



Western Partitions, Inc.

Drug-Free Workplace Policy & Administrative Rules

Ohio Regional Office

Implemented 1991

Revised April 3, 2023

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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 and regulations.

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) WPI prohibits the unlawful manufacture, distribution, possession and use of controlled substances.
- b) 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.
- c) The term "alcohol or drugs" means any form of alcohol and/ or other intoxicating substance, including marijuana, and including legal drugs obtained illegally.
- d) The term "under the influence" means affected by the use of drugs/alcohol. In most cases, an employee is considered to be under the influence of alcohol or a drug when the employee has an alcohol test above a specified cutoff or a verified positive test for a specific drug.
- e) 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.
- f) This policy applies to all employees of the Company who are present or perform work on a WPI job site in Ohio, including maintenance, sales, clerical, management, and part-time (20 hours per month or more) positions, as well as all applicants for any such positions.

g) 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.

h) 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.

i) 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).

j) Social or civic related events attended voluntarily are not considered covered under this policy.

Methods of Testing

Drug & alcohol testing is conducted at a company site using an oral fluid test. If an oral fluid test result is inconclusive a 2nd oral fluid test may be used. If results are still inconclusive the applicant or employee is directed to proceed immediately to an authorized collection site to provide a urine specimen for lab-based (standard) drug testing. If there is an inconclusive result for alcohol, the collection site conducts a breath alcohol test using procedures consistent with the US Department of Transportation (DOT) testing (49 CFR 40).

Following an inconclusive result, applicants are not hired, or employees are removed from work pending the results of standard drug tests or breath alcohol tests. If the urine drug test comes back negative, the applicant is considered eligible for hire, or the employee is returned to his/her normal work duties. If the applicant or employee fails the standard urine drug test, he/she must follow the WPI Return to Work Program as outlined below to become eligible for hire or for return to work.

The Company may elect to test an applicant using a standard drug test before hire.

Consequences of Violations

If an employee tests positive with the oral fluid test, the worker has the option to take the Walls and Ceilings UA drug test at the worker's expense. If the Walls and Ceilings UA drug test comes back negative, the worker will be reimbursed by WPI for the cost of the test. If the worker fails the Walls and Ceilings UA drug test, they must follow the Walls and Ceilings Return to Work Program as outlined in the WPI Drug-Free Workplace Policy & Administrative Rules in order to become eligible for hire.

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.

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 Program Administrator 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.

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. In the event of a positive test result or refusal to test, the employee shall be required to participate in a return to work process above.

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 Walls and Ceilings Industry Drug-Free Workplace Policy, then the Western Partitions, Inc. 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.

Use of cannabidiol (CBD) products does not excuse a test that is positive for tetrahydrocannabinol (THC). Employees are advised to consider this carefully when deciding whether to use CBD products.

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.

With regard to partner unions, WPI strives to follow regionally specific provisions associated with bargaining agreements. In central Ohio, carpenters and joiners are expected to be employed within seven (7) days after employers receive a negative drug test result. If the employer has not employed the member within that time period, the member is paid for four (4) hours at his/her regular pay rate.

Administrative Rules

1. Program Administrator: The Program Administrator has responsibility for managing the Western Partitions, Inc. Drug-Free Workplace Program, overseeing the return-to-duty process. The current Program Administrator is:

Northwest Drug-Safe
1049 SW Baseline St Suite C325
Hillsboro OR 97123-3848
503-297-4113 • Toll-free 866-538-4788 • FAX 503-297-4748

2. Collections: An Oral Fluid Test (with Alcohol) giving instant test results is ordinarily used. The manufacturer's collection procedure shall be followed for all collections. All non-negative Oral Fluid tests results, the applicant or employee may be administered a 2nd oral fluid test, or they will be directed to proceed immediately to an authorized collection site to provide a urine specimen for lab-based (standard) drug testing.

When initial screening is conducted using a rapid screening method (eg oral fluid) and the test result is inconclusive (non-negative), WPI will retain a photographic record of the test result and the individuals signed label for at least 60 days. This will be stored in a secure location separate from the individual's personnel record.

The employee or prospective employee may request the split test within seven (7) business days from the date they are notified him or her of a positive test. The cost of split specimen testing is paid by the tested individual, with reimbursement by WPI if the split test result fails to confirm the original test result.

3. Testing/ Levels: The following are initial and confirmatory test cut off levels for urine drug and alcohol testing. Laboratory testing consistent with the standards of 49 CFR Part 40. Oral fluid drug testing cutoffs are set by the manufacture.

Initial test analyte	Initial test cutoff ¹	Confirmatory test analyte	Confirmatory test cutoff concentration
Marijuana metabolites (THCA) ^{1,2}	50 ng/mL ³	THCA ^{1,2}	15 ng/mL ³
Barbiturates.....	200 ng/mL.....	Barbiturates.....	200 ng/mL
Benzodiazepines.....	200 ng/mL.....	Benzodiazepines.....	200 ng/mL
Cocaine metabolite (Benzoylecgonine)....	150 ng/mL ³	Benzoylecgonine.....	100 ng/mL
Opioids			
Codeine/Morphine.....	300 ng/mL.....	Codeine.....	2000 ng/mL
		Morphine.....	2000 ng/mL
Hydrocodone/Hydromorphone.....	300 ng/mL.....	Hydrocodone.....	100 ng/mL
		Hydromorphone.....	100 ng/mL
Oxycodone/Oxymorphone.....	100 ng/mL.....	Oxycodone.....	100 ng/mL
		Oxymorphone	100 ng/mL
6–Acetylmorphine.....	10 ng/mL.....	6–Acetylmorphine.....	10 ng/mL
Phencyclidine.....	25 ng/mL.....	Phencyclidine.....	25 ng/mL
Amphetamines			
Amphetamine/Methamphetamine.....	500 ng/mL.....	Amphetamine.....	250 ng/mL
		Methamphetamine.....	250 ng/mL
Ethanol (alcohol).....	0.04 g/L ⁴	Ethanol (alcohol) (urine).....	0.04 g/L ⁴
	0.02 g/210 L ⁵	Ethanol (alcohol) (breath).....	0.02 g/210 L ⁵

¹ An immunoassay must be calibrated with the target analyte, D-9-tetrahydrocannabinol-9-carboxylic acid (THCA).
² 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.
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 Cutoff in urine.
⁵ Cutoff in breath.

4. Covered Employees: All employees of WPI in Ohio are covered by this policy.
5. Reasons for Testing:
- a. Pre-duty, periodic: All new employees shall be tested.
 - b. Post-accident: Involvement in an on-the-job accident may require testing. Ordinarily, testing will occur when an accident results in injury requiring medical assistance away from the scene of the accident or where there is significant property damage as defined by the Company. In addition, post-accident testing will occur when required by contract.

- 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 Walls and Ceilings 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. 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, 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 Rapid Oral Fluid Test (with Alcohol) may at their discretion immediately go to an approved clinic and take a Walls and Ceilings UA drug test. At the worker's expense, if the Walls and Ceiling UA test comes back negative, the worker will be reimbursed by WPI for the cost of the test.
 - b. Prior to the employee taking the Walls and Ceilings UA drug test, a full copy of the WPI 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 Walls and Ceilings UA 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 Walls and Ceilings UA drug test, they may resume work.
8. Return to Work Process:
- a. See above in regard to return-to-work procedures.
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.

