



IRONWORKER MANAGEMENT PROGRESSIVE ACTION COOPERATIVE TRUST

I.M.P.A.C.T. Drug Free Workforce Program Guidelines

Effective: June 1, 2013

Revised: January 1, 2015

Revised: January 1, 2020

Revised: September 8, 2020

Revised: March 30, 2023

Revised: January 1, 2025

The processes and procedures outlined may be used as a national standard for IMPACT participating members throughout the United States.



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Statement of the Program

IMPACT, Industry Owners, Contractors, and their affiliates are committed to providing a safe work environment for all parties working in the construction industry. IMPACT recognizes that a collaborative effort is needed to overcome the impact of substance abuse on safety, productivity, quality of work and morale. With this endeavor, the IMPACT Drug Free Workforce Program Guidelines was created to maintain a drug free workforce.

IMPACT and its affiliates recognize that substance abuse is an illness that creates serious problems for its workers, their families, the workplace, and the community. When dealing with substance abuse, efforts must be made to focus on the substance abuse education and behavior modifications as well as reasonable sanctions to assist the individual to become a more productive person. Therefore, this Program focuses on education, assistance to the employees and families, and encouraging the employees to receive treatment as needed.

Section 1 – Overview

The IMPACT Program establishes minimum testing guidelines for centralized reporting where results of substance abuse testing can be readily accessed by authorized IMPACT users, Owners, and Contractor representatives. Confidentiality protection of a Participant is the primary interest of IMPACT, Owners, and Contractors. The IMPACT guidelines do not supersede contractual requirements or contractor policy if the contractor has chosen not to follow the IMPACT guidelines.

The method of testing is saliva. This test will be administered by the Employer or whomever the Collective Bargaining Agreement shall otherwise designate. Urinalysis testing is available when required by the Collective Bargaining Agreement, Specific Project, State, Local or Federal law. Urinalysis testing will be administered by a Third-Party Administrator (TPA). TPAs will report and monitor Participant status in the Safety Management Database System (SMDS) where IMPACT users, Contractors, and Owners may verify Participant status. Only Participant eligibility is available. Contractors will designate two or more Contractor Designated Representatives (DR) that will have access to view the status of a Participant. The DR form can be accessed on the IMPACT website at www.impact-net.org.

These guidelines represent what the Board considers to be the best practices in a drug testing program. IMPACT recognizes that regional differences may be necessitated by different legal, social and industry structures from region to region. Therefore, IMPACT will customize its drug testing program to reflect bargained for requirements. Effective September 28, 2022, the **IMPACT Program will no longer test for THC / Marijuana**. There will also be no penalties for individuals who test positive for THC. Penalties are also removed for individuals who are in a bona-fide treatment or recovery program for a substance abuse issue. Before going back to work, the individual must first test and receive a negative test result. IMPACT will also combine



databases for urinalysis tests and the saliva test if requested to do so by the bargaining parties. IMPACT will also make any other changes to these guidelines if requested to do so by the bargaining parties and the requested changes are administratively feasible. Said changes will only be effective for that specific bargaining unit. All requested modifications to the IMPACT Program made by the bargaining parties and approved by IMPACT shall be reflected in an appropriate side letter agreement.

Only Participants who are participating in the Program and who are actively employed will be subject to Program requirements. Each time a Participant has a negative test result, this will become the Participant's new test date and is valid for a cycle period of twelve months. Random testing will be conducted approximately every 4 – 6 weeks only for those Participants who are part of the national random pool. Only Members participating in the Program and who are actively employed are part of the national random pool. Each Contractor will assign a DR that will work in conjunction with the TPA and the Participant.

Section 2 – Online Verification System

www.impact-net.org

Approved Program users will have the ability to verify the status of a Participant in the SMDS at any time, 24 hours a day, 7 days a week via the Internet. The online verification system is accessible through the SMDS located on IMPACT's website at www.impact-net.org. Only Participant eligibility is available through the system. All confidential Participant information is contained within the database with restricted controlled access. The SMDS is a highly secured web-based system protected by secured access codes and passwords for online verification utilizing the most advanced encryption technology, industry leading firewalls and virus protection software. The SMDS is integrated with the existing IMPACT website for IMPACT user access. A database management firm maintains the online verification system and controls all user access.

The following codes identify the status of the Participant:

- **Call TPA** - Participant needs to call TPA to resolve their status.
- **Current** - Participants with a "Current" status are eligible to work.
- **Ineligible** - Participants with the status "Ineligible" are not eligible to work.
- **Need to Test** - Participants with the status "Need to Test" do not have a valid test within a 12-month cycle and require a negative test to be eligible to work.
- **Owner Controlled Program (OCP)** – A Participant with a "OCP" status indicates the Participant is under an approved Drug Testing Program required by the Owner or project guidelines and are exempted from the IMPACT Program



- **Test Pending** - Participants with a “Test Pending” status indicates a test is under review. The Participant and/or DRs should call the TPA to confirm status.

Section 3 - Methods of Testing

For Saliva tests, the Employer or whomever the Collective Bargaining Agreement shall otherwise designate is responsible for providing testing services. Web- based instructions and training are available for the person designated by the Employer. For urinalysis tests, TPAs are responsible for providing testing services, collection facilities, Medical Review Officer, Substance Abuse Professional, Employee Assistance Program coordination, reporting, and training services. All service providers, including collection site and clinical testing laboratory personnel, shall maintain confidentiality of drug test results and medical information except as authorized by a test subject’s consent or law. A urine drug test and/or alcohol test shall be administered by appropriately qualified personnel. The initial drug screen will test for the presence of illegal/controlled drugs and substances. This test will not include an alcohol test. An alcohol test may be administered based on reasonable suspicion and post-accident.

