



4756 Hwy. 377 South
Ft. Worth, TX 76116

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SUBSTANCE ABUSE POLICY for DOT/FAA *DRUG AND ALCOHOL* TESTING

Aviation Personnel complies with the drug and alcohol testing regulations of the Department of Transportation (DOT) (49 CFR part 40) and the Federal Aviation Administration (FAA) (14 CFR part 120).

Community Service Hotline. If you have any personal problems or questions concerning drug abuse or alcohol misuse and need to confide in someone, you are encouraged to contact:

The Alcohol / Drug Abuse Hotline at 1-800-662-4357.

For More Information About DOT and FAA Requirements or our Company Policy, contact Delania Houchin in Human Resources at 817-244-2125.

For more information relating to the FAA/DOT program requirements, visit the following Web sites:

For FAA: https://www.faa.gov/about/office_org/headquarters_offices/avs/offices/aam/drug_alcohol/

For DOT: <http://www.dot.gov/ost/dapc/>

Consequences of Using Drugs or Alcohol While Performing Safety-Sensitive Functions.

A covered employee who has engaged in prohibited drug use or alcohol misuse during the performance of a safety-sensitive function will be immediately removed from performing safety-sensitive functions and permanently precluded from performing the same safety-sensitive function for any FAA-regulated employer. Information is available in 14 CFR §120.111(e)(2) and §120.221(b).

Consequences of a Verified Positive Drug Test or an Alcohol Test at 0.04 or Higher Breath Alcohol Content (BAC).

A covered employee who receives a verified positive drug test result or alcohol violation on a FAA required test will be immediately removed from safety-sensitive duties. An employee who has violated a FAA drug and/or alcohol violation cannot return to the performance of safety-sensitive duties until the employee has been evaluated by a Substance Abuse Professional and successfully completed the return-to-duty process outlined in 49 CFR Part 40, Subpart O (49 CFR §40.23(d)).

A covered employee who receives a verified positive drug test or alcohol test result of 0.04 BAC or higher on a FAA required test after having received a previous positive drug test or alcohol test result of 0.04 or higher BAC will be immediately removed from performing safety-sensitive functions and is permanently prohibited from performing the same safety-



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sensitive function for an FAA-regulated employer. This information is available in 14 CFR §120.111(e)(1).

Consequences of an Alcohol Test with a BAC of 0.02 but less than 0.04. Immediate removal from safety-sensitive functions, until the employee's breath alcohol concentration measures less than 0.02, or the start of the employee's next regularly scheduled duty period, but not less than 8 hours following administration of the test.

Consequences of Refusing to Submit to a Required Drug or Alcohol Test. Immediate removal from performing safety-sensitive functions until or unless the employee successfully completes the return-to-duty process outlined in 49 CFR Part 40, Subpart O. (49 CFR §40.23(d)) A verified adulterated or substituted drug test result will be considered a refusal to test (49 CFR §40.23(b)).

Aviation Personnel must notify the FAA of any employee who holds an airman medical certificate issued under 14 CFR Part 67 and violates the provisions of the FAA/DOT regulations, as described above. (14 CFR §120.113(d)(1)). In addition, any employee who holds a certificate under 14 CFR Part 61, Part 63, or Part 65 airman certificate and who has refused to submit to a FAA required drug or alcohol test must be reported to the FAA.

Performing a safety-sensitive function: an employee is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions. (14 CFR §120.7(k))



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Anti-Drug and Alcohol Misuse Prevention Program POLICY AND PROCEDURES

Aviation Personnel is in full compliance with all FAA requirements. Aviation Personnel will enforce all FAA mandated drug and alcohol testing requirements for its employees operating in a safety-sensitive position. This policy is to inform you of Aviation Personnel's policy along with FAA guide lines.

Each employee, including any assistant, helper, or individual in a training status, who performs a safety-sensitive function listed in this section, will be subject to drug testing under a drug testing program. This includes full-time, part-time, temporary, and intermittent employees regardless of the degree of supervision. The safety-sensitive functions are:

- (a) Flight crewmember duties.
- (b) Flight attendant duties.
- (c) Flight instruction duties.
- (d) Aircraft dispatcher duties.
- (e) Aircraft maintenance and preventive maintenance duties.
- (f) Ground security coordinator duties.
- (g) Aviation screening duties.
- (h) Air traffic control duties.

