



Great Lakes
Construction
Alliance

An Owner, Labor, Contractor Partnership



THE
NORTHWEST OHIO
GREAT LAKES CONSTRUCTION ALLIANCE
SUBSTANCE ABUSE POLICY
AS OF October 1, 2010

UPDATES IN RED

Table of Contents

	<u>Page</u>
Sect 1: Introduction	3
Sect 2: Commitment to Confidentiality	3
Sect 3: Card Identification System	4
Sect 4: Types of Screening	4
Sect 5: Illegal Drugs and Substances	5
Sect 6: Procedure for Initial Random and Periodic Drug Screening	5
Sect 7: Prerequisites for a Drug/Alcohol Test for Cause	6
Sect 8: Prerequisites for Post-Accident Screening	7
Sect 9: Procedure for Cause and Post-Accident Screening	8
Sect 10: Screening for Alcohol	8
Sect 11: Employer Responsibilities	9
Sect 12: Employee / Participant Responsibilities	9
Sect 13: General Principles	9
Sect 14: Medical Review Officer Responsibilities	9
Sect 15: Consequences of a non-current Drug or Alcohol Test	10
Sect 16: Tampering with a Test	10
Sect 17: Resolution of Disputes	11
Sect 18: Definitions	11
Appendix A: Drug Information Chart	13
Appendix B: Drug / Alcohol Screen Consent Form and Member Information Form	14
Appendix C: Re-Screening Procedure	15
Appendix D: Re-Entry Screening After a “Non-current” Test (Procedures)	16
Appendix E: Employer Registration Form	17
Appendix F: On Site Drug Testing Jobsite Initiation Worksheet	18
Appendix G: Replacement Card Form	19
Appendix H: Contact Info	20

Section 1. INTRODUCTION

Members of the Northwest Ohio Great Lakes Construction Alliance are committed to providing a safe work place for those working within the organized construction industry. "Striving to make a zero injury career a reality" remains a primary goal of the Alliance. A workplace unencumbered by the influences of illegal drugs and alcohol is necessary to assure this goal.

The Policy that follows was created in a collaborative effort by Labor, Owner and Contractor members of the Alliance. The first Policy was adopted March 1, 2002.

This document contains procedures to be utilized to conduct screening for illegal drugs, substances and alcohol on unionized construction projects. When implemented, this Policy applies to all employees and potential employees of contractors and subcontractors at all tiers, including bargaining unit and non-bargaining unit employees.

Individuals are prohibited from using, possessing, distributing, dispensing, manufacturing, being under the influence, or otherwise being involved with illegal substances and from abusive use of chemicals or controlled substances or alcohol while on employer or client property or while performing the employer's business.

Individuals are encouraged to seek assistance for substance abuse. Contact your union or your health and welfare plan for information on confidential Employee Assistance Programs which are designed to help individuals tackle a variety of issues including substance and alcohol abuse, relationship problems, child care and eldercare concerns, financial/legal problems, depression and anxiety, work pressures, stress and more.

Section 2. COMMITMENT TO CONFIDENTIALITY

(a) Protecting the confidentiality of individuals is a primary interest of labor, owners, and contractors. Therefore, there will be a single entity contracted to provide medical review officer (MRO) services for the entire area covered by the Northwest Ohio GLCA Substance Abuse Policy. Only the MRO has access to an individual's medical records. Only the MRO and third party administrator (TPA) MOST have access to an individual's drug screening results.

(b) Only the MRO or MOST will be allowed to advise a designated contractor representative and local union representative when applicable that an individual is either *current* or *not current* under the NW Ohio GLCA Substance Abuse Policy. No information about test results, substances, levels of screening, or any other specific information will be shared.

(c) Contractors will designate a specific representative as the contact person. The contact person will be the only individual to receive information from the MRO.

(d) The following procedures and guidelines regarding confidentiality will be strictly observed:

- (1) All test results will be considered medical records and held confidential to the extent permitted by law.
- (2) All actions taken in connection with the Policy will remain confidential.
- (3) Only the MRO will have detailed information concerning an individual's drug screening.
- (4) Only the MRO or the TPA MOST may disclose whether an individual is current or not current with the Policy.
- (5) Medical personnel, the contractor, its supervisors, or any other personnel will not disclose any information regarding the screening of an individual.
- (6) Information may be divulged for grievances, arbitration, and/or litigation with respect to these matters to the extent permitted by law.

Section 3. CARD IDENTIFICATION SYSTEM

(a) Only individuals who have been issued an appropriate Identification Card, or who are in the process of being issued the Card, and who are current under the NW Ohio GLCA Substance Abuse Policy may be employed for work on a project requiring this Policy.

(b) To obtain a card, an individual must fill out the Drug/Alcohol screen consent form and mail a color photo to: MOST/NW Ohio GLCA Program, 753 State Ave., Ste. 800, Kansas City, KS 66101(see appendix B).

(c) Any individual who refuses to obtain a card will not be permitted to work on projects covered by this Policy.

(d) Replacement cards may be ordered at the employee's expense for eight dollars (see appendix G).

(e) When a potential employee reports for work and is not registered in the program, but has submitted to an initial drug screening he/she shall proceed to the appropriate contractor's field office to be signed up for employment for a probationary period, pending results of the initial drug screening.

Section 4. TYPES OF SCREENING

A urine drug screen and/or breathalyzer alcohol test shall be administered under the following circumstances:

(a) Initial Drug Screening: All potential employees of all contractors at all tiers who work at the Project and who are not current with the NW Ohio GLCA Substance Abuse Policy shall submit to an Initial Drug Screening. The Initial Drug Screening will test for the presence of illegal drugs and substances. Information on drugs for which the test will be screening, and what levels will constitute a non-current test may be found in Appendix A. This screen will not include an alcohol test. Any potential employee refusing to submit to this test will not be permitted to work on any Project covered by this Policy.

