



**Western Partitions, Inc.**

**Drug-Free Workplace Policy & Administrative Rules**

**Reno Regional Office**

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**Policy**

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**Drug-Free Workplace Policy**

Western Partitions, Inc. (WPI), hereinafter referred to as the Company, shall be defined in this policy to include corporations, partnerships, and sole proprietorships. The nature of the construction industry requires that all employees be in a condition to perform their jobs safely and efficiently, free from any impairment caused by alcohol or drugs. Being in an industry where safety is a shared responsibility, the Company is firmly committed to enforcing its Drug-Free Workplace Policy.

The Company also recognizes the need to avoid unnecessary intrusion into employees' private lives and to assure employee privacy and confidentiality to the greatest extent possible. In addition, the Company acknowledges that some cases of substance abuse must also be dealt with as illnesses requiring medical treatment, and not only as a personal problem. Lastly, the Union and the Company believe the goals of its alcohol and drug policy should include education, prevention, and rehabilitation. To achieve these objectives, all Company employees must adhere to each of the following rules.

**Rules**

The use of alcohol or drugs by employees during working hours, or on the jobsite, or on Company property (including Company vehicles) is absolutely prohibited. Refusing to test is a violation of this policy, including failure to proceed promptly for testing when directed to do so, tampering with a test, or a documented attempt to substitute a specimen. Any employee who violates this policy may be required to undergo rehabilitation and/ or may be subject to discipline under the terms of this policy and the collective bargaining agreement.

- a) The term "use" means consuming, possessing, selling, concealing, distributing, or arranging to buy or sell, being under the influence, or reporting for duty under the influence of alcohol or drugs.
- b) The term "alcohol or drugs" means any form of alcohol and/ or other intoxicating substance, including marijuana, and including legal drugs obtained illegally.
- c) The term "under the influence" means having a verified positive test.
- d) In the event any person taking medically authorized or prescribed drugs is tested pursuant to this policy, that person must be prepared to substantiate authorization from his/ her health care provider to use the prescribed drug.
- e) This policy applies to all employees of the Company including maintenance, sales, clerical, management, and part-time (20 hours per month or more) positions, as well as all applicants for any such positions.
- f) The term "working hours" means all the time in which employees are engaged in work duties or subject to the control of the Company, and also includes scheduled breaks and travel to work or from one workplace to another.

- g) The term "Company property" means all facilities, jobsites, vehicles, and equipment that are owned, leased, operated, or utilized by the Company or its employees for work-related purposes, including parking areas and driveways, as well as lockers, toolboxes, or other storage areas used by the employees. It also includes other public or private property, facilities, vehicles, and equipment located away from the Company facility if the employee is present on such property for a work-related purpose.
- h) An employee's private property, such as lunch boxes, tool boxes, back packs, purses, and the like that are brought by the employee onto Company property or used for work-related purposes may only be inspected for reasonable suspicion (see below).
- i) Social or civic related events attended voluntarily are not considered covered under this policy.

## Consequences of Violations

If an employee tests positive with the oral fluid test, the worker has the option to take the WPI urine drug test. If the worker fails the WPI urine drug test, they must follow the WPI Return to Work Program as outlined in the WPI Drug-Free Workplace in order to become eligible for hire.

## Return to Work Program

Management shall require employees who test positive for alcohol or drugs or who refuse to test, complete three conditions before returning to work:

1. Evaluation by a qualified counselor,
2. Agreement to participate in education and/ or counseling as recommended by the evaluator, and
3. A negative return-to-duty test.

The Administrator of the Return-to-Work Process will monitor the return-to-work process. With a work release from the evaluator and a negative test, the employee may return to work if a job is available.

Any person who has violated this policy shall be subject to discipline. Discipline of bargaining unit members shall be in accordance with the collective bargaining agreement.

## Reasonable Suspicion Testing

The term "reasonable suspicion" means specific, articulable observations concerning work performance,

appearance, behavior, or speech of the employee which would cause a reasonable person to believe the employee may have used controlled substances or misused alcohol. Examples of observations which might lead to a reasonable suspicion determination are slurred speech, staggering, the odor of alcoholic beverage, unusual sleepiness, aggressive behavior, unusual agitation, or the presence of drugs or drug paraphernalia. These observations must be documented by a trained Company representative as part of a reasonable suspicion determination.

When reasonable suspicion exists that an employee is in violation of this policy, the employee shall submit to drug and/ or alcohol testing.

### Other Testing

Other types of testing permitted under this policy, as defined in the Administrative Rules, include pre-duty, periodic, post-accident, and jobsite.

All new employees shall be tested prior to performing any work.

Many general contractors have drug and alcohol testing policies which cover all individuals who work on the specific contractor's jobsite. If a general contractor has a stricter drug testing policy and requires our employee to test under that policy, it will take precedence for that test. If the general contractor's policy is less strict than the WPI Drug-Free Workplace Policy, then the WPI Drug-Free Workplace Policy will take precedence for that test.

### Drug-Related Convictions

All employees must notify management of any criminal conviction for any drug-related offense occurring in the workplace, no later than five (5) days after such conviction.

### Self-Referral

If an employee suspects that he/ she has an alcohol or drug problem, the employee is expected to seek assistance for that problem from his or her Union health and welfare trust or another competent resource.

### Reporting Use of Medications

Use of prescribed medicine according to the healthcare provider's instructions is not a violation of this policy. However, *it is a violation of federal law and of this policy to use other people's prescription medications*. It is also a violation of this policy to use medications in a way that is not consistent with the healthcare practitioner's directions.

