

Contract Language for New Drug Testing MOUs

1. Add to the Inside CBA, I suggest at the end of Art. II, sec. 5:

An individual employer may enter into a project-specific or employer-specific drug and alcohol policy pursuant to the Memorandum of Understanding Regarding Drug and Alcohol Policies entered into by the local parties effective __, 2023.

2. New MOU

Memorandum of Understanding Regarding Drug and Alcohol Policies

IBEW Local 302 (“Union”) and the Contra Costa County Chapter of NECA agree as follows.

Consistent with Article II, section 5 of the Inside Agreement, the parties recognize that, from time to time, individual employers that are signatory to the Inside Agreement may be required to implement drug and alcohol testing policies on individual projects pursuant to requirements imposed by the general contractor and/or property owner, or may choose to implement drug and alcohol policies for their own workforce. Such policies applying to IBEW Local 302-represented employees shall comply with the following conditions.

1. Project-Specific Drug and Alcohol Policy. If a general contractor or property owner requires a signatory employer to implement a drug and alcohol policy as a condition of working on a particular project, the signatory employer shall execute the Project Drug and Alcohol MOU attached here as Exhibit A, and shall comply with all provisions thereof. If the general contractor or property owner requires its own drug and alcohol policy, the signatory employer may comply with that policy instead of Exhibit A, after promptly providing a copy of that policy to the Union. A project-specific drug and alcohol policy shall take effect immediately upon execution and notice to the Union, and shall terminate automatically upon completion of the signatory employer’s work on the project. A project-specific drug and alcohol policy is limited to work performed by the signatory employer on the designated project.
2. Employer-Specific Drug and Alcohol Policy. Any signatory employer may execute the Employer Drug and Alcohol MOU attached here as Exhibit B, and upon such adoption shall comply with all provisions thereof. The Employer Drug and Alcohol MOU shall take effect 30 days after execution and notice to the Union. Except as set forth in Paragraph 1, a signatory employer shall not adopt any other drug and alcohol policy. “Employer-Specific Drug and Alcohol Policies will terminate upon the expiration of the Inside Agreement.”

[signatures]