

Striving to be Drug Free
for a Safe Industry



****New Employee/Applicant****

All persons who are eligible and who intend to obtain a BCRC card will complete an application that must be approved by the applicable local Union if submitted by a Contractor Participant.

****Status Confirmation****

An Employer is only allowed to check the status of:

- Current Employees/Participants that are Employed by Them
- Prospective Employees/Participants Sent to Them by a Local Union

If an Employer is audited and they are checking statuses of Employees/Participants not employed by them and not sent to them by a Local Union, Card Manager privileges will be restricted and/or terminated.

Removed NOF meaning “Not on File”

****Adulterated Specimens****

When a urine specimen is reported as adulterated, substituted, out of temperature, the following will apply:

- An out of temperature specimen will be a Non-Compliant Event (“strike”).
- No wait time or second observed collection will be allowed.
- Employee/Applicant will be asked to leave the collection site.
- Employee/Applicant will need to report to the EAP.
- Employee could be subject to an Immediate Observed Recollection without prior notification to donor if recommended by the MRO.

****Diluted Specimen****

Initial diluted specimens will require the Employee/Applicant to return to the collection site within forty-eight (48) hours of being contacted by the BCRC to provide another specimen. The second specimen will be collected under the observed collection protocol and will be on the Employee’s/Applicant’s own time. The Employee/Applicant should avoid excessive consumption of liquids.





****Brand New Employee/Applicant/Traveler to BCRC****

If a New Employee/Applicant/Traveler provides an initial test that is a confirmed Non-Negative or Positive Test or other Non-Compliant Event, BCRC shall notify the applicable Local Union/Company of the test results and the applicable Local Union/Company must decide if they are keeping the Employee/Applicant/Traveler.

BCRC will pay for the initial test and the initial EAP consultation.

Employee/Applicant/Traveler, Contractor or Local Union must pay **BEFORE** taking any of the following:

Any Observed Return to Duty Test(s),

Any Observed Follow-Up Testing required by the EAP,

Any subsequent testing required to be in compliance with the BCRC Policy.

Any costs associated with the Observed Return to Duty or the Observed Follow-Up tests including a retest for dilute will be the obligation of the Employee.

Any subsequent testing required by the EAP; and any other types of testing that BCRC determines, in its sole discretion, should be paid in a different manner and/or by a person (or entity) other than BCRC.

****Reporting Test Results to Employers****

All DOT test results will be reported to the Employee's Employer.

All Non-Negative (Positive) Test results will be reported to the Owner in compliance with approved BCRC On-Site Testing Addenda.

BCRC has the right to provide test results of Post-Accident/Incident and Probable Cause Tests to the Employer that requested such testing.



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**** Non-Compliant Events ****

- Non-negative (Positive) Test for Drugs or Alcohol to Include Any Retesting or Follow-Up Testing
- Unauthorized Non-Negative (Positive) Test
- Late Random with Prior First Occurrence Clause
- Late Return to Duty
- Late Diluted Retest
- Missing a Follow-Up
- Refusal to Test
- Walk Out
- Out of Temperature (With No Second Observed Collection)
- Second Diluted Specimen (With No Valid Medical Reason)
- Adulterated Specimen
- Substituted Specimen
- Insufficient Specimen (With No Valid Medical Reason)
- Flushing Toilet, Washing Hands or Anything a Employee/Applicant Does That Violates Procedures
- Any Other Act or Omission as Determined by BCRC

Employee/Applicant is allowed three (3) non-compliant events in a rolling twelve (12) month period.

If Employee/Applicant reaches three (3) non-compliant events in a rolling twelve (12) months,

Employee/Applicant is to be removed from the BCRC program for one (1) year from the date of the third non-compliant event.

When an Employee has been out of the BCRC Program for one (1) year as a result of the three (3) strike rule and is coming back into the BCRC Program, the following will apply:

Employee will have to go to the EAP

At the direction of the EAP, the Employee must submit to a Return to Duty Test at his/her expense.

If Return to Duty is Negative, BCRC will pay for any Follow-Up testing.

If the Return to Duty Test results in a Non-Compliant Event ("strike 1"), the Employee will have to go back to the EAP at the direction of the BCRC. Again, at the direction of the EAP, the Employee must submit to a Return to Duty test at his/her expense and shall be responsible for the costs associated with all subsequent Follow-Up testing.



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**** Additional Consequences for Multiple Non-Compliant Events****

These policies and procedures apply each time that an Employee has been N/A for the one (1) year time period pursuant to the three (3) Strike Rule and thereafter, requests a change in status under the BCRC Policy. Therefore, if an Employee has a second one (1) year suspension pursuant to the three (3) Strike Rule and thereafter requests a change in status under the BCRC Policy, BCRC will pay for any Observed Follow-Up Testing if the Observed Return to Duty Test is negative, unless and until the Employee has a subsequent confirmed Non-Negative or Positive Test or other Non-Compliant Event.

