

CHICAGO ROOFERS' JOINT APPRENTICESHIP COMMITTEE

**NOTICE OF APPRENTICE APPLICANT DRUG TESTING PROGRAM
AND
CONSENT TO PARTICIPATION AND RELEASE**

I, _____, acknowledge receiving written notice from the Chicago Roofers Local #11 Joint Apprenticeship Committee of the Applicant Drug Testing Program. That notice also contains information about how I will be notified when my name has been reached in the enrollment book. I understand that as a condition of participation in the Apprenticeship Program, I must submit to a drug test, and that I will be denied admission to the Apprenticeship Program if I do not pass that drug test. I also understand that refusal or failure to submit to a drug test within 24 hours of being requested to do so will result in the delay or denial of my acceptance into the Apprenticeship Program.

Based on my acknowledgement of the drug testing requirements and my desire to participate in the Apprenticeship Program, I consent to the drug testing and I release the Joint Apprenticeship Committee from any liability which it might incur due to my participation in the drug testing program.

Signature: _____ Date _____

Witness: _____

CHICAGOLAND ROOFERS' JOINT APPRENTICESHIP COMMITTEE PROCEDURAL GUIDELINES FOR IMPLEMENTATION FOR APPRENTICE APPLICANT DRUG TESTING PROGRAM

I. OBJECT

The Joint Apprenticeship Committee (hereinafter "JAC") recognizes the serious problems that drug use and abuse creates for applicants, their families, workers in general and the community, and has instituted a program with a goal of creating a drug-free workplace.

To achieve this goal and in accordance with its authority granted in the Standards of Apprenticeship, the Committee has instituted a zero tolerance drug policy which will result in the immediate discharge of anyone who tests positive for prohibited drugs as specified in the guidelines. The Committee believes that the administration of this policy will help to lessen the impact of illegal drug use, thereby enhancing safety, productivity, and the quality of the workplace and morale.

Under this policy, an applicant will not be allowed to request retesting except as expressly provided in Section IX(B) of these guidelines. However, the Committee reserves the right to require retesting as more fully described in Section IX(A) of these guidelines when either unregulated temperature or excessive dilution is indicated.

II. PURPOSE

The purpose of these procedural guidelines is to delineate the steps to be followed in the implementation of the Apprentice Applicant Drug Testing Program and to set forth the terms and conditions under which the program will be implemented.

III. THOSE SUBJECT TO TESTING

Only those applicants meeting the necessary criteria established by the JAC and who have provided complete applications and are being sent for a physical examination will be notified by telephone that they must present themselves for a physical examination and a drug test within 24 hours of the call. Any applicant who is instructed to report for such a drug test and states he/she is unable to do so will be treated as provided in Section VIII.

IV. DRUGS TO BE TESTED

All applicants shall be screened for the presence of the following compounds or classes of drugs.

1. Amphetamines
2. Barbituates
3. Benzodiazepines
4. Cocaine

5. Methadone
6. Methaqualone
7. Opiates
8. PCP (Phencyclidine)
9. Propoxyphen
10. THC Metabolite (Marijuana)

V. COLLECTION OF SPECIMENS

Specimens shall be collected from applicants at a medical center or clinic operated by a designated health care facility (“facility”) where they will also be given a physical examination and a drug test. The facility and any laboratory or laboratories, which it utilizes, will be required to maintain strict chain of custody procedures with respect to all specimens.

VI. LABORATORY

All specimens will be analyzed by a laboratory selected by the facility, which laboratory must be properly licensed and be certified by the National Institute on Drug Abuse (N.I.D.A.). Initial testing shall be done by enzyme immunoassay techniques and any positive result must be confirmed by gas chromatography/mass spectrometry or some other equally sensitive confirmatory technique as certified by NIDA. The following initial cutoff levels shall be used when screening specimens to determine that they are negative for these ten drugs or classes of drugs, and the following confirmatory test levels will apply if a confirmatory test is indicated:

DRUG OR METABOLITE

Marijuana Metaboites - 50 GC/MS 15

Cocaine Metabolite - 300 GC/MS 150

Amphetamines - 1000 GC/MS 500

Methamphetamine- 1000 GC/MS 500

Opiates

Codeine 2000 GC/MS

Morphine 2000 GC/MS

6-Acetylmorphine GC/MS 10

Phencyclidine 25 GC/MS 10

Barbiturates 200 GC/MS

Benzodiazepines 200 GC/MS

Methadone 300 GC/MS

Methaqualone 300 GC/MS

Propoxyphene 300 GC/MS

VII. POSITIVE TESTS

Applicants whose tests produce a positive result as reported to the Apprenticeship Coordinator by the facility or the laboratory which performed the test will be ineligible for admission to the Apprenticeship Program and may not reapply for a period of (3) years from the date of the test, except that applicants who are reported to the Apprenticeship Coordinator as testing positive only for marijuana metabolites will have up to 45 days to retest for a completely clean drug test. Applicants who, upon retest, have a clean drug screen will be admitted into the Apprenticeship program with the next referral of employment. Apprentices who test positive for marijuana or other illegal drugs during the retest will not be admitted in the program. Any individual who has tested positive may reapply at the completion of three (3) years or, in the case of individuals who test positive only for marijuana metabolites, at the completion of six (6) months; and at that time will be treated the same as any other applicant by being permitted to place his or her name in the enrollment book.

If an apprentice test positive for a legal controlled drug and the apprentice can provide a valid doctor's prescription for the legal controlled drug, the test may be changed from positive to negative by the JAC. This shall not apply to prescriptions for marijuana.

