SAN FRANCISCO PUBLIC UTILITIES COMMISSION

Labor Relations and Community Programs, Office of the Assistant General Manager, Infrastructure Division
1145 Market St., 10th Floor, San Francisco, CA 94103 • Tel. (415) 554-1530 Fax (415) 551-4554 • TTY (415) 554.3488

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Dear Prime Contractor-

Congratulations on being awarded a construction contract subject to Substance Abuse Policy included in the SFPUC's Water System Improvement Program Project Labor Agreement. The policy provides for uniform pre-employment, reasonable suspicion, and post-accident, alcohol and drug testing for all employees covered by the PLA. The SFPUC has elected to extend that policy to all contractor personnel on the job site. The policy provides for program-wide substance abuse clearance such that individuals who have failed a test must meet uniform standards before they can work on any covered project, and employees who have been cleared to work on a project are cleared to work on all covered projects provided there has been no more than a thirty-day break in covered service.

In order to provide uniform testing procedures, and to facilitate the program-wide aspects of the testing program, the SFPUC maintains a panel of qualified Substance Abuse Program Third Party Administrators who are familiar with the requirements of the PLA, and have been deemed qualified to conduct the program by a selection panel assembled by the SFPUC. As Prime Contractor you are responsible for implementation of the PLA's Substance Abuse Prevention Policy, including selection of a Third Party Administrator from the existing panel of qualified TPA's to conduct the required testing. You are required to enter into a contract with the TPA you select to provide the required services, at project-specific rates, which are subject to negotiation between the contractor and the TPA. Information about the three TPA's on the panel is attached to this letter, and you may contact them directly before making your selection.

The attached "Summary of Substance Abuse Program" outlines the key requirements of the Program, but does not substitute for the detailed description of the Policy in Appendix H. to the PLA.

Additional TPA's may apply to be listed on the panel. If you wish to utilize a TPA who is not currently on the panel, that TPA will have to follow the qualification process described on the SFPUC's website at:
http://sfwater.org/custom/bid/planlist.cfm/bidtype/2/MC_ID/15/MSC_ID/147

The policy provides for a Substance Abuse Prevention Coordinator who retains oversight over the program and will monitor test procedures for consistency and policy compliance. The Coordinator is Bill Irwin who can be reached at 415-551-4676 if you have any questions.

HETCH HETCHY
WATER SYSTEM
IMPROVEMENT
PROGRAM

Mobile Medical Corporation
Setting New Standards

San Francisco Public Utilities Commission
Certified Third Party Administrator
Substance Abuse & Alcohol Testing

Exclusively Serving the Construction Industry for 20 Years

MMC is a certified Woman Business Enterprise and has over 20 years of experience in providing solution based medical and risk management programs for the construction industry. Our service features administering multi-employer testing projects for Facility Owners, Contractors, and Owner Controlled Insurance programs (OCIP and CCIP) nationwide.

Labor Management

MMC is a pioneer in the development of Drug-Free partnerships and has extensive knowledge of the collective bargaining process and has assisted labor management committees, and at local to national levels, develop labor-management cooperative programs. Today our services have expanded to include educating our clients on how to effectively integrate substance abuse programs into their contractor requirements and efficiently track and share all worker credentials.

Rapid Substance Abuse & Alcohol Testing

MMC is a premier Third Party Administrator (TPA) of nationwide substance abuse and alcohol testing programs. We offer scalable screening solutions designed to meet all of our clients needs including:

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- **Providing rapid alcohol breathalyzer test administration and collection services**

Accessible In-Depth Program Training

New Hire , Reasonable Suspicion, SkillCheck™ and many other industry training topics available in classroom and online Webinar formats!

Award Winning Technology

MMC's online state-of-the-art verification platform **SkillCheck™** allows our clients to easily and quickly track and view worker's test results 24 hours a day—7 days a week!

MMC's **SkillCheck™** meets the specific needs of the Construction Industry. **SkillCheck** tracks worker's testing results and credentials and uploads it daily to an online verification system where signatory parties can easily verify the data 24/7. **SkillCheck** also has the availability to track project statistics and calculate cost savings reports. Our robust reporting process includes the ability to sort data by program, contractor, job site, project, craft or trade. Call today to learn how **SkillCheck** can make your job easier!

