

# I. General

This document provides information on the University of Wisconsin-Madison Alcohol and Controlled Substances Testing Policy. This policy was established in compliance with the federal Omnibus Transportation Employee Testing Act (OTETA) of 1991 and Federal Highway Administration (FHWA) regulations (49 CFR, Part 382) which require employers to test employees with a commercial drivers license (CDL) for the use of alcohol and controlled substances. This policy was adopted March 1, 1995.

## A. Background

On October 28, 1991, President Bush signed the Omnibus Transportation Employee Testing Act (OTETA) (The Act) of 1991 as part of the 1992 Department of Transportation and Related Agencies Appropriations Act. In compliance with the requirements of the Omnibus Act, the Federal Highway Administration (FHWA) adopted regulations (49 CFR, Part 382), requiring employers to test employees with a commercial driver's license (CDL's) for the use of alcohol and controlled substances. The purposes of the Act is to deter misuse of alcohol and controlled substances by drivers of commercial motor vehicles.

## B. Overview of Policy

In order to minimize the impact of the misuse of alcohol or drugs and to implement the Federal requirements, the University of Wisconsin-Madison is adopting and implementing this policy on testing of employees required to have a commercial drivers license. This policy is intended to be consistent and in compliance with the U.S. Department of Transportation Federal Highway Administration's drug and alcohol testing rules, regulations and procedures contained in Title 49 CFR, Part 382.

This document is intended to provide a general overview of the federal law and its application to employees at the University of Wisconsin-Madison. It includes a definition of commonly used terms and identifies prohibited conduct, the testing requirements, testing procedures, and consequences for covered employees. Several appendices provide more detailed information for managers, supervisors and unit personnel representatives with responsibilities for administering the policy.

Nothing herein shall preclude the University of Wisconsin-Madison from establishing rules, regulations, policies and/or procedures in addition to those required by The Act so long as they do not conflict with the requirements of the Act. The University of Wisconsin-Madison has work rules which prohibit the possession or use of alcohol and controlled substances at the work site. This policy supplements existing University of Wisconsin work rules.