

NEW JERSEY GLASS AND METAL CONTRACTORS ASSOCIATION AND IUPAT DC 711 JOINT DRUG AND ALCOHOL FREE WORKPLACE PROGRAM

I. STATEMENT OF PURPOSE

The employer-members of the New Jersey Glass and Metal Contractors Association ("NJGMCA" or the "Association") and the members of the District Council No. 711 of Painters and Allied Trades Glaziers Union 1009 (the "Union") have adopted this Drug and Alcohol Free Workplace Program (the "Program").

Use of drugs and alcohol is a major contributing factor to unsafe conditions in the workplace. Such use creates a serious safety risk for the impaired worker as well as co-workers and others present in the workplace. In addition, drug and alcohol abuse causes serious health problems, and raises health care costs for both employers and employees. Therefore, NJGMCA has adopted this Program to ensure a safe, healthy and productive work environment for NJGMCA members and their employees other employers that are signatory to the collective bargaining agreement with the Union ("Signatory Employers") and their employees), and to reaffirm NJGMCA's "zero tolerance" of drugs and alcohol in the workplace. This Program contains specific prohibitions and measures designed to prevent drugs and alcohol from jeopardizing the efficient operations and safety of NJGMCA's members, employees, and contractors, other Signatory Employers and their employees, and the general public.

We expect to see meaningful improvement in worker productivity and improve the ability of NJGMCA's members to compete in the marketplace.

II. COVERAGE

This Program governs all NJGMCA member employers, Signatory Employers, and all existing and prospective members of the Union performing work covered by the Collective Bargaining Agreement between the Union and NJGMCA. To the extent that it is consistent with the NJGMCA Member's or Signatory Employer's own policies, this Program governs all existing and prospective non-bargaining unit employees of NJGMCA members and Signatory Employers.

Disclaimer of Liability: NJGMCA and the Union expressly disclaim any liability to any person or entity arising from or relating to this Program. NJGMCA members and Signatory Employers agree to hold NJGMCA and the Union harmless and defend and indemnify NJGMCA and the Union, from any claims, liability or injury arising from or relating to this Program.

III. PROHIBITED CONDUCT

Conduct prohibited by this Program includes, but is not limited to, the following:

- Use, manufacture, dispensation, sale, purchase, distribution, transfer or possession of drugs or alcohol;
- Reporting to work or working while intoxicated or under the influence of drugs or alcohol;
- Operating an employer's vehicle (whether on or off duty), or operating a personal vehicle when conducting company business, when intoxicated or under the influence of drugs or alcohol;
- For employees who are on-call and are contacted to report for duty, failing to notify the designated supervisor, foreman or manager that the employee may be under the influence of drugs and/or alcohol;
- Failing to submit to inspection under this Program whenever requested by NJGMCA or the Union;

- Failing to submit to testing under this Program whenever requested by the NJGMCA member, Signatory Employer, or the Union, as applicable;
- Having a confirmed positive test for illegal drugs, or a Blood Alcohol Content of .02 or higher;
- Failing to notify a supervisor, foreman or manager, or the Union, as applicable, that the employee is using prescription or over-the-counter drugs which may adversely affect his/her ability to safely perform his/her job functions or the safety of others in the workplace;
- Being convicted of, or pleading guilty or "no contest" to, a violation of a criminal drug or alcohol statute, whether or not involving conduct in the workplace, conduct during work hours (regardless of location), or conduct while on company business;
- Failing to notify senior management of employer and the Union's Business Representative, within five (5) calendar days, of the employee's conviction under any criminal drug or alcohol statute, regardless of where or when the criminal conduct occurs;
- Failing to comply with all terms of an employee's Rehabilitation Agreement; or
- Violating any other provision of this Program.

In addition, the following conduct is prohibited in connection with the testing process:

- Failing to report to the collection site at the designated time, or remaining available for testing;
- Failing to cooperate with transportation assistance to and from the collection site;
- Failing to follow instructions provided by collection site personnel;
- Failing to complete and sign the laboratory consent form, the chain of custody form or other paperwork required under this Program;
- Failing to provide an adequate testing sample, without a legitimate medical reason that is documented and found satisfactory by the Medical Review Officer;
- Altering or falsifying a test specimen or test result; or
- Engaging in other conduct with the intent or effect of obstructing the testing process.

IV. EDUCATION AND TRAINING

All NJGMCA members, Signatory Employers, and Union members/employees will be provided appropriate educational, informational and referral resources regarding substance abuse, and the impact of drugs and alcohol in the workplace. Each NJGMCA member and Signatory Employer must have at least one supervisor, foreman and/or manager participate in training provided through the Union Finishing Trades Institute ("FTI") in cooperation with NJGMCA and the Allied Trades Assistance Program ("ATAP").

V. EMPLOYEE ASSISTANCE PROGRAM

All employees covered by this Program shall have access to the Employee Assistance Program ("EAP") administered by ATAP. The EAP uses experienced counselors and other professionals that provide assessment, counseling and referral services for employees with drug and alcohol problems. The EAP also provides certain services and referrals for employees with other personal problems, including those related to drug or alcohol use.

VI. SUPPORT FOR INDIVIDUALS WHO VOLUNTARILY SEEK HELP

We strongly encourage employees to voluntarily seek help if they have problems related to drugs or alcohol. Early identification of drug or alcohol problems and referral to appropriate care can minimize the business, personal, family and social disruption associated with such problems. We will maintain confidentiality to the greatest extent possible, while still maintaining our goal of a drug and alcohol free workplace. All members of the Union and NJGMCA have access to the EAP administered by ATAP, which provides assessment, counseling and referral services, and has experienced counselors to help employees with personal problems, including those related to drugs and/or alcohol.

Employees may be offered a "Rehabilitation Agreement," which permits the employee to seek treatment and remain an employee of the NJGMCA member or the Union. (See Rehabilitation Agreement attached as Exhibit E.) The Rehabilitation Agreement requires, among other things, that the employee complete a certified rehabilitation program recommended by the ATAP, refrain from future use of drugs or alcohol (as applicable), satisfy drug or alcohol testing requirements during and after treatment, and fulfill certain other requirements.

IMPORTANT: Employees will not be penalized for voluntarily seeking treatment for drug or alcohol problems. However, employees cannot avoid discipline for existing performance problems by requesting treatment for drug or alcohol problems. Announcing that you have a drug or alcohol problem when you are being disciplined will not void the disciplinary action. Employees must voluntarily self-identify and seek treatment before performance problems occur.

Additionally, any employees found by the NJGMCA member, Signatory Employer, or the Union, as applicable, to have engaged in criminal activity involving drugs or alcohol, will be subject to appropriate discipline, up to and including discharge. If such criminal activity occurred in the workplace, during work hours, or while on company business, the employee also may be subject to criminal prosecution.

VII. INTERVENTION FOR THOSE WHO DO NOT VOLUNTARILY SEEK HELP

If a supervisor, foreman or manager reasonably suspects (as defined in Appendix A) that an employee's behavior and actions are related to drug or alcohol abuse, he will take appropriate action under this Program, in conjunction with a representative from the affected NJGMCA member firm or Signatory Employer and, if the employee is a Union member, with the Union's Business Representative.

If an employee reasonably suspects that a co-worker, supervisor, foreman or manager of a NJGMCA member, Signatory Employer, or the Union has a drug or alcohol problem, the employee may confidentially inform a senior member of management or the Union's Business Representative.

