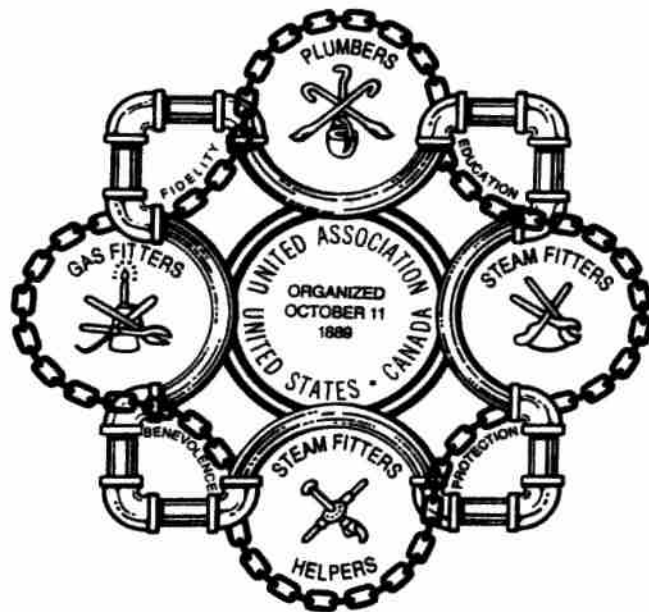




DRUG & ALCOHOL SUBSTANCE ABUSE POLICY



between

UNITED ASSOCIATION LOCAL UNION 290

and

**PLUMBING AND MECHANICAL
CONTRACTOR ASSOCIATION
(PMCA)**

PORTLAND, OREGON

UNITED ASSOCIATION LOCAL 290
AND THE
PLUMBING AND PIPING INDUSTRY COUNCIL, INC.
JOINT DRUG AND ALCOHOL POLICY

POLICY STATEMENT

The COUNCIL, EMPLOYER and UNION are committed to providing all employees with a drug-free and alcohol-free workplace. It is our combined goal to protect the health and safety of signatory Employers, management personnel, craft workers, visitors to our job sites and the public; to promote a productive workplace, and protect the reputation of all signatory organizations and their employees.

Consistent with these goals, the joint parties agree to prohibit the use, possession, distribution or sale of drugs, drug paraphernalia, or alcohol at the facilities or project sites of signatory employers who adopt this JOINT DRUG AND ALCOHOL POLICY. A program which includes the testing of urine (*) will be instituted to monitor compliance with this Policy.

(*) Where an employee is rendered unconscious in an injury accident and is unable to provide a urine specimen, a blood sample may be required.

An individual who passes a pre-employment drug/alcohol screening test will be given a CARD by the Employer that requested the test and/or the testing facility. The CARD will indicate: 1) the individual passed the test, (2) the date the test was taken, and (3) an expiration date. All Employers bound by this Policy agree that an individual who has passed a pre-employment drug/alcohol screening test within the last six (6) months, and who provides verification to the potential Employer, will not have to undergo another pre-employment drug/alcohol screening test.

Cards will only be valid for a period of six (6) months.

If a client requires a drug/alcohol screening test as a condition of employment, it will be as mutually agreed upon by all parties involved.

POLICY ADMINISTRATION

1. PROHIBITED SUBSTANCES

A drug is defined as any substances which may impair mental or motor functioning. Prohibited substances include, but are not limited to: illegal drugs, controlled substances as defined by law, designer drugs, synthetic drugs, look alike drugs, alcohol, and under the circumstances described in this policy, prescription drugs. Alcohol is defined as any beverage or substance containing alcohol.

2. PRESCRIPTION DRUG USE

Employees using a prescription drug which is identified as a drug which may impair mental or motor function shall inform their supervisor of such drug use. For the safety of all employees, the Company may place persons using such drugs in a less hazardous job assignment or place them on temporary medical leave until released as fit for duty by the prescribing physician. The Company reserves the right to have its physician determine if a prescription drug produces hazardous effects or to restrict the quantity the employee is allowed to bring to the workplace.

