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- Please note the start time of today's webcast:

Drug and Alcohol Testing

11:00 AM Eastern Time (New York)

10:00 AM Central Time (Chicago)

9:00 AM Mountain Time (Denver)

8:00 AM Pacific Time (Los Angeles)

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- The handout is available to print. You’ll find it in the “Webcast Handouts” box on the lower right-hand side of your screen.

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- Thank you for participating in today's webinar!



Gary Petty
National Private
Truck Council

Drug and Alcohol Testing

Gary Petty
President & CEO
National Private Truck Council



Drug and Alcohol Testing

This webcast will cover ...

- A regulatory overview
- Best practices in compliance
- A case study in implementation
- Question & Answer

Housekeeping issues:

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Attention Attendees:

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Meet Your Presenters



Gary Petty
President & CEO
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Tom Moore, CTP
Senior Vice President
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Tom Bray
*Senior Transportation
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Kris Kolbe, CTP
Manager, Transportation
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Operations, LLC.





Tom Bray
J. J. Keller &
Associates, Inc.

The Regulatory Background

Thomas Bray
Sr. Editor, Transportation Management
J. J. Keller & Associates, Inc.



Tests Required by Part 382

- **Pre-employment (drug)**
 - **BEFORE** operating a CMV requiring a CDL
- **Random (drug and/or alcohol)**
- **Post-accident (drug and alcohol) if conditions in §382.303 are met**
 - **Fatality**
 - **Citation issued after injury or tow-away accident**
- **Reasonable suspicion**
- **Return-to-duty**
- **Follow-up**



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Drug Testing Procedure: Collection and Testing

- **Driver provides urine sample at collection site**
 - Procedures detailed in Part 40 (Subparts C, D, and E)
- **Urine sample tested at lab**
 - Procedures detailed in Subpart F of Part 40
 - Lab tests urine for 9 metabolites in 5 drug families
 - Marijuana
 - Cocaine
 - Opiates
 - Amphetamines (including Ecstasy and methamphetamines)
 - Phencyclidine



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Drug Testing Procedure: The Decision

- **Medical review officer (MRO) reviews lab results and compares any findings to “thresholds”**
 - **Thresholds for all nine metabolites specified in §40.87**
- **If over threshold, MRO contacts driver for an explanation**
- **MRO contacts carrier with verified results once process complete**
- **MRO procedures detailed in Subpart G to Part 40**



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ONLY Urine at This Point

- DOT only recognizes urine testing for the “DOT 5” at this time
- If you do additional testing (hair or a “10-panel”) it must be done separate from your DOT program
 - Additional testing cannot be used to replace DOT testing



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Hair Follicle Testing

- In the FAST Act, Congress authorized FMCSA to begin accepting hair follicle testing in place of urine testing
- Hair follicle tests could be used for:
 - Pre-employment tests
 - Random drug tests (only if hair testing was used for the driver's pre-employment test)
- Other tests would have to continue using urine
 - Hair follicle provides a “longer window,” but not a detailed current snapshot and other tests are concerned with driver's condition at the time



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Hair Follicle Testing

- **HHS and DOT's ODAPC must write standards and procedures first**
 - **Procedures: Where to get the hair and how much, and collection processes**
 - **Process: How is the sample to be tested**
 - **Thresholds: What will be tested for and what will the cut-offs be**
 - False positive issues and what could trigger them
 - **MROs: What will the MRO processes be**
 - **Are there ways a driver could "cheat?" If so, processes need to be built to prevent cheating**
 - **Dealing with collection and testing problems**



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Hair Follicle Testing



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- **Rulemaking process in detail**
 - **HHS writes procedures and standards for testing**
 - **DOT updates the accompanying regulations (Part 40)**
 - **Once DOT has Part 40 updated, FMCSA can include hair follicle testing in Part 382**
 - **Only then can a carrier use hair follicle in place of urine testing for DOT-required tests**



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Beyond Compliance

Tom Moore CTP
Sr. Vice President
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CSA Performance



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	Unsafe Driving	Fatigued Driving	Driver Fitness	Controlled Substance	Vehicle Maintenance	HazMat	Crash
2012	12.8	17.9	17.77	1.7	24.91	19.78	22.14
2013	11.3	13.46	11.9	0.99	20.86	1.06	29.8
2014	12.1	10.9	10.7	0.91	20.8	1.94	27.2
2015	11.9	12.9	13.0	.05	21.9	1.3	22.3
2016	14	12	6.3	.12	18	1,7	25.7

