THE

MUST™ Management & Unions Serving Together

DRUG AND ALCOHOL SCREENING PROGRAM

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Section 1. INTRODUCTION

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

(b) This policy contains the following minimum standards:

a. Ten (10) Panel Drug Screening (values listed in Appendix A)
b. Provides for Initial, Annual, Random, For Cause, Post-Accident and Return to Duty Screening.
c. Designated Medical Review Officer (MRO)
d. Bona Fide Dispute Resolution Process
e. Bona Fide Method of Discipline
f. Addresses Means and Methods for Employee Rehabilitation.
g. Addresses Training for Reasonable Cause Screening

(c) Specimens shall be collected in accordance with the procedures set forth in DOT Urine Specimen Collection Guidelines for the U.S. Department of Transportation Workplace Drug Testing Programs including, but not limited to, those procedures governing the use of split samples and those establishing a formal chain of custody.

(d) Only approved evidential breath testing devices (EBT) and non-evidential devices for conducting alcohol testing shall be used. These devices are listed on NHTSA's Conforming Products List (CPL). All equipment shall have a quality assurance plan approved by the NHTSA and shall not be used in the event that the device does not meet the specified quality controls.

Section 2. COMMITMENT TO CONFIDENTIALITY

(a) Protecting the confidentiality of the employee is a primary interest of labor, owners, and contractors. Towards that end, there will be a single Medical Review Officer (MRO) for the entire area covered by the M.U.S.T. Program. The MRO will be the sole individual who has access to employee medical records and drug testing results.

(b) The MRO will only be allowed to advise a designated contractor representative that the employee is either *current*, *recollect, not current, pending or ineligible* with the M.U.S.T. Drug and Alcohol Screening Program. No information about the test results, the substance that an employee may have tested positive for, levels of testing, or any other specific information will be shared.

(c) Contractors will designate a specific representative as the contact person who 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 Program will remain confidential.

(3) The Medical Review Officer will be the only individual who has detailed information concerning employee drug testing.

(4) The Medical Review Officer may disclose to the contractor only whether an employee is current or not current with the Program.

(5) Medical personnel, the contractor, its supervisors, or any other personnel will not disclose any information regarding the testing of an employee to the owner, contractor, or any other party.

(6) Contractor management or supervision shall not request information from the MRO or medical staff regarding any employee's test or type/level of substance.

(7) 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 employees who have been issued an appropriate Identification Card, or who are in the process of being issued the Card, and who are current with the M.U.S.T. Drug and Alcohol Screening Program may be employed for work on a project requiring this program.

(b) To obtain the card, the individual must have a Report Manager complete the Member Registration Form through our Program administrator's website**.**

(c) An individual’s social security number will be used when first registering in the system. A unique identifying number will then be assigned by the administrator for verifying an individual’s status in the system.

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

(e) When a potential employee reports for work and is not enrolled in the program, he/she will proceed to the appropriate contractor's field office to be signed up for employment for a probationary period, pending results of the initial screening, unless the Owner requires a current drug screening prior to employment.

Section 4. TYPES OF TESTING

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 M.U.S.T. Program shall submit to an Initial Drug Screening. If the Owner requires a current drug screening prior to employment, he/she will be required to submit to the Initial Drug Screening prior to employment. The Initial Drug Screening will test for the presence of illegal drugs and substances. 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 program.

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

(b) ***Random Testing***: Twenty-five percent (25%) of the workforce employed on M.U.S.T. Program Jobs shall be tested at random annually or as mandated by law. The selection of employees for random testing shall be determined exclusively by the Program administrator through its computer-generated, random-number generating program to ensure complete impartiality and objectivity. Selection of employees for random testing shall not be conducted by any contractors or employers. Random testing shall screen for illegal drugs and substances as well as alcohol. The MUST Joint Drug Testing Board will periodically review the effectiveness of the program and modify the percentage to be randomly tested based on the level of positive results. The random testing procedure is more effective when all of the following occur:

(1) The contracting party audits/monitors for contract compliance where the MUST program has been specified.

(2) Contractors are monitored for compliance with the MUST program.

(3) Access is denied to contractors not in compliance with the MUST program; and

(4) Contractors utilize technology to continuously update eligible employee information.

