



RSAP

RAPID SITE ACCESS

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**Information for Worker Applicants About the
Rapid Site Access Program (RSAP)**





TABLE OF CONTENTS

A.	RSAP PROGRAM OVERVIEW	2
B.	PROGRAM MEMBERSHIP	3
	Making application to RSAP	3
	Dispatch	4
	Random Tests	4
	Challenging Decisions of the Third Party Case Administrator	4
	Challenging RSAP compliance with Privacy Legislation	5
C.	FREQUENTLY ASKED QUESTIONS.....	5
	Rapid Site Access Program (RSAP)	5
	What is RSAP?	5
	Substance Abuse Assessment	9
	Case Management	10
	Privacy	13
D.	COVERAGE AND FUNDING*	14



A. RSAP PROGRAM OVERVIEW

This document is intended to:

- Provide clear information for union members, unions, and staff that may be involved in various aspects of the program;
- Identify the roles of each service provider involved in the program;
- Explain key processes a union member might be involved in with the program;
- Provide notice regarding how personal information is used;
- Advise of the right to challenge decisions of the Third Party Case Administration (TPCA);
- Advise of the right to challenge the program in respect to compliance with applicable privacy legislation; and
- Provide answers about the program to frequently asked questions.

The Goal is Safety

Across Canada, stakeholders within the construction industry are committed to establishing and maintaining a safe workplace, free from risks associated with the use of alcohol and drugs. The Rapid Site Access Program (RSAP) was developed by union, contractor and owner stakeholders as part of an overall approach to safety and loss management.

The Program is voluntary

RSAP is a voluntary program that is an alternative to site access testing. Worker participants qualify for the program and enter into an agreement with the TPCA. As part of that agreement, participants agree to be subject to random testing while on work time.

Dispatch without having to submit to a site access test

Active RSAP participants may take a dispatch to any participating site without the requirement to submit to a site access test. Managed by the TPCA, RSAP expedites dispatch, enhances privacy, helps to ensure compliance with the *Canadian Model Alcohol and Drug Work Rule* and ultimately improves safety performance. With RSAP, owners and contractors relinquish their role of administrator to a professional TPCA and accept this program as an effective alternative to site access testing.

The benefits of RSAP for participants:

- Subscribes to union member's commitment to safety;
- Expedited dispatch;
- Less testing, and less testing on personal time;
- Increased privacy and confidentiality; and
- Consistent professional administration with a corrective focus.



Supportive and tailored to the individual

In situations where there has been a positive A&D test or self-disclosure, RSAP delivers a supportive suite of counseling, treatment, educational and aftercare services. With RSAP there are no predetermined outcomes.

RSAP is delivered by professionals who have expertise in areas including:

- Occupational Health and Safety;
- Substance Abuse Assessment, Recommendations and Treatment;
- Employee and Family Assistance Plans and Counseling;
- Medical Addiction; and
- Drug and Alcohol testing (collection, laboratory testing, and medical review officer analysis).

B. PROGRAM MEMBERSHIP

Making application to RSAP

The applicant union member signs a voluntary participation agreement at the time of registering for the program.

Pre-Enrollment Alcohol and Drug Test

Upon registering for the program, there is a pre-enrollment alcohol and drug test requirement. The program will accept a test taken within the previous 90 days. Alternatively, the applicant's employer or the union can confirm the applicant is currently employed on a site for which a site access test was required and the program will accept that confirmation in lieu of the pre-enrollment test.

In the event an alcohol and drug test is required, the TPCA will refer the applicant for testing with the testing facilitator, the results will be reported to the TPCA only.

Information Release

As part of the voluntary participation agreement, the applicant agrees to the collection, use and disclosure of personal information by the providers, union and contractors necessary for administering RSAP.

Program Compliance

By signing the voluntary participation agreement, the applicant agrees to comply with the *Canadian Model Alcohol and Drug Work Rule*, the *RSAP Procedural Rules*, and if applicable, the terms and conditions of an aftercare program.



Program Opt Out

RSAP participants may opt out of the program if they are in compliance with the program, not currently engaged in an aftercare program, and are not currently employed with a participating contractor.

Dispatch

RSAP participants eligible for dispatch are directed to participating sites without the requirement to take the site access test. Dispatch lists are securely imported at regular intervals to www.rsap.ca, disclosing to whom and where RSAP participants were dispatched.

The www.rsap.ca site ensures dispatched workers are eligible and facilitates the ability for a receiving contractor's designated representative to confirm the workers active status.

In respect to a not eligible for dispatch status, the reasons and circumstances surrounding that status are not disclosed.

Random Tests

The TPCA initiates a monthly computerized random draw of employed RSAP participants and administers the case management program to individuals who have a *Canadian Model* violation.

