

**Wisconsin NECA/IBEW
Drug-Free Alliance**

**DRUG/ALCOHOL
POLICY AND
PROGRAM**

**ADMINISTRATIVE GUIDE
Local 890**

Provided by:

Dickinson Occupational Clinic

1-866-415-2323

The Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program Administrative Guide was developed to assist employers with the implementation and daily administration of the Drug and Alcohol Program. The guide is designed to provide reasonable accurate information in regard to the subject matter covered. In the event of a conflict between the Administrative Guide and the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program. The language within the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program shall have precedence.

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**The
Wisconsin NECA/IBEW Local 890 Drug-Free Alliance
Drug and Alcohol Policy and Program**

Is an agreement between the

International Brotherhood of Electrical Workers Local 890

And

National Electrical Contractor Association - Wisconsin Chapter

Table of Contents

1. Introduction
2. Wisconsin Electrical Workers Drug-Free Alliance Drug and Alcohol Policy and Program
3. Confidentiality
4. Roles and Responsibilities
 - Employer
 - Third Party Administrator
 - Role of the Medical Review Officer
 - Employee
 - Union
5. Type of Drug Test
 - Pre-Placement (New Hire)
 - Random
 - Post Accident
 - Reasonable Suspicion
 - Return to Duty
 - Follow-up
6. Drug and Alcohol Testing Procedures
 - Pre- Placement (New Hire)
 - Random
 - Post Accident
 - Reasonable Suspicion
 - Previous Drug Test Results
7. Drug and Alcohol Collection Process
 - Drug and Alcohol Collection Sites
 - Drug Screen Collection Protocols
 - Alcohol Testing Protocols
8. Rules for Random Testing
 - Implementation
 - Questions and Answers

9. Data Base Management

Accessing the Data Base

Phone System

Fax Response

Internet Access

Data Base Authorization

Out-of-State Contractors

10. Management of Test Results

Negative Test Result

Positive Test Result

Refusal to Test

Previous Drug Test

11. Reasonable Suspicion Intervention

Signs and Symptoms of Drug Abuse

Confronting an Individual

Reasonable Suspicion Check List

Reference Material

12. Employee Assistance Program

13. Drug Testing Issues

Frequently Asked Questions

Adulteration

14. Sample Company Drug and Alcohol Policy

15. Internet Links of Interest

Introduction

October 1, 2007

TO: All members of IBEW Local Union #890
All contractors signatory to the Inside, Residential & VDV Agreement between IBEW Local Union #890 & the Wisconsin Chapter NECA

RE: Wisconsin NECA/IBEW Electrical Workers Drug-Free Alliance

Dear Contractors, Sisters and Brothers:

We are very pleased to announce that the Madison Division of the Wisconsin Chapter, NECA and IBEW Local Union #890 working together on your behalf, have agreed to a Substance Abuse Testing Program. The program, known as the Wisconsin NECA/IBEW Electrical Workers Drug-Free Alliance will conduct implementation testing between January 1, 2008 and December 31, 2009. A summary of the Program, answers to frequently asked questions and a copy of the complete Policy are enclosed. Printed booklets will be available through Local #890 in the near future.

At a time in history when society is striving to be free from the negative impact of drugs, we are responding. We are committed to establishing and maintaining a drug free workplace for every member of IBEW Local #890, the benefits of such a work place are clear. A drug-free workforce not only promotes job safety, but it also acts to reduce the cost of medical insurance and workers' compensation insurance. According to the U.S. government:

- 70% of illegal drug users are employed
- Marijuana users have 85% more on-the-job-injuries
- Cocaine users have a 145% higher rate of absenteeism
- Substance abusers incur 300% more medical costs
- Substance abusers are five times more likely to file workers' compensation claims

By fostering a drug-free workforce, we not only establish a safer job site, but we also give our union contractors a competitive advantage in the bidding process and also enhance our public image as a unionized industry. At the same time, our members enjoy a high standard of living that benefits the well being of their families.

Be assured, our Program has been carefully prepared to comply with applicable State and Federal laws regarding procedures and confidentiality. We believe we have selected the best Third Party Administrator for specimen collection, drug testing and test-related elements of this program, a company that is familiar with IBEW membership, electrical contractors and the construction industry. To help familiarize you with the program, informational meetings will be scheduled in the near future.

Alcohol and other drug dependencies are treatable diseases. Now we believe we have a vehicle in place to get appropriate counseling and rehabilitation assistance to those who have substance abuse problems. We encourage anyone who may be using drugs illegally or abusing alcohol to seek assistance now through the Wisconsin Electrical Employees Benefits Fund (WEEBF).

As mentioned earlier, the program will be implemented over two year period with 50% of the membership testing during the first year and the remaining 50% during the second year. There will also be an additional 10% random testing component spanning the entire two-year period. At the conclusion of the implementation period, 25% of the membership will be tested on an annual basis thereafter. Testing will also take place based on reasonable suspicion or involvement in work related accidents. Employees will be compensated for time required to provide specimens.

Let's seize this opportunity to build our industry image. The fact is that as a Labor-Management team, we will soon be able to announce throughout Northeast Wisconsin that we are a "drug free workforce" improving our ability to provide top quality services completed in a safer environment.

This Program should increase our opportunities to gain market share and provide more work for all of us. We're counting on your support!

Sincerely,

Loyal D. O'Leary, Executive Vice President
Wisconsin Chapter NECA

Leo Sokolik, Business Manager
IBEW Local Union #890

The
**Wisconsin NECA/IBEW Electrical
Drug –Free Alliance
Drug and Alcohol Policy and Program
Substance Abuse Testing Program**

Effective March 1, 2008

Adopted by:
International Brotherhood of Electrical Workers
Local Union #

&

Janesville/Beloit Division
Wisconsin Chapter
National Electrical Contractors Association

SUBSTANCE ABUSE TESTING AND ASSISTANCE PROGRAM
FOR NON-DOT-REGULATED EMPLOYEES

I. Introduction

- A. The Union, NECA and all of its members and other contractors signatory to the Agreement are committed to establishing and maintaining a drug free workplace for every employee covered by the Agreement. They are particularly concerned about alcohol and other drug abuse, since such abuse can have a serious effect on employee productivity and job performance, and may jeopardize the safety of the employee, coworkers and customer personnel.
- B. In addition, the Union, NECA and its members, and other contractors signatory to the Agreement have an obligation to their customers to ensure the provision of high quality services and customer satisfaction. Substance abuse by employees could result in serious mistakes in judgment and thereby compromise both the high quality of services and customers' trust.
- C. Finally, the Union, NECA and its members, and other contractors signatory to the Agreement recognize that alcohol and other-drug dependency is a treatable disease.
- D. The Union, NECA and its members and other contractors signatory to the Agreement consequently have established this Substance Abuse Testing and Assistance Program ("Program") to:
 - (1) Ensure a safe healthful and drug-free workplace for all covered employees and customer personnel;
 - (2) Educate covered employees on the signs, symptoms and consequences of substance abuse;
 - (3) Reduce substance abuse-related injuries and property damage;
 - (4) Reduce substance abuse-related absenteeism and tardiness;
 - (5) Refer covered employees with substance abuse problems to appropriate care and assistance;
 - (6) Deter individuals from bringing, possessing, using, distributing or having in their systems alcohol or other drugs on work time or premises;
 - (7) Improve the image of our industry with our customers;
 - (8) Improve, if not ensure, productivity and service quality; and

Help the Union, NECA and its members, and other contractors signatory to the Agreement, including the Contractor, maintain their position of leadership in the electrical contracting industry.

(9) It is the intent of the Alliance that no part of this policy shall be construed to conflict with any State or Federal, criminal or drug enforcement regulations.

- E. The Union, NECA and its members, and other contractors signatory to the Agreement have committed substantial resources to make this Program effective for every covered employee. **It is designed to offer counseling and rehabilitation assistance to those who have substance abuse problems and an opportunity to seek help, which they are encouraged to do.** Substance abusers who do not take advantage of the help available will be subject to discipline, up to and including discharge, if they violate this Program's terms.
- F. Covered employees who violate this Program will be identified in part by drug testing. Employees will be subjected to such testing upon implementation of this Program and then, thereafter, before hire, based upon reasonable suspicion, after certain work-related incidents, pursuant to random selection, and after their return to work from counseling, rehabilitation or other treatment for substance abuse.

II. Definitions

- A. "Active Status": inclusion in the database of employees who have been subject to and have complied with this Program's terms and who therefore are eligible for placement without a pre-placement test for drugs.
- B. "Agreement": the Collective Bargaining Agreement that presently is in effect between NECA and its members, and other contractors signatory to the Agreement and the Union.
- C. "Contractor: NECA member or signatory contractor who is the employer or prospective employer of the employee or prospective employee.
- D. "Covered employee": every employee who is a member of the Union and working for a contractor who either is a member NECA or is signatory to the Agreement.
- E. "DHHS": United States Department of Health and Human Services.
- F. "DOT": United States Department of Transportation.
- G. "Drugs": narcotics, other controlled substances, synthetic drugs, alcohol, and other mind- or mood-altering products, including prescribed and over-the-counter medications.
- H. "Inactive Status": inclusion in the database of employees who have violated this Program's terms and who therefore are ineligible for hire or placement until they have

met the criteria for reinstatement on Active Status; or temporary inclusion in the database pending either (1) a conclusion by the Medical Review Officer (see definition below) as

to whether the employee's use of a prescription or over-the-counter medication will not make him or her unable to work safely and productively or (2) the Contractor's receipt of the result of an employee's reasonable suspicion or post-incident drug test.

The following are examples (though not an exhaustive list) of conduct that will result in an employee's being placed on Inactive Status:

1. Testing positive on a drug test.
2. Failing to contact the MRO as directed.
3. Failing to report as directed for specimen collection.
4. Using, possessing, concealing, storing, selling, or distributing a drug or being on Contractor time or premises with a drug in one's system in excess of the established threshold level (except under prescription).
5. Refusing to provide a specimen for testing; switching, adulterating, tampering with, or attempting to switch, adulterate or tamper with a specimen for testing; or otherwise interfering or attempting to interfere with the specimen collection and testing processes, which will be treated as insubordination and as a positive test result.
6. Using a drug prescribed for someone else or abusing a prescribed drug.

Covered employees must be in compliance with the program to be considered eligible for referral or continued employment. Employees on inactive status will remain on the Union's referral list but will not be employed until cleared by the MRO to be placed on active status.

- I. "Medical Review Officer" or "MRO": a physician who has knowledge of substance abuse disorders and is able to interpret and to evaluate an individual's positive test result as it relates to the employee's medical history and other biomedical information.
- J. "NECA": National Electrical Contractors Association.
- K. "Possession": custody or control of a drug, including having a drug in one's system in excess of the concentration level prescribed by this Program.
- L. "Premises": all land, property, buildings, structures, installations, parking lots, means of transportation owned by or leased to the Contractor, property of customers on which the Contractor's employees are working, property otherwise being used for Contractor business, and private vehicles parked on Contractor or customer property.
- M. Safety Director": the individual appointed by the Contractor as being responsible for workplace safety, or that individual's designee (whether the individual or the designee has the title of safety director or not).
- N. "Third-Party Administrator": the individual or entity chosen to administer the drug testing and test-related elements of this Program.
- O. "Union": International Brotherhood of Electrical Workers (IBEW) Local #

III. General Provisions

- A. Except as otherwise provided in this Program, the Contractor prohibits the use, possession, concealment, storage, sale or distribution of drugs or drug paraphernalia on its premises or time or at its outside events. Reporting to work under the influence of a drug or having in one's system (even if because of use off Contractor premises and time) any drug in excess of the appropriate concentration level, as established by this Program (see below), also is prohibited.
- B. The use and possession of legally-prescribed drugs is permitted on the Contractor's premises and time provided the drug has been prescribed legally by a licensed medical practitioner for the current use of the person in possession of the drug. Possession of lawfully-acquired over-the-counter drugs also is permitted, but use of any such drug must be consistent with the manufacturer's instructions.
- C. Alcoholic beverages are permitted on Contractor premises and time only when in sealed and unopened containers or when otherwise authorized by the Safety Director.
- D. In order to enforce and to monitor compliance with this Program, the Association has contracted with the Third-Party Administrator, which is responsible for contracting with one or more clinics and testing laboratories certified by DHHS to collect and to test urine, breath, saliva, and blood specimens for the presence of drugs, as explained below. The Contractor also may have testing conducted in accordance with the requirements of applicable law or customer requirements, even if not specifically mentioned in this Program and even if different from the testing provided for in this Program, so long as notice of any such testing is provided to the Union as far in advance of its implementation as is reasonably feasible.

IV. Types of Testing to be Conducted

A. Implementation testing

At or about the time this Program is implemented, all Union employees of all Association members and contractors signatory to this Agreement will be required to take and to pass (that is, test negative on) a test for drugs other than alcohol.

B. Pre-employment / placement testing / traveling craft persons & temporary assignment.

- (1) Any otherwise-qualified job applicant or existing employee will be required to take and to pass (that is, test negative on) a test for drugs other than alcohol as a condition of hire or placement in a job covered by the Collective Bargaining Agreement. However, an applicant or employee who is on Active Status or who can establish to the third party administrator's satisfaction that he or she tested negative for drugs under the terms of this Program or of a similar program applying identical or more stringent terms within the past 12 months (without subsequently having tested positive) will not be required to submit to pre-employment / placement testing as a condition of hire. Such individuals will be placed on active status within the programs data base.

- (2) There may be times when certain jobs require the recruitment of traveling craft persons. It is the position of NECA and the IBEW that all traveling craft persons be subject to both initial and random testing. This provision will also apply to those individuals working under the portability rules. In order to avoid situations wherein a craft person will be forced to have (1) or (2) uncompensated days while waiting for the results of an initial urine drug screen to be reported, traveling craft persons will be allowed to report to work immediately after providing a urine specimen for testing unless there is reasonable suspicion to believe the individual is currently impaired. The craft person understands and accepts that should his/her urine test positive for any prohibited substance, their employment will be summarily terminated without obligation or further compensation. Such termination shall also be subject to the participants rights under his/her collective bargaining agreement.
- (3) Participants who are called to work assignments that are anticipated to last three (3) days or less are subject to the Wisconsin Electrical Workers Drug Free Alliance Policy, but may be exempt from the drug testing program unless there is reasonable suspicion to believe that the individual is currently impaired. If assignment subsequently exceeds three (3) days, the participant becomes subject to the drug testing program. Participants will be allowed to remain at work after three (3) days if they provide a urine sample for testing. Should the test be reported as positive, the participant shall be subject to discipline up to and including termination by the affiliated contractor, subject to the participants rights under his/her collective bargaining agreement.

C. Reasonable suspicion testing

- (1) Any employee whose supervisor has a reasonable suspicion that the employee is in violation of this Program will be required to undergo a drug and/or alcohol test. A reasonable suspicion is one based upon observable and articulable conduct, appearance or work performance of the employee identified.
- (2) Whenever feasible, an employee required to submit to reasonable suspicion testing will be observed by more than one supervisory or management employee trained to identify signs of possible substance abuse, who will be encouraged to fill out a reasonable Suspicion Checklist. (See attachment.) An employee to be tested based upon reasonable suspicion will be placed on Inactive Status pending the Contractor's receipt of notice of the test result. The employee will have the right to request that a Union Steward or other Union representative be present at the time he or she is directed to provide a specimen(s) for testing based upon reasonable suspicion.

D. Post-incident testing

Any employee involved in a work-related incident resulting in property damage or in injury to any person (including themselves) requiring offsite medical care or medical care provided onsite by an outside provider may be required to undergo a drug and/or alcohol test and may be placed on Inactive Status pending the Contractor's receipt of notice of the test result.

E. Random testing

All employees covered by this Program will be subject to testing for drugs other than alcohol on an unannounced basis pursuant to random selection. Selection of individuals to be tested will be made by the Third-Party Administrator by computer from among a pool of all members covered under the terms of the collective bargaining agreement(s).

F. Post-counseling/rehabilitation testing

An employee who has tested positive and successfully completed counseling, rehabilitation or other treatment under this Program will be required to take and to pass (that is, test negative on) a drug and/or alcohol test before being replaced on Active Status. Any such employee who returns to work thereafter will be subject to unannounced drug testing (in addition to the testing described above) in compliance with the action plan developed with the substance abuse counselor for a period of one year. Individuals to be tested under this Paragraph will be chosen at random by the Third-Party Administrator by computer from among all members covered under the terms of the collective bargaining agreement on Active Status who are within their one-year post-counseling/rehabilitation periods under this Paragraph.

V. Specimen Collection and Testing

A. Cost of Collection and Testing

All cost associated with the Implementation and administration of the program will be funded through the Local Labor Management Cooperation Committee (LMCC) Fund with the exception of lost time as stated in Article VI.

B. Consent and release

Prior to specimen collection, an individual identified for testing under this Program will be required to sign a consent and release form authorizing and agreeing to collection and testing of a specimen, or specimens, of his/her urine, blood, saliva, or breath and communication of the circumstances and results of the specimen collection and testing to and among the individual, the Third-Party Administrator, the clinic, the laboratory, the Contractor's management, the MRO, and the Union. Examples of such forms are attached, though any form chosen by the Third-Party Administrator may be used.

C. Specimen collection

(1) Urine, blood, saliva, or breath specimens will be collected by a clinic(s) selected by the Third-Party Administrator, the clinic(s) will follow chain-of-custody procedures and procedures that protect employee confidentiality and privacy and protect the collected specimen(s) from adulteration, substitution and misidentification. Each employee will provide his or her urine specimen in private, unless clinic personnel have an articulable suspicion that the employee either has adulterated or substituted, or may attempt to adulterate or to substitute, his or her specimen.

