



Administrative Guide

NORTHWEST WALL & CEILING CONTRACTORS ASSOCIATION

*Drug Free
Program
Revised
1-1-2024*

Program Administration

Drug Free Business

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www.drugfreebusiness.org

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OVERVIEW

The Northwest Wall & Ceiling Contractors Association is committed to protecting the safety, health, and well-being of our members, their employees and all people who come into contact with our workplaces and/or use our services or the products we produce.

Drug testing of applicants and employees has become common in the building and construction industry. Because our industry often has a high turnover of employees, many unnecessary pre-employment drug tests are performed. For example, a union worker may be dispatched or apply to many different employers over the course of a year and may be given a pre-employment drug test on each occasion.

This is insulting to the worker to be drug tested so many times each year and costly to the employers in time and expense of repeated negative drug tests. Workers with substance abuse problems are often shuffled from one employer to another without getting help, or “learn” which employers don’t require testing.

Safety is a primary concern of both the unions and employers in our industry. A drug-related accident may result in the loss of human life— or simply be very costly to both employers and workers. A comprehensive drug-free workplace program will help us preserve the health and dignity of all workers while reducing the possibility of tragic accidents.

Drug Free Program

1. All employees are required to take a pre-employment drug test only once when he/she applies for employment or is dispatched to the first job.
2. If the test is negative, the employee will be listed as O.K. to Work by the program administrator. When the worker goes to a different employer, the new employer checks the worker’s status online to avoid the requirement of another pre-employment test.
3. The program administrator can now track by computer where each participant is currently employed.
4. The program administrator periodically uses a computer to lottery select a small percentage of workers for testing. Worker’s names are matched to the company where they are currently working.
5. The program administrator notifies one pre-designated employer representative at each company that certain worker(s) have been selected.
6. Each worker must then go to a collection site within 24 hours for a drug test. The employee copy of the chain-of-custody is shown to the pre-designated manager at the company to verify collection.
7. All test results are tracked by the program administrator to ensure compliance with program rules.

Advantages of the Drug Free Program

Every employee knows that on any given workday, he/she could be lottery selected by the computer for a test. This is a powerful deterrent to avoid drug use.

Employers don’t have to wait for the results of the pre-employment test—new employees can start working immediately.

Costs are minimized by avoiding multiple unneeded pre-employment tests. Employers are still assured that applicant has recently passed a test and since that test, has been subject to a lottery selection testing program.

Counterfeiting or lost Programs will not be an issue since employers confirm that applicant is in good standing in the program. The Drug Free Program fits in well with existing drug-free workplace programs and mandated federal testing programs.

Drug Free Program has many safeguards

The Drug Free Program has instituted many safeguards to ensure fairness, accuracy and efficiency, thus protecting both the employee and the employer.

- The program is set up and administered initially by Drug Free Business, an independent, non-profit third-party administrator (TPA).
- A joint committee, equally representing both unions and employers, can give quick response to requests for clarification, exceptions, and other issues that may arise that have not been covered in these guidelines. See page 6.
- All collections are performed by trained personnel following the Dept. of Health and Human Services (DHHS) protocols and guidelines for workplace drug testing.
- All drug analysis is performed in laboratories certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) and/or the College of American Pathologists Forensic Drug Testing program (CAP/FUDT).
- All alcohol testing performed and/or confirmed by evidentiary breath testing (EBTs) devices approved by the National Highway Traffic Safety Administration.
- All drug tests are reviewed by a certified Medical Review Officer (MRO) before verified results may be reported to the designated employer representative. This gives the employee a chance to explain a valid reason for a positive test, for example, prescription drugs. The MRO will act as a vital screen to assure that management is not notified of a positive result on a drug test until the MRO is satisfied that it resulted from illegal drug use.
- Each employer has a designated employer representative to coordinate substance abuse and drug testing issues. This individual has received training on program administration, substance abuse and chemical dependency, drug and alcohol testing, the proper use of a Substance Abuse Professional and confidentiality requirements. Positive tests will be treated confidentially by the employer.

What happens when someone tests positive?

If the test has been verified as positive, the Medical Review Officer will notify the designated employer representative and the program administrator. The employee's status in the Drug Free Program is changed to *"Not O.K. to Work"*. The employee is notified and suspended from all duty pending the results of a professional assessment.

The employee must contact the employer's Substance Abuse Professional (SAP) to arrange for a professional assessment. The SAP may require that the employee obtain additional assessments, attend substance abuse educational programs, or enroll in an appropriate treatment program.

Substance Abuse Professional benefits are paid for by the employer. Payment for any additional treatment or counseling is the responsibility of the employee and his/her medical insurance program.

Employees will not be allowed to return to work until authorized by the Substance Abuse Professional. At that time, the employee is reinstated in good standing in the Drug-Free Program. The SAP will continue to monitor the employee for up to two years to confirm compliance with recommendations and/or successful completion of any recommended treatment program.

After being authorized to return to work the employee must pass a return-to-work test and is subject to an additional four follow-up tests per year for two years.

The drug and alcohol testing policy applies to all employees

All employers in the Northwest Wall and Ceiling Contractors Association who participate in the Drug Free Program must have this written drug and alcohol policy that applies to all employees including all collective bargaining employees, sales, clerical, management, owners (active in management), supervisory, part-time and all applicants for these positions. All employees will be placed in the Drug-Free Program's lottery selection pool.

