



**Pacific Gas and
Electric Company.**

LETTER AGREEMENT NO. 04-16-PGE

IBEW



PACIFIC GAS AND ELECTRIC COMPANY
INDUSTRIAL RELATIONS DEPARTMENT
2850 SHADELANDS DRIVE, SUITE 100
WALNUT CREEK, CALIFORNIA 94598
(925) 974-4104

INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, AFL-CIO
LOCAL UNION 1245, I.B.E.W.
P.O. BOX 2547
VACAVILLE, CALIFORNIA 95696
707-452-2700

STEPHEN A. RAYBURN
DIRECTOR AND CHIEF NEGOTIATOR

PERRY ZIMMERMAN
BUSINESS MANAGER

March 15, 2004

Local Union No. 1245
International Brotherhood of
Electrical Workers, AFL-CIO
P.O. Box 2547
Vacaville, CA 95696

Attention: Mr. Perry Zimmerman, Business Manager

Dear Mr. Zimmerman:

On several occasions in 2003, the parties met to discuss and review drafts of the attached document which updates the administrative procedures for the federally mandated Department of Transportation drug testing programs. This final document incorporates provisions for the Pipeline Safety and Commercial Driver testing programs and includes changes in DOT regulations since the programs were first implemented. This agreement cancels and supersedes Letters of Agreement 90-86, 95-31, and 95-32.


The contents of Tabs 9 and 10 are included for reference but will not require Union agreement for future revisions.

If you are in accord with the foregoing and agree thereto, please so indicate in the space provided and return one executed copy of this letter to the Company.

Very truly yours,

PACIFIC GAS & ELECTRIC COMPANY

By: _____


Stephen A. Rayburn
Director and Chief Negotiator

The Union is in accord with the foregoing and agrees thereto as of the date hereof.

LOCAL UNION NO. 1245, INTERNATIONAL
BROTHERHOOD OF ELECTRICAL WORKERS, AFL-CIO

4-15

, 2004

By: _____


Perry Zimmerman
Business Manager

TABLE OF CONTENTS

APPENDIXES - TAB A

- **Items of Understanding**

APPENDIXES – TAB B

- **Definition of Terms**

APPENDIXES – TAB C

- **Covered Positions**
- **List of Covered Classifications by Title**

APPENDIXES – TAB D

- **Prohibited Conduct**

APPENDIXES – TAB E

- **Verified Positive Drug Test Procedures**

APPENDIXES – TAB F

- **Confirmed Positive Alcohol Test Procedures**

APPENDIXES – TAB G

- **Test Types and Controlled Substances**

APPENDIXES – TAB H

- **Guidelines for Pre-Employment Testing**

APPENDIXES – TAB I

- **Guidelines for Post Accident Testing For Commercial Driver's License Holders**

APPENDIXES – TAB J

- **Guidelines for Post Accident Testing for Gas Employees**

APPENDIXES – TAB K

- **Guidelines for Random Drug Testing**

APPENDIXES – TAB L

- **Guidelines for Random Alcohol Testing**

APPENDIXES – TAB M

- **Guidelines for Reasonable Suspicion Testing**

APPENDIXES – TAB N

- **Guidelines for Return to Duty Testing**

APPENDIXES – TAB O

- **Guidelines for Follow-up Testing**

APPENDIXES – TAB P

- **Urine Collection Procedures**

APPENDIXES – TAB Q

- **Alcohol Testing Procedures**

APPENDIXES – TAB R

- **Laboratory Procedures**

APPENDIXES – TAB S

- **Medical Review Officer Procedures**

APPENDIXES – TAB T

- **Substance Abuse Professional Procedures**

ATTACHMENTS

ATTACHMENT – 1

- **Release of Dot Drug and Alcohol Testing Information**

ATTACHMENT - 2

- **DOT First Time Violator Policy**

ATTACHMENT - 3

- **Return to Duty Agreement Following a DOT Violation**

ATTACHMENT – 4

- **Random Drug Screen Checklist for Employees**

ATTACHMENT – 5

- **Random Alcohol Screen Checklist for Employees**

ATTACHMENT – 6

- **Random Drug or Alcohol Screen Checklist for Supervisors**

ATTACHMENT – 7

- **PG&E's Voluntary Self-Identification Policy for DOT – Covered Employees**

ATTACHMENT – 8

- **PG&E's Voluntary Self-Identification Return to Duty Agreement for DOT Covered Employees**

ATTACHMENT – 9

- **Drug and Alcohol Testing Program – Employee Policy**

Items of Understanding

1. Re-establish a Labor-Management Committee to review PG&E's DOT Drug and Alcohol Testing Program Policy as needed.
2. Company will meet and confer with Union on the selection of DHHS-certified laboratories, Medical Review Officers, Substance Abuse Professional service or vendor and contractors used in PG&E's DOT Drug and Alcohol Testing Program. Company will only utilize laboratories that are DHHS-certified for all tests administered by Company under this agreement and will follow all DOT testing procedures.
3. Substances will be added to the panel for testing only with agreement of the parties or as required by the Department of Transportation's Procedures for Transportation Workplace Drug and Alcohol Testing Programs (49 CFR Part 40). Company will advise the Union of any DOT mandated changes.
4. Employees have the right to a shop steward under the following conditions: (a) prior to and during discussions with management prior to a reasonable suspicion test; (b) prior to an interview with a Substance Abuse Professional or Medical Review Officer; or (c) before a discussion to determine a rehabilitation program following a verified positive, (d) If the employee believes the collector is not following established procedures outlined in the Random Drug Test Employee Checklist and employee has first contacted the supervisor.
5. Employees will be informed in writing of negative alcohol test results at the time of testing.
6. The split sample method of collection will be used. Following a verified positive ruling after an interview with the MRO, the employee may request that the MRO direct that the second bottle be tested in a contracted DHHS-certified laboratory for presence of the drug(s) for which a verified positive result was obtained in the test of the first bottle. The request must be made within 72 hours from the time of notification to request a test of the split specimen. The request may be verbal or in writing. If the MRO concludes the employee had a legitimate reason for missing the 72-hour deadline, the split specimen will be tested.
7. The MRO will not consider the results of any tests that were obtained outside of the PG&E's DOT Drug and Alcohol Testing Program.
8. A mobile collection site may be used for drug and alcohol testing, at the Company's discretion.
9. The Company will conduct random drug and alcohol tests at the minimum annual rates set forth by the Department of Transportation (DOT). The Company will inform the Union of changes in annual testing rates.

10. Employees will have up to six months following a negative drug test to request a copy of the test results.
11. The Company will use the highest cut-off levels permitted by the Department of Transportation as outlined in 49 CFR Part 40.87 for both screening and confirmation tests.
12. Information provided to the Medical Review Officer (MRO) or Substance Abuse Professional (SAP) by the employee will be released by the MRO or SAP only as it relates to issues raised in the grievance procedure or as required by law or by employee release.
13. If 60 months or more have elapsed since an employee's verified positive random test and there have been no further positive tests during the following 60 months, the first test will not be used to support disciplinary action on subsequent verified positive tests.
14. An employee who has a verified positive reasonable suspicion or post accident test shall be discharged if the employee has a subsequent verified positive test regardless of when the first verified positive test occurred.
15. An employee who has self-identified to the Employee Assistance Program (EAP) under the Voluntary Self-Identification Policy and has been following EAP's recommended course of treatment will not be deemed to have tested positive for disciplinary purposes if they should test positive for a drug or alcohol. They will, however, be required to fully and timely comply with an EAP-specified education and or treatment program and submit to a non-DOT drug and/or alcohol test prior to returning to work. Failure to fully comply with EAP's recommendations within 3 days after written notification of non-compliance will result in discharge. A subsequent positive result shall result in discharge.
16. Nothing in this policy shall be construed to permit the delay of necessary medical attention for injured people following an accident or to prohibit an employee from leaving the scene of the accident to obtain assistance in responding to the accident or to obtain necessary emergency medical care. The employee must remain available for testing.
17. The notification to the immediate supervisor of an employee's random drug and/or alcohol test may occur up to 3 working days prior to the scheduled date of the test. Improper use of this information by the supervisor or any employee will result in disciplinary action or discharge.
18. Employees that test positive on a transfer test will be required to be evaluated by EAP and follow the recommended course of primary treatment. EAP will conduct a subsequent evaluation for compliance and readiness to return to work. A negative test result on a non-DOT drug and/or alcohol test may be required prior to the employee's return to a non-DOT classification as determined by EAP.

19. Employees that test positive on a transfer test, return to their base classification, and subsequently accept a DOT-covered position will be required to submit proof of completion of the DOT return-to-duty process and be placed in the DOT First Time Violators program including follow-up testing up to 60 months.
20. Employees that refuse to test or refuse to cooperate in the collection process will be considered to have a verified positive test result and be subject to discipline or discharge.
21. Employees that adulterate or substitute their specimen will be discharged.

Definitions

Adulterated specimen - A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present but is at a concentration so high that it is not consistent with human urine.

Affiliate - Persons are affiliates of one another if, directly or indirectly, one controls or has the power to control the other, or a third party controls or has the power to control both. Indicators of control include, but are not limited to: interlocking management or ownership; shared interest among family members; shared facilities or equipment; or common use of employees. Following the issuance of public interest exclusion, an organization having the same or similar management, ownership, or principal employees as the service agent concerning who a public interest exclusion is in effect is regarded as an affiliate. This definition is used in connection with the public interest exclusion procedures of Subpart R of this part.

Air blank - In evidential breath testing devices (EBT's) using gas chromatography technology, a reading of the device's internal standard. In all other EBT's, a reading of ambient air containing no alcohol.

Alcohol - The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols, including methyl or isopropyl alcohol.

Alcohol concentration - The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by a breath test under this part.

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

Alcohol screening device (ASD) - A breath or saliva device, other than an EBT, that is approved by the National Highway Traffic Safety Administration (NHTSA) and placed on a conforming products list (CPL) for such devices.

Alcohol screening test - An analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath or saliva specimen.

Alcohol testing site - A place selected by the employer where employees present themselves for the purpose of providing breath or saliva for an alcohol test.

Alcohol use - The drinking or swallowing of any beverage, liquid mixture or preparation (including any medication), containing alcohol.

Blind specimen or blind performance test specimen - A specimen submitted to a laboratory for quality control testing purposes, with a fictitious identifier, so that the laboratory cannot distinguish it from an employee specimen.

Breath Alcohol Technician (BAT). A person who instructs and assists employees in the alcohol testing process and operates an evidential breath testing device.

Cancelled test - A drug or alcohol test that has a problem identified that cannot be or has not been corrected, or which this part otherwise requires to be cancelled. A cancelled test is neither a positive nor a negative test.

Chain of custody - The procedure used to document the handling of the urine specimen from the time the employee gives the specimen to the collector until the specimen is destroyed. This procedure uses the Federal Drug Testing Custody and Control Form (CCF).

Collection container - A container into which the employee urinates to provide the specimen for a drug test.

Collection site - A place selected by the employer where employees present themselves for the purpose of providing a urine specimen for a drug test.

Collector - A person who instructs and assists employees at a collection site, who receives and makes an initial inspection of the specimen provided by those employees, and who initiates and completes the CCF.

Confirmation (or confirmatory) drug test - A second analytical procedure performed on a urine specimen to identify and quantify the presence of a specific drug or drug metabolite.

Confirmation (or confirmatory) validity test - A second test performed on a urine specimen to further support a validity test result.

Confirmed drug test - A confirmation test result received by an MRO from a laboratory.

Consortium/Third-party administrator (C/TPA) - A service agent that provides or coordinates the provision of a variety of drug and alcohol testing services to employers. C/TPAs typically perform administrative tasks concerning the operation of the employers' drug and alcohol testing programs. This term includes, but is not limited to, groups of employers who join together to administer, as a single entity, the DOT drug and alcohol testing programs of its members. C/TPA's are not "employers" for purposes of this part.

Continuing education - Training for medical review officers (MRO's) and substance abuse professionals (SAP's) who have completed qualification training and are performing MRO or SAP functions, designed to keep MRO's and SAP's current on changes and developments in the DOT drug and alcohol testing program.

Designated employer representative (DER) - An employee authorized by the employer to take immediate action(s) to remove employees from safety-sensitive duties, **or cause employees to be removed from these covered duties**, and to make required decisions in the testing and evaluation processes. The DER also receives test results and other communications for the employer, consistent with the requirements of this part. Service agents cannot act as DER's.

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

Dilute specimen - A specimen with creatinine and specific gravity values that are lower than expected for human urine as defined by 49 CFR Part 40.

