

POSITION DUTY STATEMENT

PM-0924 (REV 7/2014)

CLASSIFICATION TITLE Staff Service Manager II	OFFICE/BRANCH/SECTION Office Driver Certification and Substance Testing
WORKING TITLE Chief, Office Driver Certification and Substance Testing	POSITION NUMBER EFFECTIVE DATE 01/01/2016

As a valued member of the Caltrans team, you make it possible for the Department to provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability. Caltrans is a performance-driven, transparent, and accountable organization that values its people, resources and partners, and meets new challenges through leadership, innovation and teamwork.

GENERAL STATEMENT:

Under the general direction of the Assistant Division Chief of the Division of Safety and Management Services, a Staff Services Manager III, the incumbent manages the Caltrans drug-testing and Employer Pull Notice (EPN) programs in all respects, including determining how to implement state and federal drug testing regulations, Caltrans drug-free work place policies, MOU provisions, and Department of Motor Vehicles (DMV) EPN database management requirements. The manager determines operational drug testing policy whenever issues arise that are not clearly addressed in state or federal regulations, statute law or case law so that the Caltrans drug and alcohol testing program meets all legal requirements while also enabling Caltrans to conduct its primary business with as little interference as possible. The program includes writing and issuing adverse actions for failing drug tests or failure to maintain a required driver license, negotiating settlement agreements, and representing Caltrans at adverse action hearings. The manager also ensures the statewide consistency of adverse actions stemming from loss of required license or failed/ refused drug and alcohol tests. This position also supports the the management and implementation of the Department's statewide progressive discipline program, ensuring adherence to the highest legal and ethical standards. The SSM II also prepares the sensitive and complex personnel actions. This is a working supervisory position.

TYPICAL DUTIES:

Percentage	Essential (E)/Marginal (M) ¹	Job Description
35%	E	Manage the Caltrans drug testing program, including establishing, updating, promulgating, and enforcing policies in response to changing state and federal regulations, negotiated MOUs with unions, and case law as well as responding to new methods advertised on the Internet for persons to use to avoid failing drug tests. The manager also assures that all aspects of legal requirements regarding drug and alcohol testing are met and fully satisfied. Assure that the Driver Certification and Substance Testing program meets all state and federal record keeping and reporting requirements, especially concerning confidentiality of drug testing and other records. Consult with staff of other state agencies to help them start or operate their own drug and alcohol testing programs to ensure statewide consistency as much as possible so that the drug testing policies and practices of other departments do not undermine the Caltrans program.
35%	E	Review request for discipline and drafted actions for the Office of Discipline Services to ensure that the program and actions meet all legal and ethical standards and requirements. Ensures proper documentation to support charges in Adverse Actions, Rejections on Probation, AWOL Separations, and non-punitive demotions/terminations. Ensures that actions meet all legal pleading requirements, are properly served, and employees' rights to due process are protected.
15%	E	Ensure that the EPN program is coordinated effectively, including the accurate and timely distribution of Pull Notices statewide; technical support and troubleshooting for managers and supervisors when driver license problems occur; current and comprehensive EPN program policies and procedures; and an appropriate level of adverse actions for employees who lose a required driver license.
10%	E	Oversee the work of subordinate staff in the Office of Driver Certification and Substance Testing to ensure proper drug and alcohol testing through a service contract including amending the contract as needed, authorizing payments to the contractor, and assuring the contractor administers drug and alcohol testing correctly. This responsibility also includes assuring the proper ordering of random, pre-employment, follow-up, reasonable suspicion, and post accident drug and alcohol test according to federal regulations.

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5% E Assure that any employee who fails a required drug or alcohol test or loses a required driver license receive appropriate adverse action within required time lines. Oversee staff who ensure that stipulated settlements/ agreements requiring participation in drug and/or alcohol treatment and follow-up testing are executed faithfully through a case manager.

¹ESSENTIAL FUNCTIONS are the core duties of the position that cannot be reassigned.
MARGINAL FUNCTIONS are the minor tasks of the position that can be assigned to others.

SUPERVISION OR GUIDANCE EXERCISED OVER OTHERS

The manager directly supervises two Staff Services Manager I's and one office support staff. In addition, the manager provides statewide, functional guidance to Division Chiefs, District Directors, Maintenance Region Managers and field supervisors on how to operate the Caltrans Drug-free Workplace and EPN Programs.

