

WorkForce West Virginia Guidance Notice No. 15-12, Change 2

TO: West Virginia's Workforce Development System

FROM: Russell L. Fry-Acting Executive Director
Valerie Comer-Deputy Executive Director, Federal Programs

ISSUE DATE: July 11, 2012

CHANGE 2
ISSUED: March 5, 2018

EFFECTIVE DATE: March 5, 2018

SUBJECT: Workforce Innovation and Opportunity Act Participant Drug Screening

Purpose

The purpose of this notice is to provide guidance to local workforce development boards and their operators regarding mandatory drug screening for Workforce Innovation and Opportunity Act training-level participants.

Content

Background

Section 181(f) of Title I of the Workforce Innovation and Opportunity Act (WIOA) specifically provides States the authority to test and sanction WIOA participants for the use of controlled substances. On April 24, 2012, the Governor of West Virginia signed Executive Order 8-12, charging WorkForce West Virginia (WFWV) to develop and implement a drug screening process for WIOA Title I training-level services.

All participants who enter training-level services funded by WIOA Title I shall be screened utilizing urinalysis for the use of the following controlled substances prior to the beginning of training:

- Amphetamines
- Cannabinoids/THC
- Cocaine
- Opiates
- Phencyclidine (PCP)
- Benzodiazepines
- Propoxyphene
- Methadone
- Barbiturates
- Synthetic narcotics

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Participants who test positive for any of the above named controlled substances shall be sanctioned from receiving WIOA funded training-level services for a period of: 1) ninety (90) calendar days, following the first positive drug screen or 2) one calendar year, following the second positive drug screen.

WFWV has established a contract with Health Research Systems, Inc., to provide a drug screening to those participants who require a drug screen and to review and certify the results of the drug screen. WFWV will be responsible for all costs of the drug screens covered by this guidance notice, with no charges being passed on to participants or local workforce development board operators.

Programs Covered by Drug Screening Guidance Notice

All participants who enter training-level services funded by any of the following programs will be required to successfully pass a drug screen prior to being enrolled in training:

- WIOA Title I Adult, Dislocated Worker, and Youth
- National Dislocated Worker Grant (NDWG)

The term "training-level services" referred to throughout this guidance notice consists of:

1. Individual Training Accounts (ITAs)
2. On-the-Job Training (OJT)

Drug screen results will be valid for 90 days. Participants must only test once throughout their period of participation in training, and a negative/pass drug screen result will be valid until the participant exits American Job Center (AJC) services. For example, if a participant is in school studying for an associate degree and will be issued multiple training vouchers (ITAs) throughout his/her course of study, he/she will only be required to take and pass one drug screen. However, if a participant does not start training within 90 days or exits the AJC system and re-enrolls, he/she must take and pass an additional drug screen.

NOTE: The following programs offered through the AJC system are not covered by this guidance notice: Trade Act, Adult Basic Education, Veterans Employment and Training Services, and Wagner-Peyser.

SPECIAL EXCEPTION: Any participant enrolled in an ITA/OJT where the passing of a drug screen is a condition of training/employment is exempt from taking a WFWV funded drug screen, provided their drug screen tests the participant for at least the same controlled substances required by this guidance notice, and the appropriate cutoff levels established by WFWV are at least the same or more stringent. The passing drug screen must have been completed within the previous 90 calendar days of the start date of the WIOA funded ITA/OJT.

In order to document this exception, AJC career planners should receive a written attestation or drug screen result from the potential training provider/employer indicating the participant has taken and passed a drug screen with the previous 90 calendar days. Career planners should keep the documentation on file with the ITA/OJT agreement. Additionally, when applying this exemption to a participant, career planners must enter a case note into the MACC indicating the participant is

exempted from the drug screening guidance notice process because the training provider/employer has already drug screened the participant.

Drug Screening Operational Procedures

When a career planner makes the determination to send a participant to approved training funded by one of the previously named programs, he/she must follow the procedures outlined below.