DOT, The Department, DOT agency - These terms encompass all DOT agencies, including, but not limited to, the United States Coast Guard (USCG), the Federal Aviation Administration (FAA), the Federal Railroad Administration (FRA), the Federal Motor Carrier Safety Administration (FMCSA), the Federal Transit Administration (FTA), the National Highway Traffic Safety Administration (NHTSA), the Research and Special Programs Administration (RSPA), and the Office of the Secretary (OST). These terms include any designee of a DOT agency.

Drugs - The drugs for which tests are required under this part and DOT agency regulations are marijuana, cocaine, amphetamines, phencyclidine (PCP), and opiates.

Employee - Any person who is designated in a DOT agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to pre-employment testing. For purposes of drug testing under this part, the term employee has the same meaning as the term "donor" as found on CCF and related guidance materials produced by the Department of Health and Human Services.

Employer - A person or entity employing one or more employees (including an individual who is self-employed) subject to DOT agency regulations requiring compliance with this part. The term includes an employer's officers, representatives, and management personnel. Service agents are not employers for the purposes of this part.

Error Correction Training - Training provided to BAT's, collectors, and Screening Test Technicians (STT's) following an error that resulted in the cancellation of a drug or alcohol test. Error correction training must be provided in person or by a means that provides real-time observation and interaction between the instructor and trainee.

Evidential Breath Testing Device (EBT) - A device approved by NHTSA for the evidential testing of breath at the .02 and .04 alcohol concentrations, placed on NHTSA's Conforming Products List (CPL) for "Evidential Breath Measurement Devices" and identified on the CPL as conforming with the model specifications available from NHTSA's Traffic Safety Program.

Initial drug test - The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial validity test - The first test used to determine if a specimen is adulterated, diluted, or substituted.

Invalid drug test - The result of a drug test for a urine specimen that contains an unidentified adulterant or an unidentified interfering substance, has abnormal physical characteristics, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.

Laboratory - Any U.S. laboratory certified by HHS under the National Laboratory Certification Program as meeting the minimum standards of Subpart C of the HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs; or, in the case of foreign laboratories, a laboratory approved for participation by DOT under this part. (The HHS Mandatory Guidelines for Federal Workplace Drug Testing Programs are available on the Internet at <http://www.health.org/workplace/> or from the Division of Workplace Programs, 5600 Fishers Lane, Rockwall II Building, Suite 815, Rockville, MD 20857.)

Medical Review Officer (MRO) - A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.

Office of Drug and Alcohol Policy and Compliance (ODAPC) - The office in the Office of the Secretary, DOT, that is responsible for coordinating drug and alcohol testing program matters within the Department and providing information concerning the implementation of this part.

Primary specimen - In drug testing, the urine specimen bottle that is opened and tested by a first laboratory to determine whether the employee has a drug or drug metabolite in his or her system; and for the purpose of validity testing. The primary specimen is distinguished from the split specimen, defined in this section.

Qualification Training - The training required in order for a collector, BAT, MRO, SAP, or STT to be qualified to perform their functions in the DOT drug and alcohol testing program. Qualification training may be provided by any appropriate means (e.g., classroom instruction, internet application, CD-ROM, video).

Refresher Training - The training required periodically for qualified collectors, BAT's, and STT's to review basic requirements and provide instruction concerning changes in technology (e.g., new testing methods that may be authorized) and amendments, interpretations, guidance, and issues concerning this part and DOT agency drug and alcohol testing regulations. Refresher training can be provided by any appropriate means (e.g., classroom instruction, internet application, CD-ROM, video).

Screening Test Technician (STT) - A person who instructs and assists employees in the alcohol testing process and operates an ASD.

Secretary - The Secretary of Transportation or the Secretary's designee.

Service agent - Any person or entity, other than an employee of the employer, who provides services specified under this part to employers and/or employees in connection with DOT drug and alcohol testing requirements. This includes, but is not limited to, collectors, BAT's and STT's, laboratories, MRO's, substance abuse professionals, and C/TPA's. To act as service agents, persons and organizations must meet the qualifications set forth in applicable sections of this part. Service agents are not employers for purposes of this part.

Shipping container - A container that is used for transporting and protecting urine specimen bottles and associated documents from the collection site to the laboratory.

Specimen bottle - The bottle that, after being sealed and labeled according to the procedures in this part, is used to hold the urine specimen during transportation to the laboratory.

Split specimen - In drug testing, a part of the urine specimen that is sent to a first laboratory and retained unopened, and which is transported to a second laboratory in the event that the employee requests that it be tested following a verified positive test of the primary specimen or a verified adulterated or substituted test result.

Stand-down - The practice of temporarily removing an employee from the performance of safety-sensitive functions based only on a report from a laboratory to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test, before the MRO has completed verification of the test result.

Substance Abuse Professional (SAP) - A person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

Substituted specimen - A specimen with creatinine and specific gravity values that are so diminished that they are not consistent with human urine.

Verified test - A drug test result or validity testing result from an HHS-certified laboratory that has undergone review and final determination by the MRO.

Covered Positions

Employees at Pacific Gas and Electric Company that are covered by the US Department of Transportation's Procedures for Transportation Workplace Drug and Alcohol Testing Programs are placed in the CDL or GAS pool for random selection purposes. Some employees may be subject to the regulations of more than one DOT agency; however, these employees will be placed in the CDL pool for random testing.

CDL

This policy is applicable to every person who operates a commercial motor vehicle in interstate or intrastate commerce and is subject to the commercial driver's license requirements under DOT Part 382.

1. Under the DOT regulations, a commercial motor vehicle driver is defined as any person who operates a commercial motor vehicle. This includes, but is not limited to: full time, regularly employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors who are either directly employed by or under lease to an employer or who operates a commercial motor vehicle at the direction of or with the consent of an employer.
2. Accordingly, it is intended that the provisions of this document apply to employees that operate regulated commercial motor vehicles, employees in classifications receiving the CDLA premium, and employees in classifications who are designated as volunteer standby commercial drivers.

GAS

Employees to be covered under this policy are considered to be any person who performs on a pipeline (transmission and/or distribution facilities), any operating, maintenance, or emergency response functions as regulated by DOT under Part 192, 193, or 195, and pertains to employees performing functions directly related to pipeline safety regulations.

1. Both management and bargaining unit employees on rotational or temporary assignments may occasionally fall within the legal definition of a covered employee.
2. Contract or agency workers are included when they are engaged in covered work. They will meet these guidelines by implementing their own program which meets the DOT's and the Company's requirements.
3. Employees that are in a Gas pool classification and possess and use a commercial driver's license are placed in the CDL pool.

COMMERCIAL DRIVERS LICENSE POSITIONS

UTILITY OPERATIONS – OPERATIONS, MAINTENANCE & CONSTRUCTION

GENERAL CONSTRUCTION – TITLE 300

Classification	Classification Code
Apprentice Lineman*	1107
Crane Operator*	1597
Driller	0405
Drilling Working Foreman B	0844
Equipment Mechanic*	1255
Field Garage Mechanic A*	1270
Field Garage Mechanic B*	1275
Field Garage Mechanic C	1276
Field Mechanical Inspector*	1006
Fieldperson	0525
Hole Digger Operator*	1690
Lead Field Garage Mechanic*	1267
Lineman*	1106
Mechanic Lead*	1345
Mechanical Inspector*	1007
Misc. Equipment Operator	1646
Tractor Operator*	1840
Working Foreman A*	0850
Working Foreman B*	0853
Working Foreman C*	0854

*Depending upon local operating conditions

GAS AND ELECTRIC CONSTRUCTION – TITLE 200

Classification	Classification Code
Apprentice Lineman*	1101
Electric T&D Assistant	1096
Electric T&D Assistant Night	1098
Electric Crew Foreman*	0740
Equipment Operator	1645
Field Clerk Electric T&D	0458
Heavy Equipment Operator	1650
Heavy Truck Driver – E	0463
Heavy Truck Driver – G	0465
Leadperson Driver	0433
Lineman*	1100
T&D Driver	0456
T&D Equipment Operator	1660

HIRING HALL CLASSIFICATIONS

Classification	Classification Code
HH Crane Operator	0288
HH Electric T&D Assistant	1282
HH Electric T&D Assistant	1283
HH Equipment Mechanic	0120
HH Equipment Operator – Gas	0235
HH Field Clerk	0143
HH Field Garage Mechanic C*	0167
HH Field Garage Mechanic C*	0168
HH Field Garage Mechanic A	0121
HH Fieldperson	0099
HH Fieldperson	0199
HH Garage Working Foreman	1331
HH Heavy Truck Driver	1277
HH Lineman*	0116
HH Lineman R/G*	0197
HH Miscellaneous Equipment Operator Electric	0188
HH Miscellaneous Equipment Operator Gas	0189
HH Miscellaneous Equipment Operator	0092
HH Miscellaneous Equipment Operator Electric	0088
HH T&D Driver	0155
HH T&D Driver	0156
HH T&D Equip Operator	0157
HH T&D Equip Operator	0158
HH Tractor Operator	1298

GAS PIPELINE COVERED POSITIONS

UTILITY OPERATIONS – OPERATIONS MAINTENANCE & CONSTRUCTION

All classifications listed below are covered under DOT testing guidelines. Where a classification exists in one or more departments, each department is listed.

GENERAL CONSTRUCTION – TITLE 300

Classification	Classification Code	Department
Apprentice Gas Technician	2412	Gas T&D T 300/ CGT
Apprentice Welder	2628	Gas T&D T300
Backhoe Operator	1515	Gas T&D T300
Carpenter A	0163	Gas T&D T300
Carpenter B	0164	Gas T&D T300
Crane Operator	1597	Gas T&D T300
Driller	0405	Gas T&D T300
Drilling Working Foreman B	0844	Gas T&D T300
Drilling Working Foreman C	0846	Gas T&D T300
Fieldperson	0525	Gas T&D T300
Gas Mechanic	1301	Gas T&D T300
Gas Technician	2405	Gas T&D T300
Miscellaneous Equipment Operator	1646	Gas T&D T300
Painter A	1924	TSM&C
Painter B	1925	TSM&C
Painter – Utility Worker	1926	TSM&C
Street Fitter	0580	Gas T&D T300
Technician Subforeman A	0644	Gas T&D T300
Technician Subforeman B	0645	Gas T&D T300
Tractor Operator A	1840	Gas T&D T300
Trencher Operator	1860	Gas T&D T300
Utility Worker	0947	Gas T&D T300
Welder	2617	Gas T&D T300
Welder – Arc	2625	Gas T&D T300
Working Foreman A	0850	Gas T&D T300
Working Foreman B	0853	Gas T&D T300/TSM&C
Working Foreman C	0854	Gas T&D T300

UTILITY OPERATIONS – OPERATIONS MAINTENANCE & CONSTRUCTION

GAS CONSTRUCTION - TITLE 200

Classification	Classification Code	Department
Apprentice Fitter	0561	Gas T&D T200
Apprentice M&C Mechanic	1368	Gas T&D T200
Corrosion Mechanic	1245	Gas T&D T200
Equipment Operator	1645	Gas T&D T200
Field Meterperson	1483	Gas T&D T200
Fieldperson	0524	Gas T&D T200
Fitter – Arc	0562	Gas T&D T200
Fitter	0560	Gas T&D T200
Gas Control Technician	2410	Gas T&D T200
Gas Crew Leader (Welding)	0640	Gas T&D T200
Gas Crew Leader	0641	Gas T&D T200
Gas Mechanic	1300	Gas T&D T200
Heavy Equipment Operator	1650	Gas T&D T200
Heavy Truck Driver	0465	Gas T&D T200
M&C Mechanic	1365	Gas T&D T200
Night Fieldperson	0526	Gas T&D T200
Unassigned Fitter	0563	Gas T&D T200
Unassigned M&C Mechanic	1366	Gas T&D T200
Underground Construction Crew Foreman Electric	0737	Electric T&D T200
Underground Construction Crew Foreman Gas	0738	Gas T&D T200
Underground Construction Journeyman Electric	1077	Electric T&D T200
Underground Construction Journeyman Gas	1078	Gas T&D T200
Utility Field Clerk – Bakersfield	0242	Gas T&D T200
Utility Field Clerk – Modesto	0241	Gas T&D T200
Utility Field Clerk – SF	0248	Gas T&D T200
Utility Worker	0930	Gas T&D T200

CUSTOMER SERVICES – GAS SERVICE

Classification	Classification Code	Department
Gas Service Representative	2210	Gas Service
Relief Service Operator	1756	Gas Service
Reserve Gas Service Representative	2230	Gas Service
Service Mechanic	1405	Gas Service
Service Operator	1755	Gas Service
Utility Gas Service Rep	2220	Gas Service

