



DMA Policy: 3-0015

Name: Controlled Substance & Alcohol Testing Policy

Reference: MCA 39-2-207 Qualified Testing Program

Approval Signature: _____

Signed Date: November 17, 2105

Effective Date: January 17, 2016

INTRODUCTION

The Department of Military Affairs (DMA) employees are our most valuable resource and it is our goal to prevent accidents and injuries resulting from the misuse of alcohol and controlled substances, as well as to provide a healthy and safe working environment.

This policy applies to all employees who perform in safety sensitive functions, such as Firefighters, MT Youth Challenge Academy employees, and employees in positions subject to Commercial Driver's License (CDL) requirements, hereafter referred to as covered positions. This policy applies to on-duty time, as well as off-site breaks and lunch periods when an employee is scheduled to return to work.

This policy conforms to 49 CFR, part 40, procedures for Workplace Drug and Alcohol Testing programs.

DMA state employees in the covered positions shall follow the provisions of this policy unless it conflicts with specific statutes or negotiated labor contracts which take precedence to the extent applicable.

Purpose

The purpose of this policy is to assure worker fitness for duty and to protect our employees and the public from the risks posed by the use of alcohol and prohibited substances. This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug programs.

Montana law allows controlled substance and alcohol testing of employees who have safety, security, or fiduciary duties, or who work in hazardous work environments, which includes positions that involve the operation of or work in proximity to industrial machinery and the handling or proximity to flammable materials.

DMA is dedicated to assuring fair and equitable application of this policy. 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 and is found to have deliberately misused the policy in regard to a subordinate shall be subject to disciplinary action up to and including termination.