In certain cases, an employee may be offered a "Rehabilitation Agreement," which requires that the employee complete an appropriate rehabilitation program, refrain from future use of drugs or alcohol, satisfy drug and/or alcohol testing requirements, and fulfill other requirements, as a condition of eligibility for employment. In other cases, the employees may be discharged from employment. The decision whether or not to offer a Rehabilitation Agreement to an employee is within the discretion of the employer in consultation with the Union.

Additionally, any employees found to have engaged in criminal activity involving drugs or alcohol, will be subject to appropriate discipline, up to and including discharge. If criminal activity occurs in the workplace, during work hours, or while on company business, the employee also may be subject to criminal prosecution. In all cases, the NJGMCA member, Signatory Employer and/or the Union will refer the employee to the EAP for assessment and treatment.

VIII. TESTING

To the extent that it is consistent with the NJGMCA Member's or Signatory Employer's own policies, this Program permits the following testing for drugs and alcohol:

A) **Apprenticeship Program Testing:** Individuals entering an apprenticeship program shall be required to submit to drug testing and must receive a negative drug test result as a condition of participation in the program. In addition, during their apprenticeship, all apprentices shall be subject to testing as otherwise provided for by this Program. Failure to submit to testing or a confirmed positive drug test result shall automatically disqualify the individual from participation in the program.

B) **First Time, Pre-Hire Drug Testing:** All covered first-time applicants for positions with NJGMCA members or Signatory Employers will be provided a copy of the summary of this Program and Appendix B, and must submit a signed copy of Appendix H. If offered a position, applicants may be required to submit to drug testing and must receive a negative drug test result as a condition of hire and employment. Failure to submit to testing or a confirmed positive drug test result shall automatically disqualify the applicant from employment.

C) **Reasonable Suspicion Testing:** An employee may be tested for drugs and/or alcohol at any time when a supervisor, foreman and/or manager of the NJGMCA member, Signatory Employer, or the Union, has "reasonable suspicion," as defined in Appendix A, that the employee is using drugs or alcohol in violation of the Program. Referrals for reasonable suspicion testing shall be made according to the procedures in Appendix C.

D) **Post-Accident Drug and/or Alcohol Testing:** Employees that the NJGMCA Member, Signatory Employer, or Union deems to have caused or contributed to an accident will be subject to drug and/or alcohol testing as soon as possible following the accident. In New Jersey, post-accident testing applies to persons in safety-sensitive positions.

If a NJGMCA member's customer has post-accident testing criteria in place, that criteria shall be used. In the event that the customer does not have post-accident test criteria established, a post-accident test shall occur if the accident fits the definition of this Program (see Appendix A). The employee must remain available for testing as requested by collection site personnel, or may be deemed to have refused testing (and thus treated the same as employees that have a positive drug or alcohol test result).

If the employee must leave the scene of the accident, the employee must make every effort to be tested or to inform his/her supervisor, a senior member of management or the Union's Business Representative, of his/her whereabouts during a designated period after the accident.

E) **Lottery Selection Drug Testing:** Employees covered by this Program will be subject to unannounced drug testing. All employees will have an equal probability of being selected for testing. Lottery Selection drug testing is an objective system in which neither NJGMCA nor the Union has discretion to waive the selection of any employee selected for testing. In New Jersey, lottery testing applies to persons in safety-sensitive positions.

F) **Customer-Required Drug and/or Alcohol Testing:** Employees will be tested when required by the NJGMCA member's customer, to the extent consistent with state and federal law. Such testing shall be paid for by the Employer if testing is by customer designated agency.

G) **Return to Duty Drug and/or Alcohol Testing:** An employee who has had a positive drug or alcohol test result must be referred to ATAP for treatment as determined by the employee assessment, and must pass a return-to-duty test before being returned to the work site. Such employees also may be subject to follow-up drug or alcohol testing, pursuant to a Rehabilitation Agreement.



H) **Follow-up Drug and/or Alcohol Testing:** All employees referred for assessment or treatment will be required to sign a Rehabilitation Agreement (Appendix D) and are subject to unannounced testing for the use of drugs and/or alcohol for a two-year period following the assessment or completion of a rehabilitation program. Alcohol testing is required for employees who have been found to have consumed alcohol during work hours, in the workplace, or when conducting company business.

IX. INSPECTIONS

If a NJGMCA member, Signatory Employer, or the Union, as applicable, reasonably suspects that an employee possesses alcohol, drugs or drug paraphernalia at the work site or on company property, an inspection may be performed (including individual offices, desks and lockers). In addition, the individual may be required to empty the contents of his/her personal effects (such as lunch boxes, handbags, briefcases, and/or outer clothing) and/or submit to inspection of his/her personal vehicle at the work site and/or on company property. Such an inspection may be authorized by a senior member of management and/or the Union's Business Representative. Any employee that refuses to submit to an inspection under this paragraph will be subject to appropriate discipline, up to and including discharge.

X. CONSEQUENCES FOR VIOLATION OF THE PROGRAM

Any violation of the Program, even a first offense, may serve as the basis for discipline and/or ineligibility from working on NJGMCA member or Signatory Employer assignments. The degree of the action chosen will depend on the circumstances of each case. The Union's Labor Management Drug Policy Subcommittee (or such other committee as the Union may establish or designate) and a representative from the affected NJGMCA member or Signatory Employer will determine what action shall be taken. Employees should also be aware of the following consequences of a positive drug and/or alcohol test.

A) Applicants for an Apprenticeship Program and First-Time, Pre-Hires: A positive drug test results will automatically disqualify an individual from entering the Apprenticeship Program and from working on any NJGMCA member and/or Signatory Employer assignments for a period of one (1) year after the test. Such individuals are not eligible for referral to ATAP. Applicants who successfully complete counseling and/or treatment programs may re-apply after a one (1) year waiting period, and must have a negative test result at that time in order to be considered for the Apprenticeship Program or for working on NJGMCA member or Signatory Employer assignments. Such individuals will be solely responsible for the costs for their own treatment.

B) Employees with a first-time positive drug or alcohol test result: Such employees will be automatically referred to assessment, counseling and/or a treatment program. As a condition of eligibility to work on NJGMCA member assignments, the employee must undergo and successfully complete a rehabilitation program when required by ATAP which specializes in substance abuse. The Labor Management Drug Policy Subcommittee (or such other committee as the Union may establish or designate) and a representative from the affected NJGMCA member firm (or Signatory Employer) shall determine, in conjunction with ATAP, whether the employee may continue to work on the NJGMCA member's (or Signatory Employer's) assignment during the treatment period.

C) Employees with two or more positive test results within 36 months: Such employees shall not be permitted to work on NJGMCA member or Signatory Employer assignments, and will be subject to discipline, up to and including termination.

D) Employees with an additional positive drug and/or alcohol test result after at least 36 months since the first positive test result: Such employees will be prohibited from working on any NJGMCA member or Signatory Employer assignments, and will be subject to discipline, up to and including termination. Such employees also will be referred to assessment, counseling and/or a treatment program.

The Labor Management Drug Policy Subcommittee (or such other committee as the Union may establish or designate), and a representative from the affected NJGMCA member firm shall determine what action shall be taken.

