



Contractor Compliance With HB 80

**Presented by:
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HB 80 Requirements

What Projects Are Subject To HB 80

- **All ODOT Construction Projects**
- **School Facilities Commission projects**
- **Projects that are administered by a state agency**

What Projects Are Subject To HB 80 cont'd.

- **Projects of any other state agency that uses the contract rules & provisions under ORC 153 –**
 - **the general operating rules of the Ohio Department of Administrative Services (DAS)**
 - **projects using DAS Standard Conditions of Contract for Construction (e.g. “Front End”)**

State Administered Jobs

TO *BID* A JOB:

Employer must be on the “Approved List” as operating drug-free:

<https://www.ohiobwc.com/employer/services/StateContract/nlbwc/StateContract1.asp>

About the Implementation Requirements:

<http://www.ohiobwc.com/employer/services/StateContract/StateContractdescriptions.asp>

Steps Of Enrollment And Compliance

- **Submit BWC U-140 Application Form (ohiobwc.com)**
- **Receive “approval” letter from BWC**
- **Up to 120-days to *totally* operationalize DFWP (either DFSP or DFWP comparable program)**
- **No later than 10 days after Notice to Proceed, submit Subs’ risk numbers to verify they are on the “approved” list**

However...

Steps Of Enrollment And Compliance cont'd.

However...

At a minimum all laborers and supervisors of laborers must be subject to required testing (e.g. post-accident, etc.) and random as specified in the contract as soon as work begins on the site.

Drug-Free Program Requirements

- **A written drug-free policy**
- **1 hour employee education for ALL workers and supervisors (including subs), before they work on any state construction site. A qualified substance abuse professional must be involved in preparation of educational materials.**

Note: Each employee or supervisor only needs to get this one hour of education one time.

Drug-Free Program Requirements

- **Supervisors must also receive one additional hour of Supervisor skill-building training. This rule only applies to on-site supervisors. A qualified substance abuse professional must be involved in the delivery of supervisor training.**

Note: Each supervisor only needs to get this one hour of training one time.

Drug-Free Program Requirements

- **Pre-employment drug testing for anyone brought onto a state project to provide labor or supervision. All new employees or subcontractors on a state construction job must pass a drug test before he or she can begin work. This does not apply to current employees.**
- **Random drug-testing of all workers and supervisors including subcontractors on a state construction jobs (of at least 5 percent of the total pool) - selected by neutral computer software operated by a third-party administrator.**

Drug-Free Program Requirements

- (As defined in BWC's drug-free program), post-accident and reasonable suspicion testing.
- Assistance - at a minimum, state construction contractors must have available a list of employee assistance vendors to give to any worker who has a substance problem, including anyone who tests positive.
- On-line annual report to BWC that details their drug-free program efforts.

Steps Of Enrollment And Compliance cont'd.

Reporting:

- **Self-assessment submitted to BWC**
 - after initial submission, due date will be **9/30** for employers in the January program year and **3/31** for those in the July program year.

Application for Drug-Free Safety Program

Form U-140

Can be found at:

<http://www.ohiobwc.com/downloads/blankpdf/U-140.pdf>

Qualifying Help For Your DFSP

Who to turn to:

- ***Working Partners*®** a specialized consultant with comprehensive focus
- **Bar Association**

Qualify:

- **Demonstrated experience writing policies**
- **Demonstrated practical experience**
(know how all the pieces fit together)

Check references !!



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