(2) If an employee is subject to testing under this Program but is not either able or competent to authorize specimen collection or is in need of prompt medical attention, medical attention will not be delayed or withheld pending collection of a urine, blood, saliva, or breath specimen. However, any such employee must authorize the health care provider treating him or her to conduct such specimen collection as requested by the Contractor and to release to the MRO all reports and records necessary, in the MRO's discretion, to his or her monitoring of the employee's compliance with this Program's terms.

D. Specimen testing

- (1) All urine and blood specimen testing will be conducted by a laboratory certified by DHHS.
- (2) Those drugs to be tested for shall include (or as presently prescribed by DHHS): (See Appendix A.)

Amphetamines
Barbiturates
Benzodiazepines
Cocaine
Marijuana
Methadone
Methaqualone
Opiates
Phencyclidine (PCP)
Propoxyphene
Alcohol

- (3) A “positive” test result is defined, for purposes of this Program, as one reflecting a concentration of a drug at or in excess of the level prescribed by the Policy or, in the case of alcohol, by DOT.
- (4) All initial positive urine and blood test results will be confirmed by a second, more specific testing method called gas chromatography/mass spectrometry.
- (5) Testing for alcohol content will be by blood analysis, saliva screening or breathalyzer. An initial positive test result will be confirmed by either blood analysis or evidential grade breath alcohol units.

E. Specimen retesting at employee request

Any employee blood- or urine-tested under this Program who questions the accuracy of a positive test result may submit a written request for a retest of the same sample to the MRO within five (5) working days of the employee's receipt of notice of the result. A portion of the original specimen will have been preserved for such testing, which will be conducted at the employee's own expense either by the same laboratory or a different DHHS-certified laboratory of the employee's choice consistent with the procedures and standards prescribed by DHHS.

VI. Pay for Time Spent in Providing Specimen(s)

Any employee of the Contractor who loses time from work in order to provide a specimen(s) for drug testing will be paid compensation and benefits by their employer for the time lost up to a maximum of one (1) hour. Any employee of the Contractor who is required by the Contractor to provide a specimen(s) for drug test on the employee's own time will be paid a stipend of \$30.00 from the LMCC fund.

VII. Notification of Positive Test

No result of a drug test of an employee will be reported to the Safety Director or Company Contact as positive until the MRO has confirmed that the result reflects a violation of this Program. The MRO will make reasonable attempts to contact any tested employee for information the MRO deems necessary to a determination that the employee's test result was or was not positive. In the event an employee declines the opportunity to discuss the result of a test or to provide information requested by the MRO, or the MRO is unable for two (2) days to reach the employee despite the MRO's reasonable efforts, the MRO will report the result to the Safety Director as positive.

VIII. Reinstatement, Assistance and Discipline

A. Generally

The Contractor will not generally discipline or discharge an employee based exclusively upon a positive test result if the result was the employee's first positive. (an exception may be made if the employee also violated Section II (H) 2,4,5 or 6 contained on page 3 herein) A first positive test result generally will result in a referral of the employee to assistance, subject to the further terms of this Section VIII.

B. After implementation testing

In the event an employee's implementation test result returns positive, the employee will be treated as if he or she tested positive on a reasonable suspicion drug test. (See below.)

C. After pre-employment testing

- (1) In the event the test result of an otherwise-qualified job applicant returns negative, he or she will be provided any work in his or her trade that is available and for which the individual is otherwise qualified and will be made whole for any compensation and benefits he or she would have received had his or her work not been delayed by the test.
- (2) In the event a job applicant's test result returns positive, his or her employment offer will be withdrawn, and the individual will be placed on Inactive Status.

D. After reasonable suspicion testing

(1) In the event an employee's reasonable suspicion test result returns negative while he or she is on inactive status pending the Contractor's receipt of notice of the result, the employee will be immediately placed on Active Status and made whole for any compensation and benefits that he or she would have received had the employee's work not been interrupted by the test and/or placement on Inactive Status. However, if any part of the employee's period of Inactive Status was time off for misconduct associated with the circumstances that led to the initial testing, the employee will not be made whole for the time off that was for the misconduct.

- (2) In the event an employee's reasonable suspicion drug test result returns positive, the employee will be offered substance abuse counseling and, upon referral, rehabilitation or other treatment. The employee nevertheless may be disciplined, up to and

including discharge, for any misconduct related to, or any damage or injury resulting from, his or her substance abuse. In the event the employee has been terminated for such misconduct, no referral to counseling, rehabilitation or other treatment need be made. If the employee refuses counseling, rehabilitation and/or other treatment after a positive test, they may be disciplined and or terminated.

E. After post-incident testing

- (1) In the event an employee's post-incident test result returns negative while he or she is on Inactive Status pending the Contractor's receipt of notice of the result, the employee will be immediately placed on Active Status and made whole for any compensation and benefits that he or she would have received had the employee's work not been interrupted by the test and/or placement on Inactive Status. However, if any part of the employee's period of Inactive Status was time off for misconduct associated with the circumstances that led to the initial testing, the employee will not be made whole for the time off that was for the misconduct.
- (2) In the event an employee's post-incident test result returns positive, the employee will be treated as if he or she tested positive on a reasonable suspicion drug test. (See above.)

F. After random testing

- (1) In the event an employee's random test result returns negative, the employee will be made whole for any compensation and benefits he or she would have earned had the employee's work not been interrupted by the test.
- (2) In the event an employee's random test result returns positive, the employee will be treated as if he or she tested positive on a reasonable suspicion drug test. (See above.)

G. After post-counseling/rehabilitation testing

An employee who has returned to work after having tested positive and successfully completed counseling, rehabilitation or other treatment under this Program and who tests positive again under any provision of this Program will be terminated.

H. After retesting at employee request

If the result of a retest requested by an employee under this Program is negative, the Contractor will reimburse the employee for the cost of the test, will place the employee on Active Status and will make the employee whole for any compensation and benefits lost if he or she was placed on Inactive Status pending the Contractor's receipt of notice of the first test result. However, if any part of the employee's period of Inactive Status was time off for misconduct associated with the circumstances that led to the initial testing, the employee will not be made whole for the time off that was for the misconduct.

I. Upon refusal to sign/cooperate

- (1) In the event a job applicant refuses to execute a consent and release form, attempts to adulterate, to substitute or to tamper with a specimen or otherwise attempts to interfere with the specimen collection or testing processes, his or her job offer will be withdrawn, and he or she will be placed on Inactive Status.
- (2) An employee who refuses to execute a consent and release form, who attempts to adulterate, to substitute or to tamper with a specimen or otherwise to interfere with the specimen collection or testing processes, or who refuses to cooperate with the MRO or to provide the MRO with information he or she requests, will be treated as having tested positive for purposes of this Program and as having been insubordinate for the Contractor's disciplinary purposes.

IX. Appeal

Employees disciplined or discharged under this Program may grieve the action taken under the Collective Bargaining Agreement between the Association or the Contractor and the Union.

X. Confidentiality

The Contractor, the clinic(s), the laboratory(ies), the MRO, the Third-Party Administrator, and the Union will treat as confidential to the extent possible, all test-related information, subject to the terms of this Program. Such information includes, but is not limited to, the fact of testing; test results; information regarding referral for counseling, rehabilitation, other treatment, or aftercare; the result of any such referral for counseling, rehabilitation, other treatment, or aftercare; and the reason(s) for any disciplinary action taken under this Program.

XI. Union and Third-Party Administrator Notification

In the event any employee violates this Program, the Contractor will give the Union written notice of that violation and its result. Whether an employee is on Active Status or Inactive Status (though not the reasons therefore) will be indicated in the database maintained by the Third-Party Administrator, to which NECA, the Contractor and the Union will have access.

XII. Term and Substance Abuse Program Review Committee

This Program may be modified from time to time by a majority vote of the Labor Management Committee. The Committee also shall consider, from time to time as appropriate, the performance of the Third Party Administrator.

Leo Sokolik, Business Manger
IBEW Local Union #

Loyal O'Leary, Executive Vice President

APPENDIX “A” – Drug testing threshold levels

DRUG TYPE AND CUT-OFF LIMITS. Employees may be tested for the following drugs and/or their metabolites at the following cut-off limits:

| DRUG TYPE/CLASS | SCREENING CUT-OFF LIMIT (ng/ml) | CONFIRMATION CUT-OFF LIMIT (ng/ml) |
|--|---------------------------------------|--|
| AMPHETAMINES | 1000* | 500* |
| BARBITURATES | 300 | 200 |
| BENOYLECGONINE (Cocaine Metabolite) | 300* | 150* |
| CANNABINOIDS | 50* | 15* |
| METHAQUALONE | 300 | 100 |
| OPIATES | 2000* | 2000* |
| PHENCYCLIDINE (PCP) | 25* | 25* |
| BENZODIAZEPINES | 300 | 300 |
| METHADONE | 300 | 300 |
| PROPOXYPHENE | 300 | 300 |
| ALCOHOL, ETHYL | .08%** | |

*Cut-off limits are as established by the Department of Health and Human Services in their mandatory Guidelines for Federal Workplace Drug Testing Programs. This list of drugs and cut-off limits are subject to change by the Department of Health and Human Services as advances in technology or other considerations warrant identification of these and additional substances at other concentrations. Such changes shall be deemed to have been incorporated into this Policy upon announcement by the Department of Health and Human Services of such changes.

**Any report in excess of .08% shall be considered above the impairment level.

Any adulterated specimen (as determined by the MRO) will be considered a positive drug screen and therefore a violation of this Policy. In addition, all costs incurred for laboratory examination of the adulterated sample will be the responsibility of the donor.

CONSENT TO URINALYSIS

I hereby voluntarily consent to a urine test, including the collection of a sample of my urine, for the purpose of urinalysis pursuant to _____'s ("Contractor's") Substance Abuse Testing and Assistance Program for Non-DOT-Regulated Employees ("Program"). I acknowledge that I have been given notice of the Program and that I understand it. I further consent to the disclosure of the test result(s) and any test-related information by and between the Contractor, its clinic(s), its testing laboratory(ies), its medical review officer, its appropriate supervisory and managerial personnel, the Association's Third-Party Administrator and my Union.

Date

Signed

CONSENT TO BREATH, BLOOD, AND/OR SALIVA TEST

I hereby voluntarily consent to a breath, blood or saliva test, including the collection of a sample or samples of my breath, blood, and/or saliva pursuant to _____'s ("Contractor's") Substance Abuse Testing and Assistance Program for Non-DOT-Regulated Employees ("Program"). I acknowledge that I have been given notice of the Program and that I understand it. I further consent to the disclosure of the test result(s) and any test-related information by and between the Contractor's testing laboratory, its clinic(s), its testing laboratory(ies), its medical review officer, its appropriate supervisory and managerial personnel, the Association's Third-Party Administrator and my Union.

Date

Signed

INSTRUCTIONS FOR USE OF THE REASONABLE SUSPICION CHECKLIST

This reasonable suspicion checklist was designed to help make testing decisions. Its purpose is to assist the user in focusing on the symptoms of drug use. Some of the symptoms manifest themselves in persons who are under the influence of alcohol or another drug. Other symptoms manifest themselves over a long period of time of abuse. Both these types of symptoms are listed on the checklist for consideration. These lists, however, are not exhaustive.

REASONABLE SUSPICION CHECKLIST

Date of Report _____

Time Period Covered
By Observation _____

Employee Name _____

Address _____

Social Security Number _____

Check all that apply:

PHYSICAL SYMPTOMS

- Flushed or Pale Face _____
- Dilated Pupils _____
- Glassy Eyes _____
- Bloodshot Eyes _____
- Swaying, Wobbling, Stumbling, Staggering or Falling _____
- Dizziness _____
- Excessive Sweating in Cool Areas _____
- Smell of Liquor _____
- Strange Chemical Odor on Breath _____
- Drowsiness _____
- Incoherent, Confused or Slurred Speech _____
- Apparent Insensitivity of Pain _____
- Reduced Reaction Time _____
- Poor Coordination _____
- Increased Breathing Rate _____

MOOD SYMPTOMS

- Antagonistic _____
- Restless _____
- Overreacts to Minor Things _____
- Insulting _____
- Unusually Talkative _____
- Excessively Withdrawn _____
- Excessive Laughter or Hilarity _____

MOOD SYMPTOMS (continued)

- Baseless Panic _____
- Withdrawn _____
- Rapid Mood Swings _____
- Irritable _____
- Combative _____
- Agressive _____
- Depressed _____
- Exaggerated Sense of Self Importance _____

WORK SYMPTOMS

- Doesn't Follow Task Instructions _____
- Shows Disregard for Safety of Self and Others _____
- Exhibits Excessive Carelessness _____
- Appears Unable to Concentrate _____
- Excessive Mistakes _____
- Unexplained Declines in Productivity _____
- Dangerous Behavior _____
- Unable to Order Tasks _____
- Excessive Focus on Minute Details _____

LONG TERM FACTORS

- Complaints from Co-Workers _____
- Excessive Work Absences _____
- Leaves Job Early for Variety of Excuses _____
- Comes Late for a Variety of Excuses _____
- Accident Prone _____
- Unexplained and Frequent Absences from Work Areas _____
- Generic Poor Deteriorating Physical Condition _____

Recommendation - Conclusion

Date of Report _____

By (Signature) _____ Title _____

Confidentiality

Confidentiality

Good business practice requires the safeguard of information contained in employee files and records. This is especially true regarding drug and/or alcohol results. An effective drug and alcohol-testing program will not be accepted by employees without the guarantee of absolute confidentiality. Confidentiality means that the information is treated as private and not for publication or public disclosure. Test results must never be discussed with any person who does not have a legitimate business reason to know the drug and or alcohol results.

The Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program restricts access to an employee's test results. The Medical Review Officer (MRO) will only report drug and alcohol results to the authorized company representative for which the employee has been tested. The MRO will inform the authorized representative as to the employee's test results only if positive; and if positive, the specific drug for which the sample is positive.

Please note that if an individual requests that the specific drug test result be shared with another individual, physician, or Employee Assistance Program provider, the donor of the specific test is required to provide a written authorization for the release of this specific information. See Release of Information request.

Recommendation to Contractor:

The Dickinson Occupational Clinic recommends that the employee's drug/alcohol results **not** be kept in the individual's general personnel file, but that a separate, more secure, file system be established which **has limited access**. Remember, the greater the number of people who know the test results, the greater the chance that the information will become general knowledge. Thus confidentiality of the information and the privacy of the individual can be compromised.

Data Base Access:

The Dickinson Occupational Clinic manages the drug testing database for the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program. The information, which is contained within the database, is considered confidential information. Only authorized company representatives, who have obtained appropriate security passwords, shall be allowed to access the database and obtain information from the database. **Again, this information should be on a need-to-know basis only. It is the contractors responsibility to ensure that access to the data base and its results are not divulged to unauthorized individuals.**

Roles and Responsibilities

Roles and Responsibilities

Of the Employer

The administration of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program. Is the responsibility of the employers. Each employer's commitment to properly administer the policy with consistency is critical to the overall success of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program. Each employer needs to implement the policy in a manner which is efficient for its organization, but yet meet this requirement consistency.

Each employer must meet the following roles and responsibilities in order to successfully administer the program with equity:

General Administration of the Program

- Identify a primary contact person within the company to communicate with the Dickinson Occupational Clinic (DOC) as it relates to implementation and administration of the Program.
- Identify two (2) or three (3) company contacts who can receive confidential information from the Medical Review Office (MRO).
- Establish internal procedures which stipulate the manner in which the company will confidentially handle positive drug test results. (Pre-Employment, Reasonable Suspicion, Post-Accident)
- Identify individuals within the company who are authorized to access the Program's database.
- Have completed company data sheets and computer access confidentiality forms on file with the Dickinson Occupational Clinic.

Daily Administration of the Program

- Prior to having an employee submit to Pre-Employment Drug and Alcohol testing, the employer "MUST" access the program database to verify the employee status.
- If the employee requires drug testing, then properly complete the Drug Test Authorization Form, and direct the employee to go to the nearest drug screen collection facility.
- Prior to testing, the employer shall provide the employee with a form on which to acknowledge that he/she has seen the Drug and Alcohol Policy.
- Test result reports and other information acquired in the drug and alcohol testing process are private and confidential information and may not be disclosed by the employer.

- The employer must properly administer the pre-employment/re-entry into the workforce paragraph of the program.
- The employer shall properly administer the safety sensitive testing policy that has been identified within the program. (See Safety Sensitive Testing Employers Responsibility).
- The employer shall work closely with the Dickinson Occupational Clinic, in order to have the program work efficiently and timely. One item that needs to be discussed, is the location of Drug Screen Collection facilities.
- The employer shall assure that all supervisors have obtained proper training in the identification of signs and symptoms of a drug / alcohol problem which would indicate the need for drug and alcohol testing.
- The employer shall not alter or adulterate any specimen; a specimen altered or adulterated by the employer shall be considered negative.
- The Employer shall receive only POSITIVE drug test results from the Dickinson Occupational Clinic.
- The Employer shall communicate with the employee, regarding the employee's positive test results.
- The Employee shall communicate with the Employee Assistance Program as may be required.
- The Employer shall maintain a copy of the employee drug testing records.

Roles and Responsibilities of the Dickinson Occupational Clinic

The Dickinson Occupational Clinic located in Iron Mountain, MI has been selected by the joint union/management committee to act as the administrator for the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

As the administrator, the role and responsibilities of the Dickinson Occupational Clinic is to provide the following services for participants of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

Assist employer's with implementation of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

- Identify suitable community drug screen collection facilities for contractors.
- Select and utilize a Substance Abuse and Mental Health Services Administration (SAMHSA) certified laboratory for testing of specimens collected under this program.
- Provide specimen test kits and collection locations that follow chain of custody collection techniques mandated by the United States Department of Transportation collection guidelines.
- Maintain appropriate systems, records and administrative procedures to provide participating employers with accurate and timely information regarding the drug and alcohol free status of employees.
- Provide Medical Review Officer Services performed by either a Doctor of Medicine (MD) or of Osteopathy (DO). (See attached responsibilities).
 1. Notify the tested individual of a positive result and provide the individual who tested positive with an opportunity to discuss the reasons for the positive result.
 2. Review and verify a confirmed positive test result and process the donor's request for re-analysis of the original sample.
 3. Review a participating employee's medical record if so requested by the employee.
 4. Notify the Employer of all test results, both positive and negative.
 5. Refer individuals testing positive to the Employee Assistance Provider and participate in return to duty decisions as set forth in the Policy.
- Provide quality control check through laboratory analysis to assure that accuracy is maintained at the laboratory.
- Provide independent random drug testing administration in accordance with the protocols of the Program.
- Maintain confidential records as they relate to individuals' participation.

