

# EMPLOYEE DRUG & ALCOHOL ABUSE POLICY



*Spirit of Excellence*  
since 1963



MEHRER DRYWALL, INC.

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# ***Mehrer Drywall Inc. Employee Drug and Alcohol Abuse Policy***

## **Basis for the Policy**

Mehrer Drywall Inc. is committed to protecting the safety, health, and well-being of its employees and all people who come into contact with its workplace(s) and property, and/or use its products and services.

Recognizing that drug and alcohol abuse pose a direct and significant threat to this goal, and to the goal of a productive and efficient working environment in which all employees have an opportunity to reach their full potential, Mehrer Drywall Inc. is committed to assuring a drug-free working environment for all employees.

## **Drug and Alcohol Prohibitions**

Mehrer Drywall Inc. therefore strictly prohibits the use, purchase, possession, sale, conveyance, distribution, or manufacture of drugs, intoxicants, or controlled substances in any amount or in any manner, including having a detectable presence of drugs in the body systems.

In addition, Mehrer Drywall Inc. strictly prohibits the use or being under any influence of alcohol during working hours.

Prescription or nonprescription medications are not prohibited when taken in accordance with a lawful prescription or consistent with standard dosage recommendations.

Employees in safety-sensitive jobs are responsible for notifying their supervisors when prescribed medications may interfere with their ability to do their jobs safely.

## **Drug and Alcohol Testing**

Mehrer Drywall Inc. asserts its legal right and prerogative to test any employee for substance abuse. Employees may be asked to submit only to a test for drugs and/or a breath test for alcohol.

Employee acceptance of testing, when requested by Mehrer Drywall Inc. in accordance with this policy, is a mandatory condition of employment. Refusal to submit to such tests constitutes a violation of Company policy and will be treated as a positive test.

## **New Hires**

All new hires—and re-hires of regular full-time or part-time employees—will acknowledge receipt of Mehrer Drywall Inc.'s policy during the application process and are required to submit to a pre-employment drug test. Failure to pass this drug test shall result in denial of employment. Re-hires include any employee who has not worked at Mehrer Drywall, Inc for 90 days or more.

## **Methods of Testing to be Conducted:**

Effective January 1, 2024, our drug testing program will utilize two distinct drug test methods that include both urine and oral fluid. Lab-based oral fluid is the primary collection method contingent upon the availability of oral fluid devices. In instances where the use of oral fluid devices is not feasible, or when client contracts require, urine

testing will be used as an alternative testing method. When a pre-employment test is conducted via the oral fluid testing method, subsequent testing for that employee must be conducted via the same method unless it is not feasible, or client contracts require otherwise.

## Types of Testing Allowed

1. **Pre-employment.** As part of our drug screening process, we may utilize lab-based oral fluid testing. This method does not test for THC metabolites, specifically Carboxy-THC. Instead, we focus on detecting the parent drug, Delta-9-THC. If a urine test was used and results in a THC positive result, the MRO will not report the positive to Mehrer Drywall.

2. **Post Accident Testing.** Alcohol and/or drug testing is conducted when an employee is involved in an on-the-job accident or engages in unsafe job-related activity that poses a danger to himself / herself or fellow employees. Post-accident testing will be performed if there was an accident that resulted in a death of an employee or an injury to an employee requiring off-site medical attention, or there was a violation of a safety rule or standard that exposes the employee, other employees or the public to possible death or serious bodily injury or significant property damage.

Mehrer Drywall, Inc will investigate each workplace injury that results in off-site medical attention and require an employee to submit to drug and alcohol tests if the company reasonably believes the employee has caused or contributed to an injury which resulted in the need for off-site medical attention. A post-accident test need not be required if a trained supervisor reasonably believes that the injury was due to the inexperience of the employee or due to a defective or unsafe product or working condition, or other circumstances beyond the control of the employee.

No post-accident test will be attempted until after first aid and/or other appropriate medical care has been provided (if needed).