(1) *Existing Employees Transferred From Another Location to Work on a Project Covered by this Policy:* Individuals in this classification must obtain an Identification Card and become current under the Policy. Any individual who is not current under the Policy will not be permitted to work on the Project.

(2) *Recognition of other Drug Tests:* An individual who presents proof that he/she has passed a drug screen test administered under procedures equal to or more stringent than this Policy within a twelve months prior to his/her first day of work on a Project covered by this Policy shall be classified as current under the Policy without being required to submit to an Initial Drug Screening. The date posted for the renewal will be twelve months from the date of the test not the date entered into the system. Unless the drug testing program has been previously classified as a Reciprocal Drug Testing Program, an individual shall not be eligible to work on a Project covered by this Policy until such time the other drug testing program is reviewed and classified as a Reciprocal Drug-Testing Program or one which meets the requirements of this Section 4(a)(2). Because delays will occur in the classification process, individuals are encouraged to provide information about the other drug testing program well in advance of their start date.

(3) Any individual who tests non-current under a Reciprocal Drug-Testing Program shall not be considered current under this Policy unless (a) the individual becomes current under the Reciprocal Drug-Testing Program before reporting to work on a Project covered by this Policy or (b) the individual fulfills the eligibility requirements of Section 15 of this Policy.

(b) Random Screening: Twenty-five percent (25%) of the workforce employed on Projects covered by this Policy shall be tested at random annually or as mandated by law. Project owners requiring site specific random collection may request the Policy administrator to segregate the individuals working on their project into a separate pool otherwise the pool will include all individuals working on projects requiring the Policy. In either case, the selection of individuals for random screening shall be determined exclusively by the TPA MOST through its computer-generated, random-number generating Policy to ensure complete impartiality and objectivity. Selection of individuals for random screening shall not be conducted by any contractors or employers. Random screening shall screen for illegal drugs and substances. This screen shall not include an alcohol test.

(c) Periodic Screening: All individuals will be tested a minimum of once every twelve (12) months to maintain their status as current with the Policy. A random test will be counted in determining whether an individual has been tested within the previous twelve (12) months. Individuals who have not been tested within the previous twelve (12) months will submit to a screening test when directed to do so. Periodic screening shall include screening for illegal drugs and substances. This screen will not include an alcohol test.

(d) Screening for Cause: All individuals may be tested for cause for illegal drugs and substances as well as alcohol when a reasonable suspicion exists that the individual appears to be under the influence of illegal drugs or substances and/or alcohol.

(e) Post Accident: An individual with a chargeable accident shall be required to submit to post-accident screening for the use of illegal drugs or substances and/or alcohol as soon as possible after the accident, but in no case later than thirty-two (32) hours after the accident. Screening will only test for alcohol if a breathalyzer test is conducted within eight (8) hours after the accident.

(f) MRO-Directed Screening: After a non-current test individuals are subject to unannounced screening for illegal drugs and substances as well as alcohol as directed by the discretion of the MRO. Costs associated with MRO directed screenings will be paid by the individual.

Section 5. ILLEGAL DRUGS AND SUBSTANCES

(a) Screening under the Policy includes screens for:

- Amphetamines & MDMA (Ecstasy / Ecstasy)
- 6-Acetylmorphine (6AM)
- Barbiturates
- Benzodiazepines
- Cocaine
- Creatinine
- Methadone
- Opiates (2 tests: 1 for synthetic opiates, 1 for opiate derivatives)
- Phencyclidine
- Propoxyphene (Darvon)
- THC (Marijuana and Cannabinoids)

(b) A screening test will be considered non-current when it shows the presence of illegal drugs/substances in the body at or above cutoff levels stated on the Drug Information Chart contained in Appendix A.

Section 6. PROCEDURE FOR INITIAL, RANDOM AND PERIODIC DRUG SCREENING

(a) Specimen collection may occur on-site or at an off-site clinic provided no loss of wages results. (Wages will be the responsibility of the individual's employer.) Once notified that one is chosen for random test and if that random test is to be done *outside* of work hours, individual has 48 hours to report to an approved testing location with the COC form. If random is to be done immediately, the individual shall proceed to the collection facility.

(b) Each individual will read and sign the attached Drug Screen Consent Form prior to the first test being administered. Failure to do so constitutes refusal to submit to a test.

(c) A formal chain of custody will be established for every drug test.

(d) A split sample consisting of two urine specimen bottles, sealed in a plastic container will be furnished to the individual. The bottles must contain an amount of urine sufficient for one Enzyme Multiplied Immunoassay Technique (EMIT) test and two Gas Chromatography Mass Spectrometry (GC/MS) tests, but in no event less than two bottles totaling 45 milliliters (one bottle containing 30ml and one bottle containing 15ml). Each individual's urine specimen will be collected in the plastic container and temperature verified so as to be within "acceptable range." *In order for a specimen to be within acceptable range and thus constitute a valid sample, the temperature reading must register between 90 (ninety) to 100 (one-hundred) degrees Fahrenheit.*

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The second bottle will be used in the event that the first bottle has become contaminated. Both Bottle A and Bottle B are to be sent to the screening laboratory after the remainder of the collection protocol has been properly completed, especially with regard to the tamper-proof seals. If the donor's specimen temperature does not meet the Policy guidelines (90 – 100 degrees), the donor will be given the opportunity to submit a second specimen. After dumping the original specimen in front of the donor, the donor will be allowed up to three (3) hours and can consume up to 40oz of fluid to provide this second specimen, but MUST NOT be allowed to leave the collection facility. The same second specimen protocol applies in the event that the donor is unable to provide a sufficient quantity of urine (at least 45 ml), and under no circumstances may the collector combine specimen amounts from separate voids to accumulate a specimen of adequate volume. If the donor agrees to the second specimen protocol, but is unable to provide an acceptable second specimen AND there is still time remaining under the three (3) hour time limit, the donor may attempt to produce a third specimen. If the donor agrees to attempt a third collection, it MUST be a witnessed collection. All other protocols still apply.

