

#	Question	Regulation
STAN	DARD COLLECTION WITH NEGATIVE RESULT	
1.	Did the technician complete a standard collection with no incorrect or missed steps?	
2.	Photo identification required?	Section 40.241(c) states: "Require the employee to provide positive identification. You must see a photo ID issued by the employer (other than in the case of an owner-operator or other self-employer individual) or a Federal, state, or local government (e.g., a driver's license). You may not accept faxes or photocopies of identification. Positive identification by an employer representative (not a co-worker or another employee being tested) is also acceptable. If the employee cannot produce positive identification, you must contact a DER to verify the identity of the employee."
3.	Was consent or release - giving the collection site or its personnel indemnification - required for testing to be performed?	Section 40.355(a) states: "As a service agent, you are subject to the following limitations concerning your activities in the DOT drug and alcohol testing program. (a) You must not require an employee to sign a consent, release, waiver of liability, or indemnification agreement with respect to any part of the drug or alcohol testing process covered by this part (including, but not limited to, collections, laboratory testing, MRO, and SAP services). No one may do so on behalf of a service agent."
4.	Was the alcohol test performed first?	Section 40.241(1) states: "If the employee is also going to take a DOT drug test, you must, to the greatest extent practicable, ensure that the alcohol test is completed before the urine collection process begins."
5.	Did the STT explain the testing procedure to the employee and/or show the employee the instructions on the back of the ATF?	Section 40.241(e) states: "Explain the testing procedure to the employee, including showing the employee the instructions on the back of the ATF."
6.	Did the STT use the breath alcohol testing form prescribed in Part 40?	Section 40.225(a) states: "The DOT Alcohol Testing Form (ATF) must be used for every DOT alcohol test. The ATF must be a three-part carbonless manifold form. The ATF is found in Appendix G to this part. You may view this form on the ODAPC web site (http://www.transportation.gov/odapc)."
7.	Did the STT complete Step 1 on the Breath Alcohol Testing Form?	Section 40.241(f) states: The STT shall complete Step 1 on the Alcohol Testing Form.
8.	Did the STT then ask the employee to complete Step 2 on the form, signing the certification?	Section 40.241(g) states: Direct the employee to complete Step 2 on the ATF and sign the certification. If the employee refuses to sign this certification, you must document this refusal on the "Remarks" line of the ATF and immediately notify the DER. This is a refusal to test.

#	Question	Regulation
9.	Did the STT check the expiration date on the device and show it to the employee?	Section 40.245(a) states: "(a) As the STT or BAT, you must take the following steps when using the saliva ASD: (1) Check the expiration date on the device or on the package containing the device and show it to the employee. You may not use the device after its expiration date."
10.	Did the STT open an individually wrapped or sealed package containing the device in the presence of the employee?	Section 40. 245(a)(2) states: "Open an individually wrapped or sealed package containing the device in the presence of the employee."
11.	Did the STT offer the employee the opportunity to use the device?	Section 40. 245(a)(3) states: "Offer the employee the opportunity to use the device. If the employee uses it, you must instruct the employee to insert it into his or her mouth and use it in a manner described by the device's manufacturer."
12.	Did the STT note the fact that a saliva test was used in Step 3 of the ATF?	Section 40.245(a)(10) "You must note the fact that you used a saliva ASD in Step 3 of the ATF."
INSTR	UCT THE STT TO COMPLETE THE TEST AS IF THE RESULT WAS 0. 02 OR GREATER	R
13.	Did the STT inform the employee of the need for confirmation testing, and then sign and date Step 3 of the ATF?	Section 40. 247(b) states: "If the test result is an alcohol concentration of 0.02 or higher, as the BAT or STT, you must direct the employee to take a confirmation test. (1) If you are the BAT who will conduct the confirmation test, you must then conduct the test using the procedures beginning at §40.251 . (2) If you are not the BAT who will conduct the confirmation test, direct the employee to take a confirmation test, sign and date Step 3 of the ATF, and give the employee Copy 2 of the ATF."
14.	Did the STT advise the employee not to eat, drink, belch, or put anything (e. g. , cigarette, chewing gum) into his or her mouth?	Section 40. 247(b)(3)(i) states: "Advise the employee not to eat, drink, put anything (e.g., cigarette, chewing gum) into his or her mouth, or belch"
15.	Did the STT note on the "Remarks" line of the ATF that the waiting period instructions were provided?	Section 40. 247(b)(3)(v) states: "Note on the "Remarks" line of the ATF that the waiting period instructions were provided"
16.	Did the STT then distribute the three parts of the form as provided? Was Copy 1 (white) transmitted to the employer? Was Copy 2 (green) provided to the employee? Was Copy 3 (blue) retained by the STT?	

