

RESOLUTION NO. 2018-09-19-34

A RESOLUTION ADOPTING REVISIONS TO THE LANE TRANSIT DISTRICT DRUG AND ALCOHOL PROGRAM POLICY

WHEREAS, the Lane Transit District (“LTD”) Board of Directors (the “Board”) adopted the Lane Transit District Drug and Alcohol Program policy effective September 20, 1995;

WHEREAS, such policy has been modified and revised by the Board from time to time;

WHEREAS, LTD staff proposes the Lane Transit District Drug and Alcohol Program policy be revised as follows:

In the event that an employee has a positive test result, the MRO will contact the employee directly, on a confidential basis, to complete an interview to determine if there is a legitimate medical explanation for the test result. If there is a legitimate explanation, the employee will have 5 days from the time notified by the MRO to have the prescribing doctor contact the MRO to determine the validity of the prescription and check if the medication can be changed to one that does not cause the employee to pose a significant safety risk. If, after speaking to the prescribing physician, the prescription is verified but the MRO still believes that the employee poses a significant safety risk, the MRO will report a negative – with a safety concern result to LTD.

What constitutes a valid prescription?

- Current – the prescription must not be expired (it must be prescribed within the last 12 months).
- The prescription must be issued in the employee’s name.
- The prescription must be recognized as legal by the federal government.
 - Medical marijuana is not recognized by the federal government.
 - Medicines containing alcohol are specifically prohibited.

If the employee’s valid prescription raises safety concerns with the MRO, the employee may be reported as “Negative – with a safety concern”.

In the event that LTD receives notification from the MRO that an employee has a drug test result marked as Negative - with a safety concern the employee will be removed from safety sensitive job functions and be given the opportunity to address this issue with their medical provider and the MRO.

Possible outcomes of a Negative – with a safety concern:

- Without agreement between the prescribing healthcare provider and the MRO stating that the individual can safely perform work duties while taking the prescribed medication, the individual may be deemed medically unqualified to perform essential duties of the position and subject to termination.

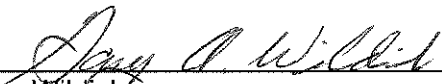
- With agreement between the prescribing healthcare provider and the MRO, the individual may be deemed medically qualified to maintain employment in a DOT safety-sensitive position.

Under District authority, the employee may be subject to a medical examination prior to returning to safety-sensitive job functions.

NOW, THEREFORE, BE IT RESOLVED that the Lane Transit District Board of Directors passes a Resolution as follows:

- 1) Adopting the revisions to the Lane Transit District Drug and Alcohol Program policy consistent with the above and as presented.

ADOPTED BY THE LANE TRANSIT DISTRICT ON THIS 19 DAY OF Sept., 2018.



PRESIDENT, Gary Wildish