Aviation Personnel believes that you and your fellow workers have a right to a safe work environment, but your health and safety may be at risk when someone is using drugs or alcohol on the job. Aviation Personnel is working hard to make sure all our employees are safe at work.

Aviation Personnel recognizes that alcohol and drug abuse in the work place has become a major concern. We believe that by reducing the drug and alcohol abuse, we will improve the safety, health and productivity of employees. The object of our drug abuse policy is to provide a safe and healthy work place for all employees, prevent accidents and comply with all applicable rules and regulations, including section 7.10 of the Texas Workers' Compensation Act.

To keep everyone safe at Aviation Personnel, here are a few things that may be required of you:

Aviation Personnel will conduct a Pre-Employment drug test on all employees. You will not be allowed to begin **any** work for Aviation Personnel until you have completed a pre-employment drug test. Aviation Personnel will be notified by its Medical Review Officer that your drug results are negative. If your drug results are anything other than negative, you **will not** be allowed to begin work with Aviation Personnel. In order to start work with Aviation Personnel you must complete all FAA return to duty requirements. Aviation



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Personnel will not pay for any return to duty fees. If you do have a positive pre-employment drug test or random drug test, you are giving up all your employment benefits at that time. This is including, but not limited to, unemployment benefits. Note: Any employee who has two positive drug tests will be permanently disqualified from working in safety sensitive functions.

The use, possession, sale, transfer, purchase, or being under the influence of drugs or alcohol by employees at any time on company premises or while on company business is prohibited. The illegal use of any drugs or alcohol is prohibited. Employees must not report for duty or be on company property while under the influence of, or have in their possession while on company of client property, any drugs or alcohol.

Aviation Personnel operates under FAA guidelines. This means all employees are subject to random drug and alcohol testing. If you are selected for a random drug or alcohol test, you will be notified in writing, and you will have no more than two hours to comply with the testing requirements. Refusal to test when selected for a drug or alcohol test will result in immediate termination of your employment and any benefits you may have with Aviation Personnel, including but not limited to unemployment benefits. Random drug testing is a contractual condition of your employment with Aviation Personnel and Aviation Personnel is not required to pay you for time to take your random drug/alcohol test. In addition, Reasonable Suspicion/Cause, Post-Accident, Return to Duty, Follow-up, and/or Other testing may be required of you under FAA guidelines. All drug and alcohol testing will follow DOT procedures used to test for the presence of drugs or alcohol, protect the employee and the integrity of the urine and breath testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct employee.

Aviation Personnel prohibits the following alcohol and drug abuse-related activities for all employees:

(a) *Drug Usage.* No employer may knowingly use any individual to perform a safety sensitive function while that individual has a prohibited drug, in his or her system. Prohibited Drug means marijuana, cocaine, opiates, phencyclidine (PCP), and amphetamines, as specified in 49 CFR 40.85.

(b) *Drug Test results.* No employer shall knowingly use any individual to perform any safety sensitive function if the individual has a verified positive drug test result on, or has refused to submit to, a drug test required and the individual has not met the requirements for returning to the performance of safety-sensitive duties.

(c) *Alcohol concentration.* No covered employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. No certificate holder having actual knowledge that an employee has an alcohol concentration of 0.04 or greater shall permit the employee to perform or continue to perform safety-sensitive functions.



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(d) *On-duty use.* No covered employee shall use alcohol while performing safety-sensitive functions. No certificate holder having actual knowledge that a covered employee is using alcohol while performing safety-sensitive functions shall permit the employee to perform or continue to perform safety-sensitive functions.

(e) *Pre-duty use.* (1) No covered employee shall perform flight crewmember or flight attendant duties within 8 hours after using alcohol. No certificate holder having actual knowledge that such an employee has used alcohol within 8 hours shall permit the employee to perform or continue to perform the specified duties. (2) No covered employee shall perform safety-sensitive duties within 4 hours after using alcohol. No certificate holder having actual knowledge that such an employee has used alcohol within 4 hours shall permit the employee to perform or to continue to perform safety-sensitive functions.