#	Question	Regulation
17.	Were all necessary equipment, personnel, and materials for breath testing provided at the location where testing is conducted?	Section 40.221 states: "(a) A DOT alcohol test must take place at an alcohol testing site meeting the requirements of this section. (b) If you are operating an alcohol testing site, you must ensure that it meets the security requirements of §40.223. (c) If you are operating an alcohol testing site, you must ensure that it provides visual and aural privacy to the employee being tested, sufficient to prevent unauthorized persons from seeing or hearing test results. (d) If you are operating an alcohol testing site, you must ensure that it has all needed personnel, materials, equipment, and facilities to provide for the collection and analysis of breath and/or saliva samples, and a suitable clean surface for writing. (e) If an alcohol testing site fully meeting all the visual and aural privacy requirements of paragraph (c) is not readily available, this part allows a reasonable suspicion or post-accident test to be conducted at a site that partially meets these requirements. In this case, the site must afford visual and aural privacy to the employee to the greatest extent practicable. (f) An alcohol testing site can be in a medical facility, a mobile facility (e.g., a van), a dedicated collection facility, or any other location meeting the requirements of this section.
18.	Did the STT conduct alcohol testing in a location that affords visual and aural privacy to the individual being tested, sufficient to prevent unauthorized persons from seeing or hearing test results?	Section 40.221(c) states: "If you are operating an alcohol testing site, you must ensure that it provides visual and aural privacy to the employee being tested, sufficient to prevent unauthorized persons from seeing or hearing test results.: Section 40.223 (a) states: "If you are a BAT, STT, or other person operating an alcohol testing site, you must prevent unauthorized personnel from entering the testing site. (1) The only people you are to treat as authorized persons are employees being tested, BATs, STTs, and other alcohol testing site workers, DERs, employee representatives authorized by the employer (e.g., on the basis of employer policy or labor-management agreement), and DOT agency representatives."
19.	Did the auditor observe that the STT did not leave the alcohol testing location while the testing procedure for a given employee was in progress?	Section 40. 223(e)(3) states: "You are not allowed to leave the alcohol testing site while the testing process for a given employee is in progress, except to notify a supervisor or contact a DER for assistance in the case an employee or other person who obstructs, interferes with, or unnecessarily delays the testing process."
WE NO	NE NOW HAVE SOME QUESTIONS ABOUT TESTING.	