ITEM 1–Drug Screen Referral

1. Inform participant drug screening requirement is mandatory.
 - a. The career planner will not discuss or attempt to answer any questions regarding participant usage of prescription medications.
2. Review the Disclosure Form with the participant and obtain the participant's signature.
 - a. The career planner will review the following key points with the participant:
 - i. Drug screen must be completed by the close of business the following day (please refer to Drug Screening Facility list).
 - ii. Government-issued photo identification must be presented at drug screening facility.
 - iii. The participant is solely responsible for submitting their drug screen results certificate to their career planner.
 1. The career planner **will not** receive results from the drug screening facility.
 - iv. Participants that fail the drug screen will be sanctioned from receiving training in accordance with the schedule of sanctions covered in this guidance notice.
 - v. Appeal procedures must be made available.
 - b. After the participant signs the Disclosure Form, the career planner will give a copy of the Disclosure Form to the participant and place the original in the participant's file.
3. Review the Frequently Asked Questions sheet with participant and give him/her a copy.
4. Complete the Drug Test Authorization (DTA) form and the Custody and Control Form (CCF) with the participant and direct them to the nearest authorized drug screening facility. Give participant the Drug Screening Facility list, as well as the Substance Abuse Treatment Reference Guide, that includes substance abuse referral information.
 - a. To ensure equitable access to drug screening facilities, Health Research Systems, Inc. has established a network of drug screening facilities that are located close to all AJC offices throughout the State.
 - b. Participants covered by this guidance notice may only complete drug screens at a drug screening facility authorized by Health Research Systems, Inc.
 - c. Career planners must fax/scan the DTA form to Health Research Systems, Inc. and WFWV.
5. Ensure participant has the following documents upon their completion of ITEM 1:
 - a. Disclosure Form (signed by the participant)
 - b. Frequently Asked Questions sheet
 - c. DTA form completed by career planner and participant (to be taken to the drug screening facility)
 - d. CCF, identifying the participant's MACC ID number (to be taken to the drug screening facility)
 - e. Drug Screening Facility list

- f. Substance Abuse Treatment Reference Guide
- 6. Enter case note in MACC that indicates the participant has been referred for drug screen by stating the following information:
 - a. "DTA form and CCF given to (participant name), MM/DD/YYYY."
- 7. Health Research Systems, Inc will inform the participant of drug screen results via the US Postal Service.
- 8. There are four possible drug screen results:
 - a. Negative/PASS
 - b. Dilute Negative/PASS
 - c. Positive–Verified/FAIL
 - d. Refusal to Test/FAIL

ITEM 2–Procedures for Negative/PASS Result

- 1. Participant returns to AJC and presents drug screen results certificate to career planner.
 - a. If the participant indicates that he/she cannot produce the results certificate, the career planner will follow the instructions for Obtaining Drug Screen Results, ITEM 7, in these procedures.
- 2. Make a copy of the results certificate and place it in the participant's file.
- 3. Enter the following case note in the participant's MACC file:
 - a. "(Name of career planner) viewed drug screen results certificate for participant. Participant can proceed with the training plan."
- 4. Proceed to enroll the participant into approved training.

ITEM 3–Procedures for a Dilute Negative/PASS Result

- 1. This result shall be treated the same as a Negative/PASS.
- 2. Follow the procedures provided in ITEM 2.

ITEM 4–Procedures for Positive-Verified/FAIL result

- 1. Participant returns to AJC and presents drug screen results certificate to career planner.
 - a. If the participant indicates that he/she cannot produce the results certificate, the career planner will follow the instructions for Obtaining Drug Screen Results, ITEM 7, in these procedures.
- 2. Make a copy of the results certificate and place it in the participant's file. **IMPORTANT: The controlled substance listed on the results certificate citing the cause for the drug screen failure must be completely marked out before career planner places results certificate in the participant's file.**
- 3. Review the following documents with the participant:
 - a. Drug Screen Appeal process (contained within this guidance notice)
 - b. Schedule of Sanctions (contained within this guidance notice)
 - c. Substance Abuse Treatment Reference Guide
- 4. Enter the following case note in the participant's MACC file:
 - a. "(Name of career planner) viewed drug screen results certificate for participant. Participant cannot proceed with the training plan. Participant was provided with appeal rights, sanction information, and information on substance abuse counseling. Participant is eligible for reinstatement of WIOA program on or after MM/DD/YYYY, and may complete another drug screen at that time."

5. If the participant does not agree with the Positive/FAIL result, they must immediately request a split specimen retest.
 - a. The participant must notify their career planner that they would like their split specimen retested. The career planner in turn must notify Angela Fry and Rachel Bowman via email that the participant would like their split specimen retested.
 - b. The request for a split specimen must be made by the participant. The participant must contact the Medical Review Officer (MRO) at 321-821-3383. The participant is not responsible for the cost of the split specimen retest.
 - c. The participant will receive the split specimen retest result certificate via the US Postal Service.
 - d. If the split specimen retest result is still Positive/FAIL, the participant has the right to appeal the results.

NOTE: All results that are considered positive are first verified by the Medical Review Officer (MRO), located in Florida, appointed by Health Research Systems, Inc. The MRO is charged with contacting all individuals who test positive to confirm that the positive drug screen was not caused by legally prescribed medications. This is the only time prescription medication usage will be discussed during this process. If the MRO attempts to contact the participant regarding a positive result and the participant does not respond to the MRO within 10 days, the MRO will submit the drug screen result as positive.