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

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

(e) ***MRO-Directed Testing***: After a positive test employees are subject to unannounced testing for illegal drugs and substances as well as alcohol as directed in the discretion of the Medical Review Officer.

(f) ***Post-Accident Testing:*** An employee 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 set forth in Section 9 of this Policy.

Section 5. ILLEGAL DRUGS AND SUBSTANCES

(a) Testing under the M.U.S.T. Drug and Alcohol Program includes screens for:

Amphetamines	Barbiturates	Opiates Synth. Opiates
Benzodiazepines	Phencyclidine	6-AM
Cocaine	Propoxyphene (Darvon)	MDMA
Methadone	THC (Marijuana and Cannabinoids)	

(b) A screening test will be considered positive 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.

(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 test.

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

(d) A split sample consisting of two urine collection containers sealed in a plastic container will be furnished to the individual. The containers must contain an amount of urine sufficient for one Enzyme Medical Immunoassay Test (EMIT) test and two GC/MS or LC-MS/MS confirmatory tests, but in no event less than two (2) ounces per container. Each individual's urine specimen will be collected and temperature tested for verification. The second container will be used in the event the first container has become contaminated. Both samples are to be sent to the testing laboratory.

(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) Specimens collected on-site will be picked up by courier and transported to the laboratory for testing. A portion of the sample will be tested using the EMIT test and if positive, another portion will be tested for verification using a SAMSHA approved method of confirmation testing.

(g) The remainder of the urine specimen will be maintained at the laboratory for thirty (30) days following the date of the test.

(h) After having submitted an acceptable sample, an individual submitting for the Initial Drug Screen will then be given a form stating that he/she has consented to and given urine sample for drug screening and is available for employment for a probationary period, pending results of the initial drug screening. This form will be signed by the attending medical personnel and a supervisor of his/her employer.

(i) Any individual who refuses to take a drug test will not be eligible for employment by any contractor at Projects covered by the M.U.S.T. Drug and Alcohol Screening Program.

(j) The results of the drug test will be posted on the individuals Report Card. If the individual has tested positive or has otherwise become ineligible with the Program the results of the drug test will be communicated to the contractor’s designated representative by the MRO, he/she will be removed from the Project immediately and paid for all hours worked. The individual will not be eligible for employment with any employer on Projects covered by this Program in accordance with Section 15 contingent on a negative drug screen.

(k) The individual will be provided a copy of positive test results by the MRO, if requested.

(l) *Retesting*: Retesting provides the opportunity to confirm a positive test result by having a confirmation testing done, on the split sample previously collected at a SAMHSA (Substance Abuse and Mental Health Services Administration) certified laboratory of donor’s choice. The confirmation testing will be done using a SAMSHA approved confirmation testing method.

(1) Within five (5) workdays of being notified of the positive test results, such individual must submit a letter to the MUST Program Manager requesting confirmation of the positive test.

(2) The above letter must include the name, address, and telephone number of the SAMHSA laboratory of their choice. Only SAMHSA certified laboratories may be utilized. An individual should consult with the MRO for a current list of SAMHSA certified testing facilities.

(3) The above letter must include a money order in the amount of $275.00.

The specimen will be shipped directly from the program administrator's laboratory to the laboratory of the employee's choice. If the test results are negative, the $275.00 will be reimbursed and the individual will be reinstated with full back pay and benefits. If the results remain positive, an additional $60.00 money order must be sent for a retest of the individual which will occur after the applicable period of exclusion from MUST projects. A Chain of Custody form will be provided by the MUST Program Manager for the individual to use at an approved collection site.

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

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

(1) is observed on-duty by either the employee'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 testing 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 employee before he/she is required to be tested, and one copy shall immediately be provided to the Union steward, if requested by the employee. After being given a copy of the document, the affected employee 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 employee.

(c) When a supervisor, higher ranking employee or other managerial personnel has reasonable suspicion to believe that an employee 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 employee's condition.

(d) The employee 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 employee before the explanation is presented.

(e) If after this explanation the job superintendent or designated manager, after observing the employee, has reasonable suspicion to believe that the employee 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 employee may be ordered to submit to a drug and alcohol screen. Refusal to submit to this testing after being ordered to do so will result in the employee being ineligible for employment by any contractor at Projects covered by the Program.

