

RISK SIMPLIFIED

RESOURCES

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[PART 382.401 Retention of Records e-CFR Controlled Substances and Alcohol Use and Testing](#)

QUESTIONS

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DOT Drug and Alcohol Program Missed Random Selection Tests

by Chandler Wright

All agencies with employees who are subject to the Department of Transportation (DOT) drug and alcohol testing requirements are required to develop and maintain a drug and alcohol testing program. Documentation is key to this program running successfully. There may be times when an employee is selected for random testing, as outlined by the written program, but before the test can occur, that the employee becomes unavailable for testing (extended leave of absence, long-term illness, etc.). If the employee is unable to be tested during the selection period, the reason must be thoroughly documented. The documentation must clearly explain why the randomly selected employee is not able to be tested during that selection period.

If a selected employee becomes unavailable for testing within the selection period, either an alternate name should be randomly selected from the testing pool, or plans should be put in place to add an additional random selection to the following selection period. This ensures that the employer or consortium is able to meet its required testing rates. A written policy should be put in place at your agency that specifies what actions will be taken in the event of a missed test.

Consortium/Third Party Administrators

If your agency participates in a Consortium or uses a Third Party Administrator (TPA), an agreed upon procedure should be in place with the Consortium/TPA (C/TPA) that clearly outlines what steps will be taken in the event of a missed test. If at any time an employee is unable to be tested for any reason, this should be immediately communicated with the C/TPA. Once the C/TPA is notified, they will be able to follow the procedure that was previously outlined regarding missed drug or alcohol tests.

Random Program Pool Management

The random program pool is a list of drivers that are subject to the DOT drug and alcohol testing requirements. All random testing selections should be made from this random program pool. It is essential that this list of drivers is kept up to date at all times, but especially before a new round of drivers are randomly selected for testing. Keeping an accurate list will help to prevent the issue of a driver being selected for testing, when he or she is no longer subject to the DOT drug and alcohol testing requirements. Updates to this list should include:

- Adding all new employees/drivers that are subject to the DOT drug and alcohol testing requirements for their respective industries.
- Removing any driver that has left the agency.
- Removing drivers that no longer perform safety sensitive functions, and thus are no longer subject to this testing. This includes those drivers on extended leave (for the duration of their leave).
- All information associated with each employee in the list should be kept up to date.

If you have any additional questions, please reach out to [Risk Control](#) staff.