All test results, regardless of outcome, are reported to the TPCA. If, during the collection process, an individual refuses to test, or the testing facilitator becomes concerned the individual tested is not able to work safely, the testing facilitator will contact the RSAP participant's employer.

In the event of a positive test result, an RSAP member, like any worker with a positive test result, will be removed from site pending a Substance Abuse Expert (SAE) assessment and subject to case management.

Challenging Decisions of the Third Party Case Administrator

RSAP Participants may challenge a decision of the TPCA by initiating a complaint and can contact their union to proceed. The complaint is filed with the secretary to the RSAP Administrative Committee and an Umpire is assigned who will set a hearing date. Decisions of the Umpire are disclosed to the Parties to the complaint and the RSAP Administrative Committee.



Challenging RSAP compliance with Privacy Legislation

RSAP Participants with questions regarding the collection, use, disclosure, storage and safeguards of personal information may contact RSAP's Privacy Officer at (403) 250-7390 and may challenge the program's compliance by filing a complaint with the RSAP Privacy Officer.

C. FREQUENTLY ASKED QUESTIONS

Rapid Site Access Program (RSAP)

1. What is RSAP?

RSAP is a voluntary agreement among unions, employers, and site owners that allows quicker dispatch of participants who have volunteered into the program to participating sites. Owners agree to waive the site access testing requirement for RSAP members whose status is active. In exchange, participants of the program agree to be subject to random testing under clear protocols while at work (i.e. on paid time).

Those workers who choose not to voluntarily enroll in the program will still have to fulfill owner site access testing requirements on their own time for each dispatch.

Third Party Case Administrators (TPCA) manage the program to provide support for those participants with positive tests to enable them to return to work quickly and safely.

2. What are the goals of RSAP?

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

3. What's in it for me if I join RSAP?

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 accessing the jobsite and also allow more expedited access as well.

Furthermore, should you fail an alcohol or drug test while participating in RSAP, your file would be handled by TPCA *which* means very little of your sensitive personal information about your treatment would be shared with your employer or union.



4. REALLY, why should I join RSAP?

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 a period of time while waiting for test results; and
- experience reduced income as a result of being unable to proceed straight to a jobsite.

For some, this has been seen as a significant inconvenience. All RSAP random tests are conducted on work time and you do not lose time or wages while being tested or waiting for the results.

In addition, others who have failed a test for an employer have opted into RSAP so they could have their after-care and follow-up administered by the TPCA. This results in very little of your sensitive personal information being shared with your employer or union and the likelihood of a successful, safe return to work is greatly increased.

5. What do I agree to when I sign up for RSAP?

When signing up for RSAP you agree to be compliant with the following rules/policies:

- the *Canadian Model*;
- any site or employer A&D Policies;
- the RSAP Procedural Rules; and
- any return to work conditions stipulated in your assessment should you find yourself in aftercare.

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. Random drug tests are NOT urine based. They are collected using oral swab technology.

6. How can I sign up for RSAP?

Proceed to www.rsap.ca and click on “Register Here”. If you prefer not to enroll on line, enrolment forms are available at www.clra.org, follow the links for CM/RSAP/Union Member/Application Form, or contact your union hall. Completed forms can be faxed to The TCPA at 1-780-423-0313 or emailed to rsap.intake@homewoodhealth.com.

7. Under what circumstances are alcohol and drug tests administered by RSAP?

RSAP administers tests in the following circumstances:

- **Enrollment tests:** A negative test result is required as a part of the application process unless the individual is grandfathered into the program; and
- **Random tests:** These are not-for-cause tests resulting from a random draw.



8. Where can I read all the information about RSAP?
All RSAP documentation is available at www.clra.org under the CM/RSAP link.

9. Once I join RSAP, can I opt out?
Participants who have an ACTIVE status and who are not currently employed by a participating employer may opt out. You cannot opt out if you are currently in aftercare/case managed or if you are working on a site for which you bypassed the site access test by being enrolled in RSAP. Requests to opt out of the program must be in writing to the TPCA.

A&D Testing

10. What type of alcohol and drug testing technology is used for random testing through RSAP?

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

11. Why do some RSAP participants have a urine test and others have an oral fluid test?

Urine tests are required for:

- initial RSAP enrollment applications, and
- for participants who are in case management (following a violation) and who require follow up testing as part of a return to work agreement.

Oral Fluid test are used for:

- Random testing,
- Post Incident testing, and
- Reasonable Cause testing.

12. If I sign up for RSAP, do I have to be tested or can I provide my previous pre-access testing result?

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

- you are currently working with a participating employer 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 proof of a valid test within the last 90 days, a negative enrollment test is required to become a RSAP member. The program pays for the cost of the test.

13. What if I am absent from work on the day of the random test?

The test will be carried forward and attempted the next time the mobile testing unit is at your participating work site.

