

**QUESTIONS and ANSWERS
NW IRONWORKERS DRUG FREE WORKPLACE PROGRAM
DRUG AND ALCOHOL TESTING**

1. WHAT IS THE IRONWORKERS DRUG FREE WORKPLACE PROGRAM?

The Northwest Ironworkers Employers Association, Ironworkers District Council of the Pacific Northwest, and its Affiliated Local Unions #14, 29, and 86, and the Missoula Construction Council and its affiliated employers, are committed to establish a work environment where participants are free from the effects of drugs, alcohol, or other impairing substances.

The Drug Free Workplace Program (DFW) went into effect July 1, 1999. DFW is funded by a 10 cent per hour contribution by all Northwest Ironworker Employers, and was developed to:

- promote and protect the health and safety of Northwest Ironworkers and others who come into contact with the workplace(s) and property, and/or use its products and services;
- increase safety by keeping your co-workers drug and/or alcohol free;
- improve productivity by eliminating absences and mistakes due to drugs, alcohol and other impairing substances;
- keep valuable employees instead of losing them to a drug and/or alcohol problem;
- provide and pay for the services and procedures needed to detect alcohol, drug, or other substance abuse; and
- provide employee assistance and referral for counseling and/or medical treatment through the Northwest Ironworkers Health and Security Plan

The foundation of DFW is to offer a helping hand to participants who suffer from drug and alcohol problems, while clearly communicating that the abuse of drugs and alcohol in the workplace will not be tolerated.

All Ironworkers dispatched to work are required to have a current and valid DFW ID Card. Any Ironworker employee with a Negative Test Result from a urinalysis test (UA) taken at an authorized DFW Collection Facility will be provided a DFW ID Card.

2. HOW DO I ENROLL IN DFW?

There are two ways to enter DFW. If you have never tested for DFW you need to:

- Call your local union hall and tell them you want to enter DFW. If you want your photo on the ID Card, go to the union hall and have your picture taken. Your picture will be sent to the DFW office and a photo ID will be issued the next time a card is issued to you.
- You can also contact the DFW office directly at 1-888-694-9337 x11.

3. WITHIN 24 HOURS OF ENTERING DFW THROUGH YOUR LOCAL UNION HALL OR THROUGH THE DFW OFFICE

- Report to an approved DFW Collection Facility after your work shift or before starting work. You should not take time off from work to test, unless authorized by your employer.
- Say that you are testing for “**PACIFIC NORTHWEST IRONWORKERS.**”
- Keep the green “Donor” copy of the Chain of Custody Receipt until you receive your DFW ID Card. You may be asked to present this receipt to your employer or job supervisor as proof that you tested.

NOTE: All DFW testing includes both DRUGS AND ALCOHOL –random selection, annual renewal, reasonable suspicion and for-cause testing, and return to work or follow up UAs prescribed by the EAP following a Positive Test Result.

Upon verification of your negative test result you will be issued a DFW ID Card. The card will be valid for one (1) year from the test date. If eligible, you will receive a \$40.00 Wellness Check and will be entered into the random test pool.

IMPORTANT: Follow the above procedures for notices to test for random selection, annual renewal of your ID Card and, if appropriate, any return to work UAs or follow up drug screens prescribed by the EAP, due to a positive test result.

4. WHERE DO I TEST?

Test at any authorized DFW Collection Facilities. Collection Facility locations change. Verify your facility before testing. Updated lists are mailed to members and employers on a regular basis. Each local union has maps and copies of the current list of approved Collection Facilities. If you have questions about where to test, call the DFW Office at 1-888-694-9337 Ext. 11.

5. HOW WILL THE COLLECTION FACILITY KNOW WHO I AM?

When you go to a Collection Facility say you are testing for “PACIFIC NORTHWEST IRONWORKERS.” DO NOT give your employer’s (company’s) name. You are not required to pay any money for the collection. Take a photo ID with you. Improper identification may delay the collection process and the processing of test results. Contact the DFW office if you are not sure where to test.