(f) *Use following an accident.* No covered employee who has actual knowledge of an accident involving an aircraft for which he or she performed a safety-sensitive function at or near the time of the accident shall use alcohol for 8 hours following the accident, unless he or she has been given a post-accident test, or the employer has determined that the employee's performance could not have contributed to the accident.

(g) *Refusal to submit to a required alcohol or drug test.* A covered employee must not refuse to submit to any drug or alcohol test. A certificate holder must not permit an employee who refuses to submit to such a test to perform or continue to perform safety-sensitive functions.

What is a refusal to take a DOT drug or alcohol test, and what are the consequences?

(a) As an employee, you are considered to have refused to take a DOT drug or alcohol test if you:

- (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer.
- (2) Fail to remain at the testing site until the testing process is complete; Provided, That an employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
- (3) Fail to provide a urine specimen or an adequate amount of saliva or breath for any alcohol test required by this part or DOT agency regulations; Provided, That an employee who does not provide a urine specimen or an adequate amount of breath or saliva because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
- (4) Fail to provide a sufficient amount of urine breath specimen, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- (5) Fail to undergo a medical examination or evaluation, as directed by the employer as part of the insufficient urine or breath procedures outlined at §40.265(c);
- (6) Fail to sign the certification at Step 2 of the ATF



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(7) Fail or decline to take an additional drug test the employer or collector has directed you to take;

(8) Fail to cooperate with any part of the testing process.

(b) As an employee, if you refuse to take a drug or alcohol test, you incur the same consequences specified under DOT agency regulations for a violation of those DOT agency regulations.

(c) As a BAT or an STT, or as the physician evaluating a “shy lung” situation, when an employee refuses to test as provided in paragraph (a) of this section, you must terminate the portion of the testing process in which you are involved, document the refusal on the ATF (or in a separate document which you cause to be attached to the form), immediately notify the DER by any means (e.g., telephone or secure fax machine) that ensures the refusal notification is immediately received. You must make this notification directly to the DER (not using a C/TPA as an intermediary).

(d) As an employee, when you refuse to take a non-DOT test or to sign a non-DOT form, you have not refused to take a DOT test. There are no consequences under DOT agency regulations for such a refusal.

(h) *Reporting for duty.* (1) Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the employee uses alcohol and/or any drug except when instructed by a physician who has advised the employee that the substance does not adversely affect the employee’s ability to perform safety-sensitive functions. Aviation Personnel may require an employee to inform the Company of any therapeutic drug use. (2) Reporting for duty, remain on duty or performing a safety-sensitive function, if the employee tests positive for alcohol and/or drugs and has not yet completed the post-violation/return-to-duty procedures.

If Aviation Personnel has actual knowledge that an employee is using alcohol while performing safety-sensitive functions, Aviation Personnel will not permit the employee to perform or continue to perform safety-sensitive functions. If Aviation Personnel has actual knowledge that an employee has used a controlled substance, Aviation Personnel will not permit the employee to perform safety-sensitive functions.

Employees who are known to have engaged in prohibited conduct, with regard to alcohol misuse or use of controlled substances, are subject to the following consequences:

1. Shall not be permitted to perform safety-sensitive functions.
2. Shall be advised by the employer of the resources available to them in evaluating and resolving problems associated with the misuse of alcohol or use of controlled substances.
3. Shall be evaluated by a substance abuse professional (SAP) that shall determine what assistance, intervention or assistance is required for the employee associated with alcohol misuse and/or controlled substances use. In addition, each employee must be



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- re-evaluated by a SAP to determine that the employee has followed the rehabilitation program prescribed.
4. Before returning to duty requiring the performance of safety-sensitive functions, he/she shall undergo a return –to-duty alcohol test with a result indicating a breath alcohol level of less than 0.02 if the conduct involved alcohol, or a drug test with a verified negative result if the conduct involved drug use. It must be the start of the employee’s next regularly scheduled duty period, but not less than eight (8) hours following the administration of a test, before an employee may be returned to a safety-sensitive function after an alcohol test result indicating a breath alcohol level of 0.02 or greater but less than 0.04. Except such actions required by FAA Testing Regulations, Aviation Personnel will not take any action against an employee based solely on test results showing an alcohol concentration of less than 0.04.
 5. In addition, each employee must be re-evaluated by a SAP to determine that the employee has followed the rehabilitation program prescribed.
 6. Employees shall also be subject to unannounced follow-up drug and/or alcohol testing.