3. PROHIBITED CONDUCT

This Policy requires that all employees report for work in a condition that will permit them to perform their duties safely and efficiently. This Policy recognizes that an employee's on-the-job and off-the-job involvement with alcohol or drugs can have an impact on the work environment that impairs his/her ability to safely and efficiently perform the work. Therefore, this Policy expressly prohibits the following conduct:

- A. Reporting for work or working with an excess of threshold limits as established in Exhibit "A" to this document; or
- B. Possessing, distributing, selling, manufacturing, transferring or receiving any alcohol, prohibited substance, including drug paraphernalia on Company premises, vehicles, or equipment, project sites, or on Company time; or
- C. Failing to fully cooperate with any aspect of this DRUG AND ALCOHOL POLICY, including, but not limited to a refusal to submit to required testing, professional evaluation for drug and alcohol dependency, or failure to submit to complete rehabilitation conditions imposed by this policy; and
- D. Alcoholic beverages: In certain circumstances, alcoholic beverages may be permitted at office events sanctioned by senior management personnel.

4. **PRE-EMPLOYMENT TESTING**

Applicants for employment with the Company may be required, within three (3) working days to undergo drug/alcohol screening to test for the presence of prohibited substances. Presence in quantities above acceptable limits of one or more prohibited substances will be the cause for rejection of employment. Refusal to provide a specimen for the test will be considered voluntary withdrawal of the application for employment. If the medical facility cannot provide test results prior to the scheduled reporting date, employment will be considered probationary until the test results are known to the Company.

5. **TESTING OF EMPLOYEES**

Employees may be asked to undergo a drug/alcohol screening under the following circumstances:

- A. Direct involvement or possible involvement in any type of accident or near-accident in which it can be shown that the employee's behavior, judgment, actions or lack thereof reasonably contributed to the accident or potential accident, injury or damage to property or equipment.
- B. When supervision has reason to suspect employee conduct in violation of this DRUG AND ALCOHOL POLICY. Reasonable suspicion may be based on observations that the employer can describe, such as appearance, behavior, speech, breath odor, bodily symptoms, paraphernalia, or such other reasonable and responsible reason.
- C. An employee who tests positive will not be paid for the time lost from work during the period of testing and receiving the test results. Should a positive test be disputed, request for re-test must be made within forty-eight (48) hours. Employees who test negative will be paid for time lost from work.

6. **TESTING PROCEDURES**

- A. Drug/Alcohol screens will be performed in accordance with standards disseminated by the NATIONAL INSTITUTE OF DRUG ABUSE, in an independent testing laboratory licensed by the STATE OF OREGON, which have been jointly approved by the signatory parties or listed in Exhibit "B" to this document. Test specimens may be obtained and forwarded by clinical facilities jointly approved by the signatory parties, provided a chain of custody is maintained.
- B. Basic tests which give positive indication of drug/alcohol use by an applicant or employee will be confirmed by an alternate pre-approved method of testing as outlined in Exhibit "A".

- C. An employee suspected of being under the influence of a prohibited substance may, for reasons of safety, be suspended until test results are available.
- D. (1) A first sample testing “dilute” shall be recognized as inconclusive. When that occurs, the individual shall be counseled that his/her test results are inconclusive due to dilution of the sample, and that he/she must restrict their fluid intake prior to furnishing another sample. Retesting may be requested four (4) hours after the individual has been counseled.

(2) If the second sample test dilute, it will be considered a failure to pass, and be subject to Point of Understanding, Item Number 10 C.

7. **ACTION - POSITIVE TESTS AND DISCIPLINARY PROCEDURES**

- A. Applicants testing positive will not be hired.
- B. Employees violating the prohibited conduct set forth in SECTION 3 will be subject to immediate termination.
- C. Employees who refuse to cooperate with testing procedures will face disciplinary action consistent with a positive test, but in no case will an individual be forcibly detained or searched.

8. **REHABILITATION AND TREATMENT**

- A. Employees will be encouraged to seek help for a drug or alcohol problem before it deteriorates into a disciplinary matter.
- B. Employees enrolling in a treatment program will be required to fully cooperate with any aspect of the program, including submitting to any professional evaluations for drug and alcohol dependency.

