

# PUBLIC SUBMISSION

<b>As of:</b> October 06, 2008 <b>Received date:</b> Not specified <b>Status:</b> Pending_Post <b>Tracking No.</b> 80739791 <b>Comments Due:</b> October 29, 2008 <b>Submission Type:</b> Web
--

**Docket:** MSHA-2008-0014

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

**Comment On:** MSHA-2008-0014-0001

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

**Document:** MSHA-2008-0014-DRAFT-0024

Comment from Robert Jimenez, Rodman LLC

## Submitter Information

**Name:** Robert M Jimenez

**Address:**

P O Box 957

Frisco, TX,

**Phone:** 972-335-4510

**Organization:** Rodman LLC

## General Comment

We do not support this policy.

In order to have a safe work environment, we have a random program to discourage employees from putting themselves into position to get hurt or hurt others because of alcohol or drug abuse. We cannot have employees on the worksite knowing that their employment will not be terminated if they are under the influence and have an accident that hurts themselves or others.

We have a process in place for those employees who feel they have a alcohol and / or drug abuse problem to seek assistance and treatment without terminating their employment. By waiting to test positive under this proposal, this part of our program would become worthless because the employee would still have that option if they tested positive under this proposal.

We can not imagine the cost to the company if a person that tested positive goes through the proposed treatment then has a relapse (between the 6 times we are allowed to test during the first 12 months after returning from treatment) and that person causes an accident that results in injury to themselves or others.

*AB41-COMM-48*