The policy of Aviation Personnel as it relates to substance abuse by employees performing safety-sensitive functions is as follows:

1. Any employee who refuses an FAA mandated alcohol and/or drug test will be subject to all appropriate Aviation Personnel disciplinary procedures, and discharged from employment by Aviation Personnel.
2. An employee who registers an alcohol concentration of 0.04 on any test administered by Aviation Personnel, or who tests positive for prohibited substances, or who engages in other alcohol misuse or substance abuse, said employee will be removed from safety sensitive functions and referred to an SAP for evaluation and allow the employee to complete any recommended treatment or rehabilitation. If a position is available, the employee will be allowed to return to work subject to passing a return to duty test and any required follow up tests.
3. Any employee who registers an alcohol concentration of 0.02 – 0.039 on an FAA-mandated test will be removed from safety sensitive position and allowed to return to work on the next shift, with no pay for lost time.
4. Employees who lose their qualification as an employee and/or who are terminated for failure to comply with the Aviation Personnel Anti-Drug and Alcohol Misuse Prevention Policy, will be provided information that will advise them as to how to proceed should they decide to seek the assistance of an SAP on their own and at their expense.



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5. Aviation Personnel reserves the right to require employees to submit to drug and/or alcohol testing in circumstance other than those required under the FAA Testing Regulations and DOT regulations (i.e. non-DOT testing), in accordance with applicable state or local law, regulation or ordinance.

Consequences for employees engaging in alcohol-related conduct:

(a) *Removal from safety-sensitive function.* (1) Except as provided in 49 CFR part 40, no covered employee shall perform safety-sensitive functions if the employee has engaged in conduct prohibited by §§120.19 or 120.37, or an alcohol misuse rule of another DOT agency. (2) No employer shall permit any covered employee to perform safety-sensitive functions if the employer has determined that the employee has violated this section.

(b) *Permanent disqualification from service.* An employee who violates §§120.19 or 120.37, or who engages in alcohol use that violates another alcohol misuse provision of §§120.19 or 120.37 and who had previously engaged in alcohol use that violated the provisions of §§120.19 or 120.37 after becoming subject to such prohibitions is permanently precluded from performing for an employer the safety-sensitive duties the employee performed before such violation.

(c) *Notice to the Federal Air Surgeon.* (1) An employer who determines that a covered employee who holds an airman medical certificate issued under part 67 of this chapter has engaged in alcohol use that violated the alcohol misuse provisions of §§120.19 or 120.37 shall notify the Federal Air Surgeon within 2 working days. (2) Each such employer shall forward to the Federal Air Surgeon a copy of the report of any evaluation performed under the provisions of §120.223(c) within 2 working days of the employer's receipt of the report. (3) All documents must be sent to the Federal Air Surgeon, Federal Aviation Administration, Office of Aerospace Medicine, Attn: Drug Abatement Division (AAM-800), 800 Independence Avenue, SW., Washington, DC 20591. (4) No covered employee who is required to hold an airman medical certificate in order to perform a safety-sensitive duty may perform that duty following a violation of this subpart until the covered employee obtains an airman medical certificate issued by the Federal Air Surgeon dated after the alcohol test result or refusal to test date. After the covered employee obtains this airman medical certificate, the SAP may recommend to the employer that the covered employee may be returned to a safety-sensitive position. The receipt of an airman medical certificate does not alter any obligations otherwise required by 49 CFR part 40 or this subpart. (5) Once the Federal Air Surgeon has recommended under paragraph (c)(4) of this section that the employee be permitted to perform safety-sensitive duties, the employer cannot permit the employee to perform those safety-sensitive duties until the employer has ensured that the employee meets the return to duty requirements in accordance with 49 CFR part 40. Note: Employees who perform safety-sensitive functions, and test positive on an FAA-mandated drug test and who hold an Airman's Medical Certificate issued under part 67, will be reported to the Federal Air Surgeon for certificate action.