UTILITY OPERATIONS – CALIFORNIA GAS TRANSMISSION

Classification	Classification Code	Department
Apprentice Gas Control Technician	2437	CGT
Apprentice Gas Technician	2412	CGT/Gas T&D T300
Apprentice Transmission Mechanic	1401	CGT
Compressor Mechanic	1244	CGT
Gas Control M&C	2448	CGT
Gas Control Technician- GS	2435	CGT
Gas Control Technician I	2438	CGT
Gas Control Technician II	2439	CGT
Gas Mechanic	1301	CGT
Gas System Operator MC – PIO	1593	CGT
Gas System Operator OIT	1588	CGT
Gas System Operator	1587	CGT
Gas Technician - PIO	2405	CGT
Gas Technician	2413	CGT
Gas Trans Tech Lead	2416	CGT
Gas Transmission Operator	1576	CGT
Gas Transmission Technician	2415	CGT
Instrument Technician	2418	CGT
Lead Gas Control Tech I	2440	CGT
Lead Gas Control Tech II	2441	CGT
Lead Gas Control Tech	2434	CGT
Lead Transmission Mechanic I	0824	CGT
Lead Transmission Mechanic II	0823	CGT
Lead Transmission Mechanic	0825	CGT
Machinist (PIO)	1112	CGT
Maintenance Assistant II	0049	CGT
Maintenance Assistant I	0057	CGT
Mechanic Welder	1440	CGT
M&C Mechanic	1365	CGT
Operator Mechanic II	1707	CGT
Operator Mechanic I	1708	CGT
Operator Mechanic	1705	CGT
Senior Gas Transmission Operator (PIO)	1577	CGT
Senior Maintenance Assistant	0048	CGT
Senior Operator – Mechanic	1704	CGT
Technical Crew Lead A	0644	CGT
Technical Crew Lead B	0645	CGT
Transmission Mechanic I	1417	CGT
Transmission Mechanic II	1418	CGT
Transmission Mechanic	1406	CGT
Unassigned Gas Control Tech	2436	CGT
Unassigned Transmission Mechanic	1414	CGT
Utility Leadperson – Topock (PIO)	1089	CGT

HIRING HALL CLASSIFICATIONS

Classification	Classification Code
HH Backhoe Operator	0090
HH Backhoe Operator	0198
HH Carpenter B	0096
HH Carpenter A	0320
HH Corrosion Mechanic	1310
HH Corrosion Mechanic	0187
HH Driller – E	0406
HH Driller – I	0407
HH Driller	0405
HH Fieldperson – E	0114
HH Fieldperson – GC	0099
HH Fieldperson – GC	0199
HH Fieldperson – I	0115
HH Fitter – Arc	0226
HH Gas Crew Foreman	0196
HH Gas Crew Foreman	0324
HH Gas Fitter	0194
HH Gas M&C Mechanic	0177
HH Gas Mechanic – E	1321
HH Gas Mechanic – I	1322
HH Gas Service Rep	0122
HH Gas Service Rep	0234
HH Gas System Operator	0236
HH Machinist	0305
HH Miscellaneous Equip Operator	0189
HH Miscellaneous Equipment Operator	0092
HH Painter A	0145
HH Painter B – 1	0147
HH Painter B	0146
HH Painter Utility Worker	0148
HH Painter Utility Worker	0149
HH Service Operator	0117
HH Senior Meter Regulator Mechanic	0222
HH Street Fitter	0095
HH Street Fitter	0186
HH Utility Worker – Gas	0091
HH Utility Worker – Gas	0113
HH Utility Worker – GC Gas	0098
HH Utility Worker	0112
HH Welder – GC	0094

Note: Any other Hiring Hall classification that has an equivalent regular classification that is covered by DOT should be covered as well as the classifications listed above.

Prohibited Conduct

1. No employee shall use alcohol or illegal drugs at work.
2. If the employee refuses to provide an alcohol or controlled substance test specimen (be tested) or willfully fails to follow test procedures causing the test to be invalid, the exempt supervisor will immediately remove the employee from his/her work responsibility for insubordination and his/her refusal will be treated as if he/she had a verified positive test.
3. Following a verified positive result, the employee will be required to complete the return-to-duty process with a Substance Abuse Professional, follow his/her instructions, and comply with the treatment/education recommendations and be subject to follow-up testing. A non-compliance letter from a Substance Abuse Professional will result in discharge.
4. If an employee willfully tampers with the controlled substance or alcohol test specimen, the exempt supervisor will remove the individual from his/her job duties and the employee will be discharged.
5. No employee shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater.
6. No employee tested under these regulations who is found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform or continue to perform safety-sensitive functions. In this event, an employer may not permit the employee to perform or continue to perform safety-sensitive functions, until the start of the employee's next regular scheduled duty period, but not less than 24 hours following administration of the test and following a negative alcohol test. Employees falling under the application of these provisions will be removed from duty with permission and without pay until the start of the employee's next regular scheduled duty period, but not less than 24 hours following administration of the test.
7. After returning from the collection site, the employee should not be allowed to return to performing any covered functions. The supervisor should instruct the employee to make arrangements to be transported home. The employee should be instructed not to drive any motor vehicle due to the fact that he/she is under the influence of alcohol. If the employee insists on driving, the proper local law enforcement authority may be notified that an employee who the company believes may be under the influence of alcohol is leaving the company premises driving a motor vehicle.

8. Company shall inform the employee required to take a post-accident alcohol test that he/she shall not use alcohol for eight hours following the accident, or until he/she undergoes a post-accident alcohol test, whichever occurs first.
9. The use of any substance, prescription or over the counter medication, which carries a warning label that indicates that mental functioning, motor skills, or judgment may be adversely affected must be reported to supervisory personnel and medical advice and written authorization from the attending physician must be sought by the employee, as appropriate, before performing work related duties.
10. Employees falling under the application of these provisions will be subject to disciplinary action or discharge under the Positive Discipline System.

Verified Positive Drug Test Procedures

1. The Medical Review Officer (MRO) shall notify the DER of all verified positive drug tests.
2. The DER shall promptly notify the responsible Human Resources Advisor to have the employee removed from his/her job duties.
3. Upon notification from the DER, the HR Advisor will work with the exempt supervisor to promptly remove the tested individual from his/her job duties. If the employee qualifies for the First Time Violator's Program, the employee will be sent home pending the start of the return to duty process. If already off duty, the individual will remain off duty until successful completion of the return to duty process.
4. An employee who is unable to perform normal job duties because of removal from work due to a verified positive test will be placed, at the employee's option, on paid sick leave or vacation if available, or unpaid leave.
5. The employee will be reinstated to full job duties upon approval of the Substance Abuse Professional and completion of the return to duty test.
6. If an employee does not agree with the MRO's decision of a verified positive controlled substance test, he/she can request that the MRO authorize the lab to conduct an analysis of the second part of the "split sample" being held by the laboratory. This analysis will be performed by another PG&E contracted laboratory. The specimen is tested for the presence of the drug(s) for which a positive result was obtained in the test of the first part. The results of this test are transmitted to the MRO without regard to the cutoff values stipulated in the DOT regulations. The MRO shall honor such request if it is made within 72 hours of the employee's having actual notice that he or she tested positive.
7. If the results of the test on the second part of the "split sample" are positive, the "verified positive" test result is validated and the employee will be required to follow the SAP's instructions.
8. If the results of the test on the second part of the "split sample" are negative, the "verified positive" test will be changed to a negative test result and reported to the DER.
9. Testing of an additional urine specimen is not authorized by the DOT regulations and, therefore, will not be recognized by the Company and the Union.

Confirmed Positive Alcohol Test Procedures

1. The Breath Alcohol Tech (BAT) will notify the DER and the immediate exempt supervisor of all confirmed positive alcohol tests.
2. The DER shall promptly notify the responsible Human Resources Advisor to have the employee removed from his/her work job duties.
3. Upon notification from the DER, the HR Advisor will work with the exempt supervisor to promptly remove the tested individual from his/her job duties. If the employee qualifies for the First Time Violator's Program, the employee will be sent home pending the start of the return to duty process. If already off duty, the individual will remain off duty until successful completion of the return to duty process.
4. Following administration of alcohol test: After returning from the collection site, the employee should not be allowed to return to performing any covered functions if the employee's alcohol test result is positive. In this event, the exempt supervisor will make arrangements for the employee to be transported home. The employee should be instructed not to drive any motor vehicle because he/she is under the influence of alcohol. If the employee insists on driving, the proper local law enforcement authority may be notified that an employee under the influence of alcohol is leaving the Company premises driving a motor vehicle. The employee will be subject to disciplinary action or discharge.
5. An employee who is unable to perform normal job duties because of removal from work due to a verified positive test will be placed, at the employee's option, on paid sick leave or vacation if available, or unpaid leave.
6. The employee will be reinstated to full job duties upon approval of the Substance Abuse Professional and completion of the return to duty test.
7. Alcohol testing will be conducted by a certified Breath Alcohol Technician utilizing EBT's and ASD's on the NHTSA conforming products lists (CPL).

Test Types and Controlled Substances

The following testing is required for controlled substances:

	CDL Pool (FMCSA)	GAS Pool (RSPA)
Pre-employment	YES	YES
Post-accident	YES	YES
Random	YES	YES
Reasonable Suspicion	YES	YES
Return to Duty	YES	YES
Follow-up	YES	YES

The following testing is required for alcohol:

	CDL Pool (FMCSA)	GAS Pool (RSPA)
Pre-employment	NO	NO
Post-accident	YES	YES
Random	YES	NO
Reasonable Suspicion	YES	YES
Return to Duty	YES	YES
Follow-up	YES	YES

Current federal regulations required screening for the following controlled substances:

Marijuana
Cocaine
Opiates (including Heroin)
Amphetamines
Phencyclidine (PCP)

Guidelines for Pre-Employment Testing

A DOT pre-employment drug test must be conducted before an individual is hired or contracted and when an individual is transferred/promoted from a non-covered to a covered position, and when an individual is on inactive status for thirty (30) days or more. Inactive status is defined by status change that generates a payroll change tag. This includes when an individual transfers back and forth from a covered position to a non-covered position and back again (i.e., going in and out of the DOT Drug and Alcohol Testing Program's random pools), and when an individual is upgraded to a covered position. This also applies to employees returning from a leave of absence who have not been participating in the program (e.g. subject to the random selection process). A negative test result is required prior to performing covered functions.

1. The DER will coordinate the collection of the specimens for testing.
2. The DER will ensure the collection site facility is provided with the following: a) the Federally Mandated Custody and Control Form. b) Supplies related to urine samples (caps from-vials, evidence tape, labels for sample vials, mailer cartons, optional plastic bags for sample vials, etc.) and a postage-paid courier envelope(s) for transportation of samples to the laboratory will have been supplied to the contract collector ahead of time.
3. Employees or those who are wishing to transfer or bid from a non-covered position to a covered position will be required to take and pass the DOT pre-employment drug test. This testing will occur when the job offer is extended and must be complete within 30 days of the actual start date.
4. Employees already in a covered position transferring to another covered position are not required to take the DOT pre-employment test.
5. Transfer employees who test negative will be notified as well as their transferring Human Resources Department so the transfer process can be concluded. The notification of negative results will be handled by the MRO's office through the DER.
6. Transfer employees who test confirmed positive will be contacted by the Medical Review Officer to discuss results.
7. MRO will inform the DER of a verified positive result to conclude the transfer request, which at this time would be rejected due to the employee testing positive.
8. Transfer employees who test positive will be required to complete an education and/or treatment program, and follow-up testing as prescribed by EAP. This will not be considered as a first time positive test under the DOT First Time Violator policy.
9. Another positive test when the employee is not in a covered position will put the employee in the Non-DOT First Time Violator Program.

10. Employees who test positive the first time during a transfer request can be returned to their existing position upon authorization by the EAP. This could be during their education and/or treatment program.
11. An employee who tests positive during a subsequent attempt to transfer into a covered position or after they have already been awarded a job and are in a covered position, will be considered to have two verified positive tests and will be discharged.
12. Employees, who after a verified positive, transfer from a covered position and then return to a covered position will be reinstated in the DOT First Time Violator Program and be subject to unannounced follow-up testing up to a cumulative total of five years from the date reinstated to a covered position.
13. For purposes of this section "transfers" include employees bidding, demoted, or displaced into covered position.

Guidelines for Post Accident Testing for CDL Employees

An accident involving a regulated commercial motor vehicle is defined as an occurrence involving a commercial motor vehicle operating on a public road in commerce. Each employer shall test for alcohol and controlled substances each surviving driver provided the following criteria is met:

- Who was performing DOT safety-sensitive functions with respect to the vehicle, if the accident involved the loss of human life; or
- Who receives a citation within 32 hours of the occurrence under State or local law for a moving traffic violation arising from the accident, if the accident involved:
 - (a) Bodily injury to any person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident; or
 - (b) One or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle.