3.1 The Methods of Testing are:

- 3.1.1 The method of testing is the saliva test. The method of urinalysis testing is the Point of Collection Testing (POCT) testing, also referred to as “instant test” (as permissible per State Law). The instant test device must be FDA approved, made in the U.S.A., cover the required test panel as identified in Section 3.2, and test for adulterants.
- 3.1.2 The urinalysis method of testing is the split specimen urine laboratory test – Analysis of tests shall be performed only by certified SAMHSA laboratories listed by the U.S. Department of Health and Human Services in its most current list as set forth in the Federal Register.
- 3.1.3 Alcohol Tests – Initial testing will be administered using breath or saliva and confirmed using an approved breath testing device. In some instances, a blood sample may be used (ex. post-accident testing).

In the case of post-accident or for cause testing, an onsite test may be used by qualified personnel identified by the TPA. All non-negative results must be confirmed with a standard confirmation test. (i.e., GC/MS or EBT). All handling and transportation of each specimen will be properly documented through strict chain of custody protocol. To the greatest extent possible, the privacy of the employee will be preserved.

3.2.1 Saliva-Based Testing

The initial test will be an instant test that will be conducted on-site without need for off-site laboratory testing unless off-site laboratory testing is required by state law in the state in which the



testing takes place. Saliva-based testing will be administered on-site by persons to be designated by the Contractor, Employer, or whomever the Collective Bargaining Agreement shall otherwise designate. The on-site presence of a third-party administrator, unless such presence is required by state law in the state in which the testing takes place, is not required. Testing personnel designated by the Employer must undergo a training session approved by IMPACT.

An employee who wants to appeal the results of the instant test must communicate that directly to the person designated by the employer for testing. The designated testing agent shall submit the test kit to the laboratory for confirmation and mail the sample as directed by IMPACT and the oral-based testing vendor to an approved laboratory for secondary testing. In the event that provisions of this section conflicts with the provisions of other sections in the guidelines, the provisions of this section shall control.

3.2.2 Urinalysis Testing

When urinalysis testing is required by the collective bargaining agreement, project, State, Local or Federal law the preferred testing method is the P.O.C.T. instant test. The secondary testing method is the split specimen urine laboratory test.

3.3 Testing Levels

Although all illegal substances are prohibited on a jobsite, the substances identified below are of specific concern. The test must screen, at a minimum, for the following substances at or above the following cut-off limits and test as low as the identified levels of detection.

Levels for SALIVA- BASED device:

Drug Class	Initial Test Cut-Off Concentration ng/ml	Confirmation Test Cut-Off Concentration ng/ml
Cocaine	20	5
Amphetamine	50	9
Methamphetamine	50	9
Opiates	40	5
Phencyclidine (PCP)	10	3
Benzodiazepine	10	5
Barbiturates	50	60
Methadone	30	5
Oxycodone	20	5



Levels for POCT URINALYSIS device:

Drug Class	Initial Test Cut-Off Concentration ng/ml	Confirmation Test Cut-Off Concentration ng/ml
Cocaine	150	100
Amphetamine	500	250
Methamphetamine	500	250
Opiates	2000	2000
Phencyclidine (PCP)	25	25
Benzodiazepine	300	300
Barbiturates	300	300
Methadone	300	300
Oxycodone	100	100
** Alcohol	0.02% BAC	0.04% BAC

- Cannabinoids are not included in the test unless required by the job-site requirements. Cut off limits are established by the United States Department of Health and Human Services in their mandatory guidelines for Federal Workplace Drug Testing Programs.

Testing for Adulteration: pH, Specific Gravity, Nitrites, Creatinine, Bleach

**Alcohol 0.02% BAC 0.04% BAC

** The presence of alcohol equivalent to 0.02% to 0.039% BAC level in any Participant test will result in that individual being removed from duty for at least eight (8) hours or one work shift, whichever is longer.



Testing levels for Laboratory Testing will include the POCT drug class and the following:

1. Testing for Adulteration.
2. Includes testing for extended Opiates.
3. 6-AM: Initial Test Cut-off and Confirmation Test Cut-Off Concentration at 10ng/ml. Test for 6-AM when the confirmatory test shows a morphine concentration exceeding 2,000 ng/mL.

* THC, PCP, COC, Methamphetamine meet the DOT cutoff concentration.

** Alcohol testing will be done, when requested, at the collection site using a testing device that conforms and is listed on the NHTSA Conforming Products List. It will be a breath test or saliva test as allowed by DOT. If the first test reads below 0.02%, it will be reported as a negative. If the first test reads 0.02% or higher, then a confirmation test will be done 15-30 minutes after the first. If the confirmation test reads below 0.02%, the test will be recorded as a negative; if it reads 0.04% or greater it will be ruled as a positive test.

3.4 Laboratory Analysis

The urine drug screen shall be performed by an initial Enzyme Multiplied Immunoassay Screening Test (EMIT). All non-negative results are confirmed by the laboratory using either Gas Chromatography/ Mass Spectrometry (GC/MS) or Liquid Chromatography LC-MS/MS. The screens are run at the pre-determined cut-off levels identified in Section 3.2.

3.5 Dilute Specimens

A dilute specimen with a valid, negative laboratory result shall be treated as a negative Program test. A dilute specimen with a MRO confirmed positive laboratory result, shall be treated as a positive Program test. Recollection of a dilute specimen shall be deemed necessary only when Creatinine concentration of the original specimen is equal to or greater than 2 mg/dL, but less than or equal to 5mg/dL.