#	Question	Regulation
20.	How does the employee get to the confirmation-testing site?	Section 40.247(b)(3)(vii) states: "Ensure that you or another BAT, STT, or employer representative observe the employee as he or she is transported to the confirmation testing site. You must direct the employee not to attempt to drive a motor vehicle to the confirmation testing site."
21.	If the result of the screening test is negative, what parts of the ATF are completed?	Section 40.247(a) states: "If the test result is an alcohol concentration of less than 0.02, as the BAT or STT, you must do the following: (1) Sign and date Step 3 of the ATF."
22.	If the employee is unconscious or dead, would you conduct a post accident test with the ATS?	FTA regulations do not provide authority for testing unless the individual is able to give consent.
23.	Can a confirmation test be conducted using a swab?	Section 40. 231(a) states: "EBTs on ODAPC's Web page for "Approved Evidential Breath Measurement Devices" that meet the requirements of paragraph (b) of this section are the only devices you may use to conduct alcohol confirmation tests under this part."
24.	What is done if the swab is accidentally dropped on the floor before test results are read?	Section 40.245(a)(6)(i) states: "If you were unable to successfully follow the procedures of paragraphs (a)(3) through (a)(5) of this section (e.g., the device breaks, you drop the device on the floor), you must discard the device and conduct a new test using a new device."
25.	If the test is being repeated because the first swab was dropped on the floor before the reading was taken, is a notation made of why a second test is being conducted?	Section 40.245(a)(6)(iii) states: "You must note on the "Remarks" line of the ATF the reason for the new test. (Note: You may continue using the same ATF with which you began the test.)"
26.	What happens when an employee is unable to provide a sufficient amount of saliva for an alcohol-screening test?	Section 40.263(a) states: "(a) As the STT, you must take the following steps if an employee is unable to provide sufficient saliva to complete a test on a saliva screening device (e.g., the employee does not provide sufficient saliva to activate the device). (1) You must conduct a new screening test using a new screening device."
27.	If the screening test is invalid, what do you tell the employee?	Section 40. 247(c) states: "(c) If the screening test is invalid, you must, as the BAT or STT, tell the employee the test is cancelled and note the problem on the "Remarks" line of the ATF. If practicable, repeat the testing process (see §40.271)."
28.	If the employee refuses to sign step 2, is that a refused test?	Section 40. 261(a)(6) states: "(a) As an employee, you are considered to have refused to take an alcohol test if you Fail to sign the certification at Step 2 of the ATF (see §§40.241(g) and 40.251(d)).
29.	What is done if the employee terminates testing because of a refusal to provide a saliva sample?	There are three procedures (a) Record the event in the remarks section of the form; (b) Terminate the testing process; and (c) Immediately notify the employer. (Section 40. 265(b)(1))

#	Question	Regulation
30.	Do you have a current copy of 49 CFR Part 40, the DOT testing regulation?	Section 40. 11 states: "(a) As an employer, you are responsible for meeting all applicable requirements and procedures of this part. (b) You are responsible for all actions of your officials, representatives, and agents (including service agents) in carrying out the requirements of the DOT agency regulations. (c) All agreements and arrangements, written or unwritten, between and among employers and service agents concerning the implementation of DOT drug and alcohol testing requirements are deemed, as a matter of law, to require compliance with all applicable provisions of this part and DOT agency drug and alcohol testing regulations. Compliance with these provisions is a material term of all such agreements and arrangements. Section 40. 33 states: "To be permitted to act as a collector in the DOT drug testing program, you must meet each of the requirements of this section: (a) Basic information. You must be knowledgeable about this part, the current "DOT Urine Specimen Collection Procedures Guidelines," and DOT agency regulations applicable to the employers for whom you perform collections. DOT agency regulations, the DOT Urine Specimen Collection Procedures Guidelines, and other materials are available from ODAPC (Department of Transportation, 1200 New Jersey Avenue SE., Washington DC, 20590, 202-366-3784, or on the ODAPC Web site (https://www.transportation.gov/odapc). You must keep current on any changes to these materials. You must subscribe to the ODAPC list-serve at: https://www.transportation.gov/odapc/get-odapc-email-updates.
31.	To whom at the employer do you communicate alcohol screening results?	Section 40.255(5) states: "Immediately transmit the result directly to the DER in a confidential manner. (i) You may transmit the results using Copy 1 of the ATF, in person, by telephone, or by electronic means. In any case, you must immediately notify the DER of any result of 0.02 or greater by any means (e.g., telephone or secure fax machine) that ensures the result is immediately received by the DER. You must not transmit these results through C/TPAs or other service agents."
	AVE SOME QUESTIONS FOR THE PERSON WHO COMMUNICATES POSITIVE RES	ULTS, AND THE PERSON RESPONSIBLE FOR OVERSIGHT OF THE TESTING
32.	QUALIFICATIONS OF THE STT: Were the proper STT training and qualification documents maintained at the testing site?	