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(d) *Notice of refusals.* Each covered employer must notify the FAA within 2 working days of any employee who holds a certificate issued under part 61, part 63, or part 65 of this chapter who has refused to submit to an alcohol test required under this subpart. Notification must be sent to: Federal Aviation Administration, Office of Aerospace Medicine, Drug Abatement Division (AAM-800), 800 Independence Avenue, SW., Washington, DC 20591, or by fax to (202) 267-5200.

(e) *Required evaluation and alcohol testing.* No covered employee who has engaged in prohibited conduct shall perform safety-sensitive functions unless the employee has met the requirements of 49 CFR part 40. No employer shall permit a covered employee who has engaged in such conduct to perform safety-sensitive functions unless the employee has met the requirements of 49 CFR part 40.

(f) *Other alcohol-related conduct.* (1) No covered employee who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform or continue to perform safety-sensitive functions for an employer, nor shall an employer permit the employee to perform or continue to perform safety-sensitive functions, 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 8 hours following administration of the test. (2) Except as provided in paragraph (f)(1) of this section, no employer shall take any action under this rule against an employee based solely on test results showing an alcohol concentration less than 0.04. This does not prohibit an employer with authority independent of this rule from taking any action otherwise consistent with law.

PROHIBITED CONDUCT: ALCOHOL AND ALCOHOL USE

- ALCOHOL IS DEFINED AS THE INTOXICATING AGENT IN BEVERAGE ALCOHOL, ETHYL ALCOHOL, OR OTHER LOW MOLECULAR WEIGHT ALCOHOLS, INCLUDING METHYL OR ISOPROPYL ALCOHOL.
- ALCOHOL USE IS DEFINED AS THE CONSUMPTION OF ANY BEVERAGE, MIXTURE, OR PREPARATION, INCLUDING ANY MEDICATION (PRESCRIBED OR OVER-THE-COUNTER, INTENTIONAL OR UNINTENTIONAL), CONTAINING ALCOHOL.

Alcohol Concentration Covered employees may not report for duty or remain on duty in a position requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

Pre-Duty Use Employees may not perform flight crewmember, flight attendant, or air traffic controller duties within 8 hours after consuming alcohol. Employees may not perform flight instruction, aircraft dispatcher, aircraft maintenance or preventive maintenance, ground security coordinator, or aviation screening duties within 4 hours after consuming alcohol.



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On-call employees who are not at work, but could be called to perform safety-sensitive functions, are subject to the pre-duty alcohol prohibition (i.e., they would have to decline a call to work if acceptance would result in performing safety-sensitive duties within the 8 or 4 hours, whichever is applicable).

On-Duty Use Covered employees may not consume alcohol in any form while performing safety-sensitive functions. This prohibition also applies to covered employees who are at work and immediately available to perform safety-sensitive functions.

Use After an Accident Covered employees with knowledge of an accident involving an aircraft for which they performed a safety-sensitive function at or near the time of the accident may not use alcohol for 8 hours after the accident unless they have been given a post-accident test or the company name has determined that their performance could not have contributed to the accident. Accident is defined as an occurrence associated with the operation of an aircraft which takes place between the time any person boards the aircraft with the intention of flight and the time that all such persons have disembarked, and in which any person suffers death or serious injury or in which the aircraft receives substantial damage.

Refusal to Submit to Testing Covered employees may not refuse to submit to a post-accident, random, reasonable suspicion, or follow-up alcohol test. The company will not permit an employer who refuses to submit to such a test to perform or continue to perform safety-sensitive functions.