3.6 Adulterated and Substituted Specimens

During the analytical process specimens are checked for any chemicals that may have been added to the specimen to mask drugs or interfere with the analytical process. These specimens are adulterated specimens and are considered a positive test. Substituted specimens are urine specimens with creatinine and specific gravity values that are so diminished or so divergent that they are not consistent with normal human urine. Substituted specimens are a positive test. Any positive test will require the Participant to comply with rehabilitation requirements.

3.7 Safety-Sensitive Positions

A safety-sensitive position is any position requiring any direct or indirect task which could affect job



safety, performance, attendance, and security.

- 3.7.1 A Participant taking a Prescription Drug must, before reporting for duty, discuss with a physician the nature of the Participant's duties and the potential adverse effects of such Drug. The Participant must comply with all restrictions placed on him/her by the physician. It is always the Participant's responsibility not to be On-Duty while Under the Influence or unable to perform a safety-sensitive position, as defined above.

- 3.7.2 Any Over the Counter (OTC) Drug, if such Drug contains any warning about its use (for example: "may cause dizziness", "may cause drowsiness", "should not be used while operating machinery," etc.), the Participant should discuss with a physician or pharmacist the nature of the Participant's duties and the potential adverse effects of such Drug. It is always the Participant's responsibility not to be On-Duty while Under the Influence or unable to perform a safety-sensitive position, as defined above.

- 3.7.3 Participants taking any prescription medication(s) under a health care professional's order must comply with the drug manufacturer's, the pharmacist's, and the health care professional's recommendations as to any possible adverse effect of the medication(s) ability to safely perform the job. It is the Participants responsibility to notify the Contractor or Employer if medication(s) adversely affect the Participants ability to safely perform the job prior to starting work.

- 3.7.4 If a Participant is taking any valid prescription medication and the test results in a non-negative result, the Participant should immediately notify the MRO to request the interview, to initiate the MRO Process for non-negative test results as explained in Section 6. The "Test Pending" status in the SMDS indicates a Participant test is under review and is not a status for Participants who refuse to test or are ineligible to work. At the employer's sole discretion, when there is a "test pending" status due to a specimen that was sent to the laboratory for confirmation after a non-negative POCT test result, and with the employer assuming the entire risk, and holding IMPACT, the International Association and its affiliated District Councils and Local Union harmless, the employer may continue to retain an individual in employment until such time as a positive result is confirmed.



3.8 Observed Collections (Urinalysis Only)

Observed collections will not be required except in the following instances (unless prohibited by state law):

- The temperature of the urine specimen provided for testing is outside of the acceptable range.
- The collector observes evidence of an employee's attempt to tamper with the specimen or the specimen appears to have been tampered with (ex. smells like gasoline, excessively foaming like soap was added).
- The MRO has ordered another test under direct observation.

3.9 Collection Protocol

Collection protocol follows the guidelines established by the Department of Health and Human Services and the Drug and Alcohol Testing Industry Association (DATIA), unless otherwise indicated in this policy.

Any procedural questions will be handled by the MRO, who will use their discretion in deciding whether a procedural error has a significant adverse effect on the right of the participant to have a fair and accurate test.

3.10 Negative Results – P.O.C.T. & Laboratory Analysis:

Participants with negative test results are coded in the SMDS as “Current” and are eligible to work.

- 3.10.1 Saliva and P.O.C.T. Test Negative – Saliva and Instant tests are read within 30 minutes after the Participants tests. The Administrator or TPA will electronically enter Participant saliva or instant test results into the IMPACT SMDS as soon as results are complete and no later than 24 hours after the Participant tests as determined by the CBA.
- 3.10.2 Laboratory Test Negative – Negative laboratory test results will be sent electronically to the SMDS as soon as results are complete as determined by the CBA.

3.11 Non-Negative Results – Saliva, P.O.C.T. Test & Laboratory Analysis:

- 3.11.1 Saliva and P.O.C.T. Test Non-Negative – Saliva and Instant tests are read within 30 minutes after the Participants tests. Non-negative specimens are sent to a SAMHSA certified lab for confirmation testing. Once the specimen is confirmed, the administrator or TPA will update the SMDS immediately. If the specimen is confirmed positive by the MRO, the administrator or TPA must notify the DR immediately.
- 3.11.2 Laboratory Test Non-Negative – If the initial laboratory screening is a non-



negative result, confirmation testing will be performed. If confirmed positive, the MRO will contact the Participant to review any possible legal reasons for the positive test and to inform the Participant of the consequences and their rights under the CBA. If the Participant wishes to challenge the accuracy of the laboratory test result, in the case of urinalysis testing, the split specimen is sent to another SAHMSA certified lab for retesting. The TPA will notify the Contractor DR of the confirmed positive result and update the Participant's status in the SMDS immediately, as soon as the test results are available as determined by the CBA.

- 3.11.3 The MRO will review all laboratory confirmed non-negative test results. If the specimen is confirmed non-negative by the lab, the MRO must determine if there is a legitimate medical explanation. The MRO will contact the Participant within 24 hours of the confirmed non-negative test result for an interview. If the MRO confirms the test result is positive, the Participant will have to complete the rehabilitation requirements. The TPA will update the SMDS with confirmed result information and the Participant will be ineligible to work until they comply with requirements to re-establish eligibility. The TPA will monitor the Participant through the rehabilitation process and update the SMDS. Refer to Section 7 Rehabilitation Requirements.