- Provide statistical analysis to contractors participating in the Program. Information must be statistical in nature so identification of either an individual or a company cannot be made based upon the manner in which the information is presented.
- Provide both company and union representatives with appropriate training on, when to require drug / alcohol testing based upon the signs and symptoms of drug / alcohol problems in an employee.
- Maintain a confidential database, and share employee status information with only those contractors who are signatory to the Wisconsin Electrical Workers Drug-Free Alliance Drug and Alcohol Policy and Program.
- Provide consolidated billing administration of the drug screen collection, laboratory analysis and program administration.

The Dickinson Occupational Clinic recognizes that the development and implementation of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program, is a commitment from the members of organized labor, contractors, and owners for the future of unionized construction. It is important to state that the Dickinson Occupational Clinic supports this objective and believes that it is not only its role to provide program administration and Medical Review Officer Services, but it is responsible to make the system work, much like the orchestra conductor. It is the responsibility of the Dickinson Occupational Clinic to make the entire system function efficiently and effectively, but not to the point of losing sight of the individual.

Roles and Responsibilities of the Medical Review Officer

The Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program require that a physician review laboratory drug test results. This physician, called a Medical Review Officer (MRO), must have “special knowledge of drugs, including their use and abuse.” The primary function of the MRO is to make sure that all positive and negative tests have been reviewed for accuracy and completeness. This medical review safeguards employee confidentiality, reduces liability exposure, and enhances the quality of a testing program.

On receipt of drug test results from the laboratory, the MRO is responsible for the following:

- Reviewing chain-of-custody documents to insure that collection sites are completing the forms properly;
- Reviewing abnormal specific gravity and creatinine levels to insure that specimen adulteration or dilution has not occurred;
- Contacting individuals with positive test results to identify if something other than illegal drug use could have caused the positive result;
- Monitoring laboratory performance to insure quality control;
- Working with the employer, Employee Assistance Provider and the positive test donor to monitor the employee’s drug rehabilitation progress; and
- Providing consultation to the employer and employee on drug testing related matters.

The MRO reviews negative drug test results that are suspected of being diluted and/or adulterated. As the practice drug testing in the workplace expands, the substance abuser tends to become more creative in attempting to avoid detection. The more experienced MRO is aware that an abnormal specific gravity or creatinine may represent attempts to compromise the testing process. In addition to the review of “unsuitable specimens” or questionable negative results (false negatives), the MRO process also includes an administrative review of negative test result chain-of-custody documentation.

The MRO reviews positive drug test results to determine if anything other than the illegal use of a substance could have caused the positive test result. The identification of positive tests can have devastating employment and personal consequences. There is no room for error. The MRO must be knowledgeable in the pharmacology and toxicology of both medically prescribed controlled substances and drugs of abuse. For example, the interpretation of opiate positive test results is particularly complex and difficult. The MRO must be knowledgeable about the properties of codeine and morphine metabolism, poppy seed food products, and heroin ingestion.

Roles and Responsibilities of the Employee

The employee shall not be at the work site in a physical / mental state which is under the influence of alcohol. Employees found drinking, or in the possession of alcohol, while on work site premises are in violation of this Policy. Employees either reporting to work while under the influence of alcohol or conducting their jobs while impaired by alcohol are in violation of this Policy.

The employee shall not be at the work site in a physical / mental state which is under the influence of unlawful drugs or controlled substances. Employees found using, possessing, manufacturing, or distributing unlawful drugs or controlled substances while at work, on work site premises are in violation of this Policy. Employees either reporting to work while under the influence of unlawful drugs or controlled substances or conducting their jobs while impaired by unlawful drugs or controlled substances are in violation of this Policy.

After a **positive drug test**, the employee must actively participate in a drug or alcohol evaluation, counseling, and rehabilitation program as outlined by a substance abuse professional. Continued employment is dependent upon the employee satisfactorily passing the evaluation and completing the recommended counseling or rehabilitation program. In addition, a negative follow-up drug test is required for reinstatement.

Each employee has a responsibility to actively participate in the procedures identified in the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program. Refusal to submit to an employer's request to test for the presence of alcohol or drugs shall constitute insubordination and is a violation of the Policy.

The employee is responsible to work with the Medical Review Officer to identify potential reasons for a positive drug test.

Within three (3) working days after notice of a positive test result on a confirmatory test, the **employee** may submit information to the employer, in addition to any information already submitted, which would help explain the reason for a positive result.

An employee who receives notification of testing positive on a confirmatory test, will have three (3) working days from the notification date to submit a written request to the MRO for a confirmatory retest of the original sample. The retest will be at the employee's own expense.

An employee shall not alter any specimen. If a specimen is altered or adulterated by the employee, the specimen will be considered to be positive.

Roles and Responsibilities of the Union

The Union, NECA and all of its members and other contractors signatory to the Agreement are committed to establishing and maintaining a drug free workplace for every employee covered by the Agreement. They are particularly concerned about alcohol and other drug abuse, since such abuse can have a serious effect on employee productivity and job performance, and may jeopardize the safety of the employee, coworkers and customer personnel.

The union recognizes the importance of having qualified member performing work safely. Policy language states that “**Employees on inactive status will remain on the Union’s referral list but will not be employed until cleared by the MRO to be placed on active status.**” The intent of this language is that the Union will not refer a member out to a participating contractor unless the member has an active status within the NECA/IBEW database.

The parties hereby agree that the program may be modified from time to time by a majority vote of the Labor Management Committee. The Committee also shall consider, from time to time as appropriate, the performance of the Third Party Administrator.

Type of Drug Test

Types of Testing Required

The Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program calls for individuals to be tested for drugs and/or alcohol under several circumstances. These reasons for drug and/or alcohol testing are as follows:

- Pre-Placement Testing (New Hire)
- Random
- Post Incident
- Reasonable Suspicion
- Return to Duty
- Follow-up

Listed below are the definitions for each of the reasons an individual may be tested under the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program along with comments on how the testing procedure should occur to properly administer the drug testing program.

Pre-Placement Testing (New Hire)

Policy

Any otherwise-qualified job applicant or existing employee will be required to take and to pass (that is, test negative on) a test for drugs other than alcohol as a condition of hire or placement in a job covered by the Collective Bargaining Agreement. However, an applicant or employee who is on Active Status or who can establish to the third party administrator's satisfaction that he or she tested negative for drugs under the terms of this Program or of a similar program applying identical or more stringent terms within the past 12 months (without subsequently having tested positive) will not be required to submit to pre-employment / placement testing as a condition of hire. Such individuals will be placed on active status within the program database.

There may be times when certain jobs require the recruitment of traveling craft persons. It is the position of NECA and the IBEW that all traveling craft persons be subject to both initial and random testing. This provision will also apply to those individuals working under the portability rules. In order to avoid situations wherein a craft person will be forced to have (1) or (2) uncompensated days while waiting for the results of an initial urine drug screen to be reported, traveling craft persons will be allowed to report to work immediately after providing a urine specimen for testing, unless there is reasonable suspicion to believe the individual is currently impaired. The craft person understands and accepts that should his/her urine test positive for any prohibited substance, their employment will be summarily terminated without obligation or further compensation. Such termination shall also be subject to the participant's rights under his/her collective bargaining agreement.

Participants who are called to work assignments that are anticipated to last three (3) days or less are subject to the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program, but may be exempt from the drug testing program unless there is reasonable suspicion to believe that the individual is currently impaired. If assignment subsequently exceeds three (3) days, the participant becomes subject to the drug testing program. Participants will be allowed to remain at work after three (3) days if they provide a urine sample for testing. Should the test be reported as positive, the participant shall be subject to discipline up to and including termination by the affiliated contractor, subject to the participants rights under his/her collective bargaining agreement. A pre-placement drug test may be administered to all applicants for employment provided a conditional offer of employment has been extended. If pre-placement testing is conducted, all applicants conditionally offered employment must be tested. The employer will be provided a list of approved collection stations by the MRO.

Random Testing

Policy

All employees covered by this Program will be subject to testing for drugs other than alcohol on an unannounced basis pursuant to random selection. Selection of individuals to be tested will be made by the Third-Party Administrator by computer from among a pool of all members covered under the terms of the collective bargaining agreement.

Refusal to submit to a random test for the presence of alcohol or drugs shall constitute insubordination and is a violation of this policy. **Twenty five percent** of the employees will be subject to drug testing on a random selection basis.

Post-Incident Testing

Policy

Any employee involved in a work-related incident resulting in property damage or in injury to any person (including themselves) requiring offsite medical care or medical care provided onsite by an outside provider may be required to undergo a drug and/or alcohol test and may be placed on Inactive Status pending the Contractor's receipt of notice of the test result.

Comment

Employees shall be tested for the presence of drugs or alcohol if the employee sustains a personal injury, or has caused another employee to sustain a personal injury or has caused a work-related accident or was operating or helping to operate power tools, machinery, equipment, or vehicles involved in a work-related accident. Refusal to submit to an employer request for post-incident testing for the presence of alcohol or drugs shall constitute insubordination and is a violation of this Policy. A confirmed positive test is a violation of this Policy.

An employee should provide a urine specimen to be tested for the presence of drugs and a breath test for alcohol as soon as possible after it has been determined by the contractor that post-incident drug testing is required.

The drug screen collection should be done prior to the end of the shift in which the incident occurred but no later than 32 hours after the incident.

Post-incident testing for alcohol should occur within two hours after the incident but no later than two hours after the shift.

An employee who is seriously injured and cannot provide a specimen at the time of the incident should provide the necessary authorization for obtaining hospital reports and other documents which would indicate whether there were any drug and/or alcohol in his/her system

NOTE:

Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an incident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in response to the accident, or to obtain necessary emergency medical care.

Reasonable Suspicion Testing

Policy

Any employee whose supervisor has a reasonable suspicion that the employee is in violation of this Program will be required to undergo a drug and/or alcohol test. A reasonable suspicion is one based upon observable and articulable conduct, appearance or work performance of the employee identified.

Whenever feasible, an employee required to submit to reasonable suspicion testing will be observed by more than one supervisory or management employee trained to identify signs of possible substance abuse, who will be encouraged to fill out a Reasonable Suspicion Checklist. (See attachment.) An employee to be tested based upon reasonable suspicion will be placed on Inactive Status pending the Contractor's receipt of notice of the test result. The employee will have the right to request that a Union Steward or other Union representative be present at the time he or she is directed to provide a specimen(s) for testing based upon reasonable suspicion

Comment

Supervision personnel must take action if they have reason to believe that substance abuse or alcohol use is affecting the employee's job performance or if the employee's conduct could endanger the employee, co-workers, or others. Also where appropriate, the supervision personnel will remove or cause the removal of the employee from the work site. Supervision personnel shall ensure that the employee is transported to an appropriate collection site and, thereafter, to the employee's residence or when appropriate, to a place of lodging. Under no circumstances, when possible impairment of the employee's ability to perform is in question will the employee be allowed to continue to drive a company vehicle, or his/her own vehicle, until otherwise safe to do so. If the employee refuses the reasonable suspicion testing, attempt to document the refusal (See Refusal Form). If the employee refuses to sign the form, just document his/her refusal and have it witnessed. Refusal to submit to an employer request for reasonable suspicion testing for the presence of alcohol or drugs shall constitute insubordination and is a violation of this Policy. An employee tested for reasonable suspicion shall be suspended with pay pending the outcome of the results. A confirmed positive test is a violation of this Policy.

NOTE:

Under no circumstance, when there is reasonable suspicion that an employee is not able to safely perform his / her job, should that employee be allowed to leave the work site by driving a company or personal vehicle.

Return-to-Duty / Follow-up Testing

Policy

An employee who has tested positive and successfully completed counseling, rehabilitation or other treatment under this Program will be required to take and to pass (that is, test negative on) a drug and/or alcohol test before being replaced on Active Status. Any such employee who returns to work thereafter will be subject to unannounced drug testing (in addition to the testing described above) in compliance with the action plan developed with the substance abuse counselor for a period of one year. Individuals to be tested under this Paragraph will be chosen at random by the Third-Party Administrator by computer from among all members covered under the terms of the collective bargaining agreement on Active Status who are within their one-year post-counseling/rehabilitation periods under this Paragraph.

Comment

Return-to-Duty Testing

The employer shall ensure that the employee, after engaging in conduct prohibited by the Policy regarding drug and alcohol abuse, undergo a return-to-duty drug and / or alcohol test, which requires result indicating a verified negative for drugs and/or alcohol use prior to the employee returning to duty. This return to duty drug and/or alcohol test will be coordinated through the Employee Assistance Program Provider prior to the employee returning to work.

Follow-up Drug Testing

Following a determination by an Employee Assistance Program Provider that an employee is in need of assistance in resolving problems associated with alcohol misuse and/or use of controlled substances (i.e., a positive test), the employee is subject to follow-up alcohol and/or controlled substances testing as directed by an Employee Assistance Program Provider.

The number and frequency of such follow-up tests shall be as directed by the Employee Assistance Program Provider. The Employee Assistance Program Provider may direct the employee to undergo return-to-duty and follow-up testing for both alcohol and controlled substances if the Employee Assistance Program Provider determines that return-to-duty and follow-up testing for both alcohol and controlled substances is necessary for that particular employee. The Employee Assistance Program Provider may terminate the requirement for follow-up testing at any time if the Employee Assistance Program Provider determines that such testing is no longer necessary.

Drug and Alcohol Testing Procedure

Step-by-Step Procedures for Drug and Alcohol Testing

Drug and Alcohol Testing Process

The Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program. requires the employer to perform testing under the following categories:

- Pre-Placement (New Hire)
- Random
- Post Accident
- Reasonable Suspicion
- Return to Duty

In this section we want to provide the employer with the Step-by-Step procedure on how to make drug and alcohol testing occur. Proper administration of the paperwork goes a long way in having the testing procedure work effectively for all parties involved with the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

Pre-Placement Testing (New Hire)

Policy Language

Any otherwise-qualified job applicant or existing employee will be required to take and to pass (that is, test negative on) a test for drugs other than alcohol as a condition of hire or placement in a job covered by the Collective Bargaining Agreement. However, an applicant or employee who is on Active Status or who can establish to the third party administrator's satisfaction that he or she tested negative for drugs under the terms of this Program or of a similar program applying identical or more stringent terms within the past 12 months (without subsequently having tested positive) will not be required to submit to pre-employment / placement testing as a condition of hire. Such individuals will be placed on active status within the programs database.

There may be times when certain jobs require the recruitment of traveling craft persons. It is the position of NECA and the IBEW that all traveling craft persons be subject to both initial and random testing. This provision will also apply to those individuals working under the portability rules. In order to avoid situations wherein a craft person will be forced to have (1) or (2) uncompensated days while waiting for the results of an initial urine drug screen to be reported, traveling craft persons will be allowed to report to work immediately after providing a urine specimen for testing unless there is reasonable suspicion to believe the individual is currently impaired. The craft person understands and accepts that should his/her urine test positive for any prohibited substance, their employment will be summarily terminated without obligation or further compensation. Such termination shall also be subject to the participants rights under his/her collective bargaining agreement.

Participants who are called to work assignments that are anticipated to last three (3) days or less are subject to the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program, but may be exempt from the drug testing program unless there is reasonable suspicion to believe that the individual is currently impaired. If assignment subsequently exceeds three (3) days, the participant becomes subject to the drug-testing program. Participants will be allowed to remain at work after three (3) days if they provide a urine sample for testing. Should the test be reported as positive, the participant shall be subject to discipline up to and including termination by the affiliated contractor, subject to the participants rights under his/her collective bargaining agreement. A pre-placement drug test may be administered to all applicants for employment provided a conditional offer of employment has been extended. If pre-placement testing is conducted, all applicants conditionally offered employment must be tested. The employer will be provided a list of approved collection stations by the MRO.

Step-by-Step Procedure for Pre-Placement Testing (DRUG TEST ONLY)

Step One: Access the program database either by phone, fax, or internet connection to determine the Employee's current eligibility within the program. (See section 9).

Step Two: Review, the database query results. Listed below are the possible responses from the database query.

Eligible - Employee can go to work.

Not Eligible - Instruct the Employee that the Employee needs to contact the Medical Review Officer (MRO) at 866-415-2323 and resolve an outstanding issue. (It is recommended that you allow the Employee to use a confidential phone in order to make this call). **DO NOT** allow the Employee to work at this time.

Subject Not Found - Employee doesn't have an initial test result on file within the Program database (Proceed to Step 3).

Step Three: If the Employee comes up in the query as "Subject Not Found", then the following procedure needs to be followed:

As stated in the policy, in the first year of the Program, an Employee may use a previously verified negative drug test, which has occurred within the past 12-month period (example: March 1, 2007, through February 29, 2008).

Ask the Employee if he/she has had a previous drug test, within the above time period, the results of which he/she will release to the Dickinson Occupational Clinic.

If the answer is **No**, then proceed to **Step 2 in Section B**.

If the answer is **Yes**, then proceed under the steps in **Section A - Verification of Previous Drug Test Results**.

SECTION A - Verification of Previous Drug Test Result:

- Step One:** The Employee needs to complete and sign the “Previous Drug Test Authorization for Release of Information” form. (see attached sample)
- Step Two:** The Employer needs to witness the completed form.
- Step Three:** The Employer needs to fax the completed form to the **Dickinson Occupational Clinic at (906) 779-7115.**
- Step Four:** The Employee can start work.
- Step Five:** For more information, see Step-by-Step Procedure for Waiver for Testing in this Section.