Accident Type	Citation issued to the CMV driver	Test must be performed by employer
Human fatality	YES	YES
	NO	YES
Bodily injury with immediate medical treatment away from the scene.	YES	YES
	NO	NO
Disabling damage to any motor vehicle requiring tow away.	YES	YES
	NO	NO

Time
Elapsed

Action Required

- | | |
|----------|---|
| 2 hours | If the employee has not submitted to an alcohol test before this time, the management personnel/supervisor shall prepare and maintain on file a record stating the reason the test was not promptly administered. Attempts to administer post-accident alcohol test continue. |
| 8 hours | Cease attempts to administer alcohol test, and prepare and maintain record described above. Continue with attempts to administer controlled substance test as provided by DOT regulations. |
| 32 hours | If the employee has not submitted to a controlled substance test at this time, the employer shall cease attempts to administer the test, and prepare and maintain the record described above. |

Guidelines for Post Accident Testing for Gas Employees

An accident on a gas pipeline is defined as an "incident" (DOT, 49 CFR 191.3). Incident means any of the following events:

- An event that involves a release of gas from a pipeline; **and**
 - (a) A death, or personal injury necessitating in-patient hospitalization; **or**
 - (b) Estimated property damage, including cost of gas lost, of the operator or others, or both, of \$50,000 or more.
- An event that is significant, in the judgment of the operator, i.e. management investigative personnel, even though it did not meet the criteria noted above.

Follow the time frames below for alcohol and controlled substances testing after a reportable DOT accident:

<u>Time Elapsed</u>	<u>Action Required</u>
2 hours	If the employee has not submitted to an alcohol test before this time, the management personnel/supervisor shall prepare and maintain on file a record stating the reason the test was not promptly administered. Attempts to administer post-accident alcohol test continue.
8 hours	Cease attempts to administer alcohol test, and prepare and maintain record described above. Continue with attempts to administer controlled substance test as provided by DOT regulations.
32 hours	If the employee has not submitted to a controlled substance test at this time, the employer shall cease attempts to administer the test, and prepare and maintain the record described above.

Guidelines for Random Drug Testing

The primary purposes of random testing are to deter prohibited drug use and to ensure a drug free workplace.

DOT regulations require that covered employees shall be subject to drug testing on an unannounced and random basis. The Company shall conduct a number of tests equal to at least the percentage set by the DOT of all covered employees each calendar year, spread reasonably over a 12-month period.

1. Following is a discussion of the key aspects of the random testing selection process:
 - a. Active employees remain in the random selection pool at all times, regardless of whether or not they have been previously selected for testing.
 - b. Employees are selected for testing by using a computer-based random number generator or after informing the union, an equivalent random selection method that is matched with an employee's social security number or employee ID number.
 - c. The process is unannounced as well as random. Employees are notified that they have been selected for testing after they report for duty on the day of collection.
 - d. Employees selected for random testing may be tested before, during, or immediately following safety sensitive duties.
 - e. If an employee is unavailable for testing, a supervisor must notify the DER immediately so that the test can be rescheduled.
 - f. The test must be completed prior to the next random selection draw or the employee will not be tested.
 - g. Employees are selected for random testing based on the number of covered employees at the time and the necessary testing rate.
 - h. Specimen collection is conducted on different days of the week throughout the annual cycle.
2. Steps for random testing:
 - a. On a pre-determined date, the DER shall use the random selection procedures to compile a list of covered employees selected for random testing during that testing cycle.
 - b. The DER ensures that the list of social security numbers or employee identification numbers identifies the correct employees to be randomly tested during the testing cycle.
 - c. The selections are grouped by site, classification, employee name, and sex.
 - d. The monthly list of employees to be tested is sent confidentially to the contracted specimen collector. The collector is given the name of a Company Representative to contact at each site.
 - e. The contracted specimen collector notifies the appropriate immediate supervisor(s) no more than three days prior to the date of collection when employees under their supervision have been selected for a random drug test.
 - f. Employees are notified of their selection for random testing on the collection date.
 - g. The list of employees selected will be retained by the DER (or designee) in a secure location.

3. Notification of employees:

- a. The employee will not be notified of the test until after reporting for duty.
- b. The appropriate management personnel will notify the employee to be tested to report to the collection site at a specified time.
- c. Employees must immediately report to the collection site or to the collection site within 30 minutes, plus travel time, once notified by the appropriate management personnel.
- d. Each employee selected for testing must be tested during the selection period.¹

¹ FMCSA 382.305(i)(3)

Guidelines for Random Alcohol Testing

1. Random alcohol testing is applicable to CDL pool employees (commercial driver's license holders).
2. GAS pool employees are not subject to random alcohol testing.
3. Random alcohol testing shall be conducted in accordance with the following requirements:
 - a. Random alcohol testing shall be administered at the minimum annual percentage rate of the pool set forth by the Department of Transportation.
 - b. The employer shall ensure that random alcohol tests are unannounced and spread reasonably throughout the calendar year.
 - c. The employer shall ensure that drivers selected for random alcohol tests proceed immediately to the testing site upon notification of being selected.
 - d. A driver may only be tested for alcohol while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing safety-sensitive functions. Performing a safety-sensitive function is defined as any period in which the driver is actually performing, ready to perform, or immediately able to perform any safety-sensitive function.
 - e. In the event a driver, who is selected for a random alcohol test, is on vacation, sick leave, or an extended medical absence, the immediate exempt supervisor will report back to the DER that the individual selected was unavailable for testing.
 - f. The test must be completed prior to the next random selection draw or the employee will not be tested.

Guidelines for Reasonable Suspicion Testing

The DOT regulations require a covered safety-sensitive employee to submit to a test when the employer has reasonable suspicion that the employee has used a prohibited drug or has misused alcohol. The request to undergo a reasonable suspicion test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odor of the covered safety-sensitive employee.

1. An exempt supervisor that has completed the required behavioral observation training in making reasonable suspicion determinations, who suspects drug use by an employee shall require the employee to submit to a controlled substances test when the supervisor has reasonable suspicion to believe that the employee has violated the prohibitions outlined in Section D of this policy. If a second exempt supervisor is available at the site, a second observation will be made. Prior to requiring an employee to submit to a reasonable suspicion test, the supervisor shall contact the DER or the DER's designee and obtain concurrence to test.
2. The exempt supervisor's determination that reasonable suspicion exists must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee. The observations may include indications of the chronic and withdrawal effects of controlled substances.
3. The employee's immediate supervisor will contact the DER to make arrangements for the test.
4. The DER will make the necessary arrangements with the designated collection site facility and will notify the immediate supervisor of the time and place the employee must report to for testing.
5. An exempt supervisor will accompany the employee to the collection site facility.
6. The exempt supervisor shall remove the employee from safety sensitive duties pending the test result.

If an employee refuses to be tested, it will be considered a verified positive test and the exempt supervisor will take immediate steps to remove the employee from work. The employee will be subject to the DOT requirements for return to duty after a verified positive at a minimum, and be subject to discipline up to and including termination.

Guidelines for Return to Duty Testing

A Return to Duty test and the SAP's evaluation of an individual's return to duty status provides some degree of assurance to the Company that the individual is presently free of alcohol and/or any prohibited drugs and is able to return to duty.

Before any employee is allowed to return to duty to perform a safety-sensitive function following a verified positive drug test result, an alcohol result of 0.04 or greater, a refusal to submit to a test, or any other activity that violates the regulations, that employee must first be evaluated by a SAP, comply with the return to duty process and pass a return to duty test.

1. The SAP is the sole decision-maker of when an employee is released to return to duty.
2. Following successful compliance with the return to duty process, a negative drug and/or alcohol screen is required before an employee can return to performing safety sensitive duties.
3. Upon SAP formal notification that an employee is released to return to duty, the DER contacts the employee to coordinate scheduling the return to duty drug and/or alcohol screen. The test(s) will be scheduled as soon as possible.

Guidelines for Follow-up Testing

Once allowed to return to duty, an employee shall be subject to unannounced follow-up testing for at least 12 but not more than 60 months. The frequency and duration of the follow-up testing will be recommended by the SAP. The Company shall schedule a minimum of six tests during the first 12 months after the employee has returned to duty.

1. The DER schedules follow-up testing based on the SAP's recommendation and notifies the immediate supervisor of the appointment and location for collection.
2. The immediate exempt supervisor or a designated alternate notifies the employee of the testing along with the reporting time and location. In general, notification shall precede testing by no more than two hours.
3. The exempt supervisor reports back to the DER to reschedule an appointment if the employee is unavailable at that time due to absence.
4. If an employee does not arrive at the designated collection site at the appointed time, the collection site personnel notifies the DER, who investigates and, if necessary, takes appropriate action. The employee may be subject to disciplinary action or discharge if the reason for failure to arrive at the designated time is not acceptable.

Urine Collection Procedures

The collector must do the following before each collection to deter potential tampering, adulteration, alteration, or substitution of the specimens:

1. Secure any water sources or otherwise make them unavailable to employees (e.g., turn off water inlet, tape handles to prevent opening faucets);
2. Ensure that the water in the toilet and tank (if applicable) has bluing (coloring) agent in it. Tape or otherwise secure shut any movable toilet tank top, or put bluing in the tank;
3. Ensure that no soap, disinfectants, cleaning agents, or other possible adulterants are present;
4. Inspect the site to ensure that no foreign or unauthorized substances are present;
5. Ensure that undetected access (e.g., through a door not in your view) is not possible;
6. Secure areas and items (e.g., ledges, trash receptacles, paper towel holders, under-sink areas) that appear suitable for concealing contaminants; and
7. Recheck items (1) through (6) following each collection to ensure the site's continued integrity.

If the collection site uses a facility normally used for other purposes, such as a public restroom or hospital examining room, the collector must also ensure before the collection that:

1. Access to collection materials and specimens is effectively restricted; and
2. The facility is secured against access during the procedure to ensure privacy to the employee and prevent distraction of the collector. Limited-access signs must be posted.

To avoid distraction that could compromise security, the collector is limited to conducting a collection for only one employee at a time. However, during the 3 hour time period that an employee is consuming fluids (shy bladder), the collector may conduct a collection for another employee. In this case, the employee with the shy bladder must be properly monitored (see page P-9, Shy Bladder).

When a specific time for an employee's test has been scheduled, or the collection site is at the employee's work site, and the employee does not appear at the collection site at the scheduled time, the collector must contact the DER to determine the appropriate interval within which the DER has determined the employee is authorized to arrive. If the employee's arrival is delayed beyond that time, the collector must notify the DER that the employee has not reported for testing.

Note: For a pre-employment test, if an employee fails to appear, fails to provide a urine specimen, or fails to remain at the collection site, this is not considered a refusal provided the employee left the testing site or did not provide a specimen before the testing process commenced (i.e., the employee was given the collection kit or cup by the collector).

The following steps describe a typical urine collection conducted under the DOT-mandated procedures:

1. The collector prepares the collection site to collect urine specimens. All collection supplies must be available, the area properly secured, water sources secured, and bluing (coloring) agent placed in all toilets.
2. The collector begins the collection without delay after the employee arrives at the collection site. Do not wait because the employee is not ready or states he or she is unable to urinate. In most cases, employees who state they cannot provide a specimen will, in fact, provide sufficient quantity to complete the testing process. (If an alcohol breath test is also scheduled, the alcohol test should be conducted first, if practicable.
3. The collector requests the employee to present an acceptable form of identification. If the employee cannot produce positive identification, the collector must contact the DER to verify the identity of the employee. If the employee asks the collector to provide identification, the collector must show the employee some form of identification. It must include the collector's name and the employer's (or collection site) name. It does not have to be a picture identification or include the collector's home address or telephone number.
4. The collector explains the basic collection procedures to the employee and reviews the instructions on the back of the CCF with the employee.
5. The collector ensures that the required information is provided at the top of the CCF (the laboratory name and address and a pre-printed specimen ID number which matches the ID number on the specimen bottle seals). If the information is not already preprinted, the collector begins entering the required information in Step 1 of the CCF (employer's name, address, telephone and fax number, and I.D. number (if applicable); MRO name, address, telephone and fax number; employee SSN or employee ID number (refusal by the employee to provide a SSN is not a refusal to test, but requires the collector to annotate this in the remarks); reason for test; drug test to be performed; and collection site information).

