



## **DRUG SCREENING POLICY AND PROCEDURES**

Effective November 1, 2018

The signatory parties recognize that drug abuse is an illness that creates serious problems for workers, their families, the workplace and the community; that this illness acknowledges no boundaries of age, race or socioeconomic status; that punishing the victim will not eradicate the problem; and that efforts must focus on treatment of the illness and restoration of the victim to a meaningful productive life.

The signatory parties recognize that a cooperative and constructive effort is needed to overcome the impact of drug abuse on safety, productivity, quality of work, and morale.

Also, the signatory parties recognize the keys to this effort will be the providing of education, assistance to the employees and families, encouraging the employees to receive treatment as needed, fostering and encouraging an environment which produces a high skill quality product that is "drug free".

Therefore, in implementing the principles stated above, the parties agree as follows:

### **1. Pre-Employment / Post Offer Testing**

The parties to this program will cooperate to accomplish a drug free environment and a safe work place. After receiving an offer of employment, but prior to assignment of such employment, all candidates for hire are required to submit to drug screening as a condition of employment. All referrals should be advised of this requirement prior to reporting to a designated location. Quick or Instant drug testing may be utilized for pre-employment testing. Refusal to submit to the drug test or a failed drug test will result in the revocation of the job offer. For onsite testing a minimum of six (6) applicants is required.

- 2. The substance abuse program will be conducted in keeping with the established testing procedures developed by the Department of Health and Human Services Scientific (HHS) and Technical Guidelines dated April 11, 1988, and any subsequent amendments thereto. The Laboratory shall be licensed or certified, as the case may be, by the Substance Abuse and Mental Health Services Administration (SAMHSA), the College of American Pathologists and the Department of Defense shall participate in the proficiency testing programs required by each of those respective organizations.**

Drug screening and Gas Chromatography/Mass Spectrometry (GC/MS) confirmation for eleven (11) categories of drugs will be required with the following cut-off limits:

Cut-Off Limit	Cut-Off Limit Drug Class	Screening (ng/ml) (ng/ml)	Confirmation
	Amphetamines – Extended – Includes Ecstasy (Includes, but not limited to: Amphetamine, Methamphetamine, MDMA, MDA, MDEA)	500*	250*
	Barbiturates	300	200
	Benzodiazepines (Includes but not limited to: Valium, Librium)	300	300
	Benzoyllecgonine (Cocaine Metabolite)	150*	100*
	Tetrahydrocannabinol / Cannabinoids*** (THC – marijuana metabolite)	50*	15*
	Methadone	300	300
	Opiates – Extended **** (Includes, but not limited to: Vicodin, Oxycontin, Dilaudid, Darvon, Demerol, Hydrocodone)	300*	300*
	Phencyclidine (PCP)	25*	25*
	Propoxyphene	300	300
	Tramadol (Ultram)	300	300
	6-Acetylmorphine (6AM)	10*	10*
	Creatinine	20mg/dl	20mg/dl
	Alcohol, Ethyl	0%**	

\*Cut-off limits meet or exceed those established by the Department of Health and Human Services in their mandatory Guidelines for Federal Workplace Drug Testing Programs. Effective October 1, 2010 cutoff levels were modified in accordance with DOT guidelines, Federal Register 40 CFR part 40, and the US Dept. of Health and Human Services (HHS) Substance Abuse and Mental Health Services Administration (SAMHSA). In addition, MDMA testing was incorporated to be in accordance with those recommended guidelines.

\*\*MOST considers a 0% breath alcohol as normal. Any report in excess of .02% shall be considered above the impairment level. Refer to section 12 for alcohol testing.

\*\*\*MOST will NOT recognize ingestion of over the counter hemp products, or codeine products, as an acceptable medical explanation for THC positive urinalysis, or opiate positive urinalysis.

\*\*\*\*MOST modified the opiates testing parameters September 27, 2006 to include all reactive testing for all synthetic opiates – ie: oxycontin, oxycodone, vicodin, hydrocodone, hydromorphone etc.