ADMINISTRATIVE RULES

Program Administration

Drug Free Business

18912 North Creek Parkway, Suite 202, — Bothell, WA 98011 Telephone: 425/488-9755

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Participants

International Brotherhood of Painters & Allied Trades, District Council No. 5

Southwest Mountain States Regional Council of Carpenters

Operative Plasterers' and Cement Masons' International Association Local Union No. 528

Northwest Wall and Ceiling Contractors Association

Drug Free Program Committee

A joint committee is established, equally representing both unions and employers, and is authorized to give quick response to requests for clarification, exceptions, and other issues (The issue of compensation for time spent during testing will be an initial concern of the committee. The committee shall monitor the time required in travel and waiting to accomplish the collection process as documented in the Notification Tracking Form [See Appendix] and make appropriate adjustments in the time allowed if it becomes apparent that the majority of tests are taking longer, or less than one hour.)

This committee is made up of one representative from each union involved and an equal number of representatives from companies in the Northwest Wall and Ceiling Contractors Association. The program administrator is included in this committee as a non-voting advisor. This committee will initially meet once each quarter or more often as needed.

Covered Employees

An employer participating in this program is required to have this written policy that applies to all employees, including all collective bargaining employees, sales, clerical, management, supervisory, part-time and all applicants for these positions. All employees will be placed in the Drug-Free Program's lottery selection pool.

Prohibited Substances

A participating employer shall strictly prohibit the use, purchase, possession, sale, conveyance, distribution, or manufacture of drugs, intoxicants, or controlled substances in any amount or in any manner, including having a detectable presence of controlled substances or their metabolites in the body systems.

In addition, the employer shall strictly prohibit the use or being under any influence of alcohol during working hours. Prescription or nonprescription medications are not prohibited when taken in accordance with a lawful (under both federal and local laws) prescription or consistent with standard dosage recommendations. Employees in safety-sensitive jobs are responsible for notifying their supervisors when prescribed medications may interfere with their ability to do their jobs safely.

Notwithstanding any other provision in this policy, the use of prescription and non-prescription medication is not a violation of this policy if that medication is taken in accordance with a lawful (under both state and federal law) prescription or standard medical dosage recommendation. The use of marijuana, which is a Schedule I controlled substance under federal law (Controlled Substances Act, 21 USC § 812), is expressly prohibited under this policy even if its medical use is authorized under state law.

Passage of I-502, which went into effect on December 6, 2012, does not affect this drug testing program in any way. The use of marijuana is still prohibited by the program's policy which applies to employers and employees. If you test positive for THC (marijuana) you will be immediately placed on "Not O.K. to Work" status and referred to the Substance Abuse Professional(SAP).

If you have questions, please contact Drug Free Business, your employer or union representative.

Substance Abuse Professional Services

Participating employers are members of the Drug Free Business Substance Abuse Professional (SAP) Consortium.

David Perlman, NCAC II, Substance Abuse Professional Services,

Ph: 425-478-0152,

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Lynnwood (Main)

20102 Cedar Valley Rd Suite 103

Lynnwood, WA 98036

Current employees with substance abuse problems are encouraged to obtain help through the Substance Abuse Professional before they are lottery selected. They will be assisted and referred to an appropriate treatment program if needed. In most cases today, substance abuse treatment is handled on an out-patient basis so that an employee is not required to miss any work. Voluntary self-referrals or referrals by family and concerned co-workers are always treated confidentially by the Substance Abuse Professional. Employers or union officials are not notified.

Drug Testing Uses Certified Laboratories

The Drug Free Program will use SAMHSA and/or CAP/FUDT certified laboratories through Drug Free Business Drug Testing Services. All testing, both screening and confirmation, is performed at certified laboratories. Screening test uses Enzyme immunoassay (EMIT) and confirmation, if needed, is by Gas Chromatography/Mass Spectrometry (GC/MS) or better.

Drugs Tested and Drug Testing Cutoff Levels Follow Federal Regulations

Drug Free Program has adopted the drug testing panel and cutoff or threshold levels used by the Department of Health and Human Services (DHHS) Mandatory Guidelines for Federal Workplace Drug Testing Programs. The Drug Free Program Committee may vote to adopt program levels to match any future changes in Federal Guidelines. All participants will be notified in advance of any changes or anticipated changes in cutoff levels.

All Drug Test Results are Reviewed by an Independent Medical Review Officer

All drug tests will be reviewed by a certified Medical Review Officer (MRO) before verified results may be reported to the designated employer representative. This gives the employee a chance to explain the reason for a positive test, for example, prescription drugs.

Specimens May Be Retested

All positive specimens are sealed, frozen and maintained by the certified laboratory for at least one year. An employee may request, within 15 days of being notified of a positive test, that the MRO arrange to have the original sample retested (at the employee's expense) at a different certified drug testing laboratory. If the retest is negative, the MRO shall revise the test results to negative and the employee will be reimbursed for the cost of the retest.