Note: Part 40 requires a specific MRO's name and address on the CCF rather than the name of the clinic or medical facility. An employer must provide to the collector the name and telephone number of the appropriate DER. This may be part of the CCF information that is pre-printed or may be under separate documentation. If there is no employer or DER telephone number on the CCF, the collector should write in the DER name and telephone number on the CCF (if this information is available) so that either the collector or the MRO may get in touch with a company representative when any problems arise related to that specimen.

6. The collector asks the employee to remove any unnecessary outer clothing (e.g., coat, jacket, hat, etc.) and to leave any briefcase, purse, or other personal belongings he or she is carrying with the outer clothing. The employee may retain his or her wallet. If the employee asks for a receipt for any belongings left with the collector, the collector must provide one.

Note: The employee must not be asked to remove other articles of clothing, such as shirt, pants, dress, or under garments. Additionally, the employee must not be requested or required to remove all clothing in order to wear a hospital or examination gown. An exception may be made, if the employee is also undergoing a physical examination authorized by a DOT operating administration's rule, in conjunction with the drug test, which normally includes wearing a hospital gown. Work boots or cowboy boots do not have to be removed unless the collector has a reason to suspect that the employee has something in them, which may be used to adulterate or substitute a specimen. When an employee is asked to remove his or her hat or head covering, and refuses to do so based on religious practice, the collector may exempt the employee from removal of the head covering, unless the collector has an observable indicator that the employee is attempting to hide inside the head covering, adulterants or other substances which may be used in an attempt to adulterate or substitute a specimen.

7. The collector directs the employee to empty his or her pockets and display the items to ensure that no items are present that could be used to adulterate the specimen. If nothing is there that can be used to adulterate a specimen, the employee places the items back into the pockets and the collection procedure continues. If the employee refuses to empty his or her pockets, this is considered a refusal to cooperate in the testing process.

Note: If an item is found that appears to have been brought to the collection site with the intent to adulterate the specimen, a directly observed collection procedure becomes a requirement. If the item appears to be inadvertently brought to the collection site, secure the item and continue with the normal collection procedure. For example, a bottle of eye drops may have been brought inadvertently and would have to be secured by the collector and the collection would proceed. However, a bottle of liquid or urine would suggest intent to tamper with the specimen and a directly observed collection would be required. Whatever the employee brings into the collection site, the collector should return it to the employee at the end of the collection. Items, such as suspected urine, plastic bags with fluid in them, artificial or mechanical objects for providing substituted urine, etc., should be fully described in an attached memorandum for record, copies of which should be sent to the MRO and the employer.

8. The collector instructs the employee to wash and dry his or her hands, under the collector's observation, and informs the employee not to wash his or her hands again until after the employee provides the specimen to the collector. The employee must not be allowed any further access to water or other materials that could be used to put into the specimen.

Note: The employee may use soap and, if practicable, it should be a liquid or cream. A solid bar of soap gives the employee the chance to conceal soap shavings under his or her fingernails and subsequently use them to attempt to adulterate the specimen.

9. The collector either gives the employee or allows the employee to select the collection kit or collection container (if it is separate from the kit) from the available supply. Either the collector or the employee, with both present, then unwraps or breaks the seal of the kit or collection container.

Note: Even if the collection kit is sealed, the collection container must still be sealed or individually wrapped in a plastic bag or shrink wrapping; or must have a peelable, sealed lid or other easily visible tamper-evident system. Do not unwrap or break the seal on any specimen bottle at this time. Unwrap only the collection container.

Note: Ensure the employee takes only the collection container into the room used for urination. The sealed specimen bottles remain with the collector.

10. The collector directs the employee to go into the room used for urination, provide a specimen of at least 45 mL, not to flush the toilet, and return with the specimen as soon as possible after completing the void. (In many restrooms, a toilet tank into which bluing agent may be placed is not accessible to the collector. When the employee flushes the toilet, he or she can use the clear (un-blued) water to potentially dilute the specimen. Inadvertently flushing the toilet does not automatically require any corrective action by the collector or a recollection. However, to guard against this action, the collector may want to place a card with instructions not to flush by the toilet handle or tape or otherwise secure the handle with tamper-evident tape.) The collector may set a reasonable time limit for the employee to be inside the bathroom and this time frame should be explained to the employee.

Note: The collector should also tell the employee that the temperature of the specimen is a critical factor and that the employee should bring the specimen to the collector as soon as possible after urination. The collector should inform the employee that if it is longer than 4 minutes from the time the employee urinates into the container and the collector takes the specimen temperature, the potential exists that the specimen may be out of range and an observed collection may be required.

Note: The collector should pay close attention to the employee during the entire collection process to note any conduct that clearly indicates an attempt to substitute or adulterate a specimen. If the collector detects such conduct, and the employee has already provided a specimen, the collection process for this specimen is completed, and then the collector immediately begins a new collection under direct observation using a second CCF and a new kit. The collector then provides an appropriate comment on the "Remarks" line in Step 2 on the first CCF and second CCF indicating that this is the first of two or second of two (i.e., 1 of 2, 2 of 2) collections, the specimen ID numbers of the first and second CCF, the reason for the second collection, and that the second collection was under direct observation (check appropriate box in Step 2 of the CCF). This will ensure that the laboratory and the MRO know that two separate specimens are being submitted for testing; the first one possibly being adulterated or substituted. Additionally, the collector must inform the collection site supervisor and the DER that a collection took place under direct observation and the reason for having done so.

11. After the employee gives the specimen to the collector, the collector must check the temperature of the specimen, check the specimen volume, and inspect the specimen for adulteration or substitution. The collector should check the temperature of the specimen as soon as the employee hands over the specimen, but no later than four minutes after the employee comes out of the restroom. The acceptable temperature range is 32°-38°C/ 90°-100°F. Temperature is determined by reading the temperature strip originally affixed to or placed on the outside of the collection container. If the temperature is within the acceptable range, the "Yes" box is marked in Step 2 on the CCF and the collector proceeds with the collection procedure. (If the temperature is out of range, the collector marks the "No" box in Step 2 and initiates an observed collection.) The collector then checks to make sure that the specimen contains a sufficient amount of urine (a minimum of 45 mL for all DOT collections). If the volume is sufficient, the collector checks the box on the CCF (Step 2) indicating that this was a split specimen collection. (This may be done at the same time that the collector checks the temperature box.) The collector must inspect the specimen for unusual color, presence of foreign objects or material, or other signs of tampering or adulteration. If it is apparent from this inspection that the employee has adulterated or substituted the specimen (e.g., the specimen is blue, exhibits excessive foaming when shaken, has smell of bleach), a second collection using direct observation procedures must be conducted immediately.

12. After the employee hands the collection container to the collector, the collector unwraps or opens the specimen bottles. Bottles may be shrink-wrapped or secured by other easily discernable tamper-evident methodology and may be wrapped separately or together.

Note: Both the collector and employee will maintain visual contact of the specimen to the greatest extent possible until the labels/seals are placed over the specimen bottle caps/lids. If practical, the collector may permit the employee to wash his or her hands right after the employee gives the collection container to the collector (and the collector checked the temperature), provided the employee and the collector can still maintain visual control of the specimen collection container.

13. The collector, not the employee, then pours at least 30 mL of urine from the collection container into a specimen bottle and places the lid/cap on the bottle. This will be the primary specimen or "A" bottle. The collector, not the employee, then pours at least 15 mL into a second bottle and places the lid/cap on the bottle. This will be the "B" bottle used for the split specimen. (The collector may first pour the requisite amount of specimen into each bottle and then secure the lids/caps on each bottle.)

Note: The collector should not fill the primary or split specimen bottle up to the cap because a completely full bottle is more likely to leak in transit. Additionally, when a split specimen bottle is full and subsequently frozen, it may cause the bottle material to crack and then leak during transit as the specimen thaws.

14. The collector, not the employee, must then remove the tamper-evident seals from the CCF and place them on each bottle, ensuring that the seal labeled as "A" is placed on the primary bottle with at least 30 mL of urine and that the seal labeled as "B" is placed on the bottle with 15 mL of urine. The seal must be centered over the lid/cap and down the sides of the bottle to ensure that the lid/cap cannot be removed without destroying the seal. The collector, not the employee, writes the date on the seals. The employee is then requested to initial the seals. The employee must be present to observe the sealing of the specimen bottles. If the employee fails or refuses to initial the seals, the collector must note this in the "Remarks" line of the CCF and complete the collection process; this is not considered a refusal to test.

Note: The collector must not ask the employee to initial the labels/seals while they are still attached to the CCF; they must be initialed after they are placed on the bottles. The collector should also inform the employee to use care during the initialing process to avoid damaging the labels/seals.

Note: Occasionally, the tamper-evident label/seal provided with the CCF will not properly adhere to the specimen bottle because of environmental conditions (e.g., moisture, temperature, specimen bottle material) or may be damaged or broken during the collection process. When this occurs, the collector should use the following corrective procedures:

- a. If the seal is broken while being removed from the chain of custody form or during the application of the first seal on the primary bottle, the collector should transfer the information to a new CCF and use the seals from the second form.
- b. If one seal is already in place on a bottle and the second seal is broken while being removed from the CCF or is broken during application on the second bottle or while the employee is initialing either seal, the collector should initiate a new CCF and provide an appropriate comment on the "Remarks" line in Step 5. The seals from the second CCF should be placed perpendicular to the original seals to avoid obscuring information on the original seals and must be initialed by the employee (both sets of employee initials should match). The collector should draw a line through the Specimen ID number and bar code (if present) on the original seals to ensure that the laboratory does not use that number for reporting the results. The collector should not pour the specimen into new bottles.
- c. In both cases, the collector should ensure that all copies of the original (first) chain of custody form are destroyed or disposed of properly (e.g., shredded, torn into pieces).
- d. If the collector inadvertently reverses the seals (i.e., places the "A" bottle seal on the split bottle and vice-versa) and the collector subsequently notices this, the collector should note this in the "Remarks" line and continue the collection process. Laboratories have procedures that permit them to "re-designate" the bottles.

Note: There is no corrective procedure available if the seal is broken after the employee leaves the collection site.

Note: Since the specimen bottle is now sealed with tamper-evident tape and does not have to be under the employee's direct observation, the employee is allowed to wash his or her hands if he or she desires to do so.

16. The collector directs the employee to read, sign, and date the certification statement, and provide date of birth, printed name, and day and evening contact telephone numbers in Step 5 of Copy 2 of the CCF.

Note: If the employee refuses to sign the form or provide date of birth, printed name, or telephone numbers, the collector must make a notation on the "Remarks" line to that effect and complete the collection. If the employee refuses to fill out any information, the collector must, as a minimum, print the employee's name in the appropriate place. This does not constitute a refusal to test.

17. The collector completes the collector's portion of the chain of custody on the CCF (Copy 1, Step 4) by printing his or her name (the name may be pre-printed), recording the date and time of the collection, signing where indicated, and entering the specific name of the delivery or courier service transferring the specimens to the laboratory.
18. The collector then ensures that all copies of the CCF are legible and complete. The collector removes Copy 5 from the CCF and gives it to the employee.

Note: At this time, the collector can suggest that the employee list any prescription and over-the-counter medications he or she may be taking on the employee's copy (Copy 5) of the CCF, but not on any other copy. This information may help the employee remember what medications he or she may have taken if a positive result is reported by the laboratory to the MRO.

19. The collector places the specimen bottles and Copy 1 of the CCF inside the appropriate pouches of the leak-resistant plastic bag, and seals both pouches. If the employee has not had the opportunity to wash his or her hands, they may do so now. The collector then informs the employee that he or she may leave the collection site.
20. Any urine specimen left over in the collection container after both specimen bottles have been appropriately filled and sealed should be discarded at this time. Excess urine may be used to conduct clinical tests (e.g., protein, glucose) if the collection was conducted in conjunction with a physical examination required by a DOT operating administration's regulation. No further testing (e.g., adulteration testing, DNA, additional drugs) may be conducted on this excess urine and the employee has no right to demand that the excess urine be turned over to the employee.
21. The collector places the sealed plastic bag in an appropriate shipping container (e.g., box, express courier mailer) designed to minimize the possibility of damage during shipment. More than one sealed plastic bag can be placed into a single shipping container if there are multiple collections. The collector seals the shipping container as appropriate. If a laboratory courier hand-delivers the specimens from the collection site to the laboratory, the collector prepares the shipment as directed by the courier service. In this case, the plastic bag may not need to be placed into a shipping container, but still needs to be transported by the courier in a manner that protects the bottles from damage.

Test Refusals - There are a number of behaviors defined in the regulation that constitute a test refusal. These are listed below.

