

Volume

1

**SOUTHERN ARIZONA NECA /IBEW LOCAL 518 DRUG FREE WORKPLACE
PROGRAM**

November 1, 2014

NOTICE

**THIS IS A
DRUG-FREE
WORKPLACE**

**Employer & Employee
Handbook**

**SOUTHERN ARIZONA NECA AND IBEW LOCAL UNION 518
DRUG FREE WORKPLACE PROGRAM**

Southern Arizona NECA and IBEW Local 518

November 2014

**SOUTHERN ARIZONA NECA AND IBEW LOCAL UNION 518
DRUG FREE WORKPLACE PROGRAM**

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MISSION STATEMENT

To LEAD, SUPPORT, REPRESENT

AND

ADVANCE

the Electrical Industry

by providing a

SAFE, HEALTHY AND PRODUCTIVE

DRUG FREE WORKPLACE

SOUTHERN ARIZONA NECA AND IBEW LOCAL UNION 518 DRUG FREE WORKPLACE PROGRAM

Overview

The members of the International Brotherhood of Electrical Workers (IBEW) Local 518, Globe-Miami Electrical Joint Apprenticeship Training Program (GMEJATP), Southern Arizona National Electrical Contractors Association (S AZ NECA), and all signatory contractors are committed to a workplace environment which ensures the safety and encourages the personal health and productivity of all employees in our industry. In recognizing and acknowledging that substance abuse in the workplace is a threat to the safety, health, and job performance of all employees, the goal of this Drug Free Workplace Program (DFWP) is to balance respect for individuals with the need to maintain a safe, productive, alcohol and drug-free working environment. This Program has been established by IBEW Local 518 and Southern Arizona NECA, to detect and where required, remove abusers of alcohol and drugs from the workplace. The parties recognize the Employer's right to adopt and implement a drug and alcohol policy subject to all applicable laws and regulations, procedural safeguards, scientific principles, and legitimate interests of privacy and confidentiality, as long as the terms of the Employer's policy are in accordance with the procedures outlined for this DFWP Handbook.

This Program will be governed under the Administrative Procedures negotiated by IBEW Local 518 and S AZ NECA on behalf of all signatory contractors. The DFWP Committee reserves the right to change the Administrative Processes and Procedures. Any amendments to the Program shall become effective upon written notice. The DFWP was adopted on November 1, 2014.

The purpose of this Handbook is to convey the DFWP in its entirety to the employers and employees as it relates to alcohol and drug use in the workplace.

The DFWP is committed to eliminating all of the problems associated with employee alcohol and drug abuse, S AZ NECA along with IBEW 518 adopted the DFWP in November 2014.

This Program applies to all electrical construction company employers who are signatory to the S AZ NECA/IBEW 518 Collective Bargaining Agreement. As employers we have committed to substance abuse testing of all employees. Employers shall adopt this program for non-bargained employees, and the program shall include maintenance, sales, clerical, management, owners and part-time employees working 20 or more hours a week, as well as applicants for any such position. Employers will not be required to utilize the DFWP, provided the Company has a written Drug and Alcohol Policy and Program for all non-bargaining unit employees and provides a copy of the Policy and Program to S AZ NECA and IBEW 518. The Company's Policy and Program must contain the components contained in the DFWP and essentially follow the same requirements of the DFWP. The requirements of an employer to uniformly apply drug and/or alcohol testing policy to all employees can be found in ARS 23-493.04; Section D.

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The Program allows for substance abuse testing in the following circumstances:

1. Pre-employment testing (Program required or Employer required testing)
2. Systematic computer selected Random testing
3. Post-Accident / Incident Triggering Category Event
4. Follow-Up / Return to Work / Medical Review Officer (MRO) Requested
5. Program Compliance Confirmation (PCC) Testing

This Program is separate and distinct from any testing required by the Department of Transportation (“DOT”). Holders of commercial driver’s licenses will be subject to DOT regulations, which includes a testing program administered solely by the individual employer.

S AZ NECA as the Administrator provides the following services: maintaining all participant’s information records, MRO interface, Employee Assistance Program (EAP) and Program Compliance Confirmation (PCC) oversight, as well as Financial Accountability. The Program has contracted with a specimen collection center, a DHHS/SAMHSA certified laboratory and a Medical Review Officer to screen all test results for program compliance.

This Program is designed so that those who are not in compliance will get the treatment they need. As long as these employees do not comply, they will be subject to disciplinary action as called for under the DFWP, including any Company policies regarding substance or alcohol abuse. These actions may include termination.

All employer and employee information is kept strictly “confidential”.

The Employer also recognizes the need to avoid unnecessary intrusions into employee’s private lives and will ensure employee privacy and confidentiality to the greatest extent possible. In order for all test results to be kept as confidential as possible, each employer will select at a minimum of one (1) Designated Employer Representatives (DER) to handle all confidential matters involving this program and will be the first point of contact for program participants. Only the DER(s) will be informed if an employee is not in compliance with the program, via secure fax or designated, secure email.

Lastly, S AZ NECA, IBEW Local 518 and the Employers believe that the goals and objectives of its alcohol and drug policy should include education, prevention and rehabilitation. To achieve these objectives, all employers and employees must adhere to each of the rules and regulations as set forth in the following pages.