3.12 Initial Non-Negative Test Result and Confirmed Negative – The initial screening test resulted in a non-negative result and confirmed negative by confirmation testing.

- 3.12.1 **S a l i v a** and P.O.C.T. testing: The Saliva and initial P.O.C.T. test result is a non-negative. The initial non-negative specimen is sent to the laboratory and confirmed negative. The Administrator or TPA will immediately update the Participant status in the SMDS as determined by the CBA.
- 3.12.2 If a Participant is taking any valid prescription medication and the test results in a non-negative result, the Participant should immediately notify the MRO to request the interview to initiate the MRO Process for non-negative test results as explained in Section 6. At the employer's sole discretion, when there is a "test pending" status due to a specimen that was sent to the laboratory for confirmation after a non-negative POCT test result, and with the employer assuming the entire risk, and holding IMPACT, the International Association and its affiliated District Councils and Local Union harmless, the employer may continue to retain an individual in employment until such time as a positive result is confirmed.
- 3.12.3 During the laboratory confirmation testing for Participants taking valid prescription medication where the Participant has initiated MRO contact to review prescribed medication, the TPA will code the Participant as "Test Pending" to indicate the non-negative specimen is undergoing confirmation



testing. Refer to section 3.6, safety sensitive positions and section 6 for the MRO process.

- 3.12.4 In the event a Participant incurred lost wages and are required not to work until the confirmed negative test results are available per the employer's safety policy, the Contractor DR can submit a reimbursement form to the TPA for approval and processing. The Program reimburses the Participant up to three (3) working days (72 hours) of lost wages. The Reimbursement program is for Participants under the IMPACT Drug Free Workforce Program and are using an IMPACT Program TPA.

3.13 Laboratory Certifications

The Laboratory shall be licensed or certified by the Substance Abuse and Mental Health Services Administration (SAMHSA) and the College of American Pathologists and shall participate in the proficiency testing programs required by each of those respective organizations. The laboratory shall store frozen all urine samples reported as positive for 365 days and all samples reported as negative for 5 days or as required by federal regulations.

3.14 Refusal to Test

Unless otherwise agreed to between the bargaining units, refusal to submit to a drug and/or an alcohol test will have the same consequences as a positive test. A refusal to test would include any of the following situations:

1. Failing to appear for any test when directed to do so.
2. Failing to remain at the testing site until the testing process is completed.
3. Failure to provide a breath sample, saliva sample, or urine sample as directed.
4. Failure to permit, if the situation requires, the observation of providing a urine specimen.
5. Failure to provide a urine, breath, or saliva specimen within required time frames may be considered a refusal. If a Participant cannot provide a sufficient quantity of urine or breath, he/she will be directed to be evaluated by a physician (MRO must approve the choice of physician). If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either breath or urine), it will be considered a refusal to test.
6. Failure or decline to take an additional drug test the employer or collector has directed you to take.
7. Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as part of a "shy bladder" or "insufficient breath" situation.



8. Failure to cooperate with any part of the testing process and/or conduct that would obstruct the proper administration of a test. (e.g., refusing to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process)
9. For an observed collection, failure to follow the observer's instruction to raise and lower their clothing to permit the observer to determine if the employee has a prosthetic or other device that could be used to interfere with the collection process.
10. Possess or wear a prosthetic, device, or material that could be used to interfere with the collection process.
11. Admission by the Participant that he/she adulterated or substituted the specimen or declines to take a required test.
12. A report from the MRO that the Participant has a verified adulterated or substituted test result.

3.15 Cancelled Test Results

A cancelled test occurs when a drug or alcohol test has a problem identified that cannot be or has not been corrected, or which this guideline otherwise requires to be cancelled. A cancelled test is neither a positive nor a negative test. The MRO may cancel a test and may require a participant to re-test.

Section 4 - Types of Testing

Although all illegal substances are prohibited on a jobsite, the substances identified in Section 3 are of specific concern. The different types of testing are:

- Pre-employment
- Post-employment
- Random
- Reasonable Suspicion/For Cause
- Post-Accident/Incident
- Return-to-Duty

4.1 Pre-Employment Testing

- 4.1.1 Authorized Local Union representatives may review a Participant's status prior to being dispatched. A Participant's status can be verified through IMPACT's online verification system at www.impact-net.org, 24 hours a day. If the Participant is "Negative" the Local Union can refer them for employment.
- 4.1.2 The Contractor DR may review a participant's eligibility via IMPACT's online verification system at www.impact-net.org. If the Participant is "Negative" the employer has the right to determine the eligibility for employment.



- 4.1.3 If a Participant has a code status “Need to Test” in the SMDS, t The Local Union or employer may require a pre-employment test. The Contractor DR or jobsite representative, the Local Union Representative, or TPA may initiate the test for the Participant.
- 4.1.3.1 If a Participant is not found in the SMDS, they must be added before a test can be initiated. Refer to the IMPACT website to obtain further information on this process.
- 4.1.4 The collection facility must have an Ironworker Test Authorization form at the time of Participant testing. The Participant must notify the facility at the time of testing they are testing for the Ironworker IMPACT Program.
- 4.1.5 The Contractor DR or the Local Union are responsible for instructing the Participant where to test. Collection facilities will be provided instructions by their TPA. In the event of a special circumstance arising or further instructions are necessary, the Contractor DR or the Local Union should directly call or email their TPA for further advice and instructions.
- 3.1.6 TPAs will ensure that collection facilities have a current IMPACT Authorization form. The authorization form instructs the collector on the proper collection protocol for testing.

4.2 Random Selection

Optional random testing will be available for those Participants who are part of the national random pool. Only Members participating in the Program and who are actively employed are part of the national random pool.