(e) Before the specimen ever leaves the individual's sight, the urine container will be sealed with security tape, which has been initialed by the individual.

(f) A portion of the sample will be tested using the EMIT test and if non-current, another portion will be tested for verification using the GC/MS test.

(g) If a test is non-current the remainder of the urine specimen will be maintained at the laboratory for one year following the date of the test.

(h) Any individual who refuses to take a drug test will be considered having tested non-current.

(i) The results of a not current status will be communicated to the contractor's designated representative and local union representative when applicable by the MRO. If an individual has tested non-current or has otherwise become not current with the Policy, he/she will be removed from the Project immediately and paid for all hours worked, or if not yet employed, prohibited from reporting to work on a Project covered by this Policy. The individual will not become eligible for employment until such time the individual has met the requirements set forth in Section 15 unless the individual is regulated by the Department of Transportation or the Nuclear Regulatory Commission.

(j) The individual will be given a copy of non-current test results by the MRO, if requested in writing.

(l) *Rescreening*: If any individual who has tested non-current wishes to challenge the results of the GC/MS test, he/she may do so at his/her option by having a GC/MS test performed on the remainder of the previously collected urine specimen at a laboratory certified by SAMHSA (Substance Abuse and Mental Health Services Administration) of his/her choice. The MRO will have available a current list of SAMHSA certified screening facilities. The specimen will be shipped directly from the Policy administrator's laboratory to the laboratory of the individual's choice. The cost of this test will be borne by the individual (Appendix B). If the results of this test are current, the employer will reinstate the individual with full loss wages and benefits and will reimburse the individual for the cost of the test. The employer will in turn negotiate reimbursement for the associated cost for reinstatement with the owner requiring the use of this program. The individual must exercise the option of a second GC/MS test within 48 hours of being notified of the non-current test results.

Section 7. PREREQUISITES FOR A DRUG/ALCOHOL TEST FOR CAUSE

(a) Individuals working at the Project may be tested for illegal drugs, substances and alcohol if there exists a reasonable suspicion that the individual is under the influence of alcohol or any of the substances identified in Section 5. For the purpose of this Policy, the terms "reasonable suspicion" shall be defined as aberrant or unusual on-duty behavior of an individual who:

(1) is observed on-duty by either the individual's immediate supervisor, higher ranking employee, or other managerial personnel of the contractor who has been trained to recognize the symptoms of drug abuse, impairment or intoxication, which observations shall be documented by the observer(s);

(2) exhibits the type of behavior which shows accepted symptom(s) of intoxication or impairment caused by controlled substances or alcohol or addiction to or dependence upon said controlled substances or alcohol; and

(3) such conduct cannot reasonably be explained as resulting from other causes, such as fatigue, lack of sleep, side effect of prescription or over-the-counter medications, illness, reaction to noxious fumes or smoke.

(b) Drug screening of this type will not be conducted without the written approval of the contractor's job superintendent or designated manager. The job superintendent or designated manager must document in writing who is to be tested and why the test was ordered, including the specific objective facts constituting reasonable suspicion leading to the test being ordered, and name of any source(s) of this information. One copy of this document shall be given to the individual before he/she is required to be tested, and one copy shall immediately be provided to the Union steward, if requested by the individual. After being given a copy of the document, the affected individual shall be allowed enough time to be able to read the entire document. Failure to follow any of these procedures shall result in the elimination of the test results as if no test had been administered. The test results shall be destroyed, and no disciplinary action shall be taken against the individual.

(c) When a supervisor, higher ranking employee or other managerial personnel has reasonable suspicion to believe that an individual is using, consuming, or under the influence of an alcoholic beverage, non-prescribed controlled substance (other than over-the-counter medication), and/or non-prescribed narcotic drug while on duty, that person will notify the job superintendent or designated manager for the purpose of observation and confirmation of the individual's condition.

(d) The individual will be offered an opportunity to give an explanation of his condition, such as reaction to a prescribed drug, fatigue, lack of sleep, exposure to noxious fumes, reaction to over-the-counter medication or illness. A Union steward or designee shall be present if appropriate and requested during such explanation and shall be entitled to confer with the individual before the explanation is presented.

(e) If after this explanation the job superintendent or designated manager, after observing the individual, has reasonable suspicion to believe that the individual is using, consuming and/or under the influence of an alcoholic beverage, non-prescribed controlled substances, or non-prescribed narcotic while on duty, then, by a written order signed by the job superintendent or designated manager, the individual may be ordered to submit to a drug and alcohol screen. Refusal to submit to this screening after being ordered to do so will result in the individual being ineligible for employment by any contractor at Projects covered by the Policy.

Section 8. PREREQUISITES FOR POST-ACCIDENT SCREENING

New language to meet BWC requirements:

All employees who may have caused or contributed to an on-the-job accident, as defined below, will submit to a drug and or alcohol test unless the accident investigation documents all of the exceptions identified below.

This test will be administered as soon as possible after the employee receives necessary medical attention, or within eight hours for alcohol and within 32 hours for other drugs.