Test Collection Follows Federal Protocols

Test collection procedures for drug testing will follow the requirement used by the Department of Health and Human Services (DHHS) Mandatory Guidelines for Federal Workplace Drug Testing Programs.

A drug test collector must not be related to, closely acquainted with, or designated as an employee such as a co-worker or immediate supervisor when conducting drug collections.

The Drug Free Program currently has a network of preferred and laboratory collection sites throughout the U.S. approximately 43 in Western Washington. Onsite collections are also available.

Alcohol Testing Uses Evidentiary Breath Testing Devices

Alcohol testing is authorized for reasonable suspicion, post-accident, return-to-work and follow-up situations. Participants in the Drug Free Program will not be lottery selected for alcohol testing.

Alcohol testing will follow the procedures required for alcohol testing under the Department of Transportation (DOT) regulations. Testing will be performed by trained Breath Alcohol Technicians (BATs) with approved screening devices and confirmed with an evidentiary breath testing (EBT) device approved for workplace testing under the DOT regulations.

Alcohol levels indicating a positive test will follow the Department of Transportation rules. A blood alcohol concentration (BAC) of 0.02 or greater requires suspension from safety-sensitive duties for 24 hours. A BAC of 0.04 or greater requires suspension and referral to an Substance Abuse Professional for an assessment.

See page 17 concerning transportation to collection or testing site.

Types of Testing

Drug testing shall be permitted in accordance with this written policy in these situations:

1. Pre-employment
2. Post-accident
3. Reasonable Suspicion
4. Return-to-work
5. Follow-up
6. Lottery testing is only allowed in accordance with the Drug Free Program.
7. Testing required for compliance with Department of Transportation mandated programs.

In the event that a general contractor or project agreement requires an additional pre-employment test, the Drug Free Program can accommodate special requirements.

Initial Test or Pre-employment Test

To obtain good standing in the program each employee must pass a drug test. This is the equivalent of a pre-employment test. The program administrator will then place the name in the secure database.

Current Employees May be Tested at Start of this Program

Current employees will be given 60 days' notice before the start of this program. After the 60 days' notice and at an employer's discretion, all employees at that company may be subject to a one-time baseline drug test. If an employee has already passed a drug test initiated by his/her current employer within the last year, he/she is exempt from the baseline testing requirement. Companies that decide to join the Drug Free Program at a later date may also choose to perform a one-time baseline drug test on all employees, exempting those employees who have already passed a drug test for the current employer within the last year.

Lottery Selections Performed by Computer

The program administrator shall maintain a computer lottery selection program containing names of all employers and employees participating in the Drug Free Program.

The computer program will select names by lottery each month at a rate to equal an annual selection rate of 50%.

For example:

If 600 names are in the lottery pool, 50% or 300 names will be selected each year. Spread out over 12 months means 25 employees will be selected each month. Since all names are returned to the pool after selection, there is a chance that some employees may be tested more than once per year.

The lottery selection process will not allow an employee to be lottery selected more than two times per calendar year.

Notification of Selection

The program administrator shall prepare a confidential selection list each month for each participating employer. The designated employer representative shall receive this list and in turn notify each lottery selected employee.

Because our industry often involves deadlines, complicated scheduling and remote job sites, the employer's designated representative is given the flexibility to choose which day during the selection period to notify the selected employee. All selections must be unanticipated and unannounced. All selected employees must be tested before the end of the selection period (one-month).

Employees shall have reasonable notice that they have been selected for testing. Normally, the designated employer representative will make each notification at a time that allows the employee to proceed directly to the collection site. Employees must be given directions to convenient collection sites and their hours of operation. Drug Free Business maintains an online collection site locator map at <http://www.drugfreebusiness.org> where locations, directions, and map copies may be obtained.

Being lottery selected is not an accusation of suspected drug use and should not stigmatize an employee. However, this may be a sensitive issue for some employees. Therefore, the employers' designated representative shall make every effort to make notifications in private.

Collections must be performed within 24 hours after the employee has been notified.

Selections made when Employee Not Working will Require Testing upon Return to Work

If a participating employee's name is lottery selected while he/she is unemployed, on the out of work list, on vacation, working out of jurisdiction, or for a non-participating employer, he/she shall be required to take the test upon returning to work for a participating employer.

An employee can continue working for the current employer indefinitely but is still subject to lottery selection. If it has been over one year since an employee has passed a drug test and he/she switches employment, the new participating employer must check on-line to confirm that the new worker is O.K. to Work and then click the "Hire" button.

A Refusal to Test is Treated Like a Positive Test

Employees who refuse to take a drug or alcohol test or appear for testing will be treated as if the test was positive. The following is considered a refusal to test:

- Failure to appear for collection within the time limit.
- Refusal to sign the chain-of-custody forms.
- Engaging in conduct that clearly obstructs the testing process as defined in the Specimen Collection Handbook for Federal Workplace Drug Testing Programs (DHHS).
- Tampering or adulterating specimens.
- Failure to provide an adequate Test sample or an adequate breath sample without a valid medical explanation.

Collectors will follow the "shy bladder" collection procedures outlined in the *Urine Specimen Collection Handbook for Federal Workplace Drug Testing Programs*, which provides for the donor to drink fluid up to a maximum of 40 ounces distributed reasonably through a period of up to three hours, or until the donor has provided a sufficient urine specimen, whichever occurs first.