1. Failure to appear for the test within the timeframe defined by the employer.
2. Failure to remain at the testing site until the testing process is complete.
3. Failure to attempt to provide a specimen.
4. Failure to provide sufficient breath with no valid medical explanation for the inability to provide the required specimen.
5. Failure to undergo a medical examination associated with insufficient volume procedures.
6. Failure to cooperate with the collection process.

Anytime an employee exhibits any of these behaviors, the collector must immediately terminate the test, notify the DER directly, and note the test refusal on the form.

Shy Bladder - If an employee is unable to provide a sufficient amount of urine for a drug test, the employee will be encouraged to drink up to 40 ounces of fluid, distributed reasonably through a period of up to three hours, or until the individual has provided a sufficient urine specimen, whichever occurs first. It is not a refusal to test if the employee declines to drink.

1. If the employee refuses to make the attempt to provide a new urine specimen or leaves the collection site before the collection process is complete; the collector will discontinue the collection and immediately notify the DER. This is a refusal to test.
2. The collector will inform the employee when the three-hour time limit begins. If the employee has not provided a sufficient specimen within three hours of the first unsuccessful attempt to provide the specimen, the employee will be removed from work with permission, without pay until the results of a medical evaluation are obtained. Within five days, the Company will direct the employee to attend an evaluation with a licensed physician, that is acceptable to the MRO, who has expertise in the medical issues raised by the employee's failure to provide a sufficient specimen. (The MRO may perform this evaluation if the MRO has appropriate expertise.) The Company will inform the employee of the location and date/time of the appointment.
3. Upon completion of the evaluation, the referring physician that performed the evaluation will provide the result to the MRO in a written statement.
4. The MRO will cancel the test if there is adequate basis for determining that a medical condition precluded the employee from providing a sufficient amount of urine. The employee will be reinstated with back pay.
5. The MRO will rule the test a Refusal to Test if there is not an adequate basis for determining that a medical condition has, or with a high degree of probability could have, precluded the employee from providing a sufficient amount of urine. The employee will be referred to a SAP for an evaluation and is subject to the Verified Positive Drug Test Procedures if applicable.

Alcohol Testing Procedures

Alcohol testing is performed by a Breath Alcohol Technician (BAT). An evidential breath testing (EBT) machine is used to collect and analyze breath samples for any alcohol content. Results are read immediately. A screening test is given first; if results are greater than 0.02, a confirmation test is performed. One individual will be tested at a time and the BAT shall not leave the testing area. The procedure is as follows:

1. The BAT explains testing process and completes Step 1 on DOT Breath Alcohol Testing form. The individual completes Step 2 on form and signs the certification form. Note: Refusal to sign the certification is regarded as a refusal to take the test. The BAT opens an individually sealed mouthpiece in view of the person and attaches it to the EBT. The individual blows forcefully into the mouthpiece for at least six seconds or until the EBT gives the signal to stop. The BAT shows the results of the test. If results are less than 0.02, the BAT dates the testing form and signs the certification in Step 3. The individual signs and dates the form in Step 4. Testing is completed. Step 4 is completed by the employee only if the test result is 0.02 or higher.
2. If results are 0.02 or greater, a confirmation test must be performed. Prior to conducting the confirmation test, a waiting period of at least 15 minutes and not more than 30 minutes is observed. The BAT instructs the individual not to eat, drink or put any object or substance in his/her mouth and, to the extent possible, not belch during the waiting period. However, the test will be conducted even if these instructions are disregarded. A new mouthpiece is used for the confirmation test. Before confirmation testing begins, the BAT ensures that the EBT registers 0.00, if it does not register 0.00, testing must be done on another approved instrument. After the confirmation test is completed the individual is shown the readout of the results. NOTE: If confirmation results are 0.02 or greater, DER is notified immediately. If the test result printed by the EBT does not match the displayed result or if a sequential test number printed by the EBT does not match the sequential test number displayed by the EBT prior to the confirmation test, the BAT shall note the disparity in the "Remarks" section of the testing form. Both the BAT and the individual shall initial and sign the notation. The test is considered invalid and the employee is so advised.
3. The BAT/STT completes Step 1 of the Alcohol Test Form (ATF) by filling in the information regarding the employee, employer, DER and reason for the test. The employee is directed to complete Step 2 of the ATF and sign the certification. If the employee refuses to sign the certification in Step 2 of the process, it will be considered a test refusal, the test will be halted, and the DER will be notified immediately.

4. **Screen Tests.** The screen test will be given with an EBT or ASD (alcohol screening device). If an EBT or non-evidential breath testing device is used an individually wrapped mouthpiece will be selected by the BAT/STT or the employee. The mouthpiece will be attached to the device, and the employee will be instructed to blow forcefully into the mouthpiece for 6 seconds, or until the device indicates that a sufficient amount of breath has been obtained. The displayed result will be shown to the employee. The test results will be recorded on the ATF.
5. If a saliva ASD is used for the screen test, the STT will check the expiration date on the device and show it to the employee. The package will be opened in the presence of the employee, and the STT will offer the device to the employee, instructing him/her to insert it into his/her mouth until it becomes saturated with saliva. If the test does not activate, or the employee chooses not to use the device, the STT will insert the device into the employee's mouth.
6. If the result of the screen test is an alcohol concentration of less than 0.02, no further testing is required, and the BAT/STT will report the result to the DER as a negative test. If the result of the screen test is an alcohol concentration of 0.02 or greater, a confirmation test must be performed.
7. The confirmation test must be conducted at least 15 minutes, but not more than 30 minutes, after the completion of the screen test. This delay prevents any accumulation of alcohol in the mouth from leading to an artificially high reading, as any residual amount of alcohol left in the mouth will dissipate prior to the confirmation test.
8. At the conclusion of the screen test, the BAT/STT will inform the employee of the need to conduct a confirmation test and instruct the employee not to eat, drink, or put any object or substance in his or her mouth. The BAT/STT will also instruct the employee not to belch to the extent possible while awaiting the confirmation test. The BAT/STT (Screen Test Technician) must inform the employee why the waiting period is needed and that while it is in the employee's best interest to follow the instructions, the test will be conducted at the end of the waiting period, even if they are disregarded.
9. If more than 30 minutes have elapsed since the time of the screen test, the cause for the delay must be documented, but the test remains valid.
10. Before the confirmation test is administered, the BAT shall conduct an air blank on the EBT in the presence of the employee. If the reading is greater than 0.00, the BAT shall conduct one more air blank. If the second air blank reading is greater than 0.00, the EBT must not be used to conduct the test.
11. The confirmation test is conducted using the same procedures as the screening test. A new mouthpiece will be used and inserted into the EBT.

12. The employee will be instructed to blow forcefully into the mouthpiece for at least 6 seconds, or until the device indicates it has an adequate breath sample. The result on the display must be shown to the employee. The result and unique test number that the EBT prints out must also be shown to the employee.
13. The BAT will sign and date the form. If the test result is less than 0.02, the test is over, the employer will be given his/her copy of the ATF, and the employee will be dismissed. If the test result is 0.02 or above, the BAT will instruct the employee to sign and date the certification statement on Step 4 of the ATF (It is not a test refusal if the employee refuses to sign Step 4 of the ATF). The BAT will immediately transmit the results directly to the DER so the employee can be immediately removed from safety-sensitive duties. The BAT will attach the alcohol test result printout directly onto the ATF with tamper evident tape (unless the results are printed directly on the form).
14. If the initial and confirmatory test results are different, the confirmation test result is deemed to be the final result. An employer cannot take action against an employee under these regulations for a positive screen test (i.e., 0.040 or greater) when the confirmatory test result is negative (i.e., 0.039 or less). If the alcohol test is positive, the employer should make arrangements to drive the employee from the collection site to avoid liability.
15. The BAT will transmit all results to the DER confidentially (in writing, in person, by telephone, or other electronic means). In the event an individual must be removed from safety-sensitive duties (0.02 or above or test refusal), the BAT will notify the Company Representative immediately. The EBT will produce a printout of the test results in triplicate or print three consecutive identical copies of the results. The three copies of the printout will be attached to each of the three copies of the ATF. Copy 1 must be retained by the BAT, Copy 2 must be provided to the employee, and Copy 3 must be transmitted to the employer.

Shy Lung - If an employee attempts and fails to provide enough breath, the BAT must instruct the employee to make another attempt to provide a sufficient breath specimen. The BAT should provide additional instruction on the technique that should be followed and coach the employee through the process. If the second attempt is unsuccessful, the BAT may provide another opportunity to the employee to provide a specimen if the BAT believes it is likely that the next attempt would be successful.

1. If the individual is still unable to provide a sufficient breath specimen, the BAT may attempt to operate the EBT in manual mode, or they may use a saliva ASD, if available. If attempts are still unsuccessful, the BAT/STT will contact the DER and note the insufficient volume on the ATF. The employee will be removed from work with permission, without pay until the results of a medical evaluation are obtained. Within five days, the Company will direct the employee to attend an evaluation with a licensed physician, that is acceptable to the MRO, who has expertise in the medical issues raised by the employee's failure to provide a sufficient specimen. (The MRO may perform this evaluation if the MRO has appropriate expertise.) The Company will inform the employee of the location and date/time of the appointment.
2. Upon completion of the evaluation, the referring physician that performed the evaluation will provide the result to the MRO in a written statement.
3. The MRO will cancel the test if there is adequate basis for determining that a medical condition precluded the employee from providing a sufficient amount of breath. The employee will be reinstated with back pay.
4. The MRO will rule the test a Refusal to Test if there is not an adequate basis for determining that a medical condition has, or with a high degree of probability could have, precluded the employee from providing a sufficient sample. The employee will be referred to a SAP for an evaluation and is subject to the Confirmed Positive Alcohol Test Procedures if applicable.

Laboratory Procedures

All drug testing under the DOT regulations must be completed in a laboratory certified by the DHHS under the National Laboratory Certification Program (NLCP). These laboratories have been rigorously inspected and tested and meet the highest standards for analytical competence.

1. All laboratories that conduct drug tests under the DOT-covered program must comply with both the DOT requirements set forth in Subpart F of Part 40, and the DHHS requirements.
2. The Company has a contracted DHHS-certified primary laboratory and a contract with at least one additional laboratory for split sample analysis and to serve as a backup in case problems arise with the primary lab.
3. Specimen Inspection - the DOT regulation requires the lab to first inspect each specimen and the CCF for fatal and correctable flaws. If no fatal flaw exists, but correctable flaws are found, the lab must document the flaw and take corrective action as defined in Part 40.205.
4. Validity Testing - specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine or if certain adulterants or foreign substances were added to the urine, the urine was diluted, or the specimen was substituted.
5. Each primary specimen will be tested for creatinine, pH, and adulterants. If the creatinine level is less than 20 mg/mL, the specific gravity of the specimen will also be measured. If the creatinine concentration is less than 20 mg/mL and the specific gravity is less than 1.003, the specimen is considered dilute. If the specimen is super dilute with a creatinine concentration of less than or equal to 5 mg/mL and the specific gravity is less than or equal to 1.001 or greater than or equal to 1.020, the specimen is considered substitute, as the human body is incapable of providing a specimen with those quantifications.
6. A specimen is considered to be adulterated when the specimen's physical characteristics are outside the normal expected range for human urine, a substance is present that is not expected in human urine, or a substance is present at concentrations so high that it is not consistent with human urine.
7. Drug and Drug Metabolite Testing - The laboratory must test for the following five drugs or their metabolites using the testing protocols and minimum cutoff thresholds defined in the DOT regulations: marijuana, cocaine, opiates (e.g., heroin, morphine, codeine), phencyclidine (PCP), and amphetamines (e.g., racemic amphetamine, dextroamphetamine, and methamphetamine). The initial test is an immunoassay test. If any prohibited drug or its metabolite registers above the cutoff level on the immunoassay screen, an aliquot of the same urine specimen must be confirmed by using a technique called gas chromatography/mass spectrometry (GC/MS).

