A WorkSAFE Service, Inc.

an Energetix Holdings company

FREE RESOURCE
FOR HR & SAFETY PROFESSIONALS

POLICY SELF-REVIEW WORKBOOK

The Drug & Alcohol Testing Readiness Guide

Review your workplace testing policy against the 15 elements we look for in every policy we write — with self-assessment questions, examples of strong language, and the red flags we see most often.

15 essential elements **5 high-risk areas** **DOT vs. non-DOT** **Readiness worksheet**

COMPANY

REVIEWED BY

POLICY NAME / EFFECTIVE DATE

REVIEW DATE

GETTING STARTED

How to use this guide

A clear, consistently applied policy is the foundation of a defensible testing program. We recommend working through this guide with your current policy open beside it. For each element, check off the questions you can confidently answer "yes," compare your language to our examples, and note any red flags. Then record your results on the Readiness Worksheet on page 9.

Every policy should answer five fundamental questions

1. Who is subject to testing?
2. What behavior is prohibited?
3. When and how will testing occur?
4. What happens when someone violates the policy?
5. How will employees' rights be protected?

The 15 elements that follow expand these questions into a best-practice framework for non-DOT policies, with added considerations for DOT-regulated employees. Not every element is legally required for every employer, but together they form a strong foundation.

What you'll find for each element

What it covers
A plain-language explanation of what the policy should address.

Ask yourself
Self-assessment questions to check against your current policy.

Strong policy language
What well-written language for this element accomplishes.

Red flags
Common gaps and risky provisions we see in policy reviews.

Built for three situations

Updating an existing policy after a change in law, operations, or workforce.

Questioning whether your current policy is adequate or defensible.

Developing a new policy from scratch.

Important: A policy can appear complete and still contain unlawful provisions. This guide provides general compliance information, not legal advice. Final policy language should be checked against your jurisdiction, workforce, regulatory obligations, and collective bargaining requirements.

Free policy consultation: book online · 503-391-9363 · drugtesting@aworksafeservice.com

Purpose, coverage & prohibited conduct

01 Purpose and objectives

Explains why the organization maintains a testing program, emphasizing employee safety, operational readiness, and a substance-free workplace.

- ☐ Does the policy state why the program exists, in plain language?
- ☐ Does the stated purpose match how the program is actually run?

STRONG POLICY LANGUAGE
Ties testing directly to safety and a substance-free workplace in a few clear sentences.

RED FLAGS
Boilerplate copied from another company, or a purpose that reads as punitive rather than safety-driven.

02 Who is covered

Identifies which applicants, employees, departments, job classifications, and safety-sensitive positions are covered, including contractors or temporary workers where applicable.

- ☐ Are covered positions listed by job class, not just "all employees"?
- ☐ Are applicants, contractors, and temporary workers addressed?

STRONG POLICY LANGUAGE
Lists covered groups by job title or class and states which testing rules apply to each.

RED FLAGS
"All employees" with no safety-sensitive designation; contractors and temps left unaddressed.

03 Prohibited conduct

Clearly defines prohibited use, possession, distribution, impairment, and alcohol consumption during working hours or on company property.

- ☐ Is each prohibited behavior defined separately, not lumped into one sentence?
- ☐ Does it cover company vehicles, job sites, breaks, and on-call time?

STRONG POLICY LANGUAGE
Defines each prohibited act and states exactly where and when the rule applies.

RED FLAGS
"Under the influence" left undefined; silence on off-site work or company vehicles.

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Testing circumstances, substances & methods

04 When testing occurs

Identifies every testing circumstance the employer uses: pre-employment, random, reasonable suspicion, post-accident, return-to-duty, and follow-up.

- ☐ Is every testing type you actually use listed — and none you don't?
- ☐ If you test randomly, are the selection method and testing pool described?

STRONG POLICY LANGUAGE
Lists each test type alongside the specific circumstances that trigger it.

RED FLAGS
Test types used in practice but missing from the policy; random selection described only as "periodic."

05 Substances being tested

Identifies the drugs or drug classes included in the program and whether alcohol testing is conducted.

- ☐ Are the drug classes named, and do they match what you actually order?
- ☐ Is alcohol testing addressed, including the prohibited concentration?

STRONG POLICY LANGUAGE
Names drug classes and the alcohol threshold while leaving room to update the panel.