****Payment for Testing****

An Employee/Applicant, Employer or Local Union will be billed for the following:

Department of Transportation (DOT) –

Pre-Employment Testing

Return To Duty Testing

Follow-Up Testing

Industrial Cleaning –

Pre-Employment Testing

Reinstatement Testing

Pre-Screening Testing of Applicants –

Apprenticeship Pre-Screening

Unauthorized/Unnecessary Tests

Late Random Without Calling BCRC First

Testing on a Clear Status

Crane Certifications

Testing for Employer Required Time Frame

Retest of Disputed Specimen

Any Other Tests BCRC Determines, in its Sole Discretion, are Unauthorized.





****Payment for Testing**(cont.)**

When an Employee has been on “Archived Status” for twelve (12) months or more, has not tested under the BCRC Policy within the past twelve (12) months, and is returning to the active BCRC pool, the following will apply:

- The Employee will be required to submit to a BCRC Reinstatement Test, which will be paid for by BCRC.
- If the BCRC Reinstatement Test is a Non-Compliant Event (“strike”):
 - The Employee shall report to the EAP.
 - At the direction of the EAP, the Employee shall submit to an Observed Return to Duty Test at the **Employee’s expense.**
 - If the Observed Return to Duty Test is Negative, the Employee will not have to pay for any Observed Follow-Up Testing.
 - If the Observed Return to Duty Test is Positive or a Non-Compliant Event (“strike”), the Observed Return to Duty Test will be a Non-Compliant Event and the Employee will have to:
 - Pay for any Observed Follow-up Testing.

All costs related to an Unauthorized Test and all costs for re-testing of disputed test results by an Employee will be paid by the Employer or Employee who initiated such test. The costs to be paid by the Employer or Employee for such tests will be determined by BCRC, in BCRC’s sole discretion, and shall be subject to change.

BCRC shall also have the right to terminate and/or restrict the Card Manager privileges, e-mail status confirmation system access, and any other access to information contained in any BCRC database for any Employer who fails to comply with this Agreement, the BCRC Policy, or any payment obligations to BCRC.

If an Employee fails to pay for any testing costs and/or other costs for which the Employee is responsible under this BCRC Policy, then the BCRC status of such Employee shall be listed as “N/A” unless and until the Employee fully pays all such costs for which the Employee is responsible under this BCRC Policy.

PAYMENT MUST BE CASH, CASHIER’S CHECK, MONEY ORDER OR PAYMENT THROUGH BCRC’S WEBSITE FROM THE MEMBER OR BY CHECK FROM EMPLOYER OR LOCAL UNION.



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****Vacation Status****

Employee who has a “clear” status and is not subject to taking an Observed Return to Duty Test or Observed Follow-Up Testing can call or e-mail the BCRC office to inform BCRC that the Employee will be traveling for vacation or a non-work related absence. Upon receipt of such notification, BCRC will switch the Employee to Vacation Status, which will make the Employee “Not Available”. If the Employee is placed on Vacation Status, it is the Employee’s responsibility to call BCRC upon returning so that the Employee’s status can be updated. The Employee will return to the BCRC random pool and be given a “clear” status if all of the following are true; (1) the Employee was tested under the BCRC Policy within the past 12 months, (2) the Employee’s most recent test under the BCRC Policy resulted in the Employee being given a “clear” status and (3) the Employee has not been out of the BCRC random pool for more than 30 days. If any one (1) of the aforementioned criteria are not satisfied, the Employee will be required to take an immediate Reinstatement Test, the result of which will determine his/her status with the BCRC and potentially subject him/her to the protocol outlined herein for a non-compliant event.

The BCRC can deny the use of Vacation Status to any Employee, if the BCRC determines, in its sole discretion, that the Employee has abused, or the granting of a requested Vacation Status will result in the abuse of, the Vacation Status provisions of this BCRC Policy. Examples of such abuse, include, but are not limited to, an Employee providing false information to BCRC concerning the Employee’s request for Vacation Status, requesting or obtaining Vacation Status for any period of time when the Employee performs work in the geographic area covered by BCRC, failing to timely notify BCRC to terminate the Vacation Status when the reason for the Vacation Status (i.e., vacation, a non-work related absence, etc.) ends, requesting Vacation Status for the purpose of avoiding any testing under the BCRC Policy, and similar matters.



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****Vacation Status **(cont.)**

If an Employee, who does not have access to the Vacation Status option, does go on vacation, he/she can notify BCRC, **before** he/she goes on vacation, that he/she will be on vacation during a specified period of time at a specified location. If BCRC receives such notification **before** the Employee goes on vacation and the Employee is selected for a test, BCRC will call the Employee to schedule him/her to test at a collection site near his/her location. If the Employee does not report to test or fails to report as scheduled, it will be considered a Non-Compliant Event and will subject the Employee to the applicable provisions of this BCRC Policy. Under such provisions, the Employee will be given a “Not Available” status and will be referred to the EAP. If an Employee gives proper and timely notice to BCRC and the Employee is at a remote location where BCRC cannot schedule the Employee for testing, BCRC will verify with the local participating Union and Contractor Participant that the Employee is out of the area. The Employee will then be put on Vacation Status until he/she returns and he/she will be subject to an immediate Observed BCRC Test when reporting back to work in BCRC’s geographic area. Said test will be in addition to any Observed Follow Up Test already assigned by the EAP Counselor.