3. **Follow-up and Return-to-work.** Testing of employees who have violated the substance abuse policy but were given the opportunity to keep their jobs conditioned on successful rehabilitation and no further “positive” tests.

4. **Reasonable Suspicion.** Testing based on evidence that an employee is using drugs or alcohol in violation of the policy drawn from specific, objective and certifiable facts and reasonable inferences drawn from these facts in light of experience. Among other things, such facts and inferences may be based upon:

(a) An employee showing signs of impairment such as difficulty in maintaining balance, slurred speech, or otherwise appearing unable to perform assigned work in a safe and satisfactory manner.

(b) Abnormal conduct or erratic behavior while at work or a significant deterioration of work performance.

5. The Reasonable Suspicion or Post-Accident Testing Documentation Form (see appendix) must be completed as part of the process to determine the need for a reasonable suspicion test.

6. **Department of Transportation mandated testing.** Variations of all of the above types of testing are required for certain employees subject to the DOT mandated testing regulations, which Mehrer Drywall is required by law to follow.

Nothing in this policy or program shall be construed to prevent Mehrer Drywall from following and meeting the requirements of the DOT regulations.

## **Transportation to Collection or Testing Site**

In situations requiring a reasonable suspicion or post-accident test, Mehrer Drywall shall arrange for transportation and accompany the employee to the collection or test site. Upon completion of the collection process (and/or alcohol test) the employee shall be transported back to his/her residence.

## **Supervisors' Training Required**

The program administrator will conduct a regularly scheduled supervisor training program. All supervisors or managers listed as Mehrer Drywall's Designated Representative or authorized by Mehrer Drywall to make reasonable suspicion and post-accident testing determinations are required to complete this training before making testing decisions based on this policy. All supervisors and managers must complete this training within a reasonable time.

## **Notification of Criminal Convictions**

Any employee convicted of a violation of a criminal drug statute that is workplace-related must notify Mehrer Drywall Inc. in writing within five calendar days of the conviction. [This provision is required for most federal contractors and most recipients of federal grants under the Drug-Free Workplace Act of 1988.]

## **Substance Abuse Program**

Both Mehrer Drywall, Inc and unions participating in the Drug Free Program urge individuals with substance abuse problems to seek professional, confidential help, and we are committed to providing assistance in this regard. We consider drug addiction and alcoholism to be treatable diseases.

The goal of our Policy on Drug and Alcohol Abuse is not only deterrence; it also is detection and treatment.

Mehrer Drywall therefore makes available to all employees a confidential Substance Abuse Professional (SAP) whose ultimate goal is rehabilitation. This program is available at no cost to employees, and includes initial assessment, referral, and counseling.

## **Substance Abuse Professional**

David Perlman, NCAC II,

Substance Abuse Professional Services,

Ph: 425-478-0152, Fax: 425-412-6374, [david@dotsap.net](mailto:david@dotsap.net)

Any subsequent treatment after referral from Mehrer Drywall's SAP program to an outside treatment provider may be covered under the employee's health care coverage. The costs of continuing or long-term rehabilitation services, whether covered by the employee's medical plan or not, are the ultimate responsibility of the employee. The SAP benefits are available to all employees, even during the period before the employee becomes eligible for health insurance benefits. If substance abuse treatment is required

during a period when no health insurance is available, SAP will attempt to refer to no cost or low-cost alternatives.

## **General Responsibility and Applicability**

Substance abuse prevention is everyone's responsibility. Mehrer Drywall Inc. expects all of its employees to recognize and accept this responsibility, and to do their part in assuring that, working together, we can achieve and maintain a drug-free working environment for all Mehrer Drywall Inc. employees.

This policy applies equally to all applicants and employees of Mehrer Drywall covered by and within the jurisdiction of applicable labor agreements, no matter what position or employment status, including all collective bargaining employees, sales, clerical, management, owners (active in management), supervisory, part-time and all applicants for these positions — without exception.