Circumstances that constitute a refusal: You are considered to have refused to take an alcohol test if you: (1) failure to appear for any test with a reasonable time after being directed to do so by the employer (2) failure to remain at the testing site until the testing process is complete (3) failure to provide an adequate amount of saliva or breath for any alcohol test required (4) failure to provide a sufficient breath specimen and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure (5) failure to undergo a medical evaluation or evaluation as directed by the employer (6) failure to sign the certification at Step 2 on the Alcohol Testing Form and (7) failure to cooperate with any part of the testing process. In addition, the informational materials does not include that as a result of refusing the employee must be removed from performing the safety-sensitive functions, referred to a SAP for evaluation and recommendation for treatment or education compliance with the recommendation, return-to-duty test, and follow-up testing.

CIRCUMSTANCES THAT REQUIRE TESTING:

Covered employees are subject to the following federally mandated alcohol tests:

Pre-Employment (NOT REQUIRED BY THE FAA -SUSPENDED IN MAY 1995) Before a covered employee performs a safety-sensitive function for the first time for the company he



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or she must undergo a pre-employment test with a resulting alcohol concentration of less than 0.04.

Post-Accident As soon as practicable after an accident, each covered employee must be alcohol tested if that employee's performance either contributed to the accident or cannot be discounted as a contributing factor to the accident. A covered employee who is subject to post-accident alcohol testing will remain readily available for testing or may be deemed by the company to have refused to submit to testing. Attempts to conduct post-accident alcohol testing will cease 8 hours after the accident, even if no alcohol test has been conducted.

Random Covered employees will be selected for random alcohol testing through a scientifically valid method. We will use a random number generator to select employees. Random tests will be spaced throughout the year and will be unannounced. Employees notified of selection for random testing must proceed immediately to the testing site. Random tests will be conducted while the employee is performing safety-sensitive functions, just before the employee is to perform safety-sensitive functions, or just after the employee has ceased performing safety-sensitive functions.

Reasonable Suspicion A covered employee must submit to an alcohol test if the company has determined that reasonable suspicion exists that the employee has violated the alcohol misuse prohibitions. This determination must be based on a trained supervisor's specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. Even if an alcohol test cannot be administered, no employee who is under the influence of or impaired by alcohol, as shown by behavioral, speech, or performance indicators of alcohol misuse, should report for duty or remain on duty requiring the performance of safety-sensitive functions until a test can be administered and the result is below 0.02 or until the commencement of the employee's next duty period if at least 8 hours has elapsed. Similarly, even if an alcohol test cannot be administered, the company will not permit any employee who is under the influence of or impaired by alcohol, as shown by behavioral, speech, or performance indicators of alcohol misuse, to report for duty or remain on duty requiring the performance of safety-sensitive functions until a test can be administered and the result is below 0.02 or until the commencement of the employee's next duty period if at least 8 hours has elapsed. A supervisor who identifies an employee for a reasonable suspicion test cannot conduct the alcohol test as the breath alcohol technician for that employee.

Return to Duty Before a covered employee returns to duty in a safety-sensitive function after engaging in prohibited conduct, he or she will undergo a return to duty test. The employee cannot perform a safety-sensitive function until a result indicating an alcohol concentration of less than 0.02 is obtained.

49 CFR Part 40, Subpart 0 is attached for further reference:



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Follow-Up Each covered employee, who has been identified by a substance abuse professional (SAP) as needing assistance in resolving a problem with alcohol misuse and who has returned to duty performing a safety-sensitive function, will be subject to follow-up testing. Follow-up tests will be unannounced and at least 6 tests must be conducted in the first 12 months after the employee is back on the job. Follow-up testing may continue for up to 60 months. The schedule for follow-up alcohol testing is established by the SAP.

Retests If the company desires to permit an employee to perform a safety-sensitive function within 8 hours following administration of an FAA-mandated alcohol test indicating an alcohol concentration of 0.02 or greater but less than 0.04, the company will first retest the employee. The employee may return to the safety-sensitive function if the retest result indicates an alcohol concentration of less than 0.02.

