

Rocky Mountain College Aviation Drug and Alcohol Misuse Prevention Program

INTRODUCTION

Rocky Mountain College (RMC) is committed to providing a safe work environment and flight operation, and to promoting and protecting the health, safety and well-being of its employees and students. While the Director of Flight Operations, aircraft mechanics and beginning flight students may be separated by thousands of hours of aircraft experience, they are all identical in one respect: Each must report to Flight Operations without any limitations due to the use or after-effects of any alcohol or drugs, illicit or prescribed.

The improper use of drugs or alcohol by individuals in a position to service, maintain or operate RMC aircraft poses a grave risk. The risk of injury, death and property damage endangers Rocky employees and students, and extends to those on the ground in the city of Billings and elsewhere. Therefore, the RMC Aviation Program, consistent with the aviation industry's zero-tolerance environment and Montana's Workforce Drug and Alcohol Testing Act, has established the following program for existing and future employees and flight students.

EFFECTIVE DATE

Testing may be implemented 60 days from the date of this policy or the date the employee or student signs the Drug Program Awareness and Acceptance Agreement (DPAAA), whichever occurs last. RMC Aviation will obtain a signed DPAAA from each employee and flight student to confirm the employee or student has received a written description of the RMC Drug and Alcohol Testing Policy. RMC will retain the signed forms in a secure manner at Flight Operations. A copy of RMC's Drug and Alcohol Misuse Prevention Program is available for review from the Director of Aviation or Director of Flight Operations.

COVERED INDIVIDUALS

Individuals covered by this program include all Flight Operations employees and flight students, persons authorized to service, maintain, dispatch or operate RMC aircraft, and RMC Aviation managers and supervisors. Aeronautical Science majors are governed by this program from enrollment until graduation. Aviation Management majors are governed by this program during the time they conduct, or intend to conduct, flight operations.

EDUCATION AND PREVENTION

RMC recognizes the fact that a certain percentage of any population may develop chemical dependence. Dependency is characterized most notably by denial of the disease by those who suffer from it. Each semester this program will provide information about the dangers associated with drug and alcohol misuse. In addition to education, which is the strongest tool against substance abuse, this program also contains deterrence and detection functions by screening covered individuals for traces of prohibited substances.

Prior to being selected for any drug screening event (Random or Post-Accident/Incident), an employee or student may remove himself or herself from safety sensitive duties, notify a supervisor, and submit to evaluation or treatment for a suspected drug or alcohol problem. Voluntarily seeking assistance in dealing with a substance dependency or emerging alcohol or drug problem will be treated with respect, and will not be accompanied by the threat of employment termination or dismissal from the flight program. It bears repeating that admitting a problem and seeking treatment must occur prior to one's name being selected for any drug screening event. The cost of any evaluations and treatment programs, though they may be requested by RMC Aviation, are the responsibility of the individual seeking treatment. Reinstatement to work or flight status is subject to the conditions listed below and approval by the Aviation Review Board.

RETURN TO WORK OR FLIGHT STATUS

Any employee or flight student removed from work or flight status for admitting to drug and/or alcohol misuse - voluntarily and prior to his or her name being selected for any drug screening event - must apply for reinstatement with the Aviation Review Board (defined in the RMC Aviation Program SOP). The application must include the following:

- a. Letter requesting a return to work or flight status.
- b. Letter of evaluation by a Substance Abuse Professional.
- c. Letter(s) confirming compliance with any recommendation(s) and/or treatment program(s).
- d. Re-issuance of an FAA medical certificate, verified by documentation from the FAA's Aeromedical Certification Division (required for flight status only).
- e. Documentation of a return to work/flight drug test with a negative result.

PROHIBITED SUBSTANCES

Rocky Mountain College Aviation explicitly prohibits:

1. The use, possession, solicitation for, or sale of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription while on or using RMC property, conducting RMC business, or otherwise representing RMC.
2. Being impaired or under the influence of legal or illegal drugs or alcohol away from RMC premises, if such impairment or influence adversely affects the employee's or student's work or flight performance, the safety of the employee, student or others, or puts at risk RMC's reputation.
3. The presence of any detectable amount of prohibited substances in an employee or student's system while on or using RMC property, conducting RMC business, or otherwise representing RMC. "Prohibited Substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee or student.

TESTING OVERVIEW

If an employee or flight student has been selected for a Random or Incident/Accident drug or alcohol screen, he or she will be notified by one of the following individuals:

- Director of Aviation
- Director of Flight Operations
- Chief Flight Instructor
- Assistant Chief Flight Instructor
- Person designated by the Director of Aviation or Director of Flight Operations

Once selected and notified, the employee or flight student will be sent to the Billings Clinic Occupational Health Center and required to provide a urine and/or breath sample for testing. Samples will be collected and processed in accordance with 49 CFR Part 40, including split specimen provisions, chain of custody, mass-spectrometry technology confirmation of positive results, and the involvement of a Medical Review Officer (MRO).

The Medical Review Officer is a physician knowledgeable in the medical use of prescription drugs, as well as pharmacology and toxicology. It is important to note that a positive test does not automatically identify an employee or flight student as an illegal drug user. The MRO will assess the screening result and determine whether an alternate medical explanation could account for the positive test.

