the integrity of the testing procedures or the validity of the test results is compromised, the test will be canceled. Minor inconsistencies or procedural flaws that do not impact the test result will not result in a cancelled test.

7) The alcohol testing form (ATF) required by 49 CFR Part 40 as amended, shall be used for all FTA required testing. Failure of an employee to sign step 2 of the ATF will be considered a refusal to submit to testing.

K. PRE-EMPLOYMENT TESTING

1) All applicants for covered transit positions shall undergo urine drug testing prior to performance of a safety-sensitive function.

   a. All offers of employment for covered positions shall be extended conditional upon the applicant passing a drug test. An applicant will not be allowed to perform safety-sensitive functions unless the applicant takes a drug test with verified negative results.

   b. An employee shall not be placed, transferred, or promoted into a position covered under FTA authority or company authority until the employee takes a drug test with verified negative results.

   c. If an applicant fails a pre-employment drug test, the conditional offer of employment shall be rescinded, and the applicant will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals. Failure of a pre-employment drug test will disqualify an applicant for employment for a period of at least one year. Before being considered for future employment the applicant must provide the employer proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G. The cost for the assessment and any subsequent treatment will be the sole responsibility of the applicant.

   d. When an employee being placed, transferred, or promoted from a non-covered position to a position covered under FTA authority or company authority submits a drug test with a verified positive result, the employee shall be subject to disciplinary action in accordance with Section Q herein.

e. If a pre-employment test is canceled, Cedar County Transit will require the applicant to take and pass another pre-employment drug test.

f. In instances where an FTA covered employee does not perform a safety-sensitive function for a period of 90 consecutive days or more regardless of reason, and during that period is not in the random testing pool the employee will be required to take a pre-employment drug test under 49 CFR Part 655 and have negative test results prior to the conduct of safety-sensitive job functions.

g. Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.

h. Applicants are required (even if ultimately not hired) to provide Cedar County Transit with signed written releases requesting USDOT drug and alcohol records from all previous, USDOT-covered, employers that the applicant has worked for within the last two years. Failure to do so will result in the employment offer being rescinded. Cedar County Transit is required to ask all applicants (even if ultimately not hired) if they have tested positive or refused to test on a pre-employment test for a USDOT covered employer within the last two years. If the applicant has tested positive or refused to test on a pre-employment test for a USDOT covered employer, the applicant must provide Cedar County Transit proof of having successfully completed a referral, evaluation and treatment plan as described in section 655.62 of subpart G.

L. REASONABLE SUSPICION TESTING

1) All Cedar County Transit FTA covered employees will be subject to a reasonable suspicion drug and/or alcohol test when the employer has reasonable suspicion to believe that the covered employee has used a prohibited drug and/or engaged in alcohol misuse. Reasonable suspicion shall mean that there is objective evidence, based upon specific, contemporaneous, articulable observations of the employee's appearance, behavior, speech or body odor that are consistent with possible drug use and/or alcohol misuse. Reasonable suspicion referrals must be made by one or more supervisors who are trained to detect the signs and symptoms of drug and alcohol use, and who reasonably concludes that an employee may be adversely affected or impaired in his/her work

performance due to possible prohibited substance abuse or alcohol misuse. A reasonable suspicion alcohol test can only be conducted just before, during, or just after the performance of a safety-sensitive job function. However, under Cedar County Transit authority, a non-DOT reasonable suspicion alcohol test may be performed any time the covered employee is on duty. A reasonable suspicion drug test can be performed any time the covered employee is on duty.

2) Cedar County Transit shall be responsible for transporting the employee to the testing site. Supervisors should avoid placing themselves and/or others into a situation which might endanger the physical safety of those present. The employee shall be placed on administrative leave pending disciplinary action described in Section Q of this policy. An employee who refuses an instruction to submit to a drug/alcohol test shall not be permitted to finish his or her shift and shall immediately be placed on administrative leave pending disciplinary action as specified in Section Q of this policy.

3) A written record of the observations which led to a drug/alcohol test based on reasonable suspicion shall be prepared and signed by the supervisor making the observation. This written record shall be submitted to the Cedar County Transit.

4) If a reasonable suspicion alcohol test is not administered within two (2) hours following the reasonable suspicion determination, the Company will document the reasons why the test was not promptly administered. If the test is not administered within eight (8) hours following the reasonable suspicion determination, the Company will no longer attempt to administer an alcohol test and will document the reasons or its inability to do so.

