

## PORT OF SEATTLE'S PROJECT LABOR AGREEMENT

### SUBSTANCE ABUSE PROGRAM

#### SUMMARY

The basic element of the Program is simple. Unauthorized use, possession or sale of controlled substances or alcohol on the Project is prohibited. Persons who violate this rule or who are convicted for selling, using, or possessing controlled substances off the job will not be permitted to work on the project. Applicants for Project employment will be subject to pre-employment controlled substance, alcohol and adulterant testing. Thereafter, employees will be subject to reasonable cause, post accident, random and return –to-work testing for the presence of controlled substances, alcohol or adulterants in their systems. Employees who report for work with alcohol, adulterants or unauthorized controlled substances in their system will not be permitted to remain on the Project. Employees who violate the substance abuse policy and applicants who fail the pre-employment testing, will be denied employment and will not be eligible for reassignment to any Contractor on the Sea-Tac project until a period of not less than ninety (90) calendar days has passed the employee/applicant has successfully completed an approved counseling or rehabilitation program, at the employee's expense. An employee/applicant will be deemed to have "successfully completed an approved counseling or rehabilitation program when the PLA Program Manager is provided written documentation from the approved agency/organization that the employee/applicant has met all of the Program requirements. Such employees/applicants shall be subject to pre-employment, random and periodic controlled substance, adulterant or alcohol testing thereafter at the request of the Program Manager for up to one year. The program will apply to all Contractor craft personnel, union and non-union, at all construction sites covered by the Project Labor Agreement.

Special safeguards have been undertaken to assure that testing will be conducted by licensed laboratories, under the strictest federal guidelines, with special provisions to assure test reliability, employee privacy and confidentiality. All testing will be conducted only by laboratories approved by the Substance Abuse and Mental Health Services Administration ("SAMHSA") in accordance with the Mandatory Guidelines for Federal Workplace Testing programs established by the U.S. Department of Health and Human Services.

#### FREQUENTLY ASKED QUESTIONS

- **Who is subject to testing under this Program?**
  - The program applies to all Contractor craft personnel, union and non-union, at all construction sites covered by the Project Labor Agreement. Applicants for Project employment will be subject to pre-employment controlled substance, alcohol and adulterant testing. Photo identification must be presented; the only acceptable forms are as follows:
    - State issued Driver's License
    - State issued Identification Card
    - Military issued Identification Card
    - Passport
- **What drugs does the Program Test for?**

- The urine specimens are analyzed for the following drugs/metabolites:
    - Marijuana metabolites/THC
    - Cocaine metabolites
    - Amphetamines (including methamphetamine)
    - Opiates (including codeine, heroin, morphine)
    - Phencyclidine (PCP)
    - Alcohol
- **When will I be tested?**
  - Employees are subject to drug or alcohol testing in the following situations:
    - Pre-employment
    - Reasonable Suspicion/Cause
    - Random
    - Return to duty
    - Follow-up
    - Post Accident
- **What are the Testing Procedures?**
  - Controlled substance tests shall be by urinalysis and shall consist of two procedures, a screen test (EMIT or equivalent) and if that is positive, a confirmation test (GC/MS or equivalent). Alcohol test shall be by breathalyzer.
- **What is a Medical Review Officer (MRO)?**
- MROs are licensed physicians with knowledge and clinical experience in substance abuse disorders. They review paperwork for accuracy, report a negative result to the service agent. If the result is positive the MRO will conduct an interview with you to determine if there is a legitimate medical reason for the result. If a legitimate medical reason is established, the MRO will report the results to the service agent as negative. If not, the MRO will report the results as positive.
- **What happens if I test positive, refuse a test, or violate a specific drug & alcohol rule?**
  - A refusal on the part of any applicant or employee to comply with the testing procedure will disqualify the worker from employment on the Project for not less than ninety (90) calendar days.
  - The presence of one or more controlled substance(s), adulterant(s) or alcohol in your system at or above the defined threshold levels will result in disqualification for employment and/or immediate. Any disqualification for failing a controlled substance, adulterant or alcohol test will require you to complete an approved counseling or rehabilitation program and agree to periodic testing before becoming eligible again.
- **What is considered a refusal to test?**
  - The following are some examples of conduct that is defined as refusing a test
    - Failure to appear for any test after being directed to do so by your employer.
    - Failure to remain at the testing site until the testing process is complete.
    - Failure to provide a urine or breath sample when directed and it has been determined, through a required medical evaluation, that there was not adequate medical explanation for the failure.
    - Failure to take a second test when directed to do so.
    - Failure to cooperate with any part of the testing process.
    - Failure to undergo a medical evaluation as part of “shy bladder” or “shy lung” procedures.
    - Failure to sign Step #2 of the Alcohol Testing Form.

- Providing a specimen that is verified as adulterated or substituted.
- **Will my results be confidential?**
  - Your test results are confidential. An service agent (e.g. testing laboratory, MRO or Substance Abuse Professional) is not permitted to disclose your test results to outside parties without your written consent. But, your test information may be released (without your consent) in certain situations, such as; legal proceedings, grievances, or administrative proceedings brought by you or on your behalf, which resulted from a positive or refusal. When the information is released, you will be notified in writing of any information they released.
- **Can I appeal?**
  - Any disputes involving application of this Program shall be referred to the Dispute and Grievance Procedure established by Article VIII of the Project Labor Agreement. Nothing in the grievance procedure may void the application of this Substance Abuse Prevention program on the Seattle-Tacoma Construction Project.
- **What do I do if I have a substance abuse or alcohol problem?**
  - Check with your Business Agents for an “approved” list of counseling and rehabilitation programs.
- **More questions?**
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