## **Discipline**

Any violation of this policy shall result in adverse employment action up to and including dismissal. An employee will not be terminated solely for a first-time verified positive drug or alcohol test but will be given the opportunity for job retention through a last chance agreement. However, nothing in this policy prohibits an employee from being terminated for reasons other than the positive test result. An employee who is injured in the workplace may be disciplined for failure to report his/her injury.

## **Confidentiality**

All information received by the employer through a drug / alcohol testing program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws.

## **Effective Date**

Mehrer Drywall Inc.'s Employee Drug and Alcohol Abuse Policy is effective January 1, 2018.

Pre-employment drug testing of applicants and current employees who will be working on jobs where the general contractor requires drug-testing will begin immediately. Any drug testing of all other *current* employees will not commence until **30** days after publication date of this policy.

Current employees with substance abuse problems are encouraged to obtain help through the Substance Abuse Professional before the testing program takes effect.

Other community resources include the 24 Hour Alcohol and Drug Help Line, 1-888.510.4557, or your medical service provider.

The Employee Drug and Alcohol Abuse Policy does not create a binding employment contract or modify an existing contract.

# DRUG AND ALCOHOL TESTING PROCEDURES

## MEHRER DRYWALL INC.

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### Purpose

This section expands the short policy statement by defining the types of drug testing required, how they will be administered, disciplinary action and confidentiality requirements.

### Definitions

1. "Alcohol" means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever source or by whatever process produced.
2. "Alcohol test" means a chemical, biological, or physical instrumental analysis administered for the purpose of determining the presence or absence of alcohol within an individual's body systems.
3. "Chain of custody" means the methodology of tracking specimens for the purpose of maintaining control and accountability from initial collection to final disposition for all specimens and providing for accountability at each stage in handling, testing, and storing specimens and reporting test results.
4. "Collection site" means a place where individuals present themselves for the purpose of providing a urine, breath, or other specimen to be analyzed for the presence of drugs or alcohol.
5. "Confirmation test" or "confirmed test" means a second analytical procedure used to identify the presence of a specific drug or metabolic in a specimen.
6. "Department" means the department of social and health services.
7. "Drug" means amphetamines, cannabinoids, cocaine, phencyclidine (PCP), methadone, methaqualone, opiates, barbiturates, benzodiazepines, propoxyphene, or a metabolite of any such substances.
8. "Drug test" means a chemical, biological, or physical instrumental analysis administered on a specimen sample for the purpose of determining the presence or absence of a drug or its metabolites within the sample.
9. "Employee" means a person who is employed for salary, wages, or other remuneration by an employer.
10. "Initial test" means a sensitive, rapid, and reliable procedure to identify negative and presumptive positive specimens. An initial drug test must use an immunoassay procedure or an equivalent procedure or must use a more accurate scientifically accepted method approved by the national institute on drug abuse as more accurate technology becomes available in a cost-effective form.
11. "Injury" means a sudden and tangible happening, of a traumatic nature, producing an immediate or prompt result and occurring from without, and such physical conditions as result therefrom.
12. "Job applicant" means a person who has applied for employment with an employer and has been offered employment conditioned upon successfully passing a drug test and may have begun work pending the results of the drug test.
13. "Medical review officer" means a licensed physician trained in the field of drug testing who provides medical assessment of positive test results, requests reanalysis if necessary, and makes a determination whether or not drug misuse has occurred.

Medical review officers must follow the Department of Health and Human Services Mandatory Guidelines for Federal Workplace Drug Testing Programs when reviewing regulated testing results and should follow these guidelines as closely as possible when reviewing non-regulated testing results.