3. MOST has modified its policy and procedures effective November 29, 1993, in keeping with DOT guidelines and will consider all adulterated specimens as a positive drug screen. Before consideration for testing again, MOST will require a donor with an adulterated specimen to have a chemical dependency evaluation performed with a written report from

the clinic or hospital sent to the MRO. In addition, all costs incurred for laboratory examination of the adulterated sample and the cost of a second test will be the responsibility of the donor.

4. Except as specified in sections 3 and 11, the MOST Drug Screening Program will pay all costs for an annual (once per 12-month period) drug screen. Annual testing will be performed on a mandatory basis. Records of such tests shall be maintained by the Independent Testing Laboratory and/or the Medical Review Officer (MRO). For all participants covered by the appropriate collective bargaining agreement, all costs for collection, analysis, reporting, maintenance of records, and notifications shall be borne by MOST, except as specified in Sections 3 and 9. Securing the drug screen test shall be the applicant's responsibility and shall be performed on his/her time, and at his/her expense.
5. MOST will pay all costs for an initial drug test for all individuals who do not meet the conditions set forth in paragraph 4. Initial drug testing will be performed on a mandatory basis. Records of such tests shall be maintained by the independent testing laboratory and/or Medical Review Officer (MRO). For all participants covered by an appropriate collective bargaining agreement, all costs for collections, analysis, reporting, maintenance of records, and notification shall be borne by MOST. Taking and securing the chain of custody for the drug screen test shall be the applicant's responsibility and shall be performed on his/her time, and at his/her expense.
6. In order to reduce travel and inconvenience to the participants, the Certified Laboratory will prepare a list of approved collection stations in the jurisdiction of each participating Local Lodge. Such lists will be distributed to all appropriate parties by the MOST Program. The test will not be processed unless one of the approved collection sites is used, and the cost of the test and recollection will be the responsibility of the participant.
7. In the case of a "positive" result of any MOST test, the participant:
  - a) Shall have the right to have the original sample independently retested at their expense, by a laboratory of their choice, which must meet the qualifications of the program as outlined in Section 2. If the independent retest is "negative", the donor will be reimbursed for the cost of the independent test.
  - b) If the independent retest is "positive", the donor will be notified by the MRO, and will be required to comply with the recommendations for further evaluation or rehabilitation as directed. All expenses related to the retesting of the original sample will be forfeited.
  - c) Shall have the right to secure a copy of all data relating to the test procedures and results, providing the costs of same are paid in advance to the initial testing laboratory by the participant.
  - d) Will be given, with the assistance of the Medical Review Officer, support and guidance with the recommendations for further evaluation or rehabilitation upon the occurrence of the first and second not-current drug tests. A participant testing not-current for a third time must subsequently secure a negative drug screen test

from a laboratory meeting the qualifications of the program as outlined in Section 2 at his or her expense, must be participating in, or have successfully completed, a supervised drug rehabilitation program and agree to take random tests as directed by the MOST Program and/or in accordance with Section 12 and 13 herein.

8. The Medical Review Officer shall be responsible for the following:
  - a) Notify the tested individual of a positive result.
  - b) Review and verify a confirmed positive test result.
  - c) Require witness re-collection at the MRO's discretion.
  - d) Provide the tested individual with an opportunity to discuss the reasons why their test result might be positive.
  - e) Review the individual's medical record as provided by or at the arrangement of the tested individual as appropriate.
  - f) Verify the laboratory result.
  - g) Notify the employer's contact person of all test results, positive and negative, if required by the Employer's Policy and Procedures.
  - h) In keeping with the Boilermakers' National Referral Rules, notify the local lodges' contact person of all test results, positive and negative, if required by the local or area referral rules.
  - i) Process request for retest of original sample.
  - j) Participate in return to duty decisions as required. The MRO will fax/email a release form to the MOST office declaring the donor fit for retesting. The donor will then be required to pay for the retest. Upon receipt of the return to duty clearance release form the MOST office will send the donor a chain of custody form, however the donor will not be updated until payment has been received. Per MRO request, retests may be witnessed.
  - k) Refer individuals testing positive to the appropriate medical evaluation. The cost of the evaluation or services shall be the responsibility of the individual, reduced to the extent the Boilermaker's Health and Welfare Plan provides coverage, assuming eligibility.
9. The MOST Trustees shall select a Certified Laboratory which meets the requirements of item (2,) and shall be responsible for implementing the drug screening tests.
10. Participants will be notified by the MOST office when they are to renew their certification. This notice will be sent by regular mail approximately one month before certification expires. It is the participant's responsibility to return the renewal form to the MOST office to be issued proper paperwork for testing. Participants are responsible for maintaining their current status and eligibility to sign the out of work list. Failure to receive notification due to postal errors or incorrect addresses does not release an individual of their responsibility to test.
11. Random Drug Screening

