



Phone 630-530-7560  
Fax 630-530-2756  
Website: [associatedsteelerectors.org](http://associatedsteelerectors.org)  
[staff@asemail.org](mailto:staff@asemail.org)

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## **ASE-Local #1 Substance Abuse Program**

### **Outline of Employer Responsibilities**

1. Complete and return Company Information Form to the ASE office. This form provides the name of the Designated Employer Representative (DER) who will represent the company. It is important that the information be kept current since most communications for the program are made via the internet.

2. Verify that all ironworker employees are eligible for employment & order tests as required

-After the Company Information Form is received, the Designated Employer Representative (DER) will be sent information on how to access the IMPACT database.

-Check IMPACT database to be sure that all ironworkers are on the list. This applies to all Local #1 ironworkers currently in your employ as well as all new hires.

-Review & return monthly report of employees requiring Annual & Random Tests

-If any employees are not on the list, employer must provide them with the two testing forms and instruct them to be tested within 72 hours.

3. Track Test Results. Check the IMPACT database 3-5 days after the test to be sure that all tested employees have passed the test (i.e. had negative results). Individuals with positive results cannot be hired and will be referred to the Local #1 Employee Assistance Program (EAP).

4. Notify employees to report for Random and Annual tests as required. An e-mail notice will be sent monthly to all DERS with the names of the individuals to be tested. The notice must be returned within 10 days to verify that the list has been reviewed and that anyone from your company that appears on the list is being sent for testing.

A copy of the Substance Abuse Program is posted at the ASE website: [www.associatedsteelerectors.org](http://www.associatedsteelerectors.org). In addition, please see the following pages for details on other features of the Program, including:

- Testing forms (p.3)
- Post accident testing (p.2)
- Rehabilitation Program (p.5).
- Testing Facilities (p.4)
- Third Party Administrator (p.5)

**Program Test Types.** Testing may be initiated under the following circumstances.

**New Hire Test** - An initial/pre-employment drug test is mandatory for all participants in the Program.

**Annual Test** - In order to remain eligible for the Program, the participant must resubmit to a drug test on at least an annual basis or his/her Program eligibility test will expire.

**Random Testing** - All participants will be subject to unannounced drug testing as part of a random selection process. The Program will test a minimum of 25% of the total participants on an annual basis. If a participant is selected for a random test, the date of the random test shall be his/her new annual test date for renewal purposes. A list of the selected participants will be provided by the TPA to the employers on a monthly basis. Participants will be notified by the Employer and must have the collection completed within 72 hours of notification.

**Post Accident/Incident** - A contractor may require a participant to submit to drug and alcohol tests after the involvement in, or cause of an accident, which causes injury to the participant or another party and which requires emergency medical treatment away from the scene. The employer may also require testing of a participant who is involved in, or cause of an accident, which causes damage or destruction to property. In the case of a fatality, all parties associated with the accident will be tested.

**For Cause**—All participants covered by this policy shall submit to drug and alcohol tests when the contractor has reasonable suspicion to believe that the covered participant has used a prohibited drug and/or engaged in alcohol misuse. Such requests will be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered participant. A supervisor(s) or other company official(s) who is trained in detecting the signs and symptoms of drug use and alcohol misuse must make the required observations and complete a Condition of Employee Report, a sample of which is attached as Appendix B. During the process of establishing reasonable cause for testing, the participant has the right to request his onsite union representative to be present for consultation unless the consultation would result in a delay in administering the test. If the onsite representation is not available, all efforts will be made to contact representation from the participant's union.

**Return to Duty** - A return to duty negative drug and/or alcohol test is required for a participant to be reinstated into Program eligibility after a positive test and referral for rehabilitation. The cost of the return to duty test is the responsibility of the participant. Return to duty testing must be conducted when the worker is off duty. Time for testing will not be reimbursed.

**Accelerated Random (Follow-up) Testing** - A participant who has returned to duty following a positive test result or other violation of this Policy, will be subject to a minimum of four (4) additional accelerated random (follow-up) tests, or greater, as prescribed by the Employee Assistance Program (EAP) for a period of one year as a condition of further employment. Accelerated Random (Follow-up) Testing must be conducted when the participant is off duty. Time for testing will not be reimbursed.

## TESTING FORMS & PROCEDURES

**Procedures for Completing Forms.** Every time there is a test, the employee receives two forms from the employer, the Notification to Test form and the Chain of Custody form.

•**Notification to Test Form.** This is a two-part carbonized form. *These forms should be ordered from the ASE office (phone 630-530-7560).*

Step 1. The DER fills in the top part of the form, including the employee's name and social security number (Identification No.). The employee's home address and phone number are also noted on the bottom of the form (we will update this part of the Notification form the next time it is printed).

Step 2. The DER faxes the form to the Third Party Administrator (TPA) - Penny Geikie at (fax 760-723-3057) (do not separate the form). This is so the TPA will know who is to be tested.

