

**IBEW Local #234 and Monterey Bay CA Chapter NECA
Drug Free Workplace Program
Inside Agreement
Frequently Asked Questions**

How does a contractor begin the process to participate?

A contractor who is signatory to the Inside Agreement between Local #234 and the Monterey Bay CA Chapter of NECA who chooses to participate in the Drug Free Workplace Program will sign a Participation Agreement and submit it to the Local Union. The Local Union will then forward a copy of the Participation Agreement to the Chapter and the Administrator of the IBEW Local #234 Health and Welfare Plan.

Who will notify covered employees that the contractor has chosen to participate?

The contractor will notify each covered employee in writing (those covered by the Inside Collective Bargaining Agreement) that they are participating in the program and post notification in a prominent location. The administrator will then send each employee a copy of the Drug Free Workplace Program Agreement and other pertinent information.

Who is covered by the Drug Free Workplace Program?

Only employees who are covered by the Collective Bargaining Agreement are a part of this agreement (Inside Apprentices, Journeymen Electricians, Construction Wireman and Construction Electricians).

Are current covered employees required to test?

Initially, employees who are currently employed will not be required to test. They will be added to the random pool for testing.

How many employees will be tested at random each month?

Twenty-five percent (25%) of all employees working for Participating Employers will be subject to random testing annually. Each month individuals who are subject to random testing will be selected by the MRO/Administrator for urine testing from a pool of all eligible members from Participating Employers. The pool will be updated each month. Each member in the pool must have an equal chance of selection during each random draw. Participating Employers will be notified by phone or email during the target month for any of their current employees who have been selected for such testing. Individual Participating Employer notifications will be spread throughout the month to ensure unpredictability for employees. For that same reason, some Participating Employers may be contacted more than one time in the month for employee random testing.

What is the Employer required to do when their Employees are selected for random testing?

Once notified, Participating Employers will be asked to immediately inform the selected employees as soon as practical by an authorized representative of the Participating Employer, either in person or via telephone, that they are to appear for a urine test within forty-eight (48) hours of their notification. Once the Employee notification has been confirmed, the Participating Employer will fax or email back the notification form documenting the notification process to the MRO/Administrator. Employers will be responsible for wages and benefits of employees only while conducting the test which includes travel directly to and from the testing facility. The cost of the test will be borne by the Program.

Is it possible for an Employee to be selected for random testing more than one time per year?

Employees are subject to being tested randomly. It is possible for an employee to be randomly tested not at all, once, or more than one time each year under the random selection procedure.

What triggers testing of Employees?

Employees will be tested for drugs on the following occasions:

- A. Initial-hire Testing
- B. Random Testing
- C. Post Accident
- D. Return to Work
- E. Reasonable Suspicion

Does an Employee need to be tested after a work related accident?

In the event of a work-related accident, the participating Employer shall promptly determine if:

The accident involved a reportable injury as defined by OSHA regulations, or involved an injury which required medical treatment which could not be handled at the accident scene, or involved damage to company property or other, or the employee's performance may have either caused or contributed to the severity of the accident.

Any employee who meets these criteria must be tested for drugs and alcohol. Alcohol testing should be completed within two (2) hours of the accident if at all possible. Drug testing must be completed within twenty-four (24) hours of the accident.

Where do Employees test?

A list of approved testing centers will be provided to each Employer by the Program Administrator.

If a contractor is a Participating Employer, will applicants be dispatched that meet the drug free criteria?

Yes, the contractor will put in a call for an applicant that meets the requirements and is in active status.

Are apprentices covered by the Drug Free Workplace Program?

Yes. All applicants for the apprenticeship program will receive a copy of the Drug Free Workforce Program prior to their initial employment and sign a statement acknowledging their understanding and acceptance of the policy. Signed statements will be retained by the Joint Apprenticeship Training Committee (JATC) for the duration of training and then by the Program Manager (or their designee) for as long as the individual remains a Program participant.

How will a Participating Employer be able to verify an Employees' active status?

Every Participating Employer will be provided with confidential and secure web site access which will allow 24 hours per day/365 days per year computer verification of member status. Access to the system will be by a unique security code. When an employee is hired, the Participating Employer must verify the member's status by accessing the web site. If the Employee does not have Active Status (whether because of a positive test, a failure to appear for a required test, being declared ineligible, or testing is not yet complete), the system will not have any reportable information on the individual. Questions by the Participating Employer must be directed to a Program client services representative in the MRO/Program Administrator's office.

Who will pay for the testing of Employees and Applicants?

The cost of testing will be borne by the Plan.

Will Employees be paid for their time when required to random test?

Employers will be responsible for wages and benefits of employees only while conducting the test which includes travel directly to and from the testing facility.

Will Applicants for employment be paid for their time when testing?

Each applicant, who is a covered participant in the program at the time of their negative test, will receive a wellness benefit check for \$50.00 provided they are not employed. This payment is applicable to each negative result authorized drug test and may be applied in whole or in part to reimburse the NECA/IBEW Drug-Free Workforce Program for the full cost of any outstanding unauthorized test(s).

However, in the event the Employee's test does not constitute an authorized test under the NECA/IBEW Drug-Free Workforce Program, there will be no payment of a wellness benefit even if the result is negative.

What is active status and how long is an Applicant or Employee considered to be in active status?

An Applicant or Employee who has met all requirements of the Program is in Active Status. Active Status occurs upon passing the initial drug test and is renewed when the employee passes any subsequent approved test. Active Status shall not exceed one year from test date.

For additional questions:

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