Section 8. PREREQUISITES FOR POST-ACCIDENT SCREENING

(a) *Post Accident*: An employee with a chargeable accident shall be required to submit to post-accident screening for the use of illegal drugs or substances and/or alcohol. The screening will take place as soon as possible after the accident but in no case later than thirty-two (32) hours after the accident.

(b) A chargeable accident is defined as:

(i) An accident involving the death of a human being or

(ii) An accident that results from the employee's negligence and results in the property or vehicular damage of one thousand dollars ($1,000) or more.

(a) Testing **<u>will not be required</u>** of an injured employee if it reasonably appears that the employee was injured solely as the result of another employee's action,

(b) If an employee involved in an accident is not injured, no test will be required unless probable cause, as defined in this Policy, exists.

(iii) An accident requiring any medical treatment other than first aid as defined by MIOSHA.

(c) An employee who is seriously injured and cannot provide a specimen at the time of the accident shall consent to a blood test or provide the Medical Review Officer the necessary authorization for obtaining hospital reports and other documents that would indicate whether there were illegal/controlled drugs or substances and/or alcohol in their system. If an employee refuses to comply with this provision, the MRO shall note such refusal and such refusal shall be considered a positive result under Section 15, and the employee will be classified as "ineligible".

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

(a) Employee drug screens for cause and post-accident will include testing for the same drugs as identified in Section 5, but also will include testing for alcohol.

(b) Each employee 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 test.

(c) For cause and post-accident screening shall be performed at the appropriate jobsite trailer or at a designated off-site clinic. The individual may be accompanied to an off-site clinic by a contractor representative (company policy will dictate). A split sample consisting of two urine collection containers sealed in a plastic container will be furnished to the employee. A minimum sample of two (2) ounces per container must be collected. All other security procedures as listed in Section 6 shall be followed, including chain of custody and a listing of any medication the employee has used in the preceding thirty (30) days.

(d) The Union steward or designee, if appropriate and requested by the employee, may witness the sample sealing procedure at the first aid trailer or the off-site clinic.

(e) An EMIT test and, if positive, a confirming GC/MS or LC-MS/MS test will be performed on the sample. The remainder of the sample will be stored at the laboratory for thirty (30) days.

(f) An employee will be suspended from the project until the return of their test results. If the results are negative, the employee will be paid for all lost hours and returned to work.

(f) If the employee's test is positive, they will remain suspended from the Project, compensated for all hours worked and remain suspended from all MUST Projects as defined in Section 15 of this policy. The employee will be presented with a copy of 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. A SAMSHA approved method of confirmation testing will be done. The sample will be shipped directly from the Program administrator's laboratory to the laboratory of the individual's choice.

(g) If the test conducted pursuant to Paragraph (f) of this Section is negative, the employee will be reinstated with full back pay and benefits, and will be reimbursed for the cost of the test by the employer. The individual must exercise the option of a second GC/MS test within five (5) workdays of being notified of the positive test results.

(h) Any employee whose test is positive will not be eligible for employment on Projects covered by this Program in accordance with Section 15 contingent on a negative drug screen.

(i) Any employee whose test is positive is subject to unannounced testing for illegal drugs and substances as well as alcohol as directed in the discretion of the Medical Review Officer.

Section 10. SCREENING FOR ALCOHOL

(a) Alcohol detection will be based on a breathalyzer. If an employee's test results indicate that he/she has exceeded the policy's .04% blood alcohol limitation, he/she will be considered ineligible and will not be eligible for employment on Projects covered by this Policy in accordance with Section 15.

(b) An employee who tests positive will be removed from the Project immediately and paid for all hours worked.

(c) Any individual who refuses to take an alcohol test will be considered "ineligible".

(d) Any employee whose screening is positive, is subject to unannounced screening for illegal drugs and substances as well as alcohol, as directed in the discretion of the Medical Review Officer.

(e) Zero Tolerance Alcohol Policy – As an alternative to the above Alcohol Screening Procedures, an owner may adopt a Zero Tolerance Alcohol Policy for a particular project or several projects, provided that:

(1) The owner requires all individuals entering the site(s) to conform to the Zero Tolerance Alcohol Policy.
(2) The owner enters into a Project Labor Agreement (PLA) for the project(s) subject to the Zero Tolerance Alcohol Policy with the appropriate Building Trades Council.

