

Rapid Site Access Program FAQ

Frequently Asked Questions by Workers

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INTRODUCTION

Q: What is the Rapid Site Access Program (“RSAP”)?

A: The Rapid Site Access Program (RSAP) is an agreement among unions, employers, and site owners that facilitates expedited dispatch to participating sites for workers signed on to the program. Owners agree to waive site access testing requirement for those in good standing (“active”) in the Rapid Site Access Program.

The program is voluntary and those who sign up agree to be subject to random testing, under clear protocols, while at work on paid time.

Those who choose not to sign up may still access sites by fulfilling owner site access testing requirements on their own time respecting each dispatch.

Third party professionals manage the program and there is a great deal of support for those with positive tests to facilitate returning to duty.

Q: What are the purposes of the RSAP?

A: RSAP is a safety-based alcohol and drug program meant to ensure efficient access to work sites, facilitate compliance with the Canadian Model Alcohol and Drug Work Rule while at work, and afford support and accommodation for those who are found in breach.

Q: What is in it for me to join RSAP?

A: By joining RSAP you get access to participating sites without having to submit to a site access test. This reduces the number of tests you have to take on your own time prior to being able to head out to the jobsite.

Furthermore, should you fail an RSAP test, your file would be handled by third party professionals, which means very little of your sensitive personal information would be shared with your employer or union.

Q: What owner sites may I access without a site access test by joining RSAP?

A:

- CNRL
- Dow (construction only)
- KBR Mod Yard
- Keephills (construction only)
- Northwest Upgrader
- Opti Nexen
- PCL Fabrication shop and mod yard
- Petro Canada
- Shell and Albion Sands
- Suncor
- Syncrude

Q: What do I agree to when I sign up for RSAP?

A: When signing up for RSAP you agree to be in compliance with each of the following sets of rules:

- the Canadian Model (while at work),
- the RSAP Procedural Rules, and
- any return to work conditions that may be set by a case manager should you find yourself in after-care.

You also agree to be subject to random alcohol and drug testing while at work on a participating site. Such tests are completed on paid time on the job site.

Q. REALLY, why should I join RSAP?

A: Upon receiving your journeyman ticket, many of you are told you are entrepreneurs, business people who are the masters of your own destiny.

Well, this for the most part comes down to a personal business decision as a tradesperson.

Think of how often you have had to:

- arrange for a site access test on your own time,
- invest the travel and time involved in taking the test,
- be idle for the time to wait for results, and

- lose time and wages as a result of being unable to proceed straight to site.

For some that has been a significant hassle and RSAP may be a good option for you. All RSAP random tests are on paid work time and you do not lose time or wages while waiting for the results.

In addition, others who have failed a test for a contractor have opted into RSAP so they could have their after-care and follow-up administered by third party professionals as personal information is more protected and kept off the worksite, and the likelihood of successful, safe return to work is greatly increased.

Q: How can I sign up for RSAP?

A: Proceed to <https://www.rsap.ca/> (you must have the “www” in front of the address) and click on “You can self register here”.

Q: I am a detail person, where can I read all the information?

A: All the RSAP documentation is available at:

<http://www.clra.org/docs/rsap/default.asp>

ALCOHOL AND DRUG TESTING ADMINISTERED BY RSAP

Q: Under what circumstances are alcohol and drug tests administered by RSAP?

A: RSAP administers tests in the following circumstances:

Enrollment tests: A clean test is required as a part of the application process unless the individual is grandfathered (refer to p. 8) into the program,

Random tests: These are not-for-cause tests resulting from a random draw,

Return to work tests: Return to work tests are administered following a positive test or other breach of the Canadian Model or Procedural Rules if the substance abuse expert prescribes a negative alcohol and drug test prior to returning to a safety sensitive worksite, and

Follow-up tests: These are unannounced tests conducted if recommended by a substance abuse expert (e.g. 6 follow-up tests in 12 months).

Q: What kind of alcohol and drug testing technology is used for random testing?

A: For random tests, RSAP uses laboratory-based **oral fluid tests** (sometimes referred to as **oral swab** tests) for drugs, and breath tests for alcohol.

Q: Why do some prefer oral fluid (oral swab) tests to urine tests?

