

**PMTA-ILA PORT OF PHILADELPHIA,  
WILMINGTON AND NEW JERSEY  
MASTER CONTRACT  
DRUG AND ALCOHOL ABUSE PROGRAM**

**SUMMARY OF MATERIAL MODIFICATION – NOTICE**

September 25, 2008

This notice provides important information relating to the PMTA-ILA Port of Philadelphia, Wilmington and New Jersey Master Contract Drug and Alcohol Abuse Program.

**PLEASE ATTACH THIS NOTICE TO YOUR SUMMARY DESCRIPTION OF THE DRUG AND ALCOHOL POLICY**

Article V “Rehabilitation Program”, Section 2(a) has been amended to allow additional time to complete a Rehabilitation Program for those employees who have a sixty (60) day suspension. The time has increased from 120 days to complete the rehabilitation program to 180 days. Below please find the actual provision with the amendment in bold print.

“The employee will continue under suspension until such time as he shall successfully complete an approved rehabilitation program; provided, however, the employee will be deemed to have elected not to undergo rehabilitation if he fails to enter and complete an approved rehabilitation program within ~~120~~ **180** days.”

In addition, the testing procedure has been amended as follows:

Effective June 30, 2008, the “Quick Test” will be used to obtain instant Drug test results. A quick test will render either a negative or “Non-negative” test result. If a negative test result is obtained the employee is free to return to work immediately. If a “Non-negative” test result is obtained the employee will be taken out of work status until a full urine screen is completed. In light of the programs requirement to provide a Drug and Alcohol free workplace the Trustees are very concerned about the liability of placing a person who may be impaired back into the workforce where they would be a threat to themselves and the people they are working around. Employees taken out of the hiring system will be made whole **IF** the full Drug Screen comes back negative **and they comply with the requirement in #6 below**. If the full drug screen comes back positive the employee’s suspension will begin the day the employee was removed from the hiring system due to rendering a Non-negative test result. The purpose for using the “Quick Test” is to help provide a Drug and Alcohol free workplace. It is our goal to give employees the ability to come to work and not have to worry about co-workers abusing Drugs

while they are working next to you. Here are the steps in the “Quick Test” process, which is not much different than the current system

- 1). An employee will be required provide an adequate urine specimen. The specimen will be tested for proper temperature the same way it is done under the current system.
- 2). The collector will take the specimen from the employee and place a portion of the specimen in a separate container and conduct the “Quick Test”. The results of the “Quick Test” will be rendered within 3-4 minutes.
- 3). “Quick Test” paperwork will be completed by the collector, a copy of which will be given to the employee.
- 4). If the “Quick Test” indicates a negative result, the specimen will be destroyed and the employee will go back to work. **No further action will be taken.**
- 5). If the “Quick Test” renders a “Non-negative” result, the remainder of the test will be split, sealed and documented the same way it is under the current system with a consent form and a chain of custody form then sent onto the lab for processing.
- 6). As a result of the “Non-negative” result, the employee will be taken out of the hiring system until the results of the full Drug Screen are obtained. If the full Drug Screen results come back negative the employee will be made whole for lost wages and fringe benefit contributions. In addition an employee will be made whole only if their seniority classification was eligible for work and they have the required qualifications required for that days work. If the full Drug Screen results are positive the employee’s suspension will begin on the day the “Quick Test” is taken. **IT IS IMPORTANT TO NOTE THAT A SPECIMEN THAT RENDERS A “NON-NEGATIVE” RESULT DURING THE “QUICK TEST” IS NOT A “POSITIVE” RESULT. NO EMPLOYEE WILL BE SUSPENDED BASED ON A “NON-NEGATIVE” RESULT DURING THE QUICK TEST.**
- 7). Once the specimen goes to the lab the same process that is currently taking place will continue to take place. The specimen will be tested and if positive a confirmatory test will be given on the same specimen. If the confirmatory test is positive the Medical Review Officer (MRO) will contact the employee. It is imperative the employee provide a current valid telephone number on the consent form. After contact from the MRO a determination will be made if the test results are positive or negative. You must cooperate with the MRO to expedite the process. If an employee is suspended due to a Non-Contact positive, the employee will not be made whole for the time they were not eligible to work due to the “Quick Test” Non-negative result.
- 8). If the “Quick Test” indicates an adulterated specimen the employee will be directed to provide another specimen however this time the employee will be under direct observation when providing the additional specimen. If an employee refuses to provide

another specimen that employee will be suspended from employment at the next level of suspension for that person.

9). The PMTA-ILA Drug and Alcohol Committee will be advised of a positive or negative test result. If positive a suspension notice will be sent out by the PMTA-ILA Drug and Alcohol Committee. If a negative test result is received no notice will be sent out.

Privacy is paramount in this process. To that end, the collector has the ability to stop testing if they feel privacy has been compromised. Since the "Quick Test" results are instant other employees should not be in the area when an employee is being tested. Every effort will be made to protect the privacy of all employees.

#### **NOTICE TO ALL EMPLOYEES IN METHADONE OR BUPRENORPHINE REHABILITATION PROGRAMS**

A positive result from Methadone and Buprenorphine will not be deemed to constitute an offense under the Plan, provided the employee has given prior notice to the ATAP ("Provider") that he is a participant in a recognized rehabilitation program requiring his use of Methadone. The employee will thereupon cooperate with the Provider in monitoring the employee's participation in (including testing under) a recognized rehabilitation program. Should the Provider subsequently be advised that the employee tested positive within the foregoing standards for prohibited drugs, the employee will be found to have committed an offense under the Plan.