

Q&A: RANDOM DRUG AND ALCOHOL TESTING
by Elizabeth L. Auppl

What is random testing? In the DOT drug and alcohol testing industry, random testing is exactly that...someone is randomly selected to be tested. Random testing serves as a great deterrent for drug and alcohol use, misuse or abuse. The requirement for a random drug or alcohol test comes as a 'surprise' to an employee because there is no pre-warning that the test will be conducted. Employees are notified discreetly that they must submit to a test (or refuse and endure consequences) and at once (without any delay) be tested. Best practices indicate that it is best when the Designated Employee Representative (DER) accompanies the employee to the testing site to ensure testing without stopping at the employee's locker, car, and so forth. The intent is to deter any time lapse between notification and testing whereby the employee may 'cheat on the test'.

Who gets random tested? Under the federal guidelines, employers must comply with requirements to have a random testing program in place. Each DOT Agency* sets the minimum random testing rate (percentage)

- select the best possible testing laboratories
- select the best possible testing technicians, Medical Review Officers (MROs), collections sites and service agents for an employer
- understand an employer's particular type of business and testing needs and requirements for being in compliance
- systematically review its service agents' work and/or site
- maintain certain testing records for the employer in a secure manner
- conduct the random testing plan for an employer in a timely manner
- provide an employer with a random testing plan
- have contact persons available to answer questions
- offer to review an employer's account regularly
- review details of an employer's program prior an inspection
- take corrective action after an inspection
- offer to be held accountable for service errors
- provide written reports to the employer

Pertaining to independent self-employed drivers, the C/TPA should have a written policy that ensures contact and notification to driver for random testing! Independents create a challenge when it comes to notification. And the C/TPA is required to have a written policy concerning what constitutes a 'refusal to test' if the driver does not comply.

The very important for you to remember is that if a C/TPA is not in compliance, or adhering to their promise for program management for an employer, the employer is out of compliance! **When communicating with a C/TPA, take your time.** If there is anything you do not understand, get clarification. Any question is a fair question. You are doing your client a favor by getting information from the C/TPA. And get it in written format when possible in the form of price quotes, policies, brochures, price sheets, etc. Include the client company in discussions.

Where can I obtain a list of C/TPAs?

The DOT publishes a list of C/TPAs providing nation-wide services which may be found at <http://homeport.uscg.mil/mycg/portal/ep/browse.do?channelId=-18374&channelPage=/> .

What should I know before working with a C/TPA?

Knowing what your client company needs in terms of random testing is important. Questions you can ask are:

1. What type of Random Program do you require?
DOT? _____ NONDOT? _____ Both? _____ (if Both, please complete this form for each program)
2. If you're requesting a NONDOT random program, what is your required testing percentage rate per year? _____
Is Alcohol testing required? _____ If so, at what percentage rate? _____
3. If you're interested in a DOT random program, do you wish to an existing Consortium of over 6000 other members? _____ Or, are you requiring your own individual company's DOT program? _____
4. How many employees are you adding to a random program? _____
5. Are you able to provide the initial listing of employees electronically by email? _____
6. Are you able to provide an ongoing current listing of employees electronically by email? _____

7. If you're only able to provide a faxed or mailed copy of your initial listing, please complete a Random Member Profile form and fax or mail it to Random Program Administration.

8. How many contacts _____ and/or how many locations _____ will receive the random notifications once a selection has been performed?

9. What testing frequency is your preference? Monthly? _____ Quarterly? _____ when is your effective date to begin? _____

Do you know if a particular C/TPA that is ready to take on the business if I contact them today?

Good question. If you would like to know more, please contact Elizabeth by email at eauppl@charterinternet.com. Elizabeth is an Instructor for DOT drug and alcohol testing training. She is not an employee of a C/TPA but has information that may help you.

TABLE 1. FEDERAL REQUIREMENTS FOR RANDOM TESTING (SOURCE: DOT)

DOT Agency	2008 Random Drug Testing Rate	2008 Random Alcohol Testing Rate
Federal Aviation Administration [FAA]	25%	10%
Federal Motor Carrier Safety Administration [FMCSA]	50%	10%
Federal Railroad Administration [FRA]	25%	10%
Federal Transit Administration [FTA]	25%	10%
Pipeline & Hazardous Materials Safety Administration [PHMSA]	25%	N/A
United States Coast Guard [USCG] (now with the Dept. of Homeland Security)	50%	N/A

NOTE: Employers (and C/TPAs) subject to more than one DOT Agency drug and alcohol testing rule may continue to combine covered employees into a single random selection pool. However, companies (and C/TPAs) doing so must test at or above the highest minimum annual random testing rates established by the DOT Agencies under whose jurisdiction they fall. For example, an employer having both FMCSA- and FRA-covered employees in one pool must test, as a minimum rate, 50% for drugs and 10% for alcohol.

[Please note that USCG covered employees may be combined with DOT covered employees in drug testing pools even though the USCG is now part of the Department of Homeland Security.]