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PART ONE

S AZ NECA/IBEW 518 DRUG FREE WORKPLACE PROGRAM DEFINITIONS AND PROCEDURES

I. INTRODUCTION

In recognition of our Joint Vision Statement, whereby, we envision a partnership where the customer recognizes S AZ NECA/IBEW 518 as the standard in the electrical industry and further recognizing the impact which substance abuse has on the health and welfare of Employees, and jeopardizing the safety of operations, it is the policy of S AZ NECA and IBEW 518 to deal aggressively with the problems of drug use and alcohol abuse in the workplace and to seek the assistance of all of its members and other employees in this endeavor.

The procedures and guidelines contained in this document detail essential information about the administration of the S AZ NECA/IBEW 518 DFWP. This document is also a resource to assist in the day-to-day matters that may emerge in the course of administering the DFWP. It is recognized that no set of standards and guidelines, however complete, can accommodate all possible combinations of circumstances which may arise. Instead, these procedures are designed to be a working tool and foundation for use, and are to be applied using basic fairness, good judgment and common sense.

II. BACKGROUND

There is a vital interest by all electrical construction industry partners in maintaining the highest standards for the employee's work environment in order to ensure the efficient operations necessary to provide reliable products and services to customers. Therefore, it is desirable to establish a strong policy to promote a safe and secure work environment free of the use of illicit drugs, unauthorized use of controlled substances, and the abuse of ethyl alcohol.

III. DEFINITIONS

A. Adulterated Sample

A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at concentration so high that it is not consistent with human urine.

It is the intent of the program to operate under the federal guidelines. If a person produces an adulterated sample, the MRO will follow the federal guidelines. If after following those guidelines the MRO can verify that the test is adulterated, then the persons test results will be handled as a "refusal to test - adulterated sample" and the person will be verified in our system as being non-compliant.

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B. Breath Alcohol Concentration (BRAC)

The concentration of alcohol in a volume of breath will be expressed in terms of grams of alcohol per 210 liters of alveolar breath. This measurement will be considered equivalent to Blood Alcohol Concentration (BAC).

C. Controlled Substances/Drugs

Means any substance listed in Schedules I-V of the Controlled Substances Act of 1970, as amended. This Act divides drugs into five schedules according to the legitimacy of medical use and potential for abuse. By definition, drugs listed, **with the exception of medical marijuana**, in Schedule I have no legitimate medical usage and a high potential for abuse. Schedules II-V include all those drugs, which are required to be controlled under federal law and dispensed either by a qualified physician and/or under state law.

Individuals authorized by state law to use medical marijuana for medicinal purposes must understand that nothing in the law, nor the DFWP, allows them to be impaired by, or under the influence of, medical marijuana while at work. Additionally, medical marijuana is not exempt from the Possession, Sale, and/or Use policies, outlined in Part Two of the DFWP.

Unauthorized use of a controlled substance is use of any drug in Schedules II-V without regard to the proper standards of medical practice and/or contrary to the directives provided by the prescribing physician or other person qualified to dispense the medication. **Use of someone else's prescribed medication will be considered unauthorized use.**

D. Designated Employer Representative (DER)

Means an individual designated and authorized by the Employer to accept, notify and communicate with the Administrator, the employee and other responsible persons within the DFWP to perform the necessary administrative duties required under the terms of the DFWP.

E. Diluted Samples

A specimen with creatinine and specific gravity values that are lower than expected for human urine.

It is the intent of the program to operate in the guidelines of the federal standards. If a person produces a diluted sample as determined by the MRO, and the next sample is also diluted, the tests results will be accepted as reported.

F. Employer

Means any Employer who is signatory to the Inside Agreement between IBEW Local Union 518 and S AZ NECA, as well as the IBEW Local 518, S AZ NECA and the Globe-Miami Electrical Joint Apprenticeship Training Program.

G. Employee

Means all Bargaining Unit employees employed under the current Inside Agreement and Market Recovery Memorandum shall be tested under this Program and Policy. It also means all non-bargained employees of an employer who has adopted this Program and Policy for their non-bargained employees.

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H. Ethyl Alcohol / Alcohol

Means alcohol, ethanol, or any other term, which describes the intoxicating agent in beverage or medical alcohol.

I. Federal Standards

Regulations issued by the U.S. Department of Transportation in 49 CFR, will be used as guidelines for the collection, testing, and medical review of urine specimens for drugs and the collection and testing of the breath specimen for alcohol. Federal standards are to be applied in all drug and alcohol testing required by the DFWP.

J. Health Maintenance Check

Means a payment issued to a bargained employee, who is a covered participant and who has submitted to a required urine substance test (pre-employment or random), at a designated lab facility **while not “on duty”** and received a negative result. The payment shall be equal to the amount of one (1) hours pay (excluding all fringe benefits) at the minimum hourly pay rate for Journeyman Wireman and shall not be considered wages.

No Health Maintenance Check will be issued for negative tests performed by an on-site collection service, while an employee is “on duty”, or for the following tests; Return to Work tests, Post-Accident/Incident Category Triggering Event tests (providing the employee is “on duty”), Follow-Up tests, MRO requested tests, or tests performed to meet EAP requirements. (See Part One, Section VII, A, 3 for definitions of these tests)

K. Illicit Drugs

Means any mind-altering or psychoactive substance, which has no legitimate medical use under the law (such as most Schedule I drugs) or has been manufactured, distributed, possessed and/or consumed illegally, or without a prescription or other lawful authorization from a physician licensed to practice medicine in the United States. Nothing in this section shall contravene Federal Regulations disapproving medicinal use of marijuana for Employees performing covered service under Department of Transportation agency rules or any other federal mandate for an Employer.