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SkillCheck™ - Online Verification
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MMC is the National Third Party Administrator of the
IMPACT
National Substance Abuse Testing Program

If you are a signatory contractor of the IMPACT Substance Abuse Testing Program your drug testing could be paid for by the Union! Call MMC today to find out program details!
Toll Free 1-866-914-3921

I.M.P.A.C.T.
Ironworker Management Progressive Cooperative Action Trust

Mobile Medical Corporation (MMC) Nationwide Testing Solutions
Sacramento, CA— Toll Free: 866-914-3921
Corporate Office—Pittsburgh, PA— Toll Free: 888-662-8358
www.mobmed.com

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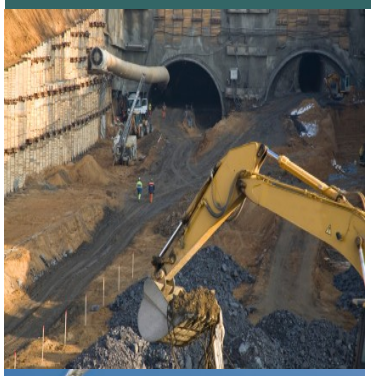
Mobile On-Site Drug & Alcohol Testing

"WE COME TO YOU"

(707) 592-0474



Stephanie & Melanie Tomingo
C.P.C. R-C.P.C.T

SFPUC Substance Abuse Program Third Party Administrator

PNC Collectors provides a 24 hour Certified Professional Collection Service, specializing in On-Site Drug and Breath Alcohol Testing. We become your partner in keeping your workplace drug free.

With 25 years experience in the drug testing field, PNC Collectors is capable of providing a cost effective program tailored for your specific business needs. PNC Collectors assures accuracy, expediency, professional integrity and confidentiality.

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- Over 25 years of job site experience
- Regional Certified Professional Collector Trainer (R-C.P.C.T.)
- Professional adherence to the Project Labor Agreement
- 25 years experience with Union Labor

Advantages:

* Drug Free Environment
* Convenience
* Cost Effective
* Minimal Down Time
* Customized Program
* Procedural Integrity

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www.pnccollectors.net

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A Qualified Substance Abuse Program Third Party Administrator

CALL TODAY 1-877-272-5227

Preferred Alliance Currently Administers 16 SFPUC WISP Projects!

The Preferred Alliance Shield is a symbol of security and has helped hundreds of companies in all types of industries manage their substance abuse prevention programs safely and effectively. We have over 20 years experience in the Construction Industry and 14 years experience with our preferred partner On-Site Health & Safety (OSH). We look forward to working with your company.

Preferred Alliance's administration capabilities and On-Site Health & Safety (OSH) distinguished record in mobile testing and collection services is an unbeatable combination. OSH is a mobile services contractor serving construction and industrial companies throughout California. Professional, experienced technicians respond to jobsites and provide accurate drug and alcohol test collections. Contractors have access to their 24-hour dispatch center for scheduling tests or to answer last minutes calls.

We deliver the following experience and resources;

- Currently Administering 16 SFPUC WISP Projects
- Project Labor Agreement Expertise
- Worked with Union Labor for over 35 years
- 32 Trained & Certified Technicians available 24-7
- Providing On Site Quick Tests for over 500 Construction related employers
- Substance Abuse Awareness Training **"No Charge"**
- Perform all required testing:
  - Pre-Employment
  - Reasonable Suspicion
  - Post Accident

Serving companies and workers in diverse industries across California

❖Bridges ❖Refinery ❖Highways ❖Commercial ❖ Power Plants

PREFERRED ALLIANCE INC. - 160 AIRWAY BLVD., LIVERMORE, CALIFORNIA 94551

San Francisco Public Utilities Commission
Water System Improvement Program Project Labor Agreement
Summary of Substance Abuse Program

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Introduction

Prime Contractors on projects subject to the Water System Improvement Program Project Labor Agreement have agreed to apply the Substance Abuse Policy contained in Appendix H. of the PLA to all employees of all contractors on the project, both those covered by the PLA and those not covered by the PLA.. The purpose of this document is to provide contractors and other interested parties with a summary of the provisions of the policy and the services to be provided by Substance Abuse Program Third-Party Administrators, who are responsible for conducting the testing required by the Policy.