5) Notwithstanding the above testing requirements, a covered employee may not report for duty or remain on duty requiring the performance of a safety-sensitive function if that employee is under the influence of or impaired by alcohol, as shown by the behavioral, speech and performance indicators of alcohol misuse. Any such covered employee will not be allowed to perform or continue to perform a safety-sensitive function until the employee undergoes an alcohol test yielding an alcohol concentration level of less than 0.02; or the start of the employee's next regularly scheduled duty period, but not less than eight hours following the reasonable suspicion determination.

M. POST-ACCIDENT TESTING

1) FATAL ACCIDENTS – A covered employee will be required to undergo urine and breath testing if they are involved in an accident with a transit vehicle, whether or not the vehicle is in revenue service at the time of the accident, that results in a fatality. This includes all surviving covered employees that are operating the vehicle at the time of the accident and any other whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision.

2) NON-FATAL ACCIDENTS - A post-accident test of the employee operating the public transportation vehicle will be conducted if an accident occurs and at least one of the following conditions is met:

   a. The accident results in injuries requiring immediate medical treatment away from the scene unless the covered employee can be completely discounted as a contributing factor to the accident.
   b. One or more vehicles incurs disabling damage as a result of the occurrence and must be transported away from the scene, unless the covered employee can be completely discounted as a contributing factor to the accident

   In addition, any other covered employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the decision, will be tested.

As soon as practicable following an accident, as defined in this policy, the transit supervisor investigating the accident will notify the transit employee operating the transit vehicle and all other covered employees whose performance could have contributed to the accident of the need for the test. The supervisor will make the determination using the best information available at the time of the decision.

The appropriate transit supervisor shall ensure that an employee, required to be tested under this section, is tested as soon as practicable, but no longer than eight (8) hours of the accident for alcohol, and no longer than 32 hours for drugs. If an alcohol test is not performed within two hours of the accident, the Supervisor will document the reason(s) for the delay. If the alcohol test is not conducted within (8) eight hours, or the drug test within 32 hours, attempts to conduct the test must cease and the reasons for the failure to test documented.

Any covered employee involved in an accident must refrain from alcohol use for eight (8) hours following the accident, or until he/she undergoes a post-accident alcohol test.

An employee who is subject to post-accident testing who fails to remain readily available for such testing, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submission to such test, may be deemed to have refused to submit to testing.

The decision not to administer a drug and/or alcohol test will be based on the company's determination, using the best available information at the time of the determination that the employee's performance could not have contributed to the accident. Such a decision must be documented in detail, including the decision-making process used to reach the decision not to test.

Nothing in this section shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

In the rare event that Cedar County Transit is unable to perform an FTA drug and alcohol test (i.e., employee is unconscious, employee is detained by law enforcement agency), Cedar County Transit may use drug and alcohol post-accident test results administered by local law enforcement officials in lieu of the FTA test. The local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with local law.

N. RANDOM TESTING

1) All covered employees will be subjected to random, unannounced testing. The selection of employees shall be made by a scientifically valid method of randomly generating an employee identifier from the appropriate pool of safety-sensitive employees. Employees who may be covered under company authority will be selected from a pool of non-DOT-covered employees.

2) The dates for administering unannounced testing of randomly selected employees shall be spread reasonably throughout the calendar year, day of the week and hours of the day.

The number of employees randomly selected for drug/alcohol testing during the calendar year shall be not less than the percentage rates set each year by the

FTA administrator. The current year testing rates can be viewed online at: Random Testing Rates | US Department of Transportation.

3) Each covered employee shall be in a pool from which the random selection is made. Each covered employee in the pool shall have an equal chance of selection each time the selections are made. Employees will remain in the pool and subject to selection, whether or not the employee has been previously tested. There is no discretion on the part of management in the selection.

4) Covered transit employees that fall under the Federal Transit Administration regulations will be included in one random pool maintained separately from the testing pool of non-safety-sensitive employees that are included solely under Cedar County Transit authority.

5) Random tests can be conducted at any time during an employee's shift for drug testing. Alcohol random tests can only be performed just before, during, or just after the performance of a safety sensitive duty. <u>However, under Cedar County Transit authority, a non-DOT random alcohol test may be performed any time the covered employee is on duty.</u> Testing can occur during the beginning, middle, or end of an employee's shift.

6) Employees are required to proceed immediately to the collection site upon notification of their random selection.