Before becoming eligible for re-dispatch to the Company, the employee must successfully complete the drug and alcohol program within the time period designated by this DRUG AND ALCOHOL POLICY, and may be required to submit to a urine test to determine if the employee has any alcohol or drugs present in his or her body. Provided those conditions are met, the employee will be eligible for re-dispatch to the Company, subject to all hiring hall procedures. Employees returning to work with the Company in accordance with this Section will be required to submit to random periodic testing, at the Company’s discretion, over the next twelve (12) months and may be required to sign a “last chance agreement”. Any subsequent violation of this DRUG AND ALCOHOL POLICY or a refusal to take a

test during this period, or any positive test results, will be considered a breach of the last chance agreement and will subject to the employee to immediate termination.

9. **SEARCHES**

The Company reserves the right to conduct searches of Company property, vehicles, or equipment at any time or place.

10. **CONFIDENTIALITY**

All actions taken under this POLICY will be CONFIDENTIAL.

11. **SUBCONTRACTORS AND VENDORS**

Subcontractors, sub-tiered contractors, vendors and their employees will be encouraged to cooperate and adopt this POLICY in achieving a Drug-Free and Alcohol-Free Workplace.

12. **AMENDMENTS TO POLICY**

All Employers agree to conform to all State, Federal and National Safety Access Codes, safety measures and laws. Amendments to this POLICY may by mutual agreement be issued to comply with project owner requirements.

13. **PROCEDURAL RESPONSIBILITY**

The Council and Union agree that the standing Joint Hiring Hall Committee is identified as the authority to review this DRUG AND ALCOHOL POLICY on a regular basis, and is delegated the following operational responsibilities:

- A. Review and approve collection procedures as needed.
- B. Approve or disapprove laboratories for identification in Exhibit "B".
- C. Submittal of any recommendations for changes or modifications to this DRUG AND ALCOHOL POLICY jointly to the Council and Union for review and joint approval.

POINTS OF UNDERSTANDING
REGARDING SUBSTANCE ABUSE TESTING

- 1. In circumstances where Union members are dispatched to or from remote locations, the Company and affected Unions will work together to implement "as needed" collection facilities for individuals reasonably conve-

nient to their places of residence. Costs of collection and testing shall be paid by the Employer.

2. Applicants will not be hired until drug/alcohol testing is complete and results indicate a negative test result.
3.
 - A. Employees tested for cause shall be paid in accordance with the provisions of SECTION 5 C.
 - B. Applicants for employment shall be provided an opportunity to test at a certified collection/medical facility near their home.
4. It is agreed by the Union and the Employer that drug and alcohol testing of employees shall be required as soon as practical, subsequent to work related accidents. A work-related accident is defined as an accident resulting in an injury requiring treatment by a physician (OSHA recordable) or resulting in damage to property or equipment.
5. Reporting of test results shall be handled discreetly between the medical facility and employer. Results shall be reported by the facility to the Employer as follows:
 - A. YES, the employee is within the limits prescribed by the Employer.
 - B. NO, the employee is not within the limits prescribed by the Employer.
6. If requested by the employee, the results will be provided to the employee by the medical facility.
7. The Employer and the medical facility understand and agree that customary patient privacy in taking the described test will be provided.
8. The Employer, the medical facility and the testing laboratory agree that security of biological specimens is absolutely necessary. Any breach of this security will require an immediate retest.
9. In the event of positive test results on both the basic and positive verification test, the employee may have, within ten (10) days, the same specimen retested at a different licensed laboratory listed in Exhibit "B". Retesting shall be performed at the employee's expense, but in the event of negative test results, the retest will be at the Employer's expense, and the employee will be paid any lost wages and benefits resulting from lab error. This provision shall apply only if re-test is requested within forty-eight (48) hours of the employees notification. If the results of the employee requested retest gives rise to a dispute concerning continued

employment, provisions of paragraph 12 within these "POINTS OF UNDERSTANDING" will apply.

