

**NOTICE, ACKNOWLEDGEMENT OF AND CONSENT TO  
BUILDING TRADES NATIONAL  
DRUG AND ALCOHOL TESTING PROGRAM – NEW NUCLEAR  
CONSTRUCTION**

**PART 1: NOTICE AND ACKNOWLEDGEMENT**

This is to inform you that all current employees and applicants for employment with \_\_\_\_\_ (employer) must, as a condition of employment, abide by the Building Trades National Drug and Alcohol Testing Program – New Nuclear Construction (BTNDAP-NNC), which includes testing to identify job applicants and current employees who may be abusing drugs and/or alcohol.

A copy of the BTNDAP-NNC and a summary of the Program accompany this notice. Please note the following important information:

1. The BTNDAP-NNC includes mandatory drug and alcohol testing required by the Nuclear Regulatory Commission (NRC) as part of the determination whether an individual is fit-for-duty, and the results of this determination may be available to other construction site employers;
2. Testing information may be released, electronically or otherwise, to a licensee's or other entity's representatives who have a need for access to the information to perform their assigned duties under the Fitness for Duty Program, including determinations of fitness, Fitness for Duty Program audits, or other human resources functions. Testing information may also be released to NRC representatives, law enforcement officials under court order, your representatives designated in writing, persons deciding matters on review or appeal, persons with authority to change personal data in electronic records, other construction owners, employers, contractors, or subcontractors, or the agents of each, and other persons pursuant to court order, and will include, but is not limited to: (a) name and social security number; (b) dates of any drug and alcohol tests; (c) dates when access has been authorized, denied, or terminated; and (d) dates associated with drug and/or alcohol follow-up testing;
3. Alcohol and drug abuse counseling and rehabilitation are available through the Employee Assistance Program (EAP);
4. The following types of testing may occur: (a) applicant testing; (b) periodic (*i.e.*, annual) testing; (c) random testing; (d) reasonable suspicion testing; (e) accident or unsafe practice testing; and (f) testing as a condition of returning to duty or as part of or as a follow-up to counseling or rehabilitation;
5. The laboratory assessment is a series of tests that are highly accurate and reliable, and that, as an added safeguard, laboratory results are reviewed by a Medical Review Officer;
6. An opportunity will be afforded to submit medical documentation to the Medical Review Officer of lawful use of a controlled substance. If the Medical Review Officer concludes that the lawful use of a controlled substance may raise workplace safety concerns, the Medical Review Officer will advise the employer's designated

representative of the use for the employer's further review with the applicant or employee and possible action;

7. Employees will have the opportunity before being asked to submit to a drug and/or alcohol test or being found in violation of the BTNDAP-NNC to voluntarily admit to being users of illegal drugs and to receive counseling or rehabilitation, in which case disciplinary action is not required;

8. Upon my written request to \_\_\_\_\_ (employer), and at no cost to me, I will be provided within 10 working days a copy of the information about me that is in the BTNDAP-NNC files. If, after my review of such information, I can show that any of the information is incorrect or incomplete, such information shall be corrected and/or completed as soon as is reasonably practical.

**A refusal to test or to cooperate in testing by an applicant for employment will result in termination of the pre-employment selection process, and a refusal to test or cooperate in testing by an employee will result in disciplinary action up to and including discharge. An applicant for employment who is not in compliance with or current under the BTNDAP-NNC will not be hired for employment on a new nuclear power plant construction site, and an employee who fails to remain in compliance with or current under the BTNDAP-NNC will be removed from employment on a new nuclear power plant construction site.**

## **Part II: Consent**

I acknowledge receipt and understanding of the above written notice and agree to abide by the terms of the BTNDAP-NNC pertaining to drugs and alcohol. The BTNDAP-NNC has my consent to perform drug and alcohol testing necessary to determine whether to grant me access to a nuclear power plant construction site and to allow me to maintain such access. I authorize the individual, organization, institution, or entity that now has, or obtains in the future, drug and/or alcohol testing information about me to release such information to perform an evaluation required for access.

I hereby release the BTNDAP-NNC, and its officers, employees, representatives, agents and records custodians as well as the officers, employees, representatives, agents and records custodians of my employer and any other entity or individual supplying or using such information from any and all liability based on their authorized receipt, disclosure, or use of the information obtained pursuant to this Notice, Acknowledgement and Consent and to determine my eligibility for construction site access.

I understand that at any time and upon written notice to \_\_\_\_\_ (employer), I may withdraw this Consent, but this will also constitute a withdrawal of my request for access. I understand that any processing activities that were initiated before receipt of my withdrawal of Consent shall continue and the resulting information will be retained. No new activities shall be initiated after receipt of my withdrawal of Consent and other contractors are not permitted to receive information, other than my name and the fact that my Consent has been withdrawn, thereafter unless I provide a currently valid Consent or it is required by NRC regulation.

I understand that this Consent is not intended to and does not affect any right or responsibility that I, my employer, or others may have under Section 211 of the Energy Reorganization Act of 1974, as amended. I further understand that nothing herein (1) affects my right or my responsibility to bring potential safety concerns to my employer and/or others, or the NRC; or (2) prohibits me from participating in any proceeding or investigation regarding such a potential safety concern.

**I have read and understand this Notice, Acknowledgement and Consent and authorize the BTNDAP-NNC and \_\_\_\_\_(employer) to take such actions as are described herein. While I understand that construction site access is dependent upon my accepting the regulatory requirements of this Program, the statements made by me in this Notice, Acknowledgement and Consent and my decision to sign it are voluntary. The statements were not induced by any promise nor have I been subjected to any threat, duress, or coercion to sign this Notice, Acknowledgment and Consent.**

\_\_\_\_\_  
**Applicant or Employee Printed Name**

\_\_\_\_\_  
**Social Security Number**

\_\_\_\_\_  
**Applicant or Employee Signature**

\_\_\_\_\_  
**Date**