L. Medical Review Officer (MRO)

Means a licensed physician who receives all test results from the laboratory (negative and positive) and verifies them before reporting. The MRO will also have other administrative and technical duties associated with the S AZ NECA/IBEW 518 DFWP. For the Policy and these Procedures, the MRO may also associate with a professional company or group of physicians who are associated with the S AZ NECA/IBEW 518 DFWP to provide these services. The MRO shall act consistently with the DFWP.

M. On Duty

Means any time the Employee is performing work for the Employer, is under the supervision of the Employer, is in an Employer's vehicle, is on Employer equipment, or is on Employer business.

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N. Over the Counter (OTC)

Over-the-Counter (OTC) medications are legal, non-prescription substances taken for the relief of discomforting symptoms. The appropriate use of OTC medications is not prohibited. However, the employee has the responsibility to read all warning labels and contraindication notices and, if necessary, discuss the potential effects of any OTC medication, combination of OTC's, use of Rx medications, dietary supplements, and health conditions with a medical practitioner or pharmacist including its potential to impair mental functioning, motor skills, or judgment. Employees must refrain from performing a safety-sensitive function any time their ability to safely perform their job duties is adversely impacted by the use of OTC medications.

O. Prescription (Rx) Medications

Are meant to be taken only by the individual for whom the prescription is written. Virtually all Rx medications, can have some types of side effects, varying from mild to severe, depending on the medication and the individual for whom it is prescribed.

The appropriate use of Rx medications is not prohibited. However, the employee has the responsibility to discuss the potential effects of any Rx medication with the prescribing medical practitioner including its potential to impair mental functioning, motor skills, or judgment. The employee must refrain from performing any safety-sensitive function any time their ability to safely perform their job duties is adversely impacted by the use of a prescription medication. The use or abuse of medications that impacts employee's ability to perform their safety sensitive duties are strictly prohibited. Examples of prohibited behavior include:

- a. The use of any Rx medication that adversely impacts the employee's ability to safely perform their safety-sensitive job functions.
- b. Not taking medications for medical conditions that could affect the performance of safety sensitive duties.
- c. Use of a medication that is not prescribed for the employee.
- d. Use of medication that exceeds the prescribed dosage.

P. Program Compliance Confirmation (PCC)

A means of confirming eligibility, which certifies that the Employee has met all requirements of the S AZ NECA/IBEW 518 DFWP. PCC is maintained within the DFWP database and is made available to the Employer DER and those with Administrative Level access.

PCC is revoked for any violation of the DFWP, including but not limited to being verified positive on a required drug or alcohol test. When approved to return to work, the Employee with revoked PCC must pass a return to work test, authorized by the MRO.

Q. Program Manager

Means the S AZ NECA/IBEW 518 Drug Free Workplace Program Committee.

R. Refusal to Sample

If a person refuses, or is unable to produce an adequate sample at the time of collection, this person will be listed as non-compliant.

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S. Safety Sensitive Position

This Program views all positions in the electrical construction trade as being safety sensitive. Safety Sensitive Position means a position in which an employee influenced by drugs or alcohol, including but not limited to prescription drugs, over the counter medications, medical marijuana or alcohol, constitutes an immediate and direct threat to the individual, co-workers or to public health and safety, or a position in which a momentary lapse in attention by the employee because of drugs or alcohol, could result in significant property damage, injury or death. Each employee is required to maintain physical and mental functions undiminished and unencumbered by drugs, prescription drugs, medical marijuana or alcohol and is expected to have regular, predictable attendance and must maintain a constant state of alertness and must be able to work cooperatively with others in the work place.

Each employee, who is taking a prescription drug, an over the counter medication or alcohol which could affect or impair job performance, or is taking medical marijuana, must disclose that to their Employer, per their Employers Company Policies and Procedures, prior to beginning work. This requirement is independent of whether the medication is taken during working hours or off hours.

T. Valid Prescription

Means a prescription that is issued for a legitimate medical purpose by an individual practitioner licensed by law to administer and prescribe the drugs concerned and acting in the usual course of the practitioner's professional practice. A prescription is only valid up to the expiration date printed on the container (usually a maximum of one year from the date filled).

IV. RESPONSIBILITY FOR INTERPRETATION

Southern Arizona National Electrical Contractors Association (S AZ NECA), the International Brotherhood of Electrical Workers Local 518 (IBEW 518), and the Globe-Miami Electrical Joint Apprenticeship Training Program(GMEJATP) are solely responsible for the interpretation and administration of these DFWP Policies and Procedures. Any questions should be directed to the appropriate Program Manager.

V. EFFECTIVE DATES

The effective date of the S AZ NECA/IBEW LU 518 Drug Free Workplace Program is November 1, 2014.

VI. DRUG FREE WORKPLACE PROGRAM NOTIFICATIONS

The following guidelines will be used to administer the DFWP.

A. Apprentices

All applicants for the GMEJATP will receive a copy of the DFWP Handbook at the time of application and sign a statement acknowledging their understanding and acceptance. Signed statements will be retained by the GMEJATP within the Apprentices File.

B. Bargaining and Non-Bargaining Employees

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All Bargaining and Non-Bargaining Employees participating under the terms of this Program will receive a copy of the DFWP Handbook. Signed statements will be retained by the Employer within the Employees Personnel File. Information on the DFWP must be communicated to Employees on a periodic basis.

C. Posting of the DFWP

The DFWP (either in a full-text version or outline) must be posted in one or more prominent locations accessible to Employees at each participating Employer, the GMEJATP and at IBEW 518.

VII. PROGRAM COMPLIANCE CONFIRMATION PROCEDURES (PCC)

No Employee covered by collective bargaining shall be employed by a participating Employer without PCC except as allowed within the guidelines of this policy. Violation of any provision of the DFWP shall invalidate an Employee's PCC.