RED FLAGS
The panel in the policy doesn't match the lab order; alcohol isn't mentioned at all.

06 Testing methods and procedures

Describes permitted specimen types, collection procedures, laboratory analysis, confirmation testing, and safeguards for accuracy.

- ☐ Are specimen types specified (urine, oral fluid, hair, breath)?
- ☐ Are chain of custody and laboratory confirmation of positives described?

STRONG POLICY LANGUAGE
Commits to certified labs, chain-of-custody procedures, and confirmation of non-negative screens.

RED FLAGS
Acting on unconfirmed instant-test results; specimen types never stated.

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Suspicion, accidents & medications

07 Reasonable suspicion procedures

Defines observable indicators, documentation requirements, supervisory responsibilities, employee removal procedures, and transportation arrangements.

- ☐ Would a supervisor know who documents, who authorizes, and what happens next?
- ☐ Is there a plan to safely remove and transport the employee?

STRONG POLICY LANGUAGE
Gives supervisors a step-by-step process and a standard observation checklist.

RED FLAGS
Decisions made without documentation; employees allowed to drive themselves to the collection site.

08 Post-accident testing criteria

Explains which incidents may trigger testing, who is subject to testing, applicable timing, and the procedures following an incident.

- ☐ Are triggers based on defined incident criteria rather than every injury report?
- ☐ Are testing time windows stated for both drugs and alcohol?

STRONG POLICY LANGUAGE
Defines incident thresholds and timing windows, and who decides whether a test is warranted.

RED FLAGS
Automatic testing after every injury report — a potential OSHA retaliation issue.

09 Prescription medications and cannabis

Addresses lawful medication use, fitness for duty, applicable cannabis protections, and the process for evaluating potential safety concerns.

- ☐ Does the cannabis language reflect current law in every state where you operate?
- ☐ Is there a fitness-for-duty process for medications that may affect safety?

STRONG POLICY LANGUAGE
Separates lawful use from on-duty impairment and sets out a fitness-for-duty review.

RED FLAGS
Blanket zero-tolerance cannabis language in states with employee protections; requiring disclosure of all prescriptions.

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Refusals, results & consequences

10 Refusal to test

Explains what constitutes refusal — failure to appear, failure to cooperate, specimen tampering, and other defined circumstances, as legally applicable.

- ☐ Are specific refusal behaviors listed (no-show, leaving early, adulteration)?
- ☐ Is the consequence of a refusal stated clearly?

STRONG POLICY LANGUAGE
Defines refusal behaviors precisely so every case is handled the same way.

RED FLAGS
Refusal never defined; no-shows and insufficient specimens handled case by case.

11 Review of test results

Describes the Medical Review Officer (MRO) role, confirmation of results, the employee's opportunity to provide a legitimate explanation, and any retest or challenge procedures.

- ☐ Are results verified by an MRO before the employer acts on them?
- ☐ Can employees explain a result or request a split-specimen retest?

STRONG POLICY LANGUAGE
Routes every non-negative result through an MRO before it reaches the employer.

RED FLAGS
The employer receives raw lab results directly; no chance for the employee to explain.

12 Consequences of violations

Explains disciplinary outcomes and any removal-from-duty, rehabilitation, return-to-duty, or last-chance procedures.

- ☐ Is it clear when removal from safety-sensitive work is mandatory?
- ☐ Is it clear who decides, and whether return-to-duty is possible?

STRONG POLICY LANGUAGE
Separates mandatory removal from discretionary discipline and names the decision-maker.

RED FLAGS
Promises of automatic termination — or automatic reinstatement — regardless of circumstances.

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Privacy, support & administration

13 Confidentiality and records

Identifies who can access results, how information is secured, applicable retention practices, and permitted disclosures.

- ☐ Is access to results limited to named roles on a need-to-know basis?
- ☐ Are records kept separate from personnel files, with retention periods defined?

STRONG POLICY LANGUAGE
Names who sees results and explains how records are stored, secured, and retained.

RED FLAGS
Results filed in personnel files or shared with supervisors by email.

14 Employee assistance and support

Explains available EAP resources, voluntary requests for assistance, treatment referrals, and applicable accommodation considerations.

- ☐ Can employees ask for help voluntarily, and is it clear how?
- ☐ Are EAP contact details and accommodation steps current?

STRONG POLICY LANGUAGE
Encourages self-referral before a problem becomes a violation, and explains how to do it.