- a) Contractors may perform on-site specific random drug testing. Contractors will be required to notify MOST five (5) business days in advance of all random testing, so technicians can be provided at the designated time and place of the testing. Each contractor will also be required to submit a list of their employees for the computer-generated random selection process by MOST. The list must include the following; full name, social security number, craft, local, address, and phone number. In addition, MOST will also test all other out of craft employees of the contractor, if so desired by the contractor, at a cost of \$38.00 per test. It will be the responsibility of the contractor and Boilermaker Local Union Halls to notify MOST of any Boilermaker project which has a job duration of two (2) weeks or longer, so as to perform required on site random testing. A minimum of six (6) applicants or eight percent (8%) of the total workforce (whichever is larger) is required, but higher percentages are recommended.
- b) MOST may from time-to-time conduct random testing of applicants for referral through the MOST Boilermaker Delivery System (MBDS). MOST shall test a percentage of applicants for referral through MBDS. The percentage of applicants to be tested shall be determined by the Administrator, subject to approval by the Trustees. The particular applicants to be tested shall be selected through a computer-generated random selection process selected by the Administrator, subject to approval by the Trustees.
- c) Local Lodges may from time-to-time request that MOST perform random testing of applicants for referral through the MBDS System. MOST may at its discretion test a percentage of applicants for referral through MBDS. The percentage of applicants to be tested shall be determined by the Administrator, subject to approval by the Trustees. The particular applicants to be tested shall be selected through a computer-generated random selection process selected by the Administrator, subject to approval by the Trustees.
- d) Local Lodges may from time-to-time request that MOST perform random testing of apprentices who are attending a BNAP or MOST training class. MOST may at its discretion test apprentices who are attending a BNAP or MOST training class. The percentage of apprentices to be tested shall be determined by the Administrator, subject to approval by the Trustees. The particular apprentices to be tested shall be selected through a computer-generated random selection process selected by the Administrator, subject to approval by the Trustees.
- e) The employee's copy of the chain of custody form from the random test will be proof of the donor's test. The contractor, owners, or local may verify that a test was negative by calling the MOST Employee Verification System (EVS) at 1-800-4325765, or by checking the website: [www.mostprograms.com](http://www.mostprograms.com). The renewal date for those testing negative would be one (1) year from the date of the random test. Non-current donors must comply with the existing provisions of the MOST Policy and Procedures before being allowed to retest.
- f) MOST will consider a donor's refusal to participate in a random drug screen the same as a positive drug screen. The donor will be required to have a chemical dependency evaluation performed with a written report from the professional counselor to the MRO. In addition all expenses incurred will be the donor's responsibility.

- g) Randoms conducted at the request of an Owner, Contractor, Local, or Area Apprenticeship may be monitored if it is requested with prior approval of the MOST office.
12. Post Accident / Incident Testing – In an effort to support a contractor/owners policy for Post Accident/Incident testing, MOST will support these needs as follows:
- a) Contractors must have a MOST prepared Post Accident/Incident package. Each package will contain five (5) MOST Post Accident/Incident chain of custody forms, specimen cups, and lab packs. Only one post accident package per job site.
  - b) MOST will consider a donor’s refusal to participate in a post accident/incident testing the same as a positive drug screen. The donor will be required to have a chemical dependency evaluation performed with a written report from the professional counselor to the MRO. In addition all expenses incurred will be the donor’s responsibility.
  - c) If you have any questions regarding the implementation of the Random or Post Accident/Incident procedures please call 1-800-395-1089.
13. Alcohol testing – It is recommended that alcohol screening be conducted in keeping with DOT Regulations Part II, 2120 through 2127, dated February 15, 1994. MOST only recognizes Breath Alcohol Testing (BAT), with BAT Confirmations as a positive result for alcohol. Breath Alcohol Testing must be performed in conjunction with the drug testing.
14. For Cause Testing – MOST will support a contractor/owners policy in regards to “For Cause” testing. An employee shall be subject to drug or alcohol testing, for cause, for any of the following reasons:
- a) Involvement in, or cause of, an incident or an accident during contract work assignment while on owner/contractor premises, which causes or could have caused injury to the employee or which causes or could have caused destruction or damage to owner/contractor property.
  - b) Based on observed behavior, which is unusual to the circumstances, or the individual’s normal behavior, which indicates or could indicate impairment or drug abuse.
  - c) For cause testing will be based on the contractor/owners policy, and is the responsibility of the contractor/owner.
15. Procedures for drug screening are as follows:
- a) MOST will provide the participant the proper chain of custody form for screening at an approved collection facility.
  - b) A qualified health professional at the collection facility will require all participants to have picture identification and a completed chain of custody form issued by the MOST office.