14. Why doesn't RSAP accept tests from other labs?

The testing facilitator LP is contracted to provide all testing services for the program. For initial tests, other SAMHSA-certified lab results, if proper "Chain of Custody" procedures are followed, may be accepted. This does not mean that you can arrange your own testing when enrolled in or applying to RSAP, all testing must be facilitated by The TCPA.

15. Why doesn't RSAP accept quick/express tests?

Express tests do not involve the same high standards for integrity as laboratory-based tests and are always used in conjunction with a laboratory-based test. 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.

16. Why are the cut off levels different between urine and oral fluid tests?

The numeric cut-off levels are not the same as the tests involve completely different measurements. Comparing the numeric cut-off levels between urine and oral fluid test 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 provided by leading scientific experts and the U.S. Department of Health and Human Services as reliably detectable, safety-based levels.

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

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

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

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

19. Under what circumstances are alcohol and drug tests administered by Case Management?

- **Return to work tests:** These are administered following a violation of the *Canadian Model*, an owner of employer's A&D Policy or RSAP Procedural Rules if the Substance Abuse Expert recommends 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).

20. What is a Substance Abuse Assessment?

A Substance Abuse Assessment is a face-to-face evaluation of an individual who has violated the *Canadian Model*, completed by a Substance Abuse Expert (SAE). The assessment is comprised of a standard psychosocial history, an in-depth alcohol and drug use history and a current mental status. The evaluation should provide a diagnosis, treatment recommendation and a treatment plan to be successfully complied with prior to the employee becoming eligible for post assessment counselling and subsequent return to work in the construction industry. *(For further information please refer to the Canadian Model for Providing a Safe Workplace, Appendix B found at www.coaa.ab.ca/safety/CanadianModel.aspx).*

21. Who pays for the Substance Abuse Assessment?

If you eligible, the Construction Employee Family Assistance Program (CEFAP), a unionized employer funded program that provides employee family assistance services and substance abuse expert assessments to employees of participating employer organizations, will pay 100% for your first assessment. You are responsible for the full cost of any subsequent assessments.

You may be eligible for CEFAP benefits even if you fail a pre-access test and have not yet started working for the CEFAP participating employer. In the event you are not eligible for CEFAP benefits, you may be required to self-fund. *(For further information regarding eligibility on CEFAP benefits, please see www.clra.org and click on the CEFAP tab).*

22. If I fail a test, do I have to attend my assessment within a specified time limit?

You must attend your assessment within **30 days** of the failed test in order to qualify for any CEFAP benefit for which you may be eligible.

23. Why do I have to go to the TCPA for an assessment? Why can't I do this through a counselor of my choice?

The TCPA is the service provider that has been agreed to by the parties to provide the required case management services as contained in the applicable collective agreements.

24. What are some typical recommendations that may be issued by a Substance Abuse Expert?

Each case is handled individually and, depending upon the diagnosis, 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;
- provide a negative return to work test;
- comply with a number of unannounced follow up tests for a period of one to two years of employment on participating sites.

25. What if I don't agree with the outcomes of the Substance Abuse Assessment?

You can contact your SAE at the TCPA to discuss any concerns you have. You can also discuss any concerns with the Clinical Manager of Substance Abuse Services, Employee Health Assessments, Northern Alberta and the Territories at the TCPA at 780-428-7909 if you are still dissatisfied.

Case Management

26. What is Case Management?

Case Management is the facilitation and confirmation of compliance with treatment recommendations. Case Managers provide support and objective case management services, including aftercare and return to work conditions recommended by the SAE, to support the worker and maintain the safety of the worker and those around him/her on a safety-sensitive work site.



27. If I am not an RSAP member, am I still subject to Case Management?

Yes, Case Management is not exclusive to RSAP members. Any Union member whose collective agreement contains the Mandatory Case Management Letter of Understanding may be subject to Case Management in the event of a *Canadian Model* violation.

28. What does ACTIVE or INACTIVE status mean?

RSAP status identifies 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.*" Participants in compliance with 2.1 will be classified as ACTIVE. Participants may be INACTIVE for a few reasons, not being in compliance with 2.1 would be one such reason.

The union is not permitted to dispatch a member, whether he/she is an RSAP participant or not, while his/ her status is INACTIVE to any employer or site. Employers and owners are not permitted to allow on site any person while that person's status is INACTIVE.

29. Are there any fees associated with RSAP? Do I have to pay for the random alcohol or drug tests?

No, there are no fees associated with being an RSAP member. However, it is important to note that there are potential costs to you associated with a *Canadian Model* violation if you do not meet established deadlines or if you have repeated violations. For example, you will be required to pay for your own substance abuse assessment if you do not access this benefit within 30 days of the violation or if you have had a funded assessment previously.