TYPE OF TESTING

Rocky Mountain College Aviation may conduct drug and alcohol testing under the following circumstances:

1. Random:

Testing will occur in two established semi-annual calendar periods:

- A. January – June
- B. July – December

The random process will utilize a scientifically valid selection method, and select at a rate of no greater than 35% within each period. Random selection for drug screening does not remove one from the random pool, making it possible that an individual could be selected more than once within a period listed above.

2. Post Accident and Incident:

RMC will require an employee or student to be tested for controlled substances or alcohol if there is reason to believe that the individual's act, or failure to act, is the direct or proximate cause of a work/flight-related accident or incident or damage to property in excess of \$1500. Tests must be conducted as soon as practical after an accident/incident; within two hours following the accident/incident for alcohol and within 32 hours after the accident/incident for controlled substances.

TESTING LEVELS

The testing levels and controlled substances to be tested are as follows:

Marijuana	150 ng/ml
Amphetamines	1000 ng/ml
Opiates	2000 ng/ml
Cocaine	300 ng/ml
PCP	25 ng/ml
BAC	.04 percent

REFUSAL TO TEST

When selected for drug or alcohol testing, the employee or student will comply with all directives of RMC, including the time, place and manner of drug screening. Refusal to provide a urine or breath sample, or failure to comply with any testing directive, will result in a covered employee being subject to termination and a student being subject to dismissal from the Aeronautical Science major and, for all majors, prohibited from flying RMC aircraft.

COLLECTION SITE

Billings Clinic Occupational Health Center
1020 N. 27th, Suite 301
Billings, Montana 59102
406-247-6221

If the collection site changes, students and employees will be notified prior to any test.

DISCIPLINE

Any employee or student who possesses, distributes, sells, attempts to sell, or transfers illegal drugs while on or using RMC property, conducting RMC business, or otherwise representing RMC, will be discharged (employee is terminated from employment; student is dismissed from the Aeronautical Science major and prohibited from flying RMC aircraft). The unlawful manufacture, distribution, possession, or use of a controlled substance may result in misdemeanor or felony charges under state and federal law and may result in fines or imprisonment.

Any employee or student who is discovered through drug or alcohol testing to have in his or her body a detectable amount of an illegal drug or alcohol will be discharged (employee is terminated from employment; student is dismissed from the Aeronautical Science major and prohibited from flying RMC aircraft).

It is important to note that this is a zero-tolerance program, sometimes referred to as a “One strike, you’re out” policy.

COST AND RESPONSIBILITY

The cost of random and post-accident/incident testing is the responsibility of RMC. The additional test of a split sample will be paid for by RMC if the results are negative, and the covered individual shall pay for the additional tests if the additional tests are positive. As previously noted, costs associated with dependency evaluations and treatment programs, although they may be requested by RMC Aviation, are the responsibility of the individual.

The responsibility of reporting a positive drug test, illegal drug use, or convictions to the FAA through the airman's medical certificate application is the responsibility of the individual.

Employees and flight students must notify the Director of Aviation or Director of Flight Operations immediately upon receipt of a prescription to use medical marijuana.

CONFIDENTIALITY

All information relating to the drug and alcohol testing or the identification of persons as users of drugs and alcohol will be protected by RMC as confidential unless otherwise required by law, overriding public health and safety concerns, or authorized in writing by the persons in question.

All information, interviews, reports, statements, memoranda, and test results are confidential communications that may not be disclosed to anyone except:

- a. the tested employee or student
- b. the designated representative of Rocky Mountain College
- c. in connection with any legal or administrative claim arising out of Rocky Mountain College's implementation of the provisions of post accident or incident testing as described on page 3 or this document

Information obtained through testing that is unrelated to the use of a controlled substance or alcohol will be held in strict confidentiality by the Medical Review Officer and may not be released to RMC.

APPEAL PROCESS

An employee or student whose drug or alcohol test report is positive will be offered the opportunity of a meeting with the Aviation Review Board and a Human Resources Department official to offer an explanation. The purpose of the meeting will be to determine if there is any reason that the positive finding could have resulted from some other cause than drug or alcohol use. The Aviation Review Board and Human Resources official will judge whether an offered explanation merits further inquiry.

Further, an employee or student will be offered the opportunity to:

1. Obtain an independent test, at his or her expense, utilizing the remaining portion of the urine specimen that yielded the positive result.
2. Obtain the written positive test result and submit it for independent medical review at his or her expense.

During the period of an appeal and any resulting inquiries, the employment or flight status of an employee or student may be suspended. An employee who is suspended pending appeal will be

permitted to use any available annual leave in order to remain in an active pay status. If the employee has no annual leave or chooses not to use it, the suspension will be without pay.

If the employee or flight student presents a reasonable explanation or medical opinion indicating that the positive test results were not caused by illegal use of controlled substances or by alcohol consumption, no adverse action may be taken by RMC and the test results will be removed from the employee or student's record and destroyed.

MEDICAL REVIEW OFFICER (MRO) RESOURCE

Dr. Scott Ross
Billings Clinic, Occupational Health
1020 N. 27th Suite 301
Billings, Montana 59102
406-247-6221

EMPLOYEE / STUDENT ASSISTANCE RESOURCE

Cynthia Hutchinson
Counselor, Rocky Mountain College
1511 Poly Drive
Billings, Montana 59102
406-657-1049