

ORDINANCE NO. 002-120

AN ORDINANCE REVISING THE CTA'S
POLICY REGARDING PROHIBITED DRUG
USE AND ALCOHOL MISUSE FOR ITS
SAFETY-SENSITIVE EMPLOYEES

WHEREAS, Under the Drug-Free Workplace Act of 1988, the U.S. Congress required recipients of federal funds to take certain steps to provide a drug-free workplace for their employees; and

WHEREAS, Under the Omnibus Transportation Employee Testing Act of 1991, the U.S. Congress directed the Federal Transit Administration ("FTA") to issue regulations on drug and alcohol testing for mass transit workers in safety-sensitive positions; and

WHEREAS, In response, FTA published two sets of regulations prohibiting drug use and alcohol misuse by transit employees in safety-sensitive positions and required transit agencies to test for prohibited drug use and alcohol misuse; and

WHEREAS, These regulations are found at 49 CFR part 655, "Prevention of Prohibited Drug Use and Alcohol Misuse in Transit Operations;" and

WHEREAS, In addition to the FTA's regulations, the Department of Transportation (DOT) issued 49 CFR part 40, "Procedures for Transportation Workplace Drug and Alcohol Testing Programs," which prescribes the testing methods to be followed; and

WHEREAS, The FTA regulations require that CTA develop and adopt a written policy regarding prohibited drug use and alcohol misuse of its safety-sensitive employees; and

WHEREAS, The Chicago Transit Board passed Ordinance No. 94-155 adopting a policy regarding prohibited drug use and alcohol misuse for the Chicago Transit Authority's safety-sensitive employees; and

WHEREAS, The FTA has recently revised its regulations, making it necessary for CTA to revise its written policy; and

WHEREAS, The Authority's policy should reflect the FTA's revised regulations; now, therefore:

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BE IT ORDAINED BY THE CHICAGO TRANSIT BOARD
OF THE CHICAGO TRANSIT AUTHORITY:

SECTION 1. The Chicago Transit Board affirms the FTA's and DOT's revised regulations regarding drug use and alcohol misuse of safety-sensitive employees as set forth above.

SECTION 2. The Chicago Transit Board hereby adopts the revised written policy regarding drug use and alcohol misuse of safety-sensitive employees. Said policy is contained in the "Chicago Transit Authority Drug and Alcohol Policy and Testing Program," and is attached hereto as Exhibit "A" and incorporated herein by reference. All other sections of Ordinance 94-155 not inconsistent herewith shall remain in force and effect.

APPROVED:

PASSED:

Chairman

Assistant Secretary

August 7, 2002

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