Section 11. EMPLOYER RESPONSIBILITIES

(a) Each employer working on a site requiring this program must be registered in the program.

(b) Each employer will enroll and process the initial drug screening if employee has not already been enrolled into the program

(c) Each employer will submit a monthly listing of employees eligible for random screening

(d) Failure of the employer to comply with the program will be grounds to relinquish their access to the system and thus access to projects requiring this program.

(e) Each employer will monitor its employees for behavior that may indicate drug or alcohol misuse or abuse.

(f) Each employer will provide training to its supervisors to enable them to identify behaviors exhibited by persons who are under the influence of drugs or alcohol.

Section 12. EMPLOYEE RESPONSIBILITIES

(a) Each employee shall have his/her Identification Card in his/her possession.

(b) Each employee shall report for testing 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 Program 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 testing laboratory for this Program must be a laboratory certified by SAMHSA.

(c) It is understood that neither M.U.S.T. (Management and Unions Serving Together), and/or their constituent member organizations and affiliated Unions,

shall be responsible for ascertaining or monitoring the drug-free or alcohol-free status of any employee or applicant for employment.

(d) No employee or employer may modify any document involved with the administration of this program.

Section 14. MEDICAL REVIEW OFFICER RESPONSIBILITIES

(a) The Medical Review Officer shall:

(1) Maintain confidentiality on all levels.

(2) Review and verify a positive test.

(3) Notify a tested employee of a positive test.

(4) Provide the employee an opportunity to explain a positive test.

(5) If an employee has appropriate documentation for use of prohibited drug and the MRO determines legitimate use, the employee will continue to be classified as current with the Program.

(6) Review employee's medical records made available to him.

(7) Notify the designated contractor representative when an employee is ineligible under the Program.

(8) Advise the employee 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 employee's ability to return to work with or without restrictions.

(11) Refer employees who test positive to appropriate medical evaluation and make recommendations.

Section 15. CONSEQUENCES OF A POSITIVE DRUG OR ALCOHOL TEST

(a) If test is positive, the individual will be removed from the Project immediately and paid for all hours worked. The individual will not be eligible for employment as provided in Paragraphs (d), (e), (f) and (g) of this Section, unless regulated by Department of Transportation or Nuclear Regulatory Commission regulations.

(b) Individuals who test positive shall have the right to secure a copy of all data relating to the test procedures and results provided. <u>These costs are to be paid by the individual in advance.</u>

(c) All employees must be current with the M.U.S.T. Drug and Alcohol Screening Program in order to be employed on a covered Project.

(d) ***First Violation of Program***: An employee who tests positive for the first time will be ineligible for employment on all Projects covered by this Program for thirty (30) days, contingent on a negative drug/alcohol test and approval by the MRO.

(e) ***Second Violation of Program***: An employee who tests positive for the second time will be ineligible for employment on all Projects covered by this Program for ninety (90) days, contingent on a negative drug/alcohol test and approval by the MRO.

(f) ***Third Violation of Program***: An employee who tests positive for the third time will be ineligible for employment on all Projects covered by this Program for one year, contingent on a negative drug/alcohol test and approval by the MRO.

(g) ***Violations of the Program Greater than Three:*** Each positive result greater than three will result in an additional one-year ineligible period for each violation, contingent on a negative drug/ alcohol test and approval by the MRO.

(h) The MRO may, in his discretion, modify the ineligibility periods in Section 15 (d), (e), (f) and (g).

(i) An individual who has tested positive will have the results of the positive test expunged from their record four (4) years after reinstatement into the program, provided that there are no positive tests within that four (4) year period.

(j) ***Return To Work Procedure:*** After an individual has been reported ineligible and has completed the above suspension periods, the employee must:

(1) Follow all MRO recommendations.

(2) Forward a cashier's check or money order to MUST Drug Testing for the amount necessary for re-entry screening. The current amount is $100.00 (One Hundred Dollars). Please call the MUST Program Manager for information.

(3) Receive a Custody of Control (COC) form from the MUST office for re-entry screening. A contractor's COC will not be acceptable.

(4) Submit a urine sample at an approved collection site.

