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**MAINE**  
**DEPARTMENT OF**  
**LABOR**  
*Labor Standards*



# Substance Abuse Testing Report 2000

# **2000 Substance Abuse Testing Highlights**

The *Substance Abuse Testing Report 2000* is produced as a requirement of the Maine Substance Abuse Testing Law of 1989. All companies with approved Substance Abuse Testing Policies are required to provide information for this report (exclusive of any federally mandated testing).

## **There are 226 companies with approved Maine substance abuse testing policies.**

- ✓ All are approved to do applicant testing.
- ✓ 35 are approved for employee probable cause testing (see Section III, page 2).
- ✓ 20 are approved to do random or arbitrary testing (see Section III, page 2).
- ✓ 18 do both probable cause and random or arbitrary testing.

## **The number of job applicants tested decreased by 9.7% from 20,118 in 1999 to 18,164 in 2000. This despite an increase of 13% among the number of employers who conduct tests: from 200 in 1979 to 226 in 2000.**

- ✓ 18,164 job applicant tests were conducted in 2000. Seven-hundred forty-eight tested positive.
- ✓ Job applicant positive tests increased from 3.3% in 1999 (660) to 4.1% in 2000 (748).
- ✓ The most common controlled substances identified were cannabinoids (91.4%), cocaine (4.5%), opiates (3.5%), amphetamines (0.7%), benzodiazepines (0.4%), phencyclidine (0.3%), followed by barbiturates (0.1%) and methadone (0.1%).
- ✓ 40 companies included alcohol in their substance abuse testing panel with 5 (0.7%) positive tests.

## **12 employees were given tests for probable cause.**

- ✓ 1 tested positive.

## **651 employees were given random or arbitrary tests.**

- ✓ 16 tested positive.

## **Industry breakout with approved substance abuse testing policies**

- ✓ Manufacturing ñ 90
- ✓ Trade (wholesale & retail) ñ 41
- ✓ Construction - 33
- ✓ Services (healthcare, professional and other services) - 31
- ✓ Transportation and public utilities - 16
- ✓ Other - 15



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# **Substance Abuse Testing Report 2000**

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April 2001

Augusta, Maine

The Maine Department of Labor provides equal opportunity employment and programs.  
Auxiliary aids and services are available upon request to individuals with disabilities.

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## **Section I**

### **Background**

The Maine Department of Labor (MDOL) is submitting this report to the joint standing committee on labor in accordance with the Maine Substance Abuse Testing Law, Title 26 M.R.S.A. Section 690. This report pertains only to employer testing activities under Maine law. It is not a comprehensive study of workplace substance abuse testing because it does not include individuals who are tested under federal testing programs.

The Maine Substance Abuse Testing Law is intended to protect the privacy rights of employees, yet allow an employer to administer testing; to ensure proper testing procedures; to ensure that an employee with a substance abuse problem receives an opportunity for rehabilitation and treatment; and to eliminate drug use in the workplace. Regulation of testing for use of controlled substances has been in effect under Maine law since September 30, 1989.

The administration of this law is a collaborative effort of the following agencies:

- ◆ Maine Department of Labor (MDOL)
  - Reviews and approves substance abuse testing policies.
  - Conducts the annual survey of substance abuse testing.
  - Analyzes testing data and publishes the annual report.

#### **Model Policies**

A model job applicant testing policy developed by the Maine Department of Labor (MDOL) in 1998 and a model probable cause testing policy developed in 2000 help employers develop substance abuse policies for their workplaces. The model policies have also made it easier for the MDOL to review company policies. (see Appendix 5).

- ◆ Department of Human Services (DHS) Health and Environmental Testing Laboratory
  - Licenses testing laboratories.

#### **Licenses for Testing Laboratories**

The Department of Human Services (DHS) Health and Environmental Testing Laboratory is responsible for the licensure of laboratories that Maine employers can use for testing of controlled substances. There are 19 laboratories licensed with the State of Maine to do the substance abuse tests for Maine employers with approved testing policies. Seventeen substance abuse testing laboratory licenses that were due for renewal in 2000 were renewed. One previously licensed laboratory closed and two new laboratories were licensed in 2000 (see Appendix 3).

- ◆ Department of Mental Health, Mental Retardation (DMHMR) and Substance Abuse Services
  - Reviews and approves employee assistance programs (EAP) for employers who do probable cause or random and arbitrary testing.



### **Employee Assistance Programs (EAP)**

Any employer with more than 20 full-time employees must have a functioning EAP as stated in Title 26 Section 683 Paragraph 1 prior to testing their employees. The EAP must be certified by the Office of Substance Abuse Services and certification must be renewed every two years. Thirty-one EAPs were approved in 2000, bringing the total EAPs to 43 for companies with substance abuse testing policies. Some EAPs are certified for parent companies and cover multiple locations that may be listed separately (see Appendix 1).

## **Section II**

### **Substance Abuse Testing Policy Review and Approval**

#### **Department of Labor - Policy Review and Approval**

In 2000, the Maine Department of Labor (MDOL) received 68 individual substance abuse testing policy submissions for review. MDOL staff completed 59 reviews. There were 9 policies pending review as of December 31, 2000 (see Table 1).

Any employer desiring to do substance abuse testing, other than federally regulated testing, must submit a substance abuse testing policy to the Department of Labor, Bureau of Labor Standards. Testing shall not be done until the business has been notified the policy has been approved. Title 26 Section 689 addresses the penalties that can be assessed if an employer does substance abuse testing without an approved testing policy.

Table 1

#### **Substance Abuse Testing Policies Reviewed Maine, 2000**

<b>Reviews Completed</b>	<b>59</b>
Policies Approved	39
Policies Denied	19
<b>Review Pending</b>	<b>9</b>

## **Section III**

### **Types of Testing**

Drug testing policies may be approved for one or all of the following types of testing:

- ◆ job applicant testing
- ◆ employee testing
  - probable cause testing - means reasonable grounds exist to believe that an employee may be under the influence of a substance of abuse.
  - random/arbitrary testing - a method of selecting people to be tested where all potential testees have an equal chance of selection by chance or where testing is based on criteria unrelated to substance abuse such as a date of hire anniversary.

## Section IV

### Survey Results

Each employer with a policy approved by the Maine Department of Labor must submit an annual survey. The survey must include the number of tests by type (applicant, probable cause or random/arbitrary), the substances tested for, and the number of positive tests for each substance.

### Job Applicant Testing

The number of job applicant tests conducted in 2000 decreased by 9.7% from 1999. In 2000, of the job applicant tests conducted, 4.1% tested positive, an increase of 0.8% from 1999. Cannabinoids (91.4%), cocaine (4.5%), and opiates (3.5%) were the most frequently identified substances. Other identified substances include alcohol and amphetamines (each at 0.7%), benzodiazepines (0.4%), phencyclidine (0.3%), and barbiturates and methadone (each at 0.1%) (see Table 2) (see Appendix 6 for controlled substances and drug names).

Table 2

#### Results of Job Applicant Tests Under Approved Policies Maine, 2000

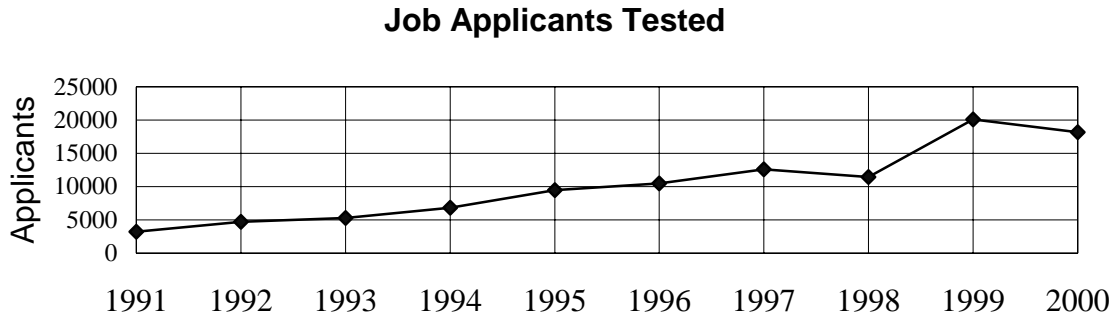
	<u>Tests</u>	<u>As Percent of All Tests</u>	<u>As Percent of Positive Tests</u>
<b>Total Job Applicant Tests</b>	<b>18,164</b>	<b>100.0</b>	
Positive Results*	748	4.1	100.0
Cannabinoids	684	3.8	91.4
Cocaine	34	0.2	4.5
Opiates	26	0.1	3.5
Alcohol	5	-.	0.7
Amphetamines	5	-.	0.7
Benzodiazepines	3	-.	0.4
Phencyclidine	2	-.	0.3
Barbiturates	1	-.	0.1
Methadone	1	-.	0.1
Unknown	2	-.	0.3
Invalid	14	0.1	1.9

\* May be less than total of all substances if one or more applicants tested positive for multiple substances.

-. Less than 0.05 percent.

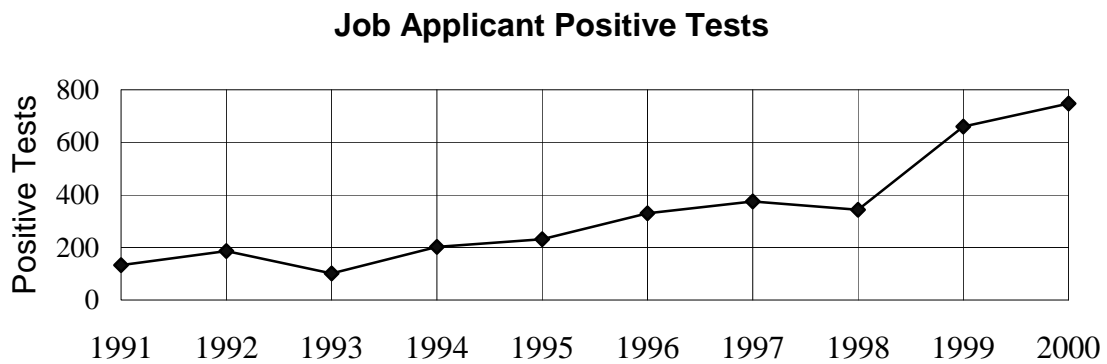
The following graph shows the number of job applicants tested for use of controlled substances for the years 1991 to 2000.

Figure 1



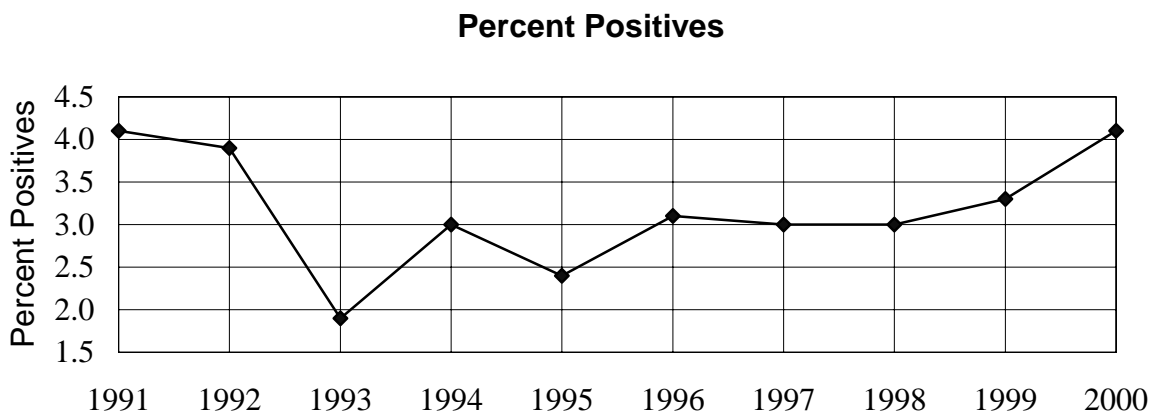
The graph below indicates the number of positive tests for job applicants from 1991 to 2000.

Figure 2



The following graph shows the percentage of positive tests in relation to the number of tests given as shown in Figure 1, above.