Employees referred for assessment and/or treatment shall be required to sign and comply with all terms of the Rehabilitation Agreement (see Appendix D). Individuals undergoing counseling, treatment or rehabilitation for substance abuse who continue to work must meet all established standards of conduct and job performance.

XI. CONFIDENTIALITY

All information, interviews, reports, statements, memoranda, and drug test results, written or otherwise, are confidential. The information concerning drug test results shall be kept confidential and may not be released without the written consent of the individual unless the release is on a need to know basis, is required by law, is relevant to a legal claim asserted by the individual or as otherwise provided by law.

IN WITNESS HEREOF, the parties hereto has set their hands and seals this 10th day of February 2016, and adopt this Program consistent with Section 18.8 of the parties' Collective Bargaining Agreement, which Program may only be amended by and through the parties' mutual written consent.


PAINTERS DISTRICT COUNCIL #711
STATE OF NEW JERSEY
International Union of Painters
and Allied Trades


Signature

VINCENT M. LAW
Print Name:

BUSINESS MANAGER / SECRETARY TREAS.
Title

NEW JERSEY GLASS AND
METAL CONTRACTORS
ASSOCIATION


Signature

Bertrand R. Gungoris, CMAA
Print Name

Executive Director
Title

APPENDICES

NEW JERSEY GLASS AND METAL CONTRACTORS ASSOCIATION AND IUPAT DC 711 JOINT DRUG AND ALCOHOL FREE WORKPLACE PROGRAM

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Appendix B	Drug and Alcohol Free Workplace Program Summary
Appendix C	Referral Procedures for Reasonable Suspicion and Post-Accident Testing
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APPENDIX A

NEW JERSEY GLASS AND METAL CONTRACTORS ASSOCIATION AND IUPAT DC 711 JOINT DRUG AND ALCOHOL FREE WORKPLACE PROGRAM DEFINITIONS

Accident - In the event that no other customer-required, post-accident testing applies, an accident, for the purposes of post-accident testing, means, an unplanned, unexpected or unintended event which occurs on company property, on company business, or during working hours, or which involves company-supplied motor vehicles or motor vehicles being used for company purposes and which results in either:

- a fatality;
- bodily injury requiring immediate medical treatment away from the accident scene; or
- damage to a motor vehicle or other property damage in excess of \$1,000.

Alcohol - Ethyl alcohol, a colorless, volatile and flammable liquid, that is the intoxicating agent in fermented and distilled liquors. It includes, but is not limited to, beer, wine and liquor. It does not include ethyl alcohol containing methanol used in chemical processing, cleaning or testing.

Controlled Substance (Drug) - any drug included in Schedules I through V, as defined by Section 802(6) of Title 21 of the United States Code [21 USC § 802(6)], e.g., cocaine, marijuana, morphine, the possession of which is unlawful under Chapter 13 of that title. The term does not include the use of prescribed drugs which have been legally obtained and are being used in the manner and for the purpose for which they were prescribed.

Illegally Used Drug - any prescribed drug which is legally obtainable but has not been legally obtained or is not being used for prescribed purposes, all designer drugs, and any other over-the-counter or non-drug substances, e.g., airplane glue, being used for other than their intended purpose or in a manner that is not consistent with package inserts or the manufacturer's instructions. (NOTE: A designer drug is a man-made drug, or combination of drugs, which is similar in basic scientific properties to a controlled substance and is produced in a clandestine laboratory.)

Reasonable Suspicion of Drug and/or Alcohol Use - Suspicion that an employee is using or has used drugs or alcohol in violation of the Program shall be based upon specific, objective and stated facts, and reasonable inferences drawn from those facts in light of experience. Although reasonable suspicion does not require certainty, suspicion based upon mere rumor, speculation, or unsubstantiated information of third parties shall not be sufficient to meet the standard of reasonable suspicion. Such facts and inferences may be based upon any of the following:

- Observable phenomena, such as direct observation of drug or alcohol use, possession or distribution and/or the physical symptoms of being under the influence of drugs and/or alcohol; and/or
- Pattern of abnormal conduct, erratic or aberrant behavior or deteriorating work performance including, but not limited to, frequent absenteeism, excessive tardiness, recurrent
- accidents, which appears to be related to drug and alcohol use and do not appear to be attributable to other factors; and/or
- Evidence of tampering with a drug/alcohol test specimen or test result;
- Repeated or flagrant violations of safety or work rules, which are determined by a supervisor, foreman or manager to pose a substantial risk of physical injury or property damage, and which do not appear to be attributable to any factors other than drug or alcohol use; and/or

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APPENDIX A (con't)

- Reckless or risky behavior which, in the opinion of a supervisor, foreman or manager, may have caused or contributed to an accident; and/or
- Involvement in an accident where the employee may have caused or contributed to the accident; and/or
- Admission or acknowledgment by employee of a drug or alcohol problem, or of violation of this Program, and/or
- Conviction of, or plea of guilty or "no contest" to, of any criminal offense involving drugs or alcohol, and/or
- An arrest occurring at the work site or while conducting company business, when coupled with other conduct indicative of drug or alcohol use, such as the above factors.

The above examples of reasonable suspicion of drug and/or alcohol use are not all-inclusive, but are intended to be illustrative. The symptoms of drug or alcohol use are not limited to those consistent with misbehavior, or obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance.

Evidence of a Prohibited Substance (Illegal Drug or Alcohol Use) - the presence of a measurable amount is .02 or higher of alcohol in the blood or breath (unless otherwise specified), or a verified positive drug test result, at levels specified by the Department of Health and Human Services (DHHS), for a controlled substance or an illegally used drug.

Worksite - includes land, equipment, buildings, offices, warehouses, plants, facilities, vehicles owned, leased or used for NJGMCA member's or Signatory Employer's business; parking lots owned, utilized or leased by NJGMCA, NJGMCA members, Signatory Employers, the Union, or any customer or supplier of NJGMCA, its members, or Signatory Employers.

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APPENDIX B

NEW JERSEY GLASS AND METAL CONTRACTORS ASSOCIATION AND IUPAT DC 711 JOINT DRUG AND ALCOHOL FREE WORKPLACE PROGRAM SUMMARY

STATEMENT OF PURPOSE: The employer-members of the New Jersey Glass and Metal Contractors Association ("NJGMCA") and the members of the District Council No. 711 of Painters and Allied Trades Glaziers Union 1009 (the "Union") have adopted this Drug and Alcohol Free Workplace Program (the "Program"). Drugs and alcohol are major contributing factors to unsafe conditions in the workplace, and create serious safety risks for everyone in the workplace. Drug and alcohol abuse also cause serious health problems, and raise health care costs. NJGMCA has adopted this Program to ensure a safe, healthy and productive work environment, and to reaffirm NJGMCA's "zero tolerance" of drugs and alcohol in the workplace.

COVERAGE: This Program governs all NJGMCA member employers, employers that are signatory to the collective bargaining agreement with the Union ("Signatory Employer(s)"), and all existing and prospective members of the Union performing work covered by the Collective Bargaining Agreement between the Union and NJGMCA. To the extent that it is consistent with the NJGMCA Member's or Signatory Employer's own policies, this Program also governs all existing and prospective non-bargaining unit employees of NJGMCA members and Signatory Employers.