30. If I fail an alcohol or drug test can I go work at a non-participating site?

The goal of the program is safety. The union halls have agreed not to dispatch anyone with INACTIVE status to any job or site, regardless of participation in RSAP. Both the union and the employer employing INACTIVE participants risk serious liability issues in the event of a work-related accident and both would be in breach of the RSAP Procedural Rules to which they are contractually bound.

31. What are Mandatory Employer Referrals?

Most unions have signed letters of understanding for Mandatory Case Management. Members of those unions who fail a pre-access test, violate the *Canadian Model* Work Rule, or breach an owner's or employer's A&D Policy are referred to the TCPA for case management services.

32. If I recognize that I have a substance abuse or alcohol problem, can the TCPA help me?

Yes, the TCPA will direct bill for CEFAP benefits (if you are eligible) and help you determine what other community resources might be of assistance.

The TCPA does not case manage persons who make requests for self-help information only. If, however, you think being case managed may be supportive to your recovery, you can enter into an agreement with the TPCA to manage your aftercare. Once doing so you cannot exit this agreement for the duration of the aftercare.

33. My substance abuse assessment stated I required two years of follow-up testing but the TPCA has extended this, why?

The TPCA has not extended the timeframe. The timelines are determined by the duration of employment on participating sites under the return to work agreement rather than by actual calendar time. Otherwise, participants might simply leave the union until the time expires, in which case their fitness to work in a safety sensitive area would not be verifiable as there had not been monitored compliance.

34. What is a return to work agreement and why do I need to sign one?

The return to work agreement is an agreement that you enter into with the TPCA. 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.

35. What can I do if I disagree with how my case is being managed?

Case Management decisions may be appealed 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 the TPCA.

36. What if I must go to treatment but I am having trouble accessing a treatment bed?

Contact the TPCA or SAET for assistance. When speaking with the treatment facility, be polite and demonstrate your commitment to attend the facility. If the treatment centre does not believe you are serious they may not put you at the front of the list.

37. 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?

Only individuals with a dependency diagnosis require in-patient treatment. Therefore, it is important to realize that if you are in that situation you have a medical issue. You can request a medical layoff from your employer and apply for medical EI. Also, many Health & Welfare Plans have coverage available for those who are temporarily unable to work due to a medical issue.

If you require documentation or continue to have problems, the TCPA may be able to assist you in accessing a facility or assistance. We recognize this can be frustrating, be persistent in trying to access a bed.

Privacy

38. What information is provided to an employer to confirm my enrollment in RSAP at the point of dispatch?

The receiving employer is informed of your name, trade, project dispatched to, and confirmation of your ACTIVE status as of the date of dispatch.

39. What information is passed to my current employer and my union if I have a positive test?

Should your status change, your current employer and union are informed that you have become INACTIVE. Depending on the facts of your situation, the TCPA may provide an estimate of the time required for you to become ACTIVE again.

40. What steps are taken to ensure that my confidential information is being protected by The TCPA?

The TCPA uses best practices in abiding by all applicable privacy legislation and employs its own privacy officer. In practical terms, your union and employer 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 either the SAET or TCPA secured file and are not shared without your explicit instruction or consent.

41. How can I keep my current employer from knowing that I have follow-up testing if I am being tested at work?

Employers are not informed as to who is involved in aftercare. However, the best way to maintain your confidentiality and anonymity is to join RSAP, that way it always appears you are being called for a random test as opposed to a follow-up test.



D. COVERAGE AND FUNDING*

Service/Benefit	Funding*		
	(Subject to eligibility determination)		
	1 st Violation	2 nd Violation	Subsequent Violations
Construction Employee Family Assistance Program (CEFAP)			
Substance Abuse Expert (SAE) Assessment	100%	0%	0%
Bridge Counselling (if required)	100%	100%	100%
<ul style="list-style-type: none"> • Post Assessment Counselling (PAC) • In-Patient Readiness Counselling (if required) 	100%	100%	0%
SAE Assessment must be booked within 30 days of the date of violation, with a staggered implementation. <ul style="list-style-type: none"> For violations occurring: <ul style="list-style-type: none"> • November 1 - 30, 2016 – 90 days to book SAE • December 1 - 31, 2016 – 60 days to book SAE • January 1, 2017 or after – 30 days to book SAE 			
Case Management/Rapid Site Access Program (CM/RSAP)			
Rapid Site Access Program			
Eligibility List	As per CEFAP Eligibility List (becomes CEFAP/CM/RSAP Eligibility List)		
Enrollment Test	100%		
Random Testing	100%		
Case Management			
Eligibility List	As per CEFAP Eligibility List (becomes CEFAP/CM/RSAP Eligibility List)		
Case Management & Administration	100%	100%	0%
Testing	100%	0%	0%

*Subject to eligibility for CEFAP funding. Please see <https://clra.org/assets/page/files/cefap/CEFAP%20Plan%20Rules%20Eligibility%202016-02-29.pdf> for the eligibility criteria.