Diluted Specimens May Be Unsuitable for Testing

Diluted specimens may indicate that the employee has consumed large amounts of water before the test to confound the analysis process. If an employee's specimen is reported as diluted (Specific gravity < 1.003 and creatinine <0.2g/L), he/she will be required to submit another specimen. A second test, after a diluted specimen, will require that the employee go directly to the collection site after notification of selection. A second diluted specimen will be treated as a positive test. The professional recommendations of the program's Medical Review Officer will be followed after a second diluted test.

Positive Test Will Result in Not O.K. to Work Status

If an employee refuses to test or receives a verified positive test, he/she will be suspended from the Drug Free Program and his/her status changed to Not O.K. to Work. If this employee attempts to obtain employment at another participating company, the employer's designated representative will be notified that the applicant is Not O.K. to Work in the program and is ineligible for hiring. No other details will be given.

Reentry into Drug Free Program

Employees are encouraged to contact the employer's Substance Abuse Professional (SAP) to obtain a professional substance abuse assessment. Employees will not be allowed to return to good standing in the Drug Free Program for two (2) years or until the program administrator has received written confirmation that the employee:

- has been professionally assessed as needing no treatment or rehabilitation and may return to work.
- has been professionally assessed and is currently making satisfactory progress in a treatment or rehabilitation program and may return to work.
- has successfully completed a professional treatment or rehabilitation program.

In addition, the employee is subject to a return-to-duty test and four additional follow-up drug and/or alcohol tests per year for two years after reentry.

An employee will not be terminated solely for a first-time positive drug test.

No employee will be terminated solely because of a first verified positive test result. Instead, the employee is required to submit to an SAP evaluation and, if necessary, receive a one-time opportunity to enter a treatment program. These employees are still subject to discipline, up to and including termination for independent reasons.

As a condition of keeping his job, the employee may be required to comply with a last chance or reentry agreement in accordance with the employer's policies.

A Second Verified Positive Test Results in Termination

Any employee who has a second verified positive drug or alcohol test result will again be suspended from the Drug Free Program and will be terminated from employment. To reenter the program the employee must meet the requirements outlined above (Reentry into Drug Free Program). Completing a treatment or rehabilitation program does not guarantee reemployment with the former employer in this situation.

POLICY ON DRUG AND ALCOHOL ABUSE

Basis for the Policy

As a participant in the Northwest Wall and Ceiling Contractors Association Drug Free Program, we are committed to protecting the safety, health, and well-being of all employees and all people who come into contact with our workplace(s) and property, and/or use our products and services.

Recognizing that drug and alcohol abuse pose a direct and significant threat to this goal, and to the goal of a productive and efficient working environment in which all employees have an opportunity to reach their full potential, we are committed to assuring a drug-free working environment for all employees.

Drug and Alcohol Prohibitions

As a participant, we therefore strictly prohibit the use, purchase, possession, sale, conveyance, distribution, or manufacture of drugs, intoxicants, or controlled substances in any amount or in any manner, including having a detectable presence of drugs in the body systems.

In addition, we strictly prohibit the use or being under any influence of alcohol during working hours.

Prescription or nonprescription medications are not prohibited when taken in accordance with a lawful prescription or consistent with standard dosage recommendations. Employees in safety-sensitive jobs are responsible for notifying their supervisors when prescribed medications may interfere with their ability to do their jobs safely.

Drug and Alcohol Testing

All employees are subject to tests for substance abuse. Employees may be asked to submit only to a test for drugs and/or a breath test for alcohol.

Employee acceptance of testing, when requested by the company in accordance with this policy, is a mandatory condition of employment. Refusal to submit tests constitutes a violation of policy and will be treated as a positive test.

New Hires

All new hires will be given a copy of the employer's policy during the application process and are required to submit to a pre-employment drug test. Failure to pass this drug test shall result in denial of employment.

Drug Free Program

If a participating employer confirms with the Northwest Wall & Ceiling Contractors Association Drug Free Program administrator that the applicant or new hire is in good standing in that program, the pre-employment test may be waived, and the applicant is eligible to start work immediately. All employees of participating companies are required to participate in the Drug Free Program which includes lottery selection for drug testing.

Methods of Testing to be Conducted

Effective January 1, 2024, our drug testing program will utilize two distinct drug test methods that include both urine and oral fluid. Lab-based oral fluid is the primary collection method contingent upon the availability of oral fluid devices. In instances where the use of oral fluid devices is not feasible, or when client contracts require, urine testing will be used as an alternative testing method. When a pre-employment test is conducted via the oral fluid testing method, subsequent testing for that employee must be conducted via the same method unless it is not feasible, or client contracts require otherwise.

Types of Testing Allowed

- 1. Pre-employment.** As part of our pre-employment drug screening process, we may utilize lab-based oral fluid testing. This method does not test for THC metabolites, specifically Carboxy-THC. Instead, we focus on detecting the parent drug, Delta-9-THC. If a urine test was used and results in a THC positive result, the MRO will not report the positive to the employer.
- 2. Post-Accident Testing.** Alcohol and/or drug testing conducted when an employee is involved in an on-the-job accident or engages in unsafe job-related activity that poses a danger to himself / herself or fellow employees. Post-accident testing will be performed if there was an accident that resulted in a death of an employee or an injury to an employee requiring off-site medical attention, or there was a violation of a safety rule or standard that exposes the employee, other employees or the public to possible death or serious bodily injury or significant property damage.