O. <u>RETURN-TO-DUTY TESTING</u>

Cedar County Transit will terminate the employment of any employee that tests positive or refuses a test as specified in section Q of this policy. However, in the rare event an employee is reinstated with court order or other action beyond the control of the transit system, the employee must complete the return-to-duty process prior to the performance of safety-sensitive functions. All covered employees who previously tested positive on a drug or alcohol test or refused a test, must test negative for drugs, alcohol (below 0.02 for alcohol), or both and be evaluated and released by the Substance Abuse Professional before returning to work. Following the initial assessment, the SAP will recommend a course of rehabilitation unique to the individual. The SAP will recommend the return-to-duty test only when the employee has successfully completed the treatment requirement and is known to be drug and alcohol-free and there are no undue concerns for public safety. The SAP will determine whether the employee returning to duty will require a return-to-duty drug test, alcohol test, or both.

P. FOLLOW-UP TESTING

Covered employees that have returned to duty following a positive or refused test will be required to undergo frequent, unannounced drug and/or alcohol testing following their return-to-duty test. The follow-up testing will be performed for a period of one to five years with a minimum of six tests to be performed the first year. The frequency and duration of the follow-up tests (beyond the minimums) will be determined by the SAP reflecting the SAP's assessment of the employee's unique situation and recovery progress. Follow-up testing should be frequent enough to deter and/or detect a relapse. Follow-up testing is separate and in addition to the random, post-accident, reasonable suspicion, and return-to-duty testing.

In the instance of a self-referral or a management referral, the employee will be subject to non-USDOT follow-up tests and follow-up testing plans modeled using the process described in 49 CFR Part 40. However, all non-USDOT follow-up tests and all paperwork associated with an employee's return-to-work agreement that was not precipitated by a positive test result (or refusal to test) does not constitute a violation of the Federal regulations will be conducted under company authority and will be performed using non-DOT testing forms.

Q. RESULT OF DRUG/ALCOHOL TEST

1) Any covered employee that has a verified positive drug or alcohol test, or test refusal, will be removed from his/her safety-sensitive position, informed of educational and rehabilitation programs available, and will be provided with a list of at least two (2) USDOT qualified Substance Abuse Professionals (SAP) for assessment, and will be terminated.

2) Following a negative dilute the employee will be required to undergo another test. Should this second test result in a negative dilute result, the test will be considered a negative and no additional testing will be required unless directed to do so by the MRO.

3) Refusal to submit to a drug/alcohol test shall be considered equivalent to a positive test result and a direct act of insubordination and shall result in termination and referral to a list of USDOT qualified SAPs. A test refusal includes the following circumstances:
    a. Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer.
    b. Fail to remain at the testing site until the testing process is complete. An employee who leaves the testing site before the testing process commences for a pre-employment test has not refused to test.

c. Fail to provide a breath or urine specimen. An employee who does not provide a urine or breath specimen because he or she has left the testing site before the testing process commenced for a pre-employment test has not refused to test.
d. In the case of a directly observed or monitored urine drug collection, fail to permit monitoring or observation of your provision of a specimen.
e. Fail to provide a sufficient quantity of urine or breath without a valid medical explanation.
f. Fail or decline to take a second test as directed by the collector or the employer for drug testing.
g. Fail to undergo a medical evaluation as required by the MRO or the employer's Designated Employer Representative (DER).
h. Fail to cooperate with any part of the testing process.
i. Fail to follow an observer's instructions to raise and lower clothing and turn around during a directly observed test.
j. Possess or wear a prosthetic or other device used to tamper with the collection process.
k. Admit to the adulteration or substitution of a specimen to the collector or MRO.
l. Refuse to sign the certification at Step 2 of the Alcohol Testing Form (ATF).
m. Fail to remain readily available following an accident.

As a covered employee, if the MRO reports that you have a verified adulterated or substituted test result, you have refused to take a drug test.

4) An alcohol test result of ≥0.02 to ≤ 0.039 BAC shall result in the removal of the employee from duty for eight hours <u>or the remainder or the workday whichever is longer. The employee will not be allowed to return to safety-sensitive duty for his/her next shift until he/she submits to a NONDOT alcohol test with a result of less than 0.02 BAC.</u>

5) <u>In the instance of a self-referral or a management referral, disciplinary action against the employee shall include:</u>

   a. <u>Mandatory referral for an assessment by an employer approved counseling professional for assessment, formulation of a treatment plan, and execution of a return-to-work agreement.</u>
   b. <u>Failure to execute or remain compliant with the return-to-work agreement shall result in termination from Cedar County Transit employment.</u>
      i. <u>Compliance with the return-to-work agreement means that the employee has submitted to a drug/alcohol test</u>

immediately prior to returning to work; the result of that test is negative; the employee is cooperating with his/her recommended treatment program; and, the employee has agreed to periodic unannounced follow-up testing as described in Section P of this policy; however, all follow-up testing performed as part of a return-to-work agreement required under section Q of this policy is under the sole authority of Cedar County Transit and will be performed using non-DOT testing forms.