10. A. If an applicant for employment fails the required test, he/she may reapply for employment consideration after a period of no less than sixty (60) calendar days has elapsed. The Company will waive this sixty (60) day waiting period if the applicant completes an acceptable drug/alcohol rehabilitation program and presents proof of completion of the program to the Company.
- B. Employees who fail a drug/alcohol test will be subject to termination. They may be reconsidered for re-dispatch to the Company in ninety (90) days. The Company can waive this ninety (90) day waiting period if the employee completes an acceptable drug/alcohol rehabilitation program and presents proof of completion of the program to the Company. Re-dispatch to the Company is subject to all applicable hiring hall procedures. Employees who have been terminated for violation of the drug/alcohol policy agree to random drug testing for twelve (12) months after re-dispatch to the Company.
- C. Employees testing positive who are terminated will be terminated with the following notation:

"Does not meet qualifications"

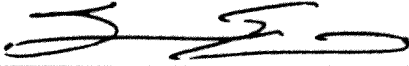
11. The Employer, the medical facility, and the testing laboratory agree that the results of the described tests are to be held in strictest CONFIDENCE between the Employer and the medical facility. It is further agreed that the results of the tests will not be provided to anyone without the express written consent of the employee.
12. The Employer agrees that the grievance procedure contained in the applicable Labor Agreement shall apply for dispute resolution relative to this POLICY.
13. All pre-employment drug and alcohol testing shall be performed on Company time.
14. The Employer agrees to indemnify and hold the Union harmless from any and all claims arising under the Employer's application of this POLICY and further agrees to pay all fees and costs of legal defense for the Union should any action be brought against the Union because of the Employer's requirement of such tests.
15. Upon project completion, individual employee drug screening test results shall be removed from the Employer's personnel files and shall not affect the individual's subsequent employment opportunities with the Employer.

16. It is understood that all employees working for a signatory contractor on any project which requires drug testing shall be tested.

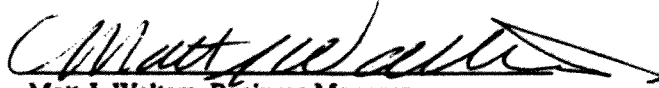
Approved by the organizations identified below, this 31st day of October, 1997.

**PLUMBING & PIPING INDUSTRY
COUNCIL, INC.**

**PLUMBERS & STEAMFITTERS
U.A. LOCAL UNION 290**



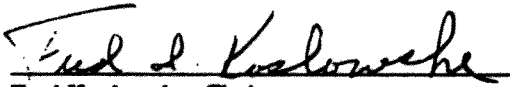
Frank Quinn, President




Matt J. Walters, Business Manager

10-31-97
(Date Signed)

10-31-97
(Date Signed)



Fred Koslowski, Chairman
Substance Abuse Subcommittee



Mel Davis, Chairman
Substance Abuse Subcommittee

10-31-97
(Date Signed)

10-31-97
(Date Signed)

EXHIBIT "A"

DRUG-OF-ABUSE LABORATORY PROCEDURES

EMIT METHOD INFORMATION (Basic Test)

The name EMIT stands for ENZYME-MULTIPLIED IMMUNOASSAY TECHNIQUE. This technique is used for the microanalysis of drugs in biological fluids. Urine is mixed with two (2) reagents. Reagent 1 contains antibodies specific to the particular drug, the coenzyme nicotinamide adenine dinucleotide (NAD) and substrate G6P (glucose 6 phosphate). Reagent 2 contains a drug derivative labeled with the enzyme G-6PDH (glucose 6 phosphate dehydrogenase). Reagent 1 is added to the specimen and the antibody; this binding decreases the enzyme lable activity. The enzyme that remains unbound (therefore still active) relates directly to the concentration of drugs in the specimen. The active enzyme converts NAD to NADH, resulting in an absorbance change that is measured spectrophotometrically.

GAS CHROMATOGRAPHY-MASS SPECTROMETRY (Positive Test Verification) - GC/MS is used as a confirmation of positive EMIT screens in laboratories. It generally allows identification of the specific drug involved. It also provides the ability to quantify the cannabinoid and urine alcohol level present.

(GC/MS) is an analytical technique which allows one to separate substances based on their differential migration rate through a gas chromatographic column and then, virtually unequivocally, identify them based on their mass spectrum and the migration time. The technique has been generally accepted as a reference method for legal applications. GC/MS does have limitations related to sensitivity, the range of masses measurable and the requirements for specimen volatility and thermal stability. In general, however, for drug analysis, GC/MS is the most specific method available.

