

(2) ~~PROVIDE FOR~~ PROVIDES A PLAN THAT INCLUDES THE NONDISCRIMINATORY ADMINISTRATION OF TESTS FOR THE PRESENCE OF ALCOHOL OR DRUGS IN ACCORDANCE WITH ESTABLISHED TESTING PROCEDURES, INCLUDING RANDOM, ~~PRE-EMPLOYMENT~~, REASONABLE CAUSE, POST ACCIDENT, AND RETURN-TO-WORK, OR POST TREATMENT TESTING OF SAFETY-SENSITIVE EMPLOYEES, AND ~~PRE-EMPLOYMENT TEST FOR THE PRESENCE OF DRUGS, OF EMPLOYEES;~~

(3) ~~PROVIDE~~ PROVIDES FOR REHABILITATION PROGRAMS AND DISCIPLINARY AND SANCTION PROCEDURES FOR INDIVIDUALS WHO VIOLATE THE PROGRAM;

(4) ~~PROVIDE~~ PROVIDES SUFFICIENT NOTICE TO EMPLOYEES OF TESTING PROCEDURES, CONSENT, AND OTHER REQUIREMENTS OF THE PROGRAM;

(5) ~~PROVIDE~~ PROVIDES ADEQUATE SECURITY MEASURES FOR COLLECTION, CHAIN OF CUSTODY, AND HANDLING OF TEST MATERIAL; AND

(6) ~~ESTABLISH~~ ESTABLISHES PROCEDURES FOR THE REPORTING, REVIEW, AND APPEAL OF TEST RESULTS.

(D) THE PROGRAM SHALL GENERALLY COMPLY WITH THE GUIDELINES FOR A DRUG-FREE WORKPLACE PROGRAM ESTABLISHED BY THE MARYLAND CENTER FOR WORKPLACE SAFETY AND HEALTH.

(E) A MEMBER OF A LABOR ORGANIZATION OR OTHER GROUP OF EMPLOYEES AT A ~~PORT~~ MARINE FACILITY THAT IS SUBJECT UNDER A LABOR AGREEMENT OR CONTRACT TO AN ALCOHOL AND DRUG PROGRAM THAT GENERALLY CONFORMS TO THE PROVISIONS OF THIS SECTION SHALL BE DEEMED TO BE IN COMPLIANCE WITH THE REQUIREMENTS, TESTING PROCEDURES, AND OTHER PROVISIONS OF THIS SECTION.

~~(F) THE COMMISSION SHALL ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS SECTION.~~

SECTION 2. AND BE IT FURTHER ENACTED, That the standards, requirements, or regulations adopted for ~~the Maryland Port Commission a marine facility~~ Alcohol-Free and Drug-Free Workplace Program established in accordance with this Act may not exceed the standards or requirements for alcohol and drug testing that have been established through the labor and management agreement for the Port of Baltimore that was implemented on January 1, 1993, known as the "Management - International Longshoremen's Association Program for Drug and Alcohol Abuse".

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1996.

Approved May 23, 1996.