



Substance Abuse Policy Statement

May 10, 2007

The West Tennessee Chapter of Associated Builders and Contractors is committed to providing a safe work and training environment and to fostering the well-being and health of its member companies' employees. That commitment is jeopardized when any employee of a West Tennessee Chapter of Associated Builders and Contractors member company or trainee with the West Tennessee Chapter of Associated Builders and Contractors Education Trust illegally uses drugs on or off the job, comes to work or class under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, the West Tennessee Chapter of Associated Builders and Contractors has established the following policy, pursuant to T.C.A. Section 50-9-100 et. seq.

It is a violation of organization policy for any employee/trainee of a participating member company to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job,

It is a violation of organization policy for any employee/trainee to report to work or class while having on his or her body, blood or urine, illegal and/or prohibited drugs in any detectable amount.

It is a violation of organization policy for any employee/trainee to report to work or class under the influence of or impaired by alcohol.

It is a violation of the organization's policy for any employee/trainee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. However, nothing in this policy precludes the appropriate use of legally prescribed medications.

Violations of this policy are subject to disciplinary action up to and including being denied employment and/or training privileges with the West Tennessee Chapter of Associated Builders and Contractors or its participating member companies.

It is the responsibility of the participating member companies' supervisors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drugfree environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment with a West Tennessee Chapter of Associated Builders and Contractors member and training in the West Tennessee Chapter program.

As a condition of training and employment with an WTCABC member company, employees/trainees must abide by the terms of this policy and must notify the employer and WTCABC in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

General Procedures

Any employee/trainee reporting to work or class visibly impaired will be deemed unable to perform required duties and will not be allowed to work. If possible the employee's supervisor or WTCABC training program official will first seek another supervisor or official's opinion to confirm the employee's/trainee's status. Next, the supervisor or official will consult privately with the employee/trainee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the supervisor or official, the employee/trainee is considered impaired, the employee/trainee will be sent home or to a medical facility by taxi or other safe transportation alternative - depending on the determination of the observed impairment - and accompanied by the supervisor or another employee if necessary. A drug or alcohol test may be in order. An impaired employee will not be allowed to drive.

Opportunity to Contest or Explain Test Results

Employees/trainees and job applicants who have a positive confirmed drug or alcohol test result may explain or contest the result to the medical review officer within five (5) working days after receiving written notification of the test result from the medical review officer; if an employee's or job applicant's explanation or challenge is unsatisfactory to the medical review officer, the medical review officer shall report a positive test result back to the company; a person may contest the drug test result pursuant to rules adopted by the Tennessee Department of Labor.

Confidentiality

The confidentiality of any information received by the WTCABC and employer through a substance abuse testing program shall be maintained, except as otherwise provided by law.

Job Applicant Drug Testing

All job applicants will undergo testing for substance abuse as a condition of employment and training. Any applicant with a confirmed positive test result will be denied employment.

Applicants will be required to submit voluntarily to a urinalysis test at a laboratory chosen by WTCABC, and by signing a consent agreement will release WTCABC from liability.

If the physician, official or lab personnel has reasonable suspicion to believe that the job-applicant has tampered with the specimen, the applicant will not be considered for employment or training.

WTCABC will not discriminate against applicants for employment because of a past history of drug or alcohol abuse. It is the current illegal use of drugs and/or abuse of alcohol, preventing employees from performing their jobs properly, that is prohibited.

Alcohol Testing

The consumption or possession of alcoholic beverages on this Company's premises is prohibited. (Company sponsored activities which may include the serving of alcoholic beverages are not included in this provision.) An employee whose normal faculties are impaired due to alcoholic beverages, or whose blood alcohol level tests .10% by weight for non-safety sensitive positions, or .04% for safety sensitive positions, while on duty/company business shall be guilty of misconduct, and shall be subject to discipline up to and including termination

Refusal to Submit

Failure to submit to a required substance abuse test also is misconduct and also shall be subject to discipline up to and including termination.

Important Information for Job Applicants and Employees

When an employee or job applicant submits to a drug and/or alcohol test, they will be given a form by the specimen collector that contains a list of common medications and substances which may alter or affect the outcome of a drug or alcohol test. This form will also have a space for the donor to provide any information that he/she considers relevant to the test, including the identification of currently or recently used prescription or non-prescription medication or other relevant information. A copy of the information form should be kept by the job applicant or employee for their personal use. If the job applicant or employee has a positive confirmed test result a medical review officer will attempt to contact the individual in order to privately discuss the findings with that person. The job applicant or employee should keep the form as a "reminder " to discuss this information at that time. The medical review officer will take this information into account when interpreting any positive confirmed test results. The information provided shall be treated as confidential and will not be given to the employer. Employees and job applicants have the right to consult with a medical review officer for technical information regarding prescription and non-prescription medicine.

It is the responsibility of every employee or job applicant to notify the testing laboratory of any administrative or civil action brought pursuant to TCA Section 50-9-100 et. seq. , Drug-Free Workplace Programs.

The provisions of this policy are subject to any applicable collective bargaining agreement or contract and include the right of appeal to the applicable court.

Substance abuse testing for job applicants and employees will include a urinalysis screen for the following drugs:*

Alcohol: (not required for job applicant testing)

Any Alcoholic Beverage all liquid medications containing ethyl alcohol (ethanol). Please read the label for content. For example; Vicks Nyquil™ is 25% (50 proof) ethyl alcohol, Comtrex™ is 20% (40 proof), Contac Severe Cold Formula Night Strength™ is 25% (50 proof) and Listerine™ is 26.9% (54 proof).

Amphetamines: "speed," "uppers," etc.

Cannabinoids: THC, marijuana, hashish, "pot," "grass," "hash," etc. **Cocaine:** " coke," "crack," etc.

Phencyclidine: PCP, "angel dust."

Opiates: Narcotics, Heroin, Codeine, Morphine, "smack, dope, etc..."