Accident means an unplanned or unintended event that occurs on the employer's property, during the course of the employer's business, or during working hours, or that involves employer-supplied motor vehicles or motor vehicles used in conducting the employer's business, or within the scope of employment, and results in any of the following:

- A fatality of anyone involved in the accident;*
- Bodily injury requiring off-site medical attention;*
- Vehicular damage in apparent excess of \$5,000.00*
- Non-Vehicular damage in apparent excess of \$5,000.00*
- Damage in apparent excess of \$5,000.00 for the combination of both Vehicular and Non-Vehicular damage.*

As used in this policy accident does not have the same meaning as provided in Division © of section 4123.01 of the Ohio Revised Code. The definition of this rule is not intended to modify the definition of a compensable injury under the workers' compensation law in Ohio. Also, this definition of an accident does not match the definition used by the DOT. BWC in Ohio provides what they consider to be an "intelligent-testing design." As such, even after conducting an accident investigation and determining who may have caused or contributed to a work-related injury, it will not be required for the employer to order a post-accident test if all of the following apply:

- The injury was not serious even though off-site medical attention was required;*
- The nature of the injury is common to the employee's job function;*

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- There was no violation of the work rules;
- There was no reasonable suspicion indicated by the accident investigation.

If the project owner has an existing post-accident testing policy that is more stringent, the policy may be implemented by the project owner.

Section 9. PROCEDURE FOR CAUSE DRUG AND POST-ACCIDENT SCREENING

(a) Individual drug screens for cause/ post-accident will include screening for the same drugs as identified in Section 5 and alcohol.

(b) Each individual will read and sign the attached Drug Screen Consent Form prior to any test being administered. Failure to do so constitutes refusal to submit to a screening.

(c) For cause/ post-accident screening shall be performed at the appropriate jobsite trailer or at a designated off-site clinic. The individual will be accompanied to an off-site clinic by a contractor representative. A split sample consisting of two urine collection containers sealed in a plastic container will be furnished to the individual. A minimum sample of two (2) ounces per container must be collected. All other security procedures are as listed in Section 6 shall be followed.

(d) In EMIT test and, if non-current, a confirming GC/MS test will be performed on the sample. The remainder of the sample will be stored at the laboratory for one year.

(e) If the individual's test is non-current, he/she will be presented with the results of the drug screen. He/She will have the option to have a portion of the remainder of the sample tested at his/her own expense at a SAMHSA certified laboratory of his/her own choice. The screen will consist of a GC/MS test. The sample will be shipped directly from the Policy administrator's laboratory to the laboratory of the individual's choice.

(f) If the test conducted pursuant to Paragraph (e) of this Section is current, the employer will reinstate the individual with full lost wages and benefits and will reimburse the individual for the cost of the test. The employer will in turn negotiate reimbursement for the associated cost for reinstatement with the owner requiring the use of this program. The individual must exercise the option of a second GC/MS test within 48 hours of being notified of the non-current test results.

(g) Any individual whose test is non-current will not be eligible for employment on Projects covered by this Policy in accordance with Section 15.

(h) Any individual whose test is non-current is subject to unannounced screening for illegal drugs and substances as well as alcohol as directed by the discretion of the MRO.

Section 10. SCREENING FOR ALCOHOL

(a) If an individual's test results indicate that he/she exceeded the Policy's .02% blood alcohol limitation, he/she will not be considered current under the Policy. Alcohol detection will be based on a breathalyzer. All breath testing shall be conducted by personnel trained in breath alcohol testing.

(b) An individual who tests non-current will be removed from the Project immediately and paid for all hours worked. If the individual has exceeded the Policy limit, they will not be eligible for employment for any employer on Projects covered by this Policy in accordance with Section 15.

(c) Any individual who refuses to take an alcohol test will be considered non-current.

(d) Any individual whose screening is non-current is subject to unannounced screening for illegal drugs and substances as well as alcohol as directed in the discretion of the MRO.

Section 11. EMPLOYER RESPONSIBILITIES

- (a) Each employer working on a site requiring compliance with this Policy must be registered in the Program (see appendix E).
- (b) Each employer will enroll and process the initial drug screening if an individual has not already been enrolled into the Program.
- (c) That any chain of custody issued to an employer is the employer's responsibility and if used the employer is responsible for payment within 30 days of invoice.
- (d) Failure of the employer to comply with the Policy will be grounds to relinquish their access to the system and thus access to Projects requiring compliance with this Policy.
- (e) Each employer will monitor its individuals for behavior that may indicate drug or alcohol misuse or abuse.
- (f) Each employer will provide training to its supervisor's that meets BWC requirements to enable them to identify and document behaviors that show reasonable suspicion. The training will also educate supervisors on how to handle the confrontation of situations and how to make referrals to testing and/or assistance.
- (g) Each employer will educate their individuals by providing information about the policy and how it will operate as well as to present educational awareness sessions on substance issues that meets the BWC requirements.
- (h) Each employer will notify MOST if any of their individuals refuse to test. The employer shall use one of their chain of custody forms and fill in the individual's name, the date, and his/her social security number with a note that they refused to test. The chain of custody form should then be forwarded immediately to the MOST offices.

Section 12. EMPLOYEE RESPONSIBILITIES

- (a) Each individual shall have his/her Program Identification Card in his/her possession.
- (b) Each individual shall report for screening as instructed. Failure to report will be considered a refusal to submit to the test.

Section 13. GENERAL PRINCIPLES

- (a) All results of tests included in this Policy shall be considered medical records and held confidential to the extent permitted by law. However, this information may be divulged for grievances, arbitration, and/or litigation with respect to these matters.
- (b) The screening laboratory for this Policy must be a laboratory certified by SAMHSA.
- (c) It is understood that neither NW Ohio Great Lakes Construction Alliance, nor their constituent member organizations and affiliated Unions, shall be responsible for ascertaining or monitoring the drug-free or alcohol-free status of any individual or applicant for employment.
- (d) No individual or employer may modify any document involved with the administration of this Policy.