Employees who take prescription medications with warning labels (regarding dizziness, drowsiness, or other impairment while using the medicine) are required to:

1. Discuss use of the medicine with their doctors, given the nature of their jobs; and
2. Inform Company management that they are using a medication with a warning label. Employees are not required to identify the name of the drug or the reason for using the drug.

Management may change an employee's employment status or job duties at its discretion.

Medical marijuana is not a prescription medicine. While its use may be authorized under state laws, it is prohibited under federal law. Marijuana use is not acceptable under this policy for any reason.

#### Confidentiality

The Company shall take reasonable measures to safeguard the privacy of employees in connection with this policy, including maintaining the confidentiality of employees who come forward to discuss alcohol or drug abuse affecting them. Any person employed by the Company who voluntarily seeks assistance or rehabilitation for alcohol or drug related problems shall be granted amnesty, and discipline is waived for drug-related issues so long as the person continues to participate satisfactorily in the rehabilitation or counseling program.

#### Compliance with State & Federal Law

Nothing in this policy is intended, nor shall it be construed, to authorize any action that is unlawful under federal or state law.

**Administrative Rules**

1. Program Administrator: The Program Administrator has responsibility for managing the WPI Drug-Free Workplace Program. The current Program Administrator is:

WPI  
 Sonja Savage  
 26055 SW Canyon Creek Road  
 Wilsonville OR97070

NW Drug Safe is the Administrator of the Return-to-Work Process administered per the WPI return to work program.

Northwest Drug-Safe  
 Administrator, Return-to-Work Process  
 WPI Drug-Free Workplace Program  
 1049 SW Baseline St Ste C325  
 Hillsboro, OR 97123-4748  
 503-297-4113 / Fax 503-297-4748

2. Collections: Discover 12 Panel OneStep Oral Fluid Test (with Alcohol) instant result oral fluid test shall be used. The manufacturer’s collection procedure shall be followed exactly for all collections.
3. Testing Levels: The following are the test level cutoff values used for the drug classes tested under the WPI Drug-Free Workplace Program.

Test Level Cutoff Values for Oral Swab Tests		
Drug Name	Abbreviation	Cutoff
Amphetamine	AMP	50ng/ ml
Methamphetamine	mAMP	50ng/ ml
Cocaine	COC	20ng/ ml
Marijuana	THC	12ng/ ml
Phencyclidine	PCP	10ng/ ml
Benzodiazepines	BZO	50ng/ ml
Oxycodone	OXY	50ng/ ml
Methadone	MTD	35ng/ ml
Barbiturates	BAR	50ng/ ml
Buprenorphine	BUP	10ng/ ml
Alcohol	ALC	>0.02% BAC

4. Covered Employees: All employees of WPI in the Nevada area are covered by this policy.
5. Reasons for Testing:
  - a. Pre-duty, periodic: All new employees shall be tested. Current employees may be tested if their drug-free workplace ID card dates have a lapse time of greater than six months.
  - b. Post-accident: Involvement in an on-the-job accident may require testing. Management will document the circumstances of each accident individually. If the employee's actions or inactions can be completely discounted as a contributing factor to the accident, no testing will be conducted. When there is a reasonable possibility that drug use may have contributed to the accident, drug testing will be conducted.
  - c. Reasonable suspicion: If there is reasonable suspicion, as defined in the policy, to believe that an employee is in violation of this policy, the employee shall be required to submit to drug and/ or alcohol testing.
  - d. Return to duty: After positive tests or refusal to test, employees must complete the WPI Return to Work Program in order to return to work.
  - e. Follow-up: After positive tests or refusal to test, employees are subject to unannounced tests in addition to other reasons for testing, not to exceed 4 tests per year for 2 years. The Program Administrator contacts employees directly (e.g. by text message or telephone) to undergo follow-up testing on their own time. Agreement to undergo such testing is a condition of compliance with this policy after a violation.
  - f. Jobsite: Testing of a work group may occur at the discretion of Company management, following random selection, or upon credible reports of drug use at the jobsite.
6. Refusal to Test: Refusal to test will have the same consequences as a verified positive test result. Refusals to test include refusal to provide the required sample, refusal to cooperate with the testing process, or adulteration or substitution of a sample.
7. Positive Test Results/ Refusals/ Medical Review:
  - a. Any employee who tests positive with the Discover 12 Panel OneStep Oral Fluid Test (with Alcohol) may at their discretion immediately go to an approved clinic and take a WPI urine drug test. If the WPI urine test comes back non-negative, the worker will reimburse WPI for the cost of the test.
  - b. Prior to the employee taking the WPI urine drug test, a full copy of the WPI Industry Drug-Free Workplace Policy must be given to the employee to read, and the employee must sign that they understand and are willing to abide by the policy.
  - c. If the employee fails the WPI urine drug test, the employee must follow the process outlined within the WPI Drug-Free Workplace Policy before returning to work.

- d. If the employee passes the WPI urine drug test, he/she may resume work.
8. Return to WorkProcess:
- a. See above in regards to return to work.
9. Confidentiality of Results: Test results and information relating to evaluation, education, and substance abuse treatment will be retained in secure and confidential files. All concerned parties are expected to release information concerning the Drug-Free Workplace Program only to authorized parties with a need to know, or with specific written authorization from the tested individual.