RED FLAGS
No EAP information; a voluntary request for help treated the same as a positive test.

15 Administration, communication, and training

Designates the program administrator and covers supervisor training, employee notification and acknowledgment, and responsibility for maintaining the policy.

- ☐ Is a program administrator named, and do supervisors receive training?
- ☐ Does every employee sign an acknowledgment, and is the policy reviewed on a schedule?

STRONG POLICY LANGUAGE
Names an owner, a training schedule, signed acknowledgments, and a regular review cycle.

RED FLAGS
No acknowledgments on file; policy not revisited after changes in law.

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FOR SAFETY-SENSITIVE EMPLOYERS

Five areas we recommend a closer look

Ambiguity in these areas leads to inconsistent decisions, avoidable disputes, or employees continuing to perform hazardous duties.

1 **Define safety-sensitive positions — don't just use the term**

Identify which roles carry heightened risk and why. Calling a role safety-sensitive doesn't make it DOT-regulated or exempt it from state employment protections.

2 **Make reasonable suspicion procedures actionable**

"Employees may be tested for suspected impairment" isn't enough. Spell out observations, documentation, authorization, safe removal, and refusals.

3 **Establish clear post-accident triggers**

Base testing on legal requirements and whether substance use could reasonably have contributed. OSHA prohibits using testing to retaliate against injury reporting.

4 **Separate a positive result from actual impairment**

A positive test doesn't necessarily prove on-the-job impairment — especially with cannabis and prescribed medications. Distinguish results, observed behavior, and the employment decision.

5 **Define consequences without unintended commitments**

State when removal is mandatory, when discipline may occur, and who decides. Avoid promising automatic termination or reinstatement.

Have DOT-regulated employees?

For DOT-covered employees, the applicable agency regulation and 49 CFR Part 40 set mandatory requirements — for example, FMCSA written-policy requirements under 49 CFR § 382.601 and FTA policy requirements under 49 CFR § 655.15. If you have both DOT and non-DOT employees, we recommend:

- ☐ Separate policies, or clearly distinct sections, for each program
- ☐ Never blending DOT forms, specimens, testing authority, or required consequences with non-DOT testing
- ☐ Checking state and local law, bargaining agreements, disability protections, and industry rules

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YOUR RESULTS

Readiness worksheet

Mark one status per element. **Complete** = clearly defined and current. **Partial** = mentioned but vague or outdated. **Missing** = not addressed. Flag any red flags you recognized.

#	Element	Complete	Partial	Missing	Red flag
01	Purpose and objectives	☐	☐	☐	☐
02	Who is covered	☐	☐	☐	☐
03	Prohibited conduct	☐	☐	☐	☐
04	When testing occurs	☐	☐	☐	☐
05	Substances being tested	☐	☐	☐	☐
06	Testing methods and procedures	☐	☐	☐	☐
07	Reasonable suspicion procedures	☐	☐	☐	☐
08	Post-accident testing criteria	☐	☐	☐	☐
09	Prescription medications and cannabis	☐	☐	☐	☐
10	Refusal to test	☐	☐	☐	☐
11	Review of test results	☐	☐	☐	☐
12	Consequences of violations	☐	☐	☐	☐
13	Confidentiality and records	☐	☐	☐	☐
14	Employee assistance and support	☐	☐	☐	☐
15	Administration, communication, and training	☐	☐	☐	☐
	TOTALS				

13–15 Complete
A strong foundation. Confirm the language is still current with your state's laws.

9–12 Complete
Solid but with gaps. Prioritize elements 4, 7, 8, 9, and 12.

8 or fewer
We recommend a full policy review or rewrite.

Regardless of your totals, any element marked Missing or flagged with a red flag is worth addressing before your next test. A complete-looking policy can still contain provisions that create legal risk.

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NEXT STEP

Get your policy ready before it's put to the test.

Whether you found a few gaps or a few dozen, A WorkSAFE Service can help. Our team works with HR and safety professionals every day to build testing programs that are clear, consistent, and defensible.

Policy writing	We draft a custom DOT, non-DOT, or combined policy built around your workforce and the states where you operate.
Policy review	We review your existing policy against all 15 elements and send suggested updates and improvements.
Free consultation	A no-cost conversation about your full testing program and where it can be strengthened.

Schedule your free consultation →

PREFER TO TALK NOW?

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