A. Drug and Alcohol Testing Categories

Employees will be urine (or oral fluid, when approved) tested for drugs in the following categories:

- Pre-employment
- Systematic computer selected Random testing
- Post-Accident / Incident Category Triggering Event
- Follow-Up / Return to Work / MRO Requested
- Program Compliance Confirmation (PCC)

S AZ NECA and IBEW 518 understand that some customers may have their own drug/alcohol policies. In those cases, the parties to this policy agree to work to the means to satisfying the customer.

For Post-Accident and Incident Category Triggering Event testing, breath testing for ethyl alcohol will also be conducted in addition to the collection of a urine sample.

1. Pre-employment. Any new entrants into the S AZ NECA/IBEW 518 DFWP (i.e. travelers and new bargaining employees) must be tested and receive PCC within 24 hours of being dispatched. At the discretion of each Employer, such new entrants may be employed on probation, subject to verification of their PCC.

Employers have the option of accepting the completed Employee's copy of the Test Request Form (TRF) as evidence that the Employee is acceptable for probationary hire under the 24-hour rule. The employer reserves the right to test all new employees employed at their place of business.

2. Random. Each month, individuals who are subject to random testing are selected by a third party administrator for urine drug testing from a pool of all eligible Employees. The pool will be updated each month.

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Employers are notified by secure fax or email during the month for any of their current employees who have been selected for such testing. Both the Employer and GMEJATP are notified of selected, employed apprentices.

Once notified, Employers will be asked to schedule the selected Employee for a specimen collection. Employees are not to be contacted at home to be notified to appear for a random test. If the employer uses on-site/mobile collection, the employee will have two (2) hours to provide a specimen.

In the event, on-site/mobile collection is not utilized, the Employer will fax or email notification to the Program Administrator and will notify Employee immediately of their need to go to a designated lab site within 24 hours. Individual Employer notifications will be spread throughout the month to ensure unpredictability for Employees. For that same reason, some Employers may be contacted more than one time in the month for Employee random testing.

If the Employee is unable to be contacted in a timely manner (i.e., no longer working for the Employer, an illness likely to last more than three days, or a scheduled vacation), the Employer will fax or email the Program Administrator of the status and the Employee will be dropped from that month's selections. If the Employee is no longer with the Employer, IBEW 518 will be contacted to obtain the name of their current Employer, and the notification process will continue. If an Employee is on vacation, the Employer may schedule the Employee for a test upon return to work. If the Employee is notified of the random test, the Employer must notify the Program Administrator at the time of the Employee notification.

If an Employee fails to provide a sample in accordance with their notification, the Employee's PCC will be voided and the DER will be notified by secure fax or email and by telephone that the Employee is no longer compliant.

Employees are subject to being tested randomly each year at a minimum rate of one hundred thirty percent (130%), or as modified by mutual agreement between S AZ NECA and the IBEW 518. It is possible for an Employee to be tested more than one time each year under the random selection procedure.

3. Post-Accident / Incident Category Triggering Event. Every attempt will be made to test an Employee within two (2) hours of a Post-Accident/Incident Category Triggering Event. If unable to do so, the Employer should make a note of the reason and test the Employee as soon as practical. In addition to the collection of a urine sample to test for substances, breath testing for ethyl alcohol will also be conducted.

If an employee is taken to a hospital, all of the collected samples will be sent to the contracted lab to be included in the DFWP. The employee is not eligible for a health maintenance check for Post-Accident or Incident Category Triggering Event testing, provided the testing is done while the employee is on duty.

4. Follow-Up / Return to Work / MRO Requested. An individual who has successfully completed a program as required by the EAP shall be subject to Follow-Up, Return to Work or MRO Requested tests. No health maintenance check will be issued for this test.

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5. Program Compliance Confirmation (PCC) Testing. Upon one year's time from which an employee was last tested, if there has been no Random test performed, an employee must be retested to remain in compliance with the DFWP.

B. Drug Testing Protocols

Urine specimens will be collected from Employees utilizing standardized procedures, which ensure both individual privacy for the donor (unless an attempt is made to alter, substitute, or adulterate a sample) and proper chain-of-custody of the urine sample until it is sealed and transported to the laboratory. Collection procedures will be consistent with Federal Standards for collection. However, a non-federal Custody and Control Form must be used to collect the specimen. Employees caught attempting to alter, substitute, or adulterate their specimen will have a second sample collected immediately.

The laboratory utilized in the S AZ NECA/IBEW 518 DFWP must be certified by the Department of Health and Human Services/Substance Abuse and Mental Health Services Administration (DHHS/SAMHSA) National Laboratory Certification Program. Urine samples must be screened by an approved immunoassay and presumptively positive specimens must be confirmed by gas chromatography/mass spectrometry (GC/MS). Ten drug groups will be tested for: cannabinoids, cocaine, the amphetamines, the opiates, phencyclidine (PCP), barbiturates, propoxyphene, benzodiazepines, methadone, and the MDMA's.

Cutoffs in the S AZ NECA/IBEW 518 DFWP are intended to be linked to the cutoffs established by the Department of Health and Human Services for federally regulated testing. Therefore, these Program cutoffs (but not the drugs being tested) may be modified from time to time with notification to Employees if the federal rules are amended. The S AZ NECA/IBEW 518 DFWP Committee may, from time to time, add a new substance and appropriate cut off level or delete an old substance and its cut off level. All employees, covered under the DFWP, will be notified at least sixty days prior to the change being initiated.

