

INTERNATIONAL UNION OF OPERATING ENGINEERS, LOCAL 926
and
THE JOINT APPRENTICESHIP & SKILL IMPROVEMENT PROGRAM
DRUG FREE WORKPLACE POLICY

APPROVED APRIL 17, 2008 (REVISED 9-19-08)

- As a condition of eligibility for the use of the Hiring Hall, this organization requires that all job applicants adhere to a strict policy regarding the use and possession of drugs and alcohol.
- This organization encourages all Engineers to voluntarily seek help with any drug and/or alcohol problems.
- Covered Workers Any individual referred to Steel Erectors Agreement, or the Powerhouse Maintenance Agreement jobs, will be covered by our drug and alcohol policy. Our policy includes, but is not limited to full-time employees, part-time employees, apprentices and applicants.
- Apprentices are also subject to the drug testing policy set forth by the Trustees of the JATP.
- Prohibited Behavior

It is a violation of our drug and alcohol policy to use, possess, sell, trade, and/or offer for sale; alcohol, illegal drugs, legal drugs without a prescription or intoxicants. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, request change of duty, notify supervisor) to avoid unsafe workplace practices. The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug and alcohol policy to intentionally misuse and/or abuse prescription medications. While on paid stand-by for call-in duty, engineers are required to be drug and alcohol free.

DRUG TESTING

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to DHHS/SAMHSA guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody. All drug-testing information will be maintained in a confidential manner at the Union Hall or the JATP. This information may be provided to potential employers. All job applicants for Steel Erectors Agreement or any Project Labor Agreement jobs, as a condition of eligibility to the use of the Hiring Hall may be required to participate in pre-employment, periodic, random, return-to-duty and follow-up testing upon selection or request of the Union or employer. All Engineers referred to a Contractor working under the Steel Erectors wage rates will agree to be drug tested at time of referral. A drug test at time of referral will not be required if the Union has on file a negative drug test within the last 30 calendar days for the individual being referred.

The substances that will be tested for are amphetamines, cannabinoids, cocaine, opiates and methamphetamines. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine and blood.

PENALTIES

Any Engineer who tests positive will immediately have the referral withdrawn. Be suspended from the use of the Hiring Hall for a period of 30 days for the first offense, 45 days for a second offense. A third offense will result in disciplinary action by the Executive Board. The Engineer will be referred to a substance abuse professional for assessment and recommendations. In addition the engineer will be required to successfully complete a recommended rehabilitation including continuing care, and required to pass a Return-to-Duty test, sign a Return-to-Work Agreement, and be subject to ongoing, unannounced, follow-up testing for a period of three (3) years. Hiring Hall Eligibility will be terminated immediately if he/she violates the

Return-to-Work Agreement. Any time an Engineer tests positive and is suspended from the Hiring Hall, must provide a negative drug test at their own expense before being placed back on the Hiring Hall list. Anyone who is suspended from the use of the Hiring Hall will also be suspended from the use of the JATP.

An Engineer who tests non-negative for any reason will be referred to the job with the drug test results in hand and counseled on the matter. If the results of the non-negative test returns as positive, it will be forwarded on to the employer. In the event an Engineer has a history of three (3) non-negative tests within a one (1) year period, he/she may be brought before the Executive Board for possible discipline. An Engineer with a history of non-negative test because of prescription medication, may be sent on to the job while waiting for the report from the MRO, provided that the Engineer is able to produce a current prescription from a physician confirming that the Engineer has been directed to take such medication.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

CONSEQUENCES

One of the goals of our drug and alcohol program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

If a current participant violates the policy, he or she will be subject to progressive disciplinary action and may be required to enter rehabilitation. A participant required to enter rehabilitation that fails to successfully complete it and/or repeatedly violates the policy will be summoned before the Executive Board. Nothing in this policy prohibits the employee from being disciplined or discharged by an Employer for other violations and/or performance problems.

RETURN-TO-WORK AGREEMENTS

Following a violation of the drug and alcohol policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases, the employee must sign and abide by the terms set forth in a Return-to-Work Agreement as a condition of continued use of the Hiring Hall

Disclaimer; Local 926 accepts no liability that a job applicant is drug / alcohol free at any time, only that the applicant was drug tested according to this policy at the time of referral.

ASSISTANCE

IUOE Local 926 recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug and alcohol policy:

- Encourages employees to seek help if they are concerned that they or their family member(s) may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Ensures the availability of a current list of qualified community professionals.

Treatment for alcoholism and/or other drug use disorders (rehabilitation) may or may not be covered by the engineers benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the engineer.

CONFIDENTIALITY

All information received by the organization through the drug and alcohol program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

COMMUNICATION

Communicating our policy to both supervisors and employees is critical to our success. To ensure all engineers are aware of their role in supporting our drug and alcohol policy:

- o All engineers who are subject to the Hiring Hall Rules will have access to a written copy of the policy.
- o The policy will be reviewed at time of application or referral to jobs.
- o Copies of the Policy will be available at the hiring hall.
- o Employee education about the dangers of alcohol and drug use and the availability of help will be provided to all employees.

RETURN TO WORK AGREEMENT

In the event an applicant/engineer tests positive for a drug/alcohol test, he/she will agree that they are not eligible for referral through the IUOE Local 926 Hiring Hall for the period of time as prescribed by the IUOE Local 926 & JATP Drug and Alcohol Policy, or until completion of a twelve (12) step rehabilitation program from a list of qualified community professionals supplied by IUOE Local 926. The applicant/engineer will furnish a negative drug test at his/her own expense and agree to periodic and random drug testing, by the Union Hall or by any signatory employer that he/she may be employed with, for a period of three (3) years from the time of being returned to work.

Treatment for alcoholism and/or other drug use disorders (rehabilitation) may or may not be covered by the engineers benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the engineer.

A first offender that is referred to a job, before the penalty period is over, by way of voluntarily completion of a rehab program but then again tests positive will not have that opportunity again.

I agree to the terms and conditions set forth above to be eligible for referral through the IUOE Local 926 Hiring Hall.

Print Name: _____

Signed By: _____

Date Signed: _____

IUOE Local 926 Apprentice Drug/Alcohol Policy

Any Apprentice who tests positive for drugs or alcohol, by either their employer or the JATP:

- a) During their probation period will be terminated from the program.

- b) After their probation period will be suspended from the use of the JATP and the use of the hiring hall for a period of thirty days.

- c) A second time after their probation period will be terminated from the program.