Section 14. MEDICAL REVIEW OFFICER RESPONSIBILITIES

- (a) The MRO shall:
 - (1) Maintain confidentiality on all levels.
 - (2) Review and verify a non-current test.
 - (3) Notify a tested individual of a non-current test.
 - (4) Provide the individual an opportunity to explain a non-current test.

- (5) If an individual has appropriate documentation for use of prohibited drug and the MRO determines legitimate use, the individual will continue to be classified as current with the Policy.
- (6) Review individual's medical records made available to him.
- (7) Notify the designated contractor representative and if applicable the local union representative when an individual is not current with the Policy.
- (8) Advise the individual of his right to request a second test of the split sample.
- (9) Process request for retest of original sample.
- (10) Participate in return to work decisions as required, noting individual's ability to return to work with or without restrictions.
- (11) Refer individuals who test non-current to appropriate medical evaluation and make recommendations.

Section 15. CONSEQUENCES OF A NON-CURRENT DRUG OR ALCOHOL TEST

(a) If an individual tests non-current, the individual will be removed from the Project immediately and paid for all hours worked, or if not yet employed, prohibited from reporting to work. In a situation of reciprocal programs, ineligibility to work starts upon the date the first MRO determines someone is noncompliant with their policy. The individual will not become eligible for employment until such time the individual has met the requirements set forth in Paragraphs (d), (e), (f) and (g) of this Section, unless the individual is regulated by Department of Transportation or Nuclear Regulatory Commission regulations.

(b) Individuals who test non-current and local union representatives when allowed for by the applicable collective bargaining agreement, local union rules or apprenticeship policy and procedures shall have the right to secure a copy of all data relating to the test procedures and results provided. These costs are to be paid by the individual in advance.

(c) All individuals must be current under the Policy in order to be employed on a covered Project.

(d) **First Violation of Policy:** An individual who tests non-current for the first time will be ineligible for employment on all Projects covered by this Policy for thirty (30) days from the date that he/she was notified by the MRO. Return to work is contingent on a review of a substance abuse professional, approval by the MRO and a current drug/alcohol screening.

(e) **Second Violation of Policy:** An individual who tests non-current for the second time will be ineligible for employment on all Projects covered by this Policy for ninety (90) days from the date that he/she was notified by the MRO, contingent on a review of a substance abuse professional, approval by the MRO and a current drug/alcohol screening.

(f) **Third Violation of Policy:** An individual who tests non-current for the third time will be ineligible for employment on all Projects covered by this Policy for one year from the date that he/she was notified by the MRO, contingent on a review of a substance abuse professional, approval by the MRO and a current drug/alcohol screening.

(g) **Violations of the Policy Greater than Three:** Each non-current result greater than three will result in an additional one year of ineligibility for each violation from the date that he/she was notified by the MRO, contingent on a review of a substance abuse professional, approval by the MRO and a current drug/alcohol screening.

(h) The MRO may, in his discretion, modify the ineligibility periods in 15 (d)-(g).

(i) This Policy has no intention to mitigate a project owner's right to manage their facility. If a project owner has more severe consequences for a non-current drug and/or alcohol testing result they will be recognized for the project owner's facility only.

Section 16. TAMPERING WITH A TEST

- (a) Any individual who attempts to or introduces a substituted or altered specimen shall be classified as not current under the Policy, as if he/she had tested non-current.

Section 17. RESOLUTION OF DISPUTES

(a) The following procedure shall be used to resolve all disputes relating to the Policy with the exception of those disputes involving individuals covered by a collective bargaining agreement that references the NW Ohio GLCA Substance Abuse Policy. The parties to such a collective bargaining agreement should use the dispute resolution procedure contained in that collective bargaining agreement. However, the parties to such a collective bargaining agreement, at their discretion, may use the following procedure, or any portion thereof, in any particular dispute if so agreed by the local union and the Contractor.

(b) When a dispute arises pertaining to the administration of the NW Ohio Substance Abuse Policy, it shall be the responsibility of the Local Union and the Employer to attempt to resolve the matter. If the individual is not covered by a collective bargaining agreement, the individual and the employer will attempt to resolve the matter. In both cases, the parties may consult with the Policy Administrator to assist in resolving the matter.

(c) Joint Committee. If the matter is not resolved by the Local Union or unrepresented individual, and the Employer as indicated in Section 17b above, the parties will have 5 days to refer the problem to the NW Ohio GLCA Joint Drug Screening Board. This Board will consist of equal numbers of Union and contractor representatives, with each side having 3 members. The Board will attempt to reach consensus and shall be chaired by an individual elected by the full Board who will serve as the tiebreaker in case a vote is necessary to reach closure. The Board will convene a meeting within 10 days of receipt of a request from a Local Union, unrepresented individual or Employer. The Board will accept verbal and written statements, review testimony and exhibits, and will render a recommendation as to the merit of the grievance within 5 days of the meeting. The Board's decision will be binding.

(d) Should any provision of this Policy be declared illegal by any court of competent jurisdiction, such provisions shall immediately become null and void, leaving the remainder of the Policy in full force and effect. The parties shall, thereupon seek to negotiate substitute provisions which are in conformity with the applicable laws.

DEFINITIONS

CHAIN OF CUSTODY: Handling samples in a way that supports legal testimony to prove that the sample integrity and identification of the sample have not been violated, as well as documentation describing the procedures.

CONFIDENTIALITY: Knowledge that a specific individual is to be or has been screened for alcohol/substance abuse shall be limited to the MRO, personnel of the screening facility, the contractor's designed Policy administrator, the individual and, if the individual chooses, a representative of the union. To the extent that statistical data regarding the workforce and/or a portion of the workforce are collected, details of the screening may be included as long as the identity of the individual is protected.

CONFIRMATION: A second test by an alternate chemical method to positively identify a drug or metabolite. Confirmation is carried out on presumptive positive from an initial screen.