SECTION B - Drug Test Required:

If the Employee has no previous drug test result, which he/she wishes to release to the Dickinson Occupational Clinic, the employee will be required to have a drug test. The following steps should occur:

- Step One:** The Employer representative and Employee need to complete and sign the Authorization for Testing form which includes a Consent, Release of Information and Acknowledgement (see sample).
- Step Two:** The Employer will identify the nearest drug screen collection site.
- Step Three:** The Employer should contact the drug screen collection site prior to sending the Employee in, to prevent any unnecessary delays.
- Step Four:** The Employer should remind the Employee a photo identification card is required in order to be tested.
- Step Five:** The Employer should send the Employee to the drug screen collection site.
- Step Six:** Once the Employee completes the drug screen collection, the Employee may start work.

Random Testing

Policy

All employees covered by this Program will be subject to testing for drugs other than alcohol on an unannounced basis pursuant to random selection. Selection of individuals to be tested will be made by the Third-Party Administrator by computer from among a pool of all members covered under the terms of the collective bargaining agreement.

Refusal to submit to a random test for the presence of alcohol or drugs shall constitute insubordination and is a violation of this policy. **Twenty five percent** (25%) of the employees will be subject to drug testing on a random selection basis.

Implementation Schedule

In year 1 of the implementation of this program one hundred (100) percent of the membership will be tested on a random basis. Additionally member who have been randomly tested or added to the eligible database, based on a previous drug test shall be subject to a ten (10) percent random testing in the first year implementation plan.

Step-by-Step Procedure for Random Testing

Random Testing

- Step One:** The Employer is notified by the Dickinson Occupational Clinic of a random selection of Employee's names.
- Step Two:** The Employer reviews the names and identifies any of their current Employees. Note the list of names generated by the Dickinson Occupational Clinic is a random sample of employees. Individual employers need only be concerned with those employees on the list who are currently employed by the employer. Therefore, members which are not currently working are not required to be part of the random test.
- Step Three:** The Employer determines how to effectively channel the selected Employees through the testing process within the time frame of the random selection window (e. g. within two (2) weeks).
- The Employer should take into consideration current work schedule, vacation schedule, location of work, and whether the test needs to be done during the a.m. or p.m. shift.
- Note: At no time during this process should the Employee be aware that his/her name has been selected.**
- Step Four:** The Employer representative and Employee need to complete and sign the **Authorization for Testing form which includes a Consent and Release of Information and Acknowledgement (see sample).**
- Step Five:** The Employer should identify the nearest drug/alcohol collection site.
- Step Six:** The Employer should contact the drug/alcohol collection site prior to sending the Employee in, to prevent any unnecessary delays.
- Step Seven:** The Employer should remind the Employee that a photo identification card is required in order to be tested.
- Step Eight:** The Employer should send the Employee to the drug /alcohol collection site
- Step Nine:** Once the Employee completes the drug and/or alcohol collection, the Employee may return to work.

For more information on Random Testing see Section 8.

Post-Incident Testing

Policy Language

Any employee involved in a work-related incident resulting in property damage or an injury to any person (including themselves) requiring offsite medical care or medical care provided onsite by an outside provider may be required to undergo a drug and/or alcohol test and may be placed on Inactive Status pending the Contractor's receipt of notice of the test result.

Comment

Employees shall be tested for the presence of drugs or alcohol if the employee sustains a personal injury, or has caused another employee to sustain a personal injury or has caused a work-related accident or was operating or helping to operate power tools, machinery, equipment, or vehicles involved in a work-related accident. Refusal to submit to an employer request for post-incident testing for the presence of alcohol or drugs shall constitute insubordination and is a violation of this Policy. A confirmed positive test is a violation of this Policy.

An employee should provide a urine specimen to be tested for the presence of drugs and a breath test for alcohol as soon as possible after it has been determined by the contractor that post-incident drug testing is required.

The drug screen collection should be done prior to the end of the shift in which the incident occurred but no later than 32 hours after the incident.

Post-incident testing for alcohol should occur within two hours after the incident but no later than two hours after the shift.

An employee who is seriously injured and cannot provide a specimen at the time of the incident should provide the necessary authorization for obtaining hospital reports and other documents which would indicate whether there were any drug and/or alcohol in his/her system

NOTE:

Nothing in this section shall be construed to require the delay of necessary medical attention for injured people following an incident or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in response to the accident, or to obtain necessary emergency medical care.

Step-by-Step Procedure for Post-Incident Testing

- Step One:** Company determines if Employee is required to have a drug and/or alcohol test conducted.
- Step Two:** If testing is required, inform the Employee of the requirement to undergo drug and/or alcohol testing.
- Step Three:** The Employer representative and Employee need to complete and sign the authorization for Testing Form which includes a Consent, Release of Information, and Acknowledgement (see example).
- Step Four:** The Employer should identify the nearest drug/alcohol collection site.
- Step Five:** The Employer should contact the drug/alcohol collection site prior to sending the Employee in, to prevent any unnecessary delays.
- Step Six:** The Employer should remind the Employee that a photo identification card is required in order to be tested.
- Step Seven:** The Employer should send the Employee to the drug/alcohol collection site.
- Step Eight:** Pending the outcome of the test results, the Employer determines whether to suspend the Employee, or have the Employee return to work.

Reasonable Suspicion Testing

Policy Language

Policy

Any employee whose supervisor has a reasonable suspicion that the employee is in violation of this Program will be required to undergo a drug and/or alcohol test. A reasonable suspicion is one based upon observable and articulable conduct, appearance or work performance of the employee identified.

Whenever feasible, an employee required to submit to reasonable suspicion testing will be observed by more than one supervisory or management employee trained to identify signs of possible substance abuse, who will be encouraged to fill out a Reasonable Suspicion Checklist. (See attachment.) An employee to be tested based upon reasonable suspicion will be placed on Inactive Status pending the Contractor's receipt of notice of the test result. The employee will have the right to request that a Union Steward or other Union representative be present at the time he or she is directed to provide a specimen(s) for testing based upon reasonable suspicion

Comment

Supervision personnel must take action if they have reason to believe that substance abuse or alcohol use is affecting the employee's job performance or if the employee's conduct could endanger the employee, co-workers, or others. Also where appropriate, the supervision personnel will remove or cause the removal of the employee from the work site. Supervision personnel shall ensure that the employee is transported to an appropriate collection site and, thereafter, to the employee's residence or when appropriate, to a place of lodging. Under no circumstances, when possible impairment of the employee's ability to perform is in question will the employee be allowed to continue to drive a company vehicle, or his/her own vehicle, until otherwise safe to do so. If the employee refuses the reasonable suspicion testing, attempt to document the refusal (See Refusal Form). If the employee refuses to sign the form, just document his/her refusal and have it witnessed. Refusal to submit to an employer request for reasonable suspicion testing for the presence of alcohol or drugs shall constitute insubordination and is a violation of this Policy. An employee tested for reasonable suspicion shall be suspended with pay pending the outcome of the results. A confirmed positive test is a violation of this Policy.

NOTE:

Under no circumstance, when there is reasonable suspicion that an employee is not able to safely perform his / her job, should that employee be allowed to leave the work site by driving a company or personal vehicle.

Step-by-Step Procedure for Reasonable Suspicion Testing

- Step One:** Supervisor has reasonable suspicion to believe that an Employee's work performance may be affected by the use of either drugs or alcohol.
- Step Two:** The conduct of the Employee should be witnessed by at least two (2) supervisors or other company officials, if feasible.
- Note:** **The supervisor/company official should have received training in the identification of actions, appearance, and conduct, which are indicative of the use of drugs or alcohol.**
- Step Three:** Supervisor Completes the "Observed Behavior/Reasonable Suspicion Record"(see Section 11).
- Step Four:** Allow the Employee to have a union officer, union steward, union member or an on-site Employee present at the time you discuss your suspicion with the Employee.
- Step Five:** Confront the Employee (See Section 11 on Reasonable Suspicion Intervention). Discussion should remain focused on the Employee's behavior and appearance.
- Step Six:** The Employer representative and Employee need to complete and sign the Authorization for Testing form which includes a Consent, Release of Information and Acknowledgement (see sample).
- Step Seven:** The Employer should identify the nearest drug/alcohol collection site.
- Step Eight:** The Employer should contact the drug/alcohol collection site prior to sending the Employee in, to prevent any unnecessary delays.
- Step Nine:** The Employer shall transport the Employee to the drug/alcohol collection site.
- Note:** **DO NOT allow the Employee to transport himself to the collection site or leave the property.**
- Step Ten:** After the drug/alcohol collection is complete, make arrangements for the Employee to have safe transportation home or to current lodging place.
- Step Eleven:** Inform the Employee that he/she is suspended, with pay, pending the outcome of the results.

Waiver for Testing

In accordance with the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program, Employee may **NOT** be required to test if the Employee can provide a verified test result for the following testing services.

Pre-Placement Testing

“Additionally, an Employee who can establish to an Employer’s satisfaction that the Employee has been subjected to a drug and alcohol test, the verified results of which were negative, under a program applying identical or more stringent terms within the past 12 months (without subsequently having tested positive) shall not be requested or required to undergo a pre-placement test pursuant to this Policy.”

In order to be recognized for this *Waiver for Testing*, the Employee must complete the attached Authorization for Release of Information and **fax** such a request to the **Dickinson Occupational Clinic at 906-779-7115**.

Step-by-Step Procedure for Waiver for Testing

In Year One (1) of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program, Employees may utilize a previous test for either Pre-Placement or Safety-Sensitive testing. In order to obtain the appropriate information, the Employer must have the Employee complete a Release of Information form.

Step One: The Employee should complete and sign a Previous Drug Test Authorization for Release of Information form and fax it to the Dickinson Occupational Clinic at 906-779-7115.

Step Two: Dickinson Occupational Clinic receives the faxed authorization form, forwards a copy to the appropriate organization contact person, and obtains a verified negative test result.

Step Three: Employer is notified and sent a copy of the Employee's previous test results.

Step Four: Employee information is entered into the Program database.

Note: **If the Dickinson Occupational Clinic is not able to obtain the drug test results within an appropriate time, the Employer will be notified.**

**Wisconsin NECA/IBEW Drug-Free Alliance
Drug and Alcohol Policy and Program
Release of Information / Database Authorization**

Employee Name _____

IBEW Local No. 890

Address _____

(City)

(State)

(Zip)

Social Security # _____

Evening Phone # _____

Work Phone # _____

Milton Ethanol Plant

Beloit BOC Gas Plant

Carry Foods - Beloit

GM Plant

Other (be specific) _____

I hereby authorize the above-stated organization to release results of a previous drug test taken on or about _____ to the:

Dickinson Occupational Clinic
1711 South Stephenson Avenue, Suite 200
Iron Mountain, MI 49801
Phone # 1-866-415-2323
Fax # 1-906-779-7115

Current Employer: _____

Address of Current Employer _____

This signature serves as authorization for the Dickinson Occupational Clinic to input my data into the Wisconsin NECA/IBEW Drug-Free Alliance Drug and Alcohol Policy and Program database. This signature includes authorization of appropriate release of information to signatory contractors of the Associations that participate with the Wisconsin NECA/IBEW Workers Drug-Free Alliance Drug and Alcohol Policy and Program.

(Signature)

(Date)

(Witness)

(Date)

Please fax, both the completed authorization form to the Dickinson Occupational Clinic at 1-906-779-7115.

Drug & Alcohol Collection Process

Drug and Alcohol Collection Facilities

It is the responsibility of the Dickinson Occupational Clinic to establish community facilities which will provide drug screen collections and alcohol testing for the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

Listed in this section, you will find drug screen collection and alcohol testing facilities which have been established to perform drug and alcohol collections for the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

If you are in need of having collections conducted in an area or county that is not identified, please contact the Dickinson Occupational Clinic at 866-415-2323. The clinic will then attempt to identify a collection facility, which will meet your job site needs.

NON-DOT URINE DRUG SCREEN COLLECTION FOR:

Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program

The donor shall arrive at the collection site with a completed AUTHORIZATION TO TEST/CONSENT-ACKNOWLEDGEMENT FORM. (Attachment A). Mail the original consent form back to the Dickinson Occupational Clinic with the MRO copy of the chain of custody form.

USE ATN LABORATORY CHAIN OF CUSTODY FORM,

VERIFY THE CORRECT ACCOUNT NUMBER FROM THE CONSENT FORM.

| Association | Account Number |
|---|-----------------------|
| Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program | ATN -156015 |

Be sure to write the CONTRACTORS NAME in the squares provided on the top right hand side of the chain of custody form.

SPLIT SAMPLE REQUIRED:

DISTRIBUTE COPIES OF CHAIN OF CUSTODY AS FOLLOWS:

- ◆ COPY 1--TO LAB WITH SPECIMEN
- ◆ COPY 2--OF THE CHAIN OF CUSTODY FROM TO:
DR. W. B. CARLSON, JR.
DICKINSON OCCUPATIONAL CLINIC
1711 S. STEPHENSON AVE., SUITE 200
IRON MOUNTAIN, MI 49801

****Note:** Please fax a copy of the MRO chain of custody and a copy of the AUTHORIZATION TO TEST/CONSENT-ACKNOWLEDGEMENT FORM prior to mailing it to 906-779-7115. Please mail the MRO copy of the chain of custody to Dickinson Occupational Clinic as quickly as possible, ideally the day of the collection. The Dickinson Occupational Clinic cannot send test results to the employer until this copy is received.

- ◆ COPY 3--COLLECTION SITE COPY
- ◆ COPY 4--EMPLOYER COPY
- ◆ COPY 5--DONOR RETAINS

SEND BILL FOR THE DRUG SCREEN COLLECTION TO: Ms. Barb Majewski, Service Representative
Dickinson Occupational Clinic, 1711 S. Stephenson Avenue, Suite 200, Iron Mountain, MI 49801.

SPECIMENS MUST BE SENT FOR ANALYSIS BY FedEx CARRIER (ACCOUNT NO. 204946302) TO ATN
Laboratories, 3560 Air Center Cove, Ste. 101, Memphis, TN. 38118

TO ARRANGE FOR A Fed Ex PICK UP CALL 1-800-463-3339

FOR MORE KITS, CHAIN OF CUSTODY FORMS, OR SHIPPING SUPPLIES: Call ATN Customer Service at
ATN Laboratories, 888-222-4894. Have Account Number from chain of custody available.

IF YOU HAVE ANY PROBLEMS OR QUESTIONS REGARDING THE DRUG SCREEN COLLECTION,
PLEASE CONTACT THE DICKINSON OCCUPATIONAL CLINIC IMMEDIATELY, AT **1-866-415-2323**.

Collection Site List Accessible on the Internet

Contractors can view and/or print the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program collection site locations from the internet by visiting the NECA Website

Drug Screen Collection Protocols

The Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program requires that all drug screen collections procedures be done in a similar manner as stated in the Code of Federal Regulation CFR Part 40.25, Specimen Collection Procedures stated as follows:

For a current copy of Part 40 Subpart B—Drug Testing, specifically Part 40.25 Specimen Collection Procedures go to the following web site:

www.fmcsa.dot.gov/rulesregs/fmcsr/regs/40menu.htm

Alcohol Protocols

The Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program allow for alcohol testing to be conducted for **Reasonable Cause or Post-Accident only**. If alcohol testing is required, the testing shall be conducted under the following procedure.

The initial and confirmation alcohol testing shall be conducted in a method similar to the procedures set forth in the United States Department of Transportation Federal Motor Carrier Safety Regulations.

Tests for alcohol shall be administered by breath analysis using an evidential grade breath alcohol analysis device. The Breath Alcohol Analysis must be a brand and model that conforms to National Highway Traffic Safety Administration Standards.

The individual administering the test shall be a certified Breath Alcohol Technician (BAT). The testing facility shall use their specific NON-DOT Breath Alcohol Testing Form to report the test results.

The employee may request a blood test as additional confirmation test.

A confirmed breath alcohol level of .08% or greater shall be a violation of the Policy.

All breath alcohol test results shall be faxed to the Dickinson Occupational Clinic at fax # 906-779-7115.

For a current copy of Part 40 Subpart C—Alcohol Testing, specifically Part 40.51 through 40.77 go to the following web site:

www.fmcsa.dot.gov/rulesregs/fmcsr/regs/40menu.htm

Random Testing

Random Testing

Policy Language

All employees covered by this Program will be subject to testing for drugs other than alcohol on an unannounced basis pursuant to random selection. Selection of individuals to be tested will be made by the Third-Party Administrator by computer from among a pool of all members covered under the terms of the collective bargaining agreement. Individuals will only be required to test only when they are currently working for a signature contractor.

Comment

The Dickinson Occupational Clinic is responsible to select no more than twenty five percent (25%) of the employees, who will be tested for drugs and alcohol.

For the Step by Step procedure for conducting Random Drug Testing, see section 6

Rules of Random Testing

Listed below are some of the general questions and answers as they relate to the Random Selection Process.

Q. Who conducts the random selection?

A. The Dickinson Occupational Clinic, an independent Third Party Administrator (TPA), conducts the random selection.

Q. How is the random selection conducted?

A. The Dickinson Occupational Clinic utilizes a computer random generated program to select names of the participants who are in the database.

Q. If I'm selected for a random test in January, is my name taken out of future selections for that year?

A. NO, each time a random selection is conducted, each participant within the database has an equal chance of being drawn again.

Q. Does the employer have any input into the selection of random participation?

A. NO, the responsibility of conducting the random selection is the sole responsibility of the Dickinson Occupational Clinic.

Q. As an employee, do I have prior notice (48 to 72 hours) before I would have to undergo drug/alcohol testing.

A. NO, when the employer **notifies you** that your have been selected for Random Testing, you need to proceed to the local drug screen collection facility immediately.