All test results, both negative and positive, shall be forwarded to the Medical Review Officer (MRO) who will verify all results and initiate PCC. MRO duties will be conducted in accordance with Federal Standards.

All confirmed drug positive donors must be given the opportunity to provide to the MRO any legitimate medical reason(s) they wish to offer for the positive test. The positive donor must contact the MRO within 48 hours of the first contact by the MRO. If the MRO is unable to speak with the positive donor, the result will be released as a "positive-no contact". If the MRO's determination is that there is a legitimate, verifiable medical explanation for the positive, the result will be treated as equivalent to a negative laboratory test for PCC purposes. If not, it will be considered a verified positive result. **Use of another person's medication or an invalid prescription (out of date/expired) will not be an acceptable reason and will be considered a verified positive.**

The MRO will advise the program administrator of all negative tests. A health maintenance check will be issued for negative tests to bargained employees who have tested at a designated lab facility, except for those tests performed Post-Accident/Incident Category Triggering Event, Follow-Up, Return to Work, MRO Requested or performed as part of the EAP requirements.

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C. Post-Accident Alcohol Testing Protocols

The Post-Accident alcohol analysis collection must also be consistent with the protocols established by Federal Standards. All presumptively positive alcohol positives must be confirmed by an evidential-level breath-testing device. All breath alcohol devices employed for confirmation must be on the National Highway Transportation Safety Administration's (NHTSA's) DOT approved products list.

The alcohol testing cutoff concentrations employed in the S AZ NECA/IBEW 518 DFWP are 0.04% BRAC for both screening and confirmation tests. Employees regulated by the Department of Transportation will be subject to cutoffs found in applicable regulations.

D. Positive Drug or Alcohol Test

In the case of a verified positive drug or alcohol test, the MRO will immediately notify the DER both by telephone and written confidential correspondence that the Employee is no longer compliant with the DFWP. In the case of apprentices, the GMEJATP will also be notified.

Employees are entitled to copies of verified positive results, which they may request in writing from the MRO or DFWP Program Administrator.

Once a positive MRO determination has been made, the Program Administrator will refer the verified positive Employee to the Employee Assistance Program (EAP) for evaluation and counseling and/or treatment. Once the EAP has qualified the Employee for return to work, the MRO will be contacted and a Return to Work drug and/or alcohol breath test will be scheduled. Once a negative result is obtained, PCC will be updated within the DFWP database.

The EAP may require follow up drug and/or alcohol tests for a period of up to two years. Drug and/or alcohol tests required by the EAP will be considered to have equal consequences with all other forms of testing required by this Policy.

E. Verification of Program Compliance (PCC)

Every participating Employer's DER will be provided with access to the DFWP database by the Program Administrator, which will allow 24 hours per day/365 days per year computer verification of PCC.

When an Employee is hired, the Employer should check the DFWP database for PCC. Each employer will receive a unique user name and password to access the database. Please contact the Program Administrator for the necessary access information.

Questions by the Employer can also be directed to the S AZ NECA/IBEW 518 DFWP Program Administrator.

F. Program Compliance Confirmation (PCC)

PCC is available to the Employer DER and those with Administrative Level access through the DFWP database.

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VIII. Federal Highway Administration (FHWA) Required Testing Policies

Some participating Employers have Employees who are covered under FHWA regulations found in 49 CFR Part 382, as amended. These Employees are also considered part of the S AZ NECA/IBEW 518 DFWP and will maintain their PCC in a similar manner to non-federally regulated Employees. Although they have somewhat different federal testing categories (which include more alcohol testing requirements), they must also participate in the DFWP's testing categories. However, employees must be clearly informed whenever they are taking a federal test, and have different return to work requirements if they are not in compliance. Employers must be notified of FHWA test results by the MRO in a different manner, must themselves maintain special test records, must have supervisors of FHWA drivers trained to make reasonable suspicion determinations, must provide drug and alcohol information to their covered drivers in accordance with the rule, and must be prepared for both state and federal inspection of their FHWA drug and alcohol testing program.

IX. Confidentiality Requirements

All drug and alcohol test related information which is maintained in connection with the DFWP is considered confidential. Those personnel having legitimate access to this information are required to restrict conversations to only those on a minimum need-to-know basis, but must otherwise maintain total confidentiality of test results and DFWP violations. Willful failure to abide by these requirements, or negligence in maintaining written or oral confidentiality, may result in administrative action up to and including termination by the Employer or prosecution under federal or state law.

X. Appeals Process

The appeals process for the S AZ NECA/IBEW 518 DFWP shall be handled by the Appeals Committee established by the Southern Arizona Chapter of the National Electrical Contractors Association.

The Appeals Committee shall be made up of the DFWP Committee of NECA and the executive director as appointed by the President and the Board of Directors of S AZ NECA. The executive director of S AZ NECA shall be the secretary for the appeals process and shall only vote to break a tie of the Appeals Committee.

If an employee wishes to make an appeal, the appeal should be in written form as to why the employee is seeking an appeal. A certified letter with return receipt request or time-dated email or confirmed fax delivery needs to be addressed as follows:

Appeals Committee – DFWP
Southern Arizona NECA
2500 N. Tucson Blvd., Suite 132
Tucson, AZ 85716

Once the appeal has been received, the executive director of S AZ NECA will securely distribute the information to the members of the Appeals Committee. The members of the Appeals Committee will be given 5 days to review the information before a meeting of the Appeals Committee shall be scheduled.

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The Appeals Committee will meet on an as needed basis with 48 hours notice. The notice can be sent via email. The only information on the notice will be the date, time and location of the meeting.