The GC/MS in use in the Laboratory of Pathology of Seattle is a Hewlett-Packard Model 5970 B, which uses electron bombardment to produce a "finger print" mass spectrum of each analysis as it elutes from the capillary column in the gas chromatography. An on-board computer correlates the mass spectrum with a stored library of compounds and produces a report of the probable substances in the specimen.

EXHIBIT "B"

LIST OF APPROVED COLLECTION SITES

It is understood that the testing facility has financial liability for the accuracy of test results. The Union agrees to assist the Employer in recovering labor costs resulting from lab error.

A current jointly approved list of collection sites can be procured from the Council or Local Union 290.

EXHIBIT "C"

PRE-EMPLOYMENT CONSENT FORM

CONSENT FOR ALCOHOL AND DRUG TESTS

I understand that a requirement for employment with this Company may be successful completion of testing for both alcohol and controlled substances.

By my signature below, I hereby agree and consent to provide a urine sample at a facility designated by the Company; I agree and consent to have such samples tested for the presence of alcohol and controlled substances which may impair mental or motor functioning; I authorize the release to the Company for its use in evaluating me for employment, information indicating whether or not my tested sample was within the prescribed limits; and I release the Company from liability and claims due to errors or mistakes made by the collection facility or testing facility so long as the collection site or lab has been mutually agreed upon by the Council and the Union.

In addition to testing at the initial time of application for employment, I understand that employees may be asked to undergo a drug/alcohol screen under the following circumstances:

- A. Direct involvement or possible involvement in any type of accident or near accident in which it can be shown that the employee's behavior, judgment, actions or lack thereof reasonably contributed to the accident, injury or damage to property or equipment.
- B. When supervision has reason to suspect employee conduct in violation of the Company's Drug and Alcohol Policy.

I acknowledge that I have read, understand and have received a copy of this ALCOHOL AND DRUG POLICY. Furthermore, I understand that refusal to submit to the alcohol and drug screening test will constitute voluntary withdrawal of my application of employment; if employed, refusal to submit to such testing will result in termination of employment and the presence of one or more of those prohibited drugs at or above the defined threshold levels will result in termination of employment.

Witness Signature

Signature

Title

Social Security Number

Date

Exhibit "A"

URINE TESTING DRUGS-OF-ABUSE THRESHOLDS

DRUG	SCREENING DETECTION LIMIT	SCREENING METHOD	CONFIRMATION LIMIT	CONFIRMATION METHOD
Amphetamines	1000 ng/ml	EMIT/ABUSCREEN	500 ng/ml	GC/MS
Barbiturates		EMIT/ABUSCREEN	200 ng/ml	GC/MS
Secobarbital	300 ng/ml			
Phenobarbital	1000-3000 ng/ml			
Butalbital	1000 ng/ml			
Benzodiazepines		EMIT/ABUSCREEN	200 ng/ml	GC/MS
Oxazepam	300 ng/ml			
Chlordiazepoxide	3000 ng/ml			
Diazepam	2000 ng/ml			
Cocaine Metab	300 ng/ml	EMIT/ABUSCREEN	150 ng/ml	GC/MS
Methadone	3000 ng/ml	EMIT/ABUSCREEN	100 ng/ml	GC/MS
Methaqualone	300 ng/ml	EMIT/ABUSCREEN	300 ng/ml	GC/MS
Opiates		EMIT/SBUSCREEN	300 ng/ml	GC/MS
Morphine	300 ng/ml			
Codeine	1000 ng/ml			
PCP (Phencyclidine)	25 ng/ml	EMIT/ABUSCREEN	25 ng/ml	GC/MS
THC (Marijuana)		EMIT/ABUSCREEN	GC/MS	
Employment	100 ng/ml		15 ng/ml	
Treatment	20 ng/ml		5 ng/ml	
Propoxyphene	300 ng/ml	EMIT/ABUSCREEN	100 ng/ml	GC/MS
Ethanol	0.03 g/dl	AHD*	0.03 g/dl	GC

*Alcohol dehydrogenase method NIDA specified threshold