Q. Does the Employer have a time period to have the Safety Sensitive Testing completed?

A. YES, the employer will be provided a list of employee's names that have been selected for Random Testing. In addition, the employer will be notified of the time frame completion of the Random Testing, (e.g. a three {3} week period).
This time window allows the employer to work around vacations and work schedules.

Q. What if I'm not working at the time during which the Random Testing is to be completed?

A. You are not eligible for testing under this selection.

Q. What if I'm not working but then start work, and my name is on the Random list for the current testing window?

A. You are not eligible for testing under Random Testing. The employee must be employed by the participating employer at the time the employer receives the Random testing notification.

Q. How often will the Random Testing be conducted?

A. There is no set schedule for conducting the Random Testing. The only requirement is that the Program must test twenty percent (25%) of the participants on an annual basis.

Q. Can an employee be selected in consecutive random selections, or can I be tested more than once in the same year?

A. YES, every time there is a random selection, everyone within the Program database an equal chance of being selected. Random is truly random, and is equal to all participants.

Q. Who is eligible for Random Testing?

A. All employees, who are within the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program database, are eligible to be tested **provided** they are currently working for a signatory employer.

Q. How does my name get into the database?

A. Your name is entered into the database either after your initial test, or after a previous test has been verified as negative by the employee release of information.

Q. Can an employer, ask to have an employee tested under random if they have reasonable suspicion for drug or alcohol testing?

A. No, the employer cannot ask to have an employee tested under Safety Sensitive Testing; just because they feel they have reasonable suspicion. **Random is Random!**

Data Base Management

Database Management

The management of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program Database is a key link in making the testing program efficient, timely, and cost effective for the employers, employees and clients. The intent of having a central database is that employers can access the employee's information and learn an employee's status within the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

The query of the database is the first step in determining if a new employee needs to have a Pre-Employment Test conducted. Additionally, the query will tell the employer the current status of an employee within the program. It is important that each time there is a break in employment between an employee and employer, the database be queried as to the employee's status within the system.

For example, an employee has worked for Company "A" for the past three (3) years or longer, and now has an opportunity to work a plant shutdown for three (3) weeks of twelve (12) hour shifts, for Company "B". While employed by Company "B" during this plant shutdown the employee undergoes drug/alcohol tested because of either a Safety Sensitive Testing selection, Reasonable Suspicion, or Post-Incident. Let's assume that the test results were "Positive." The employee then goes back to Company "A" to resume his previous job. At this time, officials at Company "A" would have no way of knowing the employee's test status unless they query the Database upon the employee's pre-employment with their company.

As the Administrator, we cannot emphasize enough either the amount of information available on the Database, or the importance of each employer routinely conducting a query of the Database to review the employee's status with in the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

In order to query the database, the employer has three (3) methods, which they can utilize to perform the query. These three (3) methods are as follows:

1. The company representative may contact the Dickinson Occupational Clinic.
2. Fax a list of employees to the Dickinson Occupational Clinic.
- 3 Query the database via the internet. **(RECOMMENDED)**

Following is a step by step procedure that explains how to query the database using these two methods.

Accessing the Database

Phone Call

The Dickinson Occupational Clinic can be reached at **866-415-2323**. Follow the phone instructions to reach the Service Representative.

Be prepared to provide the employees name and social security number. This can only be done by the Authorized Company Representative

Fax Modem

Recognizing that most construction office trailers have fax machines, the employer can fax a list of employee's to the Dickinson Occupational Clinic in order to have this list verified within the Program's database. The Dickinson Occupational Clinic fax number is **906-779-7115**. This service is available from 7:30 a.m. until 4 p.m. (Central Standard Time), Monday through Friday, excluding Holidays.

Attached is a sample form, which can be utilized to request verification of employees within the database. When utilizing this form it is important that all of the information is completed, especially the employee name and social security number. The attached form is only provided for your convenience.

The attached form is not the only method, which can be utilized. A simple piece of paper with the following information is all that is needed to make the fax verification system work.

- Company Name
- Company Location
- Supervisor Name
- Return Fax Modem Phone Number
- Employees' Names
- Employees' Social Security Number

Internet

The Dickinson Occupational Clinic provides employers an internet connection as the most efficient and timely method to access an employee's status within the Drug and Alcohol Program. The following is a step-by-step procedure for conducting an employee query via the internet.

- Step One:** Complete the **Computer Access Confidentiality** form. This form must be authorized by the company and then faxed to the Dickinson Occupational Clinic. The Dickinson Occupational Clinic will then process the request and establish the appropriate account set-up. After you have received both your ACCOUNT and PASSWORD codes from the Dickinson Occupational Clinic, you can then proceed to query the database via the internet.
- Step Two:** To access the Association's Database at your web browser, open the following first page for the Association Information at: <http://docresults.dchs.org> **(ADD THIS LOCATION TO YOUR FAVORITES)**
- Step Three:** Click **"OK"** for the redirection to a secure page.
- Step Four:** Click **"YES"** on the Security Alert page.
- Step Five:** Type in your ACCOUNT and PASSWORD and click the Log- In box.
- Step Six:** Your program website will appear.
- Step Seven:** Click on RESULTS
- Step Eight:** Type the Social Security Number in the SSN box that you want to have the program review.
- Step Nine:** Accept the Release of Information Statement by checking the Agree button and Click the Eligibility Report button.
- Step Eleven:** The Eligibility Report will appear, listing Social Security Number, Name, Test Date and Status of the employee.
- Step Twelve:** Review this report to determine the employees need to be tested or, status within the Association's Program.
- Step Thirteen:** Retain a copy of the employee's signed Release of Information form in your file.
- Step Fourteen:** *Click the "Log Off" button to exit the program.*

COMPUTER ACCESS CONFIDENTIALITY FORM

Wisconsin NECA/IBEW Drug-Free Alliance Drug and Alcohol Policy and Program

Employee Name _____

Contractor _____

Location _____ E-Mail Address _____

Address _____

I understand that access to computer equipment and computerized information is required in order to perform my job as **assigned by management** of a signatory Contractor to the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program. I will use the information, which is available only for the purpose of performing my job. The information will not be used for any other reason nor will I release it to unauthorized persons.

I understand that the information concerning individuals' status in the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program or any other private or privileged information is strictly confidential and should be discussed only to the extent necessary to perform my specific job duties.

I understand that the passwords I choose or am assigned are to be used as my security to access the database and are not to be shared with anyone for any reason. I further understand that my computer access will be canceled when I separate from employment or change job responsibilities or when my company no longer participates in the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

I am aware that disclosure, misuse, or fraudulent activities involving the computer system is in violation of the policy's confidentiality statement.

Signature: _____ Date: _____

Supervisor Signature _____ Date: _____

For computer access to be granted, this form must be returned by mail or fax to the Administrator of the Wisconsin Electrical Workers Drug-Free Alliance Drug and Alcohol Policy and Program as follows:

Dickinson Occupational Clinic
1711 S. Stephenson Avenue, Suite 200
Iron Mountain, MI 49801
Attention: Barb Majewski
Phone: 866-415-2323 or 906-779-7111; Fax: 906-779-7115

DCH Live Login - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites Media History Mail Print Edit Discuss

Address <https://docresults.dchs.org/bin/dplive.dll/login> Go Links >>



Dickinson Occupational Clinic

1711 S. Stephenson Ave - Iron Mountain, MI 1-800-262-4155

DCH SYSTEM

Login ?

Account

Password

[Click Here to Log In](#)

You must have cookies enabled in order to utilize this service. DCH Live will give you a new cookie when you log in. Whenever DCH Live receives a request for your data, it will check the incoming cookie to confirm that it matches your most recent login.

Done

Start Mitchell Merkel cc... Neca NECA Local 14 M... Neca DCH Live Logi... 1:06 PM

DCH Live Login - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites Media History Mail Print Edit Discuss

Address <https://docresults.dchs.org/bin/dplive.dll/login> Go Links >>



Dickinson Occupational Clinic

1711 S. Stephenson Ave - Iron Mountain, MI 1-800-262-4155

DCH SYSTEM

Login ?

Account

Password

[Click Here to Log In](#)

You must have cookies enabled in order to utilize this service. DCH Live will give you a new cookie when you log in. Whenever DCH Live receives a request for your data, it will check the incoming cookie to confirm that it matches your most recent login.

Done

Start Mitchell Merkel cc... Lawson portal - R... Palm Desktop DCH Live Logi... Document1 - Mic... 11:24 AM

Drug Testing Access System Home Page - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites

Address <https://docresults.dchs.org/bin/dplive.dll/load?file=home.htm> Go Links

Google Go Bookmarks 92 blocked Check AutoLink AutoFill Send to Settings



Need Help? Call (866) 415-2323

Wisconsin N.E.C.A/IBEW Drug Free Alliance

Powered by Dickinson Occupational Clinic

DCH SYSTEM

[Main](#) [Results](#) [Collection Sites](#) [Contact Us](#) [Log Off](#) [Help](#)

Welcome, DOC!

Noteworthy News:

Welcome to Drug Testing Access System, an Internet-based result reporting and random pool maintenance module from Dickinson Occupational Clinic. To begin using these services, click on the links above such as Company, Participants, Results, and Collection Sites.

Features of Drug Testing Access System include:

- Provide instant access to test results virtually anytime and anywhere.
- List, add, edit, delete, and print participant information.
- Update company information such as contact, address, telephone and fax numbers.
- Data cannot be seen by anyone but the logged-in user (secure connection).
- Full logging and audit trail of user activity for review by our staff.
- Test results are available to our customers as soon as they are processed by our staff.
- Random pools can be updated at your convenience.

Done Trusted sites

Drug Testing Access System Results - Microsoft Internet Explorer

File Edit View Favorites Tools Help

Back Forward Stop Refresh Home Search Favorites

Address <https://docresults.dchs.org/bin/dplive.dll/load?file=results.htm> Go Links

Google Go Bookmarks 92 blocked Check AutoLink AutoFill Send to Settings

Need Help? Call (866) 415-2323

Wisconsin N.E.C.A/IBEW Drug Free Alliance

Powered by Dickinson Occupational Clinic



[Main](#) [Results](#) [Collection Sites](#) [Contact Us](#) [Log Off](#) [Help](#)

Enter Social Security Number(s) Enter as: XXX-XX-XXXX

| | |
|---------------------------|---------------------------|
| SSN: <input type="text"/> | SSN: <input type="text"/> |
| SSN: <input type="text"/> | SSN: <input type="text"/> |
| SSN: <input type="text"/> | SSN: <input type="text"/> |
| SSN: <input type="text"/> | SSN: <input type="text"/> |
| SSN: <input type="text"/> | SSN: <input type="text"/> |

At this time, I certify that I am authorized to access the database in accordance to the applicable drug testing policies and protocol.

Done Trusted sites

Non-Association Contractor Request for Database Access

At times, contractors who are not members of one of the identified Associations, may request an employee status within the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program. This can occur when either an out-of-state contractor is doing work in Wisconsin and utilizing the local union members, or when a Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program travels out-of-state to do work.

The intent of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program is to reduce the redundancy of drug and alcohol testing and share information which is appropriate.

Procedure for Accessing Information

Out-of-State Contractors

Contractor's which require access to the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program Database must utilize the following procedure:

- Step One:** Contact the appropriate Associations or Union, which is part of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.
- Step Two:** The Association /Union must approve the contractor's request for access to the database.
- Step Three:** The approving Association/Union will contact the Dickinson Occupational Clinic and fax to the Dickinson Occupational Clinic a copy of the approval to access the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program database.
- Step Four:** The Dickinson Occupational Clinic upon receipt of the Association/Union approval, will establish an internet account, with the requesting contractor and advise that contractor of appropriate protocols to access the database.

Non-Association Contractor Database Access Authorization

Association/Union Approving Request _____

Contractor Name _____

Contractor Address _____

Print Contractor Contact Person _____

Title _____

Contractor Phone # _____ Contractor Fax # _____

Time Period for Accessing the Database”

from (date) _____ to (date) _____

Comments: _____

Association /Union Authorization

Print Name

Signature

Date

Phone Number

Employee's Request for Verification of Drug Test

An Employee who is working for a Contractor outside of Wisconsin, and wishes to have his/her drug test results validated by the Dickinson Occupational Clinic, may contact the **Dickinson Occupational Clinic at 866-415-2323** and speak with the **Service Representative**.

The validation will require the employee to provide a written authorization to release information to the Contractor.

Management of Test Results

Management of Drug/Alcohol Test Results

Within the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program, several key responsibilities have been identified as belonging to the employer and are listed below::

- The Employer must have on file with the Dickinson Occupational Clinic a completed Company Data Sheet, this need to be done, before testing can start.
- The Employer must properly notify the employee regarding a positive or negative results of his / her drug and / or alcohol test
- The Employer must instruct the employee on how to utilize a drug test from a previous employer, during the initial year of the Program.
- The Employer must properly handle a Refusal to Test.

In this section, a step-by-step procedure is outlined to help the employer meet each of these important employer responsibilities.

These procedures are only the suggestions of the Dickinson Occupational Clinic. Each employer needs to develop a sequence of events which works for the company and maintain compliance with the employer's responsibilities identified within the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

**Wisconsin NECA/IBEW Local 890 Drug-Free Alliance
Drug and Alcohol Policy and Program
Company Data Sheet**

Primary IBEW Local _____

Other IBEW Local in which you may work _____

Company Name _____

Address _____

City, State, Zip _____

Primary Contact Person _____

Phone _____ Fax _____

E-Mail _____ Other (i.e. pager) _____

Secondary Contact Person _____

Phone _____ Fax _____

E-Mail _____ Other (i.e. pager) _____

Total Number of Employees in Company _____

Total Number of Employees under the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program _____

Additional Locations (Field Offices)

Address _____

City, State, Zip _____

Field Office Contact _____

Phone _____ Fax _____ Other _____

Address _____

City, State, Zip _____

Field Office Contact _____

Phone _____ Fax _____ Other _____

Please fax completed questionnaire to Dickinson Occupational Clinic at 906-779-7115. If you have any questions, please feel free to call 1-866-415-2323.

Negative Drug Test Result

The vast majority of the drug test results will be “Negative” under the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

All negative results will be maintained by The Dickinson Occupational Clinic.

Positive Drug Test Result

A drug test, which is reported as “Positive” to the Dickinson Occupational Clinic, is not considered positive until the Medical Review Officer has concluded his investigation. The Medical Review Officer will review the appropriate documentation, laboratory test results, and speak with the employee/applicant to determine if there is any legitimate reason for the drug test to be positive. If the Medical Review Officer rules that the drug test is positive, the following sequence of events need to occur:

- Step One:** The Dickinson Occupational Clinic will contact the employer by phone to inform the employer of the positive drug test result.
- Step Two:** The Dickinson Occupational Clinic will mail the appropriate documentation to the identified company contact in a confidential envelope.
- Step Three:** The Dickinson Occupational Clinic will mark the employee as **INELEGIBLE** within the program database.

Company Responsibility:

Each company must establish an internal procedure, which outlines how to handle a employee that has been declared to be ineligible within the program. Listed below is a suggested procedure. Much of this is dependent upon the size of the company.

- Step One:** The appropriate company contact is notified by the MRO of an employee/applicant ineligible status within the program database.
- Step Two:** The company contact shall determine where the employee is working.
- Step Three:** The company contact shall then notify the appropriate company supervisors of the employees status within the program (**remember this should be on a need-to-know basis only**).
- Step Four:** Review consequences of a non-compliance with the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program with the supervisor.
- Step Five:** The appropriate company supervisor will need to meet with the employee and review their ineligible status within the program. Inform the employee, that the Company has been notified by the MRO of the employee’s ineligible status within the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.
- Step Six:** Inform the employee of their employment status with the company and that the status within the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program is marked as INELEGIBLE.

CONFIDENTIAL

**Ineligible Status
Employer Worksheet**

Employee Name _____
Social Security Number _____

The following items are required to be reviewed with an employee after the employer has been informed of an employee's ineligible status within the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program. The discussion should be between the employee and the appropriate employer representative.

- Inform the employee that the MRO has informed the Company of the employee's ineligible status within the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.
- Inform the employee of their employment status with the Company.
- Notify the employee that, in order to get reinstated in the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program that he/she will need to contact a Substance Abuse Professional and have a negative drug test administered thru the DOC prior to being made eligible within the database.
- Notify the employee of his / her right to give written notice to explain the positive test result and to indicate any over-the-counter or prescription medication which the employee is currently taking, or has recently taken, or any other information relevant to the reliability of, or explanation for a positive test.
- Notify the employee of his / her right, that within three (3) working days after notice of a positive test result on a confirmatory test, the employee may submit information to the employer, in addition to any information already submitted under the above paragraph, to explain the positive test result.
- Notify the employee, who has had a positive test result, that he/she has five (5) working days, following the date which the employee was notified of the confirmed test result, to advise the company, in writing, of the employee's desire to request a confirmatory retest of the original sample at the employee's own expense.

Inform the employee that they will be required to have a Return to Duty Test in order to be made Eligible within the program database. To complete a Return to Duty Test the employee can coordinate the test with the Dickinson Occupational Clinic, the employee should contact the Dickinson Occupational Clinic at 1-866-415-2323 to schedule the test.

