

AWB Transport Inc., Employment Application

Employment Application



Drug and Alcohol Misuse Policy

AWB Transport Inc
5751 La Venta Way
Sacramento, CA 95835

Drug and Alcohol Misuse Policy

U.S. Department of Transportation
Federal Motor Carrier Safety Administration

Effective Date: 7/20/2018

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA)

THIS POLICY APPLIES ONLY TO COMMERCIAL DRIVER'S LICENSE (CDL) HOLDERS AND OTHER DRIVERS AS INDICATED. THESE PROVISIONS ONLY APPLY IF THE CDL IS REQUIRED FOR WORK PURPOSES.

A. General.

1. **A complete copy of the anti-drug/alcohol misuse prevention procedures is available to all employees. This policy only discusses the FMCSA provisions of the mandated drug and alcohol testing regulations and how they relate to employees. Portions of this policy that exceed Department of Transportation rules and regulations are in bold.**
2. The provisions contained in the Company Anti-Drug/Alcohol Misuse Prevention Plan (AMPP) are applicable to those Company employees who perform safety-sensitive trucking functions covered under 49 CFR Part 382. **This policy will also be in effect for any employee who hold a Class B or C drivers license. These employees will not be included in the DOT regulated random drug testing pool but will be in a random pool of their own.**
3. Company employees who only perform trucking functions must be aware of the general testing provisions discussed in the Company policy and must be aware of the specific highway regulations as set forth in this policy.
4. The Company recognizes that the misuse of drugs and alcohol in today's society is a major problem, which has also found its way into the trucking industry. The purpose of this policy is to reduce highway accidents that result from driver misuse of drugs and alcoholic substances, thereby reducing fatalities, injuries, and property damage. The Department of Transportation, Federal Motor Carrier Safety Administration, has established extensive regulations requiring testing under certain circumstances. In light of the above, the Company has adopted this plan to specify the circumstances under which testing may be required, the procedures for conducting such testing and the methods and procedures for complying with the requirements of the Federal Motor Carrier Safety Administration regulations.
5. The Company will implement necessary and reasonable measures to maintain a work environment, free of drugs and alcohol. Employees with drug and alcohol misuse problems are strongly encouraged to seek assistance.
6. The Companies Designated Employee Representative is **Usman Khalid**
7. **These policies and procedures are not intended to create a contract between the Company and its employees. All employment with the Company is at-will" and can be terminated by the Company or the employee for any reason or no reason.**

B. Applicability.

1. This information is applicable to every Company employee who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the commercial driver license requirements of 49 CFR Part 382.
2. For purposes of these regulations the Company is considered an employer with regard to the Federal Motor Carrier Safety Administration alcohol regulations. As an employer who employ's drivers, the Company must comply with the requirements outlined herein as they apply to the employer and to drivers. All Company employees who perform safety-sensitive trucking functions shall be subject to the drug and alcohol misuse testing provisions.
3. The following exceptions apply with regard to the Company and their drivers:
 - a. When required to comply with the alcohol and /or controlled substances testing requirements of 49 CFR Parts 653 and 654 of the Federal Transit Administration regulations; or
 - b. When granted a full waiver from the requirements of the commercial driver license program; or
 - c. When granted an optional State waiver from the requirements of part 383 of this subchapter; or
 - d. When foreign domiciled operations, with respect to any driver whose place of reporting for duty (home terminal) for commercial motor vehicle transportation services is located outside the territory of the United States.

C, Policy.**ALCOHOL PROHIBITIONS**

1. **Prohibited Alcohol** - The presence in the body, possession, use, distribution, dispensing, and/or unlawful manufacture of alcohol or alcoholic products is not condoned while conducting Company business, or while in work areas or Company vehicles on or off Company premises. No employee will work under the influence of alcohol. It will be against the Company policy for any supervisor/manager that has actual knowledge of a driver using a controlled substance or alcohol to permit the driver to perform or continue to perform safety-sensitive functions.
2. **Drivers Subject to Alcohol Testing Covered Under This Plan** - Company drivers and contract drivers under contract for 90 days or more in any period of 365 days, who perform safety sensitive trucking functions covered under 49 CFR Parts 382 and 383, and who meet the definition of "Driver" in D.6. of this section.
3. **Alcohol Prohibitions.**
 - (a) No driver shall be on duty, as defined in 395.2, if the driver uses alcohol.
 - (b) No driver shall be on duty, as defined in 395.2, if the driver tests positive for use of alcohol.
 - (c) A person who tests positive for the use of alcohol is medically unqualified to operate a commercial motor vehicle and will be not be permitted to perform covered functions and may be subject to disciplinary action up to and including termination.
 - (d) A person who refuses to be tested under the plan provisions shall not be permitted to operate a commercial motor vehicle. Such refusal shall be treated as a positive alcohol test and subject the driver to the restrictions contained in paragraph (c) above.
 - (e) No employee will consume alcohol (4) four hours prior to performing safety sensitive functions.
 - (f) It is against Company policy for a driver to consume alcohol within eight (8) hours after an accident that requires a drug alcohol test.
 - (g) It is against policy to allow any driver that has a Breath-Alcohol Content (BrAC) of .02 -.039 grams per 210 liters of breath to operate any vehicle. An employee with a BrAC of .02-.039 must be removed from duty for one shift or 24 hours. Upon return to work the employee must have a BrAC below .02.
 - (h) An employee with a BrAC of .04 grams per 210 liters of breath will be considered to be in violation of this policy and the Department of Transportation rules, and will be subject to disciplinary action. An employee with a BrAC of .04 or higher will be considered to be disqualified from driving.

Drug/Alcohol Misuse Prevention Plan herein sets forth the requirements of 49 CFR Parts 382 and 40. Those areas of the plan that appear in bold and underlined print reflect this company's independent authority to require additional provisions with regard to the alcohol testing procedures.

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