On-road violations

- **§392.5(a) Possession/use while on duty or within 4 hours of duty/under influence alcohol (0.14 percent of all driver violations)**
- **§392.4(a) Driver uses or is in possession of drugs (0.17 percent of all driver violations)**
- **§392.5(c)(2) Violating OOS order pursuant to 392.5(a) or (b) (0.01 percent of all driver violations)**



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Compliance Review Violations



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- **Acute:**

- **§382.115(a) Failing to implement an alcohol and/or drug testing program (number 1 acute violation)**
- **§382.215 Using a driver who has tested positive for a drug**
- **§382.211 Using a driver who refused to take drug or alcohol test**
- **§382.213(b) Using a driver known to have used a controlled substance**
- **§382.305(a) Failing to implement a random drug and/or an alcohol testing program**

Compliance Review Violations



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- **Critical:**
 - §382.301(a) Using a driver before receiving a pre-employment result
 - §382.305(b)(2) Failing to do random drug tests at applicable annual rate (less than 50 percent)
 - §382.305(b)(1) Failing to do random alcohol test at applicable annual rate (less than 10 percent)
 - §382.303(a) Failing to conduct post accident testing on driver for alcohol
 - §382.303(b) Failing to conduct post accident testing on driver for controlled substances

How Fleets Are Producing Such Results

- Training, training and more training
- No rush to hire
- Random testing at percentages higher than the required rate
- Expanding the pool of candidates
- Alternative testing methodologies



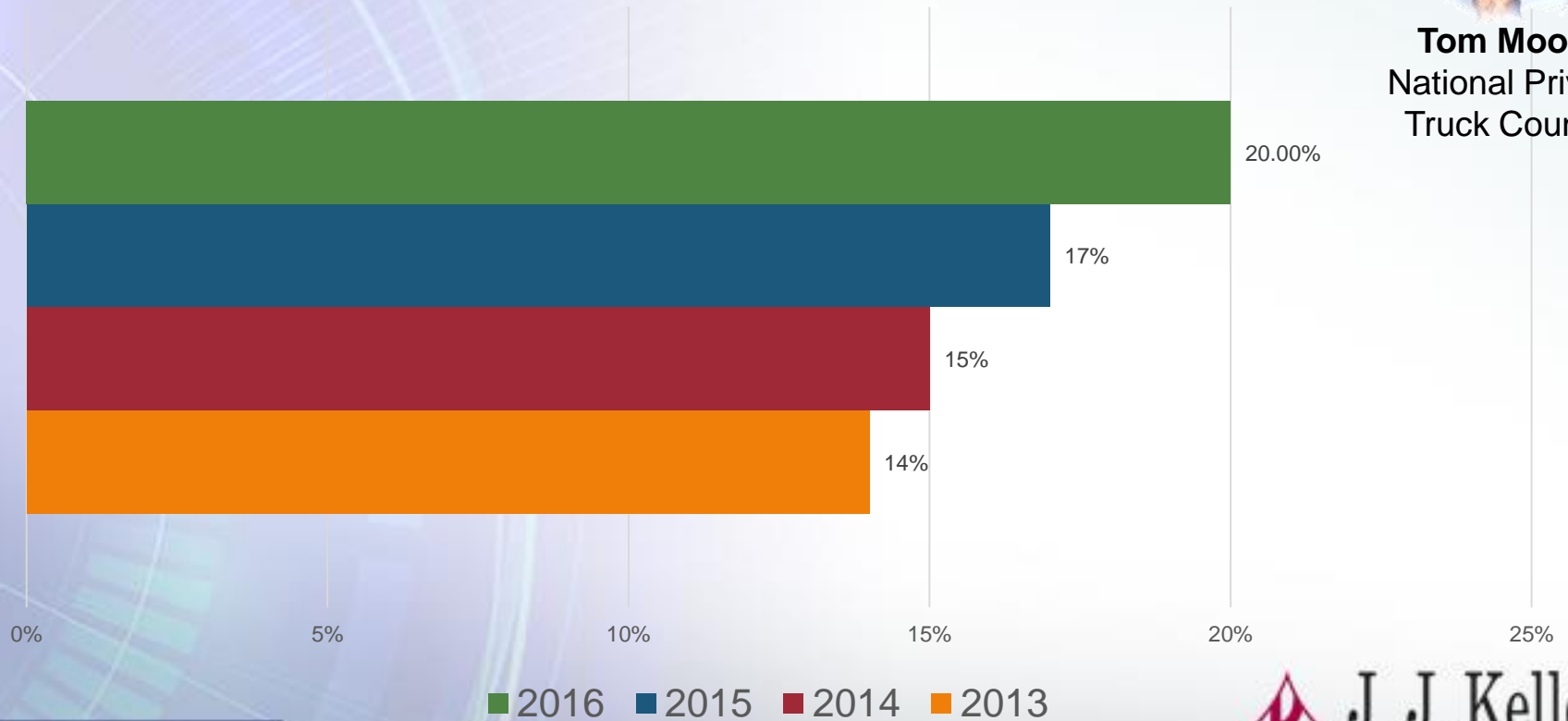
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Growth of Hair Follicle Testing