EMPLOYEE ASSISTANCE: We support early diagnosis and treatment for drug and alcohol problems, and encourage employees to seek help voluntarily. Union members and NJGMCA members have access to an Employee Assistance Program (EAP), which provides assessment, counseling and referral services, and experienced counselors to assist with drug and alcohol problems.

PROHIBITED CONDUCT: Conduct prohibited by this Program includes, but is not limited to:

- Use, manufacture, dispensation, sale, purchase, distribution, transfer or possession of drugs or alcohol;
- Reporting to work or working while intoxicated or under the influence of drugs or alcohol;
- Operating an employer's vehicle at any time, or operating a personal vehicle on company business, while intoxicated or under the influence of drugs or alcohol;
- If an on-call employee contacted to report for duty, failing to notify the designated supervisor, foreman or manager that he/she may be under the influence of drugs and/or alcohol;
- Failing to submit to inspection or testing under this Program;
- Having a confirmed positive test for illegal drugs, or a Blood Alcohol Content of .02 or higher;
- Failing to notify a supervisor, foreman or manager, or the Union, as applicable, of use of prescription or over-the-counter drugs which may adversely affect an employee's ability to safely perform his/her job functions or the safety of others in the workplace;
- Being convicted of, or pleading guilty or "no contest" to, a criminal drug or alcohol statute;
- Failing to notify the employer's senior management and the Union's Business Representative, within five (5) calendar days, of a conviction under any criminal drug or alcohol statute;
- Failing to comply with all terms of the employee's Rehabilitation Agreement;
- Engaging in conduct with the intent or effect of obstructing the testing process; and
- Violating any other provision of this Program.

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APPENDIX B (con't)

TESTING: To the extent consistent with a NJGMCA member's or Signatory Employer's own drug and alcohol policy, tests for drugs and/or alcohol will be performed in the following circumstances: Acceptance for an apprenticeship program; first time, pre-hires with a NJGMCA member employer or Signatory Employer; random testing on a lottery basis; reasonable suspicion of prohibited drug or alcohol use; post-accident testing, where permitted by law; return to duty following completion of a rehabilitation program; follow-up testing for two (2) years after completion of a rehabilitation program; and as otherwise required by a client or by law.

This Program has been developed to protect personal privacy and confidentiality to the greatest extent possible. The chosen testing laboratory uses the most accurate testing methods available, and follows specific procedures to ensure the integrity of the testing process. Before a positive test result is reported, an outside Medical Review Officer (MRO) who is a licensed physician would review the test result and contact the individual for further information. If an individual has a legitimate medical explanation for the positive test result and the MRO has verified the explanation, the test will be reported as negative.

INSPECTIONS: An employee that is reasonably suspected to possess alcohol, drugs or drug paraphernalia at the worksite or on company property, will be asked to submit to inspection of his/her personal effects (such as lunch boxes, handbags, briefcases, and/or outer clothing), offices, desks, lockers, and/or the employee's personal vehicle at the worksite and/or on company property.

CONFIDENTIALITY: All information concerning drug and/or alcohol testing referrals, test results, treatment and rehabilitation will be kept confidential and secured in a separate confidential location.

CONSEQUENCES: Any violation of the Drug and Alcohol Free Workplace Program, even a first offense, is cause for discipline, up to and including discharge. Employees referred for assessment or treatment must sign and comply with a Rehabilitation Agreement to be eligible for employment on an NJGMCA or Signatory Employer assignment. Employees must meet established conduct and performance standards during and after treatment.

IMPORTANT: This document is a summary of NJGMCA's Drug and Alcohol Free Workplace Program. A complete copy of this Program is available upon request for your review, and you should familiarize yourself with all terms, definitions and procedures contained in the Program. Neither this summary nor the Program itself is intended to create, or should be construed as creating, an offer of employment, a binding employment contract or modification to any existing contract.

APPENDIX C

NEW JERSEY GLASS AND METAL CONTRACTORS ASSOCIATION AND IUPAT DC 711 JOINT DRUG AND ALCOHOL FREE WORKPLACE PROGRAM: REFERRAL PROCEDURES

REASONABLE SUSPICION TESTING

Supervisors, foremen and managers (to be termed "supervisors" for the purposes of these procedures) are responsible for being alert to declining job performance, erratic behavior and other symptoms of possible drug and alcohol use. If such conduct and/or performance is recognized, and a supervisor is concerned about an individual, the following steps should be followed to establish reasonable suspicion of drug and/or alcohol use and refer the employee for a drug and/or alcohol test.

NOTE: ATAP Hotline is available to supervisors, foreman and managers at any time by dialing 800-258-6376 for support throughout the process of referring an individual to drug and/or alcohol testing.

STEP 1: OBSERVATIONS AND DOCUMENTATION LEADING TO A REFERRAL

A) Sometimes, a reasonable suspicion test referral may occur based on a single significant event. If the employee's actions or behavior cause a potential threat of harm to the employee or others, the employee must be promptly removed from the worksite. When there is reasonable suspicion to believe that drugs or alcohol may be involved in the significant event, the supervisor will refer the employee for drug and/or alcohol testing as outlined below. However, immediate medical attention should never be delayed due to testing.

Depending on the specific circumstances of this significant event, documentation (described below) may occur before or after the referral for testing. However, documentation should occur when reasonably possible.

B) Most often, a reasonable suspicion test will occur after a period of observation and documentation. The documentation will include all identifying information, appropriate dates and times of questionable conduct or behavior, declining job performance, reliable and credible sources of information and rationale leading to referral for testing and the action(s) taken.

Once a supervisor's written documentation suggests possible drug and/or alcohol use in violation of this Program, he/she will follow these procedures.

STEP 2: DECIDING TO MAKE A REFERRAL

To assist you in deciding whether to make a referral and if your documentation supports reasonable suspicion confer with a foreman or steward (or an additional management representative in the case of management personnel) to discuss the situation and to determine whether reasonable suspicion exists. If the foreman or steward (or management representative) is not onsite, he/she should be contacted by telephone to determine whether reasonable suspicion exists.

Appendix C (con't)

STEP 3: NOTIFYING THE EMPLOYEE

Once a determination has been made that reasonable suspicion exists:

- A) The supervisor shall notify the employee that the decision has been made to refer him/her for a drug and/or alcohol test.
- B) The additional foreman or steward (or management representative) who was contacted in STEP 2 above shall serve as witness to the discussion. If the foreman or steward is not at the site, then he/she shall come to the site or designate another individual to serve as witness to the notification.
- C) The supervisor and witness shall discuss the situation with the employee in a private location.
- D) Do not accuse the employee of substance abuse. Instead, discuss the documented instances of questionable behavior.

STEP 4: PREPARING THE EMPLOYEE FOR THE COLLECTION PROCESS

To prepare the employee for specimen collection, the job Foreman and/or witness shall:

- A) Fill out the Drug/Alcohol Testing Information Referral Form for the employee, and provide a copy to both the employer and the Union.
- B) Call the testing company, CSS, at **866-427-7837**, identify yourself and tell them that the employee needs to be sent for testing. CSS will advise you of the nearest collection facility.
- C) Escort or make arrangements for the employee to get to the collection site for the drug and/or alcohol test and to get home following the collection process. If unescorted by a designated company representative, verify that the employee has a valid, photo identification to present at the collection site.