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(k) Substance abuse can become an illness and require professional intervention. The intent of this program is to provide for safer construction sites and not to eliminate job opportunities for those addicted to substances. Ask your employer or union representative about the Employee Assistant Program

(EAP) that may be available to you. If you have tested positive, don't assume you can handle your problem, have a Substance Abuse Professional evaluation today.

Section 16. NEGATIVE DILUTE

(a) A dilute specimen is a specimen with creatinine and specific gravity values that are lower than expected for human urine.

(b) If the MRO informs you that a negative drug test was dilute, you must direct the employee to take another test immediately. Such recollections shall not be collected under direct observation unless there is another basis for use of direct observation.

(c) The retest will stand as the test of record. If the results are negative or negative dilute, current status will be posted. If the results are positive the applicable consequence will be enforced.

Section 17. TAMPERING WITH A TEST

(a) Any employee who attempts to introduce a substituted or altered specimen shall be classified as "ineligible" with the program, as if the test were positive.

Section 18. RESOLUTION OF DISPUTES

(a) The following procedure shall be used to resolve all disputes relating to the Program with the exception of those disputes involving employees covered by a collective bargaining agreement that references the M.U.S.T. Drug and Alcohol Screening Program. 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 all parties to the dispute.

(b) When a dispute arises pertaining to the administration of the MUST Drug and Alcohol Screening Program, it shall be the responsibility of the Local Union and the Employer to attempt to resolve the matter. If the employee is not covered by a collective bargaining agreement, the employee and the employer will attempt to resolve the matter. In both cases, the parties may consult with the Program Manager of MUST to assist in resolving the matter.

(c) Joint Committee. If the matter is not resolved by the Local Union/ unrepresented employee and the Employer as indicated in Step 1, the parties will have 5 days to refer the problem to the MUST Joint Drug Testing 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 the Program Manager of MUST, 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 employee 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 recommendation is not binding on either party but may be used to determine whether or not to advance the matter to the next step.

(d) Arbitration. Either party may file a request for arbitration by submitting a *Request for Arbitration* form to American Arbitration Association (AAA), accompanied by the appropriate administration fee. AAA will provide the parties with lists of appropriate arbitrators from which to select; AAA will administer the arbitration process in an expeditious fashion, including arbitrator selection, agreement on a hearing date, and all arrangements necessary for conduct of the arbitration hearing. The parties agree to be bound by the final decision of the arbitrator.

The Arbitrator will render his/her decision within 30 days, and shall include the rationale for making his/her decision. Cost of the arbitration will be born equally by the parties. In the event that the arbitrator finds that the employee was improperly removed and suffered an inappropriate loss of wages and benefits as a result, the Arbitrator may order such losses to be repaid to the employee.

Section 19. **RECIPROCITY**

The MUST Drug and Alcohol Screening Program can meet its goal of providing all employees at unionized construction projects a safe work place and a drug free work environment by recognizing similar efforts, either on a regional or national basis. A regional or national program can obtain the granting of reciprocal status when all of the following conditions are satisfied:

(a) The program is embodied in a written policy.

(b) A similar level and panel of drugs is tested.

(c) The program implements similar procedural safeguards to ensure the integrity of the testing process, including the use of a Medical Review Officer (MRO).

(d) The program utilizes a bona fide method of reinforcement (discipline) that imposes similar consequences for failing a drug and/or alcohol test.

(e) The policy provides for initial applicant testing, annual testing, random testing, for cause testing, post-accident testing, return to duty testing and follow up testing.

(f) The policy contains a bona fide dispute resolution process.

(g) The policy addresses employee rehabilitation through a Employee Assistance Program (EAP) as the result of a failed drug and/or alcohol test.

(h) The policy addresses training for substance abuse awareness as it pertains to for cause testing. (Section 7 (a) (1).

(i) An agreement is established between MUST and the other program that enforcement shall follow the individual (an employee shall be restricted under the terms of the program where the positive test occurred until that employee satisfies the conditions for reinstatement).

Section 20. DEFINITIONS

ANNUAL DUE: Drug screening test date will expire in 30 days.

CALL M.U.S.T. OFFICE: Contact needs to be made with the M.U.S.T. Program Manager because there is no billing code associated with the test. When the donor or contractor calls in, the M.U.S.T. office enters the proper contractor, location and/or fund through the administrator interface and the status gets displayed.