CURRENT: Individuals with *current* status have submitted to testing, are in compliance with the program terms, and are therefore eligible to work on projects requiring compliance with this Policy.

DRUG & ALCOHOL SCREENING: The method for determining the presence of controlled substances in a urine sample using a scientifically reliable method performed in accordance with procedures specified herein.

IMPAIRED FROM ALCOHOL: A level in excess of .02% blood alcohol.

INDIVIDUAL: a potential employee, employee or individual who has tested under this policy or a Reciprocal Drug-Testing Program.

LOSS TIME INJURY: As defined by OSHA regulations.

MEDICAL REVIEW OFFICER (MRO): A licensed physician whose medical training includes certification in toxicology and substance abuse treatment. The MRO is responsible for receiving the laboratory results generated by the substance abuse

Version Date: 10/01/2010 (This version supersedes all other NWOGLCA Substance Abuse Policies versions.)

testing program, then interpreting and evaluating an individual's test result together with medical history and relevant biomedical information.

NOT CURRENT: Individuals who are not in compliance with this Policy. Individuals with a not current status shall either submit to a substance test, or complete rehabilitation and provide a current return to duty test if they wish to be eligible to work on projects requiring compliance with this Policy.

POST-ACCIDENT: Having a drug and/or alcohol screening done as a result of an accident.

REASONABLE SUSPICION: A belief that an individual shows signs of possible intoxication, use or being under the influence of drugs or alcohol. "Reasonable suspicion" may also be defined as a belief drawn from specific and particular facts and reasonable inferences that an individual is using illegal drugs or alcohol.

RECIPROCAL DRUG-TESTING PROGRAM: Any program administered under procedures equal to or more stringent than this Policy and approved as a reciprocal drug-testing program by the NWOGLCA.

SCREENING FOR CAUSE: Having a drug and alcohol screening done when an individual's fitness for duty is in question.

THIRD PARTY ADMINISTRATOR: The individual or entity chosen to administer the substance abuse testing related elements of the substance abuse program. NW Ohio GLCA Substance Abuse Program TPA is:

MOST
753 State Avenue, Ste 800
Kansas City, KS 66101
www.mostprograms.com
phone: 1-877-522-6869.

WRITTEN CONSENT FORM: A form to be signed by the individual prior to submitting to a drug or alcohol screen. See Appendix B.



Appendix A



NW OHIO GLCA SUBSTANCE ABUSE POLICY

Information Chart and Screening Levels

Drug Class (Common Names)	Drugs included	Screening cutoff	Confir Cutoff
Amphetamines Extended (Speed, Eve, Crystal, (Ecstasy, Ecstasy, X)	Amphetamine Methamphetamine MDMA MDA MDEA	500 ng/mL	250 n
Benzolecgonine (Cocaine metabolite)	Cocaine	150 ng/mL	100 n
Opiates Extended (Vicodin, Oxycontin, Dilaudin, Darvon, Demerol, Herion, Horse)	Morphine Codeine Synthetic Opiates	300 ng/mL	300 n
Phencyclidine	Phencyclidine (PCP)	25 ng/mL	25 ng
Tetrahydrocannabinol Cannabinoids (THC – marijuana metabolite)	Marijuana (THC)	50 ng/mL	15 ng
6-Acetylmorphine (6AM)	6AM	10 ng/mL	10 ng
Barbiturates	Barbiturates	300 ng/mL	200 n
Benzodiazepines (Valium, Librium)	Benzodiazepines	300 ng/mL	300 n
Methadone	Methadone	300 ng/mL	300 n
Propoxyphene	Propoxyphene	300 ng/mL	300 n
Creatinine	Creatinine	20 mg/dL	20 mc

* The permissible level for alcohol is less than .02% blood alcohol as screened by breath alcohol analysis. Screening for alcohol is only done for cause and post accident screenings.

**The urine sample at time of collection will be temperature tested and must be between the temperature range of ninety to one hundred degrees Fahrenheit to constitute a valid sample.

***Opiates tests are actually 2 separate tests; hence this is a 12 panel program.

****Effective 10/1/10 cut off levels were modified in accordance with DOT guidelines, Federal Register 49 CFR part 40, and the US Dept. of Health and Human Services (HHS) Substance Abuse and Mental Health Services Administration (SAMSHA).



**NW OHIO GLCA
SUBSTANCE ABUSE POLICY**

**Drug / Alcohol Screen Consent Form
and Member Information Form
Please Print Clearly!**

Release form for obtaining urine and/or breathalyzer samples for drug and/or alcohol screening and permission to furnish the results to employers participating in the NW Ohio Great Lakes Construction Alliance Program.

I authorize all contractors participating in the NW Ohio Great Lakes Construction Alliance Drug and Alcohol Screening Program, MOST and any authorized collection site or agent to take urine and/or breathalyzer samples from me for use in a drug or alcohol screening. I understand why these samples are being requested and I give permission for the results to be sent to the MRO. The MRO may communicate my status (current or not current) in accordance with the NW Ohio GLCA and MOST Program. I further understand this information will be used to determine whether I am eligible for employment or continued employment under the Program's Policy. I further agree I am subject to the Program's Policy and that a non-current test will render me ineligible for employment until such time I become "current" under the policy. I also recognize that the owner may have more severe consequences for a non-current drug and/or alcohol testing result.

I further release and hold harmless MOST, the NW Ohio GLCA, and the Labor/Owner/Contractor Construction Summit, including their constituent member organizations and affiliated Unions, as well as their officers and directors from any consequences arising out of the drug and/or alcohol test or results there from.

I understand that this document will be valid for any and **ALL** drug and alcohol testing performed by all contractors participating in the NW Ohio GLCA Drug and Alcohol Screening Program, including randoms, and that I may not be required to fill out consent forms every time I am required to test.

