



CRST DOT Drug and Alcohol Policy

Regulatory Requirements

As an employer, CRST is providing the following educational materials that explain the requirements of the Federal Motor Carrier Safety Regulations as they pertain to controlled substance and alcohol testing and our policies and procedures with respect to meeting these requirements.

CRST ensures that this policy is distributed to each of its drivers by inclusion in the Employee Handbook.

Definitions Regarding Categories of Drivers Covered by this Policy

For the purposes of this policy, the following definitions from the Federal Motor Carrier Safety Regulations apply.

Applicability: This policy applies to every person (employers and employees) who operate commercial motor vehicles in commerce in any State and are subject to:

1. The commercial driver's license requirements of part 383 of this subchapter.
2. The Licencia Federal de Conductor (Mexico) requirements; or
3. The commercial driver's license requirements of the Canadian National Safety Code.

Employee: Means any individual, other than an employer, who is employed by an employer and who in the course of their employment directly affects commercial motor vehicle safety. Such a term includes a driver of a commercial motor vehicle (including an independent contractor while in the course of operating a commercial motor vehicle), a mechanic, and a freight handler. Such term does not include an employee of the United States, any state, any political subdivision of a State, or an agency established under a compact between States and approved by the Congress of the United States who is acting within the course of such employment.

Safety-Sensitive Function: Means all the time from the time a driver begins to work or is required to be in readiness to work until the time they are relieved from work and all responsibility for performing work. Safety-sensitive functions shall include:

1. All the time at an employer or shipper plant, terminal, facility, or other property, or any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.
2. All time inspecting equipment as required by 392.7 and 392.8 of these subchapters or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
3. All time spent at the driving controls of a commercial motor vehicle in operation.
4. All time, other than driving time in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the requirements of 393.76 of these subchapters);
5. All time loading or unloading a vehicle, supervision, assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.



By the above definitions, this policy covers all company drivers, mechanics, safety trainers, driving school instructors, and independent contractors operating under any CRST Carrier authority, including our driving school NADTA, who possess either a Commercial Driver's License or Commercial Learners Permit.

Person Designated to answer questions about this policy and educational materials

Questions related to this policy should be directed to the Designated Employer Representative (DER) for the carrier. In the event the DER is unavailable, questions should be directed to the Safety Director, Manager, or Supervisor for the carrier.

Policy

The company has a strong commitment to provide a safe and productive workplace for its employees. In keeping with this commitment, the following rules regarding the use of alcohol and controlled substances have been established for all employees and prospective employees. The purpose of this policy is to inform employees that the abuse of alcohol and/or controlled substances (including synthetic drugs) may adversely affect their fitness for duty and that such behavior is unacceptable to the company. Drivers are required to submit to alcohol and drug (controlled substance) tests as outlined by the Federal Motor Carrier Safety Regulations and this policy.

The manufacture, distribution, possession, sale, or purchase of controlled substances is prohibited.

CRST maintains a zero-tolerance policy concerning use of alcohol and controlled substances in the workplace and considers evidence of such conduct grounds for immediate dismissal.

Testing Procedures

Controlled substance testing may be performed by testing a urine sample.

Alcohol testing will be conducted by using an alcohol swab or breath testing device. If a swab shows positive for alcohol use, a breath test will follow to confirm result.

Individuals trained according to DOT rules in CFR 49, part 40 conduct all collections of urine and alcohol samples. Analysis of urine samples will follow Part 40 standard in all respects. CRST is committed to performing all tests in complete accordance with DOT regulations, which in turn ensures that employees are protected against false positive results or mistakes in the handling of specimens. Individuals trained according to government certified laboratory for collection of hair follicle samples.

Alcohol Testing is conducted as follows:

Initial Screening Test: for the presence of alcohol. If the result is less than 0.02, no further testing is required under DOT regulations. Any result between 0.01-0.019 is subject to immediate dismissal in accordance with CRST's zero tolerance policy.

Confirmation Test: A result over 0.02 requires a second test. If that test indicates levels of 0.02 or greater, the employee is disqualified and prohibited from performing safety sensitive functions and will result in disciplinary action up to and including discharge.



A breath alcohol reading of 0.04 or greater is considered a positive alcohol result and will result in discharge.

Urine Controlled Substance Testing is conducted as follows:

At least 45ml. of urine is collected from the employee. The sample is split into two bottles, which are individually sealed in the presence of the employee.

The sample is sent to a government certified laboratory where it is tested for controlled substances. Employees testing positive are disqualified.

The drugs (controlled substances) that laboratories test for are:

Marijuana Metabolites (THC)

Cocaine Metabolites

Opioids

Phencyclidine

Amphetamines (including Methamphetamines)

The company will engage the services of a qualified testing laboratory. The appropriate testing may vary and will be determined when a test is required.

Positive Test Result

A positive test result will automatically be sent to an independent Medical Review Officer (MRO). The MRO will evaluate the test result, often in consultation with the employee, to determine whether there is a medically valid reason to overturn the results. If the MRO does not find a reason to overturn the results of a positive test, an employee who has tested positive will be terminated.