Based on the request of the Local Union and/or employer, the SMDS will generate a random digit from 0 – 9. This number will be matched to the last digit of the actively employed Participants social security number and these Participants will be eligible for random testing. The SMDS will email the random digit to the Contractor DR, Local Union representative, and their respective TPA.

4.2.1 Random Selection Notification with Contractor Identifying Participants through Payroll Records

- The Local Union or employer will instruct the Participant selected to report to the designated collection site for random testing. The Participant must test the day they are notified. The employer will only inform the Participant of the selection to test when the employer can provide reasonable accommodations to allow the Participant to test the day of the notification. The Participant must report by the end of the day they are notified to test. If the Participant fails to test as directed, a refusal to test will be documented (see Section 3.13).



- The TPA is responsible for managing the drug testing program for the employer, Local Unions, and the Participants. The employer and/or the Local Union should contact their TPA if they have any questions or need clarification on the process.

4.3 IMPACT Participants Subject to Owner Controlled Project Guidelines

Participants subject to other criteria based on an Owner Controlled Projects (OCP) with defined guidelines will follow those project guidelines.

4.4 The Chain of Custody

- 4.4.1** The Chain of Custody (COC) will be provided by the TPA to the collection sites, Contractor DR, and/or Local Unions as required.
- 4.4.2** The TPA will monitor and track Participants to ensure they take the test as required. The TPA will code Participant drug test results in the SMDS as identified in Section 3.
- 4.4.3** The TPA is responsible for the collection facility quality control at all times.
- 4.4.4** The designated testing agent must follow the manufacturer’s chain of custody procedures for sending saliva samples to the lab for verification of an “inconclusive” result.

4.5 Post-Accident Testing

A Participant may be tested “Post Accident” if they are a direct or indirect cause of accident or injury to persons or property. It is always the priority to treat a Participant’s injuries and then get a drug/alcohol test. A valid drug test can be collected up to 30 hours after the accident and up to 8 hours for a breath alcohol test. If a participant is directed to take a test by their employer, even if outside of the time frames described above, the participant is still required to test if directed to by the CBA or employer safety policy.

There are three ways to have a post-accident test collected.

4.5.1 Use a TPA approved collection site.

- Follow standard procedure using TPA approved collection sites as established



in the guidelines.

4.5.2 Use an out of network collection site.

- If the jobsite where the accident / incident occurred is not near any of the TPA approved sites, the Participant must be taken to the nearest testing facility. The TPA must be notified immediately with the name of the Participant and the testing facility contact information.
- The out of network collection site may not have an approved IMPACT COC or Authorization Testing Form. In this event, the testing site must be advised to use a “ten panel urinalysis.” All test analysis must be conducted at a SAMHSA certified laboratory.

4.5.3 The designated employer testing agent can administer a saliva-based test.

4.6 Reasonable Suspicion/Cause

A Participant may be tested for “Reasonable Suspicion” under certain circumstances. To request or administer a

Reasonable suspicion test on a Participant, the employer conducting the test must have attended an approved Reasonable Suspicion Training class. The Reasonable Suspicion training class is available through IMPACT.

After following the Reasonable Suspicion guidelines and it is determined that the Participant is required to submit to a drug test, the designated employer testing agent can administer a saliva-based test, or the Participant can be taken to a collection facility for testing. If the test result is non-negative, the test will require confirmation.

4.7 Return-to-Duty

The return-to-duty test is required for a Participant to reinstate into the Program eligibility after a positive test. The TPA will notify the Participant and the Participant’s Local Union when the Participant has completed all rehabilitation requirements and is eligible to take the return-to-duty test. The cost of the return-to-duty will be paid by IMPACT unless the test result is a non-negative. If the return-to-duty test is positive, it will not be considered another violation since the Participant is not working. The Participant will be referred to their counselor who will determine when the Participant is ready to take another return-to-duty test. There shall be no penalty against a Participant who is in a bona-fide recovery or treatment program and who submits a negative test upon return to work. There shall be no penalty against a Participant for a positive THC test.



4.8 Alcohol Testing

A Participant may be asked to submit to an alcohol test if “Reasonable Suspicion” or if “cause” is prevalent, which indicates that his health and safety or ability to perform work may be impaired. An alcohol test may also be included with a random test as required by an Owner. Alcohol tests will be administered using blood, breath, or saliva, and confirmed using an approved breath testing device.

- A Participant that has the presence of alcohol between .02% and .04% can be removed based on the determination of the employer.
- If a Participant test shows levels equal to or greater than .04%, the Participant’s test will be treated as a positive and the Participant will be subject to any penalties or the defined rehabilitation procedures.

4.9 Owner Request

An Owner may request that the Participants on a job site be tested through the IMPACT program. Participants that are on the selected job site will be selected for testing.

Section 5 - On-Site Group Collections

There are two options for pre-employment and random on-site group collections. The primary collection testing method is on-site saliva-based testing or on-site urinalysis group collection. The secondary method is at a collection facility identified by the TPA. Upon arrival at an approved collection facility or at a group collection the Participant must present a valid drivers license/photo I.D. or approved photo I.D for identification.

5.0 Collection Facility

- The TPA will provide the Contractor DR or its representative with the list of collection facilities nearest the project and within 20 miles or 30 minutes or less from the project site.
- The Contractor DR will notify their TPA two (2) weeks in advance prior to project start-up, of any new project location to pre-identify collection sites available for Participants.
- The Contractor DR or its representative, Local Union representative, or TPA will instruct the Participant where to test and provide the Ironworker Test Authorization form.
- The Contractor is obligated to provide reasonable accommodations to allow the Participant to test.



