SUGGESTED SUBSTANCE ABUSE PROGRAM LANGUAGE FOR INCLUSION IN "CONDITIONS TO BID" DOCUMENTS

(a) Program Implementation. The Contractor shall, consistent with the Building and Construction Trades Department National Drug and Alcohol Testing Program and Policy, "(BCTD Program") incorporated herein by reference with full force and effect, maintain a compliant workplace drug and alcohol testing program.

(1) All Contractor employees coming into a construction area are subject to testing.

(2) In lieu of requiring an employee to submit to an initial drug test for the presence of illegal/controlled drugs and substances, the Owner will accept an employee's verified status as "current" with either the BCTD Program, or a drug and alcohol testing program that has been recognized and granted reciprocal status by the BCTD program. Employees who have not been tested within the previous twelve months are no longer considered "current" and must undergo an initial drug test under the BCTD Program, or a drug and alcohol testing program that has been recognized and granted reciprocal status by the BCTD program.

(b) Remedies. In addition to any other remedies available to the Owner, the Contractor's failure to comply with the requirements of this Article and perform in a manner consistent with this Article may render the Contractor subject to the suspension of contract payments or termination for default.

(c) Subcontracts

(1) The Contractor agrees to notify the [Owner/Construction Manager] reasonably in advance of, but not later than __ days prior to, the award of any subcontract the Contractor believes may be subject to the requirements of the BCTD Program.

(2) The Contractor shall require all subcontractors to agree to implement a workplace substance abuse program that complies with the requirements of the BCTD Program as a condition for award of the subcontract.

(3) The Contractor agrees to include, and require the inclusion of, the requirements of this clause in all subcontracts, at any tier.

(d) Compliance. The [Owner/Construction Manager] shall monitor each contractor's implementation of the program for effectiveness and compliance with this Article.