

Client Services Update



April 2005

THE ROAD TO SAFETY AND COMPLIANCE

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Training



Forklift Training

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Reminder for
Testing Clients
**PLEASE FAX ANY
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AT 508 831 7611**

Fleet Safety Services, Inc.
18 John Street Place
Worcester, MA 01609
www.fleet-safety.com
Phone: 508-791-1971
800-215-2490
Fax: 508-831-7611

Have you checked your I-9 Forms Lately?

All employers must verify that employees are either US citizens or are authorized to work in the United States. Verification requires that new employees produce specific documents proving their identity and employment eligibility and that both employee and employer complete the form accurately and completely.

Employers must request each employee to:

- Document his/her identity
- Document his/her eligibility to work

Employers must

- Determine if the documents provided by employees are genuine
- Determine that the document identifies the employee
- Verify that the document is one of the documents accepted by the INS

Do's and Don'ts

DO's

1. ALWAYS present all 3 pages of the I-9 form to employees - include the instruction sheet and "menu" of acceptable documents EVERY TIME you hand out an I-9 form - it is the LAW!
2. Have ALL employees fill out I-9 forms regardless of national origin to only ask certain employees to fill out the I-9 form is illegal (you need one from each employee) and can also be grounds for a discrimination lawsuit.
3. Make sure each employee has filled out an I-9 form on his or her first day of work. (The I-9 form is not part of a job application process - it should be filled out after the individual has been hired)
4. Documentation for the I-9 must be provided by the third day of work. If a document does not appear to be genuine, you may want to contact your local INS office for assistance.
5. PHOTOCOPY all documents provided for your own protection and keep them with the employee's I-9 form.
6. Keep I-9 forms SEPARATE from personnel files and Driver qualification files.

DON'Ts

1. Do not suggest or insist upon specific documents (i.e.: Do not request a license and birth certificate or passport only - - give the employee the instructions and "menu" of acceptable documents and allow him or her to choose which documents will be provided.)
2. Do not try to be an expert. You must only make general good faith determinations on how genuine a document is.
3. Don't Assess the information on an I-9 form as the basis for hiring or firing
4. Don't Reproduce I-9 forms with different size type/fonts or put on employer letterhead
5. Accept photocopies of documents - you must see ORIGINALS

Choosing A Substance Abuse Professional

Bill Bolch, SAP, LADC-I

A Substance Abuse Professional (SAP) plays a pivotal role in a driver's Return to Duty process after testing positive for a controlled substance or alcohol. The job of a SAP is to determine if a driver is able to perform in a safety sensitive position. This is accomplished by a face-to-face evaluation. During this evaluation the entire SAP Process is explained to the

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driver from the failed drug and or breathalyzer test to the return to duty evaluation and post testing.

The driver is identified by a photo id. A clinically accepted assessment test is administered. The SAP then questions the driver to get a complete understanding of the driver's use, abuse, and or dependence. Once this understanding is reached a treatment plan is discussed. The next step is to send a report to the Designated Employer Representative (DER) at the driver's employer. This report will have the treatment referrals on it. After the driver completes his treatment goals he then returns to the SAP for a face-to-face reevaluation. At this point the SAP decides if the driver is able to perform in a safety sensitive position. If so a letter is sent to the DER at his employer. This letter will state proper identifying information, completion of treatment goals, and any further treatment needed (follow-up). Attached to this letter will be the follow up drug and alcohol testing schedule for up to five years. During the first year 6 random tests are DOT mandated. If the driver fails a drug test in the future, but prior to the SAP's required last test, that driver must return to the same SAP to be evaluated.

Substance Abuse Professional: (a) Credentials. You must have one of the following (1) You are a licensed physician (Doctor of Medicine or Osteopathy); (2) You are a licensed or certified social worker; (3) You are a licensed or certified psychologist; (4) You are a licensed or certified employee assistance professional; or (5) You are a drug and alcohol counselor certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission (NAADAC); or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC); or by the National Board for Certified Counselors, Inc. and Affiliates/Master Addictions Counselor (NBCC). (**§40.281(a)**)

b) Basic knowledge. You must be knowledgeable in the following areas:(1) You must be knowledgeable about and have clinical experience in the diagnosis and treatment of alcohol and controlled substances-related disorders. (2) You must be knowledgeable about the SAP function as it relates to employer interests in safety-sensitive duties. (3) You must be knowledgeable about this part, the DOT agency regulations applicable to the employers for whom you evaluate employees, and the DOT SAP Guidelines, and you keep current on any changes to these materials.). (**§40.281(b)**)

(c) Qualification training. You must receive qualification training on the following subjects: (i) Background, rationale, and coverage of the Department's drug and alcohol testing program; (ii) 49 CFR Part 40 and DOT agency drug and alcohol testing rules; (iii) Key DOT drug testing requirements, including collections, laboratory testing, MRO (Medical Review Officer) review, and problems in drug testing; (iv) Key DOT alcohol testing requirements, including the testing process, the role of BATs (Breath Alcohol Technician) and STTs (collectors), and problems in alcohol tests; (v) SAP qualifications and prohibitions; (vi) The role of the SAP in the return-to-duty process, including the initial employee evaluation, referrals for education and/or treatment, the follow-up evaluation, continuing treatment recommendations, and the follow-up testing plan; (vii) SAP consultation and communication with employers, MROs, and treatment providers; (viii) Reporting and record keeping requirements; (ix) Issues that SAPs confront in carrying out their duties under the program.(2) Following your completion of qualification training under paragraph (c)(1) of this section, you must satisfactorily complete an examination administered by a nationally-recognized professional or training organization. The examination must comprehensively cover all the elements of qualification training listed in paragraph (c)(1) of this section. If you become a SAP on or after January 1, 2004, you must meet the qualification-training requirement before you begin to perform SAP functions. (**§40.281(c)**)

(d) Continuing education. During each three-year period from the date on which you satisfactorily complete the examination under paragraph (c)(2) of this section, you must complete continuing education consisting of at least 12 professional development hours (e.g., CEUs) relevant to performing SAP functions. (**§40.281(d)**)