The employee seeking the appeal shall have the opportunity to present their case before the Appeals Committee with the assistance of their Union representatives. The Appeals Committee shall make their decision at the scheduled meeting, with the employee knowing the results before leaving the appeals meeting.

A written decision will be sent to the employee, the employer and the Program Administrator. This decision is only for compliance of the S AZ NECA/IBEW 518 DFWP. In no way does this appeal process super cede or remove an employee's right to the grievance procedure outlined in the current collective bargaining agreement.

XI. Program Funding

Funding for the S AZ NECA/IBEW 518 DFWP shall be the sole responsibility of Southern Arizona NECA. The level of contribution for this program shall be determined by Southern Arizona NECA, from time to time, at its sole discretion. However, at no time, shall the program fail to make required payments to participants or vendors, in a timely manner. Failure by the program to meet any proper financial commitment will be just cause for the immediate suspension of the program. Should the program remain unable to resume proper operation within 60 days, participation in the S AZ NECA/IBEW 518 DFWP may be terminated immediately.

PART TWO

THE S AZ NECA/IBEW 518 DRUG FREE WORKPLACE PROGRAM DRUG AND ALCOHOL POLICY FOR THE ELECTRICAL CONSTRUCTION INDUSTRY

The use of drugs and the abuse of alcohol among electrical construction industry employees can significantly increase the safety risk for both the employee and the general public, as well as impact costs and liability for employers, and erode public confidence. It is therefore the policy of Southern Arizona National Electrical Contractors Association (S AZ NECA) and the International Brotherhood of Electrical Workers Local 518 (IBEW 518), that illicit drug use, unauthorized use of controlled substances, and/or alcohol abuse by its members and others performing safety-sensitive duties, not be allowed to:

- * jeopardize the health and welfare of themselves or their fellow workers;
- * impact the safety of operations; or
- * otherwise adversely affect or endanger other employees, customers, or the general public

SOUTHERN ARIZONA NECA AND IBEW LOCAL UNION 518 DRUG FREE WORKPLACE PROGRAM

Per Part One, Section III (S) a person who works in a safety sensitive position is required to remain free from the influence of drugs, including controlled substances, alcohol and any other substance, including medical marijuana, that may impair the individual's ability to perform their job duties safely and productively, or that may otherwise impair their senses, coordination or judgment while on duty. Any individual reporting to work under the influence of, or having present in their body, any drug or drug metabolite including prescribed drugs, alcohol or other substances or medications that may adversely affect the individual's ability to work or perform their duties in a safe, productive or efficient manner, must advise their Employer (see part One section III, (S)) before starting work or commencing an activity. Any employee taking prescribed, over-the-counter medications or medical marijuana, will be responsible for consulting the prescribing physician and/or pharmacist and product notification warnings to ascertain whether the medication may interfere with the safe performance of their job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify Employer) to avoid unsafe workplace practices and activities.

This DFWP is designed to apply to all Employees (see Part One Section III(G)). Definitions and procedures designed to support this Policy are attached to this document.

All employees must notify their employer of any criminal convictions for any drug-related offense no later than five (5) days after such conviction.

I. Possession of Illicit Drugs, Unauthorized Controlled Substances, including Medical Marijuana, or Ethyl Alcohol While on Duty or at the Work Site

Possession of illicit drugs, unauthorized controlled substances or medical marijuana while on duty or at the work site will result in administrative action up to and including termination by the Employer. Possession of open containers of alcoholic beverages while on duty or at the work site, unless part of an Employer sponsored social function, will result in administrative action up to and including termination by the Employer.

II. Sale or Furnishing of Illicit Drugs, Unauthorized Controlled Substances, or Open Containers of Ethyl Alcohol While on Duty or at the Work Site

Sale or furnishing of illicit drugs, unauthorized controlled substances or medical marijuana while on duty or at the work site will result in administrative action up to and including termination by the Employer. Sale or furnishing of open containers of alcoholic beverages while on duty or at the work site, unless part of an Employer sponsored social function, will result in administrative action up to and including termination by the Employer.

III. Use of Illicit Drugs or Unauthorized Controlled Substances While on Duty or at the Work Site

An employee is prohibited from reporting to work or working with prescription drugs in their systems that were not taken as prescribed for that employee. Use of illicit drugs, unauthorized controlled substances or medical marijuana while on duty or at the work site will result in administrative action up to and including termination by the Employer.

SOUTHERN ARIZONA NECA AND IBEW LOCAL UNION 518 DRUG FREE WORKPLACE PROGRAM

IV. Use of Ethyl Alcohol While on Duty or at the Work Site

Use of alcoholic beverages while on duty or at the work site, unless part of an Employer sponsored social function, will result in administrative action up to and including termination by the Employer. No use of alcoholic beverages is permitted at any time which will produce an alcohol concentration in violation of Section V (below) of this Policy if the Employee is then required to drive Employer vehicles or equipment or to perform safety-sensitive duties.

V. Presence in Any Required Test of Illicit Drugs, Unauthorized Controlled Substances or Ethyl Alcohol

The presence of illicit drugs or unauthorized controlled substances in a required urine test, or the presence of ethyl alcohol equivalent to .04% BRAC or above in a required breath test, will result in administrative action up to and including termination. The presence of alcohol equivalent to .02% to .039% BRAC in any Employee test regulated by the DOT will result in that individual being relieved from safety-sensitive duties for at least eight (8) hours or one work shift, whichever is longer.