5.1 Jobsite/Group Collection Testing

The Contractor or Local Union Representative can administer a saliva-based test or request a jobsite or group collection to be performed on-site. The following are criteria to request an on-site urinalysis collection:

- The Contractor DR will request onsite collection through their TPA no later than 2 weeks prior to the preferred date of collection.
- The Contractor DR will provide the following information to the TPA:

Jobsite location / physical address
Jobsite Participant list
Jobsite contact name and number
Logistics of the jobsite
Location available to test members privately
Special safety or security requirements
The time requested for testing, a.m. or p.m.
Preferred date of collection

- At completion of the testing, the test coordinator will review the job-site Participant list with the Contractor DR or Local Union representative to determine which Participants tested and which Participants did not test.
- The TPA and the Contractor DR or Local Union representative will review the Participants who did not test to ensure a Participant was not available on-site during the testing. If it was determined that a Participant was available to test and did not test, the Participant will be interviewed to determine a verifiable reason why the Participant did not test.
- A Participant who refused to test with no verifiable reason for the refusal will be considered “Ineligible” and must complete disciplinary procedures before they can return to work. Refer to Section 3.13.
- If a Participant is unable to complete a test onsite, they can be escorted by a Contractor DR or Local Union representative to a collection site to complete the test.
- The TPA will update all test results electronically into the SMDS.
- Determined by the agreement of the bargaining units.

Local Union representatives will follow the same process for the collection facility or group collections where applicable. Your TPA will provide detailed instructions.

Section 6 - Medical Review Officer (MRO)

A Medical Review Officer (MRO) is a licensed physician who has knowledge of substance abuse



disorders. The MRO must be certified by either the American Association of Medical Review Officers (AAMRO) or the American College of Occupational and Environmental Medicine (ACOEM). The MRO shall:

- Review and verify a laboratory non-negative and positive test results.
- Contact the Participant within 24 hours to discuss the reasons why their test result might be positive.
- Review the Participant’s medical record as provided by or at the arrangement of the tested individual as appropriate.
- Confirm the laboratory result.
- Notify the TPA of all tests results, positive and negative.
- The MRO will follow DOT guidelines in reporting medical information to a Contractor DR or Local Union representative.

All records of tests reviewed by the MRO and supporting documentation will be forwarded to and maintained by the TPA.

6.1 Prescription Medication

If the MRO finds the test is positive due to medication prescribed to the Participant by a licensed physician, the MRO will report the test as negative.

6.2 Unauthorized Substance

If the MRO finds no medical reason for a test to be positive, the MRO informs the Participant that the test will be reported as positive. The TPA will then inform the Participant and provide the Participant the requirements to reestablish eligibility in the program and will refer the Participant to an Employee Assistance Program (EAP) or Substance Abuse Professional if an EAP is not available.

Section 7 - Rehabilitation Requirements

A Participant who has a confirmed positive test result (or refusal to test) will not be eligible to participate in the Program until the Participant is evaluated by the Employee Assistance Program (EAP) is in recovery or completes the Program rehabilitation requirements. Discovery of evidence that documents a Participant’s attempt to falsify records, reports, etc. concerning their status within the program will be recorded as a violation. The Participant can only regain their active status in the Program once they have completed the rehabilitation requirements or are in a bona fide treatment or recovery program. The Participant will receive notification from the TPA, which will contain instructions and a Reinstatement Form to be completed after an evaluation by an EAP. This Section



shall not apply to a person who tests positive for THC.

Step #1: Evaluation by Substance Coordinator

The Participant must complete the substance abuse evaluation.

Step #2: Rehabilitation Program

The Participant must complete the rehabilitation program as prescribed.

Step #3: Return-to-Duty Test

The Participant must submit a negative Return-to-Duty drug screen.

Step #4: Accelerated Random Testing

The Participant will be subject to a minimum of 4 accelerated random tests, recommended by the Substance Abuse Professional (SAP).

7.1 Suspension Period

- 7.1.1 First Violation: The individual will be ineligible from working for any IMPACT signatory Contractor for a minimum of 30 days. To be eligible to return to work, the Participant must be evaluated by a Substance Abuse Professional (SAP), provide written proof of successfully completing a medically recognized rehabilitation program, and submit a negative return-to-duty testing. The Participant will be subject to a minimum of four (4) accelerated random tests for a period of one year as a condition of further employment. Frequency of the accelerated random testing is to be determined by the SAP. *
- 7.1.2 Second Violation: The individual will be ineligible from working for any IMPACT signatory Contractor for a minimum of 90 days. To be eligible to return to work, the Participant must be evaluated by a substance abuse professional, provide written proof of successfully completing a medically recognized rehabilitation program, and submit a negative return-to-duty testing. The Participant will be subject to a minimum of four (4) accelerated random tests for a period of one year as a condition of further employment. Frequency of the accelerated random testing is to be determined by the SAP. *
- 7.1.3 Third Violation: The individual will be ineligible from working for any IMPACT signatory Contractor for a minimum of one year. To be eligible to return to work, the Participant must be evaluated by a substance abuse professional, provide written proof of successfully completing a medically recognized rehabilitation program, and submit a negative return-to-duty testing. The Participant will be subject to a minimum of four (4) accelerated random tests for a period of one year as a condition of further employment. Frequency of the accelerated random testing is to be determined by the SAP. *

For any occurrence greater than a third occurrence, there is an additional 1-year suspension per violation in addition to sanctions listed above. The Participant's



violation status will revert to first violation following 36 consecutive months with a negative drug screen, providing the employee is continually participating in the Program. Any sale and or distribution of a prohibited substance on company or job site premises or property is grounds for immediate termination.