A: The oral fluid cut-off levels are safety-based levels set in consultation with experts. One significant difference between urine and oral fluid testing resides with the marijuana measurement, which for oral fluid has a shorter “window of detection” than urine based testing. **At the levels set in RSAP oral fluid tests have a 12-20 hours window of detection for the marijuana panel. This means that a test will identify past marijuana use up to 20 hours prior to the test.** Many view this measurement to be more workplace related and less likely to bring into review a person’s off-duty lifestyle.

Also, the collection of the oral fluid sample is more dignified in that it does not call upon the donor to submit a urine sample. Oral fluid is collected by a swab being placed in the mouth by the donor under the observation of the collector.

Others like the fact that oral fluid tests are all observed so the risk of tampering of a sample is less than with urines test, which are unobserved except in special circumstances.

Q: Why do some members get a urine test and others get an oral fluid test?

A: Urine tests are required for:

- initial RSAP registrations, and
- for members who are in case management (following a breach) and who require follow up testing as part of a return to work agreement.

Oral fluid tests are used for random testing on RSAP members in good standing.

Q: Why can't all of the testing be done by oral swab?

A: The Canadian Model doesn't accept oral swab tests for reasonable grounds and post-incident tests. Furthermore, experts state that oral fluid testing is not appropriate when there is prior notice of the test and not appropriate for follow-up testing. The RSAP committee approved the use of oral swabs for random tests only.

Q: Why are the cut off levels different for urine and swab based tests?

A: The numeric cut-off levels are not going to be the same as it is a completely different measurement. Comparing the numeric cut-off levels is like comparing apples and oranges.

Urinalysis test levels are those mandated by the Canadian Model Alcohol and Drug Work Rule (Article 3) or, if applicable, based on recommendations of a substance abuse expert. The scientific community has demonstrated that these test levels are legally defensible safety-based levels.

Oral fluid cutoff levels are those opined by leading scientific experts and the Department of Health and Human Services as reliably detectable, safety-based levels.

Q: Will fluids such as mouthwash, mints or ice cappuccinos affect my alcohol testing results?

A: Drinking non-alcoholic fluids will not affect your alcohol results. Oral fluid tests are not used to measure alcohol levels. All alcohol tests are conducted via a breath alcohol testing device.

Q: What if I don't agree with the test results?

A: You can contact the medical review officer for clarification. All specimens are sent to a certified laboratory facility for, scientific analysis.

In addition, consistent with the Canadian Model, the oral fluid sample is split prior to analysis. Within 72 hours you may request that your split sample be sent to another laboratory for a second analysis.

Q: If I sign up for RSAP, do I have to be tested or can I send in my previous pre-access testing result?

A: You can be grandfathered into the program without further testing if the following conditions apply:

- you are currently working with a participating contractor on a site that requires site-access testing, or
- you are not working but have a valid negative test within past 90 days (and can provide copy of same).

If you are currently unemployed and do not have a valid test within the last 90 days, a negative enrollment test is required to approve RSAP “active status”. RSAP pays for the cost of the test.

Q: How often will I be tested if I sign up for the RSAP program?

A: Each month, a computer generates a random draw from members who are actively working . The draw randomly selects 4.17% of RSAP members who are actively working. Random tests are always done on work time.

Q: How do I know that your alcohol test machine is getting a correct result?

A: The calibration on each evidentiary breath testing device (EBTs) is checked daily before testing, using a known gas standard. In the event a result is confirmed as a non-negative, the calibration is re-checked as soon as is reasonably practicable, usually immediately after the test.

Q: Why don't you accept tests from other labs?

A: Mobile Industrial Health Services is contracted to provide all testing services for the RSAP program. For initial tests, other SAMHSA-certified lab results, if proper “Chain of Custody” procedures were followed, will be accepted. This does not mean that you can arrange your own RSAP testing. It must be facilitated by OHI.

Q: Why don't you accept quick/express tests?

A: "Quick" tests are not allowed under the Canadian Model - they do not involve the same high standards for integrity as laboratory-based tests.

Also, quick tests often do not include the protections afforded to individuals by having a medical review officer consider whether or not there is a legitimate medical explanation for a positive result.

RSAP only uses laboratory-based testing with review from a medical review officer.

Q: If my first sample is not accepted, why can't I leave the testing facility once the testing process is underway?

A: Once the testing process is underway, the collector is responsible for the integrity/validity of the result. Allowing you to leave the facility during the collection process opens the process up to challenges to the integrity/validity of the final result. Leaving prior to the completion of the testing process will be reported as a refusal to test.