c. Refusal to submit to a periodic unannounced follow-up drug/alcohol test shall be considered a direct act of insubordination and shall result in termination. **All tests conducted as part of the return-to-work agreement will be conducted under company authority and will be performed using non-DOT testing forms.**
d. **A self-referral or management referral to the employer's counseling professional that was not precipitated by a positive test result does not constitute a violation of the Federal regulations and will not be considered as a positive test result in relation to the progressive discipline defined in Section Q of this policy**.
e. Periodic unannounced follow-up drug/alcohol testing conducted as a result of a self-referral or management referral which results in a verified positive shall be considered a positive test result in relation to the progressive discipline defined in Section Q of this policy.
f. A Voluntary Referral does not shield an employee from disciplinary action or guarantee employment with Cedar County Transit.
g. A Voluntary Referral does not shield an employee from the requirement to comply with drug and alcohol testing.

6) Failure of an employee to report within five days a criminal drug statute conviction for a violation occurring in the workplace shall result in termination.

R. GRIEVANCE AND APPEAL

The consequences specified by 49 CFR Part 40.149 (c) for a positive test or test refusal is not subject to arbitration.

S. PROPER APPLICATION OF THE POLICY

Cedar County Transit is dedicated to assuring fair and equitable application of this substance abuse policy. Therefore, supervisors/managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor/manager who knowingly disregards the requirements of this

policy, or who is found to deliberately misuse the policy in regard to subordinates, shall be subject to disciplinary action, up to and including termination.

T. INFORMATION DISCLOSURE

1) Drug/alcohol testing records shall be maintained by the Cedar County Transit Drug and Alcohol Program Manager and, except as provided below or by law, the results of any drug/alcohol test shall not be disclosed without express written consent of the tested employee.

2) The employee, upon written request, is entitled to obtain copies of any records pertaining to their use of prohibited drugs or misuse of alcohol including any drug or alcohol testing records. Covered employees have the right to gain access to any pertinent records such as equipment calibration records, and records of laboratory certifications. Employees may not have access to SAP follow-up testing plans.

3) Records of a verified positive drug/alcohol test result shall be released to the Drug and Alcohol Program Manager, and other transit system management personnel on a need-to-know basis.

4) Records will be released to a subsequent employer only upon receipt of a written request from the employee.

5) Records of an employee's drug/alcohol tests shall be released to the adjudicator in a grievance, lawsuit, or other proceeding initiated by or on behalf of the tested individual arising from the results of the drug/alcohol test. The records will be released to the decision maker in the proceeding.

6) Records will be released to the National Transportation Safety Board during an accident investigation.

7) Information will be released in a criminal or civil action resulting from an employee's performance of safety-sensitive duties, in which a court of competent jurisdiction determines that the drug or alcohol test information is relevant to the case and issues an order to the employer to release the information. The employer will release the information to the decision maker in the proceeding with a binding stipulation that it will only be released to parties of the proceeding.

8) Records will be released to the DOT or any DOT agency with regulatory authority over the employer or any of its employees.

9) Records will be released if requested by a Federal, state or local safety agency with regulatory authority over Cedar County Transit or the employee.

10) If a party seeks a court order to release a specimen or part of a specimen contrary to any provision of Part 40 as amended, necessary legal steps to contest the issuance of the order will be taken

11) In cases of a contractor or sub-recipient of a state department of transportation, records will be released when requested by such agencies that must certify compliance with the regulation to the FTA.

This Policy was adopted by the Cedar County Commissioners on April 26th, 2022.

Cedar County Commissioner

Cedar County Commissioner

Cedar County Commissioner

Cedar County Transit Manager

Attachment A

Job Title	Job Duties	Testing Authority
Driver- FT, PT or Substitute	driving-transport riders	FTA
Office Assistant	communicate with riders & drivers	FTA
Transit Manager	supervise all transit aspects	FTA

Attachment B Contacts

Any questions regarding this policy or any other aspect of the substance abuse policy should be directed to the following individual(s).