7.1.4 Recovery Program

There shall be no penalty issued against a Participant or individual under this section if the Participant or individual is in a bona-fide treatment or recovery program and submits a negative test regardless of the number of violations. This is meant to encourage Participants and individuals to seek the appropriate treatment and encourage recovery.

*In the event treatment exceeds the suspension period a Participant may (on a case-by-case basis) be approved by their SAP to return to work while continuing specified treatment and continuing to submit negative drug screens.

*This Section shall not apply to a person who tests positive for THC.

7.2 Voluntary Rehabilitation

Any Participant with a substance abuse problem can voluntarily request assistance. Requests from Participants for such assistance shall remain confidential and shall not be revealed to other Participants or any contractor without the Participant's consent. The Participant should call 800-985-0200 and an IMPACT representative will locate and refer the Participant to a qualified substance abuse professional.

If the Participant requests voluntary assistance after being asked to submit to a required test by their contractor, a refusal to test will be documented if they fail to provide a specimen for testing (See Section 3.13 Refusal to test). Additionally, the Participant will not be eligible to work until released by the substance abuse professional. The Participant will be required to be evaluated by the SAP and will be required to complete the recommended treatment program. The Participant will be required to take a return-to-duty test. There shall be no penalty against a Participant who is in voluntary bona-fide recovery treatment program.

7.3 How to Request Specimen Re-Analysis (Urinalysis Only)

- 7.3.1 A Participant has the right to dispute their result and have the original split sample independently re-analyzed by a laboratory of their choice. The Participant must contact the program coordinator within 72 hours of the MRO finding the specimen positive. The laboratory must meet specifications (SAMHSA approved laboratory) stated in the policy. The Participant will be responsible for the cost of the re-analysis (not to exceed \$250.00). * If a Participant did not provide specimen quantities required for a split specimen (45-60ml) the Participant will waive their right to have the "B" sample reanalyzed but may use the original "A" sample if quantity is sufficient.



- 7.3.2 If the independent reanalysis is negative, the Participant will be reimbursed for the cost of the independent test and any lost wages by IMPACT. If the independent reanalysis is positive, all expenses related to the reanalysis of the original sample and any lost wages will be forfeit.

Section 8 - Enrollment and Training

Once approved by IMPACT, Contractor DRs and Local Union and IMPACT representatives will be contacted by the TPA to schedule enrollment and training. The approved TPA will provide training in a classroom setting, webinar, video, PowerPoint, or other format and will include:

- Enroll and set up new Participants, Contractors, DRs and Local Unions.
- Review Program guidelines and requirements.
- Review of saliva testing database(s).
- Review Program testing requirements, procedures, and the random selection process.
- Review rehabilitation procedures.
- Provide samples of all forms and letters used in the Program.
- Review current testing facility list and identify new facility locations needed for future testing (urinalysis only)
- Provide TPA contact and information.
- Assist in coordinating SMDS training as needed.

Reciprocal Status

Reciprocal status is granted by IMPACT to regional or national drug and alcohol testing programs that meet the minimum standards set forth in these guidelines. A program that has been granted reciprocal status will exchange testing data with IMPACT to keep both databases current subject to the approval of the bargaining units.

Revisions or Amendments

The IMPACT Drug and Alcohol policy and procedures is a living document. The IMPACT Trustees shall meet periodically to review the Program and shall have the authority to make changes to the Program to improve and ensure that it is up to date with new regulations and current practices.



Appendix A

Definitions

Adulterated specimen - A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.

Alcohol confirmation test - A subsequent test using an EBT, following a screening test with a result of 0.02 or greater, that provides quantitative data about the alcohol concentration.

Authorization Form –A form that instructs the collector on the type of test, account for billing, laboratory for testing, and TPA/MRO contact information. The TPA will issue an “Authorization Form” to Participants who are selected to take a drug test at a collection site.

Breath and Alcohol Content (BAC) - Breath alcohol concentration expressed as grams of alcohol per 210 liters of breath.

Chain of Custody - The procedures established by SAMHSA and DOT or saliva-based testing manufacturers to track specimen handling and storage from point of collection to final disposition. Stringent Chain of Custody procedures ensure the integrity of each specimen collected.

Collection Facility/Sites – An approved location where Participants can provide specimen for testing:

- Collects specimens following DHHS guidelines.
- Administers quick test at the facility or on-site, where allowed by law.
- Ships specimens to SAMHSA certified laboratory
- Ensures Chain of Custody or testing documents are adhered to.

Confirmation Testing - A secondary test that is administered on all non-negative screening tests to confirm the presence of a drug metabolite or other substance.

Confirmed Positive Result - The final result of a specimen, which has been first screen tested, to detect the presence of a substance above the established cut-off limit. It is then confirmed by a more precise quantitative method, which specifically identifies the substance and the amount. Tampering with a specimen will also be considered as a positive test result.

Employer – An Employer company that has accepted IMPACT’s Program for drug testing and:

- Agrees to comply with testing.
- Assigns DRs for each project.
- Enforces Program requirements.
- Promotes Program to customers.

Current Negative Status – The Current Negative status associated with a Participant as noted in the SMDS indicates that the Participant is current with the Program requirements and is eligible to work.

Cut off Limit - The lowest level at which a detected substance will be reported as positive.



Department of Health and Human Services (DHHS) - The Department of Health and Human Services or any designee of the Secretary, Department of Health and Human Services.