PROCEDURES FOR ALCOHOL TESTING; PROTECTING THE EMPLOYEE AND THE INTEGRITY OF THE BREATH TESTING PROCESS; SAFEGUARDING THE VALIDITY OF THE TEST RESULTS; AND ENSURING THAT THOSE RESULTS ARE ATTRIBUTED TO THE CORRECT EMPLOYEE:

All tests will use the following procedures:

Preparation for Breath Alcohol Testing Upon entering the alcohol testing location, the breath alcohol technician (BAT) will require the employee to provide positive identification (photo I.D. or identification by a company representative). On request, the BAT will provide positive identification to the employee. The BAT will explain the testing procedure to the employer.

Screening Tests The BAT will complete Step 1 on the breath alcohol testing form, and the employee will then complete Step 2 on the form, signing the certification. Refusal by the employee to sign this certification will be regarded as a refusal to take the test. An individually sealed mouthpiece will be opened in view of the employee and BAT and attached to the evidential breath testing device (EBT) in accordance with the manufacturer's instructions. The BAT will instruct the employee to blow forcefully into the mouthpiece for at least 6 seconds or until the EBT indicates that an adequate amount of breath has been obtained. If the EBT does not have a printer capable of generating a printed result, a sequential test number, the manufacturer's name for the device, the device's serial number, and the time and date of the test; the BAT will show the employee the result displayed on the EBT. The BAT will record the displayed result, test number, testing device, serial number of the testing device, date, time, and qualified result in Step 3 of the form; record the test number, date of the test, name of the BAT, location, and quantified test result in a log book. The employee will initial the log book entry. If the EBT provides a printed result, but does not print the results directly onto the form, the BAT will show the employee the result displayed on the EBT. The BAT will then affix the test result printout to the breath alcohol test form in the designated space, using a method that will provide clear evidence of removal (e.g., tamper evident tape). If the EBT prints the test results directly onto the form, the BAT



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will show the employee the result displayed on the EBT. In any case in which the result of the screening test is a breath alcohol concentration of less than 0.02, the BAT will date the form and sign the certification in Step 3 of the form. The employee will sign the certification and fill in the date in Step 4 of the form. If the employee does not sign the certification in Step 4 of the form or does not initial the logbook entry for a test, it will not be considered a refusal to be tested. In this event, the BAT will note the failure to sign or initial in the "Remarks" section of the form. If a test result printed by the EBT does not match the displayed result, the BAT will note the disparity in the remarks section. Both the employee and the BAT will initial or sign the notation. The test is then invalid and the company and the employee will be so advised.

No further testing is authorized. The BAT will transmit the result of less than 0.02 to the company in a confidential manner and the company will receive and store the information so as to ensure that confidentiality is maintained as required.

Confirmation Tests

If the result of the screening test is an alcohol concentration of 0.02 or greater, a confirmation test will be performed. If the confirmation test will be conducted by a different BAT, the BAT who conducts the screening test will complete and sign the form and log cook entry. The BAT will provide the employee with copy 2 of the form.

The SAT will conduct an "air blank" to ensure that the device is working correctly. The air blank result must be 0.00. If the reading is greater than 0.00, the BAT will conduct one more air blank. If the reading is greater than 0.00, testing will not proceed using that instrument. However, testing may proceed on another instrument.

The BAT will instruct the employee not to eat drink, put any object or substance in his or her mouth and, to the extent possible, not belch during a waiting period before the confirmation test. This time period begins with the completion of the screening test, and will not be less than 15 minutes. The BAT will explain to the employee the reason for this requirement (i.e., to prevent any accumulation of mouth alcohol leading to an artificially high reading) and the fact that it is for the employee's benefit. The BAT will also explain that the test will be conducted at the end of the waiting period, even if the employee has disregarded the instruction. If the BAT becomes aware that the employee has not complied with this instruction, the BAT will so note in the "Remarks" section of the form.

If a BAT other than the one who conducted the screening test is conducting the confirmation test, the new BAT will initiate a new Breath Alcohol Testing form. The BAT will complete Step 1 on the form.

The employee will then complete Step 2 on the form, signing the certification. Refusal by the employee to sign this certification will be regarded as a refusal to take the test. The BAT will note in the "Remarks" section of the form that; different BAT conducted the screening test.



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A breath alcohol test is invalid under the following circumstances:

The EBT does not pass its next external calibration check (invalidates all test results of 0.02 or greater on tests conducted since the last valid external calibration test; does not invalidate negative tests).

