

Drug and Alcohol Testing – FTA Records Retention

According to 49 CFR Parts 655 and 40, each as amended, the following minimum record retention schedule shall be maintained by **Transit Provider**. Additional records should be kept to thoroughly document the decision-making process.

Record Retention Schedule

Record	Retention Period (Years)
<ul style="list-style-type: none">• Verified positive drug tests results• Alcohol test results 0.02 BAC or greater• Refusals to tests• Adulterations• Substitutions• Referrals to SAP• SAP reports• Follow-up tests and schedules• Documentation of employee disputes• Employee evaluation and referrals• Annual MIS reports	5
<ul style="list-style-type: none">• Previous DOT employer record request documentation, such as:<ul style="list-style-type: none">○ Records of previous positive drug and alcohol tests (0.02 BAC or above), test refusals, other violations○ Employee return-to-duty documentation○ Records showing good-faith-effort to obtain records from previous employers, including consent forms	3
<ul style="list-style-type: none">• Education and training records• Records related to the collection process• Random selection lists; post-accident testing; decision forms; reasonable suspicion determination forms; MRO documents• Records of the inspection, maintenance, and calibration of EBTs	2
<ul style="list-style-type: none">• Verified negative drug test results• Employer copy of the CCF• Test results from MRO• Cancelled drug and alcohol test results• Negative alcohol tests records (below 0.02 BAC)	1

Type of Records

The following specific records will be maintained:

1. Records related to general policies and procedures:
 - a. Current policy statement listing effective date and the approval by the governing authority of **Transit Provider**.
 - b. Employee and new hire policy receipt acknowledgements.
 - c. Previous policy statements listing effective dates and the corresponding approvals by the highest ranking official.
2. Records related to employee training:
 - a. Training materials on drug use awareness and alcohol misuse, including a copy of **Transit Provider's** policy on prohibited drug use and alcohol misuse.
 - b. Names of covered employees attending training on prohibited drug use and alcohol misuse and the dates and times of such training.
 - c. Documentation of training provided to supervisors for the purpose of qualifying the supervisors to make a determination concerning the need for drug and alcohol testing based on reasonable suspicion.
 - d. Certification that any training conducted complies with the requirements for such training.
3. Records related to the collection process:
 - a. Collection logbooks, if used.
 - b. Documents relating to the random selection process.
 - c. Documents generated in connection with decisions:
 - i. To administer reasonable suspicion drug or alcohol tests
 - ii. On post-accident drug and alcohol testing
 - d. **Medical Review Officer (MRO)** documents verifying existence of medical explanation of the inability of a covered employee to provide an adequate sample.
4. Records related to test results:
 - a. **Transit Provider's** copy of the CCF.
 - b. Documents related to the refusal of any covered employee to submit to a required test.
 - c. Documents presented by a covered employee to dispute the result of a test.
5. Records related to referral and return to duty and follow-up testing:
 - a. Records concerning a covered employee's entry into, and completion of the treatment program recommended by the **Substance Abuse Professional (SAP)**.
6. Records related to the employers Management Information Systems (MIS) annual testing data.
7. Records related to credentials documenting that each service agent (i.e., **MRO**, **SAP**, Certified Labs, etc.) meets the minimum basic knowledge, qualifications training, certification/examination, error-correction training, and refresher training.
 - a. If the service agents maintain these records, the employer should perform and keep documents of periodic spot checks to ensure that the minimum requirements are met.