Figure 3



## Employee Testing

A total of 663 employee tests were conducted, with 17 positive tests. Twelve of the tests were for probable cause, with one (8.3%) confirmed positive for cannabinoids. Six-hundred fifty-one of the employee tests were random or arbitrary testing. Of these 16 (2.5%) were confirmed positive: 15 (2.3%) for cannabinoids; and one (0.2%) for cocaine.

## Section V

### Analysis of All Results (Applicants & Employees)

The Construction Industry conducted the fourth highest number of tests (2,745), and had the greatest percentage of positives (5.2%). The Manufacturing Industry had the most substance abuse testing policies and conducted the most tests (6,505); 5.1% of the tests were positive. The Services Industry (including Financial) conducted 5,552 tests, with 2.4% positives. Transportation and Public Utilities conducted 773, tests with 2.7% positive tests (see Table 3).

Table 3

#### Results of All Tests Under Approved Policies, by Industry Maine, 2000

<u>Industry</u>	<u>Number of Policies</u>	<u>Number of Tests</u>	<u>Number of Positives</u>	<u>Percent Positive</u>
<b>All Industries</b>	<b>226</b>	<b>18,827</b>	<b>765</b>	<b>4.1</b>
<b>Construction</b>	<b>33</b>	<b>2,745</b>	<b>142</b>	<b>5.2</b>
Heavy Construction	11	2,217	99	4.5
Other Construction	22	528	43	8.1
<b>Manufacturing</b>	<b>90</b>	<b>6,505</b>	<b>334</b>	<b>5.1</b>
Food Products	8	1,038	46	4.4
Wood Products	14	763	53	7.0
Paper Products	21	1,409	32	2.3
Plastics/Rubber	6	329	19	5.8
Electronic/Electrical Equipment	11	1,057	40	3.8
Other Manufacturing	30	1,909	144	7.5
<b>Transportation and Public Utilities</b>	<b>16</b>	<b>773</b>	<b>21</b>	<b>2.7</b>
<b>Trade</b>	<b>41</b>	<b>2,958</b>	<b>122</b>	<b>4.1</b>
Wholesale	23	1,495	89	6.0
Retail	18	1,463	33	2.3
<b>Services</b>	<b>31</b>	<b>5,552</b>	<b>134</b>	<b>2.4</b>
Healthcare	6	1,820	29	1.6
Professional Services	6	3,091	65	2.1
Other Services	19	641	40	6.2
<b>Other</b>	<b>15</b>	<b>294</b>	<b>12</b>	<b>4.1</b>

**Analysis of All Results (Applicants & Employees), continued**

A drug testing panel consists of the list of substances specified in the employer's policy for which the employer will test. Although there are variations in the drug testing panels used by different employers, nearly all employers test for cannabinoids, cocaine and amphetamines. Among those tested, cannabinoids remain the substance with the highest percentage of positive tests, followed by cocaine and opiates. The substance least tested for is alcohol. Only 40 of the 177 companies who tested in 2000 included alcohol in their drug testing panel. Of all the tests conducted during 2000, 4.1% were positive. The highest percentage of positives for an individual substance was 3.7% (see Table 4).

Table 4

**Results of All Tests Under  
Approved Policies, by Specific  
Controlled Substance  
Maine 2000**

<u>Substance</u>	<u>Employers Testing During Year</u>	<u>Total Tests</u>	<u>Total Positives</u>	<u>Percent Positives*</u>
<b>All Substances</b>	<b>**177</b>	<b>18,827</b>	<b>765</b>	<b>4.1</b>
Cannabinoids	177	18,827	700	3.7
Cocaine	175	18,620	35	0.2
Opiates	173	18,450	26	0.1
Alcohol	40	1,688	5	-.-
Amphetamines	176	18,812	5	-.-
Benzodiazepines	94	9,888	3	-.-
Phencyclidine	171	18,473	2	-.-
Barbiturates	106	11,014	1	-.-
Methadone	76	8,466	1	-.-
Methaqualone	60	6,094	0	-.-

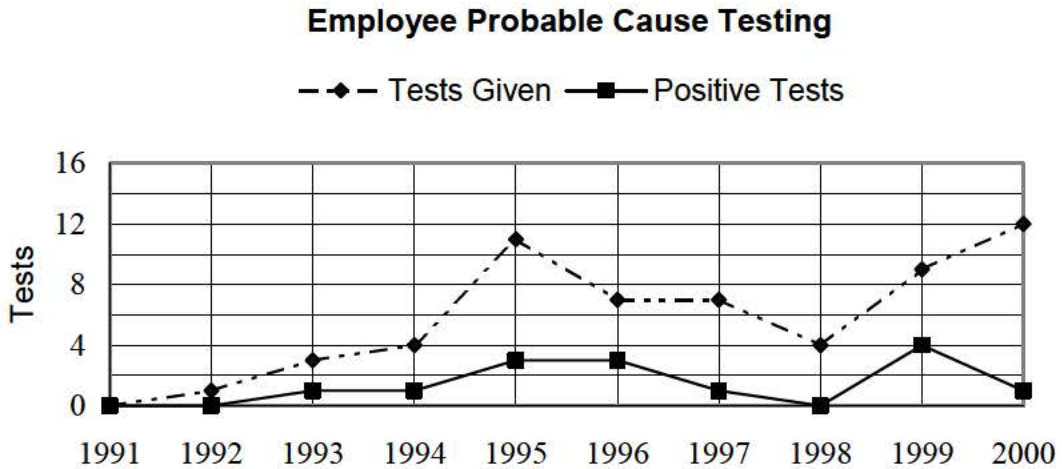
\*Percent positives, including that substance, of all tests conducted.

\*\*49 Companies with approved policies did no testing in 2000.

-. - Less than 0.05 percent.

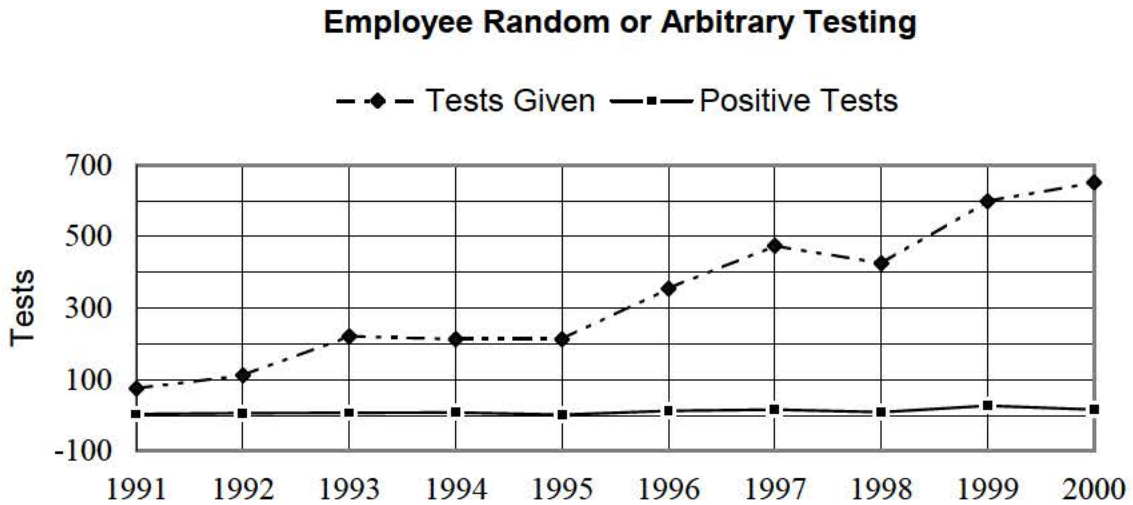
The following graph illustrates the number of probable cause tests done and the number of positives for the years 1991 through 2000.

Figure 4



The following graph shows the trend for random and arbitrary tests for the years 1991 through 2000.

Figure 5



The following table shows the trend of drug testing from 1991 through 2000. The number of employers with approved policies has increased from 75 in 1991 to 226 in 2000. The total number of tests given has increased by more than five times. The percentage of positive tests has fluctuated, with the lowest (2.0%) in 1993 and the highest (4.1%) in 2000. Positive results for job applicant testing were lowest (1.9%) in 1993 and highest (4.1%) in 1991 and 2000. The highest number of probable cause tests was in 2000. Positive probable cause was lowest (0.0%) in 1991, 1992 and 1998, and highest (44.4%) in 1999. Random tests increased by nearly nine times since 1991. The percentage of positive tests was lowest (0.9%) in 1995 and highest (5.4%) in 1992. Random tests increased by nearly nine times since 1991. The percentage of positive tests was lowest (0.9%) in 1995 and highest (5.4%) in 1992.

**Table 5**  
**Yearly Totals by Type of Test**  
**Applicants/Employees**  
**1991-2000**

Year	Number of Employers w/ Policies	Total Tests	Total Positives	Percent Positive	Applicant Tests	Applicant Positives	Percent Positive	Probable Cause Tests	Probable Cause Positives	Percent Positive	Random Tests	Random Positives	Percent Positive
2000	226	18,827	765	4.1	18,164	748	4.1	12	1	8.3	651	16	2.5
1999	200	20,725	691	3.3	20,118	660	3.3	9	4	44.4	598	27	4.5
1998	164	11,888	352	3.0	11,459	343	3.0	4	0	--	425	9	2.1
1997	147	13,097	392	3.0	12,616	375	3.0	7	1	14.3	474	16	3.4
1996	134	10,854	346	3.2	10,493	330	3.1	7	3	42.9	354	13	3.7
1995	116	9,708	236	2.4	9,484	231	2.4	11	3	27.3	213	2	0.9
1994	112	7,035	211	3.0	6,818	202	3.0	4	1	25.0	213	8	3.8
1993	107	5,502	109	2.0	5,278	101	1.9	3	1	33.3	221	7	3.2
1992	90	4,837	192	4.0	4,724	186	3.9	1	0	--	112	6	5.4
1991	75	3,289	137	4.0	3,214	133	4.1	0	0	--	75	4	5.3

-- Indicates a value of less than 0.05%

Figure 6

**Employers With Approved**  
**Substance Abuse Testing Policies**  
**1991-2000**

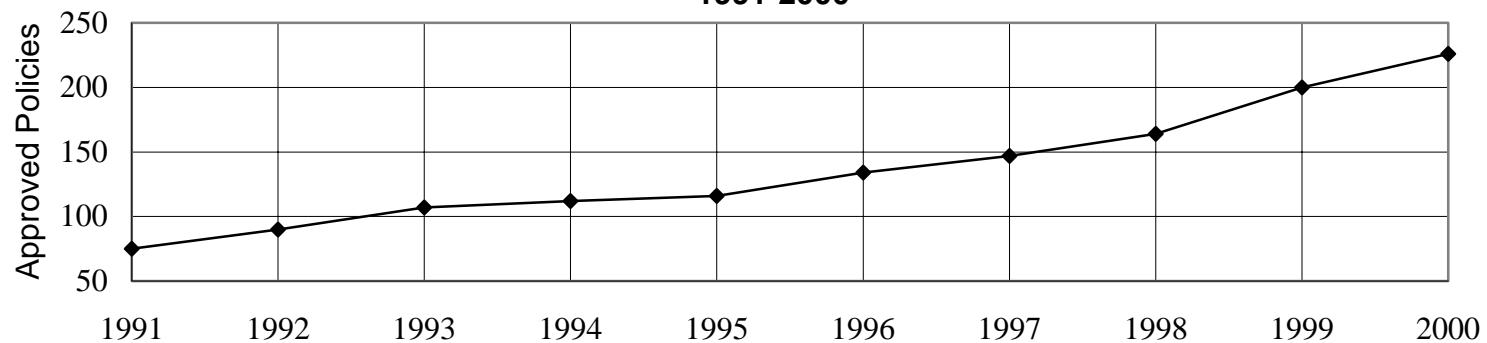


Table 6 shows the cumulative total of tests and positives for job applicants and employees from 1991 through 2000. It also shows the percent positive for each substance as it relates to the total number of tests and to the total number of positives. The data shows that of the controlled substances tested for, cannabinoids had the highest percentage of positives.

**Table 6**  
**Positives By Substance**  
**1991 - 2000 (Cumulative)**

	Number of Tests	As % of All Tests	As % of Positives
<b>Total Tests</b>	<b>105,762</b>	<b>100.0</b>	*****
Total Positives*	3,431	3.1	100.0
Cannabinoids	2,922	2.5	81.5
Cocaine	216	0.2	7.0
Opiates	161	0.2	5.0
Alcohol	70	0.1	2.7
Barbiturates	47	0.1	1.7
Benzodiazepines	41	.-	1.5
Amphetamines	21	.-	0.6
Phencyclidines	10	.-	0.3
Other	17	.-	0.5

\*Total of positives by substance exceeds total applicants/employee positives because some individuals tested positive for more than one substance.

.- Indicates a value of less than 0.05%

## **Section VI**

### **Summary**

During 2000, the Maine Department of Labor reviewed 59 substance abuse testing policies. Of the 59 reviewed, 29 new policies and 11 revisions or amendments were approved, 19 policies were denied pending submission of revisions, and nine policies were pending at year end.

As of December 31, 2000, a total of 226 approved policies were in force.

The Department of Labor surveys all employers with approved policies for this report. The 2000 survey showed that 18,164 job applicants had been tested, with 748 (4.1%) confirmed positive tests. There were 12 employee probable cause\* tests, with one (8.3%) reported as positive and 651 employee random or arbitrary tests, with 16 (2.5%) positives reported.

\*See Appendix 6.



## Appendix 1

### Employers with Approved Policies

The following is a listing of employers with approved substance abuse testing policies, the date of initial approval and the type of testing allowed.

Company Name	Date Approved	Applicant Testing	Probable Cause	Random or Arbitrary
A C and S 15 Perwal St. Westwood, MA 02090-1920	09/27/00	X		
A V X Tantalum Corp. 69 Landry St. Biddeford, ME 04005	09/27/00	X		
Adecco (formerly Olsten Staffing Service) 195 Hanover St. Portsmouth, NH 03801-3749	08/12/97	X		
Adelphia (formerly Frontier Vision) 444 Perry Rd. Bangor, ME 04401	04/26/99	X		
Aetna Inc. 151 Farmington Ave. RSAA Hartford, CT 06156	02/16/00	X		
All Seasons Services Inc. 1265 Belmont St. Ste 2 Brockton, MA 02301	06/23/00	X		
Allstate Insurance Co. 74 Batterson Park Rd. P.O. Box 4005 Farmington, CT 06034	04/11/91	X		
Alternative Warehouse Services Inc. (AWS) P.O. Box 2519 So. Portland, ME 04116-2519	02/24/99	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
American Tissue Mills of Maine (formerly Tree Free Fiber Co.) 54 Maple St. P.O. Box 898 Augusta, ME 04332-0898	05/30/96	X		
Antionnette & Sons a/k/a Muscle Cars Ltd. 387 Main Rd. Eddington, ME 04428	05/11/00	X		
Arbortech 16 Hersey Dr. Brewer, ME 04412	02/22/99	X		
Arrow Hart Wiring Devices 1 Cressey Rd. Brunswick, ME 04011	07/24/90	X		
@WORK Personnel Services P.O. Box 96 Brooks, ME 04921	07/02/96	X		
Atkinson Construction Corp. 505 Washington St. Bath, ME 04530	07/09/99	X	X	
Auburn, City of 45 Spring St. Auburn, ME 04210	06/09/94	X		
Auburn Motor Sales d/b/a Rowe ñ Auburn 699 Center St. Auburn, ME 04212-0500	05/05/00	X		
B & E Cleaning Service P.O. Box 244 Kingfield, ME 04947-0244	10/22/96	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
B E & K P.O. Box 358 Jay, ME 04239	06/03/91	X	X	X
B J's Wholesale Club P.O. Box 9601 Natick, MA 01760-9601	06/09/94	X		
Baileyville Police Dept. P.O. Box 637 Baileyville, ME 04694	02/24/99	X		
Bancroft Contracting 23 Phillips Rd. P.O. Box 165 South Paris, ME 04281	02/01/94	X		
Bangor Area Visiting Nurses 268 State St. P.O. Box 2040 Bangor, ME 04402-2040	12/16/92	X		
Bangor & Aroostook R. R. RR 2 Box 45 Bangor, ME 04401-9602	06/19/98	X		
Barber Foods P.O. Box 4821 Portland, ME 04112-4821	09/09/97	X		
Bath Iron Works Corp. 700 Washington St. Bath, ME 04530	02/27/90	X		
Best Buy P.O. Box 9312 Minneapolis, MN 55440	12/16/98	X		
Bindley Western Drug Co. (J.E. Goold) P.O. Box 920 Portland, ME 04104-0920	05/18/93	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Black & Veatch P.O. Box 8405 Kansas City, MO 64114	06/19/98	X		
Blake Equipment 61 West Dudley Town Rd. Bloomfield, CT 06002	12/21/98	X	X	
Brewer Automotive Components (BAC) 6 Baker Blvd. Brewer, ME 04412	09/17/99	X		
Brewer, City of 80 North Main St. Brewer, ME 04412	12/12/00	X		
Bridgecorp 319 Water St. P.O. Box 2588 Augusta, ME 04338-2588	08/21/96	X		
Brunswick Technologies, Inc. 43 Bibber Parkway Brunswick, ME 04011	07/09/99	X		
Bucksport Engineers & Constructors P.O. Box E Bucksport, ME 04416	07/20/99	X		
Carquest Distribution Center P.O. Box 1239 Bangor, ME 04401	11/25/97	X	X	X
Casella Waste Systems, Inc. 358 Emerson Mill Rd. Hampden, ME 04444	12/16/98	X		
Central Maine Power Co. 83 Edison Dr. Augusta, ME 04336	10/18/90	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Chadwick-BaRoss Inc. 160 Warren Ave. P.O. Box 4500 Westbrook, ME 04092-4500	07/21/93	X		
Chinet Co. 242 College Ave. P.O. Box 1016 Waterville, ME 04903-1016	07/24/90	X	X	X
Cianbro Corp. Hunnewell Square P.O. Box 1000 Pittsfield, ME 04967	02/27/90	X	X	X
Circuit City Stores, Inc. 9960 Maryland Dr. Richmond, VA 23233-1464	10/31/96	X		
Cives Steel Co. Riverside Dr. P.O. Box 850 Augusta, ME 04332-0850	10/18/90	X	X	
Clark Builders 505 Washington St. Bath, ME 04530	07/09/99	X	X	
Coca-Cola Bottling Co. of Northern New England, Inc. One Executive Park Dr. Bedford, NH 03110-6913	12/29/92	X	X	
Control Devices, Inc. 228 Northeast Rd. Standish, ME 04084	04/17/96	X		
Cutler ñ Hammer, Inc. 1000 Cherrington Parkway Moon Township, PA 15108-4312	09/02/99	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
CYRO Industries Rt. 109 Industrial Park P.O. Box 591 Sanford, ME 04073	07/24/90	X		
D & G Machine Products 50 Eisenhower Dr. Westbrook, ME 04092-2009	07/31/91	X		
Dennis Beverage Co. d/b/a Dennis Paper Co. 1017 School St., Veazie P.O. Box 1452 Bangor, ME 04402-1452	12/24/91	X		
Dielectric P.O. Box 949 Raymond, ME 04071	07/09/99	X		
Down East Toyota Buick & Down East Auto Body of Brewer 640 Wilson St. Brewer, ME 04412	02/09/00	X		
Ducktrap River Fish Farm, Inc. 57 Little River Dr. Belfast, ME 04915	12/28/98	X		
Durastone Precast Concrete Products, Inc. 66 Milliken St. Portland, ME 04103	08/23/96	X	X	X
E F Mark Service Co. 1111 Executive Court Suite 200 Westmont, IL 60559	10/23/97	X		
E S B, Inc. Five Star Industrial Park 45 Bradley Westbrook, ME 04092	06/02/98	X		

## Appendix 1

## Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Eastern Fine Paper, Inc. P.O. Box 129 Brewer, ME 04412	04/23/91	X		
Eastern Maine Health Care 489 State St. P.O. Box 404 Bangor, ME 04402-0404	01/15/91	X		
Eastern Refractories Co., Inc. 60 Holland St. P.O. Box 237 Lewiston, ME 04240	07/22/93	X		
Ellsworth Builders Supply, Inc. 261 State St. Ellsworth, ME 04605-9407	09/25/90	X		
Emery Waterhouse Rand Rd. P.O. Box 659 Portland, ME 04104	04/08/98	X		
Energy Management, Inc. 1 Energy Rd. No. Dartmouth, MA 02747	10/18/99	X		
Epic Process Controls, Inc. 7987 Pecue Lane, Suite D Baton Rouge, LA 70809	12/23/99	X		
Equipment Rental Service, Inc. (d/b/a Taylor Rental) P.O. Box 374 Brewer, ME 04412-0374	03/02/99	X		
ESOCO Orrington, Inc. River Rd. P.O. Box 96 Orrington, ME 04474	06/03/92	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
F P L Energy Maine Operating 100 Middle St. 2 <sup>nd</sup> Floor Portland, ME 04101	06/23/00	X		
Fiber Materials, Inc. Biddeford Industrial Park 5 Morin St. Biddeford, ME 04005	06/27/90	X		
Fisher Engineering 12 Water St. P.O. Box 529 Rockland, ME 04841-0529	04/17/96	X	X	
Flatiron Structure Co., LLC P.O. Box 2239 Longmont, CO 80502-2239	04/30/96	X	X	
FMC Corp. P.O. Box 308 Rockland, ME 04841-0308	03/22/90	X	X	X
Fraser Paper, Ltd. 25 Bridge St. Madawaska, ME 04756	04/15/94	X		X
Freihofer Baking Co. (Bestfoods Baking Co.) Prospect Rd. Albany, NY 12206	02/09/00	X		
Fulghum Fibres P.O. Box 15395 Augusta, GA 30919	10/08/97	X		
Garelick Farms of Maine (formerly Grant's Dairy) One Milk St. P.O. Box 1659 Bangor, ME 04402-1659	05/20/98	X		



Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Gates Formed-Fibre Products, Inc. 10 Washington St. P.O. Box 1300 Auburn, ME 04211-1300	12/12/00	X		
General Electric Co. 135 Rodman Rd. Auburn, ME 04210	10/18/90	X		
General Electric Co. 534 Griffin Rd. Bangor, ME 04401	05/24/90	X		
Georgia Pacific Corp. Chip N Saw & OSB P.O. Box 640 Woodland, ME 04694	04/23/91	X	X	
Georgia Pacific Corp. Communication Paper Division 144 Main St. Woodland, ME 04694	07/31/91	X		
Georgia Pacific Corp. (formerly James River Corp.) P.O. Box 547 Old Town, ME 04468	04/23/91	X		
Gibbs & Cox, Inc. P.O. Box 1306 Brunswick, ME 04011	08/07/91	X		
G.E. Goding & Son, Inc. RR #1 Box 395 Lincoln, ME 04457	04/20/90	X		
Gorbell/Thermo Electron Power Co. Rt. 150 North, Harmony Rd. P.O. Box 170 Athens, ME 04912-0170	10/05/94	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Grainger Industrial Supply W.W. Grainger Inc. 425 Warren Ave. Portland, ME 04103	05/30/00	X		
Great Northern Paper Bowater, Inc. 1 Katahdin Ave. Millinocket, ME 04462-1398	12/16/92	X		
Guardsmark, Inc. 22 South Second St. Memphis, TN 38103-2695	12/05/96	X		
Hall Security Services, Inc. 6 State St. Suite 301 Bangor, ME 04401	07/31/91	X		
Hampden, Town of 106 Western Ave. Hampden, ME 04444	01/27/99	X		
Hancock Lumber Co. P.O. Box 299 Casco, ME 04015	04/29/91	X		
Hannaford Brothers Co. P.O. Box 1000 Portland, ME 04104-1000	05/18/93	X	X	X
Healthsouth Corp. One Healthsouth Parkway Birmingham, AL 35243	10/20/97	X		
HMS Host Corp. (formerly Host Marriott Services) 6600 Rockledge Dr. Mail Stop #4 ñ 3 Bethesda, MD 20817	01/05/96	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Home Depot 2455 Paces Ferry Rd. NW Atlanta, GA 30339	11/01/96	X		
Huber, J.M. Corp. Easton Department Wood Products Division Station Rd. P.O. Box 69 Easton, ME 04740	04/29/91	X	X	
Hussey Seating Co. P.O. Box 459 North Berwick, ME 03906-0459	12/24/90	X		
Ikon Office Solutions 1750 Elm St. Suite 900 Manchester, NH 03104	02/24/99	X		
Imerys Pigments & Additives Group P.O. Box 125 Cockeysville, MD 21030	07/14/00	X		
Imex Technologies, LLC 359 Hill St. Biddeford, ME 04005	10/24/00	X		
Indec Operations, Inc. P.O. Box 317 West Enfield, ME 04493	05/09/97	X		
Interface Fabrics Group (Guilford of Maine) Oak St. P.O. Box 179 Guilford, ME 04443-0179	01/26/99	X		
International Paper Co. (formerly Champion International) P.O. Box 1200 Bucksport, ME 04416-1200	03/23/90	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
International Paper Co. Costigan Stud Mill P.O. Box 159 Costigan, ME 04423-0159	02/24/92	X		
International Paper Co. Androscoggin Mill P.O. Box 20 Jay, ME 04239	11/05/90	X	X	
International Paper Co. (formerly Champion International) P.O. Box 69 Passadumkeag, ME 04475	01/18/96	X		
International Paper Co. Woodlands Northeast Region 9 Green Street Augusta, ME 04330-7443	04/23/91	X		
Interstate Brands (formerly J J Nissen) P.O. Box 1158 Portland, ME 04104-1158	01/03/92	X		
Irving Tanning Co. 3 Main St. P.O. Box 400 Hartland, ME 04943-0400	12/27/93	X		
Johns Manville 51 Lexington St. Lewiston, ME 04240-3513	01/21/97	X		
Johns Manville 27 Pearl St. Portland, ME 04101	01/21/97	X		
Johns Manville 15 Lund Rd. Saco, ME 04072	01/21/97	X		

## Appendix 1

## Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Jordanís Sysco Food Services 38 India St. Portland, ME 04112-0588	04/02/97	X		
Kassbahrer All Terrain Vehicles, Inc. 750 A South Rock Blvd. Reno, NV 89502	10/24/00	X		
KCS, Inc. Five Star Industrial Park 45 Bradley Dr. Westbrook ME 04092	06/02/98	X		
Kids Peace Graham Lake, Rt. 180 P.O. Box 787 Ellsworth, ME 04605	05/05/00	X		
Kravco Company 358 Broadway Suite 105 Bangor, ME 04401	04/13/95	X		
Kris-Way Truck Leasing, Inc. 43 Hemco Rd. So. Portland, ME 04106	04/21/99	X		
Lane Construction Corp. P.O. Box 103 Bangor, ME 04402	12/16/92	X		
Lane Construction Corp. Sunquip Division P.O. Box 400 Hampden, ME 04444	12/16/92	X		
Lane Construction Corp. Sunrise Materials Division P.O. Box 250 Orono, ME 04473	12/16/92	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Lemforder Corp. 55 Baker Blvd. P.O. Box 219 Brewer, ME 04412	12/03/91	X		
Lincoln National Life Ins. Co. P.O. Box 9740 Portland, ME 04104-5001	08/01/97	X		
Lincoln Pulp & Paper Co. 50 Katahdin Ave. Lincoln, ME 04457	07/24/90	X		
Longview Inspections NSA Oklahoma 1235 Sovereign Row Oklahoma City, OK 73108	10/06/00	X		
Louisiana-Pacific Corp. P.O. Box 396 Houlton, ME 04730	05/20/98	X	X	X
Lucas Tree Experts 636 Riverside St. P.O. Box 958 Portland, ME 04104	04/29/91	X		
Madison Paper Industries Main St. P.O. Box 129 Madison, ME 04950-0129	04/19/90	X		
Maine Drilling & Blasting Brunswick Rd. P.O. Box 1140 Gardiner, ME 04345	09/09/99	X		
Maine General Health (formerly Kennebec Health Systems) 30 Chase Ave. Waterville, ME 04901	04/30/93	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Maine Mac, Inc. P.O. Box 1426 Bangor, ME 04402-1426	01/26/99	X		
Maine Plastics 109 Poland Spring Dr. P. O. Box 576 Poland, ME 04274	07/21/00	X		
Maine Poly, Inc. P.O. Box 8 Greene, ME 04236	01/27/90	X		
Maine Public Service Co. 209 State St. P.O. Box 1209 Presque Isle, ME 04769-1209	06/13/90	X		
Maine Rubber International 21 Saco St. Westbrook, ME 04092	05/15/90	X		
Maine Woods Co., LLC P.O. Box 111 Portage Lake, ME 04768	04/21/99	X		
Mainely Vinyl, Inc. Rt. 3 Bar Harbor Rd. P.O. Box 1020 Ellsworth, ME 04605	09-21-98	X		
Marriott International, Inc. Marriott Dr. Dept. 52/931.34 Washington, DC 20058	10/17/95	X		
Masonite Corp. (formerly Wood Fiber Industries) P.O. Box 99 Lisbon Falls, ME 04252-0099	06/09/94	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
MBNA New England 1 Hatley Rd. Belfast, ME 04915	06/30/93	X	X	
McCain Foods, Inc. P.O. Box 157 Easton, ME 04740-0157	02/24/92	X	X	X
Mead Paper Div. 35 Hartford St. Rumford, ME 04276	03/19/90	X	X	X
Merrill Marine Terminal Services (Merrill Companies) 601 A Danforth St. P.O. Box 739 Portland, ME 04104-0739	12/16/92	X		
Mid-State Machine Products 1501 Verti Dr. Winslow, ME 04901	05/15/90	X	X	X
Midwest-Price Co., LLC P.O. Box 536 Monticello, AR 71657	09/27/00	X		
Mount Hope Cemetery Corp. 1038 State St. P.O. Box 663 Bangor, ME 04402-0663	04/13/90	X		
National Semiconductor Corp. 5 Foden Rd. So. Portland, ME 04106	12/22/99	X		
New England Insulation P.O. Box 376 Canton, MA 02021-0376	04/29/99	X		



Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Newark Paperboard Products Mercer Division So. Gardiner Facility River Rd. So. Gardiner, ME 04345	08/15/97	X		
Nichols - Portland 2400 Congress St. Portland, ME 04102	12/22/98	X		
North Center Foodservice Corp. Dalton Rd. P.O. Box 2628 Augusta, ME 04330-2628	09/19/90	X		
Northeast Air 987 Westbrook St. Portland, ME 04102	09/30/91	X		
Northeast Industrial Service P.O. Box 340 Winthrop, ME 04364	12/16/98	X		
Northeastern Environmental Services P.O. Box 291 Pittsfield, ME 04967	07/21/00	X		
Northeastern Log Homes, Inc. Ames Rd. P.O. Box 46 Kenduskeag, ME 04450-0046	04/21/00	X		
OíConnor Constructors 45 Industrial Dr. Canton, MA 02021	07/09/99	X		
Oakhurst Dairy 364 Forest Ave. Portland, ME 04101	02/28/90	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Olsten Staffing Services 195 Hanover St. Portsmouth, NH 03801-3749	08/12/97	X		
Old Town Lumber Co., Inc. Ames Rd. P.O. Box 46 Kenduskeag, ME 04450-0046	04/21/00	X		
OSRAM Sylvania, Inc. (formerly GTE Products) 100 Endicott St. Danvers, MA 01923	02/06/91	X		
Parsons Energy & Chemicals Group, Inc. 2675 Morgantown Rd. Reading, PA 19607	07/20/99	X		
Penley Corp. P.O. Box 277 West Paris, ME 04289	04/21/99	X		
Penobscot County Sheriff's 85 Hammond St. Bangor, ME 04401	08/11/98	X		
Penobscot Regional Communications Center 26 Franklin St. Bangor, ME 04401	01/27/99	X		
Philip Services Corp. (formerly Allwaste) 31 Waldron Way Portland, ME 04103	11/10/93	X		X
Philips Elmet (formerly North American Phillips) 1560 Lisbon Rd. Lewiston, ME 04240	10/04/90	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Pike Industries (formerly Tilcon) 81 Boyd Rd. Wells, ME 04090-7128	10/04/90	X		
Pioneer Plastics Corp. One Pionite Rd. P.O. Box 1014 Auburn, ME 04210-1014	09/19/90	X		
Pizzagalli Const. Co. 50 Joy Dr. P.O. Box 2009 So. Burlington, VT 05407-2009	05/26/98	X		
Pleasants Hardware Co. HCI/Craftsmen 1010 Northwest Blvd. P.O. Box 5258 Winston-Salem, NC 27113-5258	10/20/97	X	X	X
Plum Creek Timber 999 Third Ave. Suite 2300 Seattle, WA 98104	10/15/98	X		
Poland Spring Bottling Co. 109 Poland Spring Dr. Poland Spring, ME 04274	06/08/99	X		
Pollack, G.M. Corp. 600 Roundwood Dr. Scarborough, ME 04074	08/25/92	X		
Pratt & Whitney Wells Rd. North Berwick, ME 03906	06/22/90	X	X	
Prescott, Everett J. 191 Central St. P.O. Box 600 Gardiner, ME 04345	02/25/00	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Progressive Distributors P.O. Box 295 Winthrop, ME 04364	05/18/93	X		
Rainbow Rugs, Inc. 74 Old Airport Rd. Sanford, ME 04073	11/21/90	X		
Rare Hospitality International, Inc. d/b/a Bugaboo Steak House 264 Gorham Rd. 221 South Portland, ME 04106	09/17/99	X	X	
Redco, Inc. Rte. 9 P.O. Box 245 E. Eddington, ME 04428	10/06/98	X		
Reed & Reed P.O. Box 370 Woolwich, ME 04579-0370	06/25/92	X		
Riley Medical, Inc. 27 Wright's Landing L-A Airpark Auburn, ME 04210	08/17/93	X		
R T S Packaging, LLC (formerly Rock-Tenn Co.) 16 Washington Ave. Scarborough, ME 04074	05/28/91	X	X	X
Saco Defense Corp. 291 North St. Saco, ME 04072-0890	02/28/90	X	X	X
Saint n Gobain BTI, Inc. (formerly Brunswick Technologies) 43 Bibber Parkway Brunswick, ME 04011	07/09/99	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Sappi Fine Paper (formerly S.D. Warren Westbrook) P.O. Box 5000 Westbrook, ME 04098-1597	04/29/91	X	X	
Sargent, H.E., Inc. 101 Bennoch Rd. P.O. Box 435 Stillwater, ME 04489-0435	04/17/96	X		
SCI Systems, Inc. (formerly Digital) 500 Civic Center Dr. Augusta, ME 04330	04/27/99	X		
Sears Roebuck & Co. D/707 BEN E2-100B 333 Beverly Rd. Hoffman Estates, IL 60179	07/30/99	X		
Seaward Const. Corp. P.O. Box 1177 Portsmouth, NH 03802-1177	06/18/91	X		
Seltzer & Rydholm, Inc. 191 Merrow Rd. P.O. Box 1090 Auburn, ME 04211-1090	12/29/92	X		
Shaw's Supermarkets, Inc. P.O. Box 600 East Bridgewater, MA 02333	06/10/00	X		
Sisters of Charity Health System/Workmed 77 Bates St., Suite 101 Lewiston, ME 04240	07/19/95	X		
Skowhegan, Town of Skowhegan, ME 04976	08/28/98	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Solon Mfg. Co. P.O. Box 285 Solon, ME 04979-0285	07/19/95	X		
Sonoco Products Baker Division P.O. Box 668 Hartselle, AL 35640-0668	12/23/91	X		
Sonoco Products Co. Pittsfield Plant P.O. Box 486 Pittsfield, ME 04976	07/31/91	X		
Southern Container Corp. P.O. Box 9001 Westbrook, ME 04098-9001	02/23/96	X		
Specialty Minerals, Inc. 35 Highland Ave. Bethlehem, PA 18017	04/06/96	X	X	
Speedy Unloading Service 40 Dyer St. South Portland, ME 04016	09/01/00	X		
Spencer Press Inc. 90 Spencer Dr. Wells, ME 04090	07/21/00	X		
Spherion Corp. (formerly Norrell Corp.) 3535 Piedmont Rd., N.E. Atlanta, GA 30305	12/16/98x			
Sprague Energy Corp. One Parade Mall Portsmouth, NH 03801	04/13/95	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
St. Paul Companies (formerly United States Fidelity and Guaranty Co.) 385 Washington St. St. Paul, MN 55102	07/24/90	X		
Standard Waterproofing Neck Rd. P.O. Box 380 China, ME 04926-0380	04/13/98	X		
Sullivan and Merritt, Inc. 25 Freedom Park Bangor, ME 04401	05/18/93	X		
Supervalu, Inc. 56 Milliken St. Portland, ME 04103	03/02/98	X		
S.W. & B. Construction P.O. Box 160888 Mobile, AL 36616-1888	04/29/91	X		
Tambrands 2978 Hotel Rd. P.O. Box 1778 Auburn, ME 04211-1778	01/13/99	X		
Thomas & Betts Community Dr. Sanford Industrial Estates Sanford, ME 04073	08/01/94	X		
TIC - The Industrial Co. P.O. Box 774848 Steamboat Springs, CO 80477	07/20/99	X		
Trans-Tech Industries, Inc. 42 Coffin Ave Brewer, ME 04412	09/27/00	X		

Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
U. S. Cellular 8410 West Bryn Mawr Chicago, IL 60631-3486	05/05/00	X		
Union Water Power Co. 526 Western Ave. Augusta, ME 04330	07/21/00	X		
Unifirst Corp. 68 Jonspin Rd. Wilmington, MA 01887-1086	05/20/93	X		
United Steel Structures, Inc. 16000 Barkers Point Lane Houston, TX 77079-4092	07/20/99	X		
Verizon (formerly Nynex) 600 W. Cummings Park Suite 3400 Woburn, MA 01801-6350	10/05/94	X	X	X
Vescom Corp. 705 Main Road North Hampden, ME 04444	05/18/93	X		
Wal-Mart Stores 702 S.W. 8th St. Bentonville, AR 72712-8083	03/31/98	X		
Warren, S.D. - Somerset RFD #3 Skowhegan, ME 04976	05/28/91	X	X	
Waste Management of Maine (formerly Astro Waste Services, Inc.) P.O. Box 709 Old Orchard Beach, ME 04064-0709	01/05/96	X	X	X
Waterville Anesthesia Associates 44 Main St. Waterville, ME 04901	04/30/93	X	X	X



Appendix 1

Employers with Approved Policies, continued.

<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Watts Fluid Air 9 Cutts Rd. Kittery, ME 03904-0902	06/24/97	X		
Wausau - Mosinee Paper Corp. (formerly Otis Paper) One Mill St. Jay, ME 04239	09/02/99	X		
Webber Oil Co. 700 Main St. P.O. Box 929 Bangor, ME 04402-0929	04/17/96	X		
West Point Stevens P.O. Drawer 587 Biddeford, ME 04005	12/22/98	X		
Wheelabrator Sherman Energy Co. Mill St. & Rt. 11 P.O. Box 189 Sherman Station, ME 04777	08/09/91	X	X	
White, Paul G. Tile Co. 50 Allen Ave. Portland, ME 04103	07/21/93	X		
Willette Welding 80 Prentiss St. Old Town, ME 04408	12/22/99	X		
Wood Structures, Inc. Box 347 Alfred Road Business Park Biddeford, ME 04005	03/25/91	X		
Wyman & Simpson, Inc. RR #1, Box 1122B County Rd. Richmond, ME 04357	05/18/93	X		

Appendix 1

Employers with Approved Policies, continued.

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<b>Company Name</b>	<b>Date Approved</b>	<b>Applicant Testing</b>	<b>Probable Cause</b>	<b>Random or Arbitrary</b>
Xpedx (formerly Resource Net International) 6400 Poplar Ave. Memphis, TN 38197	07/21/93	X		
Zampell Refractories 354 Lincoln St. Lewiston, ME 04240-6551	12/30/93	X	X	X

## Appendix 2

### Employers with Substance Abuse Testing Policies and Approved Employee Assistance Programs as of the end of 2000.

Employers who do probable cause or random/arbitrary testing and have more than 20 full-time employees must have an employee assistance program (EAP) that has been certified by the Office of Substance Abuse Services.

<b>Company Name</b>	<b>Location</b>
Atkinson Construction Corp.	Bath, ME
B E & K	Jay, ME
Bath Iron Works Corp.	Bath, ME
Black & Veatch	Jay, ME
Blake Equipment Co.	Augusta, Bangor, & Gorham, ME
Carquest	Bangor, ME
Chinet Co.	Waterville, ME
Cianbro, Inc.	Pittsfield, ME
Cives Steel Co.	Augusta, ME
Clark Builders	Bath, ME
Coca-Cola Bottling Co. of New England	Portland, ME
Durastone Precast Concrete Products, Inc.	Portland, ME
Fisher Engineering	Rockland, ME
Flatiron Structures Co.	Bath, ME
FMC Corporation, Marine Colloids Div.	Rockland, ME
Fraser Papers, Inc.	Madawaska, ME
Georgia Pacific Corp.	Woodland, ME
Great Northern Paper Co.	Millinocket, ME
Hannaford Bros. Co.	Portland, ME
Huber, J.M. Corp.	Easton, ME
International Paper Co.	Bucksport, ME
International Paper Co.	Jay, ME
Louisiana-Pacific Corp.	Houlton, ME
MBNA	Camden, ME
McCain Foods, Inc.	Easton, ME

Appendix 2

Employers with Substance Abuse Testing Policies and Approved Employee Assistance Programs as of the end of 2000, continued.

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<b>Company Name</b>	<b>Location</b>
Mead Paper Div.	Rumford, ME
Mid-State Machine Products, Inc.	Winslow, ME
Philip Services Corp.	Portland, ME
Pleasants Hardware/HCI Craftsmen	So. Portland & Bangor, ME
Pratt & Whitney	North Berwick, ME
Rare Hospitality	So. Portland, ME
Reed & Reed	Woolwich, ME
RTS Packaging, LLC	Scarborough, ME
Saco Defense, Inc.	Saco, ME
Sappi Fine Paper	Westbrook, ME
Specialty Minerals, Inc.	Jay & Madison, ME
Sprague Energy Corp.	Searsport & Bucksport, ME
SW & B Construction Corp.	Auburn, ME
Verizon	Statewide
Warren, S.D.	Skowhegan, ME
Waste Management of Maine	Old Orchard Beach, ME
Wheelabrator, Inc.	Sherman Station, ME
Zampell Refractories, Inc.	Lewiston, ME

Although 43 employers have approved EAPs, seven of those companies conduct job applicant testing only. See Appendix 1.

## Appendix 3

### Laboratories Approved to do Substance Abuse Testing, 2000

The following laboratories, none in Maine, were licensed as of the end of 2000 to perform the tests for companies with substance abuse testing policies that have been approved by the Maine Department of Labor.

<b>Laboratory Name</b>	<b>Address</b>	<b>Date Expires</b>
American Medical Laboratories, Inc.	1425 Newbrook Dr. P.O. Box 10841 Chantilly, VA 22021-0841	12/06/01
Associated Pathologists Laboratories	4230 Burnham Ave., Suite 250 Las Vegas, NV 89119	08/20/01
Bio-Reference Laboratories, Inc.	481B Edward H. Ross Dr. Elmwood Park, NJ 07407	03/24/01
Clinical Reference Laboratory	8433 Quivira Rd. Lenexa, KS 66215	08/20/01
DrugScan, Inc.	1119 Mearns Rd. Warminster, PA 18974	07/10/01
Kroll Laboratory Specialists, Inc.	1111 Newton St. Gretna, LA 70053	05/08/01
Lab Corp. Occupational Testing Services, Inc.	4022 Willow Lake Blvd. Memphis, TN 38118	07/18/01
Lab One, Inc.	10101 Renner Blvd. Lenexa, KS 66219	07/27/01
Laboratory Corp. of America (formerly CompuChem)	P.O. Box 12652 1904 Alexander Dr. Research Triangle Park, N.C. 27709	01/10/01
Laboratory Corp. of America Holdings	69 First Ave. Raritan, NJ 08869	03/12/01
Medtox Laboratories, Inc.	402 West County Rd. D Saint Paul, MN 55112	03/01/01

Appendix 3

Laboratories Approved to do Substance Abuse Testing, 2000, continued.

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<b>Laboratory Name</b>	<b>Address</b>	<b>Date Expires</b>
PharmChem Laboratories, Inc.	1505 A O'Brien Dr. Menlo Park, CA 94025	06/14/01
PharmChem Laboratories - Texas Division	7606 Pebble Dr. Fort Worth, TX 76118	10/15/01
Psychemedics Corp.	5832 Uplander Way Culver City, CA 90230	12/27/01
Quest Diagnostics	7470-A Mission Valley Rd. San Diego, CA 92108	07/02/01
Quest Diagnostics (formerly SmithKline Beecham)	3175 Presidential Dr. Atlanta, GA 03040	03/12/01
Quest Diagnostcs (formerly SmithKline Beecham)	506 E. State Parkway Schaumburg, IL 60173	08/05/01
Quest Diagnostics (formerly MetPath, Inc.)	One Malcolm Ave. Teterboro, NJ 07608	05/04/01
Quest Diagnostics (formerly SmithKline Beecham)	400 Egypt Rd. Norristown, PA 19403	06/24/01

## Appendix 4

### Policy Submission Instructions

These instructions are to assist you in submitting the paperwork for your Substance Abuse Testing Policy approval.

- ✓ You must submit **two (2) copies** of your policy and accompanying forms/certificates.
- ✓ You must have a **signed cover letter** stating that the **policy complies with all applicable statutes and regulations.**
- ✓ Copies of any forms used should be attached, as well as a copy of the Department of **Human Services certification of an Employee Assistance Program** if the policy is for employee testing.
- ✓ If this is an employee policy, you must provide a description of the method used to consult with the employees as to the development of the policy. This should include how input was received from employees, such as employee meetings or written comments. A written description of how employee input may have been used in the development of the policy should also be included. If the description is not a part of the policy, it should be included in the cover letter.
- ✓ If this is an employee policy, you must also describe the method used to notify the employees of the submission of the plan to the Maine Department of Labor (MDOL), to include the manner in which and time limit that the employees have to comment on the policy to MDOL, and you must also provide the employees with the MDOL address.
- ✓ It is important that the policy be written in such a manner that it is likely to be understood by a large majority of the employees.

If you follow these instructions and the Model Policy, the review and approval of your policy will be expedited.

## Appendix 5

### Model Substance Abuse Policy Job Applicants

#### A. Covered Establishment:

*Company name:* [Provide name, address, etc. of employer]

*Street address:*

*Mailing address:*

*Phone:*

*Contact regarding substance abuse testing policy:*

[Name & Title of Contact]

[Phone Number of Contact]

*Location(s) Covered:* [List Location(s) Covered]

This policy complies with the Maine Substance Abuse Testing Law (26 M.R.S.A. Sec. 681-690) and the Maine Department of Labor Rules relating to Substance Abuse Testing (adopted October 27, 1989).

Applicants will be notified at the time of initial application that they may be tested for Substance Abuse and will be advised where they may review the policy and statute.

Prior to testing, an applicant as defined in this policy, shall be provided with a copy of the policy and statute.

#### B. Scope of Testing:

Only individuals who are "applicants" as defined by this program and state law will be tested as "applicants." For the purpose of this program, an "applicant" will not be any person separated from employment by this employer while receiving a mandated benefit from or on account of this employer, including but not limited to Workers' Compensation, Unemployment Compensation and Family Medical Leave and for a period of 30 days beyond the termination of the benefit, nor will an "applicant" be any person separated from employment by this employer while receiving a benefit not mandated from or on account of this employer for a period of 30 days beyond the separation.



Appendix 5

Model Substance Abuse Policy Job Applicants, continued

**1. Substances to be tested for:**

a. test procedure to be used and cut off limit for positive screening test.

- (1) Screening will be the Emit (Enzyme Multiplied Immunoassay Test) methodology
- (2) Substances
- |                             | <u>Screening<br/>Concentration<br/>Cut Off (In Urine)</u> |
|-----------------------------|---|
| Alcohol                     | 0.02 G/100 ML   |
| Amphetamine/Methamphetamine | 1000 NG/ML  |
| Barbiturates                | 300 NG/ML   |
| Benzodiazepines             | 300 NG/ML   |
| Cannabinoids                | 50 NG/ML  |
| Cocaine and/or Metabolites  | 300 NG/ML   |
| Methadone                   | 300 NG/ML   |
| Methaqualone                | 300 NG/ML   |
| Opiates                     | 2000 NG/ML  |
| Phencyclidine               | 25 NG/ML  |

b. test procedure to be used and cut off limit for positive confirmation test.

- (1) Confirmation test will be by GC/MS (Gas Chromatography Spectrometry) methodology
- (2) Substances
- |  | <u>Confirmation<br/>Concentration<br/>Cut Off (In Urine)</u> |
|--|--|
| 6-acetyl morphine (only if morphine >2000) | 10 NG/ML   |
| Alcohol                                    | 0.02 G/100ML   |
| Amphetamine/Methamphetamine                | 500 NG/ML  |
| Barbiturates                               | 300 NG/ML  |
| Benzodiazepines                            | 200 NG/ML  |
| Cannabinoids                               | 15 NG/ML   |
| Cocaine and/or Metabolites                 | 150 NG/ML  |
| Methadone                                  | 300 NG/ML  |
| Methaqualone                               | 300 NG/ML  |
| Opiates                                    | 2000 NG/ML   |
| Phencyclidine                              | 25 NG/ML   |

Appendix 5

Model Substance Abuse Policy Job Applicants, continued

**2. Testing of Applicants:**

*Classifications or position titles to be tested:*

[List classifications or positions to be tested (may be "All")]

Substance abuse tests will be administered only to those applicants who are in the above classification or position titles who (1) have been offered employment with the Company or who have been offered a position by the Company on a roster of eligibility from which applicants shall be selected for employment.

**C. ACTIONS TO BE TAKEN:**

*Action to be taken for refusal to submit to a test:* Applicant will not be hired.

*Action to be taken between a test and receipt of test results:* Applicant will not be hired.

*Action to be taken based on a confirmed positive result from a test of an applicant:*  
Applicant will not be hired.

**D. TESTING PROCEDURES:**

**1. Identify sample collection facility or facilities**

[List name and address of sample collection facility or facilities]

**2. Method of sample collection:**

**a. Procedure to segregate a portion of the sample at applicant's request:**

At the request of the applicant, at the time the test sample is taken, a portion of the sample collected, sealed, and labeled according to State regulations and these procedures, will be segregated for that person's own testing. This sample will be stored by the laboratory and chain of custody shall be maintained as provided in this policy. Within five days after notice of the test result is given to the applicant, the applicant shall notify the employer and the facility of the testing laboratory selected for that person's own testing. The laboratory so selected must be licensed by the Maine Department of Human Services. The employer's laboratory shall promptly send the segregated portion of the specimen to the selected laboratory,

Appendix 5

Model Substance Abuse Policy Job Applicants, continued

subject to the same chain of custody and security requirements as observed for the employer's specimen.

The applicant will be required to pay for the segregation of a second sample as well as the expense of said additional testing only if and when the applicant notifies the employer that the applicant actually wishes the test to be made and the applicant notifies the employer of the choice of laboratory to which the second sample is to be sent.

**b. Procedure to collect:**

The employer will not require an applicant to remove any clothing for the purpose of collecting a urine sample, except that the employer will require that an applicant leave any personal belongings other than clothing and any unnecessary coat, jacket or similar outer garments outside the collection area.

No applicant may be required to provide a urine sample while being observed, directly or indirectly, by another individual.

**(If employer's policy calls for specimen assessment)** *Each urine specimen will be assessed by the person in charge of collection, in the presence of the applicant by measuring:*

A. *The temperature of the specimen within three minutes of voiding - must be between 97-99 degrees F. (unless the applicant's temperature is higher than 99 degrees or lower than 97 degrees F.)*

B. *The pH of the specimen - must be between five and eight.*

*and by evaluating the odor and color of the specimen for other signs of contamination.*

*If the specimen does not meet any of these assessment standards, the specimen will be rejected and the applicant will be given an opportunity to provide a second specimen. The applicant will remain under observation at the medical facility and may be given liquids until the second specimen is provided. If the second specimen fails to meet any assessment standard, the employer may*

## Appendix 5

### Model Substance Abuse Policy Job Applicants, continued

*deny employment to the applicant and neither specimen will be tested for substances of abuse.*

#### **3. Storage of Sample:**

##### **a. At collection point:**

Samples will be collected in new, clean containers manufactured for the purpose of urine collection. Immediately after assessment, the container will be sealed with tamperproof tape and labeled in the presence of the applicant. The seal will cover the cap and extend over the sides of the container. The label will contain the date and time of collection, and the identifying number of the applicant. All information on the label will be written clearly and with indelible ink.

Samples will be transported or shipped promptly to the testing laboratory in a secure fashion, so as to prevent tampering. If shipment or transport is not feasible, the specimen shall be refrigerated within one hour, at less than 60 C for no more than three days, or frozen at -20 C or less, for no more than two weeks before shipment.

##### **b. At laboratory:**

All positive specimens will be retained by the laboratory in the original containers in secure storage at freezing temperatures (-20 C or less) for at least six months. Should legal challenge occur, the specimen will be retained throughout the period of resolution of the challenge.

#### **4. Chain of Custody:**

##### **a. Labeling and Packaging:**

Immediately upon collection of each sample, a chain of custody record will be established for that sample, indicating the identity of each person having control over the sample, and the times and dates of all transfers or other actions pertaining to the sample.

Appendix 5

Model Substance Abuse Policy Job Applicants, continued

**b. Transport:**

Samples will be picked up from the facility within 24 hours of collecting the sample and will be transported in a secure fashion, so as to avoid tampering.

Each person who takes custody of the sample in the course of transport will record on the chain of custody log the date, time, transporter's name and employer's name, origin and destination of the sample.

**c. At Lab:**

When a sample arrives at the lab, the person receiving the sample shall record the time of receipt and the location of each sample in the lab's storage system. Any technician or other person who removes the sample from storage or opens the sample shall record the date, time, their name and the purpose for removal or opening of the sample.

**5. Identify testing laboratory:**

*NAME:* [Name and address of testing laboratory or laboratories]  
*ADDRESS:*

**6. Procedure for notifying applicant of the result:**

The applicant will be notified by personal telephone call and confirmed by mail unless the applicant otherwise instructs.

All laboratory reports, including the screening, confirmation and quality control data shall be reviewed by the [title of employer representative to receive report] as accurate. The report will identify the name of the laboratory, the drugs and metabolites tested for, whether the test results were negative or confirmed positive, and the cutoff levels for each substance. The report will include any available information concerning the margin of accuracy and precision of the test methods employed.

- a. Unless agreed upon by the applicant, no report will show the quantity of substance detected, but only the presence or absence of that substance relative to the cutoff level.

Appendix 5

Model Substance Abuse Policy Job Applicants, continued

- b. No report will show that a substance was detected in a screening test, unless the presence of the substance was confirmed in the confirmatory test. Test results will be randomly delayed from two to five days so that the employer cannot gauge screening test results from the time results are reported. In addition, all testing will be billed to the employer at a single rate per sample tested (which may be periodically adjusted by the laboratory).
- c. No substance may be reported as present if the employer did not request analysis for that substance.
- d. Reports of samples segregated at the applicant's request, for testing by the applicant's choice of laboratory, will be provided to the applicant and to the employer.

Unless the applicant consents, all test results and any information acquired by the employer in the testing process is confidential and may not be released to anyone except the applicant tested. This requirement applies to the personnel of all laboratories involved and to the employer. However, this does not prevent the disclosure of results or information if:

- 1. Release of information is required or permitted by state and federal law including release under 26 M.R.S.A. Sec. 683 (8) (D), or
- 2. The use of this information is part of any grievance procedure, administrative hearing or civil action relating to the imposition of the test or the use of test results.

The results of any test may not be required, requested or suggested by the employer to be used in any criminal proceeding as provided by 26 M.R.S.A. Sec. 685 (3) (B).

- e. The laboratory shall retain records of confirmed positive results in a numerical or quantitative form for at least two years.

Appendix 5

Model Substance Abuse Policy Job Applicants, continued

**7. Procedure for an applicant to appeal and contest the accuracy of a confirmed positive result:**

If the applicant chooses to segregate a portion of their sample and elects to submit that sample to a laboratory of their choice, the results of the second test will be controlling. To appeal the results of a confirmed positive result in lieu of testing the segregated sample, the applicant must fill out and sign the attached "Substance Abuse Test Appeal" form submitting information explaining or contesting the results, within five working days after notice of a confirmed positive test result. The appeal process will be conducted without cost to the applicant. The applicant will then be scheduled to meet within 14 days with *[list title(s) of person(s) who will review the appeal]*. The applicant will explain the basis for the appeal and may be asked questions. After the meeting concludes, a written report of findings and conclusions will be prepared and a copy sent to the applicant.

Appendix 5, continued

**Model Substance Abuse Policy  
Job Applicants with  
Medical Review Officer (MRO)**

**A. Covered Establishment:**

*Company name:* [Provide name, address, etc. of employer]

*Street address:*

*Mailing address:*

*Phone:*

*Contact regarding substance abuse testing policy:*

[Name & Title of Contact]

[Phone Number of Contact]

*Location(s) Covered:* [List Location(s) Covered]

This policy complies with the Maine Substance Abuse Testing Law (26 M.R.S.A. Sec. 681-690) and the Maine Department of Labor Rules relating to Substance Abuse Testing (adopted October 27, 1989).

Applicants will be notified at the time of initial application that they may be tested for Substance Abuse and will be advised where they may review the policy and statute.

Prior to testing, an applicant as defined in this policy, shall be provided with a copy of the policy and statute.

**B. Scope of Testing:**

Only individuals who are "applicants" as defined by this program and state law will be tested as "applicants." For the purpose of this program, an "applicant" will not be any person separated from employment by this employer while receiving a mandated benefit from or on account of this employer, including but not limited to Workers' Compensation, Unemployment Compensation and Family Medical Leave and for a period of 30 days beyond the termination of the benefit, nor will an "applicant" be any person separated from employment by this employer while receiving a benefit not mandated from or on account of this employer for a period of 30 days beyond the separation.



Appendix 5

Model Substance Abuse Policy Applicant with Medical Review Officer, continued

**1. Substances to be tested for:**

a. test procedure to be used and cut off limit for positive screening test.

(1) Screening will be the Emit (Enzyme Multiplied Immunoassay Test) methodology

(2) Substances	<u>Screening Concentration Cut Off (In Urine)</u>
Alcohol	0.02 G/100 ML
Amphetamine/Methamphetamine	1000 NG/ML
Barbiturates	300 NG/ML
Benzodiazepines	300 NG/ML
Cannabinoids	50 NG/ML
Cocaine and/or Metabolites	300 NG/ML
Methadone	300 NG/ML
Methaqualone	300 NG/ML
Opiates	2000 NG/ML
Phencyclidine	25 NG/ML

b. test procedure to be used and cut off limit for positive confirmation test.

(1) Confirmation test will be by GC/MS (Gas Chromatography Spectrometry) methodology

(2) Substances	<u>Confirmation Concentration Cut Off (In Urine)</u>
6-acetyl morphine (only if morphine >2000)	10NG/ML
Alcohol	0.02 G/100ML
Amphetamine/Methamphetamine	500 NG/ML
Barbiturates	300 NG/ML
Benzodiazepines	200 NG/ML
Cannabinoids	15 NG/ML
Cocaine and/or Metabolites	150 NG/ML
Methadone	300 NG/ML
Methaqualone	300 NG/ML
Opiates	2000 NG/ML
Phencyclidine	25 NG/ML

Appendix 5

Model Substance Abuse Policy Applicant with Medical Review Officer, continued

**2. Testing of Applicants:**

*Classifications or position titles to be tested:*

[List classifications or positions to be tested (may be "All")]

Substance abuse tests will be administered only to those applicants who are in the above classification or position titles who (1) have been offered employment with the Company or who have been offered a position by the Company on a roster of eligibility from which applicants shall be selected for employment.

**C. Actions To Be Taken:**

*Action to be taken for refusal to submit to a test:* Applicant will not be hired.

*Action to be taken between a test and receipt of test results:* Applicant will not be hired.

*Action to be taken based on a confirmed positive result from a test of an applicant:*  
Applicant will not be hired.

**D. Testing Procedures:**

**1. Identify sample collection facility or facilities**

[List name and address of sample collection facility or facilities]

**2. Method of sample collection:**

**a. Procedure to segregate a portion of the sample at applicant's request:**

At the request of the applicant, at the time the test sample is taken, a portion of the sample collected, sealed, and labeled according to State regulations and these procedures, will be segregated for that person's own testing. This sample will be stored by the laboratory and chain of custody shall be maintained as provided in this policy. Within five days after notice of the test result is given to the applicant, the applicant shall notify the employer and the facility of the testing laboratory selected for that person's own testing. The laboratory so selected must be licensed by the Maine Department of Human Services. The employer's laboratory shall promptly send the segregated portion of the specimen to the selected

Appendix 5

Model Substance Abuse Policy Applicant with Medical Review Officer, continued

laboratory, subject to the same chain of custody and security requirements as observed for the employer's specimen.

The applicant will be required to pay for the segregation of a second sample as well as the expense of said additional testing only if and when the applicant notifies the employer that the applicant actually wishes the test to be made and the applicant notifies the employer of the choice of laboratory to which the second sample is to be sent.

**b. Procedure to collect:**

The employer will not require an applicant to remove any clothing for the purpose of collecting a urine sample, except that the employer will require that an applicant leave any personal belongings other than clothing and any unnecessary coat, jacket or similar outer garments outside the collection area.

No applicant may be required to provide a urine sample while being observed, directly or indirectly, by another individual.

**(If employer's policy calls for specimen assessment)** *Each urine specimen will be assessed by the person in charge of collection, in the presence of the applicant by measuring:*

A. *The temperature of the specimen within three minutes of voiding - must be between 97-99 degrees F. (unless the applicant's temperature is higher than 99 degrees or lower than 97 degrees F.)*

B. *The pH of the specimen - must be between five and eight.*

*and by evaluating the odor and color of the specimen for other signs of contamination.*

*If the specimen does not meet any of these assessment standards, the specimen will be rejected and the applicant will be given an opportunity to provide a second specimen. The applicant will remain under observation at the medical facility and may be given liquids until the second specimen is provided. If the second specimen fails to meet any assessment standard, the employer may*

Appendix 5

Model Substance Abuse Policy Applicant with Medical Review Officer, continued

*deny employment to the applicant and neither specimen will be tested for substances of abuse.*

**3. Storage of Sample:**

**a. At collection point:**

Samples will be collected in new, clean containers manufactured for the purpose of urine collection. Immediately after assessment, the container will be sealed with tamperproof tape and labeled in the presence of the applicant. The seal will cover the cap and extend over the sides of the container. The label will contain the date and time of collection, and the identifying number of the applicant. All information on the label will be written clearly and with indelible ink.

Samples will be transported or shipped promptly to the testing laboratory in a secure fashion, so as to prevent tampering. If shipment or transport is not feasible, the specimen shall be refrigerated within one hour, at less than 60 C for no more than three days, or frozen at -20 C or less, for no more than two weeks before shipment.

**b. At laboratory:**

All positive specimens will be retained by the laboratory in the original containers in secure storage at freezing temperatures (-20 C or less) for at least six months. Should legal challenge occur, the specimen will be retained throughout the period of resolution of the challenge.

**4. Chain of Custody:**

**a. Labeling and Packaging:**

Immediately upon collection of each sample, a chain of custody record will be established for that sample, indicating the identity of each person having control over the sample, and the times and dates of all transfers or other actions pertaining to the sample.

Appendix 5

Model Substance Abuse Policy Applicant with Medical Review Officer, continued

**b. Transport:**

Samples will be picked up from the facility within 24 hours of collecting the sample and will be transported in a secure fashion, so as to avoid tampering.

Each person who takes custody of the sample in the course of transport will record on the chain of custody log the date, time, transporter's name and employer's name, origin and destination of the sample.

**c. At Lab:**

When a sample arrives at the lab, the person receiving the sample shall record the time of receipt and the location of each sample in the lab's storage system. Any technician or other person who removes the sample from storage or opens the sample shall record the date, time, their name and the purpose for removal or opening of the sample.

**5. Identify testing laboratory:**

*NAME:* [Name and address of testing laboratory or laboratories]

*ADDRESS:*

**6. Procedure for notifying applicant of the result:**

The applicant will be notified by personal telephone call and confirmed by mail unless the applicant otherwise instructs.

All laboratory reports, including the screening, confirmation and quality control data shall be reviewed by the *[the medical review officer]* as accurate. The report will identify the name of the laboratory, the drugs and metabolites tested for, whether the test results were negative or confirmed positive, and the cutoff levels for each substance. The report will include any available information concerning the margin of accuracy and precision of the test methods employed.

- a. Unless agreed upon by the applicant, no report will show the quantity of substance detected, but only the presence or absence of that substance relative to the cutoff level.

Appendix 5

Model Substance Abuse Policy Applicant with Medical Review Officer, continued

- b. No report will show that a substance was detected in a screening test, unless the presence of the substance was confirmed in the confirmatory test. Test results will be randomly delayed from two to five days so that the employer cannot gauge screening test results from the time results are reported. In addition, all testing will be billed to the employer at a single rate per sample tested (which may be periodically adjusted by the laboratory).
- c. No substance may be reported as present if the employer did not request analysis for that substance.
- d. Reports of samples segregated at the applicant's request, for testing by the applicant's choice of laboratory, will be provided to the applicant, the employer and the medical review officer.

Unless the applicant consents, all test results and any information acquired by the employer and the medical review officer in the testing process is confidential and may not be released to anyone except the applicant tested. This requirement applies to the personnel of all laboratories involved, to the medical review officer and to the employer. However, this does not prevent the disclosure of results or information if:

- 1. Release of information is required or permitted by state and federal law including release under 26 M.R.S.A. Sec. 683 (8) (D), or
- 2. The use of this information is part of any grievance procedure, administrative hearing or civil action relating to the imposition of the test or the use of test results.

The results of any test may not be required, requested or suggested by the employer to be used in any criminal proceeding as provided by 26 M.R.S.A. Sec. 685 (3) (B).

- e. The laboratory shall retain records of confirmed positive results in a numerical or quantitative form for at least two years.
- f. All laboratory reports on substance abuse testing will be submitted directly to the Employer's Medical Review Officer (MRO) and shall not be submitted to the employer. The MRO for [Name of

## Appendix 5

Model Substance Abuse Policy Applicant with Medical Review Officer, continued  
*employer] will be [Name and address MRO]. The MRO will report to [Name of employer] all negative laboratory reports as negative.*

When the MRO receives a confirmed positive laboratory report, the MRO will review any available information submitted by the applicant to evaluate whether there is a medical basis for an applicant's drug usage which could have led to a confirmed positive laboratory report. The MRO shall contact the applicant and, upon the applicant's authorization, may contact the applicant's physician to obtain verified information upon the applicant's legitimate drug usage. If, in the opinion of the MRO, there is a legitimate authorized medical explanation for a confirmed positive result from the specimen obtained, the MRO will report a negative test result to the employer.

The purpose of the MRO is to serve as a no-cost appeal of the result and to provide further medical advice concerning confirmed positive laboratory reports which may result from legitimate and prescribed drug usage. The MRO process has the additional benefit of protecting applicant confidentiality in the case of confirmed positive laboratory results which, in the judgment of the MRO, are ultimately reported as negative results to the employer.

### **7. Procedure for an applicant to appeal and contest the accuracy of a confirmed positive result:**

If the applicant chose to segregate a portion of their sample and elects to submit that sample to a laboratory of their choice, the results of the second test will be controlling. The MRO process will serve as the appeal if the applicant has not chosen to segregate their sample or chose not to pay for testing of the segregated sample.

Appendix 5, continued

**MODEL SUBSTANCE ABUSE POLICY  
EMPLOYEE**

**A. COVERED ESTABLISHMENT**

*Company name:* [Provide name, address, etc. of employer]

*Street address:*

*Mailing address:*

*Phone:*

*Contact regarding substance abuse testing policy:*

[Name, Location & Title of Contact]

[Phone Number of Contact]

*Location(s) Covered:* [List Location(s) Covered]

This policy complies with the Maine Substance Abuse Law (26 M.R.S.A. Sec. 681-690) and the Maine Department of Labor Rules Relating to Substance Abuse Testing (adopted October 27, 1989).

All employees will be provided a copy of the approved policy at least 30 days before any portion of the policy applicable to employees takes effect. All new employees will be given a copy of the approved policy prior to or upon beginning work.

**B. SCOPE OF TESTING**

An "employee" is defined in state law as "a person who is permitted, required or directed by any employer to engage in any employment for consideration of direct gain or profit." For the purpose of this program, a person separated from employment while receiving a mandated benefit, including but not limited to worker's compensation, unemployment compensation and family medical leave, is an employee for the period the person receives the benefit and for a minimum of 30 days beyond the termination of the benefit. A person separated from employment while receiving a nonmandated benefit is an employee for a minimum of 30 days beyond the separation.

**1. Substances to be Tested for:**

- a. test procedure to be used and cut off limit for positive screening test.



Appendix 5

Model Substance Abuse Policy Employee, continued

(1) Screening will be the EMIT (Enzyme Multiplied Immunoassay Test) methodology

(2) Substances	Screening Concentration <u>Cut Off (In Urine)</u>
Alcohol (in blood or urine)	0.02 G/100ML
Amphetamine/Methamphetamine	1000 NG/ML
Barbiturates	300 NG/ML
Benzodiazepines	300 NG/ML
Cannabinoids (in urine)	50 NG/ML
Cannabinoids (in blood)	10 NG/ML
Cocaine and/or Metabolites	300 NG/ML
Methadone	300 NG/ML
Methaqualone	300 NG/ML
Opiates	2000 NG/ML
Phencyclidine	25 NG/ML

b. test procedure to be used and cut off limit for positive confirmation test.

(1) Confirmation test will be by GC/MS (Gas Chromotography/Mass Spectrometry) methodology

(2) Substances	Confirmation Concentration <u>Cut Off (In Urine)</u>
6-Acetyl Morphine (only if morphine>2000)	10 NG/ML
Alcohol (in blood or urine)	0.02 G/100ML
Amphetamine/Methamphetamine	500 NG/ML
Barbiturates	300 NG/ML
Benzodiazepines	200 NG/ML
Cannabinoids (in urine)	15 NG/ML
Cannabinoids (in blood)	10 NG/ML
Cocaine and/or Metabolites	150 NG/ML
Methadone	300 NG/ML
Methaqualone	300 NG/ML
Opiates (morphine, codeine)	2000 NG/ML
Phencyclidine	25 NG/ML

Appendix 5

Model Substance Abuse Policy Employee, continued

**2. Probable Cause Testing**

Classifications or position titles to be tested:

1. All (*full-time, part-time and temporary employees in any classification*) will be subject to the provisions of our substance abuse policy under probable cause testing (*or may specify individual positions*).
2. Probable cause means a reasonable ground for belief in the existence of facts that induce a person to believe an employee may be under the influence of a substance of abuse, provided that the existence of probable cause may not be based exclusively on any of the following:
  - A. Information received from an anonymous informant.
  - B. Any information tending to indicate that an employee may have possessed or used a substance of abuse off duty, except when the employee is observed possessing or ingesting any substance of abuse either while on the premises or in the proximity of the employer premises during or immediately before the employee's working hours.
  - C. A single work-related accident.
3. Classification or position titles that may make a determination of probable cause:

Each (*unit manager*) is responsible for making a determination of probable cause. However, (*other supervisory personnel, a licensed physician, nurse or the employer's security personnel*) can make the determination of probable cause to test an employee.

4. Method by which probable cause determination will be communicated to the employee:

Where the company has probable cause to believe that an employee is under the influence of drugs or alcohol, a review will be undertaken on an individual basis. The (*unit manager*) or other qualified staff must state in writing, the facts upon which this determination is based and provide a copy of the statement to the employee prior to testing.

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Model Substance Abuse Policy Employee, continued

Results of the test will be communicated to the employee in person by the *(unit manager or other staff personnel as appropriate)* within three days of receiving the test results.

**C. CONSEQUENCES OF TESTING**

1. *Action to be taken for refusal to submit to a test:* An employee who refuses to submit to a drug screening probable cause test may be terminated.
2. *Action to be taken while awaiting results of a test:* During the period between testing and the receipt of the test results, the employee will be suspended with full pay and benefits *(employee may be allowed to work while awaiting results or may have a change in assignment without a loss of pay or benefits)*.
3. *Action to be taken based on confirmed positive result from test of an employee:* Employee will be offered opportunity for up to six months of rehabilitation services.
4. *Action to be taken upon refusal to use rehabilitation resources:* Employee may be terminated.
5. *Procedures for returning employee to the previously held job or position after rehabilitation:* Upon successfully completed rehabilitation as determined by the provider after consulting with the Company, the employee is entitled to return to his/her previously held job with full pay and benefits unless conditions unrelated to the employee's previous confirmed positive result make the employee's return impossible. No reduction may be made in an employee's previous benefits or rate of pay while waiting reassignment to work or while working in a position other than the previous job. The employee shall be reinstated to the previous position or another position with the equivalent rate of pay and benefits and with no loss of seniority within six months after returning to work in any capacity with the employer, unless the employee has received a subsequent confirmed positive test result within that time, or unless conditions unrelated to the employee's previous confirmed positive test makes reinstatement or reassignment impossible.
6. *Action to be taken based on a subsequent confirmed positive test: result:* Employee may be terminated.
7. *Action to be taken on employee's voluntary admission:* An employee who voluntarily admits a problem with substances of abuse may take advantage of the services offered through the Employee Assistance Program (see Rehabilitation

Appendix 5

Model Substance Abuse Policy Employee, continued

Service). No adverse action will be taken against an employee simply because of such admission.

**D. TESTING PROCEDURES**

**1. *Identify sample collection facility or facilities***

[List name and address of sample collection facility or facilities]

**2. Method of sample collection**

a. Procedure to segregate a portion of the sample at employee's request:

At the request of the employee, at the time the test sample is taken, a portion of the sample collected, sealed, and labeled according to State regulations and these procedures, will be segregated for that person's own testing. This sample will be stored by the laboratory and chain of custody shall be maintained as provided in this policy. Within five days after notice of the test result is given to the employee, the employee shall notify the employer and the facility of the testing laboratory selected for that person's own testing. The laboratory so selected must be licensed by the Maine Department of Human Services. The employer's laboratory shall promptly send the segregated portion of the specimen to the selected laboratory, subject to the same chain of custody and security requirements as observed for the employer's specimen. The employee will be required to pay for the segregation of a second sample as well as the expense of said additional testing only if and when the employee notifies the employer of the choice of laboratory to which the second sample is to be sent.

b. Employee's election of a blood test:

For an alcohol or marijuana test, the employee may request that a blood sample be taken for testing. The employee must make this request at the time a test sample is taken. If the employee requests a blood test, no other sample from the employee will be tested for alcohol or marijuana. However, the employee may be required to provide a urine sample for testing of other drugs.

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Model Substance Abuse Policy Employee, continued

c. Procedure to collect urine:

The employer will not require an employee to remove any clothing for the purpose of collecting a urine sample, except that the employer will require that an employee leave any personal belongings other than clothing and any unnecessary coat, jacket or similar outer garments outside the collection area.

No employee may be required to provide a urine sample while being observed, directly or indirectly, by another individual.

**(If the employer's policy calls for specimen assessment)** *Each urine specimen will be assessed by the person in charge of collection, in the presence of the employee by measuring:*

A. *The temperature of the specimen within three minutes of voiding - must be between 97-99 degrees F. (unless the employee's temperature is higher than 99 degrees or lower than 97 degrees F.)*

B. *The PH of the specimen - must be between five and eight.*

*and by evaluating the odor and color of the specimen for other signs of contamination.*

*If the specimen does not meet any of these assessment standards, the specimen will be rejected and the employee will be given an opportunity to provide a second specimen. The employee will remain under observation at the medical facility and may be given liquids until the second specimen is provided. If the second specimen fails to meet any assessment standard, the employer may consider this a refusal and neither specimen will be tested for substances of abuse.*

d. Procedure to collect blood:

Blood specimens (upon request by the employee for alcohol or marijuana) shall be collected in new vacuum-activated blood collection tubes, with such preservatives as may be specified by the testing laboratory, and shall be sealed with tamperproof seals, covering the cap and extending over the sides of the container. Blood samples shall be taken by a licensed physician, registered physician's assistant, registered nurse, or a person certified by the Department of Human Services to draw blood. Each specimen container shall be clearly and indelibly labeled with the date and time of collection and

Appendix 5

Model Substance Abuse Policy Employee, continued

the name or other identifier associated with the employee from whom the specimen was obtained. Sealing and labeling shall occur under the observation of the employee being tested.

**3. Storage of Sample**

**a. At collection point:**

Urine samples will be collected in new, clean containers manufactured for the purpose of urine collection. Immediately after assessment, the container will be sealed with tamper-proof tape and labeled in the presence of the applicant. The seal will cover the cap and extend over the sides of the container. The label will contain the date and time of collection, and the identifying number of the applicant. All information on the label will be written clearly and with indelible ink. Samples will be transported or shipped promptly to the testing laboratory in a secure fashion, so as to prevent tampering. If shipment or transport is not feasible, the specimen will be refrigerated within one hour at less than 6 C for no more than three days, or frozen at -20 C or less, for no more than two weeks before shipment.

**b. At laboratory:**

All positive specimens will be retained by the laboratory in the original containers in secure storage at freezing temperatures (-20 C or less) for at least six months. Should legal challenge occur, the specimen will be retained throughout the period of resolution of the challenge.

**4. Chain of Custody**

**a. Labeling and Packaging:**

Immediately upon collection of each sample, a chain of custody record established for that sample, indicating the identity of each person who will be having control over the sample, and the times and dates of all transfers or other actions pertaining to the sample.

**b. Transport:**

Samples will be picked up from the facility within 24 hours of collecting the sample and will be transported in a secure fashion, so as to avoid tampering.

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Model Substance Abuse Policy Employee, continued

Each person who takes custody of the sample in the course of transport will record on the chain of custody log the date, time, transporter's name and employer's name, origin and destination of the sample.

**c. At Lab:**

When a sample arrives at the lab, the person receiving the sample shall record the time of receipt and the location of each sample in the lab's storage system. Any technician or other person who removes the sample from storage or opens the sample shall record the date, time, their name and the purpose for removal or opening of the sample.

**5. Identify Testing Laboratory**

*NAME:* [Name and address of testing laboratory or laboratories]

*ADDRESS:*

**6. Procedure for Notifying Employee of the Result**

The employee will be notified by personal telephone call and confirmed by mail unless the employee otherwise instructs.

All laboratory reports, including the screening, confirmation and quality control data shall be reviewed by [*title of certifying officer to receive report*] as accurate. The report will identify the name of the laboratory, the drugs and metabolites tested for, whether the test results were negative or confirmed positive, and the cutoff levels for each substance. The report will include any available information concerning the margin of accuracy and precision of the test methods employed.

- a. Unless agreed upon by the employee, no report shall show the quantity of substance detected, but only the presence or absence of that substance relative to the cutoff level.
- b. No report will show that a substance was detected in a screening test, unless the presence of the substance was confirmed in the confirmatory test. Test results will be randomly delayed from two to five days so that the employer cannot gauge screening test results from the time results are reported. In addition, all testing will be billed to the employer at a single rate per sample tested (which may be periodically adjusted by the laboratory).

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Model Substance Abuse Policy Employee, continued

- c. No substance may be reported as present if the employer did not request analysis for that substance.
- d. Reports of samples segregated at the employee's request for testing by the employee's choice of laboratory, will be provided to the employee and the employer.

Unless the employee consents, all test results and any information acquired by the employer in the testing process is confidential and may not be released to anyone except the employee tested. This requirement applies to the personnel of all laboratories involved and to the employer. However, this does not prevent the disclosure of results or information if:

- 1. Release of information is required or permitted by state and federal law including release under 26 M.R.S.A. Sec. 683 (8) (D), or
- 2. The use of this information is part of any grievance procedure, administrative hearing or civil action relating to the imposition of the test or the use of test results.

The results of any test may not be required, requested or suggested by the employer to be used in any criminal proceeding as provided by 26 M.R.S.A. Sec. 685 (3) (B).

- e. The laboratory shall retain records of confirmed positive results in a numerical or quantitative form for at least two years.

**7. Procedure for an employee to appeal and contest the accuracy of a confirmed positive result.**

If the employee chose to segregate a portion of their sample and elects to submit that sample to a laboratory of their choice, the results of the second test will be controlling.

To appeal the results of a confirmed positive result in lieu of testing the segregated sample, the employee must fill out and sign the attached "Substance Abuse Test Appeal" form submitting information explaining or contesting the results, within five working days after notice of a confirmed positive test result. The appeal process will be conducted without cost to the employee. The employee will then be scheduled to meet within 14 days with *[list title(s) of person(s) who will review the appeal]*. The employee will explain the basis for the appeal and may be asked questions. After the meeting concludes, a written



Appendix 5

Model Substance Abuse Policy Employee, continued

report of findings and conclusions will be prepared and a copy sent to the employee.

**E. DESCRIPTION OF REHABILITATION SERVICES**

**1. Description of employee assistance program (Required if over 20 full-time employees)**

The Employee Assistance Program which has been certified under the State's Department of Human Services' Regulations for Employee Assistance Programs for Employers Operating in the State of Maine provides a range of services to employees for substance abuse. **A copy of the DHS approval, description of our program and explanation of how to obtain services is attached. (Be sure to attach this information).**

**2. Description of other rehabilitation services.**

*(If there are other rehabilitation services available, a description on how to obtain the services should be provided here. If there are none, it should be noted).*

**3. Procedure to obtain services.**

For an employee to take advantage of the employee assistance program, an employee may directly call the employee assistance program or may ask for a referral through the Company. The telephone number for the EAP program is *(provide telephone number)*.

**4. Description of method of payment for rehabilitation services.**

*(If company has over 20 full-time employees):* If an employee elects to use the services provided under the company's employee assistance program, the cost will be covered by the Company. If any employee elects to use another rehabilitation program, some of those costs may be covered by the employee's health insurance. To the extent that costs may not be covered by health insurance, the additional costs are divided equally between the Company and the employee. If the employee has difficulty paying his or her share of these expenses, the employee should consult with the Company to arrange for a loan or advance against future earnings through a payroll deduction plan.

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Model Substance Abuse Policy Employee, continued

***(If 20 or fewer full-time employees)***: Except to the extent that costs are covered by a health insurance plan, the employee shall be responsible for the payment of any public or private rehabilitation program.

**5. Testing upon return to work after completion of rehabilitation.**

The employee may be required to submit to one subsequent substance abuse test anytime between 90 days and one year after the date of the employee's prior test.

## **Appendix 6**

### **Controlled Substances, Drug Names, and Classifications**

#### **Controlled Substances and Drug Names:\***

**Cannabinoids:**

- Hashish
- Marijuana
- Tetrahydrocannabinol

**Depressants:**

- Barbiturates
- Benzodiazepines
- Glutethimide
- Methaqualone

**Hallucinogens:**

- Amphetamine Variants
- LSD
- Mescaline and Peyote
- Phencyclidine
- Phencyclidine Analogs

**Narcotics:**

- Codeine
- Heroin
- Hydromorphone
- Meperidine (Pethidine)
- Methadone
- Morphine
- Opium

**Stimulants:**

- Amphetamines
- Cocaine
- Methylphenidate
- Phenmetrazine

\*This list is of the most common drug names; it is not meant to be all inclusive.