



How We Help with DOT and Non-DOT Substance Abuse Referrals

When employees who work in safety-sensitive positions violate DOT guidelines, and when employees violate non-DOT company drug and alcohol policies, we can help.

The process is mostly the same: (1) the employee is evaluated and assessed face-to-face by an expert on drug and alcohol issues, (2) a report is sent to the employer outlining the recommendation for treatment and/or education, (3) the employee completes whatever drug and alcohol program and/or education program is recommended, (4) a face-to-face follow-up evaluation is held where the employee shows compliance with the recommendations, (5) a report is sent to the employer that employs has complied (or not complied) with the recommendations. The employer schedules a return-to-duty drug/alcohol test when the employee has made enough progress or has completed the recommendations, and if the employer believes significant progress has been made, they may choose to return the employee to their position.

It is important that the employee start the process as quickly as possible as the return to safety-sensitive duties (for DOT violations) is not permitted until the process has been completed. For non-DOT violations the employer may have consequences for delaying the process.

Here are some of the differences between a DOT SAP referral and a non-DOT referral:

DOT SAP Cases	Non-DOT Cases
Employee has violated a DOT federal regulation.	Employee has violated a company policy.
No release is necessary to talk with DER or MRO.	Releases are necessary.
Employee is required to complete either education or treatment.	Employees are recommended they complete either education or treatment. Employer may require completing the recommendations.
Up to 5 years of testing will be required.	Testing may be recommended and it is up to the company whether they follow through with this.
Employee and employer can't seek a second opinion from another DOT-SAP.	Company may overturn the recommendations but usually don't for safety reasons and risk management.
If an employee doesn't follow recommendations, they can't work in any safety-sensitive position.	If an employee doesn't follow recommendations, it's up to the company what happens.
Employee is seen by a DOT-qualified "SAP" or Substance Abuse Professional, under the auspices of DOT with many regulations that guide and protect their work.	Employee is seen by a qualified, licensed or certified professional under the auspices of their licensure or certification and the EAP. They may also be a DOT-qualified SAP but are not functioning as one.

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