The following documents include portions of the terms of the Policy:
1. Appendix H to the PLA. (Appendix H)
2. Regulations under the Federal Occupational Safety and Health Act (OSHA)
3. Guidelines issued by the Substance Abuse and Mental Health Services Administration (SAMSHA),.
4. Department of Transportation Regulations. (49 CFR Parts 40 and 382).
5. Mandatory Guidelines For Federal Workplace Testing Programs established by the U.S. Department of Health and Human Services. (HSS)
6. Ethical Standards of the American Occupational Medical Association. (AOMA)
7. The California Motor Vehicle Code. (MVC)
8. The SFPUC has placed additional requirements on Third Party Administrators as a precondition for qualification to perform testing on the WSIP. (TPA)
9. The SFPUC bid documents define contractor responsibilities. (BidDoc)

This summary describes the highlights of the Policy but cannot be a substitute for the contractors' careful reading of the Policy and the various regulations included by reference. To the extent that Federal policies differ from the Substance Abuse Policy in Appendix H of the PLA, or from this summary of the WSIPLA Substance Abuse Program, Federal policies will prevail.

The contractors, unions, and the SFPUC, are committed to protecting the health and safety of individual employees, their co-workers, and the public at large from the hazards caused by the misuse of drugs and alcohol on the job. The safety of the public, as well as the safety of fellow employees, dictates that employees are not permitted to perform their duties while under the influence of drugs or alcohol.

Policy Overview

The policy provides for uniform pre-employment, reasonable suspicion, and post-accident, alcohol and drug testing for all employees covered by the PLA. The SFPUC has elected to extend that policy to all contractor personnel on the job site. The policy provides for program-wide substance abuse clearance such that individuals who have failed a test must meet uniform standards before they can work on any covered project, and employees who have been cleared to work on a project are cleared to work on all covered projects provided there has been no more than a thirty-day break in covered service.

In order to provide uniform testing procedures, and to facilitate the program-wide aspects of the testing program, the SFPUC maintains a panel of qualified Substance Abuse Program Third Party Administrators who are familiar with the requirements of the PLA, and have been deemed qualified to conduct the program by a selection panel assembled by the SFPUC.

The Prime Contractor is responsible for implementation of the PLA's Substance Abuse Prevention Policy, including selection of a Third Party Administrator from the existing panel of qualified TPA's to conduct the required testing. Additional TPA's may apply to be listed on the panel at any time. If you wish to utilize a TPA who is not currently on the panel, that TPA will have to follow the qualification process described on the SFPUC's website at http://sfwater.org.

The policy provides for a Substance Abuse Prevention Coordinator who retains oversight over the program and will monitor test procedures for consistency and policy compliance. The Coordinator is Bill Irwin who can be reached at 415-551-4676 if you have any questions.

Basic Agreement

Appendix H to the PLA contains five basic agreements between the parties.

1. No employee may purchase, sell, transfer, furnish, possess, use or be under the influence of illegal drugs or any alcoholic beverage while working on any Project job site in connection with work performed under the Project Labor Agreement, or when using any Contractor vehicle.

2. The proper use of prescription drugs or over-the-counter medication as part of a medical treatment program and consistent with the terms of this Policy is not a violation of this Policy. The improper use of prescription drugs, over-the-counter medication or the use of designer or synthetic drugs that alters or affects and individual's motor function or mental capacity is prohibited and is a violation of this Policy. Employees who believe or have been informed that their use of any prescription drug or over-the-counter medication may present a safety risk are to report such use to the Contractor's supervision to insure the safety of themselves, other employees, and Contractor or

Project property or vehicles.

3. Any employee, while employed on the Project, who tests positive for drug or alcohol abuse or who is convicted for selling illegal drugs off the Project will not be permitted to work on the Project and will be subject to discipline up to and including discharge, subject to the provisions of this policy. Employees engaged in the sale, purchase or use of illegal drugs during the employee's working hours will be subject to immediate termination and removed from the project and will not be eligible for rehire.

4. Any prospective or dispatched worker who fails the pre-employment testing required pursuant to this Policy will be denied employment and will not be eligible for referral to any Contractor on the Project until a period of not less than sixty (60) calendar days has passed and the applicant has provided a certification of rehabilitation and satisfactory participation in an approved counseling or rehabilitation program, which will be at the employee's expense.