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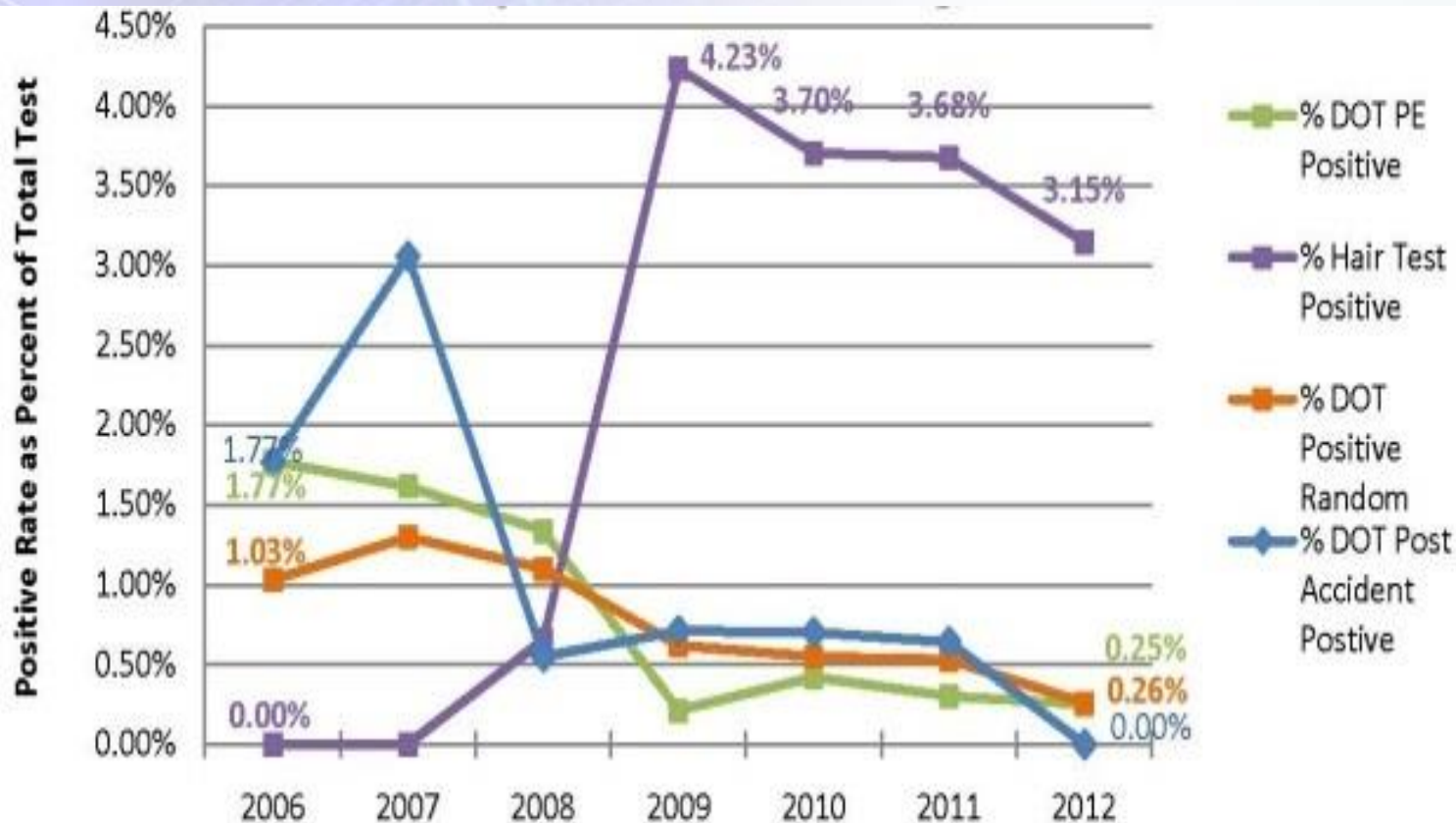
Pre-Employment Screening Practices



Impact of Hair Testing



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Why Are More Companies Turning to Hair Testing?

- Hair testing is more effective than urine at identifying illegal drug users because it has a longer detection window.
- Hair tests are typically capable of detecting illegal drug use in the three months prior to the test.
- Urine tests are usually only capable of detecting use in the prior few days.