The presence of the metabolites of medical marijuana authorized by state law, alone, will not result in administrative action except per Company Policy and as required by federal law or authorized by state law. Individuals who hold commercial driver's licenses as a requirement for their jobs may not have metabolites of medical marijuana in their urine or other bodily fluids while on duty.

VI. Testing Requirements

Employees participating in the S AZ NECA/IBEW 518 DFWP must provide urine specimens for Pre-Employment, Random, Post Accident/Incident Triggering Category Event, Follow-Up, Return to Work and MRO Requested testing. Employees not subject to collective bargaining will also be required to be subject to random testing, except as prohibited by law. All Employees must additionally provide a breath alcohol test for Post-Accident/Incident Category Triggering Event testing.

Employees who also fall under the DOT regulations found in 49 CFR must provide urine specimens in accordance with those rules for Pre-Employment, Reasonable Suspicion (if drugs are suspected), Post-Accident/Incident Category Triggering Event, Random, Return to Work, and Follow-up testing under those regulations. They must also provide a breath alcohol test for Reasonable Suspicion (if alcohol is suspected), Post-Accident, and Random testing under those regulations.

Urine samples will be tested for the following drug categories: cannabinoids, cocaine, the amphetamines, the opiates, phencyclidine (PCP), barbiturates, propoxyphene, benzodiazepines, methadone, and the MDMA's.

Refusal to take a required drug or alcohol test, or attempting to adulterate, alter, or substitute a urine specimen, will result in administrative action up to and including termination by the Employer.

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VII. Testing Protocols

All Employees falling under the S AZ NECA/IBEW 518 DFWP or under FHWA or other DOT regulations will be tested consistent with this program or for federally mandated testing, applicable federal regulations.

Urine specimens shall be collected under strict chain-of-custody procedures and tested at a laboratory certified by the DEPARTMENT of Health and Human Services/Substance Abuse and Mental Health Services Administration (DHHS/SAMHSA). All positive urine specimens must have been confirmed by gas chromatography/mass spectrometry (GC/MS). All test results will be forwarded to a qualified Medical Review Officer (MRO) for verification.

Breath specimens shall be obtained under strict chain-of-custody procedures by a federally qualified collector. Breath specimens must be confirmed on an evidential-level breath-testing device qualified for DOT testing by the National Highway Transportation Safety Administration (NHTSA).

VIII. Employee Assistance Program

Any Employee found violating the possession, use, or presence sections of the DFWP whether identified by their behavior, work performance, a drug and alcohol testing result, and/or self-admission will on a first episode be referred to the Employees Assistance Program (EAP) for further evaluation and appropriate counseling. Per Company Policy, disciplinary action may be stayed pending active participation and successful completion of the EAP. Self-referral and ongoing participation in the EAP will be held confidential except under state or federal laws of mandatory disclosure.

EAP participation is a requirement under the DFWP but is not intended to replace appropriate progressive disciplinary actions. Refusal to accept an EAP referral or to actively participate in the EAP will eliminate employment opportunities under the DFWP.

If any Employee has tested positive for a third time, the Employee shall be immediately terminated and not subject to future hire, until the Employee has satisfactorily completed a State approved rehabilitation program prescribed by a State approved treatment facility, which is the Employee's responsibility.

**SOUTHERN ARIZONA NECA AND IBEW LOCAL UNION 518
DRUG FREE WORKPLACE PROGRAM**

ATTACHMENT “A”

As of November 1, 2014, the drug testing cutoff concentrations employed in the S AZ NECA/IBEW 518 DFWP are as follows:

Drug Class	Drugs Detected	Screening Cut-Off	Confirmation Cut-Off
Amphetamines	Amphetamine Methamphetamine	500 ng/ml	250 ng/ml
MDMA	Methylenedioxyamphetamine (MDMA) Methylenedioxyamphetamine (MDA) Methylenedioxyethylamphetamine (MDEA)	500 ng/ml	250 ng/ml
Barbiturates	Amobarbital Butalbital Pentobarbital Phenobarbital Secobarbital	300 ng/ml	200 ng/ml
Benzodiazepines	Alprazolam metabolite Clonazepam metabolite Diazepam Flunitrazepam metabolite Flurazepam metabolite Lorazepam Midazolam metabolite Nordiazepam Oxazepam Temazepam Triazolam metabolite	300 ng/ml	200 ng/ml
Cannabinoids	Marijuana Metabolites	50 ng/ml	15 ng/ml
Cocaine	Benzoylcegonine	150 ng/ml	100 ng/ml
Methadone	Methadone	300 ng/ml	200 ng/ml
Opiates	Codeine Morphine Heroin (6-AM) Oxycodone	2000 ng/ml	2000 ng/ml
Phencyclidine	Phencyclidine	10 ng/ml 100 ng/ml 25 ng/ml	10 ng/ml 100 ng/ml 25 ng/ml
Propoxyphene	Darvon [®] , etc.	300 ng/ml	200 ng/ml
Alcohol		.040 BRAC	

Drugs are screened by EMIT (enzyme immunoassay) and confirmed by Gas Chromatography/Mass Spectrometry (GC/MS).