6. WHAT IS THE DFW ID CARD?

The DFW ID Card is issued to you as proof of your having passed the required 5-panel drug and alcohol screen with a Negative Test Result (Section 1.6).

The card will have your name, program ID number, test date, expiration date, and at your option, your photo. Your photo on the card is a convenience to you. It is suitable identification for donor verification at Collection Facilities. Ironworkers who have a DFW

ID Card without a photo must present additional picture ID such as a driver's license, state ID Card, etc.

Carry your DFW ID Card with you while on the job as proof of your having passed a UA under DFW.

7. HOW OFTEN WILL MY PICTURE BE TAKEN?

You may update your photo if there is a noticeable change in your appearance or if you do not have your photo on the DFW ID Card. Have your picture taken at your local union hall. The new photo will be put on your updated DFW ID Card the next time a card is issued to you.

8. WHAT IS A REHABILITATION PERIOD?

A Covered Employee found to be in violation of this Policy (Section 6) by a prohibited use or a finding of reasonable suspicion, or a Positive Test Result that shows the presence of a prohibited substance in any amount above the cut-off value prescribed in the Northwest Ironworkers Health and Security Trust Drug Free Workplace Program, is subject to the following rules adopted and enforced by the bargaining parties:

First Violation by Covered Employee. In the event of a first Positive Test Result, the Covered Employee will not be eligible to work for an Individual Employer for a rehabilitation period of at least 30 days. Prior to rehire, the Covered Employee will be required to participate in education, counseling or rehabilitation which is determined appropriate by the Trust's EAP. Upon return to work, the Covered Employee will be subject to a minimum of four (4) accelerated tests for a period of one year as a condition of further employment. Frequency of the accelerated testing is to be determined by the EAP.

Second Violation by Covered Employee. In the event of a second Positive Test Result, the Covered Employee will not be eligible to work for an Individual Employer for a rehabilitation period of at least 90 days. Prior to rehire, the Covered Employee will be required to participate in education, counseling or rehabilitation which is determined appropriate by the Trust's EAP. Upon return to work, the Covered Employee will be subject to a minimum of four (4) accelerated tests for a period of one year as a condition of further employment. Frequency of the accelerated testing is to be determined by the EAP.

Third Violation by Covered Employee. In the event of a third Positive Test Result, the Covered Employee will not be eligible to work for an Individual Employer for a rehabilitation period of at least one year. Prior to rehire, the Covered Employee will be required to satisfactorily complete an education, counseling, or rehabilitation program prescribed by the EAP. For employment in the State of Washington, such rehabilitation program must be approved by the State. The cost of such education, counseling or rehabilitation is borne by the terminated Covered Employee and not by DFW, unless otherwise covered by the Trust Fund. Upon return to work, the Covered Employee will be subject to a minimum of four (4) accelerated tests for a period of one year as a condition of further employment. Frequency of the accelerated testing is to be determined by the EAP.

More Than Three Violations. In the event that a Covered Employee has more than three Positive Test Results, there is an additional one-year rehabilitation period per violation in addition to the rehabilitation periods listed above.

Reversion of Violation Status. The Covered Employee's violation status will revert back to a first violation following 36 months with a Negative Test Result during which the Covered Employee is continually participating in the DFW Program.

Violation by Applicants and Probationary Covered Employees. Probationary Covered Employees and Applicants who have a first Positive Test Result will be terminated and not eligible for rehire until they have completed a recommended education, counseling, or rehabilitation program as prescribed by the EAP (or by a state-certified EAP) at their own expense (unless it is a covered expense under the Trust Fund) and then reapply. These requirements are in addition to any requirements that may be imposed by the applicable Training Trust or JATC.

9. WHAT IF I LOSE MY CARD?

Contact the DFW office if your card is lost or stolen. A replacement card will cost \$10.00 (Section 1.6). The fee will be deducted from your next Wellness Check or you can send your check or money order for \$10.00 payable to DFW, c/o PO Box 87820, Vancouver, WA 98687.