Cedar County Transit Drug and Alcohol Program Manager
Name: Nikki Pinkelman
Title: Transit Manager
Address: Po Box 785, 56253 Highway 84, Hartington NE 68739
Telephone Number: 402-640-1256

Medical Review Officer
Name: Janelle Jaworski, Kevin Edwards, David Nahin
Title: Certified medical Review Officers
Address: Applya Offices
Telephone Number: 1-864-990-3696

Substance Abuse Professional
Name: ASAP, Nicole Hanratty
Title: Substance Abuse Professional
Address: 10151 York Road Ste 120, Cockeysville MD, 21030
Telephone Number: 410-366-3899

Name: Tim Heerts
Title: Substance Abuse Professional
Address: Avera
Telephone Number: 605-322-4069

HHS Certified Laboratory Primary Specimen
Name: Charlene Schmadeke
Address: Avera Medical Group, 405 W Darlene, Hartington NE 68739
Telephone Number: 402-254-3935

HHS Certified Laboratory Split Specimen
Name: Charlene Schmadeke
Address: Avera Medical Group, 405 W Darlene, Hartington NE 68739
Telephone Number: 402-254-3935

*Attachment B includes sixteen pages with testing official's certifications, one page authorization for Drug & Alcohol Services and one page referral for substance abuse letter

MROCC

Medical Review Officer Certification Council

certifies that

Janelle A. Jaworski, M.D.

has successfully met all eligibility and examination criteria
and is hereby designated a

Certified Medical Review Officer

Certification Number: 17-12255
Effective from August 17, 2017
to August 17, 2022

MROCC

Medical Review Officer Certification Council

certifies that

Kevin B. Edwards, M.D.

has successfully met all eligibility and examination criteria
and is hereby designated a

Certified Medical Review Officer

Certification Number: 17-12368
Effective from December 04, 2017
to December 04, 2022

MROCC

Medical Review Officer Certification Council

certifies that

David R. Nahin, M.D.

has successfully met all eligibility and examination criteria
and is hereby designated a

Certified Medical Review Officer

Certification Number: 18-12647
Effective from August 01, 2018
to August 01, 2023

CERTIFICATE

This certifies that

Charlene Schmadeke

successfully completed Refresher Screening Test Technician Training

On November 10, 2015

Proficient in 49 CFR Part 40
Proficient in the Use of Alco Screen 2.0

Patricia Paul, MT (ASCP), BAT

Certification valid until 11/10/2015

Avera
Sacred Heart Hospital

April 7, 2022

To whom it may concern:

American Substance Abuse Professionals® (ASAP) is a leading provider of nationwide Substance Abuse Professional (SAP) referral and compliance services. With over 25 years of experience and a reputation for excellence, ASAP is committed to upholding public safety by providing comprehensive services according to current DOT 49 CFR Part 40 guidelines for SAP referral and compliance services. ASAP is contracted with Applya to provide SAP services to Applya's client companies.

ASAP is committed to providing our clients with SAP services that are both DOT compliant and clinical best practice. Our commitment is evident in our internal systems for monitoring and ensuring a level of excellence in our nationwide SAP network.

ASAP Network SAPs are licensed/certified mental health and substance abuse treatment professionals with at least one of the following credentials: Licensed or certified employee assistance professional; licensed physician (Doctor of Medicine or Osteopathy); licensed or certified social worker; licensed or certified psychologist; licensed marital and family therapist; drug and alcohol counselor (certified by NAADAC or ICRC); master addictions counselor (certified NBCC) plus a minimum of two years' work in the diagnosis of and treatment of substance abuse disorders. ASAP SAPs also have a working knowledge of the Department of Transportation Drug and Alcohol Testing rules and regulations. ASAP SAPs who perform DOT functions have completed an approved Qualification Training and have passed an approved SAP Examination. Additionally, all SAPs must complete continuing education consisting of at least 12 professional development hours (e.g., CEUs) relevant to performing SAP functions every

10151 York Road, Suite 120
Cockeysville, MD 21030
410-366-3899 | fax: 410-889-6234
go2asap.com

three years. This training must include material concerning new technologies, interpretations, recent guidance, rule changes, and other information about developments in SAP practice, pertaining to the DOT program, since the time you met the qualification training requirements of this section and must include documentable assessment tools.

As of January 1, 2018, Part 40 put out a final rule that states all key personnel in the DOT drug and alcohol testing process including SAPs, specimen collectors, BATs and MROs are required to subscribe to the Office of Drug and Alcohol Policy and Compliance (ODAPC) list-serve. ASAP confirms and internally documents that all ASAP SAPs that perform DOT evaluations are subscribed to the ODAPC list serve.

ASAP maintains updated files on all qualified network SAPs with copies of the appropriate licensure, resume and application documenting provider experience in the field, qualification training and CEUs and ODAPC list serve registration.