Employee Signature _____ Date _____ Time _____

Supervisor Signature _____ Date _____ Time _____

Comments _____

Dickinson Occupational Clinic
 1711 S. Stephenson Ave. Iron Mountain, MI 49801
 Phone- 1-866-415-2323 906-779-7111
 Fax: 906-779-7115

CONFIDENTIAL MRO REPORT
 ATTENTION: **POSITIVE TEST RESULT** ***

DOC CONSTRUCTION CO
 1711 SOUTH STEPHENSON, SUITE 200
 IRON MOUNTAIN MI 49801

| NON-DOT ULI ACCOUNT | |
|--------------------------------|--|
| Lab Account ID: | 25022 |
| United Account: | 25022 |
| Custody Form: | D5719424-25022 |
| Test Category: | PRE-EMPLOYMENT |
| Name: | WHEAT, ALBERT R |
| SSN: | 802583549 |
| Date Collected: | 08/12/98 |
| Date Received: | 08/14/98 |
| Date Completed: | 08/17/98 |
| Test Location: | ACCU SCREEN SHAWNEE, KS 9132687226 |
| Collector: | ACCU SCREEN |
| Distribution: | DOC CONSTRUCTION |

Temperature at
 PH:
 Specific Gravity:
 Urine Creatinine: 98

Donor has been tested for
 illegal use of one or
 more of the drugs listed, screened
 by immunoassay and

confirmed by GC/MS.

| | Drug Class | Initial Test | Confirmatory | Confirmator |
|--------------------|-------------------|---------------------|---------------------|--------------------|
| | AMPHETAMINES | 1000 NG/ML | 500 NG/ML | GCIMS |
| | CANNABINOIDS | 50 NG/ML | 15 NG/ML | GC/MS |
| | COCAINE | 300 NG/ML | 150 NG/ML | GCIMS |
| ***POSITIVE | OPIATES | 2000 NG/ML | 2000 NG/ML | GCIMS |
| | PHENCYCLIDINE | 25 NG/ML | 25 NG/ML | GCIMS |
| | BARBITURATES | 300 NG/ML | 100 NG/ML | GC/MS |
| | BENZODIAZEPINES | 300 NG/ML | 100 NG/ML | GC/MS |
| | METHAQUALONE | 300 NG/ML | 100 NG/ML | GCIMS |
| | PROPOXYPHENE | 300 NG/ML | 100 NG/ML | GCIMS |
| | METHADONE | 300 NC/ML | 200 NG/ML | GCIMS |

Details of this test and any necessary donor interviews are on file at the office of the Medical Review Officer listed below.

MRO: _____
 W.B. CARLSON JR. M.D.

Testing _____
 ATN – Memphis, TN

Return to Duty

Employee Responsibility

Upon notification that an employee has violated the Policy of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program in accordance to Section H of the Policy. The Dickinson Occupational Clinic shall indicate the individual status within the program as INELIGIBLE.

The employee shall be responsible to comply with the requirements of the program in order to change their status from Ineligible to Eligible. In most cases the employee will be required to see a Substance Abuse Professional. (SAP), comply with the SAP recommendations and have a negative test under the direction of the MRO prior to changing the employee status to Eligible.

The employee has several options as it relates to working with a Substance Abuse Professional. (SAP). The employee can follow one of the following methods to identify a Substance Abuse Professional.

- Option 1:** The employee may identify a Substance Abuse Professional that provides services to insured members under the Association for Health Care, Inc. PPO network. To identify a Substance Abuse Professional, refer to the AHC/PPO Directory provided by your union health fund.
- Option 2:** The employee may identify a Substance Abuse Professional within their local area simply by looking through their local phone directory. Providers may be listed in the Yellow Pages under Chemical Dependency, Drug Abuse and Addiction, or County Substance Abuse.
- Option 3:** The employee can seek assistance in identifying a local Substance Abuse Professional by calling the Dickinson Occupational Clinic at 1-866-415-2323. Please ask to speak with the MRO or Service Representative and ask for their assistance in identifying a local Substance Abuse Professional.

Refusal to Test

There may come a time when an employee refuses to have a drug or alcohol test. A refusal to submit to an employer's request for drug / alcohol testing shall constitute insubordination and is a violation of this policy. All violations of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program shall be cause for discipline up to, and including, discharge.

In order to administer a "Refusal to Test", the Dickinson Occupational Clinic needs to be notified of the refusal.

The employer shall complete the attached "Refusal to Test Statement" and if possible, have the employee sign the refusal statement.

The employer shall retain the original "Refusal to Test Statement" and fax a copy immediately to the Dickinson Occupational Clinic at 906-779-7115.

The Dickinson Occupational Clinic will immediately change the employee status within the Program database to **Ineligible**.

**Wisconsin NECA/IBEW Local 890
Drug-Free Alliance Drug and Alcohol Policy and Program**

REFUSAL TO TEST STATEMENT

I, _____ at this time _____ (a.m./p.m.) on
_____ acknowledge that I am refusing to participate in the

Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program. Additionally, I understand that my refusal to submit to an employer's request to test for the presence of alcohol or drugs shall constitute insubordination and is a violation of this Policy.

Note: All violations of the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program shall be cause for discipline up to, and including, discharge and change my status within the Program database to Ineligible.

Signature _____ SS# _____ Date _____

Phone Number _____

Witness _____

Witness _____

NOTE: Have two (2) witnesses, if possible.

Upon immediate completion of this "Refusal To Test Statement", the Supervisor must fax a completed copy to the **Dickinson Occupational Clinic at 906 -779-7115**.

Comments: _____

Reasonable Suspicion Intervention

Definition of Reasonable Suspicion

Reasonable suspicion is a broad based term used to describe a set of circumstances which indicate a reason to conduct an investigation, or assessment, of an employee's fitness for duty or to explore possible explanations for an employee's conduct, actions, or appearance. The suspicion is based on observations of the individual employee. It is not a generalized belief or "gut feeling" about a group, or category, of employees which is based on such characteristics as dress, ethnicity, age or occupation. A reasonable suspicion is more than a hunch; it is a reasoned conclusion drawn from objective observations of the individual.

The standards applied to probable cause are generally more definitive, in a legal sense, than those applied to reasonable suspicion, especially in the context of requiring individuals to undergo a chemical test (breath, blood or urine) for the presence of alcohol or other drugs in their body. Probable cause generally implies that there is evidence to support a probable conclusion---- e.g. drug or alcohol use. Reasonable suspicion leaves room for an action to "rule out" or eliminate a particular cause for the observed phenomenon. In other words, the reasonable suspicion drug or alcohol test is used as much to determine that drugs or alcohol are not the cause of the observed behavior or appearance, as it is to prove that drugs or alcohol are the causative agent. So the behaviors, conduct, or appearance observations of the supervisor do not have to represent probable drug/alcohol misuse, but rather possible drug/alcohol misuse. A reasonable suspicion drug or alcohol test is not a diagnostic tool for definitive evidence of drug or alcohol abuse. Because an employee has used drugs or alcohol in violation of workplace policy or rules, does not mean that he/she is an alcoholic or drug addict. A reasonable suspicion drug or alcohol test is one way of determining if an employee has engaged in drug or alcohol related conduct prohibited by the Wisconsin NECA/IBEW Local 890 Drug-Free Alliance Drug and Alcohol Policy and Program.

Summary

Reasonable Suspicion----Definition

- Reasonable suspicion is based on observations of an individual
- Reasonable suspicion is based on objective, documented criteria
- Reasonable suspicion testing is used to rule out or eliminate drug/alcohol use as a cause of the individual's behavior or appearance.
- Reasonable Suspicion testing is not a diagnostic tool of substance abuse.

Confronting the Employee

Making a determination that a reasonable suspicion drug or alcohol test is necessary involves a confrontation with the employee. This is often the most difficult aspect of reasonable suspicion testing for supervisors. Confrontation about an employee's misconduct often is embarrassing and uncomfortable for many supervisors, especially if that misconduct involves the use of drugs or alcohol. Discomfort about someone's drug or alcohol use or abuse is not limited to supervisor/employee relationships. Experiences with friends or family members who drink too much leave people feeling frustrated, annoyed, angry, helpless and confused about how to approach them on the issue. Our own experiences with alcohol affect our beliefs and our actions in response to drug or alcohol misuse or abuse by others.

The key to successful confrontation about an employee's possible alcohol-related misconduct is to focus on the specific observations of employee behavior and appearance. The supervisor should not accuse the employee of drug or alcohol use, misuse or abuse. The supervisor should clearly and objectively articulate his/her observations and inform the employee that a drug screen or an alcohol breath test will be conducted. If the employee protests that the signs or symptoms are due to other causes, such as fatigue, physical illness, or personal problems, the supervisor should listen to the employee, respond empathetically, and explain that if that is the case, the drug screen or alcohol breath test will serve to eliminate drug or alcohol misuse as a possible cause of the presenting behavior or appearance. The supervisor should remain firm in his/her resolve to carry through with the decision to conduct the reasonable suspicion drug screen or alcohol test.

The confrontation should also include a clear statement of the consequences of the employees refusal to submit to the test, if appropriate. The supervisor should also be prepared to explain the procedures for obtaining the test, including such matters as transportation to and from the testing location, any documentation being made, and the employee's responsibilities. The employee may ask about the consequences of a "positive" test. The supervisor should be knowledgeable of the company's policy and the procedures for carrying it out. Often times employees being confronted about their behavior and appearance are defensive or hostile. The supervisor needs to stay focused on the observations which have led to the determination to test and follow through with arrangements to have the drug screen, blood or breath test conducted as soon as possible. Remember, if the employee is under the influence of drugs or alcohol, the defensive, hostile responses may be related to the effects of the drugs or alcohol. It is helpful to have another supervisor assist you with, or at least witness, the confrontation with the employee.

At least two supervisors or other company officials must witness the conduct of the employee, if feasible. If not feasible, only one supervisor or company official need witness the conduct. The witness or witnesses should received training in the identification of actions, appearances, or conduct, which are indicative of the use of drugs or alcohol.

Summary

Confronting the Employee

- Confrontation of the employee often is the most difficult task
- Confrontation should remain focused on employee behavior and appearance
- Collaboration with another supervisor or company official, if feasible, is helpful

- Supervisor should receive training on recognizing reasonable suspicious behavior for drugs or alcohol

Observed Behavior/Reasonable Suspicion Record

Section 1

Employee Name: _____ Employee Job Title: _____
 Division/Work Unit: _____
 Date of Observation: _____ Time: _____ am/pm
 Location: _____

Employee performing safety-sensitive duties? Yes No

Section 2 -- Observations:

Check all that apply

Behavior

- stumbling, unsteady gait
- drowsy, sleep, lethargic
- agitated, anxious, restless
- hostile, belligerent
- depressed withdrawn
- unresponsive, distracted
- clumsy, uncoordinated
- tremors, shakes
- flu-like illness, complaints
- suspicious, paranoid
- hyperactive, fidgety
- frequent use of mints, mouthwash, breath sprays, eye drops
- inappropriate, uninhibited behavior

Appearance

- flushed complexion
- sweating
- cold, clammy, sweats
- bloodshot eyes
- tearing, watery eyes
- dilated (large) pupils
- constricted (pinpoint) pupils
- unfocused blank stare
- disheveled clothing
- unkempt grooming

Speech

- slurred, thick
- incoherent
- exaggerated enunciation
- loud, boisterous
- rapid, pressured
- excessively talkative
- nonsensical, silly
- cursing, inappropriate speech

Body Odors

- alcohol
- marijuana

Other Observations: _____

Section 3

The observations, as documented above, were made of the employee identified in Section 1.

Supervisor name (printed or typed)

Signature

Date

Additional Witness: (optional)

Witness Name (printed or typed)

Signature

Date

Section 4--Test Determination:

- Reasonable Suspicion Alcohol Breath Test
- Reasonable Suspicion Urine Drug Screen
- No Test Required
- Employee Refused Test
- No test Conducted
- 8 hours elapsed
- No collection available
- Employee transported for medical care
- Other (explain) _____

Section 5

Employee transported to collection site by: _____

Time transported: _____ am/pm

Collection Site: _____

REASONABLE SUSPICION

REFERENCE MATERIAL

How Can I Tell If a Friend or a Loved One Has a Problem With Alcohol, Marijuana, or Other Illicit Drugs?

Sometimes it is tough to tell. Most people won't walk up to someone they're close to and ask for help. In fact, they will probably do everything possible to deny or hide the problem. But, there are certain warning signs that may indicate that a family member or friend is using drugs and drinking too much alcohol.

If your friend or loved one has one or more of the following signs, he or she may have a problem with drugs or alcohol:

- **getting high on drugs or getting drunk on a regular basis**
- **lying about things, or the amount of drugs or alcohol they are using**
- **avoiding you and others in order to get high or drunk**
- **giving up activities they used to do such as sports, homework or hanging out with friends who don't use drugs or drink**
- **having to use more marijuana or other illicit drugs to get the same effects**
- **constantly talking about using drugs or drinking**
- **believing that in order to have fun they need to drink or use marijuana or other drugs**
- **pressuring others to use drugs or drink**
- **getting into trouble with the law**
- **taking risks, including sexual risks and driving under the influence of alcohol and/or drugs**
- **feeling run-down, hopeless, depressed, or even suicidal**
- **suspension from school for an alcohol or drug-related incident**
- **or missing work or poor work performance because of drinking or drug use**

Many of the signs, such as sudden changes in mood, difficulty in getting along with others, poor job or school performance, irritability, and depression, might be explained by other causes. Unless you observe drug use or excessive drinking, it can be hard to determine the cause of these problems. Your first step is to contact a qualified alcohol and drug professional in your area who can give you further advice.

How Can I Tell if I Have a Problem with Drugs or Alcohol?

Drug and alcohol problems **can affect every one** of us regardless of age, sex, race, marital status, place of residence, income level, or lifestyle.

You may have a problem with drugs or alcohol, if:

- **You can't predict whether or not you will use drugs or get drunk.**
- **You believe that in order to have fun you need to drink and/or use drugs.**
- **You turn to alcohol and/or drugs after a confrontation or argument, or to relieve uncomfortable feelings.**
- **You drink more or use more drugs to get the same effect that you got with smaller amounts.**
- **You drink and/or use drugs alone.**
- **You remember how last night began, but not how it ended, so you're worried you may have a problem.**
- **You have trouble at work or in school because of your drinking or drug use.**
- **You make promises to yourself or others that you'll stop getting drunk or using drugs.**
- **You feel alone, scared, miserable, and depressed.;**

If you have experienced any of the above problems, take heart, help is available. More than a million Americans like you have taken charge of their lives and are living healthy and drug-free.

How Can I Get Help?

You can get help for yourself or for a friend or loved one from numerous national, state, and local organizations, treatment centers, referral centers, and hotlines throughout the country. There are various kinds of treatment services and centers. For example, some may involve outpatient counseling, while others may be 3 to 5 weeklong programs.

While you or your friend or loved one may be hesitant to seek help, know that treatment programs offer organized and structured services with individual, group, and family therapy for people with alcohol and drug abuse problems. Research shows that when appropriate treatment is given, and when clients follow their prescribed program, *treatment can work*. By reducing alcohol and/or drug abuse, treatment reduces costs to society in terms of medical care, law enforcement, and crime. More importantly, treatment can help keep you and your loved ones together.

Remember, some people may go through treatment a number of times before they are in full recovery.

Do not give UP hope.

Each community has its own resources. Some common referral sources that are often listed in the phone book are:

- **Community Drug Hotlines**
- **Local Emergency Health Clinics, or Community Treatment Services**
- **Local Health Departments**
- **Alcoholics Anonymous, Narcotics Anonymous, or Al-Anon/Alateen**
- **Hospitals**

The Warning Signs of Substance Abuse

The existence of an alcohol or drug problem often manifests itself in an employee's work performance, behavior, or appearance in the following ways:

1. Excessive absences and/or tardiness (especially after a weekend or holiday).
2. Frequent requests for time off during the workday.
3. Numerous accidents without explanation.
4. Pattern of accidents in area during particular time/shift.
5. Noticeable increase in medical insurance claims, particularly for non-job injuries.
6. Unsatisfactory work performance.
7. Lack of concentration or decreased productivity after lunch or breaks.
8. Non-work-related visits from other employees or strangers.
9. Frequent trips to the restroom or water fountain.
10. Long lunch hours.
11. Frequent visits to automobile/parking lot.
12. Drowsiness, slurred speech, lack of coordination, inability to concentrate, nausea or other physical symptoms.
13. Agitation, rapid or slurred speech, dizziness, dilated pupils.
14. Bloodshot eyes, runny nose.
15. Drastic weight changes.
16. Marked change in mood, attitude, or behavior.
17. Deterioration in personal grooming and hygiene.
18. Wearing sunglasses and long-sleeved shirts at inappropriate times to hide dilated pupils or needle marks.
19. Frequent need to borrow money.
20. Avoidance of supervisors.

Drug Categories for Substances of abuse

To assist you in locating substances in this document the following cross reference by category is provided.

Narcotics

Alfentanil
Cocaine*
Codeine
Crack Cocaine*
Fentanyl
Heroin
Hydromorphone
Ice
Meperidine
Methadone
Morphine
Nalorphine
Opium
Oxycodone
Propoxyphene

Depressants

Amobarbital
Benzodiazepine
Chloral Hydrate
Chlordiazepoxide
Diazepam
Glutethimide
Meprobamate
Methaqualone
Nitrous Oxide
Pentobarbital
Phenobarbital
Secobarbital

Stimulants

Amphetamine
Benzedrine
Benzphetamine
Butyl Nitrite
Dextroamphetamine
Methamphetamine
Methylphenidate
Phenmetrazine

Hallucinogens

Bufotenine
LSD
MDA
MDEA
MDMA
Mescaline
MMDA
Phencyclidine
Psilocybin

Cannabis

Lorazepam
Marijuana
Tetrahydrocannabinol

Alcohol

Ethyl Alcohol

Steroids

Dianabol
Nandrolone

*Cocaine, while classified under the Controlled Substances Act (CSA) as a narcotic, is also discussed as a stimulant.