**SOUTHERN ARIZONA NECA AND IBEW LOCAL UNION 518
DRUG FREE WORKPLACE PROGRAM**

ATTACHMENT “B”

S AZ NECA/IBEW 518 Drug Free Workplace Program

Approved Collection Sites

Priority One Testing, LLC (On-site Collection Contact)

904 W Grant Rd

Tucson, AZ 85705

P: (520) 682-4005 C: (520) 343-8391 F: (520)616-4536

Drug Screen: M-F 8:00 am-12:00 pm & 12:30 pm-5:00 pm –Sat call for apt

F. Cobre Valley Regional Medical Center

5880 S. Hospital Dr.

Globe, AZ 85501

(928)425-3261

Drug Screen: M-F 8:00 am-4:30 pm

G. White Mountain Regional Medical Center

118 S Mountain Ave

Springerville, AZ 85938

(928) 333-4368

Drug Screen: M-F 7:00am-6:00pm

****NOTE**** North Country Health *does not* conduct Breath Alcohol Testing.
Please contact lab in advance for Drug Testing to confirm tester is available.

A. North Country Health

2109 Navajo Blvd

Holbrook, AZ 86025

(928) 524-2851

Drug Screen: M-T 8:00 am-2:00 pm

C. North Country Health

625 N 13th Street

St. Johns, AZ 85936

(928) 337-3705

Drug Screen: M-F 7:00 am-5:30 pm

E. North Country Health

708 S. Coeur D Alene Lane #B

Payson, AZ 85541

(928) 468-8610

Appointment needed

B. North Country Health

2650 E Show Low Lake Rd

Show Low, AZ 85901

(928) 537-4300

Drug Screen: M-F 7:30 am-6:30 pm

D. North Country Health

620 W. Lee Street

Winslow, AZ 86047

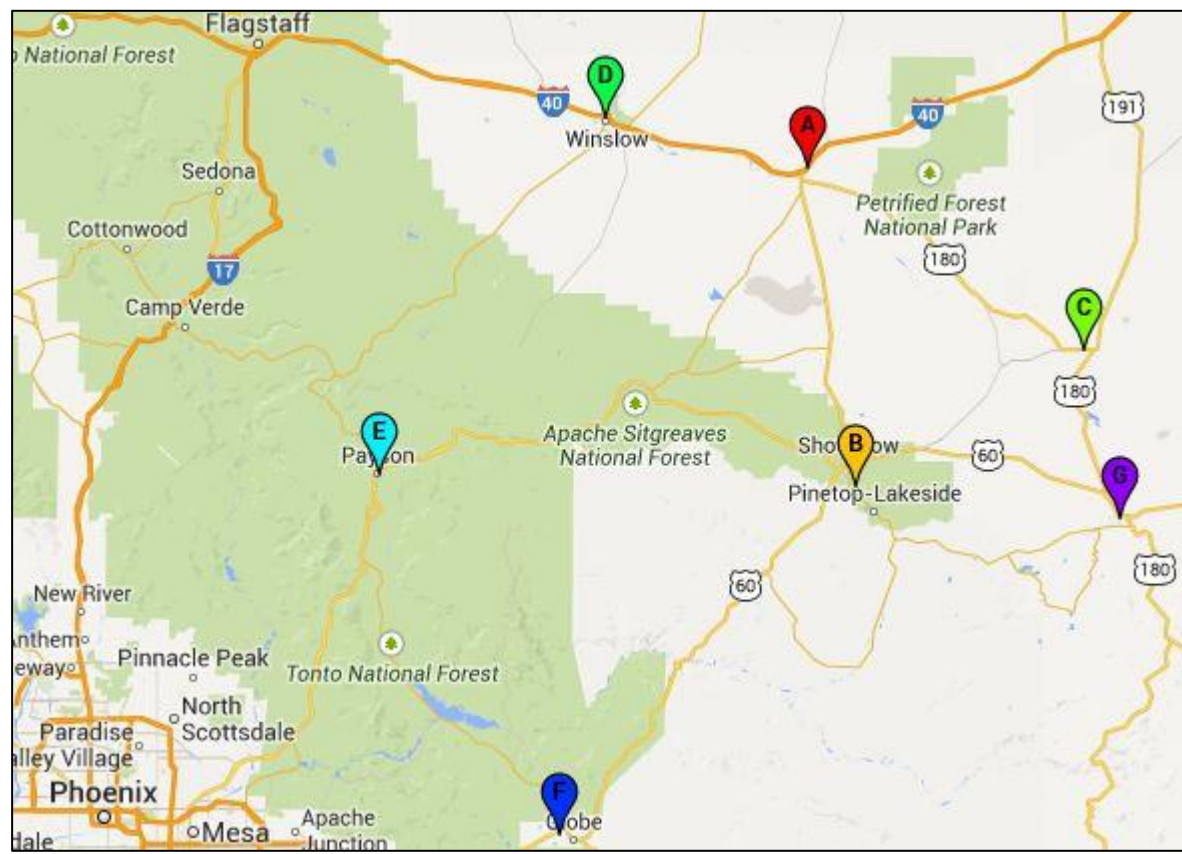
(928) 289-2000

Drug Screen: M-F 8:00 am-10:00am & 12:30 to 1:30pm

**SOUTHERN ARIZONA NECA AND IBEW LOCAL UNION 518
DRUG FREE WORKPLACE PROGRAM**

ATTACHMENT “B” - Continued

Approved Collection Site Map



**SOUTHERN ARIZONA NECA AND IBEW LOCAL UNION 518
DRUG FREE WORKPLACE PROGRAM**

ATTACHMENT “C”

Acknowledgement of Receipt of the

Southern Arizona NECA/IBEW Local Union 518

Drug Free Workplace Program Handbook

I have received a copy of and have carefully and thoroughly read the Southern Arizona NECA/IBEW 518 Drug Free Workplace Program Handbook, dated November 1, 2014, and acknowledge my understanding and acceptance of the Drug Free Workplace Program.

Employee (Applicant) Signature

Print Employee's Name

Employer

Date