10. WHAT IS THE EAP (EMPLOYEE ASSISTANCE PROGRAM)?

The EAP is a contract service provider that provides confidential services to Employees who have a Positive Test Result (Section 1.7). The EAP also provides covered employees and their family's access to appropriate services to assist them in dealing with drug, alcohol, and other personal or work-related problems. Employees are encouraged to use these services before problems affect their well-being and job performance. (Article 3.)

The EAP issues return to work releases and compliance status reports to the DFW office, following assessment and education and/or treatment recommendations following a Positive Test Result.

11. WHAT IF I DON'T CONTACT THE EAP?

Failure to contact the EAP and not following through with the education/treatment recommendations prescribed by the EAP will result in your being "not in compliance" with DFW. You will not be eligible for dispatch and your Employer and Local Union will be notified that you are not in compliance with DFW. You will be required to remain off work and remain ineligible for rehire until completion of a rehabilitation period listed in Section 6 of the Policy, and completion of education, counseling or rehabilitation which is determined appropriate by the EAP.

12. WHAT IS THE MRO (MEDICAL REVIEW OFFICER)?

The MRO is a licensed physician that the Trust has contracted with to receive laboratory test results (Section 1.9). You must contact the MRO if you have a Positive Test Result from a Prohibited Substance other than alcohol. (A Positive Test Result for alcohol is confirmed by the Test Laboratory directly to the DFW office. The MRO does not review a Positive Test Result for alcohol. People who test positive for alcohol are referred directly to the EAP.) The MRO will interpret and evaluate the test result based on your medical history and any relevant biomedical information. The MRO will confirm the test result as Positive or Negative depending on the information provided at the time of the interview.

13. WHAT IF I DON'T CONTACT THE MRO?

Failure to contact the MRO will result in a Positive Test Result. Any one who fails to contact the MRO is referred to the EAP, and is subject to the rehabilitation periods outlined in Section 6 of the Policy and Item 8 listed in this Question and Answer Section.

14. WHAT WILL I BE TESTED FOR?

You will be tested for both DRUGS AND ALCOHOL. Prohibited Substances are listed in the Program document in Section 1.13, Page 3.

15. I THOUGHT THIS WAS THE DRUG-FREE WORKPLACE PROGRAM—WHY DID I FAIL FOR ALCOHOL?

The Program document clearly states that testing is for both DRUGS AND ALCOHOL. Use of alcoholic beverage(s) within 12 hours of your UA may result in a Positive Test Result (failure). Section 1.13 of the Program Document lists the Prohibited Substances.

16. HOW OFTEN WILL I BE TESTED?

You may be tested:

- At initial entry into the Program;
- Each year to renew your ID Card following expiration; or
- When selected for random testing. You may be randomly tested an unlimited number of times during the year.

An updated DFW ID Card and Wellness Check will be issued to you for a Negative Test Result for each random drug screen and annual renewal test taken for DFW.

17. I'VE BEEN OFF WORK AND MY CARD EXPIRED. WHAT DO I DO?

Your ID Card is valid for one (1) year from the test date. If your card has expired you need to test at an authorized DFW Collection Facility. Call the DFW office to say you are working or waiting to be dispatched and you need to test. **WITHIN 24 HOURS OF CONTACTING THE DFW OFFICE** you need to report to an approved DFW Collection Facility. Follow the procedures for getting entered into the DFW Program.

18. HOW OFTEN WILL I BE SELECTED FOR RANDOM TESTING?

You may be randomly selected by the DFW computer an unlimited number of times per year, (Section 1.14). You are eligible for a DFW ID Card and Wellness Check for each random test taken under DFW. This does not include return-to-work UAs or follow-up UAs prescribed by the EAP for reinstatement into DFW following a Positive Test Result, or for tests taken at the requirement of your employer, through the employer's testing program.

19. HOW WILL I KNOW THAT I HAVE BEEN SELECTED FOR RANDOM TESTING?

Your employer, local union or apprenticeship offices have selected representatives who will receive notice from the DFW office that you have been randomly selected for testing. That representative will give you a copy of the Employee Notice of Random Selection.

YOU MUST TEST WITHIN 24 HOURS AFTER RECEIVING THE NOTICE OF SELECTION FOR RANDOM TESTING.