Split Specimen Sample

If an employee requests a split specimen sample to be tested following a positive result, the cost associated with the additional test may be requested to be paid by from the applicant/employee. The medical review officer will discuss this option with any employee following a preliminary positive test result.

Confidentiality

All medical information including drug or alcohol test results or treatment procedures will be treated as confidential medical information and will be accessible only to those the company administrators and designated medical and professional person with a specific need to know.

Drug and alcohol testing results will only be released upon receipt of a signed notarized waiver authorizing CRST to release this information to a specific third party.

Once operational, CRST will, in accordance with Federal Motor Carrier Safety Regulation 382.705, provide information regarding employee and applicant drug and alcohol testing to the Drug and Alcohol



Clearinghouse via its Medical Review Officer (MRO) and Third-Party Administrator (TPA) for drug and alcohol testing.

Prohibited Employee Conduct:

CRST's policy is zero tolerance for alcohol and drug use. What this means is no employee shall:

- Report for duty or remain on duty while having a breath alcohol concentration of 0.02 or greater.
- Possess or consume alcohol on any company property or company provided motel/hotel.
- Consume alcohol within the prior 12 hours or at any time while under dispatch
- Transport alcohol on the truck (empty containers included).
- Consume alcohol while on duty (available or under dispatch)
- Consume alcohol waiting for their next load (waiting for dispatch).
- Consume alcohol while having access to the truck.
- Use any controlled substances (unless lawfully prescribed by a medical professional and only after Designated Employer Representative/Safety Director/Manager is notified and approved).
- Report for duty, remain on duty or perform any safety-sensitive functions after testing positive for any controlled substances or alcohol.
- Conduct themselves in any way that constitutes a refusal to test.

For more information, please refer to the Federal Regulation below which can be found at www.fmcsa.dot.gov

392.4 – Drugs and Other Substances

392.5 – Alcohol Prohibition

The only time drivers may purchase, possess, or consume alcoholic beverages (including empty containers) is while they are on home time or vacation. CRST's policy is to discharge all employees engaging in any of the above listed prohibited conduct.

Circumstances under which an employee will be tested for Alcohol and/or Controlled Substances:

Pre-Employment Testing (382.301)

As outlined in the FMCSR (Federal Motor Carrier Safety Regulation Section (382.301), prior to the first time an employee performs safety-sensitive functions for an employer, the employee must undergo testing for controlled substances. No employer shall allow an employee, who the employer intends to hire or use to perform safety-sensitive functions unless the employer has received urine-controlled substances test results from the Medical Review Officer (MRO) indicating a verified negative test result for that employee that meets the requirements within the previous 30 days.

Employees possessing a Commercial Driving License (CDL) will be subject to random controlled substance tests and other types of tests as pursuant to federal regulations.

The company recognizes dependency on alcohol and/or controlled substances, as defined in the Employee Assistance Program section, as a treatable condition. Assistance in receiving such treatment may be



obtained by an employee at any time through the Employee Assistance Program (Contact 1-800-383-6694).

Post-Accident Testing (382.303)

An employee must be tested for alcohol and controlled substances following an accident in which:

1. There is a fatality
2. The employee is cited for a moving violation in connection with an accident in which a person is injured and requires medical treatment immediately away from the accident scene.
3. Any vehicle incurs disabling damage and must be towed from the scene.

Timelines for Post-Accident Testing:

Employees are expected to remain readily available, in communication with company representatives and cooperate with the company's efforts to conduct post-accident testing to ensure that:

- Post-Accident Alcohol tests are conducted within two hours, when possible, but no later than eight hours following an accident.
- Post-Accident Drug Tests are completed within 32 hours of the accident occurrence.

Guidelines for Post-Accident Testing:

The company reserves the right to determine what constitutes an accident requiring post-accident testing. This is because not all state police agencies cite drivers at the scene of an accident. Typically testing may be required of employees involved in an accident while in the course and scope of employment that results in serious physical injury or serious property/environmental damage. Every effort will be made to only require DOT Post-Accident testing when regulations call for it or are likely to call for it in the event of a citation being issued for a moving violation to the driver.

Random Testing – Drugs and Alcohol Random (382.305)

Unannounced random alcohol and controlled substance tests must be conducted on a specific number of employees each year. Alcohol random tests will be conducted while the employee is on duty, just before or just after such duty periods. Every employee shall have an equal chance of being tested during each selection cycle. Controlled substance tests may be performed at any time. Controlled substance testing can be done on the employee's home time.

Selection for testing for testing is via a random-number generator or number table.

Random Testing Rates for CRST meets or exceeds guidelines.



Timelines for Testing- Per DOT Regulation (382.305(1))

Each employer shall require that each driver who is notified of selection for random alcohol and/or controlled substance testing proceeds to the testing site immediately provided, however that if the driver is performing a safety sensitive function, other than driving a commercial motor vehicle, at the time of notification, the employer shall instead ensure that the driver ceases to perform the safety-sensitive function and proceeds to the testing site immediately. CRST recognizes “immediately” as within 2 hours of notification to the employee.

