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Alcohol- and Drug-Free Mines: Policy, Prohibitions, Testing, Training, and Assistance

Comment On: MSHA-2008-0011-0001
Alcohol- and Drug-Free Mines: Policy, Prohibitions, Testing, Training, and Assistance

Document: MSHA-2008-0011-DRAFT-0016
Comment from William Snyder, RBS Inc.

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Redacted Comment

I am concerned that the option of immediately dismissing a miner for use of prohibited substances on mine property and during working hours in not allowed under the rule.

I need to be able to dismiss any employee that uses drugs or alcohol at work, and all other policies allow this option.

I would prefer to dismiss a miner found using or under the influence of prohibited substances.

The only formal Drug and Alcohol abuse policy we have is DOT required and compliant. Under this plan, an employee found using alcohol at work is dismissed instantly. Many other employees, under no formal policy, would also be instantly dismissed for using drugs or alcohol at work.

Now, MSHA is proposing that under identical circumstances, I may not dismiss a miner for violating a formal policy !

AB41-COMM-20

Who pays for the SAP counseling ? Who pays for return to work and follow up testing ? How long must I offer job security ?

ANY employee, miner or otherwise, needs to be dismissed upon positive test results, or when found using drugs or alcohol at work !

Original Comment

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