IMPORTANT: For the safety of the employee and the general public, all possible steps shall be taken to ensure the employee in question does not drive a vehicle. The employee should be driven or should be placed in a taxi to transport to the collection site, and then transported home after the test. If the employee refuses assistance with transportation, such refusal will be considered a violation of the Program and the employee will be subject to discipline, up to and including termination.

- D) When a reasonable amount of time has passed (generally one to two hours depending on the distance to the collection facility), call CSS at **866-427-7837**, identify yourself, and ask whether collection procedures were completed.

STEP 5: CONFISCATION PROCEDURES

Whenever a supervisor discovers an individual is in possession of what appears to be a controlled substance or illegally used drug, the supervisor shall perform the following steps:

Appendix C (con't)

- A) Request that the individual immediately surrender the specific substance and all equipment or paraphernalia directly related to the substance.

NOTE: If the employee refuses to cooperate, call local law enforcement officials.

- B) Wrap the substance and related equipment or paraphernalia in any available clean material, e.g., paper towel, copier paper, and handkerchief. The supervisor must keep the package with him/her or secure the package in a location where the supervisor can be sure it cannot be tampered with.
- C) The supervisor shall place the still wrapped materials into a large envelope, seal the envelope completely and write his/her initials over the seal of the envelope in several places.

Write the employee's name, the supervisor's name, and the date at the top of the envelope, and turn it over as soon as possible to a senior member of management or the Business Representative who shall turn it over to local law enforcement or the Union's Business Representative shall witness the signing and dating of the envelope by the person to whom he/she turns it over.

NOTE: ATAP Hotline provides support in interpreting NJGMCA's Program as it relates to drug testing and for support for a drug and/or alcohol test referral. In addition, the ATAP Hotline can be accessed by supervisors who wish to receive general information on substance abuse, advice in determining whether an employee has performance and/or conduct problems that may be related to drug and alcohol use, and assistance in reintegrating the employee into the workforce.

POST-ACCIDENT REFERRAL PROCEDURES

Post-accident testing will never delay any necessary, immediate medical treatment. However, testing should be performed as soon as possible following the accident.

Supervisors, foremen and managers (to be termed "supervisors" for the purposes of these procedures) are responsible for coordinating post-accident drug and alcohol tests. A drug and alcohol test should occur after every accident that fits the Program definition. The goal of these referral procedures is to ensure that the medical needs of each individual are met and then that the individuals proceed to the collection site as soon as possible.

Timing of Post-Accident Tests

A post-accident alcohol test must occur within eight (8) hours following the accident. A post-accident drug test must occur within 32 hours following the accident. If the test is not administered within this time frame, the supervisor should:

- 1) cease attempts to test;
- 2) inform a senior member of management and, if involving a Union member, the Union's Business Representative; and
- 3) document why the test did not occur.



Appendix C (con't)

Leaving the Scene of an Accident

An employee involved in an accident is responsible for remaining available for testing. However, the employee may leave the scene of an accident for the period necessary to obtain assistance in responding to the accident, materials to secure the accident site, or necessary emergency medical care.

The supervisor should make every effort to ensure that the employee, even one who has been permitted to leave, or who has left, the accident site, is available for a post-accident test.

STEP 1: DETERMINE WHETHER THE EMERGENCY HAS ENDED.

Following safety procedures, determine whether any safety hazard continues. Take all necessary precautions to stabilize the situation. Ensure that the employees involved in the accident stop performing the functions of their jobs in a safe manner. Call the proper authorities at the company and at the local community level.

STEP 2: DETERMINE WHO NEEDS IMMEDIATE MEDICAL ATTENTION.

Determine whether anyone needs medical attention. CALL 911 FOR EMERGENCY HELP.

STEP 3: DETERMINE WHO MAY HAVE CAUSED OR CONTRIBUTED TO THE ACCIDENT.

To assist you in determining whether a post-accident test should occur:

- A) Confer with another foreman or steward on site to try to determine who may have caused or contributed to the accident. Discuss whether the accident fits the post-accident definition.
- B) Then, contact ATAP for further action.

STEP 4: NOTIFYING THE EMPLOYEE OF THE PENDING TEST

Once a determination has been made that the employee may have caused or contributed to the accident, the supervisor shall notify the employee(s) that the decision has been made to refer him or her for a drug and/or alcohol test.

STEP 5: PREPARING THE EMPLOYEE FOR THE COLLECTION PROCESS

To prepare the employee for specimen collection, the foreman and/or witness shall:

- A) Fill out the Drug/Alcohol Testing Information Referral Form for the employee, and provide a copy to both the employer and the Union.
- B) Call the testing company, CSS, at 866-427-7837, identify yourself and tell them that the employee needs to be sent for testing. CSS will advise you of the nearest collection facility.



Appendix C (con't)

- C) Escort or make arrangements for the employee to get to the collection site for the drug and/or alcohol test and to get home following the collection process. If unescorted by a designated company representative, verify that the employee has a valid, photo identification to present at the collection site.

IMPORTANT: For the safety of the employee and the general public, all possible steps shall be taken to ensure the employee in question does not drive a vehicle. The employee should be driven or should be placed in a taxi to transport to the collection site, and then transported home after the test. If the employee refuses assistance with transportation, such refusal will be considered a violation of the Program and the employee will be subject to discipline, up to and including termination.

- D) When a reasonable amount of time has passed (generally one to two hours depending on the distance to the collection facility), call CSS at 866-427-7837, identify yourself, and ask whether collection procedures were completed.

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APPENDIX D

NEW JERSEY GLASS AND METAL CONTRACTORS ASSOCIATION & IUPAT DC 711 JOINT DRUG AND ALCOHOL FREE WORKPLACE PROGRAM REHABILITATION AGREEMENT

Name (Print): _____

By my signature below, I agree to seek an assessment and counseling or rehabilitation as recommended by ATAP who specializes in substance abuse. I further understand and agree to comply with each of the following terms as a condition of my eligibility to work on NJGMCA member and/or Signatory Employer assignments:

1. I authorize ATAP to submit to the NJGMCA and the designated representatives of the District Council No. 711 of Painters and Allied Trades Glaziers Union 1009 (the "Union"), on a scheduled basis, proof of my enrollment and attendance in a certified rehabilitation program.
2. I must adhere to all requirements of the rehabilitation program in which I am enrolled. Upon completion of the rehabilitation program, I must submit a statement from ATAP that I have completed the rehabilitation program in a satisfactory manner.
3. I am solely responsible for all costs of the rehabilitation program and other care not covered under my employer's medical benefits plan or the Union's Health and Welfare Plan.
4. I must continue to meet all established standards of conduct and job performance. I am held to the same job performance and behavior standards as other employees in the same or similar position.
5. If I fail to comply with the above conditions, I will become ineligible to work on NJGMCA member's and Signatory Employer's assignments.

I hereby agree to all of the above conditions and authorize ATAP to provide the designated representative of my employer and/or the Union with proof of my enrollment and attendance in, and my completion of the rehabilitation program. I agree that neither my compliance with this Rehabilitation Agreement, nor my participation in or successful completion of a rehabilitation program, creates any obligation on the part of the employer or otherwise creates or modifies any contract, express or implied, with any NJGMCA member, Signatory Employer, or the Union.