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Barriers to Hair Testing

- **Cost**
- **Redundancy**
- **Jurisdiction**
- **Misconception**



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Beyond Compliance

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Network

- Private Fleet w/ strategic Carrier support
- 7 US based DCs covering lower 48 and Canada
- Hub and Spoke design using DCs and 60 strategically placed domiciles
- 6500+ Company Stores and Dealers
- Next day delivery 500+ miles

Equipment

- Power Units
- 310 +/-
- 50/50 split daycab to sleeper
- 60% of daycabs slipseated for dual shift operation

- Trailers
- 700+/-
- Flex up – Rentals

- 36 million miles

Drivers

- 390 +/-
- All drivers are leased

D & A Testing Applicability



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- **Drivers**
 - Includes Yard Spotters
 - DOT Testing
 - All drivers are leased by 3rd party
- **Supervisory Staff**
 - Employed by 3rd party
 - Non driving – Non DOT

Policy Requirements



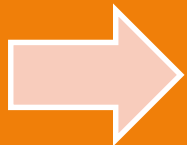
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As Motor Carrier we are responsible for D&A program.



3rd Party administer the program and meets FMCSA D&A regulations



Pull every 2 months
• Have 7 weeks to complete each pull



Pull at greater rate first 5 pulls to ensure random testing rate met. 60% target.



BAC 12-13 percent target rate

History

Hair Testing Implemented January 1,
2007

Result of Corporate Policy

All contractors required to conduct prior
to working on BATO site.



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Testing Specifics



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Pre employment	• DOT and Hair
Random	• DOT and Hair
Post Accident	• DOT
Reasonable Suspicion	• DOT and Hair
Return to Work	• DOT and Hair
Follow Up	• DOT and Hair

Note - Anyone in the payroll system receiving pay or benefits is subject to testing.

Pre Employment Results



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- Pre-Employment
 - DOT and Hair

Test Type		Pre-Emp				
Values						
Year	Test Performed	Total Results	Verified Negative	Cancelled Results	Verified Positive	
2013	DOT Drug	142	137	5		
	Hair Sample	147	136	6	5	
2014	DOT Drug	136	134	2		
	Hair Sample	143	136	3	4	
2015	DOT Drug	115	112	3		
	Hair Sample	141	132	7	2	

2.8% positive hair result that DOT missed.

Random Results

- Random
 - DOT and Hair



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Test Type	Random				
Values					
Year	Test Performed	Total Results	Verified Negative	Cancelled Results	Verified Positive
2013	DOT Drug	220	214	5	1
	Hair Sample	199	183	16	
2014	DOT Drug	196	191	5	
	Hair Sample	171	153	17	1
2015	DOT Drug	224	218	6	
	Hair Sample	181	159	22	

BAC Results

- BAC – Breath Alcohol



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Test Type		(Multiple Items)				
Values						
Year	Test Performed	Total Results	Verified Negative	Cancelled Results	Verified Positive	
2013	BAC	65	61	4		
2014	BAC	65	56	9		
2015	BAC	68	62	6		

Testing Cost



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DOT

- **\$37.50 + shipping**
- **2013 - \$16,900**
- **2014 - \$15,700**
- **2015 - \$15,800**

Hair

- **\$62 + shipping**
- **2013 - \$24,650**
- **2014 - \$22,450**
- **2015 - \$22,950**

Alcohol

- **\$34 + shipping**
- **2013 - \$2,800**
- **2014 - \$2,800**
- **2015 - \$2,950**

D&A Program Annual Cost = approx \$45k

Testing Totals



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Sum of Total Results	Column Labels			
Row Labels		2013	2014	2015
DOT Drug		365	337	340
Pre-Emp		142	136	115
Random		220	196	224
Post Accident		3	4	1
Reasonable C-S			1	
Hair Sample		347	316	323
Pre-Emp		147	143	141
Random		199	171	181
Post Accident		1	2	1
BAC		65	65	68
Random		62	64	67
Post Accident		3	1	1
Grand Total		777	718	731

Hiring Standards



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No positive drug test accepted.

Alcohol convictions greater than 10 years must be reviewed before consideration.

We feel that hair testing adds a level of risk reduction in the pre employment applicant. It also is a potential deterrent to current drivers knowing that hair testing is also performed on random tests.

Testing Specifics



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- **What happens when a driver is not able to produce the hair sample?**
 - **PreEmp-Not permitted on our account until hair sample can be provided. Only consideration given when applicant can provide valid medical diagnosis.**
 - **Random – Removed from assignment until sample provided.**

Situations

- **Two situations where we had on road issues.**
 - **Synthetic items in cab**
 - **Empty alcohol container at military base**



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Question & Answer Session



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Please continue to submit your questions.

Thank you for participating!



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