Signature Date

Social Security # Date of Birth Home Local

First Name MI Last Name

Street Address Apartment #

City State Zip

Home Phone Craft / Occupation

Employer / Jobsite

****BE SURE TO MAIL IN YOUR COLOR PHOTO****

When mailing photos, please include name, and social security number on the back. Photos are NOT returned, unless you request it in writing when sent in. Photos must be at least 1½" x 1½" (the size of your drivers license photo), and can be NO larger than 5" x 7". Photos should show the entire face, with no hats or scarves. Cards that are lost or stolen will be replaced after an \$8.00 processing fee is paid by money order only.

Please fax this form to: (913) 281-3922
And mail a color photo to:
 MOST / NW Ohio GLCA Program
 Attn: Smitty Minton
 753 State Ave., Ste. 800
 Kansas City, KS 66101

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NW OHIO GLCA SUBSTANCE ABUSE POLICY

Rescreening Procedure After A Non-current Test

*SUBJECT: Clarification of **Section 6 (I)** - **RESCREENING PROCEDURES** After a Non-current Test Result*

Section 6 (1) Rescreening allows an individual the opportunity to confirm a non-current test result having a GC/MS test performed on the split sample previously collected at a laboratory certified by SAMHSA (Substance Abuse and Mental Health Services Administration) of their choice.

1. The individual must exercise the option of a second GC/MS test within 48 hours of being notified of the non-current test results.
2. A letter must be sent by the individual screening non-current to:

**MOST/NW Ohio GLCA
Attn: Angie Heninger
753 State Ave., Ste 800
Kansas City, KS 66101**

Explaining the wish to confirm the results at a laboratory of their choice. Include the name, address and phone number of the laboratory. Also include a money order in the amount of \$150.00 (One Hundred, Fifty Dollars). If the results are current the \$150.00 will be reimbursed by the employer. The employer will also reinstate the individual with full loss wages and benefits.

3. If the results remain non-current an additional \$45.00 (Forty-Five Dollars) money order must be sent to allow the individual to retest after the applicable period of exclusion from projects covered by the Policy. A Chain of Custody will be sent by the Policy Administrator to the individual to be used at an approved collection site.

A list of SAMHSA approved laboratories can be attained from the Medical Review Officer.



NW OHIO GLCA SUBSTANCE ABUSE POLICY

Re-entry Screening Procedures

If an individual has been reported by the Medical Review Officer (MRO) to the employer as “Not Current,” the individual must:

1. Be removed from all project requiring current status for the applicable period of time: Thirty (30) days, first offense, ninety (90) days, second offense and one (1) year, third and subsequent offenses.
2. Forward a cashier's check or money order to MOST for the amount necessary for re-entry screening. The current amount is forty-five dollars (\$45).
3. Follow recommendations of MRO.
4. Receive review of Substance Abuse Professional and follow appropriate treatment if necessary.
5. Receive release from MRO following period of suspension.
6. Receive Custody and Control (COC) form from MOST for re-entry screening. A contractor's COC will not be acceptable.
7. Submit urine sample at approved collection site.



**NW OHIO GLCA
SUBSTANCE ABUSE POLICY**

**Employer Registration Form
Please Type or PRINT CLEARLY**

Company Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Fax: _____

Contact Person: _____

Title of Contact Person: _____

E-Mail Address: _____

Billing Address: _____

Billing City: _____ State: _____ Zip: _____

Billing Phone: _____ Billing Fax: _____

Signature: _____

Date: _____

Upon receipt of the Employer Registration form, MOST will issue a Company Identification number to the contact person. This identification number will allow access by your company representatives to the MOST database to check the status of building tradesmen and/or other jobsite employees with regard to the NW Ohio Great Lakes Construction Alliance Program.

Return completed Employer Registration form to:

By Mail: MOST / NW Ohio GLCA
Attn: Smitty Minton
753 State Ave., Ste 800
Kansas City, KS 66101

By Fax: (913) 281-3922

By Email: sminton@mostprograms.com



**NW OHIO GLCA
SUBSTANCE ABUSE POLICY**

**On Site Drug Testing
Jobsite Initiation Worksheet
(Please fill out completely)**

Company: _____

Jobsite/Location Name _____

Company Contact: _____ Phone Number: _____

Jobsite Address: _____

Jobsite City: _____ State: _____ Zip: _____

Jobsite Contact: _____

Jobsite Contact Title: _____

Jobsite Phone Number: _____ Jobsite Fax Number: _____

Alternate Contact: _____

Alternate Contact Title: _____

Alternate Contact Phone Number: _____

Projected Job Start Date: _____ Projected Length: _____

Number of Shifts: _____ Times of Shifts: _____

Number of Employees on each Shift: _____

Billing Address: _____

Billing City: _____ State: _____ Zip: _____

Email Address (if applicable): _____

Special Instructions: _____

Return to: MOST
Attn: Smitty Minton
753 State Ave., Ste. 800
Kansas City, KS 66101
Email: sminton@mostprograms.com
or angie@mostprograms.com
1-877-522-6869 Office
(913) 281-3922 Fax



NW OHIO GLCA SUBSTANCE ABUSE POLICY

Replacement Card Form

Member identification cards that are lost or stolen will be replaced once the replacement card form and processing fee of \$8.00 is received.

Processing fee is payable by money order only.

Date _____ SS# _____
First Name _____ MI _____ Last Name _____
Street Address _____
City _____ State _____ Zip _____
Home Phone _____ Date of Birth _____ Local _____
Craft/Occupation _____
Employer _____
Signature _____

Please attach a color photograph, and money order for \$8.00 processing fee payable to MOST.