8. The initial test result is based on the ability of antibodies to recognize drugs in biological fluids. Immunoassay tests, called screens, are simple to run and are often automated, and are relatively inexpensive. The confirmatory tests are more accurate, more time consuming, require sophisticated laboratory equipment, and thus are more expensive than immunoassay screens. The confirmatory test permitted by 49 CFR Part 40 is GC/MS.
9. Test Results - The laboratory may only report the test results to the designated Medical Review Officer (MRO). The test results will be reported to the MRO as negative, negative-dilute, positive, positive-dilute, adulterated, substituted, or invalid. An invalid test is one where the urine specimen contains an unidentified adulterant or an unidentified interfering substance, has abnormal physical characteristics, or has an endogenous substance at an abnormal concentration that prevents the laboratory from completing or obtaining a valid drug test result.
10. The laboratory must confidentially transmit the test results to the MRO in a timely manner (i.e., the same day that the test result is reviewed by the lab's certifying scientist). Except for opiate positives with morphine or codeine levels at 15,000 ng/mL or above, test results will not be provided with quantitative values unless a specific request is made by an MRO.
11. Opiate levels above 15,000 ng/mL will be automatically reported because the responsibilities of the MRO and employee change with opiate levels this high. In this case the burden of proof shifts to the employee to provide a verifiable medical explanation for such high levels.
12. Split Specimen Testing - The primary laboratory must provide secure storage for the split sample for 1 year if the primary specimen is positive, adulterated, or substituted. If directed by the MRO, the primary laboratory shall forward the split specimen bottle, with seal intact, a copy of the MRO request, and a copy of the custody and control form to a different DHHS-approved laboratory. If the split specimen is unavailable for testing, the lab must provide as much information as possible to the MRO regarding the cause of the unavailability.
13. In the case of a positive test result, the second lab must test the specimen for the presence of the drug(s) or drug metabolite independent of the cutoff levels. If the presence of the substance(s) is found, the primary test will be confirmed positive. If the test fails to reconfirm the presence of the drug/metabolites that were reported positive by the primary lab, the second lab must conduct validity testing on the split to determine if the specimen was adulterated or substituted. If the split does not reconfirm the presence of the drug/metabolite and there is no evidence of adulteration or substitution, the result will be reported to the MRO, the test will be cancelled, and the failure to reconfirm will be reported to the DOT Office of Drug and Alcohol Policy and Compliance (ODAPC).

14. Where a primary test result shows the specimen was adulterated or substituted, the second lab must test the split specimen in the same manner as the primary to determine if the specimen was adulterated or substituted. If the adulteration or substitution is found, the primary test result will be confirmed. If not, the result will be reported to the MRO, the test cancelled, and the failure to reconfirm will be reported to the ODAPC.
15. If the split is unavailable for testing and, therefore, cannot be used to reconfirm the primary test result, the primary test will be cancelled and the MRO will direct the employer to have the employee retested under direct observation. Split specimen test results can only be reported to the MRO.
16. Specimen Storage and Record Keeping - All confirmed non-negative specimens must be retained by the laboratory in long-term frozen storage for a minimum of 1 year. The laboratory must provide semi-annual summation reports consistent with 49 CFR Part 40, Appendix B reporting requirements to each covered employer for whom they conduct testing.

MRO Procedures

The DOT regulation requires that all drug testing laboratory results must be reviewed by a qualified MRO. The purpose of this review is to verify and validate test results.

An MRO is defined in the regulation as a licensed physician responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results. The MRO must be knowledgeable about and have clinical experience in controlled substance abuse disorders. The MRO must have the appropriate medical training to interpret and evaluate laboratory confirmed positive test results and be knowledgeable about alternative medical explanations for laboratory confirmed test results. The MRO must be aware of issues relating to adulterated and substituted specimens and possible medical causes for invalid test results.

MRO's must know the DOT MRO Guidelines, Part 40 and applicable DOT agency rules. MRO's must receive qualification training and complete at least 12 hours of professional development hours of continuing education that is relevant to MRO functions during each subsequent 3- period.

The MRO is to serve as an independent, impartial gatekeeper responsible for the accuracy and integrity of the drug testing process. As such, the MRO is required to perform the following functions:

1. Receive the results of drug tests from the laboratory.
2. Conduct administrative review of the CCF to ensure it is legible, accurate, and signed by the laboratory's certifying scientist. Check for fatal and correctable flaws. Take action to immediately correct correctable flaws. If appropriate, the MRO may request the laboratory to analyze the original specimen again to verify the accuracy of the reported test result.
3. Provide feedback as appropriate to the DER and service agents regarding performance issues.
4. The MRO or his/her staff must make at least three attempts to contact the employee spaced reasonably over a 24-hour period, including the day and evening using the telephone numbers listed on the CCF. All attempts to contact the employee must be documented.
5. If, after making a reasonable effort, the MRO is unable to reach the individual directly, the MRO shall contact the DER/DAPM. The DER should make at least three attempts to contact the employee within a 24-hour period. If contact is made, the DER must instruct the employee to contact the MRO immediately (no longer than 72 hours) and explain the consequences of failing to do so. If the employee fails to contact the MRO within 72 hours, the test will be verified as a no-contact positive. If, after making reasonable efforts for a 24-hour period, the DER is unable to contact the employee, the employer may leave a message for the employee instructing him/her to contact the MRO and place the employee on temporary unqualified status or medical leave. If 10 days pass with no employee contact, the MRO will verify the test result as a no-contact positive. All attempts to contact the employee must be documented.

6. If contact is made, the MRO must provide the employee with the opportunity to discuss the test result on a confidential basis. If the employee declines to discuss the test result with the MRO, the test will be verified as a no-contact positive test result. If the employee wishes to talk to the MRO, the MRO staff may schedule the interview, but must not gather any medical information or information concerning possible explanations for the test result. The staff may advise an employee to have medical information ready to present to the MRO.
7. The MRO verification interview with the employee must be made by telephone or in person. The MRO must tell the employee that the test result was positive, adulterated, substituted, or invalid and the basis for the test result (i.e., presence of drug or adulterant, or validity test results). The MRO must explain the verification process and the potential need for further medical evaluation. The MRO must warn the employee before any medical information is discussed that the MRO must disclose to third parties (i.e., employer, SAP, DOT) without the employee's consent for drug test result information and medical information affecting the performance of safety -sensitive duties that the employee provides.
8. The MRO will review and interpret an individual's confirmed non-negative (i.e., positive, adulterated, substituted, invalid) test by (1) reviewing the individual's medical history, including any medical, records and biomedical information provided; (2) affording the individual an opportunity to discuss the test result; and (3) verifying the authenticity of all medical records (i.e., prescriptions, medical procedures) the employee provides. The MRO may contact the employee's physician or other relevant medical personnel for further information. Based on the information that was provided and verified, the MRO must decide whether there is a legitimate medical explanation for the result, including legally prescribed medication.

SAP Procedures

An employee who tests positive for drugs or alcohol or refuses a test, will be removed immediately from his or her safety-sensitive functions and evaluated by a Company-designated Substance Abuse Professional (SAP).

1. The SAP will evaluate each employee to determine what assistance the employee needs in resolving problems associated with substance abuse.
2. The evaluation will consist of a clinical assessment, treatment recommendations, and referrals, as appropriate.
3. The SAP will inform the Company, in writing, of the clinical assessment based treatment recommendations, which must be complied with. In addition, the SAP will specify the duration and frequency of follow-up drug and/or alcohol tests.
4. The SAP's evaluations, assessment, treatment recommendations, referrals and follow-up testing recommendations will be in accordance with 49 CFR Part 40.



PACIFIC GAS AND ELECTRIC COMPANY

THIS REQUEST FOR INFORMATION IS MANDATED BY THE US DEPARTMENT OF TRANSPORTATION'S PROCEDURES FOR TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAMS, 49 CFR PART 40.25.

RELEASE OF DOT DRUG AND ALCOHOL TESTING INFORMATION

TO BE COMPLETED BY PROSPECTIVE EMPLOYEE

Print Name

Social Security Number

During the past two years, have you tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which you applied for, but did not obtain, work covered by DOT agency drug and alcohol testing rules?

YES

NO

Signature

Date

Refusal to complete and sign the above will render you ineligible for safety-sensitive positions. If YES was marked, please provide documentation of your successful completion of rehabilitation/education return to duty requirements in accordance with DOT regulations.

Instructions: List every company for which you worked in a safety sensitive position (i.e. as a commercial driver or pipeline employee) and/or every company for which you took a DOT controlled substance and/or alcohol test during the past two years. Page 2 of this form will be sent to each previous employer.

Company Name:			Dates Employed:		
Supervisor's Name:			Job Title		
City:		State:		Zip:	
Phone:		Fax:			
Company Name:			Dates Employed:		
Supervisor's Name:			Job Title		
City:		State:		Zip:	
Phone:		Fax:			
<u>Continue on back of this page if necessary</u>					
INTERNAL USE ONLY: Provide completed form to the DOT Program Office					
Staffing Consultant:					

**RELEASE OF DOT DRUG AND ALCOHOL TESTING INFORMATION******* SECTION 1: TO BE COMPLETED BY PROSPECTIVE EMPLOYEE *****_____
Print Name_____
Social Security Number_____
Signature_____
Date

I, the above mentioned, hereby authorize my previous employer(s), to release and forward all DOT regulated information regarding my Drug and Alcohol Testing/Training records to **PACIFIC GAS AND ELECTRIC COMPANY**. I understand and agree a photocopy or fax of this form is as valid as the original document. I further certify that all of the information, which I have furnished, on this form is true and complete.

Refusal to complete and sign this release will render you ineligible for safety-sensitive positions.

***** SECTION 2: TO BE COMPLETED BY PREVIOUS EMPLOYER *****

The individual listed above has applied for employment in a DOT regulated position and has indicated being in your employ within the previous two years. Pursuant to 49 CFR Part 40.25, the Department of Transportation requires an employer of individuals performing safety-sensitive duties to inquire about the following information from previous employers, for the preceding two years from the date of application. If you are an employer from whom information is requested, you must immediately release the requested information to the employer making the inquiry. Failure to do so is a violation of DOT regulations and may result in a fine and/or civil liability.

	YES	NO
1. Has the above named individual participated in a drug and alcohol testing program required by the Department of Transportation? If NO, sign bottom of form and return. If YES, please answer the following questions, which are required by 49 CFR Part 40.	_____	_____
2. Did this individual test positive for a controlled substance during the last two (2) years?	_____	_____
3. Did this individual receive an alcohol test result with a breath alcohol concentration 0.04 or greater during the last two (2) years?	_____	_____
4. Did this individual refuse a required test for drugs or alcohol during the last two (2) years (including verified adulterated or substituted drug test results)?	_____	_____

If YES was marked to questions 2, 3, or 4, please provide documentation of the employee's successful completion of DOT return to duty requirements.

Print Name_____
Company_____
Position_____
Signature_____
Date_____
Phone Number

Return completed document to:
DOT Program Office, Mail Code N3Y, P.O. Box 770000, S.F., CA 94177 or FAX to (415) 972-5261.



DOT First Time Violator Policy

I. Purpose

The purpose of this policy is to furnish disciplinary and treatment guidelines for handling first-time violators of the Drug and Alcohol Testing Program Policy.

II. Coverage

This policy covers regular employees and hiring hall employees with service tenure of six months or more who are first-time violators of any one of the following prohibitions set forth in the Drug and Alcohol Testing Program Policy.

III. Alternatives to Discharge

The guidelines contained in the policy are alternatives to immediate discharge. The refusal of an employee covered by this policy to comply with the specified guidelines shall result in the immediate discharge of that employee.

IV. Discipline

A regular status employee covered by this policy who has no active discipline shall receive a Written Reminder in the Conduct category. This policy does not preclude the discharge of an employee for a first-time violation if the employee's prior employment/disciplinary history is unsatisfactory or the employee is on probationary status.

V. Education and Treatment

An employee covered by this policy shall complete the mandated return to duty process prescribed by the Substance Abuse Professional (SAP) selected by the Company's Employee Assistance Program. The employee shall bear the costs of the rehabilitation program and shall be entitled to seek whatever available vacation, sick leave and/or medical leave benefits necessary for program participation.

VI. Follow-up

An employee covered by this policy shall be subject to follow-up testing for 60 months from the date the employee is returned to duty.

VII. DOT Return to Duty Agreement

An employee covered by this policy shall execute a written DOT Return to Duty Agreement with the Company, which shall be retained in the employee's personnel file. The employee's HR Advisor shall also be signatory to the agreement.



PACIFIC GAS AND ELECTRIC COMPANY

RETURN TO DUTY AGREEMENT FOLLOWING A DOT VIOLATION

I acknowledge that I was removed from performing my job duties that are subject to the Company's federally mandated drug and alcohol testing program policies on ____/____/____ as a result of the following violation(s):

- ☐ Verified positive result on urine drug screen
☐ Breath alcohol concentration of .04 or greater

I further acknowledge that I have received specific instructions from Pacific Gas & Electric Company's Medical Review Officer/Substance Abuse Professional (MRO/SAP) describing the treatment program(s), including follow-up monitoring and after-care if applicable, which has been determined necessary for my compliance with the requirements of Pacific Gas and Electric Company's drug testing program policies and the Department of Transportation's return to duty process.

I agree to fully participate in and complete any and all treatment and after-care programs prescribed by the MRO/SAP and promptly and fully cooperate with all his/her instructions.