YOU WILL BE TESTED FOR BOTH DRUGS AND ALCOHOL.

If you are not working a copy of the Employee Notice of Random Selection will be mailed to your residence.

20. I CHANGED EMPLOYERS. DO I HAVE TO TAKE ANOTHER TEST?

Your DFW ID Card is valid for one (1) year from your most recent test date. An individual Employer or General Contractor has the right to request that a you be retested if your DFW ID Card is more than six months old (Section 1.14). You will not be issued a DFW ID Card or Wellness Check for tests required by the Employer or General Contractor, taken at the Employer or General's request, or through the Employer or General's testing program.

21. MY EMPLOYER WON'T ACCEPT THE DFW ID CARD AND SAYS I HAVE TO TEST - WHAT DO I DO?

An individual Employer or General Contractor may request that you retest if your DFW ID Card is more than six months old, or if the job has special requirements (Section 1.14). Have your employer contact the DFW office to advise that a more current test is required. DFW will make every effort to have you test under DFW. You will not be issued a DFW ID Card or Wellness Check for tests taken at the Employer or General Contractor's request or through the Employer or General Contractor's test program.

22. DO I NEED TO TEST IF I AM NOT-WORKING WHEN I RECEIVE NOTICE OF RANDOM SELECTION?

If you are not working (on the out of work list), or working out of the area, and you receive a notice to test, you are not required to test until you return to work. Contact DFW prior to reporting to a DFW Collection Facility. Your current DFW ID Card will be invalid until DFW receives your test results. (Section 2.2).

23. DO I NEED TO TEST IF I AM ON VACATION WHEN I RECEIVE NOTICE OF RANDOM SELECTION?

If you were notified to test while you were on vacation, you are not required to test until you return to work. Contact DFW upon your return from vacation, report to a DFW Collection Facility and test. Your present DFW ID Card will be invalid until the DFW office receives your test results. (Section 2.2).

24. WHAT IF I AM IN APPRENTICESHIP SCHOOL AND TEST POSITIVE?

If you are notified to test while attending Apprenticeship training classes and your test is Positive, you will need to follow the same guidelines as if you were working for an employer. You will have to call the MRO and, if necessary, contact the EAP and follow the EAP Counselor's recommendations in order to remain in compliance with DFW. Probationary period apprentices who have a first Positive Test Result will be cancelled from the apprenticeship program by the JATC.

25. WHAT IF MY EMPLOYER NEEDS PROOF THAT I TESTED?

Show your employer the green copy of the Chain of Custody receipt that is given to you at the Collection Facility as proof that you tested for DFW (Section 2.3.8). Keep the receipt until you receive your DFW ID Card.

After a card is issued, your employer can contact the DFW Office to request a copy of your DFW ID Card as proof that you tested.

26. I HAVE A MEDICAL CONDITION THAT REQUIRES PRESCRIPTION MEDICATION AND I TESTED POSITIVE – NOW WHAT?

For any Positive Test Result, excluding alcohol, you will be notified by fax or letter to contact the Medical Review Officer (MRO). The MRO will discuss your medical condition and medication, and make a final determination as to the test result. The MRO will confirm your test results with DFW. Make sure you have your prescription information with you when you contact the MRO.

If confirmed Negative (pass) by the MRO, you will receive a DFW ID Card and, if eligible, a Wellness Check. If confirmed Positive (fail) by the MRO, the DFW office will notify you by fax or mail that the UA was confirmed Positive and instruct you to contact the Employee Assistance Program (EAP) (Section 2.5).

27. WHY DIDN'T I GET A WELLNESS CHECK WITH MY ID CARD? (Section 2.6)

You may not be eligible for a Wellness Check:

- If you are a first-time Applicant, Apprentice-Applicant, or Boomer;
- If your employer tests you on company time, at the employer's collection facility and expense, or through the employer's testing program;
- For-Cause or Post-Accident Tests;

- For taking an unauthorized UA, such as a second test without DFW or EAP authorization (the cost of the unauthorized test will be deducted from your next available Wellness Check);
- For a positive, inconclusive, invalid or adulterated test result;
- For tests prescribed by the EAP and at the recommendation of the EAP.