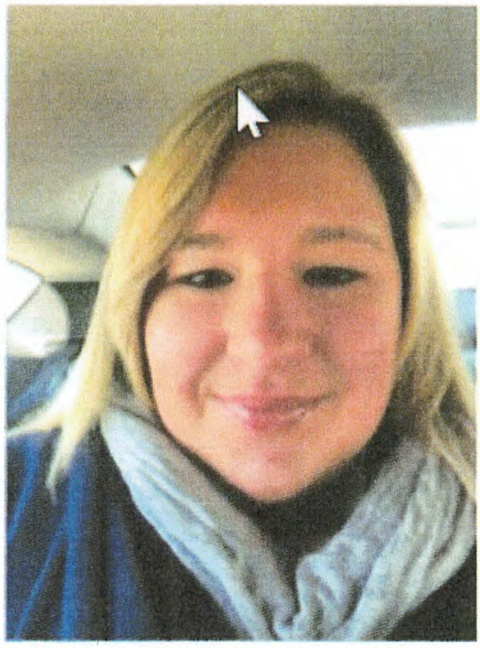
Please feel free to call me with any additional questions or concerns,

Sincerely,

Nicole Hanratty

Nicole Hanratty, CEAP, SAP, SAE
Chief Operating Officer

10151 York Road, Suite 120
Cockeysville, MD 21030
410-366-3899 | fax: 410-889-6234
go2asap.com



Nicole Hanratty, CEAP, (#45378)

COO
ASAP
10151 York Road
120
Cockeysville, MD 21030

Email: nhanratty@go2asap.com
Phone: (888) 792-2727 x200

Upload Photo

Remove

CEAP Status

Certification Status: Active
Start Date: 4/1/2013
Expire Date: 3/31/2025

EACC

THE EMPLOYEE ASSISTANCE CERTIFICATION COMMISSION

Established for the Certification of Employee Assistance Professionals

Declares that

Nicole Hanratty

CEAP No. 45378

Has Satisfied All Requirements and Is Hereby Designated a

CERTIFIED EMPLOYEE ASSISTANCE PROFESSIONAL

and Is Authorized to Use the Designation CEAP®
as of these Dates and Recertification Extensions per EACC Seal

APRIL 1, 2019-MARCH 31, 2022

Chair, EACC Patrick Williams

EAP

CEAP® Certification has been provided since 1986 under the auspices of the
EMPLOYEE ASSISTANCE PROFESSIONALS ASSOCIATION, INC

American Substance Abuse Professionals®

Hereby certifies that

Nicole Hanratty

has satisfactorily completed training in

SAP Online

This program meets the requirements of 40 CFR Part 40.281. The National Association of Social Workers has approved this course (provider #886388534) for 16 CE contact hours. Please check with your local board to make sure they honor NASW CE hours. EACC has approved this training for 16 PDHs.

Reed A Morrison Ph.D.

Reed Morrison, Ph.D., C.A.S
CEO,President, American Substance Abuse Professionals®

September 10, 2013

Date

711 West 40th Street, Suite 235
Baltimore, MD 21211
888.792.ASAP(2727) | go2asap.com

American Substance Abuse Professionals®

Hereby certifies that

Nicole Hanratty

has satisfactorily completed training in

Pitfalls of Practice

This program meets the requirements for SAP continuing education as stated in 49 CFR Part 40 Section 40.281. The National Association of Social Workers (provider #886388534) has approved this course for 6 CE hours. CCDAPP has approved for 6 CSAPA, & 6 QSAPA. Please check with your local board to make sure they honor NASW CE hours. EACC has approved this training for 6 PDHs. The date below indicates the satisfactory completion of this course.

Reed A Morrison Ph.D.

Reed Morrison, Ph.D., C.A.S.
CEO, President, American Substance Abuse Professionals®

2018-04-03

Date

1421 Clarkview Road, Suite 130
Baltimore, Maryland 21209
(888) 792-ASAP | Go2ASAP.com

American Substance Abuse Professionals®

Hereby certifies that

Nicole Hanratty

has satisfactorily completed training in

DOT SAP Refresher

This program meets the requirements for SAP continuing education as stated in 49 CFR Part 40 Section 40.281. The National Association of Social Workers (886388534-2720) has approved this course for 12 CE hours. CCDAPP has approved for 12 CSAPA and 12 QSAP Hrs. EACC has approved this training for 12 PDHs. The date below indicates the satisfactory completion of this course.