Step 3. The Notification form is presented to the employee for signature; date and time of receipt is also noted. The "Notifying Person" also signs the form and retains the goldenrod copy for the company.

Step 4. The employee takes the white copy of the form to the collection site where it will be signed and dated by the Collector.

Step 5. The employee then returns the signed white copy of the Notification form to the company for its records.

•**Chain of Custody Form.** This is a pre-printed carbon set that will accompany the test sample. The form is identified at the top as "Forensic Drug Testing Custody and Control Form" and has the Quest Diagnostics logo in the upper right corner. No copies will be retained by the employer. *These forms should be ordered from the Third Party Administrator (phone 888-577-3784).*

Step 1. The social security number and name of the employee is entered on the top of the form by the DER.

Step 2. The form is presented to the employee at the same time he is given the Notification form.

Step 3. The employee takes the Chain of Custody form to the collection site where it is completed by the collector, signed by the employee, and all copies are retained by the collector.

It is important that the official Quest forms be used so that the TPA will be billed for the testing costs and not your company. Some of the testing sites will have a supply of the Chain of Custody forms but call ahead to be sure.

Except in "Post Accident/Incident" and "For Cause" tests, the employee may continue working until the test results are received.

## TEST RESULTS

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**Negative Results.** If test results are negative, the TPA will be notified and the employee's name will be added to the Database of eligible employees - usually about three days after the test is taken (72 hrs).

**Positive Results.** If the test results are positive, the process takes 4-6 days because the Medical Review Officer (MRO) must review the results, contact the employee about medications or other factors that may have affected test results, and then make a final decision. If the MRO decides the test is positive, the TPA will notify the employee and DER about the results and the employee must begin a rehabilitation program. If negative, the employee's name is added to the database.

Once the employer is advised of the test results by the TPA, the employee must be taken off work and cannot return until rehabilitation has been completed, including the suspension time listed above. It is the responsibility of the TPA, not the employer, to discuss the test results and rehabilitation procedures with the employee.

A "split test" sample is taken at the time of testing so that the employee can request that the original sample be independently analyzed by a second laboratory which meets the laboratory qualifications set forth in the policy. The cost (\$200.00) must be paid in advance by the employee. To ensure this option is available BE SURE the "Split Test" box in the middle of the Chain of Custody Form (the Quest form) is marked with an "X" before giving it to the employee.

The names of individuals with positive test results are removed from the Eligibility List but are not otherwise published. The last known employer is contacted by the TPA, and the employee himself or herself, but that is all. To make this system work, it is imperative that the employer check the Eligibility Database every time a new employee is hired and if the name is not listed, to order a New Hire test. Call the Third Party Administrator if you have any questions (Pam Powell - 888-577-3784).

## TESTING SITES

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Locations. A list of the approved collection sites can be accessed by employees and company personnel at the ASE website: [www.associatedsteelerectors.org](http://www.associatedsteelerectors.org).

- Quest Patient Service Centers
- Testing sites designated by the Owner or General Contractor
- Other locations

Additional sites can be added to the approved list. Submit your request to the TPA (Pam Powell - phone 888-577-3784). The list on the ASE website will be updated as new locations are added.

Group Testing. Companies can make arrangements with the TPA for testing a group of employees at any jobsite or other location as long as a toilet or porta-potty is available. There is a minimum charge of \$100 for the setup and \$10 per test for day shift collections. Contact Pam Powell for details (phone 888-577-3784).

## **REHABILITATION**

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If results of the test are positive, the employee must enter a rehabilitation program that is available through the Employee Assistance Program (EAP) of the Local 1 Health & Welfare plan. Currently the EAP program is administered by Bensinger-Dupont Associates.

In addition, an individual with a positive test result is restricted from working for any Local #1 employer for 30 days or more as follows:

1st violation - ineligible to work for a minimum of 30 days.

2nd violation - ineligible to work for a minimum of 90 days

3rd violation - ineligible to work for a minimum of year

Further violations - Additional 1-year suspension per violation

Other rehabilitation requirements include a minimum of four (4) accelerated random tests (follow-up tests) in the year following return to work.

The participant's violation status will revert back to first violation following 36 consecutive months with a negative drug or alcohol screen, providing the participant is continually participating in the program.

## **CONTACTS**

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#### **Third Party Administrator (TPA)**

Pam Powell  
Bensinger Dupont Associates.  
1116 S. Main Avenue  
Fallbrook, CA 92028  
Phone: 888-577-3784  
Fax: 760-723-3057  
e-mail: pam.powell@bensingerdupont.com

#### **Associated Steel Erectors (ASE)**

Perry Doubt  
Associated Steel Erectors  
119 E Van Buren St.  
Elmhurst, IL 60126  
Phone: 630-530-7560  
Fax: 630-530-2756