

Appendix D: Record Keeping

A. General

The University of Wisconsin-Madison will maintain records of its alcohol misuse and controlled substances use prevention programs as provided in 49 CFR, Section 382.401. The records will be maintained in a secure location with controlled access.

B. Period of Retention

Records shall be maintained in accordance with the following schedule:

1. Five years. The following records shall be maintained for a minimum of five years:
 - a. Records of driver alcohol test results with results indicating an alcohol concentration of 0.02 or greater,
 - b. Records of driver verified positive controlled substances test results,
 - c. Documentation of refusals to take required alcohol and/or controlled substances tests,
 - d. Calibration documentation,
 - e. Driver evaluation and referrals, and
 - f. A copy of each annual calendar year summary required by s. 382.403.
2. Two years. Records related to the alcohol and controlled substances collection process (except calibration of evidential breath testing devices) and training will be maintained for a minimum of two years.
3. One year. Records of negative and canceled controlled substances test results and alcohol test results with a concentration of less than 0.02 will be maintained for a minimum of one year.

C. Types of records

The following specific records shall be maintained.

1. Records related to the collection process:
 - a. Collection logbooks, if used;
 - b. Documents relating to the random selection process;
 - c. Calibration documentation for evidential breath testing devices;
 - d. Documentation of breath alcohol technician training;

- e. Documents generated in connection with decisions to administer reasonable suspicion alcohol or controlled substances tests;
 - f. Documents generated in connection with decisions on post-accident tests;
 - g. Documents verifying existence of a medical explanation of the inability of a driver to provide adequate breath or to provide a urine specimen for testing; and
 - h. Consolidated annual calendar year summaries as required by s. 382.403.
2. Records related to an employee's test results:
- a. The employer's copy of the alcohol test form, including the results of the test;
 - b. The employer's copy of the controlled substances test chain of custody and control form;
 - c. Documents sent by the medical review officer to the employer;
 - d. Documents related to the refusal of any driver to submit to an alcohol or controlled substances test required by this part; and
 - e. Documents presented by a driver to dispute the result of an alcohol or controlled substances test administered under this part.
3. Records related to other violations of this part.
4. Records related to evaluations:
- a. Records pertaining to a determination by a substance abuse professional concerning a driver's need for assistance; and
 - b. Records concerning a driver's compliance with recommendations of the substance abuse professional.
5. Records related to education and training:
- a. Materials on alcohol misuse and controlled substance use awareness, including a copy of the employer's policy on alcohol misuse and controlled substance use;
 - b. Documentation of compliance with the requirements of s. 382.601, including the driver's signed receipt of education materials;
 - c. Documentation of training provided to supervisors for the purpose of qualifying the supervisors to make a determination concerning the need for alcohol and/or controlled substances testing based on reasonable suspicion; and
 - d. Certification that any training conducted under this part complies with the requirements for such training.

6. Records related to drug testing:

- a. Agreements with collection site facilities, laboratories, medical review officers, and consortia;
- b. Names and positions of officials and their role in the employer's alcohol and controlled substances testing program(s);
- c. Quarterly laboratory statistical summaries of urinalysis required by s. 40.29(g)(6); and
- d. The University of Wisconsin-Madison's drug testing policy and procedures.

D. Location of records

1. Contracted testing services. When alcohol and/or controlled substance testing is performed by a testing laboratory on a contractual basis, the laboratory will retain required records on the collection process such as, but not limited to, collection logbooks (if used), calibration documentation for evidential breath testing devices, and documentation of breath technician training. If the testing laboratory also provides the randomized list, they shall retain records on the random selection process.
2. Employer Records. All records that the University is required to retain will be maintained at the Classified Personnel Office. The records will be made available for inspection at the Classified Personnel Office within two business days after a request has been made by an authorized representative of the Federal Highway Administration.