



County Technical Assistance Service

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Drug and Alcohol Testing Policies

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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Drug and Alcohol Testing Policies

Reference Number: CTAS-1102

Under T.C.A. § 5-23-104, the county's personnel policies are required to contain "for any employees who are required by law to be tested, policies and procedures for drug and/or alcohol testing."

Before doing anything on this topic, one question should be answered: Are any employees required to have a commercial driver's license (CDL) to perform their duties? If the answer is no, you are not required to test any of your employees and no policy is required under this act.^[1]

If the answer is yes, then you are required under federal law to have a testing program in place already for your CDL drivers. These policies must be carefully drafted to comply with the state and federal constitutions, as well as the federal law and regulations. It is strongly recommended that counties hire experts in this field to handle the testing program and to assist them in preparing these policies.

[Sample Request for Proposals \(RFP\) to solicit bids for a Drug Testing Program](#)

[1] If you do have a drug testing program in place for any of your employees who are not required to have a CDL, please review [Governmental Employee Drug Testing-The Constitutional Issues](#).

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