Designated Representative(s) (DR) - main point of contact for the employer company that works directly with the TPA, receives results, enforces program requirements and:

- Receives Participant confidential and eligibility information.
- Coordinates Participant testing with assigned TPA
- The DR plays a primary role in the effectiveness of the Program.

DR Form – A form used by an employer to designate representatives of their company to be the point of contact that works directly with third party administrators (TPAs) to coordinate testing and receive confidential information.

Drug Class - The type of drugs included in the test panel.

Electronic Chain-of-Custody (E-Chain) - A web based paperless system that provides enhanced applicant status information, improved testing window enforcement, and test type compliance.

Employee Assistance Program (EAP) - The EAP evaluates Participant and prescribes rehabilitation program. An EAP is intended to prevent or address substance abuse problems as well as assist employees and their eligible family Participants with interpersonal conflicts, family problems, workplace crises, eldercare stresses, psychological problem, and financial management. The EAP can provide voluntary and confidential counseling services.

Need to Test Status - The “Need to Test” status associated with a Participant as coded in the SMDS indicates that the Participant does not meet the minimum requirements and may not be eligible to work. The Need to Test status is not an indication of the use of drugs.

Initial Screening Test - A quick immunoassay test, which proves or disproves the presence of substances in excess of the established cut-off limit. Positive results of an initial screen are considered presumptive until confirmed by GC/MS.

Laboratory – A licensed, accredited facility that analyzes Participant specimens:

- Analyzes specimens.
- Provides results on average within 24-72 hours to authorized TPAs, Medical Review Officers (MRO), and other authorized parties.

Medical Review Officer (MRO) – A licensed physician certified by either the American Association of Medical Review Officers (AAMRO) or the American College of Occupational and Environmental Medicine (ACOEM) and has knowledge of substance abuse disorders. The MRO is responsible to receive and review the laboratory results generated by a drug testing program to evaluate laboratory drug test results to ensure proper interpretation of those results.

National Association of Alcoholism and Drug Abuse Counselors (NAADAC) Certification



Commission - a national organization that imposes qualification standards for treatment of alcohol and/or drug related disorders. All must have knowledge of and clinical experience in the diagnosis and treatment of substance abuse-related disorders.

Negative Test Result - Test result that indicates the meeting of the program requirements.

Participant – A Member who is working and complies with the Program testing requirements.

Participating Owner – Entity requiring substance abuse testing on projects and as accepted IMPACT’s Program:

- Requires substance abuse testing on projects.
- Enforces employer compliance with the Program.

Point of Collection Testing (P.O.C.T) – P.O.C.T is also known as the instant or rapid drug test. A P.O.C.T. is a urine drug screen that immediately tests specimen for illicit and prescription drugs excluding cannabinoids / THC unless elected by the bargaining parties.

Pre-Employment Test A drug test to qualify a Participant to work.

Random Test - An unannounced drug screen.

Refusal to Test - Failure to cooperate with any part of the collection process, being found in the possession of a device that may be used to interfere with the testing process and providing a specimen that is verified by the laboratory as “Adulterated” or “Substituted” is a refusal to test. A refusal carries the same consequences as a confirmed non-negative test result. A Participant who refuses to test, at any time, with no verifiable reason for the refusal will be considered “Ineligible” and must complete disciplinary procedures before they can return to work.

Reimbursement Program –Members fully participating in the IMPACT Drug Free Workforce Program and are under an IMPACT Program TPA can be reimbursed for lost wages, of not more than three (3) working days (72 hours) for waiting time due to an initial non-negative result confirmed negative. The IMPACT Program TPA must confirm and approve through collection site and lab documentation that the Member was not responsible for the waiting time. The Contractor DR must complete the reimbursement form on behalf of the Member, pay the Member for the lost wages and IMPACT will directly reimburse the Contractor. The Contractor DR must submit the reimbursement form to their TPA for approval and processing.

Safety Management Database System (SMDS) – The SMDS is IMPACT’s national database.

Substance Abuse Mental Health Services Administration (SAMHSA) - A federal organization which recommends substance abuse testing procedures and certifies substance abuse testing laboratories.

Substance Abuse Professional (SAP) - A licensed physician (Medical Doctor or Doctor of Osteopathy), a licensed or certified psychologist, a licensed or certified social worker, or licensed or certified employee assistance professional, a state-licensed or certified marriage and family



therapist, or an alcohol and drug abuse counselors certified by the National Association of Alcoholism and Drug Abuse Counselors (NAADAC) Certification Commission, or by the International Certification Reciprocity Consortium/Alcohol and Other Drug Abuse (ICRC), or by the National Board for Certified Counselors Inc. and Affiliates/Master Addictions Counselor (NBCC). All must have knowledge of and clinical experience in the diagnosis and treatment of substance abuse related disorders.

Third Party Administrators (TPA), Drug Testing Vendor or “Vendor”- The approved TPA is the primary contact for the IMPACT administrator and users, Local Unions, Contractors, Designated Representatives and Participants. The TPA is responsible for all the following administrative duties:

- Responsible for the collection and testing of Participants in the Program
- Responsible for collection/testing sites, processes, procedures, and quality control
- Train participating parties on Program requirements.
- Works closely with assigned DRs and IMPACT administrator and users.
- Monitors Participant testing and assist Participant through disciplinary procedures.
- Administers the Program in conjunction with a database management firm and IMPACT.
- Ensures Program requirements comply and are current with federal and state regulations.
- Compiles Program reports using the IMPACT databases.
- Approves data changes/corrections under IMPACT’s direction and communicates changes/corrections to the database management firm.