The company will investigate each workplace injury that results in off-site medical attention and require an employee to submit to drug and alcohol tests if the company reasonably believes the employee has caused or contributed to an injury which resulted in the need for off-site medical attention. A post-accident test need not be required if a trained supervisor reasonably believes that the injury was due to the inexperience of the employee or due to a defective or unsafe product or working condition, or other circumstances beyond the control of the employee.

No post-accident test will be attempted until after first-aid and/or other appropriate medical care has been provided (if needed).

- 3. Follow-up and Return-to-work.** Testing of employees who have violated the substance abuse policy but were given the opportunity to keep their jobs conditioned on successful rehabilitation and no further “positive” tests.
- 4. Reasonable Suspicion.** Testing based on evidence that an employee is using drugs or alcohol in violation of the policy drawn from specific, objective and certifiable facts and reasonable inferences drawn from these facts in light of experience. Among other things, such facts and inferences may be based upon:
 - (a) An employee showing signs of impairment such as difficulty in maintaining balance, slurred speech or otherwise appearing unable to perform assigned work in a safe and satisfactory manner.
 - (b) Abnormal conduct or erratic behavior while at work or a significant deterioration of work performance
- 5.** The Reasonable Suspicion or Post-Accident Testing Documentation Form (See appendix) must be completed as part of the process to determine the need for a reasonable suspicion test.

6. **Lottery testing.** Lottery testing is authorized only in accordance with the Drug Free Program administrative rules.
7. **Department of Transportation mandated testing.** Variations of all of the above types of testing are required for certain employees subject to the DOT mandated testing regulations, which employers are required by law to follow. Nothing in this policy or program shall be construed to prevent employers from following and meeting the requirements of the DOT regulations.

Transportation to Collection or Testing Site

In situations requiring a reasonable suspicion or post-accident test, the employer shall arrange for transportation and accompany the employee to the collection or test site. Upon completion of the collection process (and/or alcohol test) the employee shall be transported back to his/her residence.

Supervisors' Training Required

The program administrator will conduct a regularly scheduled supervisor training program. All supervisors or managers listed as an Employer's Designated Representative or authorized by a participating employer to make reasonable suspicion and post-accident testing determinations are required to complete this training before making testing decisions based on this policy. All supervisors and managers must complete this training within a reasonable time.

Employee Education Required

All participating employers must furnish all employees with a copy of this policy on drug and alcohol abuse, information on how to access the Substance Abuse Professional (SAP) and other resources if available, and the identity of the employer's designated representative or other person designated to answer questions about this program.

Notification of Criminal Convictions

Any employee convicted of a violation of a criminal drug statute that is workplace-related must notify the employer in writing within five calendar days of the conviction. [This provision is required for most federal contractors and most recipients of federal grants under the Drug-Free Workplace Act of 1988.]

Substance Abuse Program

Both employers and unions participating in the Drug Free Program urge individuals with substance abuse problems to seek professional, confidential help, and we are committed to providing assistance in this regard. We consider drug addiction and alcoholism to be treatable diseases.

The goal of our Policy on Drug and Alcohol Abuse is not only deterrence; it also is detection and treatment.

Participating employers therefore make available to all employees a confidential Substance Abuse Professional (SAP) whose ultimate goal is rehabilitation. This program is available at no cost to employees, and includes initial assessment, referral, and counseling.

Substance Abuse Professional

David Perlman, NCAC II,
Substance Abuse Professional Services,
Ph: 425-478-0152, Fax: 425-412-6374, david@dotsap.net

Any subsequent treatment after referral from the employer's SAP program to an outside treatment provider may be covered under the employee's health care coverage. The costs of continuing or long-term rehabilitation services, whether covered by the employee's medical plan or not, are the ultimate responsibility of the employee.

The SAP benefits are available to all employees, even during the period before the employee becomes eligible for health insurance benefits. If substance abuse treatment is required during a period when no health insurance is available, SAP will attempt to refer to no cost or low-cost alternatives.

General Responsibility and Applicability

Substance abuse prevention is everyone's responsibility. We expect all employees to recognize and accept this responsibility, and to do their part in assuring that, working together, we can achieve and maintain a drug-free working environment for all employees.

This policy applies equally to all applicants and employees of a participating company covered by and within the jurisdiction of applicable labor agreements, no matter what position or employment status, including *all* collective bargaining employees, sales, clerical, management, owners (active in management), supervisory, part-time and all applicants for these positions — without exception.

Discipline

Any violation of this policy shall result in adverse employment action up to and including dismissal. An employee will not be terminated solely for a first-time verified positive drug or alcohol test but will be given the opportunity for job retention through a last chance agreement. However, nothing in this policy prohibits an employee from being terminated for reasons other than the positive test result. An employee who is injured in the workplace may be disciplined for failure to report his/her injury.