5. Any prospective or dispatched worker/employee who refuses to submit to a properly administered drug or alcohol test will be treated as having tested positive on the test and will be subject to removal from the Project and will not be granted permission for a second drug or alcohol test for a period of ninety (90) days.

Summary of Procedures Required to be Performed by the Contractor

The Contractor must perform the following steps to ensure compliance with the Substance Abuse Policy:

1. Select a Third-Party Administrator from the Panel provided by the City.
2. Enter into a contract with the selected TPA for substance abuse prevention services on the project, including project-specific charges for services.
3. Identify a Designated Employer Representative to receive test results for inconclusive and positive tests.
4. Ensure that all subcontractors on the project enter into similar contracts with the selected TPA and appoint their own designated employer representatives.
5. Provide a location at the job site for administration of breath alcohol tests and collection of urine samples.
6. Notify the unions at commencement of the contract that pre-employment drug and alcohol tests will be required of all dispatched workers.
7. Establish procedures to ensure that all contractor employees working on the job site receive pre-employment drug and alcohol tests.
8. Notify the dispatcher at the time workers are requested that pre-employment testing is required and that reasonable suspicion and post-accident testing will be required during the course of employment.
9. Provide each worker with a description of the policy and a consent form to administer the tests and report the results.
10. Notify the TPA when pre-employment testing is required of new employees.

11. Train management representatives on recognition of reasonable cause for alcohol and drug testing and on the terms of the Policy.
12. Notify the TPA for on-site testing when an accident has occurred involving an employee who appears to be under the influence of drugs or alcohol, or when a reasonable suspicion test is required.

Summary of Procedures Required to be Performed by the TPA

1. Reply to inquiries from the contractor to assist in selection of a TPA for the project.
2. Attend a Pre-Job meeting to explain Substance Abuse Prevention procedures to the prime contractor and sub-contractors.
3. Contract directly with each prime and sub-contractor for the provision of substance abuse prevention services including project-specific charges for services.
4. Assist the contractor in identifying a collection site.
5. Conduct a training session for contractor's management representatives covering their responsibilities in connection with the Policy, including reasonable suspicion testing.
6. Provide on-site, quick, pre-employment, reasonable cause, and post-accident urine specimen collection services and alcohol breathalyzer test administration.
7. Provide notice of substance abuse clearance to the contractor's on-site supervisor and the SFPUC's construction manager.
8. Provide negative breathalyzer results and inconclusive urine quick-test results to Designated Employer Representatives.
9. Transportmit inconclusive urine specimens to a SAMSHA certified laboratory for confirmation.
10. Provide for quality control over urine collection devices by transmitting a sample of negative specimens to a SAMSHA certified laboratory for screening and confirmation testing.
11. Provide Medical Review Officer Services including receipt of test results from a SAMSHA certified laboratory, evaluation of results in conjunction with a discussion with the specimen donor, and communication of results to the donor and employer.
12. Administer restrictions on pre-employment testing for prospective employees who have failed or refused to take a prior test.
13. Verify a prospective employee's existing program wide clearance as requested by the contractor.
14. Provide confidential communication of eligibility for hireto the SFPUC's badging administrator and to the WSIPLA Substance Abuse Prevention Coordinator.
15. Review electronic certified payroll data and notify contractor and the WSIPLA Substance Abuse Prevention Coordinator when employees are working without substance abuse clearance.

Performance Standards for the Contractor

	Responsibility	Standard	Reference
1.	Select and contract with a TPA from the panel of qualified TPA's provided	Before Commencement of Construction. Include project specific	BidDoc 00814-7