CHARGEABLE ACCIDENT: An accident involving the death of a human being, an accident that results from the employee's negligence and results in the property or vehicular damage of one thousand dollars ($1,000) or more or an accident requiring medical treatment other than first aid as defined by MIOSHA.

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 Medical Review Officer, personnel of the testing facility, the contractor's designed program administrator, the employee and, if the employee 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 testing may be included as long as the identity of the employee 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: Employees with *current* status are eligible to work on projects requiring compliance with the MUST Drug & Alcohol Screening Program.

DRUG and ALCOHOL SCREENING: The testing of urine and/or a breath alcohol sample to identify individuals using prohibited substances.

IMPAIRED FROM ALCOHOL: If an employee's test results indicate that he/she exceeded the policy's .04% blood alcohol limitation, he/she will not be considered current with the Policy.

INELIGIBLE: Employees with Ineligible status are not eligible to work on projects requiring compliance with the MUST Drug and Alcohol Screening Program until the date shown, pending a negative drug and alcohol screening and release by the MRO.

MEDICAL REVIEW OFFICER: A physician whose medical training includes certification in toxicology and drug treatment. The MRO shall have sole access to drug testing results.

NEGATIVE DILUTE (RECOLLECT): A dilute specimen is a specimen with creatinine and specific gravity values that are lower than expected for human urine.

NOT CURRENT: Employees with *not current* status shall submit to a drug screening if they wish to be eligible to work on projects requiring compliance with this program.

PENDING: Employees with *pending* status are eligible to work on projects requiring compliance with the MUST Drug and Alcohol Screening Program. The MRO has been in communication with the employee and is requiring further documentation before providing *current or* ineligible status.

POST ACCIDENT SCREENING: Drug and/or alcohol screening performed as the result of an accident involving the death of a human being, an accident that results from the employee's negligence and results in the property or vehicular damage of one thousand dollars ($1,000) or more or an accident requiring medical treatment other than first aid as defined by MIOSHA.

REASONABLE SUSPICION: A belief that an employee 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 employee is using illegal drugs or alcohol.

SCREENING FOR CAUSE: Having a chemical screen done when an employee's fitness for duty is in question.

TEST EXPIRED: Drug screening test expiration date has passed.

WRITTEN CONSENT FORM: A form to be signed by the employee prior to submitting to a drug or alcohol screen.

DRUG / ALCOHOL SCREEN CONSENT FORM

RELEASE FORM FOR OBTAINING URINE AND/OR BREATHALYZER SAMPLES FOR DRUG AND/OR ALCOHOL SCREENING AND PERMISSION TO FURNISH THE RESULTS TO THE EMPLOYER.

I authorize _____ (insert name of your employer), the M.U.S.T. Drug and Alcohol Screening Program, 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 Medical Review Officer (MRO). The MRO may communicate my status, to my employer, in accordance with the M.U.S.T. program.

I further release and hold harmless M.U.S.T. (Management and Unions Serving Together), 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.

_____

Name (Please Print) Social Security Number

_____

Signature Date

_____

Address

_____

City State Zip Code

_____

Area Code/Phone Number

_____

Witness Date

Appendix A

Information Chart and Testing Levels

Drug Group	Common Name	Drug or Metabolite Detected	Initial Test Level ng/ml	Confirmation Test Level Confirmatory ng/ml
Amphetamines	Speed, Eve, Crystal	Amphetamines	500	250
		Methamphetamines	500	250
Barbiturates	Secobarbital, Pentobarbital Phenobarbital, Butabarbital	Diverse	300	200
Benzodiazepine	Valium, Librium	Oxazepam	300	300
Cannabinoids	Marijuana, Pot, Smoke, Weed, Mary Jane, Ganja	delta-9-THC-9-COOH	50	15
Cocaine	Coke, Blow, Crack, Toot	Benzoylecgonine	150	100
MDMA	Ecstasy, XTC, X	MDMA	500	250
Methadone	Methadone, Met	Methadone	300	300
Opiates	Morphine, Codeine, Heroin, Horse	Oxy, Codeine, Morphine	300	300
Phencyclidine	PCP, Angel Dust, Acid,	PCP	25	25
6AM		6-Monoacetylmorphine	10	10
Propoxyphene	Darvon	Propoxyphene	300	300

Impairment from Alcohol is .04% or Greater Blood Alcohol Level content.