Confidentiality

All information received by the employer through a drug / alcohol testing program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws. Any unauthorized dissemination of confidential information is a serious violation of the agreement guidelines. Repeated violations will result in the suspension of that employer from this program.

Effective Date

The Northwest Wall and Ceiling Industry Drug Free Program is effective 7-31-2014.

Pre-employment drug testing of applicants will begin immediately after that date. Any other testing, including lottery drug testing of *current* employees will not commence until 60 days after publication date of this policy (unless employees are already covered under a current testing policy).

Current employees with substance abuse problems are encouraged to obtain help through the Substance Abuse Professional before the testing program takes effect.

An employer joining this program at a later date must notify the participating union(s) business agent/manager involved at the same time notification is made to employee.

Joint Labor Management Committee Administrative Rules

This Northwest Wall and Ceiling Industry Policy on Drug and Alcohol Abuse as adopted by employers will be governed under joint labor management committee administrative rules. This policy shall be subject to periodic review by a special joint Labor/Management committee with the authority to amend as agreed upon. In addition, the grievance procedures outlined in the collective bargaining agreement are available to all collective bargaining employees or employers who may have a complaint in regard to the Policy and/or administrative rules. Non-collective bargaining personnel may be subject to internal company discipline procedures. This policy and the administrative rules shall be subject to and subordinate to the substance abuse policy of the collective bargaining agreement.

Indemnification

Each participating company shall indemnify and hold the Union harmless against any and all claims, demands, suits or liabilities that may arise out of the company's application of the Policy on Drug and Alcohol Abuse.

Savings Clause

Should any part of, or any provision herein contained, be rendered or declared invalid by reason of any existing or subsequently enacted legislation, or by a decree of judgment of a court of competent jurisdiction, such invalidation of such part or portion of this agreement shall not invalidate the remaining portions thereof; provided, however, upon such invalidation the parties signatory hereto agree to immediately meet to renegotiate such parts or provision affected. The remaining parts or provision shall remain in full force and effect.

Cost of drug or alcohol tests

The cost of all drug and/or alcohol tests required by the employer under this program will be paid for by the employer.

Compensation for time at collection site

Applicants and employees of a participating company covered by and within the jurisdiction of applicable labor agreements will be paid up to one hour, or for actual time spent during the drug testing collection process.

The employee will be allowed to leave the job site one hour prior to the end of the normally scheduled work period to take the test, unless the requirements of the job require the collection at a different time during the workday.

APPENDIX I – DRUG TESTING CUTOFF OR THRESHOLD LEVELS

Lab Based Urine

Initial test analyte	Initial test cutoff ¹	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites (THCA) ²	50 ng/mL ³	THCA	15 ng/mL.
Cocaine metabolite (Benzoylecgonine)	150 ng/mL ³	Benzoylecgonine	100 ng/mL.
Codeine/ Morphine	2000 ng/mL	Codeine Morphine	2000 ng/mL. 2000 ng/mL.
Hydrocodone/ Hydromorphone	300 ng/mL	Hydrocodone Hydromorphone	100 ng/mL. 100 ng/mL.
Oxycodone/ Oxymorphone	100 ng/mL	Oxycodone Oxymorphone	100 ng/mL. 100 ng/mL.
6-Acetylmorphine	10 ng/mL	6-Acetylmorphine	10 ng/mL.
Phencyclidine	25 ng/mL	Phencyclidine	25 ng/mL.
Amphetamine/ Methamphetamine	500 ng/mL	Amphetamine Methamphetamine	250 ng/mL. 250 ng/mL.
MDMA ⁴ /MDA ⁵	500 ng/mL	MDMA MDA	250 ng/mL. 250 ng/mL.

¹ For grouped analytes (i.e., two or more analytes that are in the same drug class and have the same initial test cutoff): *Immunoassay*: The test must be calibrated with one analyte from the group identified as the target analyte. The cross-reactivity of the immunoassay to the other analyte(s) within the group must be 80 percent or greater; if not, separate immunoassays must be used for the analytes within the group. *Alternate technology*: Either one analyte or all analytes from the group must be used for calibration, depending on the technology. At least one analyte within the group must have a concentration equal to or greater than the initial test cutoff or, alternatively, the sum of the analytes present (i.e., equal to or greater than the laboratory's validated limit of quantification) must be equal to or greater than the initial test cutoff. ² An immunoassay must be calibrated with a target analyte. ³ *Alternate technology (THCA and Benzoylecgonine)*: When using an alternate technology initial test for the specific target analytes of THCA and Benzoylecgonine, the laboratory must use the same cutoff for the initial and confirmatory tests (i.e., 15 ng/mL for THCA and 100ng/mL for Benzoylecgonine).

⁴ Methylenedioxymethamphetamine (MDMA). ⁵ Methylenedioxyamphetamine (MDA).

Lab Based Oral Fluid

The threshold limits specified in Table 40.91 of the Federal Register below for reporting to work or working outline the cutoff concentrations for oral fluid drug tests. In cases where SAMSHA certified laboratories are unable to perform tests at the levels defined in Table 40.91, testing will be conducted at the testable limits, choosing the more stringent option.