Individual's Signature

Date

Print Name

APPENDIX E

NEW JERSEY GLASS AND METAL CONTRACTORS ASSOCIATION & IUPAT DC 711 JOINT DRUG AND ALCOHOL FREE WORKPLACE PROGRAM SPECIMEN COLLECTION AND DRUG TESTING PROCEDURES

The Laboratory

This Program utilizes a laboratory that is certified by the Department of Health and Human Services (DHHS). The use of a certified laboratory insures the highest standards of forensic toxicology and includes a quality assurance program that covers the entire drug testing process. The laboratory maintains stringent security at its facilities and strictly adheres to federally mandated chain-of-custody procedures.

Key People Involved in the Collection and Testing Process

The collection site personnel: The individual(s) who walk the donor through the specimen collection process.

The laboratory personnel: Individuals who test the specimen for the presence of drugs. Both a screen and confirmation test will be performed.

The Medical Review Officer (MRO): A licensed physician who specializes in substance abuse. The MRO reviews all test results, contacts the donor for additional information about a positive test and reports the final test result to CSS. This individual will be referred to as the MRO.

The Collection and Testing Process

Chain of Custody: A standardized, chain-of-custody form will be used to maintain control and security of the specimen and to track the specimen as it proceeds through each collection and testing phase. Each time a specimen is handled or transferred, the date, purpose and individual handler's identification will be noted.

Once the donor has been referred to testing, the following steps will be followed.

- STEP 1: The Specimen is Collected
- STEP 2: The Specimen Is Shipped to the Lab
- STEP 3: The Laboratory Tests the Specimen
- STEP 4: The Test Results Are Reviewed and Reported
- STEP 5: The Laboratory Stores the Specimen and Keeps Records

APPENDIX E (con't)

STEP 1: THE SPECIMEN IS COLLECTED

- **The Donor Arrives at the Site**

The donor must arrive at the collection site on time and present a valid identification (either photo identification or identification by an employer representative) to the collection site personnel. The donor must remove any unnecessary outer clothing such as a jacket or coat. Any briefcase or personal belongings will be kept with the coat including purses, bags, etc.

Medical Attention: If the donor needs immediate medical care, e.g., after an accident medical attention will not be delayed in order to collect the specimen.

- **The Donor Privately Provides the Specimen**

The donor will wash his or her hands. Then, the donor will stay with the collection site personnel until the donor is given a specimen collection container.

The donor will provide the specimen, in private, in a secure area. There will be safeguards in place, such as blue water in the toilet, to ensure the donor does not dilute or otherwise tamper with the urine specimen.

The donor must provide a specimen of at least 15 milliliters (ml) of urine.

After the specimen is collected the collection site personnel will immediately check the temperature and other factors for signs of contamination, tampering or adulteration. If there are any signs of such activity, the collection site person will ask the donor to provide a second specimen and will discard the initial specimen.

Shy Bladder: If the donor can't produce 15 ml, the specimen will be thrown out and the donor will be asked to provide another sufficient specimen (15ml). If the donor cannot provide another specimen, the collection will end and the collector will notify CSS of the refusal. CSS will then notify the NJGMCA Member, or Signatory Employer, and the District Council No. 711 of Painters and Allied Trades Glaziers Union 1009 (the "Union") of the donor's refusal.

The Union will refer the donor to a licensed physician, who is acceptable to both the Union and NJGMCA member or Signatory Employer, for a medical evaluation to determine whether there is a medical explanation for the donor's inability to produce a specimen. The physician will report the results back to the MRO, who will report the written conclusions to the employer.

APPENDIX E (con't)

STEP 2: THE SPECIMEN IS SHIPPED TO THE LAB

Throughout the packaging and shipping process two safeguards are in place:

- First, the donor will observe the packaging of the specimen
- Second, the donor will be asked to initial certain identification labels and other documents throughout the process.

The Specimen is Packaged and Shipped to the Laboratory

The specimen will be sealed with a tamper-proof seal and an identification label and the collection site personnel will sign and fill out a custody and control form. The specimen will be shipped in a specially designed shipping container. The container will be sealed to prevent tampering.

At this time, the donor will also be asked to sign the laboratory consent and release form that allows the laboratory to test the specimen and the MRO to review the test results and report those results to the employer.

Important: If the donor does not sign the laboratory consent form, the process will end and this action will be viewed as a refusal to be tested.

STEP 3: THE LABORATORY TESTS THE SPECIMEN

• The Lab Receives the Shipment

The laboratory personnel will inspect the package for any evidence of tampering. The lab personnel will also review the information on the specimen container and the chain-of-custody form. Any differences in the information or evidence of tampering will immediately be reported to CSS who will then report immediately to both NJGMCA and the Union.

• The Lab Tests for Drugs

The laboratory will routinely test for the following drugs. Each drug listed will be tested at the cut-off level noted in the right hand column in the chart below, or according to such updated schedules of cut-off levels as may be set by law, and/or otherwise changed from time to time, and used by the testing facility.

The first test (the screen) will use the immunoassay method of testing. If the screen is positive, the specimen will undergo a confirmation using the more accurate gas chromatography/mass spectrometry (GC/MS) test.

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Drug Metabolites	Screen Cut-Off Level *	Confirmation Cut-Off Level *
Amphetamines	1000 ng/ml	500 ng/ml
Amphetamine	500 ng/ml	500 ng/ml
Methamphetamines	500 ng/ml	500 ng/ml
Barbiturates	300 ng/ml	300 ng/ml
Amobarbital	200 ng/ml	200 ng/ml
Butalbital	200 ng/ml	200 ng/ml
Pentobarbital	200 ng/ml	200 ng/ml
Phenobarbital	200 ng/ml	200 ng/ml
Secobarbital	200 ng/ml	200 ng/ml
Benzodiazepines	300 ng/ml	200 ng/ml
Cocaine Metabolites	300 ng/ml	150 ng/ml
Marijuana Metabolites	50 ng/ml	15 ng/ml
Methadone	300 ng/ml	200 ng/ml
Opiates	2000 ng/ml	2000 ng/ml
Morphine	2000 ng/ml	2000 ng/ml
Codeine	2000 ng/ml	2000 ng/ml
Oxycodones	100 ng/ml	100 ng/ml
Oxymorphone	100 ng/ml	100 ng/ml
Oxycodone	100 ng/ml	100 ng/ml
Phencyclidine	25 ng/ml	25 ng/ml
Propoxyphene	300 ng/ml	300 ng/ml
MDMA	500 ng/ml	250 ng/ml

*all levels measured at ng/ml (nanograms per milliliter). These cut-off levels are subject to change as advances in technology or other considerations warrant identification of these substances at other concentrations. For drugs not listed, cut-off levels to be used shall be those specified by the Department of Health and Human Services (DHHS), when available.

STEP 4: THE TEST RESULTS ARE REVIEWED AND REPORTED

The MRO Reviews and Investigates

The Medical Review Officer (MRO) provides a final review of all positive test results and reports the conclusion to NJGMCA. The MRO will:

- ✓ Receive the tests results
- ✓ Verify the test results, and
- ✓ Report the final results to CSS which will transmit the Union and NJGMCA.

A Negative Test Result is Reported

If the test is negative, the result is reported as negative to CSS which will transmit to the Union and NJGMCA. A positive test with a valid, confirmed medical explanation will also be reported as negative (see below).

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A Positive Test Result is Reported

If the test is positive, the MRO will consider and investigate alternative medical explanations for the positive test. The investigation will include a discussion with the donor and requires the donor's cooperation.