- c) The qualified health professional at the collection facility will furnish the participant a receipt showing the drug screen test has been performed and is being processed.
- d) MOST will consider a donor's refusal to provide a specimen the same as a positive drug screen.

#### 16. Donor's Responsibilities / Conduct

- a) It is the donor's responsibility to update their drug free certification on an annual basis. The MOST office will notify the participants approximately thirty (30) days before expiration, but it is the participants responsibility to notify MOST of their desire to continue in the program.
- b) If a member relocates, or has a phone number change it is his/her responsibility to notify the MOST office, so that all mailings will be received by the participant in a timely manner.
- c) A donor is expected to act professionally and responsibly at the clinics when providing a specimen for testing. Any misbehavior or wrong doing will NOT be tolerated and will result in the participants record being "flagged" in the computer and the participant will not be allowed to retest until an apology is accepted by the clinic.
- d) The participant is expected to bring the chain of custody form, with all donor information typed, and photo identification with him/her to the collection site to be tested. If a donor does not have photo identification and the typed chain of custody form the donor will not be tested.
- e) MOST will consider a donor's refusal to provide a specimen the same as a positive drug screen. The donor will be required to have a chemical dependency evaluation performed with a written report form the professional counselor to the MRO. In addition all expenses incurred will be the donor's responsibility.

#### 17. Employee Verification System (EVS) 1-800-432-5765 / [www.mostprograms.com](http://www.mostprograms.com)

MOST has provided a service to all Construction Local Lodges and Contractors to verify a participant's Drug Free Certification at any time, 24 hours a day, 7 days a week. This service is the Employee Verification System (EVS). All Local Lodges and Contractors contributing to the MOST Program have been given an identification number to access this system, and can verify that a participant has tested "negative" by calling the EVS number. The Local or Contractors can also get faxed verification for their records of several members or just one. The number for the EVS is 1-800-432-5765. Local Lodges and Contractors may also verify a member's information via the internet at [www.mostprograms.com](http://www.mostprograms.com). This system is to be used to check the participant's status prior to issuing a chain of custody to an individual. If an individual comes up "not current" a follow up call needs to be made to MOST before any paperwork can be issued. If paperwork is issued to a "not current" applicant MOST reserves the right to refuse payment for any testing administered.

18. MOST will administer drug/alcohol tests, which are necessary for an applicant for referral to register or re-register on any referral list, operated in accordance with the Uniform Referral Standards and Joint Referral Rules, applicable to the Boilermaker Exclusive Referral System.
  
19. The participating contractor's in the MOST Drug and Alcohol program, in keeping with the Federal laws, must have a written company policy and procedure guide. The policy and procedure should outline things such as:
  - a) The company's participation and acceptance of the services provided to them by MOST.
  - b) The company's policy for handling a positive drug report from MOST on a current employee.
  - c) The company's random screening policy requirements, as follows:
    - 1) Frequency of the random drug and alcohol screenings
    - 2) Percentage of workforce to be tested each time.
    - 3) Name of company representative approved to receive drug-screening results, both negative and positive.
  - d) The company's post accident/incident policy requirements
  - e) The company's policy for handling for cause testing. Each contractor/owner must have a documented training program in place for supervisors to use to determine a need for "for cause" testing.