

New FTA Drug Rule Interpretation Gets Employees Back to Work Sooner

(Jan. 19) The MTA's 6,000 "safety-sensitive" employees still must abide by the agency's tough drug and alcohol rules, but a new interpretation of federal regulations will allow employees returning from long-term leaves to go back to work sooner.

**Read the MTA's
Drug and Alcohol
Policy, HR 4-2.
Information:
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Based on an earlier interpretation of an FTA rule on pre-employment drug testing, the MTA had required safety-sensitive employees returning from a leave of 30 days or more to pass a drug test before resuming work. That interpretation has now been reversed.

Safety-sensitive employees

This change, says Jessica Gil, the MTA's drug and alcohol coordinator, means that safety-sensitive employees returning from long-term leave can return to work as soon as they receive their doctor's clearance and pass the MTA return-to-work medical examination.

The process also includes a drug test, but unless the result is positive, the employee can stay on the job. If it is positive, the employee must be re-tested and can't return to work until he or she is cleared.

"Long-term leaves are usually for illness," says Gil. "The concern is that medication an employee was taking while he or she was away might still be in the system and cause impairment to the employee upon return to work. Or, worse yet, the employee might have picked up a bad habit while away from the workplace."

Policy for many years

She noted that the MTA has enforced a drug and alcohol policy and has required testing of employees for many years.

Safety-sensitive employees are those who operate revenue vehicles either on the road or in an operating division yard, anyone who maintains revenue vehicles or equipment used in revenue service. The rule covers employees who control the movement of revenue vehicles, carry firearms or who hold a California commercial license to drive, for example, a vault truck or wrecker.

"The change in FTA rule interpretation is good news," says Gil. "The earlier one created an administrative nightmare and cost the agency money keeping employees out of service until the result of the drug test was known."

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