Drug Category Profile

Alcohol

| Drug | Dependence Physical/Psychological | How Used | Duration (hours) |
|---------------|--------------------------------------|----------|---------------------|
| Ethyl Alcohol | Possible/Possible | Oral | 1-4 |
| Ethanol | Possible/Possible | Oral | 1-4 |

What Is Alcohol? Liquid distilled product of fermented fruits, grains and vegetables
Used as solvent, antiseptic and sedative
Moderate potential for abuse

Possible Effects Intoxication
Sensory alteration
Anxiety reduction

Symptoms of Overdose Staggering
Odor of alcohol on breath
Loss of coordination
Slurred speech, dilated pupils
Fetal alcohol syndrome (in babies),
Nerve and liver damage

Withdrawal Syndrome Sweating
Tremors
Altered perception
Psychosis, fear, auditory hallucinations

Indications of Possible Misuse Confusion, disorientation, loss of motor nerve control
Convulsions, shock, shallow respiration
Involuntary defecation, drowsiness
Respiratory depression and possible death

Alcohol

Also known as:

Booze, Juice, Brew, Vino, Sauce

You probably know why alcohol is abused--

- Relaxation
- Sociability
- Cheap High

But did you know that-

- Alcohol is a depressant that decreases the responses of the central nervous system.
- Excessive drinking can cause liver damage and psychotic behavior.
- As little as two beers or drinks can impair coordination and thinking.
- Alcohol is often used by substance abusers to enhance the effects of other drugs.
- Alcohol continues to be the most frequently abused substance among young adults.

Drug Category Profile

Cannabis

| Drug | Dependence Physical/Psychological | How Used | Duration (hours) |
|----------------------|---|----------------------------|----------------------------|
| Marijuana | Unknown/Moderate | Smoked, oral pot, grass | 2-4 |
| Tetrahydrocannabinol | Unknown/Moderate | Smoked, oral | 2-4 |
| Hashish | Unknown/Moderate | Smoked, oral | 2-4 |
| Hashish Oil | Unknown/Moderate | Smoked, oral | 2-4 |

What is Cannabis?

Hemp plant from which marijuana and hashish are produced; Hashish consists of resinous secretions of the cannabis plant; Marijuana is a tobacco-like substance

Possible Effects

Euphoria followed by relaxation; loss of appetite; impaired memory, concentration, knowledge retention; loss of coordination; more vivid sense of taste, sight, smell, hearing; stronger doses cause fluctuating emotions, fragmentary thoughts, disoriented behavior, psychosis; may cause irritation to lungs, respiratory system; may cause cancer

Symptoms of Overdose

Fatigue, lack of coordination, paranoia, psychosis

Withdrawal Syndrome

Insomnia, hyperactivity, sometimes decreased appetite

Indications of Possible Misuse

Animated behavior, loud talking, followed by sleepiness
Dilated pupils, bloodshot eyes
Distortions in perception; hallucinations
Distortions in depth and time perception; loss of coordination

Drug Category Profile

Depressants

| Drug | Dependence Physical/Psychological | How Used | Duration (hours) |
|-----------------|--------------------------------------|----------|---------------------|
| Barbiturates | High/mod. | Oral | 1-16 |
| Methaqualone | High/High | Oral | 4-8 |
| Tranquilizers | High/High | Oral | 4-8 |
| Chloral Hydrate | Mod./Mod. | Oral | 5-8 |
| Glutethimide | High/Mod. | Oral | 4-8 |

What are Depressants?

Drugs used medicinally to relieve anxiety, irritability, tension
high potential for abuse, development of tolerance
Produce state of intoxication similar to that of alcohol
Combined with alcohol increase effects, multiply risks

Possible Effects

Sensory alteration, anxiety reduction, intoxication
Small amounts cause calmness, relaxed muscles
larger amounts cause slurred speech, impaired judgment, loss of motor coordination.
Very large doses may cause respiratory depression, coma, death
Newborn babies of abusers may show dependence, withdrawal symptoms, behavioral problems, birth defects

Symptoms of Overdose

Shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma, death

Withdrawal Syndrome

Anxiety, insomnia, muscle tremors, loss of appetite
abrupt cessation or reduced high dose may cause convulsions, delirium, death

Indications of Possible

Behavior similar to alcohol intoxication (without odor of **Misuse** alcohol on breath) staggering, stumbling, lack of coordination, slurred speech falling asleep while at work, difficulty concentrating dilated pupils

Drug Category Profile

Hallucinogens

| Drug | Dependence Physical/Psychological | How Used | Duration (hours) |
|--|---|-----------------------------------|----------------------------|
| PCP Angel Dust Loveboat | Unknown/High | Smoked, oral | up to days injected |
| LSD Acid Green/Red Dragon | None/Unknown | Oral | 8-12 hrs |
| Mescaline, Peyote | None/Unknown | Oral, Injected | 8-12 hrs |
| Psilocybin | None/Unknown | Oral, Injected, Smoked Sniffed | Variable |
| Designer Drugs* Ecstasy -PCE | None/Unknown | Oral, Injected, Smoked | Variable |

What are Hallucinogen

Drugs that produce behavioral changes that are often multiple and dramatic. No known medical use, but some block sensation to pain and use may result in self-inflicted injuries.
"Designer Drugs", made to imitate certain illegal drugs are often many times stronger than drugs they imitate

Possible Effects

Rapidly changing feelings, immediately and long after use. Chronic use may cause persistent problems, depression, violent behavior, anxiety, distorted perception of time Large doses may cause convulsions, coma, heart/lung failure, ruptured blood vessels in the brain. May cause hallucinations, illusions, dizziness, confusion, suspicion, anxiety, loss of control Delayed effects - "flashbacks" may occur long after use Designer drugs - one use may cause irreversible brain damage

Symptoms of Overdose

Longer, more intense "trip" episodes, psychosis, coma, death

Withdrawal Syndrome

No known withdrawal syndrome

Indications of Possible Misuse

No known withdrawal syndrome
Extreme changes in behavior and mood; person may sit or recline in a trance like state; person may appear fearful
Chills, irregular breathing, sweating, trembling hands
Changes in sense of light, hearing, touch, smell, and time
Increase in blood pressure, heart rate and blood sugar

*Phencyclidine analogs, Amphetamine variants

Hallucinogens

Types:

- LSD (Acid, Red/Green Dragon)
- Ecstasy (designer drug)
- PCP (Angel Dust, Loveboat)
- PCP & Cocaine (Beam me up Scottie)
- Mescaline
- Psilocybin

You probably know why hallucinogens are abused -

- Fun
- Stimulation or depression
- Behavioral changes

But did you know that

- One use of LSD or PCP can cause multiple and dramatic behavioral changes.
- Large doses of hallucinogens may cause convulsions, ruptured blood vessels in the brain and irreversible brain damage.
- Many hallucinogens cause unpleasant and potentially dangerous "flashbacks," long after the drug was used.
- Most hallucinogens cause "hallucinations," i.e., changes in perception of time, smell, touch, etc.

Drug Category Profile

Inhalants

Some of the substances that are abused:

- Butyl nitrite
- Amyl nitrite (Gas in aerosol cans)
- Gasoline and Toluene vapors (Correction fluid, glue, marking pens)

You probably know why inhalants are abused -

- Cheap High
- Quick buzz
- Fun

But did you know that inhalants may cause -

- Loss of muscle control
- Slurred speech
- Drowsiness or loss of consciousness
- Excessive secretions from the nose and watery eyes
- Brain damage and damage to lung cells

Drug Category Profile

Narcotics

| Drug | Dependence Physical/Psychological | How Used | Duration (hours) |
|---------------|---|-------------------------|----------------------------|
| Opium | High/High | Oral, Smoked | 3-6 |
| Morphine | High/High | Oral, Smoked | 3-6 |
| Codeine | Mod/Mod | Oral, Injected | 3-6 |
| Heroin | High/High | Oral, Injected, sniffed | 3-6 |
| Hydromorphone | High/High | Oral, Injected | 3-6 |
| Meperidine | High/High | Oral, Injected | 3-6 |
| Methadone | High/High | Oral, Injected | 12-24 |

What are Narcotics?

Drugs used medicinally to relieve pain
High potential for abuse
Cause relaxation with an immediate "rush" Initial unpleasant effects - restlessness, nausea

Possible Effects

Euphoria
Drowsiness, respiratory depression
Constricted (pin-point) pupils

Symptoms of Overdose

Slow, shallow breathing, clammy skin
Convulsions, coma, possible death

Withdrawal Syndrome

Watery eyes, runny nose, yawning, cramps
Loss of appetite, irritability, nausea
Tremors, panic, chills, sweating

Indications of Possible Misuse

Scars (tracks) caused by injections
Constricted (pin-point) pupils
Loss of appetite
Sniffles, watery eyes, cough, nausea
Lethargy, drowsiness, nodding
Syringes, bent spoons, needles, etc.

Drug Category Profile

Stimulants

| Drug | Dependence Physical/Psychological | How Used | Duration (hours) |
|------------------|---|------------------------------------|----------------------------|
| Cocaine* | Possible/High | Sniffed, smoked, injected | 1-2 |
| Amphetamines | Possible/High | Oral, injected | 2-4 |
| Methamphetamine | Possible/High | Oral, injected | 2-4 |
| Phenmetrazine | Possible/High | Oral, injected | 2-4 |
| Methylphenidate | Possible/Mod | Oral, injected | 2-4 |
| Other Stimulants | Possible/High | Oral, injected | 2-4 |
| Ice | High/High | Smoked, oral, injected, inhaled | 4-14 |

What are Stimulants?

Drugs used to increase alertness, relieve fatigue, feel stronger and more decisive; used for euphoric effects or to counteract the "down" feeling of tranquilizers or alcohol

Possible Effects

Increased heart and respiratory rates, elevated blood pressure, dilated pupils and decreased appetite; high doses may cause rapid or irregular heartbeat, loss of coordination, collapse; may cause perspiration, blurred vision, dizziness, a feeling of restlessness, anxiety, delusions

Symptoms of Overdose

Agitation, increase in body temperature, hallucinations, convulsions, possible death

Withdrawal Syndrome

Apathy, long periods of sleep, irritability, depression, disorientation

Indications of Possible Misuse

Excessive activity, talkativeness, irritability, argumentativeness or nervousness
Increased blood pressure or pulse rate, dilated pupils
Long periods without sleeping or eating
Euphoria

*Cocaine, while classified under the Controlled Substances Act (CSA) as a narcotic, is also discussed as a stimulant.

Drug Category Profile

Steroids

| Drug | Dependence Physical/Psychological | How Used | Duration (hours) |
|-------------|---|-----------------|----------------------------|
| Dianabol | Possible/Possible | Oral | days-wks |
| Nandrolone | Possible/Possible | Oral | days-wks |

What are Steroids? Synthetic compounds available legally and illegally
Drugs that are closely related to the male sex hormone, testosterone
Moderate potential for abuse, particularly among young males

Possible Effects Increase in body weight
Increase in muscle strength
Enhance athletic performance
Increase physical endurance

Symptoms of Overdose Quick weight and muscle gains
Extremely aggressive behavior or "Road rage" Severe skin rashes
impotence, withered testicles
In females, development of irreversible masculine traits

Withdrawal Syndrome Significant weight loss
Depression
Behavioral changes
Trembling

Indications of Possible Misuse Increased combativeness and aggressiveness
Jaundice
Purple or red spots on body; unexplained darkness of skin
Persistent unpleasant breath odor
Swelling of feet or lower legs

Steroids

Three types of steroids:

- Anabolic (male hormone)- steroids most frequently abused
- Cortical
- Estrogenic (female hormone)

You probably know why steroids are abused--

- Increase strength
- Increase muscle size
- Help muscles recover

But did you know that abuse of steroids may cause-

- Severe acne, rashes, stunted growth
- Sexual function problems
- Women to take on masculine traits, develop hairiness
- Behavioral changes, aggressiveness ("road rages")
- Long-term effects, such as cholesterol increases, heart disease, liver tumors, cancer, cataracts and death

SECTION 12

OPEN

Drug Testing Issues

COMMONLY ASKED QUESTIONS

REGARDING DRUG AND ALCOHOL TESTING

When instituting drug and alcohol testing programs, employees often have similar questions regarding the testing procedures, the accuracy of the test, and other issues of fairness. In an attempt to answer some of the most frequently asked questions, please review the following issues:

Q. How long does marijuana stay in my system after smoking a single joint?

A. Although there is a commonly held belief that marijuana stays in the system for an extended period of time, this is generally not true. Marijuana excretion and metabolism are individualized and are affected by a variety of factors including the amount of marijuana smoked, the strength of the marijuana, the individual's overall metabolism, and type of testing performed. Contrary to popular belief, marijuana from smoking one or two moderately powerful marijuana cigarettes does not stay in the system for an extended period of time. Recent studies have shown that a single marijuana cigarette will often leave the system within a period of 24 to 48 hours. Prolonged use of high dose marijuana can extend this excretion to longer periods of time but usually the test is negative earlier.

Q. Can my test be positive if someone next to me has been smoking marijuana?

A. The Medical Review Officer, who discusses positive tests with individuals has many people tell him that they do not themselves use marijuana but were in a car, a room, etc. where other people were smoking it. A large number of studies have been done which, in essence, conclude that second-hand smoke cannot cause a positive test at the cutoff level that is used by this testing program.

Q. If I take a prescribed medicine from my doctor, will I have a positive test? Will over-the-counter medications, like Motrin, give me a positive test?

A. The primary responsibility of the Medical Review Officer is to try to elicit valid reasons for a positive test result. Before an employer is notified that one of their employees has had a positive test, the Medical Review Officer contacts the individual and gives him/her an opportunity to provide evidence that he/she is on a legal prescription for a particular substance. It is often the case in a positive test for opiates that the patient has been placed on a common pain medication by the doctor such as Tylenol with Codeine. If this is the case, the role as Medical Review Officer is to report the test as negative since this would be considered to be legitimate use of a controlled substance. There are currently no over-the-counter medications, available legally in the United States which would cause a laboratory based urine drug screen, at a certified laboratory using routine cutoff levels, to cause a positive test.

Q. If I drink a 12-pack the night before an alcohol test, will I have a positive test the following morning?

A. The elimination of alcohol from the system is quite efficient. Each drink of alcohol will raise the breath alcohol concentration by approximately 0.015 units per hour. The elimination of alcohol proceeds at that same rate of 0.015 units per hour thereafter. If a person drank a 12 pack of beer the night before a breath alcohol test and finished drinking at 10 p.m., his alcohol level

immediately after drinking the 12 pack would be approximately 0.18 units which is clearly a positive test. By 6:00 a.m. the following morning, however, the patient's system would have eliminated enough of the alcohol so that the level would be 0.06. Using a 0.08 cutoff level, this test would be viewed as a negative. Therefore, unless a person is drinking heavily shortly before the test, he would not have a positive result.

Q. Will poppy seed muffins give me a positive drug test?

A. The current cutoff level for opiates has been increased over the past several years to a level where poppy seeds would not give a positive test. Even if a person consumed a very large amount of poppy seeds, the Medical Review Officer's review would pick this up as a possibility; therefore, a person who consumes even large amounts of poppy seeds, or any other legally available substance, would not have a verified positive test.

Q. If I have diabetes or any other medical condition, will I test positive for alcohol or other drugs?

A. Using the technology employed in this program, the answer is no.

Q. What are Adulterants?

A. Many of the individuals who are taking drug screening tests may be classified as desperate people. For these people, the test result may mean the loss of a job or the revocation of parole. Therefore, these individuals may go to any extreme to try and beat the test.

Individuals may try to smuggle in clean urine to place in their sample cup. This clean urine may come from non-drug using friends, or it is available commercially through such magazines as "High Times" or various outlets. If clean urine is not available at the time, they may try to use various products such as "Mountain Dew". Most of these situations are caught at the collection site with the temperature strips on the collection cups.

Individuals adulterate their urine samples with eye drops, dish soap, bleach, vinegar, drain cleaner, or whatever is under the kitchen sink that might mask the drug or invalidate the sample. Many individuals and entrepreneurs are becoming very innovative in making and selling products to beat the tests.

Many of the products sold help individuals become "flushed". Flushing can effectively dilute drugs in the urine. These products also contain creatinine, to help replace the creatinine, which has been diluted, and B vitamins to make the sample a typical yellow color. These products are being sold as dietary supplements so the makers do not have to prove that their products are safe or effective.

Some of the products are designed to alter the screening assay. UrinAid, a very effective commercial adulterant, will sometimes cause depressed absorbencies for some EIA assays. UrinAid contains glutaraldehyde, and it comes in a small vial, which is added to urine by the individual during the collection process. It is effective against EMIT but not with other immunoassays. During the screening process, abnormally negative readings may indicate the use of UrinAid. Glutaraldehyde can be screened for upon request.

Potassium nitrite is currently the most popular of these adulterants, because it is widely believed that this substance will affect the test for cannabinoids. “Klear” is potassium nitrite, which does not appear to affect the immunoassay screening tests but does interfere with the gas chromatography/mass spectrometric (GC/MS) analysis of 9-carboxy-tetrahydrocannabinol (9-carboxy THC). Excessive nitrites in urine can be easily screened for either at the collection site or the testing laboratory.

Many of the methods and products may work some of the time, but there is not a single product, which has not failed. Though there are many attempts to thwart the system, the odds of avoiding detection are getting higher as methods to check for adulteration become more refined.

Sample Company Drug and Alcohol Policy

(Company Name)

OFFICE EMPLOYEE

DRUG AND ALCOHOL

POLICY AND PROGRAM

COMPANY

SUBSTANCE ABUSE TESTING POLICY

I. Introduction

- A. The COMPANY is committed to establishing and maintaining a drug free workplace for every employee. They are particularly concerned about alcohol and other drug abuse, since such abuse can have a serious effect on employee productivity and job performance, and may jeopardize the safety of the employee, coworkers and customer personnel.
- B. In addition, the COMPANY has an obligation to their customers to ensure the provision of high quality services and customer satisfaction. Substance abuse by employees could result in serious mistakes in judgment and thereby compromise both the high quality of services and customers' trust.
- C. Finally, the COMPANY recognizes that alcohol and other-drug dependency is a treatable disease.
- D. The COMPANY consequently has established this Substance Abuse Testing Policy to:
 - (1) Ensure a safe healthful and drug-free workplace for all covered employees and customer personnel;
 - (2) Educate covered employees on the signs, symptoms and consequences of substance abuse;
 - (3) Reduce substance abuse-related injuries and property damage;
 - (4) Reduce substance abuse-related absenteeism and tardiness;
 - (5) Refer covered employees with substance abuse problems to appropriate care and assistance;
 - (6) Deter individuals from bringing, possessing, using, distributing or having in their systems alcohol or other drugs on work time or premises;
 - (7) Improve the image of our company and industry with our customers;
 - (8) Improve, if not ensure, productivity and service quality; and
 - (9) Help the COMPANY maintain their position of leadership in the electrical contracting industry.