Table 1 to § 40.91—Oral Fluid Testing Cutoff Concentrations

Oral Fluid Panel			
Initial test analyte	Initial test	Confirmatory test analyte	Confirmatory test cutoff concentration
	cutoff ¹		
Marijuana (THC) ²	4 ng/mL ³	THC	2 ng/mL.
Cocaine/ Benzoyllecgonine	15 ng/mL	Cocaine	8 ng/mL.
		Benzoyllecgonine	8 ng/mL.
Codeine /Morphine	30 ng/mL	Codeine	15 ng/mL.
		Morphine	15 ng/mL.
Hydrocodone/ Hydromorphone	30 ng/mL	Hydrocodone	15 ng/mL.
		Hydromorphone	15 ng/mL.
Oxycodone/ Oxymorphone	30 ng/mL	Oxycodone	15 ng/mL.
		Oxymorphone	15 ng/mL.
6-Acetylmorphine	4 ng/mL ³	6-Acetylmorphine	2 ng/mL.
Phencyclidine	10 ng/mL	Phencyclidine	10 ng/mL.
Amphetamine/ Methamphetamine	50 ng/mL	Amphetamine	25 ng/mL.
		Methamphetamine	25 ng/mL.
MDMA ⁴ /MDA ⁵	50 ng/mL	MDMA	25 ng/mL.
		MDA	25 ng/mL.

1. For grouped analytes (i.e., two or more analytes that are in the same drug class and have the same initial test cutoff): Immunoassay: The test must be calibrated with one analyte from the group identified as the target analyte. The cross reactivity of the immunoassay to the other analyte(s) within the group must be 80 percent or greater; if not, separate immunoassays must be used for the analytes within the group. Alternate technology: Either one analyte or all analytes from the group must be used for calibration, depending on the technology. At least one analyte within the group must have a concentration equal to or greater than the initial test cutoff or, alternatively, the sum of the analytes present (i.e., with concentrations equal to or greater than the laboratory's validated limit of quantification) must be equal to or greater than the initial test cutoff. 2. An immunoassay must be calibrated with the target analyte. 3. Alternate technology (THC and 6-AM): The confirmatory test cutoff must be used for an alternate technology initial test that is specific for the target analyte (i.e., 2 ng/mL for THC, 2 ng/mL for 6-AM). 4. Methylenedioxyamphetamine (MDMA). 5. Methylenedioxyamphetamine (MDA).

FORMS AND SAMPLES – APPENDIX 2

This section contains sample forms, letters of notification, etc., to be used in the Northwest Wall and Ceiling Industry Drug Free Program. Templates of these forms are available from the program administrator.

Certificate of Receipt (Company Name) Policy on Drug and Alcohol Abuse

I have read, understand, and am in receipt of a copy of (Company Name)'s Policy on Drug and Alcohol Abuse

Employee's Printed Name and Signature

Date

Company Representative (to verify signature)

(Please sign above, detach and return to Designated Employer Representative)

Employee Notification Letter

(Company Name)

Date:

To:

Subject: Implementation of a Drug-Free Workplace Program

(Company Name) is committed to protecting the safety, health, and well-being of its employees and all people who come into contact with its workplace(s) and property, and/or use its products and services.

Recognizing that drug and alcohol abuse pose a direct and significant threat to this goal, and to the goal of a productive and efficient working environment in which all employees have an opportunity to reach their full potential, (Company Name) has developed the attached drug-free workplace policy.

The foundation of this policy is to offer a helping hand to our employees who suffer from drug and alcohol problems while clearly communicating that the abuse of drugs and alcohol will not be tolerated. We have contracted with a Substance Abuse Professional (SAP) to help our employees and their families access the appropriate services to help them deal with drug and alcohol problems. Employees experiencing drug and alcohol problems are encouraged to use these services before these problems affect their employment status.

We have joined the Northwest Wall and Ceiling Industry drug-testing program, which includes substantial safeguards to protect employee's individual rights and to assure the accuracy and integrity of the program. All job applicants will be tested, and employees will be subject to reasonable suspicion, post-accident, follow-up/post treatment and computer lottery testing.

This policy will take effect on _____. (Company Name) will also be implementing employee drug education and awareness and supervisor training as part of its comprehensive drug-free workplace program.

It is important that we all work together to establish and maintain a work environment free from the effects of drug and alcohol abuse.

