**Drug and Alcohol Testing Vendor Checklist Loss Bulletin**

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Cities and Towns are authorized to perform drug and alcohol testing on their employees under the Oklahoma Standards for Workplace Drug and Alcohol Testing Act. There is also authority under the federal law to perform testing on certain groups of employees such as commercial driver’s license holders and natural gas utility employees. In order to drug test employees, cities and towns must have a policy approved by the governing body that authorizes the testing of employees. Once the policy is in place, the next step is choosing an appropriate vendor to provide the drug and alcohol testing services.

In order to perform drug testing on employees, the city/town must use an authorized and certified vendor for the collection and testing of samples from employees. In order to determine the best vendor for the services, there are certain things that should be specified in a contract such as the following:

1. What are their processes generally from collection to testing to reporting?
2. MRO services.  Must specify who this is and whether this is a part of the contract.  Qualifications listed?
3. Collection staff – Are they certified under DOT?
4. HIPPA Compliance – Business Associate Agreement
5. General compliance with laws, ordinances and regulations of federal, state and local entities
6. Random test list generation – Who does this?
7. Random test process – DOT separate from non-DOT?
8. Testing procedures – Drug and Alcohol specified?
9. 5-Panel drug screens?  What are they testing for? What’s in your policy?
10. Are they doing all types of testing?  Post-offer, random, reasonable suspicion, post-accident, follow-up
11. Storage of samples?  Split Samples and process specified for obtaining those?

OMAG has a sample drug testing policy on its website’s Human Resources page. Please contact OMAG if you need additional information or guidance concerning this topic. The information provided in this bulletin is not intended to be legal advice. Specific facts and circumstances unique to your town or city should be discussed with your City Attorney for legal guidance.