Please mail form, photo, and money order to:

MOST / NW Ohio GLCA
Attn: Smitty Minton
753 State Ave., Ste. 800
Kansas City, KS 66101



Great Lakes
Construction
Alliance

An Owner, Labor, Contractor Partnership



CONTACTS

ENTITY	NOTES	PHONE, FAX, EMAIL, WEB
MOST OFFICES	MOST is our program's third party administrator	Tel: 877-522-6869 Fax: 913-281-2504
MOST "Account Officer"	Angie Heninger	Tel: 800-395-1089x314 Fax: 913-281-2504 Email: aheninger@mostprograms.com
MOST Website		www.mostprograms.com
MUST	Michigan's Substance Abuse and Safety Program	Tel: 248-352-9810 Fax: 248-352-9814
MUST Website		www.mustonline.org
NW Ohio GLCA Website		www.nwoglca.org
NW Ohio GLCA Administrator / Finance Officer	Mary Gregory	Tel: 419-666-6900
NW Ohio GLCA Local Program Coordinator Substance Abuse Program	Todd Michaelson	Tel: 419-666-6040
NWOSafety Website		www.nwosafety.com

Craftspeople: When you have a question about the substance abuse policy, please contact your labor organization.

NORTHWESTERN OHIO BUILDING AND CONSTRUCTION TRADES COUNCIL
John Schlagheck, Executive Secretary/Business Manager

909 Front Street • Toledo, OH 43605
Phone: 419-693-7717 • Fax: 419-693-2813

LISTING OF CRAFT UNIONS AND THEIR REPRESENTATIVES Updated: 8/2010

BOILERMAKERS
LOCAL #85
Fred E. Keith, Jr., Business Manager
P. O. Box 35
319 Glenwood Rd.
Rossford, OH 43460
419-666-9724
419-666-8605 (FAX)

BRICKLAYERS &
ALLIED CRAFTWORKERS
LOCAL #3
Don Huss, Field Representative
4652 Lewis Ave.
Toledo, OH 43612
419-478-1818
419-478-1201 (FAX)

BRICKLAYERS &
ALLIED CRAFTWORKERS
LOCAL #46
Steve Shively, Field Representative
1310 Siler Street
Fremont, OH 43420
1-419-334-2454
1-419-334-2437 (FAX)

CEMENT MASONS
& PLASTERERS LOCAL #886
Jim Pedro, Business Manager/Financial Secretary-Treasurer
4652 Lewis Ave.
Toledo, OH 43612
419-478-2652
419-478-0208 (FAX)

ELECTRICIANS
LOCAL #8
Joe Cousino, Business Manager
807 Lime City Road, Rossford, OH 43460
419-666-8920
419-666-3984 (FAX)

ELEVATOR CONSTRUCTORS
Bob Fredericks, Business Manager

Version Date: 10/01/2010 (This version supersedes all other NWOGLCA Substance Abuse Policies versions.)

LOCAL #44	2300 Ashland Ave., Room 206 Toledo, OH 43620 419-242-7902 419-242-6627 (FAX)
GLAZIERS LOCAL #948	Brian Outland, Business Representative 1308 W. Sylvania Ave. Toledo, OH 43612 419-476-8362 419-476-8917 (FAX)
INSULATORS LOCAL #45	Mark Felgner, International Representative 4904 North Summit St. Toledo, OH 43611 419-726-4683 419-726-4739 (FAX)
IRON WORKERS LOCAL #55	Joseph Blaze II, Business Manager (joe@iw55.org) 1080 Atlantic Ave. Toledo, OH 43609 419-385-6613 - 419-385-2125 419-385-6041 (FAX)
LABORERS Local #480	Larry Renwand, Business Manager P O Box 2214 (44871-2214) 1205 W. Perkins Ave. Sandusky, OH 44870-4603 1-419-626-0793 1-419-626-0219 (FAX)
LABORERS Local #500	Phil Copeland, Business Manager 2270 Ashland Ave. Toledo, OH 43620 419-243-3279 - 419-243-3270 419-243-2061 (FAX) Defiance, OH 43512 Kenneth Ragland, Field Representative 1-419-784-2960 - 419-784-4159 (FAX)
LABORERS LOCAL #574	Duane Shaw, Business Manager (Serving Delaware, Hancock, Hardin 1585 Harding Highway East Marion, Seneca & Wyandot Counties)Marion, OH 43302 740-382-4136 (PHONE) 740-387-6354 (FAX)
PAINTERS LOCAL #7	James A. Peppers, Business Representative 1308 W. Sylvania Ave. Toledo, OH 43612 419-476-7505 419-476-7506 (FAX)

PLUMBERS/FITTERS
LOCAL #50

Jeff Vanderhorst, Business Manager
7570 Caple Blvd. Suite A
Northwood, OH 43619-1084
419-662-5456
419-662-4534 (FAX)

PLUMBERS/FITTERS
LOCAL 776

Mike Knisely, Business Manager
1300 Bowman Road
Lima, OH 45801
419-229-5176
419-224-7552 (FAX)

ROAD SPRINKLER
FITTERS Local #669

Ted Lewis, Business Representative
P. O. Box 306
Lindsey, OH 43442
1-419-665-2516 Office
1-419-665-2674 (FAX)

ROOFERS
LOCAL #134

Mike Kujawa, Business Manager (updated 9-2011)
4652 Lewis Ave.
Toledo, OH 43612
419-478-3785
419-478-1201 (FAX)

SHEET METAL WORKERS
LOCAL #33:

Reggie Hohenberger, Business Manager (Rossford/Cleveland)
27430 Crossroads Parkway
Rossford, OH 43460
419-873-9971
419-873-9978 (FAX)

SIGN DISPLAY AND
ALLIED TRADES
LOCAL 639

Jim Watroba, Business Representative
8257 Dow Circle
Strongsville, OH 44136
1-866-239-4575
1-440-234-6527 (FAX)