Reasonable Suspicion/Post-Accident Testing Documentation Form

Purpose of this form: To document the rationale, facts and circumstances behind a decision to request a reasonable suspicion or post-accident test.				
Employee's Name:	Social Security No. or ID#:	Date:		
Type of Test (Describe in detail below in comments)				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> Reasonable Suspicion <input type="checkbox"/> Observed behavior <input type="checkbox"/> Observed drug/alcohol use <input type="checkbox"/> Difficulty maintaining balance <input type="checkbox"/> Slurred speech <input type="checkbox"/> Abnormal/erratic behavior <input type="checkbox"/> Apparent inability to safely perform assigned work <input type="checkbox"/> Other: (Explain) </td> <td style="width: 50%; vertical-align: top; padding: 5px;"> <input type="checkbox"/> Post-Accident <input type="checkbox"/> Accident causing a fatality <input type="checkbox"/> Accident causing an injury requiring off-site medical attention <input type="checkbox"/> Accident causing significant property damage <input type="checkbox"/> Unsafe activity or near-accident that could have caused: <input type="checkbox"/> Possible death <input type="checkbox"/> Possible injury <input type="checkbox"/> Possible property damage <input type="checkbox"/> The action or inaction of those involved contributed to the accident/injury, or drug/alcohol use could not be completely discounted as a contributing factor </td> </tr> </table>			<input type="checkbox"/> Reasonable Suspicion <input type="checkbox"/> Observed behavior <input type="checkbox"/> Observed drug/alcohol use <input type="checkbox"/> Difficulty maintaining balance <input type="checkbox"/> Slurred speech <input type="checkbox"/> Abnormal/erratic behavior <input type="checkbox"/> Apparent inability to safely perform assigned work <input type="checkbox"/> Other: (Explain)	<input type="checkbox"/> Post-Accident <input type="checkbox"/> Accident causing a fatality <input type="checkbox"/> Accident causing an injury requiring off-site medical attention <input type="checkbox"/> Accident causing significant property damage <input type="checkbox"/> Unsafe activity or near-accident that could have caused: <input type="checkbox"/> Possible death <input type="checkbox"/> Possible injury <input type="checkbox"/> Possible property damage <input type="checkbox"/> The action or inaction of those involved contributed to the accident/injury, or drug/alcohol use could not be completely discounted as a contributing factor
<input type="checkbox"/> Reasonable Suspicion <input type="checkbox"/> Observed behavior <input type="checkbox"/> Observed drug/alcohol use <input type="checkbox"/> Difficulty maintaining balance <input type="checkbox"/> Slurred speech <input type="checkbox"/> Abnormal/erratic behavior <input type="checkbox"/> Apparent inability to safely perform assigned work <input type="checkbox"/> Other: (Explain)	<input type="checkbox"/> Post-Accident <input type="checkbox"/> Accident causing a fatality <input type="checkbox"/> Accident causing an injury requiring off-site medical attention <input type="checkbox"/> Accident causing significant property damage <input type="checkbox"/> Unsafe activity or near-accident that could have caused: <input type="checkbox"/> Possible death <input type="checkbox"/> Possible injury <input type="checkbox"/> Possible property damage <input type="checkbox"/> The action or inaction of those involved contributed to the accident/injury, or drug/alcohol use could not be completely discounted as a contributing factor			
Comments (Describe, in detail, the rationale for requesting testing, including observed facts and circumstance, any sources of information, date and time of observation or accident, other witnesses, actions taken, etc.) Use additional paper if needed.				
Requestor's Printed Name and Signature	Title	Date		
Reviewer's Printed Name and Signature	Title	Date		
I acknowledge that I have been informed of the company's reasons for requesting this drug and/or alcohol test and consent to the testing.	Employee Signature	Date		

Letter to Notify Employer of Positive Test

Date

Employer's Designated Representative Participating Employer

Address

Dear Designated Representative:

This letter is to confirm that your employee, _____, Social Security Number _____ has tested positive (or refused to be tested) under the Northwest Wall and Ceiling Industry Drug Free Program. You have probably already received information concerning a positive test directly from the program's Medical Review Officer. You need to notify your employee of this finding in privacy at a reasonable break in the workday, such as lunch or before/after work. The results of the test(s) and the fact that you are notifying him/her are confidential and should not be communicated to any person who does not have bona fide need to know.

Please inform your employee that he/she is expected to contact the Substance Abuse Professional, **David Perlman, NCAC II**, by calling 425-478-0152 to schedule an assessment and evaluation. Once you inform your employee that he/she has tested positive they should not be allowed to continue working until they have seen the evaluator and received a written authorization to return to work. The employee will need to give to you a copy of this release to work.

Also, please inform your employee that he/she has the right to have the test sample independently examined by a different certified laboratory at his/her expense within 15 days.

If there are any questions or you need further clarification or assistance, please do not hesitate to contact the program administrator, Drug Free Business.

Sincerely,

Program Administrator

Notification Tracking Form

To: Date & Time: _____

(that this form given to employee)

You have been lottery selected by computer for drug testing in the Northwest Wall and Ceiling Industry Drug Free Program. Being lottery selected is not an accusation of suspected drug use; however, this may be a sensitive issue for some employees. Therefore, your employers' designated representative shall make every effort to make this notification in private. Notification of any selected employee must be unanticipated and unannounced. All selected employees must be tested before the end of the selection period (one-month).

Employees shall have reasonable notice that they have been selected for testing. Normally, the designated employer representative will make each notification at a time that allows the employee to proceed directly to the collection site. Attached is a Custody & Control Form (pre-printed with your company name). You will need to keep this form and the *Donor's Copy* (receipt) of the Custody & Control Form that the collection site gives you. Both need to be returned to your supervisor (at the next work shift is O.K.) to provide proof that you have complied with this testing request.

Please remember that you are required to bring picture I.D. with you to the collection site. We have attached a list of all collection sites and their hours of operation. Thank you for your cooperation.

Time

Time Departed Work Site	Time	Supervisor's Signature
Time Arrived at Collection Site		Collection Site Receptionist's Signature
Time Departed Collection Site		Collection Site Receptionist's Signature
Time Returned to Work Site		Supervisor's Signature