

# Contractors do drug tests already

## Head of trade group says state is lagging behind private sector

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On-the-job drug testing has emerged as a hot topic this year in the Legislature.

But in the construction industry, drug tests are already as common on job sites as bricks and tape measures.

In fact, construction officials tout having drug-free work sites, and they even use their testing policies as a marketing tool to attract business.

They've been successful doing that over the past 16 years, thanks to the Labor Education and Development program, commonly referred to as LEAD.

Under the program, a pool of contractors funds strict drug-screening programs to try to ensure that no worker is under the influence of drugs or alcohol at a construction site.

The drug-testing program is voluntary. But the program has become so prevalent that if workers refuse a screening or don't carry LEAD certification cards, they're unlikely to get work at most job sites.

"It's mandatory for most job sites," said Lynn Wade, administrator for the program. "You might have a small company job site that's not concerned with it and doesn't require it. But for most projects, you won't get the job without the LEAD card. They won't let you through the gate."

Contractors' associations and construction company owners established LEAD in 1991 because the industry lacked any sort of uniform drug-testing program.

At the time, companies like DuPont and Appalachian Electric Power mandated drug screening, but did not issue any type of certification designating a worker as drug-free.

"It went over like a lead balloon in the beginning," Wade said. "It took a while for us to convince everyone this was the right thing to do. There was not much drug testing in the plants. It was sporadic and not uniform in the setup."

Now nearly every building trade worker carries a drug testing certification card, Wade said.

It's also common for contractors to declare work zones as drug-free job sites by displaying posters announcing the program is in effect.

The new BrickStreet project at the Charleston Town Center Mall advertises itself as a LEAD jobsite because its workers are certified.

Workers who want the card must first submit to a drug test that screens for nine categories of drugs: amphetamines, barbiturates, benzoyllecgonine (cocaine), cannabinoids (THC), opiates, phencyclidine (PCP), benzodiazepines, methadone and propoxyphene.

The Labor Education and Development Program will then administer an annual drug screening in addition to random tests on work sites where screenings are contractually required by the customer or site owner.

For example, a job site with 100 workers would see random screenings of about 25 crew members. Computer systems at drug-testing laboratories choose which workers must submit to the test based on a random drawing of Social Security numbers.

"If they refuse (to take the test), they are considered fired from the job," Wade said.

Workers can be tested as many as four or five times a year, she said.

She also said the number of failed drug tests have significantly declined since the program began.

Construction and union officials said they're far ahead of the curve on administering drug tests compared to other industries, including state government.

Gov. Joe Manchin is pushing for all agencies in the executive branch to screen job applicants for drug use.

Officials in the state's legislative and judicial branches have been more resistant to such a proposal, calling it unnecessary.

Manchin announced his intention to test new employees in his State of the State address last month. The governor said he believes it would show support for state businesses that claim they're having difficulty finding a drug-free work force.

Manchin expressed strong feelings that state employees, including child protective services and homeland security workers, should be drug-free.

"I wish state government would care more," said Steve White, director of the Affiliated Construction Trades Foundation. "That's a mistake. They're lagging behind the private sector in this regard."

White's group has supported legislation this session that would criminalize the sale and use of products designed to mask drug use and help customers pass a drug test.

"Our work force says they see more and hear more about people using these products that are sold primarily over the Internet for purposes to defeat a drug test," White said.

He said the construction industry has tried to embrace and broaden drug testing for quite some time.

Jim Cerra, director of the Kanawha Valley Builders Association, said the drug-testing program has reduced work-related fatalities and injuries.

"Obviously in the construction industry, it's enough without having someone on drugs," Cerra said. "If you have one person on drugs operating a crane or on a scaffold, that can hurt other employees."

Construction officials also tout LEAD-certified job sites because they said they are less likely to employ illegal workers. If someone is employing illegal immigrants, they're probably not requiring drug tests, officials said.