28. I TESTED POSITIVE AND RETESTED—NOW WHAT?

Unauthorized tests are not accepted. If you test without authorization from DFW, or retest without prior approval from either the DFW office or the EAP, following a Positive Test Result, the test results will not be accepted. The cost of the unauthorized test will be deducted from your next Wellness Check.

29. WHAT IF I TEST POSITIVE FOR MY EMPLOYER?

If you test positive for an employer while in possession of a DFW ID Card the employer can notify DFW of that Positive Test Result (Section 2.8.3). Your DFW ID Card will become invalid. Your local union will be notified that you are not in compliance with DFW. The EAP is available for your use if you are eligible for medical benefits from the Trust. The EAP counselor will determine what steps you must take to be back in compliance with DFW. You will be subject to the rehabilitation periods outlined in the Policy (Section 6) and listed in item 8 of this Question & Answer Section.

30. I TESTED BUT I NEVER RECEIVED MY ID CARD - SHOULD I RETEST?

DO NOT RETEST. Contact the DFW office if you do not receive your DFW ID Card within 10 working days from when you tested. You will need your Chain of Custody receipt to give us the location, the date that you tested and the specimen ID number.

Reasons you may not have received your DFW ID Card:

- You tested Positive.
- You tested for your employer or through your employer’s testing program.
- You tested at a collection site not approved by DFW.
- The Chain of Custody form was incomplete and processing the specimen was delayed or rejected.
- The specimen was tampered with or adulterated and thereby rejected, or you could not provide a valid specimen.
- Your DFW ID Card was mailed to you, but it was returned because your address with your local union is incorrect.

NOTE: Test results are received by the DFW Office when you test at an authorized DFW Collection Facility AND identify yourself as testing for “Pacific NW Ironworkers.” You will not be issued a DFW ID Card or Wellness Check for tests required by the Employer, taken at the Employer’s request, or through the Employer’s test program.

31. WHAT IF I REFUSE TO TAKE A TEST?

Testing under the DFW Policy is mandatory. Refusal to test is considered a Positive Test Result and will result in immediate termination of employment. Your DFW ID Card will become invalid immediately. Your local union and employer will be notified of your “refusal to test” or status of “not in compliance” with the DFW. You will not be eligible to work for the rehabilitation periods provided in Section 6 of the Policy and may return to work only after obtaining a work release from the EAP and providing a Negative Test Result.

“Refusal to test” may include, but is not limited to:

- Refusing to participate in testing (initial entry into DFW, random selection, or return to work tests prescribed by the EAP.).
- Failing to contact the MRO or EAP within the time period allowed.
- Refusing to participate in or failure to follow education, counseling, or rehabilitation prescribed by the EAP.
- Failing to test within the designated time period.
- Tampering with or adulterating specimens.
- Failing to remain at the Collection Facility to provide a valid specimen.
- Refusing to sign or falsifying information on the Chain of Custody form.
- Engaging in conduct that clearly obstructs the testing process.

32. HOW DO I GET REINSTATED INTO DFW?

Contact the DFW office for instructions on how to get reinstated into the DFW Program. If you are out of compliance, due to a Positive Test Result you must complete the rehabilitation period imposed by the bargaining parties and receive a return to work release from the EAP. Additionally, you will be required to continue or complete any education or treatment recommendation prescribed by the EAP at the time you fell out of compliance.

33. CAN I APPEAL THE TEST RESULTS AND/OR TESTING PROCESS?

Yes. You may appeal the test results or the testing process to the Board of Trustees. A request for review by the Trustees must be made within 60 days after receipt of the notice of the adverse decision you are appealing. Failure to file a timely request for appeal will result in exhaustion of your appeal rights with the Trustees.

The Trustees have no authority to make employment decisions, including the determination of rehabilitation periods. Nor do the Trustees determine the Prohibited Substances or testing levels. Questions concerning those issues should be directed to the bargaining parties.