	by the City.	charges for services in the contract.	
2.	Identify a Designated Employer Representative to receive test results from the TPA.	Before Commencement of Construction.	BidDoc 00814-7
3	Ensure that all subcontractors on the project contract with the selected TPA and identify Designated Employer Representatives to receive results from the TPA.	Before Sub-Contractor Begins Work. Include project specific charges for services in the contract.	BidDoc 00814-7
4	Provide a sufficiently private facility at the job site for collection of breath alcohol and quick urine tests that meets Federal Workplace Safety Standards. The selected TPA will assist the contractor in maintaining compliance with Federal Workplace Safety Standards.	Before Commencement of Construction	CFR 49, Part 40, Subpart D
5	Provide written notice to each union that all dispatched workers will be required to take a pre-employment drug and alcohol test and are subject to reasonable suspicion and post-accident testing thereafter.	In advance of the first dispatch.	Appendix H.
6.	Advise the dispatcher that all dispatched workers will be required to take a pre-employment drug and alcohol test and are subject to reasonable suspicion and post-accident testing thereafter.	Each time a dispatch is requested.	Appendix H.
7.	Provide each employee with the description of the substance abuse prevention program and the consent/waiver form that appear as Attachments 3 and 4 to appendix H. Retain a copy of the signed forms.	Each time an employee starts work.	Appendix H.
8.	Establish procedures to ensure that all contractor employees working on the job site receive pre-employment drug and alcohol tests. This applies to all contractor employees, both those covered by the PLA and those not covered by the PLA, and to all subcontractors of all tiers.	Before Commencement of Construction	BidDoc 00814-7
9.	Notify the TPA when pre-employment testing is required. Testing must be done within the 30 days before the employee starts work, but no later than the employee's commencement of work.	Request the test the day before it is required, or earlier. TPA's may be able to provide pre-employment testing on the day of request.	Appendix H.

10	Follow the reasonable cause procedure when necessary. The supervisor will: (a.) Inform the employee that he is entitled to have a Union Representative present, and show the employee the applicable consent/waiver form (attachment 2); (b.). fill out the incident report form (attachment 5); (c) allow the employee to read the completed incident report form; and (d) allow the employee to provide an explanation for his condition. If the Management Representative, after observing the employee and hearing the explanation, concludes that there is reasonable cause to believe that the employee is under the influence of drugs or alcohol, the employee may be ordered to sign the consent/waiver form and take a drug and/or alcohol test.	When a management representative makes observations of an employee that constitute reasonable cause for drug or alcohol testing.	Appendix H.
11	Develop and implement a program of training to assist Management representatives and stewards in identifying factors which constitute reasonable cause for drug testing, as well as a detailed explanation of the terms and conditions of the drug policy	Shortly after commencement of construction. TPA's on the City's panel can present a one to two hour program that meets this requirement.	Appendix H.
12	Follow the reasonable cause procedure described in 10 above following accidents where the Contractor's safety representative concludes that a basis exists to believe that an employee who is involved in an accident was under the influence of drugs or alcohol at the time of the accident.	When the Contractor's safety representative concludes that: (a) The accident may have resulted from human error; and (b)The employer's representative concludes that the employee caused or contributed to one of the following four circumstances: (i) An OSHA recordable injury, i.e., medical treatment case, restricted work case or lost workday case;(ii) Damage resulting in repair costs that will exceed $2,500.00;(iii) Loss of material containment resulting in an environmental spill notification; or(iv) Any incident resulting in job site shutdown or involving a fatality.	Appendix H.; OSHA

Performance Standards for the Third Party Administrator

	Responsibility	Standard	Reference
1.	Reply to inquiries from the contractor to assist in selection of a TPA for the project.	Before Commencement of Construction	TPA
2	Attend a Pre-Job meeting to explain Substance Abuse Prevention procedures to the prime contractor and sub-contractors. Explain points of interest including program-wide clearance, inconclusive tests, laboratory confirmation and MRO procedures.	Before Commencement of Construction.	Appendix H.
3.	Contract directly with each prime and sub-contractor for the provision of substance abuse prevention services. The contract, including charges for services, are subject to negotiation between the TPA and the Contractor.	Before the contractor or sub-contractor commences work.	TPA
4.	Provide an electronic copy of each contract with a contractor to the Substance Abuse Prevention Coordinator.	Before testing for contractor or sub-contractor commences.	TPA
5.	Assist the contractor in identifying a collection site that is compliant with Federal Workplace Safety Standards.	Before testing commences.	49 CFR Parts 40 and 382
6.	Provide on-site, quick-test, pre-employment, reasonable cause, and post-accident urine specimen collection services for drugs, and alcohol breathalyzer test administration.	Arrive on site for pre-employment tests no later than the beginning of the work day after request phoned-in by contractor. Respond to reasonable suspicion and post accident tests no later than four hours after request. Notify the contractor's site superintendent and the SFPUC's on site construction manager each time an individual is cleared to work. Notify the employer, the contractor's site superintendent, and the SFPUC's on-site construction manager when an individual cannot work because	TPA, Appendix H.