SUBSTANCE ABUSE ASSESSMENT QUESTIONS

Q: What are some typical recommendations that may be issued by a substance abuse expert?

A: Each case is handled individually and, depending upon the diagnosis of the substance use issues, recommendations may include one or more of the following requirements:

- attend residential treatment,
- attend counseling or educational sessions,
- attend 12 step or other abstinence based support groups,
- submit to a return to work test (negative test required),
- comply with a number of follow up tests for a period of one to two years.

Q: If I fail a test, who pays for my substance abuse assessment at Human Solutions?

A: RSAP asks that you utilize your CEFAP benefits if you qualify. You may qualify for CEFAP benefits even if you fail a pre-access test and have not yet started working for the CEFAP participating contractor. In the event you do not qualify for CEFAP benefits, you will either have to self pay or find another funder for your substance abuse assessment.

Q: What if I don't agree with the substance abuse assessment?

A: You can contact your substance abuse expert at Human Solutions to discuss any concerns you have. You can also discuss any concerns with the Clinical Manager of Employee Health Assessments, Northern Alberta and the Territories at Human Solutions if you are still dissatisfied. (Ph 780-428-7909)

Q: If I fail a test, do I have to attend my assessment within a time limit?

A: Yes, within 90 days in order to qualify for any CEFAP benefit you may be eligible for.

Q: Why do I have to go to Human Solutions for an assessment? Why can't I do this through AADAC or a counselor of my own choice?

A: The RSAP Administration Committee agreed that there would only be one assessment provider which is Human Solutions. Human Solutions' substance abuse experts have (at minimum) masters degrees in counseling (psychologists, social workers etc.) and specialized training - they are experts in the substance use field relative to work site safety.

GENERAL RSAP QUESTIONS

Q: Once I join RSAP, am I able to opt back out?

A: Participants who have "active" status and who are not currently employed by a participating contractor may opt out.

You cannot opt out if you are currently in aftercare and being case managed, or if you are working on a site for which you bypassed the site access by being enrolled in RSAP.

Requests to opt out of the program must be in writing to OHI.

Q: What does my “RSAP Status” [Active or Inactive] mean?

A: RSAP Status is a classification in respect to a person’s compliance with 2.1 of the RSAP Procedural Rules. Article 2.1 states, “Workers must be in compliance with the *Canadian Model* and Appendix C [the oral fluid testing cut-off levels] while at work and, if applicable must be in compliance with return-to-work conditions set by the third party case administration.”

Workers in compliance with 2.1 above will be classified as “Active”. Workers not in compliance with 2.1 above will be classified as “Inactive”.

The union is not permitted to dispatch a worker while his or her status is Inactive to any contractor or site.

Contractors and owners are not permitted to allow on site any person while that person’s status is Inactive.

Q: Are there any fees associated with RSAP? Do I have to pay for drug and alcohol tests screens out of pocket?

A: No. It is important to note however that you risk having to pay for your own substance use assessment if you do not access this benefit within 90 days of referral (i.e. you may have fallen out of benefit).

Q: If I fail a test, what process will I follow in order to return to work?

A:

- Contact OHI to discuss next steps.
- Book a Substance Use Assessment appointment with Human Solutions (phone number).
- Communicate further with OHI case manager, following the assessment, to review recommendations and to seek further support if needed to complete the necessary steps.

- Provide a negative return to work A & D test - OHI will book.
- Enter into a return to work (RTW) agreement with OHI case manager.

Q: What is a return to work agreement and why do I need to sign one?

A: It is an agreement that you enter into with your OHI case manager. It typically includes agreement to follow through with recommendations outlined in your assessment and other expectations to ensure continued recovery and safety on the work site.

Q: If I fail a drug or alcohol test can I go work at a non-participating site?

A: The goal of the program is safety. The union hall is not to dispatch anyone with inactive status to any job. Both the union and the contractor employing inactive members risk serious liability issues in the event of a work-related accident, and both would be in breach of the Procedural Rules to which they are contractually bound.

Q: What happens if I fail more than one time?

A: Each time you fail a test or otherwise breach the Canadian Model or the RSAP Procedural Rules, a new substance abuse expert assessment is required. When this happens, your return to work agreement will contain more stringent expectations than it would for a first failure. Also, there will be a case review process in place to assist your compliance on an on-going individual basis.