The breath alcohol technician does not observe the minimum 15 minute waiting period prior to the confirmation test.

The breath alcohol technician does not perform an air blank of the EBT before a confirmation test, or such an air blank does not result in a reading of 0.00.

The breath alcohol technician does not sign the form.

The breath alcohol technician fails to note in the remarks section of the form that the employee has failed or refused to sign the form after the test has been conducted.

An EBT fails to print a confirmation test result.

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.

- Employee records pertaining to alcohol testing will be maintained in a secure location with controlled access.
- These records will be promptly released to the employee or a person identified by the employee (including subsequent employers), upon written request of the employee. This release of information will not be contingent upon payment for records other than those specifically requested.
- These records will be released to the Secretary of Transportation upon request of DOT or FAA.
- These records will be released to the National Transportation Safety Board when requested as part of an accident investigation.
- These records will be released to the employee or a decision maker in a lawsuit, grievance or other proceeding initiated by or on behalf of the individual and arising out of a determination that the employee engaged in prohibited conduct.

Our policy regarding Substance Abuse Professional (SAP) evaluations follows:

(1)(a) As an employee, when you have violated DOT drug and alcohol regulations, you cannot again perform any DOT safety-sensitive duties for any employer until and unless you



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complete the SAP evaluation, referral, and education/treatment process set forth in this subpart and in applicable DOT agency regulations. The first step in this process is a SAP evaluation. (b) For purposes of this policy, a verified positive DOT drug test result, a DOT alcohol test with a result indicating an alcohol concentration of 0.04 or greater, a refusal to test (including by adulterating or substituting a urine specimen) or any other violation of the prohibition on the use of alcohol or drugs under a DOT agency regulation constitutes a DOT drug and alcohol regulation violation.

(2) As your employer, we must provide to each employee (including an applicant or new employee) who violates a DOT drug and alcohol regulation a listing of SAPs readily available to the employee and acceptable to you, with names, addresses, and telephone numbers. We will not charge the employee any fee for compiling or providing this list.

(3) (a) As your employer, we are not required to provide a SAP evaluation or any subsequent recommended education or treatment for an employee who has violated a DOT drug and alcohol regulation. (b) However, if we offer that employee an opportunity to return to a DOT safety-sensitive duty following a violation, we must, before the employee again performs that duty, ensure that the employee receives an evaluation by a SAP meeting FAA requirements and that the employee successfully complies with the SAP's evaluation recommendations. (c) Payment for SAP evaluations and services is the responsibility of the employee.

(4)(a) As an employee with a DOT drug and alcohol regulation violation, when you have been evaluated by a SAP, you must not seek a second SAP's evaluation in order to obtain another recommendation. (b) As an employer, we must not seek a second SAP's evaluation if the employee has already been evaluated by a qualified SAP. If the employee, contrary to paragraph (a) of this section, has obtained a second SAP evaluation, as an employer we may not rely on it for any purpose under this part.

(5)(a) As the employer, if we decide that we want to permit the employee to return to the performance of safety-sensitive functions, we must ensure that the employee takes a return-to-duty test. This test cannot occur until after the SAP has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming performance of safety-sensitive duties.

(b) As the employer, we must not return an employee to safety-sensitive duties until the employee meets the conditions of paragraph (a) of this section. However, we are not required to return an employee to safety-sensitive duties because the employee has met these conditions. That is a personnel decision that we have the discretion to make, subject to particular circumstances, legal requirements, etc.

If you suspect a co-worker of drug and/or alcohol abuse, contact Aviation Personnel immediately. Aviation Personnel will need to get proper documentation in writing of your reasons for suspecting the co-worker of abuse.



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Aviation Personnel wants all employees to have a safe work environment. If you or a co-worker needs any information on, or a location of, a substance abuse professional, please contact our office immediately.

The Community Service Hotline
(Alcohol / Drug Abuse Hotline)
contact number is
1-800-662-4357.

The individual designated by Aviation Personnel to answer employee questions about these materials is Delania Houchin. She can be reached at 817-244-2125.