I further agree to fully comply with the terms and conditions of any prescribed treatment program(s) whether or not I have executed a written contract with the provider.

I agree to provide the MRO/SAP or his/her designee with documentation of my attendance at and/or participation in the treatment program(s) specified.

I understand that failure to fully meet any of the terms set forth above will result in disciplinary action, up to and including the termination of my employment.

I understand that pursuant to DOT regulations, I am subject to unannounced follow-up drug and/or alcohol testing as defined by the MRO/SAP for up to sixty (60) months following my return to duty. I further understand that such follow-up drug and/or alcohol testing is in addition to my continued participation in the federally mandated random drug and/or alcohol-testing program. I also remain subject to reasonable suspicion and post-accident drug and/or alcohol testing.

I understand that if I test positive for any prohibited drugs during the next sixty (60) months, including legal drugs for which I do not have a prescription, or test positive on a breath alcohol test, I am subject to the immediate termination of my employment.

Employee - Print Name	
Employee - Signature	Date:
HR Advisor - Print Name	
HR Advisor - Signature	Date:



Random Drug Screen Checklist for Employees

1. Your supervisor or HR Representative will notify you. You will need to immediately report to the collection site.
2. You are not permitted to leave the collection site until the collection process is completed. If you leave the site, it will be considered a refusal to test, which is considered to be a verified positive result. The Collector will inform you when you are permitted to leave the site.
3. Failure to cooperate, including failure to sign the Federal Custody and Control Form will result in disciplinary action or discharge.
4. Failure to cooperate with any part of the testing process (e.g. refusing to empty pockets when so directed by the collector, behave in a confrontational manner that disrupts the collection process) is considered a refusal to test.
5. If you alter, tamper with, or substitute the test specimen, you will be discharged.
6. You will be asked to remove all outer garments, leaving your personal belongings, except wallet, with the Collector. You may retain your wallet.
7. You will be asked to display the contents of your pockets and display the items to the Collector. If any items appear to have been brought to the collection site with the intent to adulterate a specimen, you will be required to submit to an observed collection. If nothing is there that can be used to adulterate a specimen, then you may place the items back into the pockets and the collection procedure continues. If you refuse to empty your pockets, this is considered a refusal to cooperate with the testing process that is considered to be a verified positive test.
8. You will be asked to wash and dry your hands.
9. You will be allowed to choose 1 (one) sealed collection kit. You may unwrap it yourself.
10. You will be asked to provide a specimen of at least 45 milliliters, and not flush the toilet. If you cannot provide enough specimen you may drink up to 40 ounces of coffee or other liquids available in the waiting area. After 3 hours, if still unable to provide a specimen, you will be removed from work with permission, without pay and directed to a physician selected by the MRO for a medical evaluation.
11. Verify that the specimen temperature box is checked on the Custody and Control Form by the Collector within 4 minutes of handing it to the Collector.
12. In your presence, the specimen will be split between the 2 bottles.
13. Your specimen will remain in full view until sealed in the bottles.
14. You will be asked to initial both sealed bottles.
 - a. You will be asked to complete the Custody and Control Form after the specimen has been sealed.
 - b. Provide your home/evening telephone number.
15. Provide your mailing address above box 5 of the MRO's copy of the CCF if you want your test results mailed to you.
16. Both bottles will be bagged, then the bag sealed in your presence.
17. Once both bottles are bagged and sealed, the process is complete and the Collector will inform you that you may leave the collection site.
18. If you have a non-negative test result, you will be contacted by the MRO to discuss the result. You will be afforded an opportunity to provide a medical explanation. The MRO will confirm any prescriptions or medical history that might have affected the test. If you have a verified positive test result, you will be removed from work and referred to a Substance Abuse Professional (SAP) for an evaluation. You must contact the SAP within 3 days of the verified positive test result. Failure to contact the SAP within three days is considered non-compliance and will subject you to discharge.



Random Alcohol Screen Checklist for Employees

1. Your supervisor or HR Representative will notify you. You will need to immediately report to the collection site.
2. You are not permitted to leave the collection site until the collection process is completed. If you leave the site, it will be considered a refusal to test, which is considered to be a verified positive result. The Collector will inform you when you are permitted to leave the site.
3. Failure to cooperate with any part of the testing process (e.g. behave in a confrontational way that disrupts the collection process is considered a refusal to test which is considered a positive test result).
4. You will be asked to present a picture ID to the Collector. Your supervisor or an HR Representative may verify your identification to the Collector if you do not have a picture ID available.
5. You will be asked to complete the required paperwork.
6. You will be asked to blow forcefully into the testing machine until instructed to stop.
7. You will then be shown the results of the test.
8. If the test result is below 0.02, you will be given a copy of the testing form and released to return to duty.
9. If the test result is equal to or greater than 0.02, you will be given a confirmation test.
10. You will be asked to wait 15 minutes prior to the administration of the confirmation test to allow any residual alcohol to evaporate.
11. You will then be asked to again blow forcefully into the testing machine until instructed to stop.
12. If the confirmation test result is below 0.02, you will be given a copy of the testing form and released to return to duty.
13. If the result is 0.02 or greater, your supervisor and HR will be notified immediately. You will need to remain where you are at the testing site until your supervisor gives you directions on how to proceed.
14. If test result is 0.02 to 0.039, you will be removed from work for at least 24 hours before your next scheduled shift.
15. If the test result is 0.04 or greater, you will be removed from work and referred to a Substance Abuse Professional (SAP) for an evaluation. You must contact the SAP within 3 days of the positive test result.
16. If you can't supply a sample, you will be removed from work with permission without pay and will be directed to obtain a medical evaluation by a physician selected by the MRO within 5 business days. If there is no medical explanation for your inability to supply a sample, it is a refusal to test, which is considered a positive test result and will result in discipline or discharge.



Random Drug or Alcohol Screen Checklist for Supervisors

1. Some of your employees have been identified for random drug and/or alcohol testing. Please read this checklist to familiarize yourself with the collection process.
2. An HR Representative or the Contract Specimen Collector will notify you up to 3 days in advance of the test date and the names of your employees that which of your employees have been selected for drug and/or alcohol testing.
3. This information is confidential and must not be shared. Disclosure of this information prior to the test date is prohibited by regulations and will subject you to discipline or discharge.
4. If the employee is not available on the test date, inform the DOT Coordinator immediately.
5. The following procedures should be followed in notifying employees of the collection process. Also see the attached "Checklist for Employees" that will be given to your selected employees.
6. Approximately 15 – 30 minutes prior to the actual collection, but no sooner than two hours, inform the employee verbally, that he/she has been identified through a random selection process for drug and/or alcohol testing. Clearly inform the employee as to the time and the exact location to report for testing and instruct him/her to take photo identification.
7. An employee not identified on the official test list cannot be tested.
8. A contracted collector will follow the process outlined by the federal regulations to perform the collection. Advise employees to be prepared to provide a urine and/or breath specimen at the scheduled collection time.
9. When an employee selected for random testing is unavailable for legitimate reasons (e.g. working different shift, travel, leave), you must inform the Company Representative, who will annotate the random test list to indicate the reason for that employee not being tested. Once a facility has been notified of testing, any leave requests submitted by employees for the testing day should be carefully scrutinized.
10. Immediately report any problems encountered during employee notification to the Company Representative. Employees who willfully fail to cooperate with the collection procedures will be subject to disciplinary actions consistent with the Company's Drug Testing policy. The Company Representative will be able to address employee problems (e.g. refusal to test).
11. If an employee who is notified to report for testing is unable to provide a sufficient quantity of urine and/or breath, either the collector or the Company Representative will notify you.
12. During the drug test, the employee will be given a reasonable period of time to provide a urine specimen (maximum 3 hours). During this time, the employee should remain at the collection site and be instructed to drink at least 8 ounces of liquid each half-hour as supplied by the contractor. If at the end of the waiting period the employee still cannot provide a specimen, the collector will notify the Company Representative and the employee will be removed from work and scheduled to see a physician selected by the MRO for a medical evaluation within 5 days.

13. If the employee refuses to provide a test specimen or refuses to follow the specimen collection procedures, their action will be treated as insubordination and they will be suspended from work. In addition, it will be treated as a verified positive test, and they will be required to cooperate with their Substance Abuse Professional and follow his/her recommendations. If they fail to do so, it will be considered a second verified positive test and they will be discharged.
14. If the employee willfully tampers with or alters the test specimen he/she will be discharged.
15. An employee who is a Union member is entitled to shop steward representation under the following conditions:
 - a. Prior to a Reasonable Suspicion test (during discussions with management).
 - b. Prior to an interview with the Medical Review Officer concerning the results of a confirmed positive result.
 - c. Prior to a discussion to determine treatment and/or education recommendations by a SAP following a verified positive test.
 - d. If the collector is not following established procedures outlined in the Random Drug or Alcohol Screen Checklist for Employees.



PG&E's Voluntary Self-Identification Policy for DOT – Covered Employees

Employees in DOT-covered positions who admit to alcohol misuse or controlled substances use will not be subject to disciplinary action, and are not subject to the federally mandated referral, evaluation and treatment requirements provided that:

- The employee does not self-identify in order to avoid testing.
- The admission of alcohol misuse or controlled substances use is made prior to performing safety sensitive functions.
- Self-identification is not permitted on the day of any DOT test.
- Self-identification must occur more than 72 hours prior to a scheduled DOT test.

Self-identification means contacting EAP¹ to inform that you have misused alcohol or used controlled substances, fully disclosing the circumstances, scheduling an evaluation with EAP, and timely and fully complying with the recommendations made by EAP for education and/or treatment. An employee who has self-identified is required to successfully complete an educational and/or treatment program, as determined by EAP and must execute a "Voluntary Self-Identification Return to Duty Agreement for DOT-covered Employees" with EAP, acknowledging that he/she must fully comply with all EAP's recommendations or be subject to discharge. Full compliance with EAP's recommendations must occur within 72 hours of receipt of the recommended education and/or treatment plan or the employee will be subject to discharge.

Employees currently in the DOT First Time Offender's Program would contact their SAP counselor and fully disclose the circumstances of the relapse, and timely and fully comply with any recommendations made for additional counseling or treatment. Full compliance with EAP's recommendations must occur within 72 hours of receipt of the recommended education and/or treatment plan or the employee will be subject to discharge.

Employees who self-identify will be removed from duty and not be permitted to return to duty until EAP/SAP determines that you have successfully completed the recommended education and/or treatment program and you undergo a DOT return to duty test with a result indicating an alcohol concentration of less than 0.02 and/or a verified negative test result for controlled substances use. An employee with a result indicating an alcohol concentration of less than 0.02 and/or a verified negative test result for controlled substances use will be permitted to return to a DOT-covered position. A verified positive result will be considered a DOT violation and will subject the employee to discipline and the DOT First Time Offender's Program or discharge.

Upon return to duty, the employee is subject to EAP monitoring and up to 4 unannounced non-DOT follow-up tests during the next twelve months.

The Company will provide you with one opportunity to self-identify under this policy during a sixty-month period from the date of a self-identification.

¹ EAP (888) 445-4436



Voluntary Self-Identification Return to Duty Agreement for DOT-Covered Employees

I, _____, understand that the Company has given me an opportunity for rehabilitation following my voluntary admission of alcohol and or controlled substance use and has agreed to allow me to return to duty following compliance with EAP/SAP's recommendations.

I understand that this Recovery Agreement:

- Does not guarantee employment.
- Does not exempt me from meeting other job requirements.
- Does not interfere with my employer's right to discipline or terminate my employment for other violations or infractions.

I understand and agree to abstain from all mood altering substances, both alcohol and drugs. I will not drink any beverage containing alcohol or ingest, smoke, snort or inject any drugs. I agree that I will not take any medication unless prescribed by a physician or a dentist who I have informed of my chemical dependence and the safety-sensitive nature of my job. I understand that I am to report all prescriptions to my SAP/EAP Counselor within 24 hours of receiving the prescription.

I understand and agree that this abstinence agreement applies during work, vacations, leaves and other time off. I understand that if I test positive on any Company alcohol or drug test following return to work, or at work, or if I am subject to legal charges involving alcohol and/or drugs, including DUI, during the next 60 months, that I will be considered to be in violation of this agreement and subject to discharge.

I understand and agree that I will need to timely and fully participate in all treatment, continuing care, and non-DOT follow-up testing recommendations of SAP/EAP. Failure to do so is considered violation of this agreement and I will be subject to discharge.

I certify that I have read and understand the conditions above and I agree that failure to comply with the terms of this agreement will subject me to discharge.

Employee – Print Name:	
Employee – Signature	Date:
SAP/EAP Counselor – Print Name:	
SAP/EAP Counselor – Signature:	Date: