

# Apprentice Policy Guide

FOR THE

ALASKA JOINT ELECTRICAL  
APPRENTICESHIP and TRAINING TRUST



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## **GENERAL POLICY**

Labor and management from the IBEW, NECA and various contributing utilities throughout Alaska jointly sponsor the Alaska Joint Electrical Apprenticeship and Training Trust (AJEATT). The AJEATT is responsible for the formulation and administration of all such rules and policies deemed necessary by the Trust to assure a successful apprenticeship program. Changes or revisions to these rules and policies may be made at any time by the Trust as the need arises.

Each apprentice will be given a set of these rules and policies, and will periodically be required to sign an acknowledgement that they fully understand them, and will abide by them. Each apprentice will also be required to follow the guidelines set up by the local apprenticeship school. Should an apprentice refuse to sign these rules and policies, or any other required paperwork, their registration will be canceled. The rules and policies written in this document address non-exclusive examples of improper conduct. The Committee may exercise sole discretion in taking disciplinary action against an apprentice for conduct that is not specifically set forth in this document. Committee disciplinary action may include, but is not limited to, warnings, delayed pay increases, reduction of OJT hours, or cancellation from the apprenticeship. The Apprenticeship Committee will strive to enforce these rules in a consistent and progressive manner, however, the Committee may bypass steps in its disciplinary structure, and take any action, up to and including cancellation from the apprenticeship program, when it determines, based on its sole discretion, that an apprentice's conduct warrants such action. If any apprentice feels they have been treated unfairly or discriminated against, they may seek assistance through the complaint procedure detailed in Section XXI, Part D of the AJEATT Local Apprenticeship and Training Standards. Details are available through the apprenticeship school.

All apprentices shall be registered with the U.S. Department of Labor, Office of Apprenticeship, as participants in the AJEATT Apprenticeship Program.

## **ACCEPTABLE APPEARANCE AND GENERAL CONDUCT**

All apprentices that are registered to the AJEATT represent not only the apprenticeship program, but also the IBEW, and their employer. Therefore, it is imperative that each apprentice present and conduct themselves in a professional and responsible manner, whether they are on the job, in class, or out in the community.

- A. General work attire should be appropriate for jobsite conditions. Appearance while attending related instruction should be appropriate for the type of training being provided. Apprentices are prohibited from wearing clothing that is too casual, does not meet safety requirements, is immodest, or portrays offensive language or images, both while on the job and in class. In addition, each apprenticeship school may have dress code requirements that are specific to that facility.
- B. Apprentices are expected to treat workmates, classmates, employers, staff, and the general public in a courteous and respectful manner. Failure to follow the directions of an AJEATT staff member or instructor, or failure to treat a staff member or instructor in a respectful manner will not be tolerated.

- C. Acts of physical violence, possession of a weapon on AJEATT property, or making verbal threats toward another individual, an employer, the Union, or the AJEATT will not be tolerated. Such actions may result in discipline up to and including removal from the apprenticeship program, and the authorities may be notified if deemed necessary by the AJEATT.
- D. The Apprenticeship Committee reserves the right to act in extraordinary situations in which an apprentice's conduct outside of class or off the job, such as criminal behavior, might be disruptive to or interferes with classroom training, OJT or other aspects of the program; poses a risk to the health, safety, or security of others; might tend to adversely affect the reputation of the AJEATT, participating employers, the IBEW, NECA, or the industry; or would likely interfere with the apprentice's ability to be employed. Normally the Committee will only take action against off duty conduct if it has such an effect on the program, but the Committee reserves the discretion to take action based upon any conduct that renders the apprentice unfit to remain in the program or become a journeyman in the trade.

#### **RELATED CLASSROOM INSTRUCTION**

- A. All newly registered apprentices, with the exception of Tree Trimmer apprentices, shall be given the option to take a math pre-test. Apprentices who cannot satisfactorily pass the math pre-test, or choose not to attempt it, must successfully complete the NJATC Tech Math course (available on-line) at their own expense prior to attending first-year class.
- B. Attendance at all classroom sessions is required for every apprentice. Unexcused absences or repeated tardiness will not be tolerated. Each unexcused absence will be penalized 100 hours. Missed time will be made up at the end of the class, regardless of whether the absences were excused or unexcused. Time may be made up during the class session, at the discretion of the instructors and in conjunction with the Director and/or Coordinator. Being late for class two (2) times will be penalized 100 hours. The third tardy will require an appearance before the local Apprenticeship Committee. Being late will also warrant a penalty of a minimum of 30 minutes of extra training time (for each incident) at the end of class. The apprentice will not be available for OJT training until the time is made up for either incident.
- C. Personal business is not generally considered an excusable absence, and should be conducted outside of scheduled class hours. Medical emergencies are excusable. Doctor appointments need to be verifiable and should be arranged outside of scheduled class hours if possible.
- D. Any apprentice with excessive tardiness or absences will be required to meet with the Local Committee and explain the situation. The apprentice and the Committee will determine how to correct the problem. If the problem continues, the apprentice will be subject to cancellation from the program.
- E. Passing grades for all sessions and course tests is 75%. All failed course tests must be retaken until the exam is passed, however, the score from the first

attempt is the only score that will count towards the overall class average. An apprentice who fails three tests will be required to meet with the Director of the school to determine and correct the reason for the failing scores. If the apprentice continues to fail course exams, or fails the class, they will be required to meet with the Local Committee. The apprentice may be required to complete remedial course work, or repeat the class the following year with wage increases suspended until the class has been successfully completed. If an apprentice's test scores continue to be failing and no remedy can be found, the apprentice will be canceled from the program.

- F. Apprentices will be notified on the first day of each class session what will be required for the completion of that course. All assigned coursework must be satisfactorily completed, and competency in required hands-on skills must be satisfactorily demonstrated to pass the class. Inside Wireman apprentices registered after January 1, 2016 must obtain a passing score on Craft Certification evaluations required as a part of each year's coursework, in order to complete that class session and be eligible for future wage increases. If an apprentice is unable to meet all course requirements during regular class hours, they may need to schedule additional time to satisfactorily complete the course. Final grades for each class session will be determined based on a combination of hands-on performance evaluations and average test scores. Apprentices completing a class session will be placed on the out of work list based on these final grades (exception: apprentices that have been out of work 30 days or longer prior to attending class will be placed on the out of work list based on their last day worked).
- G. Students will comply with directions from the Instructor. No disruptions of class will be tolerated.
- H. Electronic devices, other than those required to complete course work, will be completely turned off during instructional periods. An apprentice who is distracted from their training due to the use of electronic devices, whether or not such devices are used to complete coursework, will be assigned additional training time, and may be required to come before the Apprenticeship Committee for further disciplinary action.
- I. Unauthorized use of notes, formulas, books, or other reference material's during testing, quizzes, examinations, or homework and/or any other form of cheating will not be tolerated and shall subject the apprentice to cancellation of his/her apprenticeship agreement.
- J. Textbook and course material costs are to be paid for by the end of the first week of school. There are no provisions for making payments on texts/course materials required for each course. Pay raises will be suspended until any outstanding debts to the school are paid.
- K. All apprentices are strongly encouraged to attend Local Union Meetings as part of their education.

- L. No smoking, smokeless tobacco, or electronic cigarettes are allowed in any building on the premise. This includes the classrooms, shop areas, hallways, and entryways. Designated smoking and spitting areas are to be pointed out prior to each class starting. Each instance of smoking or spitting outside designated areas is subject to having 100 hours deducted from your total program hours.
- M. Apprentices are responsible for the cleaning of the training facility while they are in class. Cleaning assignments will be determined by AJEATT staff. Should a cleaning assignment be inadequately completed, additional duties may be assigned.

### **MONTHLY HOUR REPORTS-RECORD KEEPING**

- A. Hour reports are due in the Training Director's office, or postmarked, no later than the 15th day of the month following the period in which the hours were worked (i.e., January hours are due by February 15th.)
- B. Late hour reports will not be counted towards the total OJT and will delay scheduled pay raises.
- C. Two occurrences of overdue hour reports in a twelve month period will require an appearance before the apprenticeship committee. Repeated overdue reports will be subject to Committee review for further disciplinary action.
- D. Facsimile or scanned copies will not be accepted unless for pay raise purposes or apprentice is at a place that is not regularly served by the US Postal Service. (Originals must still be provided to the office).
- E. Monthly reports shall be **completely** filled out including apprentice name, address, wage rate and percentage, month, year, and employer.
- F. The reports shall accurately reflect the hours worked in each job classification along with totals.
- G. Reports will be evaluated and signed by the journeyman with whom the apprentice worked. In addition, the job supervisor or other employer representative must sign. The names of those who signed the report must also be legibly printed next to their signature. If the apprentice is unable to obtain two signatures, as required, they must submit an explanation, in writing, to be considered by the Director or Coordinator. If it is determined that the reason why the apprentice could not obtain two signatures is not valid, the report will not be counted toward the total OJT and will delay scheduled pay raises.
- H. Any apprentice who has not had contact with the Director of the school for six months will be considered inactive and may be canceled from the program.

### **CONTACT INFORMATION**

- A. Apprentices must maintain a current address, phone number(s), and email address on file with the training school at all times.

- B. At least one phone number on file must have functioning voice message capabilities, and apprentices must respond to the apprenticeship school's attempts to contact within one working day. Failure to meet this requirement may require that the apprentice appear before the Local Apprenticeship Committee.
- C. Written notification is required for any change of contact information. A change of address form is available at the school, or can be downloaded from the website, for the required notification. The apprentice is also responsible to notify the Local Union Office and Trust Fund Offices of any change of address.
- D. Loss of contact with the AJEATT may result in cancellation from the apprenticeship program.

**WORK ASSIGNMENTS - O.J.T.**

- A. The Director, working under the direction of the Local Committee, shall determine work assignments.
- B. An apprentice may not refuse any work assignment. If the apprentice does not agree with the work assignment, he/she may request an appearance before the Local Committee. He/she will continue to work as assigned until otherwise directed by Committee action or terminated by the employer.
- C. When assigned to a new employer, apprentices shall obtain a telephone contact number for the shop or job supervisor so they can notify the employer in case of sickness or an emergency.
- D. An apprentice who fails to meet an employer's pre-hire requirements will be requested to sign an information release form. Based on the information available, the Director/Coordinator will determine if the apprentice will be required to make an appearance before the Local Apprenticeship Committee prior to becoming eligible for work.
- E. An apprentice shall neither quit an employer nor request a lay off.
- F. All apprentices shall notify the Director/Coordinator of any termination of employment within one working day. In addition, the Director/Coordinator must be notified of any temporary lay off of two weeks or more.
- G. Tardiness and/or absenteeism at the job site will not be tolerated.
- H. Apprentices shall not work or out of the jurisdiction of the AJEATT without prior permission.
- I. Wiremen and Linemen apprentices shall maintain a current State of Alaska Certificate of Fitness for Trainees. Renewal letters are available from the apprenticeship school.
- J. Apprentices shall perform work in a safe manner according to the policy of the employer. This includes wearing appropriate clothing for the job, and utilization of

all proper personal protective equipment. If an apprentice feels that they lack the knowledge or training to complete an assigned task safely, they should respectfully explain their concern to their assigned journeyman, and request additional instruction.

- K. Rotation will be required once an apprentice has been working for one employer for twelve months and is not being given additional training opportunities.

## **JOB PERFORMANCE**

Each apprentice will have their job performance evaluated by their employer and monitored by the Director/Coordinator and the Apprenticeship Committee. Your basic obligations to your on the job training assignment are:

1. Report to work on time every day, and be ready to perform your assigned duties.
2. Respect authority and those that are teaching you your trade.
3. Do what you are instructed to do, and do it to the best of your ability.
4. Adhere to your employers work rules and company policies.
5. Become a competent craftsman, and take pride in your workmanship.

The following are some additional characteristics needed to become a skilled and competent worker:

1. Accuracy – Do the job as instructed and in a workmanlike manner.
2. Alertness – Necessary to grasp the instruction given by your journeyman, and to be aware of what is going on around you in order to work safely.
3. Dependability – Get to your job on time, and do the job you are assigned to the best of your ability. Do not take time off unless absolutely necessary. If you are going to miss work, notify the supervisor as soon as possible.
4. Anticipation – Many jobs have common practices. Try to anticipate what tools and materials will be needed next.
5. Efficiency – Make good use of your time. Be organized so as not to waste effort.
6. Cleanliness – Both for yourself and your work area. Giving attention to your personal appearance and maintaining an organized work area present a professional image and aid in safety and efficiency.

Good mechanical skills alone do not make an individual a desirable worker. Professionalism, responsibility, and a great attitude are often as valuable to the employer as having the skills to do the work.

## **COMMERCIAL DRIVERS LICENSE**

- A. All apprentices with the exception of Residential Wireman apprentices must obtain a Class A Commercial Driver's License (CDL-A) as well as a Medical Examiners Card prior to the end of their Probationary period. The only exception shall be in the event an apprentice has reached the end of his/her probationary period and has not yet attended their first class session. In this instance, an apprentice must obtain their CDL-A prior to the end of the first class session. If the apprentice has not obtained their CDL-A within the aforementioned



parameters, they will be ineligible for wage increases until such time that they comply with this requirement.

- B. Apprentices are required to notify the Apprenticeship school and current employer immediately upon losing either their Drivers License or Commercial Driver's License. Failure to do so, could result in dismissal from the program.

### **FIRST AID CARD**

- A. All apprentices will maintain a current First Aid and CPR card obtained through a course approved by the Training Director. Certifications obtained online are not acceptable for the purposes of this requirement.

### **PAY RAISES**

- A. Upon completion of the appropriate level of hours, apprentices must submit a Request for Wage Increase form to the AJEATT before the raise becomes effective. In order to qualify for a wage increase, the apprentice must also provide evidence that they have a current Certificate of Fitness (if applicable), a current First Aid/CPR card, and a current CDL-A and Medical Examiners Certificate. Additionally, Inside Wireman apprentices must have successfully completed the Craft Certification evaluations required for each level of training they have attended.
- B. Raises are subject to approval by the Local Committee if it is determined that the Apprentice has progressed satisfactorily for the appropriate hour level, has completed the appropriate related classroom instruction, and has obtained a CDL-A by the designated hours, and continues to maintain a CDL-A thereafter.

### **VACATIONS**

- A. Apprentices that are employed must schedule any personal or vacation time with the approval of their employer, as well as the apprenticeship Director or Coordinator.
- B. Any out of work apprentice who will not be available for work due to vacation must have approval from the Director or Coordinator.
- C. Vacations shall not conflict with classroom time.

### **PROGRAM COMPLETION**

- A. Inside Wireman and Outside Lineman apprentices attending their final session of related instruction may schedule to sit for the State of Alaska Journeyman Exam, and all apprentices that have completed 7000 hours of OJT may request to take the AJEATT Journeyman Exam at the conclusion of their final session of related instruction.
- B. Once the apprentice has successfully passed all required exams, along with all other related instruction requirements, and obtained the required hours of OJT, completion certificates will be given to the graduating apprentices.

- C. If, for any reason, an apprentice is unable to complete the program for which they have been selected, they may submit a letter of resignation to the Apprenticeship Committee. Apprentices who have completed their probationary period may request that the Committee consider a transfer to a different classification. All such requests shall be in writing. Should a transfer request be granted, no credit for OJT hours from the previous classification are guaranteed, and the apprentice will be required to serve the probationary period for their new classification.

### **APPEARANCE BEFORE THE APPRENTICESHIP COMMITTEE**

Apprentices will be subject to call before the Local Committee for instructions concerning apprenticeship procedures and policies or for disciplinary action. **Disciplinary action may be taken by the Committee for any, but not limited to the following infractions:**

1. Excessive or unexcused absences or tardiness on the job, or in related classroom instruction.
2. Failure to meet an employer's pre-hire requirements.
3. Failure to satisfactorily perform work on the job.
4. Failure to maintain satisfactory (passing) grades in the classroom, or repeated failed classroom exams.
5. Failure to maintain a current Certificate of Fitness or First Aid/CPR card.
6. Failure to submit accurate work reports in a timely manner.
7. Repeated below average evaluations on a Monthly Hour Record sheet (three or more in a 12 month period) or an overall below average score on the Confidential Contractor evaluation form.
8. Failure to act in a professional and responsible manner expected of an apprentice.
9. Failure to follow directions of assigned Journeyman.
10. Failure to appear in response to notification.
11. Failure to respond to the AJEATT's attempts to contact.
12. Failure to adhere to the AJEATT's or the employer's safety and dress codes.
13. Failure to appear for dispatch when unemployed.
14. Working for an electrical contractor for which the apprentice has not been dispatched.
15. Working for any electrical contractor that is not signatory with the IBEW

16. Moonlighting in the electrical industry.
17. Quitting a job or any termination for cause from a job.
18. Failure or any refusal of drug testing required by an employer.
19. Stealing property of the school or the employer.
20. Abuse and/or negligent use of school or employer property.
21. Use of any drugs or alcohol during class or work hours.
22. Gambling on school property, or on the job.
23. Horseplay or roughhousing on school property, or on the job.
24. Failure to notify the school and employer of the loss of their Drivers License or CDL.
25. Engaging in any illegal or criminal conduct.

Apprentices who have satisfactorily completed their probationary period shall have the right to appeal decisions of the Local Apprenticeship Committee to the Statewide Board of Trustees. An apprentice shall have thirty (30) days from the date of the Local Committee's discipline determination to appeal such decisions. Appeals shall be in writing to the attention of the Statewide Training Director.

## **POLICY AGAINST SEXUAL HARASSMENT**

### **I. GENERAL**

- A. The Alaska Joint Electrical Apprenticeship and Training Trust (AJEATT) does not tolerate sexual harassment of any type. Sexual harassment is unlawful, and such prohibited conduct exposes not only the AJEATT, but individuals involved in such conduct to significant liability under the law. The Trust expects AJEATT employees, including instructors, employers who hire apprentices, and apprentices to treat each other with respect and dignity so as not to offend the sensibilities of the individual.
- B. Sexual harassment not only hurts the immediate victim, but other employees. Incidents of harassment can result in a general atmosphere in which the purpose of the apprenticeship and training program is undermined. The AJEATT, therefore, is committed to vigorously enforcing this policy against sexual harassment. AJEATT employees or apprentices engaging in such conduct will be disciplined. Employers who engage in such conduct against apprentices will be denied access to apprentices.

### **II. WHAT CONSTITUTES SEXUAL HARASSMENT?**

Sexual harassment according to the Federal Equal Employment Opportunity Commission (EEOC) consists of unwelcome sexual advances, requests for sexual favors and any other verbal or physical conduct of a sexual nature when:

- A. submission to such conduct is made explicitly or implicitly a term or condition of an individual's training or employment;
- B. submission to, or rejection of, such conduct by an individual is used as the basis for a training-related or employment-related decision affecting such individual; or
- C. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, abusive or offensive working environment.

Sexual harassment may include, but is not limited to, intentional physical conduct that is sexual in nature, such as touching, pinching, patting; sexually-oriented gestures, noises, remarks, jokes or comments about a person's sexuality or sexual experience; and displaying pictures, posters, calendars, graffiti, objects, promotional materials, reading materials or other materials that are sexually suggestive, sexually demeaning or pornographic.

### **III. FILING AND INVESTIGATING COMPLAINTS**

Any complaints of, or regarding, sexual harassment should be submitted to the AJEATT, and shall be treated confidentially except to the extent necessary to investigate and resolve the complaint. Complaints may be made in writing or orally, and anonymous complaints will be accepted. Someone not the target of harassment may make a complaint of harassment, and, indeed, anyone observing sexual harassment is encouraged to report it.

Complaints of sexual harassment will be fully investigated and a determination of the facts will be made on a case-by-case basis. If the employer has an established plan or policy that deals with sexual harassment, the apprentice should follow such procedures as are set forth in the employer's policy against sexual harassment, though they may elect to bring the matter to the AJEATT.

AJEATT instructors are responsible for reprimanding an apprentice for engaging in an act of sexual harassment against another apprentice that the instructor observes or of which the instructor becomes aware. If the conduct continues or recurs, the instructor should file an official complaint with the Director.

If an employee wishes to pursue a sexual harassment complaint through a government agency or to seek outside help, he or she is entitled to do so. An individual may consult with the AJEATT for advice on how to proceed.

#### **IV. RESOLVING COMPLAINTS**

After a thorough investigation, any AJEATT employee or apprentice found to have committed an act of sexual harassment shall be immediately disciplined. The discipline imposed will depend on the nature and severity of the misconduct found upon investigation, and may include discharge for a first offense. The decision may be appealed to the AJEATT for review within thirty days of receiving the decision.

#### **V. RETALIATION PROHIBITED**

The AJEATT will not tolerate any form of retaliation against an employee who has made a complaint or cooperated in an investigation of alleged sexual harassment.

All persons contacted in the course of the investigation will be advised that they and other individuals involved in a complaint are entitled to be treated in a professional manner, and that any retaliation or reprisal against an individual who is an alleged target of harassment or who has made a complaint, or has provided evidence in conjunction with a complaint, is prohibited and could result in discipline up to and including, termination.

AJEATT employees or apprentices who are found to have engaged in retaliation or who fail to cooperate with an investigation of sexual harassment or retaliation will be subject to substantial discipline up to and including, discharge or termination from the program.

#### **VI. CONTRACTOR RESPONSIBILITIES**

Employers who hire apprentices from the AJEATT are expected to establish their own policies against sexual harassment and retaliation, including procedures for filing, investigating and resolving complaints as they elect. Employers should understand that under EEOC's sex discrimination regulations, an employer is responsible for the acts of its agents, and of its supervisory employees when acting in an agency capacity, without regard to the employer's specific authorization or knowledge of such acts by them. (Supervisors will be treated as acting in an agency capacity if the employer fails to establish an explicit policy against sexual harassment or fails to establish a reasonably accessible procedure by which victims of sexual harassment can make their complaints known to appropriate officials and have them rectified). With respect to sexually harassing conduct between non-supervisory

employees, the employer is responsible where the employer (or its agent) knows or should have known of the conduct, unless the employer takes immediate and appropriate corrective action.

The failure of an employer to take appropriate action regarding an apprentice's complaint of sexual harassment on the job may result in the employer being denied access to apprentices in the program. It is expected that employers will work cooperatively with the AJEATT on matters concerning the AJEATT policy against sexual harassment.

## **DRUG POLICY FOR APPLICANTS AND REGISTERED APPRENTICES**

The Alaska Electrical Joint Apprenticeship and Training Trust (AJEATT) is committed to maintaining a safe and healthful working environment for all apprentices. The AJEATT has an obligation to ensure public safety and trust with regard to services provided by apprentices in the environment in which apprentices work.

Accordingly, the use of alcohol or controlled substances is strictly prohibited during an apprentice's hours of work. The consumption of or being under the influence of alcohol or controlled substances during school or work hours may result in the imposition of discipline up to and including discharge from the apprenticeship program.

Copies of this drug and alcohol policy shall be furnished to and receipted by each individual subject to testing. The AJEATT reserves the right to modify this policy at any time.

### **I. ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR APPLICANTS TO THE APPRENTICESHIP TRUST PROGRAM**

All applicants selected for the apprenticeship program shall be subject to a single instance of alcohol and controlled substance testing prior to entry into the apprenticeship program. This test will be in compliance with the standards and regulations of the Alaska Construction Industry Substance Abuse Program (AKCISAP), and will thereafter enter the applicant into the AKCISAP program upon verification of a Negative test result. Refusal to test, or a result of Positive or Negative-dilute is unacceptable and will disqualify the applicant from selection for apprenticeship until such time that they are eligible to re-interview. One re-test, following a Negative-dilute result, shall be allowed and paid for by the applicant, and must be taken within 24 hours of the first Negative-dilute result. Pre-selection tests need not be justified by probable or reasonable suspicion.

### **II. PRE-EMPLOYMENT TESTING FOR ALCOHOL AND CONTROLLED SUBSTANCES**

A pre-employment alcohol or drug test may be required before an employer hires an apprentice. A negative test result is required prior to going to work. One re-test, following a Negative-dilute result, shall be allowed and paid for by the applicant, and must be taken within 24 hours of the first Negative-dilute result. A refusal to test shall result in disciplinary action up to and including removal from the apprenticeship program.

### **III. FOR-CAUSE ALCOHOL AND CONTROLLED SUBSTANCE TESTING FOR REGISTERED APPRENTICES**

All apprentices registered to the AJEATT will be subject to for-cause testing in accordance with this policy, or as required under an employer sponsored drug and/or alcohol program. Apprentices will be tested for controlled substances, metabolites, or alcohol if there exists probable or reasonable suspicion that the apprentice to be tested is using during work or school hours, or is under the influence of controlled substances or alcohol during work or school hours.

The term “probable/reasonable suspicion” shall include:

- (1) Aberrant or unusual behavior during working or school hours of an individual apprentice. Such behavior observed by the immediate supervisor or higher ranking employee, and confirmed by the observation of one other supervisory employee or shop steward trained to recognize the symptoms of drug abuse, impairment, or intoxication (observations shall be documented in writing by the observers); and
- (2) is the type of behavior which is recognized and accepted symptom of intoxication or impairment, caused by controlled substances or alcohol or the addiction to or dependence upon said controlled substances; and
- (3) as long as such behavior not reasonably explained as resulting from causes other than the use of controlled substances such as, but not by way of limitation, fatigue, lack of sleep, side effects of prescription or over-the-counter medications, reactions, to noxious fumes or smoke, etc.

Third party reports of drug use or aberrant behavior which are not confirmed by a representative of an employer or the AJEATT shall not constitute probable or reasonable suspicion, or be grounds for testing. An agent or an official of the AJEATT may require an apprentice to be tested under the same conditions as above except that confirmation of the observations may be made by another official or agent of the AJEATT. A refusal to test shall result in disciplinary action up to and including removal from the apprenticeship program.

If the representative of the employer or the AJEATT has probable or reasonable suspicion to believe that the apprentice is using or is under the influence of controlled substances or alcohol, the representative shall require the apprentice and the shop steward (in the case of an employer) or a second individual (in the case of the AJEATT) to go to an approved collection site to provide urine specimens or breath-test specimens for laboratory testing. The representative of the employer or the AJEATT may also accompany the apprentice to the medical clinic.

#### **IV. RANDOM TESTING FOR ALCOHOL AND CONTROLLED SUBSTANCES**

Random testing will be implemented at the discretion of the AJEATT, where all apprentices will be subject to random testing on an unannounced and random basis.

The Director/Coordinator will notify the apprentice who is to be tested. The apprentice shall report immediately to the collection site once notified. Failure to report to the collection center will be considered a refusal to test, with disciplinary action up to and including removal from the apprenticeship program.

The only acceptable reasons for failing to report for a Random Test are:

1. If the apprentice is working out of town where a collection site is unavailable, or
2. If the apprentice is currently employed and active in a random test pool, or
3. If the apprentice is unemployed and on an approved leave-of-absence.



## **V. TESTING ANALYSIS**

The employer or the AJEATT may require drug and alcohol testing. Drug and alcohol testing shall be conducted in accordance with commonly accepted Department of Transportation (DOT) procedures designed to protect privacy within common testing guidelines and to protect the integrity of urine specimens, as well as to ensure the ability of the parties to jointly request retest of the same specimen initially taken. Testing procedures will follow the guidelines set forth in 49 CFR Part 40. As a minimum, testing procedures will include the following steps:

- A. Urine specimens taken from an apprentice shall be taken in such a manner as to minimize embarrassment to the apprentice.
- B. Adequate specimens shall be taken to ensure capability of retesting positive test results through confirmation tests. Split samples are required.
- C. Adequate specimens shall be immediately sealed, labeled, and initialed by the apprentice and the technical personnel who administered the test. In the event an apprentice refuses to initial a specimen, a notation to that effect will be made on the specimen.
- D. Specimens taken shall be subjected to an initial screening by a laboratory certified by the Department of Health and Human Services to determine the presence and level of alcohol or controlled substances. Each person involved in the testing procedure shall execute an appropriate "chain of custody" document to reflect actions taken by that individual, the identity of the individual, and date of the action.
- E. At all times during the test analysis procedure, the specimens shall be maintained at a temperature and light condition designed to protect the integrity of the specimens taken.
- F. In the event of a positive verification, the split specimen shall be preserved and shall be retained by the testing laboratory and held there for a period of one year from the collection date so that the affected apprentice may, if he or she desires, request review and retest of the specimen at the apprentice's own cost. The apprentice's failure to request a retest of the specimen within seventy-two (72) hours of actual notice of positive results shall constitute a waiver of all rights to retesting.

## **VI. TEST LEVELS**

The initial and confirmation cut-off levels used when screening urine specimens to determine whether they are negative or positive for various classes of drugs and alcohol shall be those contained in the scientific and technical guidelines adopted by the United States Department of Transportation:

<b>CONTROLLED SUBSTANCES</b>	<b>INITIAL TEST CUT OFF LEVELS (ng/ml)</b>	<b>CONFIRMATORY TEST CUTOFF LEVELS (ng/ml)</b>
Marijuana metabolites	50	15 (1)
Opiate metabolites Morphine Codeine	300 (3)	300 300
Phencyclidine	25	25
Amphetamines Amphetamine Methamphetamine	1000	500 500
Cocaine	300	150 (2)
Alcohol (Breath test)	see note (4)	

- (1) Delta-9 tetrahydrocannabinol-9-carboxylic acid
- (2) Bensoylecgonine
- (3) 25 mg/ml if immunoassay specific for free morphine
- (4) Alcohol concentration of .02-.039 will result in an out of service, without pay, for a period of twenty-four (24) hours. The apprentice must have an alcohol test result of below .02 after a twenty-four hour period in order to return to duty. Test results of .04 or greater are considered a positive test result.

Note: These cut-off levels are subject to changes by the Department of Health and Human Services as advances in technologies or other considerations warrant the identifications of these substances at other concentrations.

Test results which are below the level specified above shall be considered negative indications and shall be reported to the employer and Apprenticeship Trust as such. The cost of all alcohol and controlled substance tests shall be paid by the Apprenticeship Trust except when the apprentice chooses to retest a specimen, or for return-to-duty and follow-up testing.

The Apprenticeship Trust recognizes that the results of an alcohol or controlled substance test will be considered medical records and held confidential to the extent permitted by law. The Apprenticeship Trust will limit disclosure of information acquired in connection with a controlled substance or alcohol test to a positive/negative test result, to the following individuals unless the apprentice consents in writing to disclosures to others:

- (a) the apprentice
- (b) the apprentice's supervisors and other management officials with a need to know

- (c) IBEW business representative or designee and representative of the AJEATT
- (d) test laboratory personnel
- (e) the employee assistance program counselor or other rehabilitation personnel if the apprenticeship seeks or is required to use same
- (f) members of the Statewide Committee of the AJEATT if the apprentice files a grievance regarding alleged use of alcohol or controlled substance.

## **VII. RETURN-TO-DUTY TESTING FOR ALCOHOL AND CONTROLLED SUBSTANCE**

An apprentice who tests positive under this policy, or under an employer sponsored drug and/or alcohol program, must be evaluated by a substance abuse professional approved by the AKCISAP program and/or by the AJEATT and complete any rehabilitative counseling and/or program recommended by the evaluator. All costs associated with the evaluation and recommended rehabilitation will be at the expense of the apprentice.

The apprentice will not be considered to be eligible for work or school until proof has been provided that the rehabilitation program has been successfully completed, and the Training Director determines that the apprentice may return to duty. An apprentice who returns to duty must pass a return to duty test and shall be subject to a reasonable program of follow-up testing, without prior notice, for the remainder of his/her apprenticeship. All return-to-duty and follow-up testing will be at the expense of the apprentice.

Note: It is at the discretion of the Training Director or substance abuse professional, whether return to duty testing will be required, on a case-by-case basis. A refusal to test shall result in disciplinary action up to and including removal from the apprenticeship program.

## **VIII. ENFORCEMENT**

An applicant who tests positive, or who refuses to test, will be disqualified from selection for apprenticeship until such time that they are eligible to re-interview. An apprentice who tests positive under this policy, or under an employer or union sponsored drug and/or alcohol program, shall fall under this enforcement section. The apprentice will be requested to sign an information release form prior to becoming eligible for work.

An apprentice who tests positive shall have 1000 (OJT) hours deducted from their total apprenticeship hours. With the approval of the Director, these hours can be worked off through volunteer projects. An apprentice who tests positive a second time may be discharged from the apprenticeship program.

An apprentice who is disciplined as a result of a positive test may appeal the discipline to the Statewide Committee of the Apprenticeship Trust.