Q: What are mandatory contractor referrals?

A: Some unions have signed letters of agreement for case management. Non-RSAP members, of those unions, that fail a pre-access test or violate the Canadian Model Work Rule are referred to OHI for case management services. When this happens, members are invited to sign up for RSAP in order to enhance their anonymity when on-site follow up testing is conducted as well as to eliminate further pre-access tests when taking new jobs.

Q: When I signed up for RSAP, I was told that all testing would be done on work time. Some of the people I work with tell me that they have had to test on their own time. Why is this?

A: All random tests are done on work time. Follow-up tests, however, may have to occur away from the worksite for a variety of reasons, mostly logistical.

Q: After a non-negative test, I was told that I would be tested six times over the next year. Will I be expected to test on my own time?

A: Perhaps. The testing provider will try to perform follow-up tests on site during work time but, if they are unable to arrange this, you will be called to book a test. This only applies to members in follow-up.

Q: If I recognize that I have a substance use or alcohol problem, can OHI help me?

A: Yes. OHI will direct you to Human Solutions for CEFAP benefits (if you are eligible) and help you determine what other community resources might be of assistance. OHI does not case manage persons who make requests for **self-help information only**.

Under these situations no personal information is retained by OHI.

If however, you think being case managed may be supportive to your recovery can enter into an agreement with OHI to manage your aftercare. **Once doing so you cannot back out of this agreement for the duration of the aftercare.**

Q: My assessment said I required two years of follow-up testing but OHI has extended the time frame for this. Why?

A: OHI has not extended the timeframe. The timelines are based on employment vs. actual calendar time. Otherwise, members might simply leave the union until the time expires and we cannot therefore vouch for their fitness to work in a safety sensitive area unless we have monitored compliance. Members on extended leaves can request that OHI continue to case manage them while on leave.

Q: What if on the day of the test I am absent from work?

A: No RSAP consequences arise from not being on site on the day of the test. The test will be carried forward and attempted the next time the mobile unit is on that site.

For follow-up tests, the test would be scheduled directly with the person in after-care.

Q: What if I must go to treatment but am having trouble accessing a treatment bed?

A: Contact OHI and Human Solutions for assistance.

When discussing directly with a treatment facility be polite and be sure to demonstrate your commitment to attend the facility (if they don't think you are serious they may not put you at the front of the list).

Q: If I have to go to treatment and/or there is a delay in obtaining a spot in the facility, is there financial support available?

A: Only individuals with a dependency diagnosis require treatment. Therefore, it is important to realize that if you are in that situation you have a medical problem.

You can request a medical layoff from your employer and apply for medical EI.

Also, most Health & Welfare Plans have coverage available for those who are temporarily unable to work due to a medical problem.

If the above require documentation, OHI can help you or advise as to how to obtain that documentation.

If you continue to have problems, again, contact OHI and Human Solutions who may be able to assist you in accessing a facility. They will do what they can to assist.

We recognize this can be frustrating, BE PERSISTENT in trying to access a bed.

Q: What can I do if I disagree with how my case is being managed?

A: The RSAP program allows you to appeal decisions through a professional umpire process. If this is something you would like to initiate, (or have your union initiate on your behalf) you must submit a completed appeal form available from your union or OHI.

PRIVACY

Q: What information is passed on to a contractor to confirm my enrollment at the point of dispatch?

A: The receiving contractor is informed of your name, trade, project dispatched to, and confirmation of your Active or Inactive status as of the date of dispatch.

Q: What information is passed to my current employer and my union should I have a positive test?

A: Should your status change your current employer and union are informed that you have become Inactive, and are provided an estimate of the time required to become Active again.

Q: What steps are taken to ensure that my confidential information is being protected by OHI?

A: OHI uses best practices in abiding by all applicable privacy legislation, and employs its own privacy officer. In practical terms, your union and contractor will only be told whether or not you are active or inactive. All confidential reports such as test results, assessments and return to work agreements are part of the OHI secured file and not shared without your explicit instruction or consent.

Q: How can I keep my current employer from knowing that I have follow-up testing conditions if you are testing me at work?

A: Employers are not informed as to who is involved in aftercare. The follow-up testing list and the random testing lists for RSAP are combined and the employer does not know which test you are being called for. The best way to maintain your confidentiality and anonymity is to join RSAP and that way let people assume you are being called for a random test as opposed to a follow-up test.