Reasonable Suspicion Testing (382.307)

Employee drug and alcohol testing may occur whenever the company has a reasonable suspicion that an employee is under the influence of alcohol, illegal drugs, or controlled substances (applicable regulations in 49 CFR, Parts 40 and 382). Reasonable suspicion testing must be based on specific observations concerning the appearance, behavior, and/or speech of an employee. When an incident occurs, the manager and Safety department must immediately be notified to review the circumstances and facts related to the suspicion to ascertain the merits of the observation and to specify further action. If testing is required based on a reasonable suspicion and subsequent observation, the Safety department and/or the manager is responsible for arranging for the employee to be safely transported to and from the testing laboratory. If necessary, a family member will be contacted to escort the employee to drug testing or to their home.

A written record of the observations leading to a drug and/or alcohol test shall be made and signed by the individual making the observations. The written record must be completed within 24 hours of the observed behavior or before the result reports, whichever comes first, and subsequently submitted to the safety department.

The company reserves the right to determine whether a reasonable suspicion exists, the level of discipline to be applied, and whether an employee should be given the opportunity to participate in rehabilitation through a controlled substance and/or alcohol treatment program.

The employee will not be allowed to drive until CRST receives a negative result on the alcohol and/or controlled substance test.

Refusal to submit to Testing:

No employee shall refuse to submit to a required alcohol or controlled substance test administered in accordance with Part 382. Such a refusal to submit to testing shall be treated as a positive test. “Refusal” means that an employee:

1. Fails to timely report an accident that requires post-accident testing or falsely reports the extent of damages, injuries, fatalities, and citations issued to the driver. Timely reporting requires reporting an accident to the CRST Accident Hotline as soon as the driver is physically and safely able to do so.
2. Fails to appear at the collection site within a reasonable time following notification.
3. Fails to remain at the collection site until the testing process is complete;



4. Fails to cooperate with any part of the testing process (e.g., refuse to empty pockets when directed by the collector, behave in a confrontational way that disrupts the collection process, fails to wash hands after being directed to by the collector).
5. Fails to provide adequate breath for alcohol testing or urine specimen for a drug test without a valid medical explanation.
6. Does not permit a direct observation or monitoring of the collection when required;
7. Fails to submit to a second test when directed by the collector or employer.
8. Fails to undergo a medical examination when directed by the employer or MRO in connection with:
 - a. An insufficient amount of urine during a drug test
 - b. An insufficient amount of breath during an alcohol test
9. Has adulterated or substituted a specimen as determined by the MRO
10. Possesses or wears a prosthetic or other device that could be used to interfere with the collection process.
11. Admits to the collector or MRO that they adulterated or substituted the specimen

The Effects of Alcohol & Drugs

The intent of this section is to inform you that the effects of alcohol and controlled substances can have severe negative effects on your health, work, and personal life. If requested, CRST will give you information on the signs and symptoms of alcohol and/or controlled substance problems. This will help you recognize the problems with not only your co-workers and friends, but also will help you examine your own behaviors.

To find a Substance Abuse Professional (SAP) in your state: www.eap-sap.com

Referral, Evaluation, and Treatment:

Each employee who has engaged in conduct prohibited by subpart B of Part 382 (detailed in an earlier section of this policy) shall be advised by CRST of the resources available to the employee in evaluation and resolving problems associated with the misuse of alcohol and the use of controlled substances, including names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs. CRST has no obligation to provide this service to applicants for driving positions that either refuse to submit to pre-employment alcohol or controlled substance tests or who test positive for controlled substances or have an alcohol concentration of 0.02 or greater on their pre-employment tests. CRST will not pay for any part of any counseling or treatment program nor will its re-hire ex-employees who have completed such programs. All employees will be tested for drugs/alcohol in accordance with the Department of Transportation Regulations.

Employee Assistance Program (EAP):

The company recognizes dependency on alcohol and/or controlled substance as a treatable condition. Assistance in receiving such treatment may be obtained by an employee at any time through the Mercy Employee Assistance Program (1-800-383-6694).

Requirement to Report Personal Information:



The company is required to report the following personal information collected and maintained under this policy to the CDL Drug and Alcohol Clearinghouse when it becomes operational:

- A verified positive, adulterated, or substituted drug test result.
- An alcohol confirmation test with a concentration of 0.04 or higher.
- A refusal to submit to any test required by Subpart C of this part.
- An employer's report of actual knowledge, as defined at 382.107
 - On Duty alcohol use pursuant to 382.205
 - Pre-Duty alcohol use pursuant to 382.207
 - Alcohol use following an accident pursuant to 382.209; and
 - Controlled Substance use pursuant to 382.213
- A substance abuse professional (SAP as defined in 40.0 of this title) report of the successful completion of the return-to-duty process.
- A negative return-to-duty test and
- An employer's report of completion of follow-up testing.