14. "Nonprescription medication" means a drug or medication authorized under federal or state law for general distribution and use without a prescription in the treatment of human disease, ailments, or injuries.
15. "Prescription medication" means a drug or medication lawfully prescribed, under both federal and state law, by a physician, or other health care provider licensed to prescribe medication, for an individual and taken in accordance with the prescription. Medical marijuana is not an acceptable medical explanation for a positive drug test under any program mandated the federal government. The use of hemp products that may cause a positive test is also prohibited.
16. "Rehabilitation program" means a program approved by the department that is capable of providing expert identification, assessment, and resolution of employee drug or alcohol abuse in a confidential and timely service.
17. "Specimen" means breath or urine. "Specimen" may include other products of the human body capable of revealing the presence of drugs or their metabolites or of alcohol, if approved by the United States department of health and human services and permitted by rules adopted under Chapter 440-26 WAC.
18. "Substance" means drugs or alcohol.
19. "Substance abuse test" or "test" means a chemical, biological, or physical instrumental analysis administered on a specimen sample for the purpose of determining the presence or absence of a drug or its metabolites or of alcohol within the sample.
20. "Threshold detection level" means the level at which the presence of a drug or alcohol can be reasonably expected to be detected by an initial and confirmation test performed by a laboratory meeting the standards specified. The threshold detection level indicates the level at which a valid conclusion can be drawn that the drug or alcohol is present in the employee's specimen.
21. "Verified positive test result" means a confirmed positive test result obtained by a laboratory meeting the standards specified, that has been reviewed and verified by a medical review officer in accordance with medical review officer guidelines promulgated by the United States department of health and human services.

## Guidelines

Drug Free Program has adopted the drug testing panel and cutoff or threshold levels used by the Department of Health and Human Services (DHHS) Mandatory Guidelines for Federal Workplace Drug Testing Programs.

All drug tests will be reviewed by a certified Medical Review Officer (MRO) before verified results may be reported to the designated employer representative. This gives the employee a chance to explain the reason for a positive test, for example, prescription drugs.

All positive specimens are sealed, frozen and maintained by the certified laboratory for at least one year. An employee may request, within 15 days of being notified of a positive test, that the MRO arrange to have the original sample retested (at the employee's expense) at a different certified drug testing laboratory. If the retest is

negative, the MRO shall revise the test results to negative and the employee will be reimbursed for the cost of the retest.

Test collection procedures for drug testing will follow the requirement used by the Department of Health and Human Services (DHHS) Mandatory Guidelines for Federal Workplace Drug Testing Programs. A drug test collector must not be related to, closely acquainted with, or designated as an employee such as a co-worker or immediate supervisor when conducting drug collections. The Drug Free Program currently has a network of preferred and laboratory collection sites throughout the U.S. approximately 43 in Western Washington. Onsite collections are also available.

Alcohol testing is authorized for reasonable suspicion, post-accident, return-to-work and follow-up situations. Alcohol testing will follow the procedures required for alcohol testing under the Department of Transportation (DOT) regulations. Testing will be performed by trained Breath Alcohol Technicians (BATs) with approved screening devices and confirmed with an evidentiary breath testing (EBT) device approved for workplace testing under the DOT regulations. Alcohol levels indicating a positive test will follow the Department of Transportation rules. A blood alcohol concentration (BAC) of 0.02 or greater requires suspension from safety-sensitive duties for 24 hours. A BAC of 0.04 or greater requires suspension and referral to a Substance Abuse Professional for an assessment.

No employee will be terminated solely because of a first verified positive test result. Instead, the employee is required to submit to an SAP evaluation and, if necessary, receive a one-time opportunity to enter a treatment program. These employees are still subject to discipline, up to and including termination for independent reasons. As a condition of keeping his job, the employee may be required to comply with a last chance or reentry agreement in accordance with the employer's policies.

## **Communication of the Alcohol/Drug Testing Policy**

New employees will acknowledge receipt of Mehrer Drywall Inc.'s policy during the application process and pre-employment test.

Current employees will be given a copy of this policy/procedures and notice that any drug testing of current employees takes effect 30 days after issuance of the policy. This gives current employees the opportunity to quit using drugs, volunteer for a treatment program, or leave the company.



(Please sign below, detach and return)

**CERTIFICATE OF RECEIPT MEHRER DRYWALL INC. POLICY,  
EMPLOYEE DRUG AND ALCOHOL ABUSE**

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I have read, understand, and am in receipt of a copy of Mehrer Drywall Inc.'s Drug and Alcohol Abuse Policy.

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Employee's Printed Name and Signature

Date

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Company Representative