VIII. FAILURE TO REPORT FOR TESTING

Any applicant who is instructed to report for a physical examination and drug test but states that he/she is unable or unwilling to do so within 24 hours will not be admitted to the Apprenticeship Program at that time but will be allowed to re-sign the list of applicants. When such applicant again reaches the top of the list, he/she will be called again and instructed to report for a physical examination and drug test within 24 hours of this second call. If such an applicant reports for the physical examination and drug test within 24 hours of that second call as required and passes the test, he/she will be treated the same as any applicant who passed the test based on the initial call, except that such an individual may be required by the Apprenticeship Coordinator to report for another drug test at any time within his or her first year in the Apprenticeship Program. If such an individual either fails or refuses to take this second drug test within 24 hours of being instructed to so by the Apprenticeship Coordinator or takes the test and tests positive for a prohibited drug as set forth herein, he/she will immediately be dropped from the Apprenticeship Program and will be ineligible to place his or her name in the enrollment book for a period of three (3) years.

Any Applicant who states that he/she is unable or unwilling to report for the physical exam and drug test within 24 hours of first being instructed to do so and who is instructed a second time to report and fails to do so, shall have his or her name removed from the enrollment list and will be prohibited from returning his or her name to the list for one (1) year.

If such an individual places his or her name on the list at the completion of the year, when he/she reaches the top of the list again, he/she shall be treated as any other applicant, except that if he/she again fails or refuses to report for a physical exam and drug test within 24 hours of receiving each of the two instructions to do so as set forth above, he/she shall be ruled ineligible for admission to the program and shall be barred from placing his or her name in the enrollment book for a period of three (3) years.

Any applicant who is instructed to report for a physical examination and drug test, and indicates that he/she will comply with this instruction but fails to do so within 24 hours shall have his or her name removed from the enrollment list without further notice and will be prohibited from returning his or her name to the list for one (1) year. If such an individual places his or her name on the list at the completion of the year, when he/she reaches the top of the list again, he/she shall be treated as any other applicant except that if he/she either fails to report for a physical exam and drug test within 24 hours of being instructed to do so, he/she shall be ruled ineligible for admission to the program and shall be barred from placing his or her name in the enrollment book for a period of three (3) years.

IX. RETESTING

- A. As indicated in Section I above, applicants are not entitled to be retested except as provided in IX(B). The JAC, however, reserves the right to require retesting of a negative test result under the following circumstances:
1. Retesting shall be required when the temperature of the sample does not meet Department of Transportation test requirements.
 2. Retesting shall be required in any sample with a creatinine result that does not meet Department of Transportation test requirements.

The results reflected in the above circumstances may, on rare occasion invalidate the sample. It is for that reason that retesting will be required.

- B. An applicant may request an opportunity to retest a portion of the original specimen so long as such request is made by the applicant within three (3) working days of notification by the JAC of a positive test result. The specimen may be examined by an independent laboratory of the applicant's choice and at the applicant's expense, provided that (1) the laboratory of choice is licensed by the State of Illinois and certified by NIDA, (2) the applicant makes all necessary arrangements for transfer of the specimen between the facility laboratory utilized by the JAC and the applicant's laboratory of choice, and (3) the applicant agrees to have the independent laboratory's test results released to the JAC within five working days. Results of the independent laboratory test will be considered by the JAC, and any decision of the JAC where there are conflicting test results will be final.

V. NOTIFICATION OF RESULTS

All test results will be maintained as confidential by the JAC. Access to those results will be limited to the Apprenticeship Staff and to two (2) members of the JAC, one (1) management and one (1) Union, with other individuals being advised of the results only on a "need to know" basis. The Apprenticeship office shall inform each applicant as to whether the test results are positive or negative.

If the results are positive, the Apprenticeship office shall also inform the applicant as to where the test was performed, what drugs were found to be present, what rights the applicant has with respect to retesting, and what effect the positive test result has on the applicant's status in the Apprenticeship Program. There is no requirement that notice be given to any applicant who fails to report for a drug test when so instructed.

VI. COSTS

The JAC will be responsible for the costs of drug tests except that the applicant will be responsible for the costs of any retest which is performed at his or her request. If an applicant is informed of positive results and arranges for a retest as provided under these procedures, the JAC may reimburse that applicant for the cost of such a retest if the retest produces a negative result and the cost is reasonable. An applicant in that situation may request reimbursement at the time he/she submits the results of the retest to the JAC. The decision of the JAC, with respect to any such request for reimbursement, will be final. Applicants will not be paid for time spent or for time lost from work in connection with any physical examination or drug test.

VII. ADDITIONAL PROCEDURES

The JAC reserves the right, at its sole discretion, to adopt additional procedures or to amend the procedures set forth in this document. NOTE: The attention of all applicants is directed to the Apprenticeship Standards, Appendix E, Section V, Paragraphs (C) and (D) which provide as follows:

“Notice to an applicant that has his or her name that has reached the top of the enrollment list shall be by telephone and it is the applicant’s responsibility to keep the Committee informed of any changes to telephone number or address. If the Committee’s representative tries twice to reach an applicant by telephone and is unsuccessful in doing so, the Committee shall send the applicant written notice via U.S. Mail. An applicant may be dropped from his/her position on the enrollment list if the Committee’s representative is unable to reach the applicant by telephone on two separate occasions. If the applicant fails to respond to the written notice within ten days, or such length of time deemed appropriate by the Coordinator, his or her name will be removed from the enrollment list. If the applicant is dropped from the enrollment list and he or she wishes to return to it, he or she will be required to reapply and retest.”