		of an inconclusive test.	
7	The quick urine device must detect the presence of the eight controlled substances listed in attachments 1 and 1a of the Policy.	See attachment 1 and 1a of the Policy.	Appendix H.
8	The quick urine device must detect adulterated, substituted or diluted specimens. At a minimum the device must measure creatinine concentrations, specific gravity, pH, presence of oxidizing adulterants, abnormal physical characteristics, and the presence of adulterants and masking agents.	Identify the quick urine device you intend to use to the Substance Abuse Prevention Coordinator.	Appendix H, and 49 CFR Parts 40 and 382
9.	All urine collection personnel must meet the requirements described in the Federal Workplace Safety Standards.	See SubPart C of 49 CFR Parts 40 and 382	49 CFR Parts 40 and 382
10.	Provide for laboratory confirmation of all inconclusive quick urine tests at a laboratory certified by HSS under the National Laboratory Certification Program.	Laboratories must be licensed and approved by SAMSHA and comply with the American Occupational Medical Association ethical standards. Laboratory confirmation must ensure that a sample reported as positive contains the indicated controlled substance at or above the cutoff level for that drug.	49 CFR Parts 40 and 382, Appendix H.
11.	Insure that all specimens confirmed positive will be retained in long-term frozen storage for a minimum of one year and be made available for re-test as part of any administrative proceeding.	The confirming medical laboratory will retain all positive specimens in frozen storage for at least one year, and longer if requested.	49 CFR Parts 40 and 382, Appendix H.
12.	Provide Medical Review Officer Services in compliance with Federal Workplace Safety Standards.	See SubPart G of 49 CFR Parts 40 and 382	49 CFR Parts 40 and 382
13.	Ensure that alcohol Screening Test Technicians and Breath Alcohol Technicians meet the requirements of the Federal Workplace Safety Standards.	See SubPart J of 49 CFR Parts 40 and 382	49 CFR Parts 40 and 382
14.	Utilize a breathalyzer for alcohol that is approved by the National Highway Traffic Safety Administration and placed on their Conforming Products List for such devices.	Identify the breathalyzer you intend to use to the Substance Abuse Prevention Coordinator.	49 CFR Parts 40 and 382, Appendix H
15.	Report all tests with a blood alcohol concentration equal to or greater than	For every pre-employment test and every alcohol test	Appendix H.

	.08 to the contractor as positive tests. Report tests with a blood alcohol level less than .08 and equal to or greater than .04 to the employer for a determination as to whether the employee will operate a moving vehicle or crane or perform in a safety sensitive position. Report all tests with a blood alcohol level less than .04 as negative results.	performed due to reasonable suspicion or an accident.	
16.	Administer testing required by a Substance Abuse Professional in connection with a return-to-duty program.	Perform recommended periodic testing, including random tests if recommended by the Substance Abuse Professional.	Appendix H.
17	Ensure that employee's substance abuse test results are not released to third parties without the employee's specific written consent.	Release results only to parties named on the consent form.	49 CFR Parts 40 and 382, Appendix H
18	Administer restrictions on pre-employment testing for prospective employees who have failed a pre-employment test.	Individuals who have failed a pre-employment test are not eligible to re-test for 60 days and must provide a certification of rehabilitation and satisfactory participation in an approved counseling or rehabilitation program.	Appendix H
19	Administer restrictions on pre-employment testing for prospective employees who refuse to take a pre-employment test.	Individuals who refuse to take a pre-employment test are not eligible to re-test for 90 days and must provide a certification of rehabilitation and satisfactory participation in an approved counseling or rehabilitation program.	Appendix H
20	Provide confidential communication of results to the WSIPLA Substance Abuse Prevention Coordinator, including a list of employees cleared to work and a list of employees eligible to re-test..	At least twice per month.	Appendix H
21	Provide confidential communication of results to the SFPUC's badging administrator, consisting of a list of employees cleared to work.	At least twice per month.	Appendix H
22	Provide a comparison of data from electronic certified payrolls to records of pre-employment clearance, and provide	At least twice per month	Appendix H

	exception reports listing employees without clearance or with clearance after the first date of project employment to the contractor and the WSIPLA Substance Abuse Prevention Coordinator.		