(10) It is the intent of the Policy that no part of this policy shall be construed to conflict with any State or Federal, criminal or drug enforcement regulations.

- E. The COMPANY has committed substantial resources to make this Policy effective for every covered employee. **It is designed to offer counseling and rehabilitation assistance to those who have substance abuse problems and an opportunity to seek help, which they are encouraged to do.** Substance abusers who do not take advantage of the help available will be subject to discipline, up to and including discharge, if they violate this Policy.
- F. Covered employees who violate this Policy will be identified in part by drug testing. Employees will be subjected to such testing upon implementation of this Policy and then, thereafter, before hire, based upon reasonable suspicion, after certain work-related incidents, pursuant to random selection, and after their return to work from counseling, rehabilitation or other treatment for substance abuse.

II. Definitions

- A. “Covered employee”: every employee who is employed by the contractor that is not represented by a union.
- B. “DHHS”: United States Department of Health and Human Services.
- C. “DOT”: United States Department of Transportation.
- D. “Drugs”: narcotics, other controlled substances, synthetic drugs, alcohol, and other mind- or mood-altering products, including prescribed and over-the-counter medications.
- E. “Medical Review Officer” or “MRO”: a physician who has knowledge of substance abuse disorders and is able to interpret and to evaluate an individual’s positive test result as it relates to the employee’s medical history and other biomedical information.
- F. “Possession”: custody or control of a drug, including having a drug in one’s system in excess of the concentration level prescribed by this Policy.
- G. “Premises”: all land, property, buildings, structures, installations, parking lots, means of transportation owned by or leased to the Company, property of customers on which the Company employees are working, property otherwise being used for Company business, and private vehicles parked on Company or customer property.
- H. “Company Contact”: the individual appointed by the Company as being responsible for workplace safety, or that individual’s designee (whether the individual or the designee has the title of safety director or not).
- I. “Third-Party Administrator”: the individual or entity chosen to administer the drug testing and test-related elements of this Policy.

III. General Provisions

- A. Except as otherwise provided in this Policy, the COMPANY prohibits the use, possession, concealment, storage, sale or distribution of drugs or drug paraphernalia on its premises or time or at its outside events. Reporting to work under the influence of a drug or having in one's system (even if because of use off Company premises and time) any drug in excess of the appropriate concentration level, as established by this Policy (see below), also is prohibited.
- B. The use and possession of legally-prescribed drugs is permitted on the COMPANY premises and time provided the drug has been prescribed legally by a licensed medical practitioner for the current use of the person in possession of the drug. Possession of lawfully-acquired over-the-counter drugs also is permitted, but use of any such drug must be consistent with the manufacturer's instructions.
- C. In order to enforce and to monitor compliance with this Policy, the COMPANY has contracted with the Third-Party Administrator. The Third-Party Administrator responsible for contracting with one or more clinics and testing laboratories certified by DHHS to collect and to test urine, breath, saliva, and blood specimens for the presence of drugs, as explained below.

IV. Types of Testing to be Conducted

A. Implementation testing

At or about the time this Policy is implemented, all COMPANY employees may be required to take and to pass (that is, test negative on) a test for drugs other than alcohol.

B. Pre-employment / placement testing

- (1) Any otherwise-qualified job applicant or existing employee will be required to take and to pass (that is, test negative on) a test for drugs other than alcohol as a condition of hire or placement in a job with the COMPANY.

C. Reasonable suspicion testing

- (1) Any employee whose supervisor has a reasonable suspicion that the employee is in violation of this policy will be required to undergo a drug and/or alcohol test. A reasonable suspicion is one based upon observable and articulable conduct, appearance or work performance of the employee identified.
- (2) Whenever feasible, an employee required to submit to reasonable suspicion testing will be observed by more than one supervisory or management employee trained to identify signs of possible substance abuse, who will be encouraged to fill out a Reasonable Suspicion Checklist. (See attachment.) An employee to be tested based upon reasonable suspicion will be placed on Inactive Status pending the COMPANY receipt of notice of the test result.

D. Post-incident testing

Any employee involved in a work-related incident. Resulting in property damage or in injury to any person (including themselves) requiring offsite medical care or medical care provided onsite by an outside provider may be required to undergo a drug and/or alcohol test and may be suspended pending the COMPANY receipt of notice of the test result.

E. Random testing

All employees covered by this Policy will be subject to testing for drugs, other than alcohol on an unannounced basis pursuant to random selection. Selection of individuals to be tested will be made by the Third-Party Administrator by computer from among a pool of all employees members covered under this policy.

F. Post-counseling/rehabilitation testing

An employee who has tested positive and successfully completed counseling, rehabilitation or other treatment under this Policy will be required to take and to pass (that is, test negative on) a drug and/or alcohol test before being returned to work. Any such employee who returns to work thereafter will be subject to unannounced drug testing (in addition to the testing described above) in compliance with the action plan developed with the substance abuse counselor for a period no less than one year or as determined by the substance abuse counselor. Individuals to be tested under this Paragraph will be chosen at random by the Third-Party Administrator.

V. Specimen Collection and Testing

A. Collection Sites

The Third Party Administrator shall identify local clinic for having the drug screen collections conducted.

B. Consent and Release

Prior to specimen collection, an individual identified for testing under this Policy. Will be required to sign a consent and release form authorizing and agreeing to collection and testing of a specimen, or specimens, of his/her urine, blood, saliva, or breath and communication of the circumstances and results of the specimen collection and testing to and among the individual, the Third-Party Administrator, the clinic, the laboratory, the Contractor's management, the MRO,. Examples of such forms are attached, though any form chosen by the Third-Party Administrator may be used.

C. Specimen collection

(1) Urine, blood, saliva, or breath specimens will be collected by a clinic(s) selected by the Third-Party Administrator, the clinic(s) will follow chain-of-custody procedures and procedures that protect employee confidentiality and privacy and protect the collected specimen(s) from adulteration, substitution and misidentification. Each employee will provide his or her urine specimen in private, unless clinic personnel

have an articulable suspicion that the employee either has adulterated or substituted, or may attempt to adulterate or to substitute, his or her specimen.

- (2) If an employee is subject to testing under this Policy but is not either able or competent to authorize specimen collection or is in need of prompt medical attention, medical attention will not be delayed or withheld pending collection of a urine, blood, saliva, or breath specimen. However, any such employee must authorize the health care provider treating him or her to conduct such specimen collection as requested by the COMPANY. The employee shall release to the MRO all reports and records necessary, in the MRO's discretion, to his or her monitoring of the employee's compliance with this Policy's terms.

D. Specimen Testing

- (1) All urine and blood specimen testing will be conducted by a laboratory certified by DHHS.
- (2) Those drugs to be tested for shall include (or as presently prescribed by DHHS): (See Appendix A.)

- Amphétamines
- Barbiturates
- Benzodiazépines
- Cocaine
- Marijuana
- Methadone
- Methaqualone
- Opiates
- Phencyclidine (PCP)
- Propoxyphene
- Alcohol

- (3) A "positive" test result is defined, for purposes of this Policy, as one reflecting a concentration of a drug at or in excess of the level prescribed by the Policy or, in the case of alcohol, by DOT.
- (4) All initial positive urine and blood test results will be confirmed by a second, more specific testing method called gas chromatography/mass spectrometry.
- (5) Testing for alcohol content will be by blood analysis, saliva screening or breathalyzer. An initial positive test result will be confirmed by either blood analysis or evidential grade breath alcohol units.

E. Specimen retesting at employee request

Any employee blood- or urine-tested under this Policy who questions the accuracy of a positive test result may submit a written request for a retest of the same sample to the MRO within five (5) working days of the employee's receipt of notice of the result. A

portion of the original specimen will have been preserved for such testing, which will be conducted at the employee's own expense either by the same laboratory or a different DHHS-certified laboratory of the employee's choice consistent with the procedures and standards prescribed by DHHS.

VI. Pay for Time Spent in Providing Specimen(s).

This section needs to be company specific.

Any employee of the COMPANY who loses time from work in order to provide a specimen(s) for drug testing will be paid compensation and benefits for the actual time lost.

VII. Notification of Positive Test

No result of a drug test of an employee will be reported to the Company Contact as positive until the MRO has confirmed that the result reflects a violation of this Policy. The MRO will make reasonable attempts to contact any tested employee for information the MRO deems necessary to a determination that the employee's test result was or was not positive. In the event an employee declines the opportunity to discuss the result of a test or to provide information requested by the MRO. The MRO is unable for two (2) days to reach the employee despite the MRO's reasonable efforts, the MRO will report the result to the Company Contact as positive.

VIII. Reinstatement, Assistance and Discipline

A. Generally

The COMPANY will not generally discipline or discharge an employee based exclusively upon a positive test result if the result was the employee's first positive.(an exception may be made if the employee also violated Section II (H) 2,4,5 or 6 contained on page 3 herein) A first positive test result generally will result in a referral of the employee to assistance.

B. After implementation testing

In the event an employee's implementation test result returns positive, the employee will be treated as if he or she tested positive on a reasonable suspicion drug test. (See below.)

C. After pre-employment testing

- (1) In the event the test result of a qualified job applicant returns negative, he or she will be provided work that is available and for which the individual is qualified.
- (2) An employer may withdraw a job offer made contingent on the applicant passing a drug test where an applicant test positive for drugs on an initial screening test that has been verified by a confirmatory test or where an applicant refuses to submit to a test sample

D. After reasonable suspicion testing

- (1) In the event an employee's reasonable suspicion test result returns negative. While he or she is on suspension working pending the COMPANY receipt of notice of the result. The employee will be immediately returned to work and made whole for any compensation and benefits that he or she would have received had the employee's work not been interrupted by the test and/or placement suspension. However, if any part of the employee's period of suspension was time off for misconduct associated with the circumstances that led to the initial testing, the employee will not be made whole for the time off that was for the misconduct.
- (2) In the event an employee's reasonable suspicion drug test result returns positive, the employee may be offered substance abuse counseling and, upon referral, rehabilitation or other treatment. The employee nevertheless may be disciplined, up to and including discharge, for any misconduct related to, or any damage or injury resulting from, his or her substance abuse. In the event the employee has been terminated for such misconduct, no referral to counseling, rehabilitation or other treatment need be made. If the employee refuses counseling, rehabilitation and/or other treatment after a positive test, they may be disciplined and or terminated.

E. After post-incident testing

- (1) In the event an employee's post-incident test result returns negative. While he or she is on suspension pending the Contractor's receipt of notice of the result, the employee will be immediately placed back to work and made whole for any compensation and benefits that he or she would have received had the employee's work not been interrupted by the test and/or placement on suspension. However, if any part of the employee's period of suspension was time off for misconduct associated with the circumstances that led to the initial testing, the employee will not be made whole for the time off that was for the misconduct.
- (2) In the event an employee's post-incident test result returns positive, the employee will be treated as if he or she tested positive on a reasonable suspicion drug test. (See above.)

F. After random testing

- (1) In the event an employee's random test result returns negative, the employee will be made whole for any compensation and benefits he or she would have earned had the employee's work not been interrupted by the test.
- (2) In the event an employee's random test result returns positive, the employee will be treated as if he or she tested positive on a reasonable suspicion drug test. (See above.)

G. After post-counseling/rehabilitation testing

An employee who has returned to work after having tested positive and successfully completed counseling, rehabilitation or other treatment under this Policy and who tests positive again under any provision of this Policy will be terminated.

H. After retesting at employee request

If the result of a retest requested by an employee (of the same specimen) under this Policy is negative, the COMPANY will reimburse the employee for the cost of the test, will place the employee back to work and will make the employee whole for any compensation and benefits lost if he or she was placed on suspension pending the COMPANY receipt of notice of the first test result. However, if any part of the employee's period of suspension was time off for misconduct associated with the circumstances that led to the initial testing, the employee will not be made whole for the time off that was for the misconduct.

I. Upon refusal to sign/cooperate

- (1) In the event a job applicant refuses to execute a consent and release form, attempts to adulterate, to substitute or to tamper with a specimen or otherwise attempts to interfere with the specimen collection or testing processes, the conditional job offer will be withdrawn.
- (2) An employee who refuses to execute a consent and release form, who attempts to adulterate, to substitute or to tamper with a specimen or otherwise to interfere with the specimen collection or testing processes, or who refuses to cooperate with the MRO or to provide the MRO with information he or she requests, will be treated as having tested positive for purposes of this Policy and as having been insubordinate for the Contractor's disciplinary purposes.

IX Confidentiality

The COMPANY, the clinic(s), the laboratory(ies), the MRO, and the Third-Party Administrator, will treat as confidential to the extent possible, all test-related information, subject to the terms of this Policy. Such information includes, but is not limited to, the fact of testing; test results; information regarding referral for counseling, rehabilitation, other treatment, or aftercare; the result of any such referral for counseling, rehabilitation, other treatment, or aftercare; and the reason(s) for any disciplinary action taken under this Policy.

XII. Term and Substance Abuse Program Review Committee

This Policy may be modified from time to time by the COMPANY. The COMPANY also shall consider, from time to time as appropriate, the performance of the Third Party Administrator.

Company Representative

Date

CONSENT TO URINALYSIS

I hereby voluntarily consent to a urine test, including the collection of a sample of my urine, for the purpose of urinalysis pursuant to _____'s ("Company") Substance Abuse Testing and Assistance Program for Non-DOT-Regulated Employees ("Program"). I acknowledge that I have been given notice of the Policy and that I understand it. I further consent to the disclosure of the test result(s) and any test-related information by and between the Company, its clinic(s), its testing laboratory(ies), its medical review officer, its appropriate supervisory and managerial personnel, the Companies Third-Party Administrator..

Date

Signed

CONSENT TO BREATH, BLOOD, AND/OR SALIVA TEST

I hereby voluntarily consent to a breath, blood or saliva test, including the collection of a sample or samples of my breath, blood, and/or saliva pursuant to _____'s ("Company") Substance Abuse Testing and Assistance Program for Non-DOT-Regulated Employees ("Policy"). I acknowledge that I have been given notice of the Policy and that I understand it. I further consent to the disclosure of the test result(s) and any test-related information by and between the Company testing laboratory, its clinic(s), its testing laboratory(ies), its medical review officer, its appropriate supervisory and managerial personnel, the Company Third-Party Administrator.

_____ Date

_____ Signed

INSTRUCTIONS FOR USE OF THE REASONABLE SUSPICION CHECKLIST

This reasonable suspicion checklist was designed to help make testing decisions. Its purpose is to assist the user in focusing on the symptoms of drug use. Some of the symptoms manifest themselves in persons who are under the influence of alcohol or another drug. Other symptoms manifest themselves over a long period of time of abuse. Both these types of symptoms are listed on the checklist for consideration. These lists, however, are not exhaustive.

REASONABLE SUSPICION CHECKLIST

Date of Report _____

Time Period Covered
By Observation _____

Employee Name _____

Address _____

Social Security Number _____

Check all that apply:

PHYSICAL SYMPTOMS

| | |
|---|-------|
| Flushed or Pale Face | _____ |
| Dilated Pupils | _____ |
| Glassy Eyes | _____ |
| Bloodshot Eyes | _____ |
| Swaying, Wobbling, Stumbling, Staggering or Falling | _____ |
| Dizziness | _____ |
| Excessive Sweating in Cool Areas | _____ |
| Smell of Liquor | _____ |
| Strange Chemical Odor on Breath | _____ |
| Drowsiness | _____ |
| Incoherent, Confused or Slurred Speech | _____ |
| Apparent Insensitivity of Pain | _____ |
| Reduced Reaction Time | _____ |
| Poor Coordination | _____ |
| Increased Breathing Rate | _____ |

MOOD SYMPTOMS

| | |
|----------------------------|-------|
| Antagonistic | _____ |
| Restless | _____ |
| Overreacts to Minor Things | _____ |

Insulting _____
 Unusually Talkative _____
 Excessively Withdrawn _____
 Excessive Laughter or Hilarity _____
 Baseless Panic _____
 Withdrawn _____
 Rapid Mood Swings _____
 Irritable _____
 Combative _____
 Agressive _____
 Depressed _____
 Exaggerated Sense of Self Importance _____

WORK SYMPTOMS

Doesn't Follow Task Instructions _____
 Shows Disregard for Safety of Self and Others _____
 Exhibits Excessive Carelessness _____
 Appears Unable to Concentrate _____
 Excessive Mistakes _____
 Unexplained Declines in Productivity _____
 Dangerous Behavior _____
 Unable to Order Tasks _____
 Excessive Focus on Minute Details _____

LONG TERM FACTORS

Complaints from Co-Workers _____
 Excessive Work Absences _____
 Leaves Job Early for Variety of Excuses _____
 Comes Late for a Variety of Excuses _____
 Accident Prone _____
 Unexplained and Frequent Absences from Work Areas _____
 Generic Poor Deteriorating Physical Condition _____

Recommendation - Conclusion

Date of Report _____

By (Signature) _____ Title _____

INTERNET LINKS

Internet Links

Drug Testing Information

Drug Free Workplace

www.drugfreeworkplaceee.com

SAMHSA's

www.health.org

Drug Enforcement Administration (DEA)

www.usdoj.gov

Drug Screen Collection Standard Part 40

www.fmcsa.dot.gov/rulesregs/fmcsr/regs/40menu.htm

Drug Screen Collection Sites

Safety Sites

Federal OSHA

www.osha.gov

NIOSH

www.cdc.gov.niosh

MSHA

www.msha.gov

Federal Highway Administration

www.dot.gov

ANSI

www.ansi.org