The MRO will conduct a medical interview of the donor and review the donor's medical history or other relevant biomedical information. The MRO also will contact the donor directly and give the donor an opportunity to discuss the test result before making a final decision.

If the MRO cannot reach the donor (after making a reasonable effort), the MRO will inform CSS of this fact. CSS will contact the Union which will then will try to contact the donor and direct the donor to contact the MRO as soon as possible. In all such communications, the MRO and CSS must maintain confidentiality, to the extent possible, of all efforts to contact the individual.

There are three situations where the MRO may verify a positive test without speaking directly with the donor:

- When the donor declines to discuss the test; or
- Neither the MRO nor the Union, after making all reasonable efforts, has been able to reach the donor within fourteen (14) days of the date when the MRO received the confirmed, positive test result from the lab; or
- The Union has successfully made and documented contact with the donor and instructed the donor to contact the MRO, and more than five (5) days have passed since the donor was successfully contacted by the Union.

The MRO may re-open the investigation if the donor later presents the MRO with information regarding a serious illness, injury or other circumstances that unavoidably prevented the donor from contacting the MRO within the established timeframes. The MRO, based on the information, may reopen the verification, allowing the donor to present information concerning the test result.

The MRO will report a negative test result to CSS if the MRO determines there is a legitimate medical explanation for the "positive" test result.

The MRO is the only individual authorized to order a re-analysis of the original sample if any question arises as to the accuracy or validity of a positive test result. Retests may be conducted at DHHS-certified laboratories only.

Throughout the reporting process the laboratory, the company, and the MRO will treat all information as strictly confidential and must limit access to testing information only to those with a legitimate need to know.

APPENDIX E (con't)

STEP 5: THE LAB STORES THE SPECIMEN AND KEEPS RECORDS

- **Test Results are Posted on a Password Secured Website**

The NJGMCA Drug Program Administrator along with a representative of the union will have access to a Password secured website to view the results of the drug testing. Negative results will be posted within 24 – 48 hours; positive results will take longer but should not exceed 72 hours.

- **NJGMCA Receives Quarterly Reports from the Lab**

The laboratory shall provide CSS a quarterly statistical summary of tests conducted. To ensure confidentiality, the summary will be forwarded by registered or certified mail to the individual designated by NJGMCA to coordinate the testing program.

To further safeguard confidentiality, the quarterly summary will not include any personal identifying information. If necessary, the laboratory may choose not to send a report until enough data has been collected to prevent the disclosure of any identifying information. For example, if only one test is conducted during a quarter, the laboratory may not send a report until other tests are conducted.

- **The Specimen is Frozen in Long-Term Storage**

The laboratory will keep specimens from employees that tested positive for drugs. Long-term, storage ensures that positive urine specimens will be available for any necessary re-test during administrative or disciplinary proceedings. NJGMCA or the Union may request that the laboratory retain the specimen for an additional period of time.

The laboratory will retain all records regarding urine specimens for a minimum of two (2) years.

APPENDIX E (con't)

PROCEDURE FOR LOTTERY-SELECTION DRUG TESTING:

Day #1

- By 10:00 AM: CSS lottery selects donors, and e-mails selected donor names to NJGMCA's and the Union's designated representatives
- By 12:00 PM: NJGMCA's designated representative shall notify employer of names of selected employees. In the case of an unemployed Union member, the Union's designated representative shall notify the selected donor.

Employer Option #1: Notify employee and arrange for employee to leave job for one (1) hour to have same day testing conducted. Provide directions if necessary or employee can call CSS for locations and directions. Employee must present a valid, current photo identification card (driver's license, passport, or similar photo identification) in order to be tested.

Beyond Day #1

Employer Option #2: Hold off and notify employee at noon on Day #2. Arrange for employee to leave job for 1 hour that day for testing. Provide directions if necessary or employee can call CSS for locations and directions. Employee must have a picture ID in order to be tested.

CSS will send an Alarm via e-mail to NJGMCA and the Union if employee does not show up for test within 48 hours after CSS first notifies NJGMCA and the Union of employee selected. (For example: if the selection occurs at 10:00 AM Tuesday morning, an Alarm will be sent at 10:00 AM Thursday morning if the employee has failed to report for the test.) NJGMCA and the Union will notify the employer upon receipt of an Alarm for the employer's further action. An employee who is on vacation or working out of town can be excused from testing but will continue to be in the pool for future selection.

Negative test results will be posted to a password secured website within 24 hours. Positive results will take longer. The website will be monitored by three designated Drug Test Program Managers: a manager from NJGMCA, a manager from the Union, and a surrogate manager jointly selected by NJGMCA and the Union.

In the event of a positive result, procedures outlined in the Drug Free Workplace Manual will apply. Procedures include that the employee's current employer is notified in the event of a positive test result.

Once 72 hours have passed since CSS first notified NJGMCA and the Union of the donor selection, testing will be "closed" for all selected donors, meaning the test collection facility will not accept a specimen from a selected employee. (For example: If the selection occurs at 10:00 AM Tuesday morning, collection locations will no longer accept a specimen from the selected employee after 10:00 AM Friday morning.)

An employee who does not report for testing within 72 hours will not be eligible to return to work and must report to the Union's Training center to be interviewed. The employee then will be directed to report to the collection location closest to the Training Center for immediate testing.

When 96 hours have passed since CSS first notified NJGMCA and the Union, any selected employee that has not been tested will be deemed to have tested positive for drugs or alcohol (absent a documented explanation that is deemed satisfactory by NJGMCA), and the procedures outlined in the Drug and Alcohol Free Workplace Program will apply.

APPENDIX F

NEW JERSEY GLASS AND METAL CONTRACTORS ASSOCIATION & IUPAT DC 711 JOINT DRUG AND ALCOHOL FREE WORKPLACE PROGRAM DRUG/ALCOHOL TESTING INFORMATION REFERRAL FORM

Referring supervisor, foreman or manager: Complete this form when sending an individual (the donor) for drug and/or alcohol testing. Have the donor deliver the form to the collection site personnel. Please print all information.

Donor: Present this form, the laboratory's Chain of Custody Form and/or the drug testing collection kit as applicable and a valid picture identification to collection site personnel at the time of your arrival at the designated collection site.

