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DRUG ABATEMENT PROGRAM
SAN FRANCISCO BAR PILOTS
FOR PILOTS

POLICY:

It is the policy of the San Francisco Bar Pilots ("Pilots") to maintain a drug-free work environment in compliance with all applicable laws.

PURPOSE:

It is the purpose of the Drug Abatement Program ("Program") to implement the policy of the Pilots in this regard, in a manner consistent with applicable law.

CONDITIONS:

This program is available to members of the Pilots to assist them in carrying out their individual responsibilities regarding chemical drug and alcohol testing in compliance with law.

Participation is voluntary. However, participation in the program and compliance with all drug and alcohol testing requirements are a condition precedent for a participant to be assigned by the Port Agent.

Whenever a member refuses to submit to or fails to pass a required test for dangerous drugs, that fact shall be reported to the State Board of Pilot Commissioners, who will then notify the MSO, U.S. Coast Guard. Any member refusing to submit to or failing a drug test shall not be dispatched to vessels.

The Pilots reserve the right to require contractors to search and/or screen their employees before entering upon Pilots' premises, doing business with the Pilots or operating Pilot owned, leased, or rented equipment.

DRUG ABATEMENT COMMITTEE:

The Drug Abatement Committee shall consist of three members, the longest serving member acting as chair. Each year the Pilots shall elect from their number, one new Drug Abatement Committee member to replace the outgoing Drug Abatement Committee member, thereby insuring a three person Drug Abatement Committee and continuity.

The Drug Abatement Committee shall:

1. Maintain necessary records to carry out its functions; and
2. Appoint

(i) A Medical Review Officer (MRO) to carry out the duties outlined in the U.S. Department of Health & Human Services "Medical Review Officer Manual" (DHHS Publication No. [ADM] 88-1526).

(ii) A professional organization which shall provide "EAP Training Program" and "EAP Education Program" required by 46CFR 16.401 to all participants;

(iii) A laboratory certified by the U.S. Department of Health & Human Services to provide testing required by 49CFR part 40.

(iv) A medical facility to act as a collection site to carry out the duties outlined in the U.S. Department of Health & Human Services "Urinalysis Collection Handbook" (DHHS Publication No. [ADM] 88-1596).

3. Act as point-of-contact for the Pilots with the MRO.

4. Act as point-of-contact for the Pilots' Policy Committee which is responsible for notification of test results to appropriate regulatory authorities required by 46CFR 16.201 (c), or other law.

5. Establish and maintain a procedure of random testing selection of members which meets at a minimum the requirements of 49CFR 16.230.

6. Be subject to ongoing supervision by the Policy Committee as well as periodic review, to be requested by the Policy Committee, as offered by the Commandant in CFR 46 16.205(a).

"REASONABLE CAUSE" testing will be scheduled by the Drug Abatement Committee on a case-by-case basis. Requests for reasonable cause testing must come from the Policy Committee, and must be based on a written request from the United States Coast Guard or the State Board of Pilot Commissioners.

The Drug Abatement Committee shall schedule reasonable cause testing, without further authority, upon the written request of the Medical Review Officer.

"POST ACCIDENT" testing is that testing of a participant directly involved in a "serious marine incident" as required by 46CFR 16.240. Such tests will be for evidence of drug and alcohol use. The Drug Abatement Committee has made arrangements so that such testing can be accomplished on the participant's own initiative, without prior scheduling.

"REHABILITATION" testing is required for persons who have once been determined to be "Drug Positive" in this program and have since returned to normal duties. Such persons must agree to unannounced testing for a period of sixty (60) months (or longer if so required by the MRO). Such testing will be scheduled by the MRO who notifies the Drug Abatement Committee in advance of such tests.

Participants may apply to the Drug Abatement Committee for a waiver of the above requirements upon submission of proof of participation in other testing programs that conform to applicable law.

"CERTIFICATES"

The Drug Abatement Committee will issue certificates to each participant to certify the fact that the participant has (1) passed a valid test or has been subject to a random testing program meeting the requirements of 46CFR 16.230 during the previous twelve (12) months, (2) has not failed a chemical test for dangerous drugs, and (3) has not refused to participate in required chemical tests.

7. Implement the following testing:

"PRE-EMPLOYMENT" testing is mandatory for all individuals who join the Pilots after May 28, 1992 or who have not previously been tested under predecessor programs of the Pilots.

"PERIODIC" testing is available, on a voluntary basis.

"RANDOM" testing shall be periodically conducted at an annual selection rate of approximately, but not less than 50 percent, of the Pilot Body.

Selection shall be by a double-random procedure maintained by the Drug Abatement Committee and conducted by a varying Selection Board for Random Testing. All participants are subject to such selection.

Such boards shall consist of one Drug Abatement Committee member, and two non-Drug Abatement Committee member pilots. The Drug Abatement Committee member will supervise the selection which, so far as possible, and consistent with law, shall be conducted in an identical manner by each board.

Names selected by the boards shall be considered confidential.

The Drug Abatement Committee member sitting on the Selection Board for Random Testing shall be responsible for:

1) Record keeping

2) Notifying selectees

3) Arranging for appointments of selectees at the testing facility collection site. Selectees will normally be notified by telephone and must report for testing within 48 hours of notification.

If it should prove impossible to contact a selectee within 24 hours of the selection process, attempts to contact the selectee by telephone shall cease and an alternate selectee shall be designated who will undergo testing as provided above with 48 hours of notification.

Positive confirmatory tests are forwarded to the Medical Review Officer (MRO), a licensed physician with knowledge of substance abuse disorders. The role of the MRO is to review and interpret positive urinalysis results to assure a scientifically valid result, and to determine whether a legitimate medical explanation could account for the confirmed positive result.

Only the MRO may determine that the final results of such testing indicate the participant to be "Drug Positive." The Drug Abatement Committee must immediately be notified by the MRO if a participant tests "Drug Positive."

Upon notification of a drug positive determination, the Drug Abatement Committee shall immediately pass such information to the Policy Committee.

Any participant who is determined to be drug positive is automatically discharged as a participant in the Drug Abatement Program. Such individuals must surrender any certificates issued by the Drug Abatement Committee. The Port Agent will notify the Pilot Commission, who in turn will notify the MSO, U.S. Coast Guard, of the individuals discharged from the Program. Any person who is discharged from the program will not be assigned by the Port Agent until the Port Agent is specifically authorized by the Commission to assign the individual.

Persons testing drug positive and electing to participate in a Drug Rehabilitation Program (the expenses of which to be the responsibility of the individual) can through successful completion of an approved Drug Rehabilitation Program become (re)eligible for participation in this program, and return to normal duties, upon successful completion of such a Drug Rehabilitation program.

Only the MRO may determine that an individual is so eligible, and then only upon the first determination of being "drug positive."