

# RECORD OF RESOLUTIONS

Dayton Legal Blank Co., Form No. 30045

Resolution No. ....

Passed ..... YEAR

2005-17

Res (17)

## ARTICLE 15 DRUG AND ALCOHOL TESTING

Section 15.1. Drug and alcohol screening/testing shall be conducted upon: (1) pre-promotional; "reasonable suspicion" which means that the Employer possesses facts that give rise to reasonable suspicion that an employee is currently or had recently been engaging in the use of illegal drugs or improper use of alcohol; or randomly in common with all other employees of the Employer to the extent required for the Employer to receive the maximum premium discounts available to it under the State of Ohio Bureau of Workers' Compensation Drug Free Workplace Program. Drug screening/testing shall be conducted solely for administrative purposes and the results obtained shall not be used in any criminal proceedings. Under no circumstances may the results of drug screening or testing be released to third party. Any employee refusing to submit to the drug test or refusing to sign the drug test release and authorization will be subject to the disciplinary process of this Agreement.

Section 15.2. Alcohol testing shall be done to detect drivers operating a motor vehicle under the influence. A positive result of .04 shall be cause for the Employer to proceed with sanctions as set forth in this Article.

Section 15.3. All drug screening tests shall be conducted by medical laboratories certified by the Department of Health and Human Services (DHHS) or certified by DHHS recognized certification program. Testing shall be conducted in a manner to ensure that an employee's legal drug use does not affect the drug test results. The procedures utilized by the Employer and testing laboratory shall include an evidentiary chain of custody control. All samples collected shall be collected utilizing the split sample method of collection, following prescribed testing procedures.

Section 15.4.

A. All samples shall be tested for chemical adulteration, narcotics, cannabis, pcpi amphetamines, sedatives and/or alcohol as follows:

# RECORD OF RESOLUTIONS

0213

Dayton Legal Blank Co., Form No. 30045

DRUG	SCREENING TEST	Passed CONFIRMATION	YEAR
1. Amphetamines	1000 ng/ml Amphetamine	500 ng/ml GC-MS	
2. Barbiturates	300 ng/ml Barbiturate	200 ng/ml GC-MS	
3. Benzodiazepines	300 ng/ml	500 ng/ml	
4. Cocaine Metabolites	300 ng/ml	150 ng/ml	
5. Marijuana Metabolites	50 ng/ml	15 ng/ml	
6. Methadone	300 ng/ml	200 ng/ml	
7. Methaqualone	300 ng/ml	200 ng/ml	
8. Opiates	2000 ng/ml	2000 ng/ml	
9. Phencyclidine PCP	25 ng/ml	25 ng/ml	
10. Propoxyphene	300 ng/ml	200 ng/ml	

Alcohol - .04 of 1% or more by weight of blood alcohol or .04 of 1% or more by weight of blood alcohol per 200 liters of employee's breath.

B. If a drug confirmation test is positive, the employee may, upon written request and at the employee's expense, have the split sample retested by a DHHS certified laboratory. This request shall be presented within seventy-two (72) hours upon being notified of a positive result.

C. In the event the split sample test confirms the results of the first test, the Employer may proceed with the sanctions as set forth in this Article.

D. In the event that the split sample test contradicts the result of the first test, the split sample result is determined to be the final result. The results of this test, if positive, shall allow the Employer to proceed with sanctions as set forth in this Article. If the results are negative, the employee shall be given the benefit of the doubt and no sanctions shall be imposed, and the employee will be reimbursed for the cost of the split sample test.

Section 15.5. Selection of employees for random testing shall be made on an anonymous basis by the testing laboratory (currently Great Lakes Biomedical Hospital) using Employee identification numbers only. Random testing shall be administered at the Employer's expense and during the work hours of any selected Employee.

Section 15.6. If a positive result is produced after the required testing, the Employer shall conduct an internal investigation to determine if facts exist to support the conclusion that the employee knowingly used an illegal controlled substance. Upon the conclusion of such investigation, an employee who has tested positive for the presence of illegal drugs pursuant to this Section shall be referred to an employee assistance program or detoxification program as determined by appropriate medical personnel on drug and alcohol counseling. An employee who anticipates in a rehabilitation or detoxification program shall be allowed to use sick leave,

# RECORD OF RESOLUTIONS

Dayton Legal Blank Co., Form No. 30045

~~vacation leave~~ ~~or any other paid leave~~ for the period of <sup>Passed</sup> ~~the rehabilitation or detoxification~~ program. If no such paid leave is available, such employee shall be placed on a medial leave of absence without pay for the period of the rehabilitation or detoxification program. Upon completion of such program and upon receiving satisfactory results from a retest demonstrating that a the employee is no longer abusing a controlled substance, the employee may be returned to the employee's former position. Such employee may be subject to periodic retesting upon the employee's return to work as provided for in Section 14.9. Any employee in a rehabilitation or detoxification program in accordance with this Article will not lose any seniority or benefits.

Section 15.7. If the employee refuses to undergo rehabilitation or detoxification, or if the employee tests positive during a retesting within one (1) year after the employee's return to work from such a program, the employee shall be subject to disciplinary action. The employee and the OPBA shall be given a copy of the laboratory report of all specimens before any discipline is imposed.

Section 15.8. The costs of all drug screening tests and confirmative tests shall be borne by the Employer; except that any test initiated at the request of the employee, the cost of such test shall be at the employee's expense.

Section 15.9. The Employer may conduct four (4) tests of an employee during the one (1) year period after the employee has completed a rehabilitation/detoxification program as provided in this Article.

Section 15.10. The provisions of this Article shall not require Employer to offer a rehabilitation/detoxification program to any employee more than once.

Cindy [Signature] YES

Barbara J. Gunn YES

Robert M. [Signature] - yes

Shirley A. [Signature]  
Clerk