Date: _____ Time: _____

Name of Donor: _____

Donor's Telephone Number: Home: _____ Work: _____

TYPE OF TESTING BEING REQUESTED:

<input type="checkbox"/> Apprenticeship Program	<input type="checkbox"/> Drug	
<input type="checkbox"/> First-time, Pre-hire	<input type="checkbox"/> Drug	
<input type="checkbox"/> Reasonable Suspicion	<input type="checkbox"/> Drug	<input type="checkbox"/> Alcohol
<input type="checkbox"/> Post-Accident	<input type="checkbox"/> Drug	<input type="checkbox"/> Alcohol
<input type="checkbox"/> Lottery Selection	<input type="checkbox"/> Drug	<input type="checkbox"/> Alcohol
<input type="checkbox"/> Client Required	<input type="checkbox"/> Drug	<input type="checkbox"/> Alcohol
<input type="checkbox"/> Return-to-Duty	<input type="checkbox"/> Drug	<input type="checkbox"/> Alcohol
<input type="checkbox"/> Follow-Up	<input type="checkbox"/> Drug	<input type="checkbox"/> Alcohol

Signature of Referring Supervisor/Foreman/Manager

Work Telephone Number

Print Name of Referring Supervisor/Foreman/Manager

APPENDIX G
NEW JERSEY GLASS AND METAL CONTRACTORS ASSOCIATION
& IUPAT DC 711 JOINT DRUG AND ALCOHOL FREE WORKPLACE PROGRAM

**SUPERVISOR'S CHECKLIST FOR MAKING REASONABLE CAUSE
DETERMINATION**

Employee's name _____

Company Name _____

Date(s) _____

KNOWING THE SIGNS

The indicators listed below are "warning signs" of drug and/or alcohol abuse and may be observed by supervisors:

Moods:

- Depressed
- Anxious
- Irritable
- Suspicious
- Complains about others
- Emotional unsteadiness (e.g., outbursts of crying)
- Mood changes after lunch or break

Actions:

- Withdrawn or improperly talkative
- Spends excessive amount of time on the telephone
- Argumentative
- Has exaggerated sense of self-importance
- Displays violent behavior
- Avoids talking with supervisor regarding work issues

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Absenteeism:

- Acceleration of absenteeism and tardiness, especially Mondays, Friday, before and after holidays
- Frequent unreported absences, later explained as "emergencies"
- Unusually high incidence of colds, flus, upset stomach, headaches
- Frequent use of unscheduled vacation time
- Leaving work area more than necessary (e.g., frequent trips to water fountain and bathroom)
- Unexplained disappearances from the job with difficulty in locating employee
- Requesting to leave work early for various reasons

Accidents:

- Taking of needless risks
- Disregard for safety of others
- Higher than average accident rate on and off the job

Work Patterns:

- Inconsistency in quality of work
- High and low periods of productivity
- Poor judgment/more mistakes than usual and general carelessness
- Lapses in concentration
- Difficulty in recalling instructions
- Difficulty in remembering own mistakes
- Using more time to complete work/missing deadlines
- Increased difficulty in handling complex situations

Relationship to Others on the Job:

- Overreaction to real or imagined criticism (paranoid)
- Avoiding and withdrawing from peers
- Complaints from co-workers
- Borrowing money from fellow employees
- Persistent job transfer requests
- Complaints of problems at home such as separation, divorce and child discipline problems

OBSERVING AND DOCUMENTING CURRENT INDICATORS

Patterns of any of the above conduct or combinations of conduct may occur but must be accompanied by indicators of impairment in order to establish "reasonable cause." Please check all indicators listed below that are **currently** present:

- | | |
|--|---|
| <input type="checkbox"/> Constricted pupils | <input type="checkbox"/> Drowsiness |
| <input type="checkbox"/> Dilated pupils | <input type="checkbox"/> Odor of alcohol |
| <input type="checkbox"/> Scratching | <input type="checkbox"/> Nasal secretion |
| <input type="checkbox"/> Red or watering eyes | <input type="checkbox"/> Dizziness |
| <input type="checkbox"/> Involuntary eye movements | <input type="checkbox"/> Muscular incoordination |
| <input type="checkbox"/> Sniffles | <input type="checkbox"/> Unconsciousness |
| <input type="checkbox"/> Excessively active | <input type="checkbox"/> Inability to verbalize |
| <input type="checkbox"/> Nausea or vomiting | <input type="checkbox"/> Irritable |
| <input type="checkbox"/> Flushed skin | <input type="checkbox"/> Argumentative |
| <input type="checkbox"/> Sweating | <input type="checkbox"/> Difficulty concentrating |
| <input type="checkbox"/> Excessive Yawning | <input type="checkbox"/> Slurred speech |
| <input type="checkbox"/> Twitching | <input type="checkbox"/> Bizarre behavior |
| <input type="checkbox"/> Violent behavior | <input type="checkbox"/> Needle marks |
| <input type="checkbox"/> Possession of paraphernalia (such as syringe, bent spoon, metal bottle cap, medicine dropper, glassine bag, paint can, glue tube, nitrite bulb, or aerosol can) | |
| <input type="checkbox"/> Possession of substance that appears to possibly be a drug or alcohol | |
| <input type="checkbox"/> Other _____ | |
| _____ | |
| _____ | |

DETERMINING REASONABLE CAUSE

If you are able to document one or more of the indicators above, ask yourself these questions to establish reasonable cause:

Y N

☐ ☐ Has some form of impairment been shown in the employee's appearance, actions or work performance?

☐ ☐ Does the impairment result from the possible use of drugs or alcohol?

☐ ☐ Are the facts reliable? Did you witness the situation personally, or are you sure that the witness(es) are reliable and have provided firsthand information?

☐ ☐ Are the facts capable of explanation?

☐ ☐ Are the facts capable of documentation?

☐ ☐ Is the impairment current, today, now?

Do NOT proceed with reasonable cause testing unless all of the above questions are answered with a YES.

TAKING ACTION

____ Reasonable cause established

____ Reasonable cause NOT established

Prepared by:

Supervisor's/Manager's Name (Print) _____

Signature: _____

Date: _____

APPENDIX H

NEW JERSEY GLASS AND METAL CONTRACTORS ASSOCIATION & IUPAT DC 711 JOINT DRUG AND ALCOHOL FREE WORKPLACE PROGRAM ACKNOWLEDGEMENT AND CONSENT FORM

By my signature below, I acknowledge that I have received a copy of the New Jersey Glass and Metal Contractors Association ("NJGMCA's") & IUPAT DC 711 Joint Drug and Alcohol Free Workplace Program in connection with my application for employment (or if already employed, in connection with my employment) with a NJGMCA member, with or through the District Council No. 711 of Painters and Allied Trades Glaziers Union 1009 (the "Union"), with an employer that is signatory to the collective bargaining agreement with the Union ("Signatory Employer"), or my acceptance into and/or participation in an Apprenticeship Program, as applicable. I also acknowledge that I have been provided the Program, in its entirety, and that I have had a reasonable opportunity to review the Program. I understand and agree that, if I am offered employment by a NJGMCA member, Signatory Employer, the Union, or I am accepted into an Apprenticeship Program, and at all times during my employment with any NJGMCA member, the Union, Signatory Employer, or participation in an Apprenticeship Program, I must comply with all terms of the NJGMCA Drug and Alcohol Free Workplace Program, and that my failure to comply with any provision of the Program is cause for discipline, up to and including discharge.

I understand that the Program establishes conditions under which I may be required to provide a breath, blood and/or urine sample for drug and/or alcohol testing. I understand that drug and alcohol tests will be conducted in a manner that respects my privacy to the greatest extent possible, while ensuring the integrity of the sample being tested. I understand that if I test positive for the presence of drugs or alcohol, the MRO may ask me to provide, and I consent to provide to the MRO, information about any legal non-prescription drugs, drugs for which I have a prescription that I take routinely or have taken within the last thirty (30) days, and any other drugs or alcohol which may have affected my test results. I understand that any communication I have with the collection site personnel, testing laboratories or MRO does not create or imply a doctor/patient relationship.

I knowingly and voluntarily consent to testing as provided by the Program, both now and in the future, and I authorize the testing laboratory to disclose my test results to the Medical Review Officer (MRO) and/or to the designated Union and/or NJGMCA member representatives, in accordance with the Program.

Date

Individual's Signature

Individual's Name (Printed)