

**Letter of Understanding  
by and between  
The Boilermaker Contractors' Association  
(the "Association")  
and  
The International Brotherhood of Boilermakers, Local 146  
(hereinafter referred to as the "Union")**

**Re: Referral for Case Managed Aftercare**

**Whereas:**

An individual must be referred to a substance abuse expert following a failure to comply with the *Canadian Model for Providing a Safe Workplace: Alcohol and Drug Guidelines and Work Rule* (the "Canadian Model").

The Union acknowledges that the contractor to whom the individual would have been dispatched will refer the individual for assessment following contravention of Work Rule 3.0 of the Canadian Model for any site access testing that may be required in accordance with Article 4.7 of the Canadian Model but agrees and understands that such referral does not make the individual an employee of the contractor for the purposes of the collective agreement between the Association and the Union.

Once the individual is assessed by a substance abuse expert, recommendations are prepared and disclosed for the purpose of establishing expectations in accordance with the substance abuse expert's recommendations, entering into a post assessment agreement and supporting compliance with prescribed aftercare.

A member who has violated the Canadian Model or tested non-negative on a site access A&D test must be assessed by a substance abuse expert and comply with the resulting recommendations as a condition of being eligible for future dispatches.

There are advantages to referring substance abuse expert recommendations to qualified third party professionals for administration on behalf of the parties. Third party professionals are positioned to offer a higher level of:

- (a) confidentiality
- (b) consistency, and
- (c) expertise


Contracting the administration of substance abuse expert recommendations to third party professionals is expected to be more effective in meeting the safety objectives contained in the Canadian Model and increase the quality of service afforded to affected individuals.

**Now therefore, it is Agreed** between the Parties hereto that:

- 1) Substance abuse expert recommendations arising from contractor administered A&D tests conducted pursuant to the Canadian Model and arising from those who violate Article 3 of the Canadian Model shall be referred to and administered by Homewood Health Inc. (third party professionals). Such substance abuse expert recommendations shall apply to employment and prospective employment in respect to any collective agreement for which the Union is signatory. Substance abuse expert recommendations shall be shared with a contractor only if they are in respect to a current employee, who has contravened Article 3 of the Canadian Model, while in the employ of that contractor.
- 2) Service providers including Homewood Health Inc. will keep all information in accordance with applicable privacy laws.
- 3) The Association will provide the funding to the third party providers who are responsible for administering substance abuse expert recommendations.
- 4) The Union will not knowingly dispatch an individual who has violated Article 3 of the Canadian Model or tested non-negative on a site access test until the individual has been assessed and has agreed to follow any treatment recommendations made by the third party provider.
- 5) When an individual is referred for assessment by a substance abuse expert, Homewood Health Inc. shall promptly disclose the referral to the Union in order to ensure that the individual does not obtain a new dispatch before being assessed.
- 6) This Letter of Understanding shall be attached to and form part of the Collective Agreement entered into between the Parties.

All of which is agreed this 25<sup>th</sup> day of August, 2016:

  
Sara Scott  
Executive Director  
Boilermaker Contractors' Association

  
Dean Milton  
Business Manager/Secretary Treasurer  
IBB, Local 146