CEO, President, American Substance Abuse Professionals®

2022-02-16

Date

AMERICAN SUBSTANCE ABUSE PROFESSIONALS
asap
WORK SAFELY | EST. 1997

10151 York Road, Suite 120
Cockeysville, Maryland 21030
(888) 792-ASAP | Go2ASAP.com

American Substance Abuse Professionals®

Hereby certifies that

Nicole Hanratty

has satisfactorily completed training in

Adventures of Sandra Sapp

This program meets the requirements for SAP continuing education as stated in 49 CFR Part 40 Section 40.281. The National Association of Social Workers (provider #886388534) has approved this course for 6 CE hours. CCDAPP has approved for 6 CSAPA & 6 QSAP. Please check with your local board to make sure they honor NASW CE hours. EACC has approved this training for 6 PDHs. The date below indicates the satisfactory completion of this course.

Reed A Morrison Ph.D.

Reed Morrison, Ph.D., C.A.S.
CEO, President, American Substance Abuse Professionals®

2018-04-03

Date

ASAP
1421 Clarkview Road, Suite 130
Baltimore, Maryland 21209
(888) 792-ASAP | Go2ASAP.com

CERTIFICATE OF COMPLETION

NICOLE HANRATTY

has earned

14 Professional Development Hours

for participating in

DOT/SAP QUALIFICATION (49 CFR PART 40.281(C)(1)) / UPDATE (49 CFR PART 40.281(D)) TRAINING

Facilitated by

LEE MAUK, M.ED., CEAP

September 28-29, 2014

Approved for PDHs by the:
Employee Assistance Certification Commission - EACC Approval number **SSEAPA0914-PC1 Domain II**

EAPA's 2014 Annual World EAP Conference
Orlando, Florida

Employee Assistance Professionals Association, Inc.

John B. Maynard

John Maynard, PhD, CEAP
Chief Executive Officer

Employee Assistance Professionals Association

SAPAA *Training Institute*

CERTIFICATE OF QUALIFICATION

FOR

SUBSTANCE ABUSE PROFESSIONALS

This is to certify that

Nicole Hanratty

HAS SUCCESSFULLY COMPLETED SAPAA'S SUBSTANCE ABUSE PROFESSIONAL QUALIFICATION EXAMINATION AND IF ALL OTHER QUALIFICATION REQUIREMENTS ARE MET (SEE NOTE) MAY PERFORM ALL SAP DUTIES STIPULATED BY DOT REGULATIONS.

Note: This certificate is valid only if the person is a licensed physician (Doctor of Medicine or Osteopathy); or a licensed or certified Social Worker; or a licensed or certified Psychologist; or a licensed or certified Employee Assistance Professional; or an Alcohol and Drug Abuse Counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol and other Drug Abuse (ICRC), or by the National Board for Certified Counselors, Inc. and Affiliates (NBCC), specifically NBCC's Master Addictions Counselor (MAC); or State-Licensed or certified Marriage and Family Therapists. SAPAA makes no warranty as to educational qualification or best practices of the Substance Abuse Professional.

Qualification Exam

Linda Richardson, C-SAPA

Linda Richardson, C-SAPA
SAPAA President

Date
September 10, 2013

Substance Abuse Program Administrators Association

DOT-Qualified Substance Abuse Professionals

The Avera Employee Assistance Program (EAP) offers substance abuse evaluations for employees who test positive for drugs or alcohol, as regulated by the Department of Transportation (DOT). Under DOT regulations, safety-sensitive employees (i.e., truck drivers, pilots and airline workers, transit workers, pipeline workers, etc.) are subject to pre-employment, random, post-accident, and reasonable suspicion drug and alcohol tests. When there is a positive test result, the DOT-regulated employee must seek the service of a DOT-qualified Substance Abuse Professional (SAP).

Tim Heerts, LPC, LMFT, CEAP, QMHP

EAP Trainer and Consultant

Tim Heerts has been with Avera EAP since 2015, where he currently serves as a consultant and trainer. He is a licensed marriage and family therapist and a certified employee assistance professional with over 20 years specializing in the EAP industry. Prior to coming to Avera, Tim worked in the EAP department of an addictions treatment center for 17 years. He has conducted hundreds of substance abuse awareness trainings for companies throughout the region. Tim completed his initial Substance Abuse Professional (SAP) qualification training in October 2018 and became a DOT-qualified SAP in January 2019.

For more information and/or to connect with a DOT-qualified Substance Abuse Professional, call **605-322-4069** and ask for Tim Heerts.