KNOWLEDGE, ABILITIES, AND ANALYTICAL REQUIREMENTS

The manager must have a working knowledge of state and federal drug and alcohol testing laws, regulations, and case law, particularly those pertaining to commercial vehicle drivers promulgated by the Federal Highway Administration. The manager must have a working knowledge of the DMV's requirements for Driver Pull Notices. The manager must have a working knowledge of the state and federal drug-free workplace acts, the Governor's executive orders covering workplace drugs and alcohol, and the changing body of "popular advice" on the internet purporting to tell persons how to avoid testing positive to drugs. The manager must have a comprehensive knowledge of how drug and alcohol testing programs actually operate within the industry. The manager must also be able to work with other managers whose employees are subject to drug and alcohol testing and be able to negotiate settlements of disputes with them as well as with unions representing employees.

RESPONSIBILITY FOR DECISIONS AND CONSEQUENCES OF ERROR

The manager must independently determine what is required in a legally sufficient drug and alcohol testing program and design and administer an effective, efficient program while working with and instructing managers and first line field supervisors who will implement the program. Incorrect decisions during program implementation and administration and during union negotiations over the impact of the program on its members will jeopardize adverse actions, subject the department to significant legal liability for conducting improper or unlawful drug and alcohol test, and expose the traveling public to known drug and alcohol abusers who are returned to work because of mistakes in program administration.

Errors in judgment related to adverse actions, such as the penalties imposed and any settlement agreements related to those actions, could result in costly back pay, poor relationships with executive staff, managers, supervisors, and the unions. Poor decisions and recommendations could result in the loss of credibility with the State Personnel Board and Department of Personnel Administration.

The incumbent is responsible for complying with the Information Practices Act (IPA) by protecting departmental employees' confidential information, including, but not limited to, medical or employment history, education, financial transactions, or similar information. Failure to protect departmental employees' confidential information may damage the Division of Safety and Management Services (DSMS) reputation as a confidential organization, may result in employee grievances or lawsuits, and, pursuant to California Civil Code section 1798.55, could result in disciplinary action, including termination of employment.

PUBLIC AND INTERNAL CONTACTS

The manager meets or converses regularly with manager from DPA, other state departments, and the Federal Department of Transportation and its Federal Highway Administration. The manager continually meets with contractors to resolve service contract issues regarding the actual conduct of drug and alcohol tests and continually advise manager and supervisors on drug and alcohol related issues.

PHYSICAL, MENTAL, AND EMOTIONAL REQUIREMENTS

The manager must be able to sit for many hours per day at a desk and computer work station and do research on the Internet. The manager must be able to read detailed and voluminous federal regulations, service contracts, state regulations, laws, and proposed legislation and analyze these documents for their impact on the operation of the drug and alcohol programs of Caltrans. After identifying the impact, the manager must be able to organize and motivate staff to assure that written office procedures are analyzed and changed to meet new requirements imposed and actually are implemented into work routines. The manager must be strong enough in personality and self-confidence to apply legal, MOU, and regulatory requirements even-handedly to all situations in which they apply even in face of opposition by managers, union representatives, and employees. The manager must possess sufficient emotional strength to withstand

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threat of lawsuit and actual lawsuit against the department as well as against the manager personally. The manager must be strong enough to argue forcefully for the even-handed application of all program requirements in the face of vocal and animated opposition or vigorous argument for a different application of the requirements and not hold resentment against the adversary afterwards. The manager must be able to present the Departments' case to attorneys who represent the Department and not be swayed by desires to accommodate the attorneys' wishes to settle cases to avoid difficult arguments. The manager must be able to testify under oath in administrative law hearing as well as before the court and in depositions when being aggressively questioned by opposing counsel.

WORK ENVIRONMENT

The work normally occurs in an office setting with adequate air conditioning. Occasionally, the manager must travel to other cities, some remote, to participate in administrative law hearings and court hearings.

I have read, understand and can perform the duties listed above. (If you believe you may require reasonable accommodation, please discuss this with your hiring supervisor. If you are unsure whether you require reasonable accommodation, inform the hiring supervisor who will discuss your concerns with the Reasonable Accommodation Coordinator.)

EMPLOYEE (Print)

EMPLOYEE (Signature)

DATE

I have discussed the duties with, and provided a copy of this duty statement to the employee named above.

SUPERVISOR (Print)

SUPERVISOR (Signature)

DATE