

Frequently Asked Questions BJC Subcontractor's Forum

August 15th 2005

Q. If there were a very minor incident, for example, a non-injury fender bender, who would determine whether post-incident testing was required?

A. The BJC ES&H organization will determine whether the potential safety significance of a minor incident calls for post-incident testing

Q. Please explain the process to be followed in the case of an administrative non-negative.

A. An "administrative non-negative" is a situation where an employee tests positive for a prescription drug, but provides evidence that they have a proper prescription for that drug. In such a situation, they would not be considered in violation of the WSAP prohibition on illegal drug use. However, some prescription medications can affect an employee's ability to perform certain job duties, even if legally prescribed and taken as directed. If, as a result of a post-incident drug screening, the BJC medical director becomes aware that an employee may be legitimately using a drug which could impair the employee's abilities, he will inform the subcontractor of the potential medical impairment. The subcontractor will be expected to address the potential impairment in accordance with all applicable requirements.

Q. Will BJC medical impose work restrictions on subcontractor employees?

A. No. BJC medical will provide information to the subcontractor on drug test results and potential medical impairment of a subcontractor's employee in accordance with applicable requirements. It will be the responsibility of the subcontractor, as the affected employee's employer, to determine what actions to take with regard to the test results or potential impairment.

Q. When there are lower tier subcontractors, are they all required to participate in a WSAP program?

A. If the lower tier subcontractors perform work on a DOE site that meets the applicability requirements of 10 CFR 707, they are required to submit and implement an appropriate WSAP program. The company and all its lower tiers are responsible to enforce the program and ensure compliance. You are required to submit a report semi-annually.

Q. Is there any consideration for extremely small companies?

A. If they meet the applicability criteria for 10 CFR 707, they must comply with the regulations.

Q. Does BJC require subcontractors to use the expanded drug and alcohol panel for pre-hire testing?

A. BJC has not required subcontractors to implement the expanded drug and alcohol panel for pre-hire testing at this time, although BJC uses it and strongly recommends it.

Q. What information should subcontractors report to BJC with regard to incident (for cause) testing, and what are the confidentiality guidelines?

A. BJC needs to be informed for any positive test result for alcohol or illegal drugs. The following information should be provided, in confidence, to the BJC WSAP Program Coordinator, Sandra Rhodes: name, corrective actions taken, removal from Testing Designated Position, EAP offered, level of discipline administered, dismissed, section of subcontractor WSAP plan

used to take action. . The results of the test (without the employee's name) will also be indicated on your semi-annual report.

Q. What is the current status with regard to the local unions (USW, ATLC, Building Trades) and application of site WSAP programs?

A. BJC has reached agreement with the Knoxville Building and Construction Trades Council and its affiliated local unions signatory to the Construction Labor Agreement (CLA), the ATLC and the USW (formally PACE) on the application of the BJC WSAP program. BJC's subcontractors must reach separate standalone agreements with the affected unions. BWXT Y-12 and the ATLC may have arrangement different from BJC.

Q. In attempting to negotiate with the unions, does BJC suggest subcontractors approach the situation alone or with BJC present?

A. BJC recommends that subcontractors attempt to reach independent agreements first. If there are difficulties, call BJC for assistance.

July 2005

Q – What specific drugs are you testing for?

A – Amphetamines, Barbiturates, Benzodiazapines (Librium, Valium, Ativan, etc.) Cocaine, Methadone, Methamphetamine, Opiates, Oxycodone, and Marijuana.

Q – What incidents may be excluded from post-accident substance screening?

A – Insect bites and stings, poison ivy, minor burns, and medically minor soft tissue injuries like minor sprains, strains, bumps and bruises.

Q – Must workers other than the injured worker be drug tested?

A – BJC may require testing of other workers if it is agreed upon by Safety, Management, and Medical that they could have contributed to the accident.

Q – If a worker tests “non-negative” on the instant screen, what happens?

A – It depends on the drug that is possibly detected and the worker's daily work activities. While waiting for confirmation, BJC may require the subcontractor to remove the worker from the site or to restrict the worker from some work activities.

Q – Will BJC perform the nine panel drug screen only?

A – No. All DOT testing will utilize the SAMHSA five panel screen and no point-of-collection testing will be done.

Q – Will alcohol screening be performed in addition to drug screening on all post-accident/incident screens?

A – Yes.

Q – Who is the Point of Contact for providing subcontractors with a copy of BJC's Drug and Alcohol Control Procedure?

A – Contact your Subcontract Administrator to obtain the electronic MS Word file.

Q – To whom is the final investigative report submitted?

A – Submit the investigation report to your Subcontract Administrator. The SCA will forward a copy to the BJC Manager of Human Resources.

Q. Can subcontractors use the standard SAMSHA five drug testing panel rather than an expanded drug testing panel?

A Although 10 CFR 707 does not specifically require use of an expanded panel, to ensure a drug-free workplace, and as a condition of site access, BJC requires subcontractors to conduct post-occurrence, post-incident, post-accident, and reasonable suspicion testing for substances on the expanded drug panel and to test for alcohol.

Q – How quickly will BJC complete its review of subcontractors' BJCF-920 submittal?

A - Review of all submittals should be completed by the end of September.

Q – Is random drug and alcohol testing administered the same for both bargaining unit and salaried employees who occupy Testing Designated Positions?

A – In Oak Ridge only, BJC USW, ATLC, and Knoxville Building & Construction Trades Council employees are tested using the expanded drug testing panel and are alcohol tested. Until expanded panel and alcohol testing are negotiated in Paducah and Portsmouth, bargaining unit employees are tested using the SAMSHA 5 panel and no alcohol testing is done for random testing.