Avera
Employee Assistance Program

19-AVORK-17828-REV0921

CERTIFICATE OF COMPLETION

Tim Heerts

has earned

12 Professional Development Hours

&

12 hours of Continuing Education

for participating in

DOT/SAP QUALIFICATION/REQUALIFICATION (49 CFR PART 40.281(C)(1)) / UPDATE (49 CFR PART 40.281(D)) TRAINING

Facilitated by

Tamara Cagney, Ed.D., CEAP, MFT, LPCC

November 9, 11, 16 & 18 2021 Virtual Offering ~

Approved for 12 PDHs by the:

Employee Assistance Certification Commission - EACC Approval Number VBEAPA0516-C04 Domain II

NAADAC Approved Provider Number 62709

EAPA is an NBCC approved continuing education provider, (ACEP) No. 6418

This training is approved by National Association of Social Workers (Approval #___886409586-3732_____) for (__12__) continuing education contact hours

Gregory P. DeLapp, MHS, CEAP
Chief Executive Officer

EAPA

4350 North Fairfax Drive, Suite 740 Arlington, VA 22203
www.eapassn.org

Referral Source Information

Organization Name: Cedar County Transit	
Designated Employer Rep. (DER): Nikki Pinkelman	**Phone:** 402-640-6147
Third Party Administrator (TPA): Applya Occupational Stragtegies	
Medical Review Officer (MRO):	**Phone:**

Date:

Employee Referred:

You have been denied safety-sensitive employment or have been removed from safety-sensitive duty as a result of a drug and alcohol testing violation. As a result, you are in direct violation of U.S. Department of Transportation (DOT) 49 CFR Part 40 Section 40.23. **This violation has officially disqualified you from performing safety–sensitive duties.**

Any employer required to comply with Department of Transportation (DOT) regulations must provide an employee who violates a DOT drug and alcohol regulation, including an employee who registers a verified positive or refusal to test for a drug and/or alcohol test, with a listing of qualified Substance Abuse Professionals (SAPs), regardless of whether or not the employee is terminated or denied employment by his/her employer. This responsibility may be deferred to a Service Agent. See 49 CFR Part 40, Sub. O, Sec. 40.287.

American Substance Abuse Professionals, Inc. (ASAP), our dedicated SAP Service Agent, is a nationwide provider of Substance Abuse Professional (SAP) services and will provide you with a list of names, addresses and phone numbers of local, qualified Substance Abuse Professionals. Call **866-566-7692 REFERENCE CODE 400** to speak with an **ASAP** representative.

Public Transit

applya™ occupational strategies

Referral or Authorization for Services

Employee Information *Please take a Valid Government Photo Issued ID*

Donor Full Legal Name	NE - CEDAR COUNTY TRANSIT BUS
Notification Date / Time of Notice	Phone Number
EID or SSN	Date of Birth

Drug Testing Collection ☐ Yes ☐ No ☐ Direct Observation Required

Reason for Test

☐ Pre-Employment ☐ Random ☐ Reasonable Suspicion ☐ Post-Accident ☐ Return to Duty ☐ Follow-Up

☐ **DOT FTA** UDS NE - CEDAR COUNTY TRANSIT BUS-10602804

Breath Alcohol Testing ☐ Yes ☐ No

Reason For Test

☐ Pre-Employment ☐ Random ☐ Reasonable Suspicion ☐ Post-Accident ☐ Return to Duty ☐ Follow-Up

Type of Test ☐ **DOT-FTA** Breath Alcohol

Employee Signature

ACKNOWLEDGED: I understand I have received notification for testing

Date:

DER/Requestor

DER

Requestor Name Phone

Testing Site / Address

Reporting Methods

- **All** MRO copies and BATs must be faxed or emailed to the MRO **immediately** following the collection.
  Fax: 855-253-5666 | Email: mro@i3screen.com
- Employer copies of BATs and CCFs should be faxed and all originals **must be** mailed to the employer.
- **DER: (please refer to protocol)**
- Email/fax all results and forms immediately to:
  Email: results@applya.com | Fax: 919-328-3177

Billing

IF YOU ARE A QUEST PPN SITE, PLEASE USE YOUR SITE CODE ON THE QUEST COC.

applya Occupational Stratagies
ATTN: Accounts Payable
131 Falls Street Ste. 301

Greenville, SC 29601
Phone: 864-271-3210 | Fax: 919-328-3177
Email: accounting@applya.com

If you are unable to get in touch with the DER please contact applya for questions related to testing at Client Services:
Phone: 864-990-3696 | Fax: 919-328-3177
Email: ClientServices@applya.com

CHECK OUT Collection Site: Please make sure this Authorization Form goes back to the DER.

PLEASE SIGN BELOW TO VERIFY ALL SERVICES INDICATED AND CHECKED ABOVE HAVE BEEN PERFORMED TODAY

Signature	**Check In Time:**
	Check Out Time: