

WV Miners Health, Safety and Training Substance Abuse – WARNING

December 12, 2019

(This bulletin is a general summary and is for informational purposes only. It is not intended to replace WV law, establish practice or list specific details. WV law is subject to change and this bulletin is subject to change or be voided without notice)

WVMHST drug test is a 10 panel (minimum) urine test plus a breath test for alcohol. Amphetamines, Cannabinoids/THC, Cocaine, Opiates, Phencyclidine(PCP), Benzodiazepines, Propoxyphene, Methadone, Barbiturates, Synthetic Narcotics

REFUSE to Test = Minimum 3 year suspension of ALL mining certifications or 18 month suspension and must complete 18 months of rehab and drug and alcohol testing at your expense

POSITIVE Test = Minimum 3 Year suspension of ALL mining certifications or 6 month suspension and must complete 6 months of rehab and drug and alcohol testing at your expense

❖ If you fail or refuse a drug or alcohol test a **SECOND TIME** you will receive a **Permanent** suspension of ALL mining certifications. You will never work again on WV mine property and other states which honor WV suspensions.

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- It is **better to test positive than to refuse** a drug and alcohol test.
 - It is better to quit your job or to not apply for a job until you get clean than to lose your mining certifications.
 - Waiting until the day of the drug test to quit the job is too late.
 - If you leave the testing area for ANY reason before the testing is complete – It is a **REFUSAL to test**. NO EXCUSES are accepted for leaving during a drug test.
 - Normally a drug and alcohol test takes 20 to 30 minutes. If problems occur during the testing it could take up to 3 hours. If you leave before the testing is complete, it is a **REFUSAL to test**. NO EXCUSES
 - If you don't follow the collector's instructions – It is a **REFUSAL to test**.
 - If you are employed in the WV mining industry and you are told to report for a drug test, you must take the test – If you do not test it is a **REFUSAL to test**. NO EXCUSES
 - If you have in your possession or you submit a **Substituted or Adulterated sample** It is a **REFUSAL to test**.
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If you have a legitimate medical excuse for testing positive, you must provide the excuse and supporting information to the Medical Review Officer. The following are **not** considered legitimate medical excuses for a positive test:

- Using a prescribed drug when the prescription is over 1 year old
 - Using a prescribed medication in a manner not consistent with the prescription even though the prescription is less than 1 year old
 - Using another person's medication, even if taken mistakenly
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- Alcohol limit is 0.04 or higher – Stricter than on the highway.
 - Some drugs may stay in your system for weeks and cause a test to be positive.
 - Remember – You are responsible for anything you put in your body whether done intentionally, unintentionally, mistakenly or accidentally.
 - CBD products can cause you to test positive for THC.
 - If suspended, you cannot seek or obtain employment on WV mine property during the period of suspension.
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Pre-employment Drug and Alcohol Testing

(This information applies only to Pre-employment testing)

- If you apply for a job in the mining industry the employer must give you a Pre-employment drug and alcohol test.
- This is the **only** drug test you have an opportunity to refuse. **BUT, once the paperwork or the testing is started, you must complete the test. NO EXCUSES**
- If you are not clean don't apply for the job. If you're not sure you are clean, go to a drug testing company and have yourself tested. It is cheaper than losing your certifications, months of work and paying for months of counseling and drug and alcohol testing.
- If you're not clean don't show up for the Pre-employment drug test. Call the employer and explain the situation to them. They will appreciate the honesty.
- If you go to a pre-employment drug test, once the paperwork or the testing is started it is **too late to back out**. You **must take the test** once the paperwork or the testing has started. If you don't want to take the pre-employment drug and alcohol test it is best to not go to the test.
- If you go for a job interview and you are not expecting to take a drug and alcohol test. If you don't want to take the test tell them before the paperwork or the drug and alcohol test is started, tell them you will take the job and the drug test at a later date. You do not have to take the pre-employment test if the paperwork or the test has not been started. But if you submit to a test and the paperwork or the drug or alcohol test is started you must complete the test, Even if it takes 3 hours. NO EXCUSES. If you leave before the test is complete it is a **REFUSAL to test**.