# Question	Regulation
33. May I see documentation showing that all Saliva Test Technicians currently meet DOT proficiency requirements?	Section 40.213 states: "To be permitted to act as a BAT or STT in the DOT alcohol testing program, you must meet each of the requirements of this section: (a) You must be knowledgeable about the alcohol testing procedures in this part and the current DOT guidance. Procedures and guidance are available from ODAPC (Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, 202-366-3784, or on the ODAPC Web site, http://www.transportation.gov/odapc). You must keep current on any changes to these materials. You must subscribe to the ODAPC list-serve at (https://www.transportation.gov/odapc/get-odapc-email-updates). (b) Qualification training. You must receive qualification training meeting the requirements of this paragraph (b). (c) Initial Proficiency Demonstration. Following your completion of qualification training under paragraph (b) of this section, you must demonstrate proficiency in alcohol testing under this part by completing seven consecutive error-free mock tests (BATs) or five consecutive error-free tests (STTs). (d) You must meet the requirements of paragraphs (b) and (c) of this section before you begin to perform STT or BAT functions. (e) Refresher training. No less frequently than every five years from the date on which you satisfactorily complete the requirements of paragraphs (b) and (c) of this section, you must complete refresher training that meets all the requirements of paragraphs (b) and (c) of this section, you must complete refresher training that meets all the requirements of paragraphs (b) and (c) of this section, you must complete refresher training that meets all the requirements of paragraphs (b) and (c) of this section training. If you make a mistake in the alcohol testing process that causes a test to be cancelled (i.e., a fatal or uncorrected flaw), you must undergo error correction training. This training must occur within 30 days of the date you are notified of the error that led to the need for retraining. (g) Documentation. You must maintain documentation s

#	Question	Regulation	
34.	What problems, if left uncorrected, will cause an alcohol test to be cancelled?	Section 40.269 states: "As a BAT or STT, or employer, you must cancel an alcohol test if any of the following problems occur, unless they are corrected. These are "correctable flaws." These problems are: (a) The BAT or STT does not sign the ATF (see §§40.247(a)(1) and 40.255(a)(1)). (b) The BAT or STT fails to note on the "Remarks" line of the ATF that the employee has not signed the ATF after the result is obtained (see §40.255(a)(3)). (c) The BAT or STT uses a non-DOT form for the test (see §40.225(a))."	
35.	What would you do if an employee failed to arrive for a scheduled appointment?	Section 40.241 (a) states: "As the BAT or STT you will take the following steps to begin all alcohol screening tests, regardless of the type of testing device you are using: (a) When a specific time for an employee's test has been scheduled, or the collection site is at the employee's worksite, and the employee does not appear at the collection site at the scheduled time, contact the DER to determine the appropriate interval within which the DER has determined the employee is authorized to arrive. If the employee's arrival is delayed beyond that time, you must notify the DER that the employee has not reported for testing. In a situation where a C/TPA has notified an owner/operator or other individual employee to report for testing and the employee does not appear, the C/TPA must notify the employee that he or she has refused to test." Section 40.191 states: "(a) As an employee, you have refused to take a drug test if you: (1) Fail to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with applicable DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee (including an owner-operator) to appear for a test when called by a C/TPA (see §40.61(a))"	
36.	Was the Saliva Test Technician prepared for the audit team, and did the vendor cooperate with the audit team and facilitate the audit process,		
	including producing the required records?		
THAT V	HAT WAS THE FINAL QUESTION. THANK YOU FOR YOUR TIME AND INPUT.		