ITEM 5–Procedures for Refusal to Test/FAIL

1. This result shall be treated the same as Positive–Verified/FAIL.
2. Career planner will follow the procedures provided in ITEM 4, beginning with #3.
3. Enter the following case note in the participant's MACC file:
 - a. "(Participant name) refused to complete mandatory drug screen. Participant was provided with sanction information and information on substance abuse counseling. Participant is eligible for reinstatement to WIOA program on or after MM/DD/YYYY, and may complete another drug screen at that time."

ITEM 6–Procedure When Participant Does Not Return to the AJC with Drug Screen Results

1. Health Research Systems, Inc. will not supply drug screening results directly to career planner.
2. If the participant does not return to the AJC with drug screen results, the career planner will be responsible for following up with the participant to confirm the participant completed drug screen
3. If the participant indicates that he/she completed the drug screen, and is still interested in training, the career planner should ask the participant to return to the AJC with the drug screen results certificate.
4. If the participant indicates that he/she completed the drug screen, and is still interested in training, but cannot produce the results certificate, the career planner should follow the procedures provided in ITEM 7.
5. If the participant is no longer interested in WIOA/NDWG training or cannot be reached, a case note should be entered in the participant's MACC file to justify why a results certificate was not obtained.

ITEM 7–Procedure for Obtaining Drug Screen Results Certificate

The career planner will only utilize this ITEM if a participant indicates that he/she completed the drug screen, and is still interested in training, however, they cannot produce the results certificate.

1. The career planner will send a written statement, signed by the participant, via email to Angela Fry (angela.m.fry@wv.gov) and Rachel Bowman (rachel.e.bowman@wv.gov) requesting the results of the drug screen. The following information is required within the email message:
 - a. Full name of participant;
 - b. Date of drug screen;
 - c. Participant's MACC ID number; and
 - d. Justification for the request.
 - i. Participant lost/damaged the results certificate;
 - ii. It has been over 10 days and the participant has not been contacted by the MRO or received the results certificate via the US Postal Service; or
 - iii. If training start date does not allow time for regular processing. This should only be used for special instances.
2. The career planner will receive a response from WFWV within one business day.
3. Place copy of email in the participant's file.

Sanctions for Testing Positive for Controlled Substances

Following the authorities granted to the State by WIOA Section 181(f), the following sanctions will be imposed upon WIOA/NDWG participants that test positive for controlled substances:

Upon the first positive drug screen, the participant will be sanctioned from receiving any WIOA/NDWG funded training-level services for a period of ninety (90) calendar days from the date of the positive drug screen.

Upon the second positive drug screen, the participant will be sanctioned from receiving any WIOA/NDWG funded training-level services for a period of one calendar year from the date of the positive drug screen.

Participant is eligible for reinstatement to the WIOA/NDWG training program following the period of sanctioning and may complete another drug screen at that time.

Participant Appeal Rights

All participants have the right to appeal the results of a drug screen administered for the purposes of providing WIOA/NDWG funded services.

Any client that wishes to appeal the results of a drug screen must do so in writing within thirty (30) calendar days of receipt of split specimen retest results, by submitting the appeal form (Attachment D) to the following:

Equal Opportunity Officer
WorkForce West Virginia
2699 Park Avenue, Suite 240
Huntington, WV 25704-2057
304-528-5525 ext. 2108

WFWV will assign an administrative law judge to review the appeal, conduct a hearing as appropriate, and determine whether results of drug screen were valid and whether the participant should be removed from sanction and allowed to receive WIOA/NDWG funded training.

Effective Date

Immediately

Action

American Job Centers must implement the procedures identified in this guidance notice.

Attachments

Attachment A - Drug Test Authorization Form

Attachment B - Disclosure Form

Attachment C - Frequently Asked Questions

Attachment D - Drug Screen Appeal Procedures and Form

ATTACHMENT A - Drug Test Authorization Form

A GOVERNMENT ISSUED PHOTO ID MUST BE PRESENTED WITH THIS FORM AT THE DRUG SCREENING FACILITY

****Attention American Job Center career planner-**
Fax **this form** to Health Research Systems, Inc.: 888-233-3421 **AND**
Fax/scan **this form** to WorkForce WV: 304-558-8332/WFDrugTestAuths@wv.gov

Customer Name (As shown on Government Issued Photo ID)	MACC ID	Date
		/ /
Customer Mailing Address (Must be current)		
Street Address		
City	State	Zip Code
Authorized By (American Job Center Staff)		
Printed Name		
Signature	Date / /	
American Job Center Location:		

Drug test MUST be completed by _____ (Not valid after this date)
Customer's Initials _____

*****Attention drug screening facility staff-**
Fax **this form** with **copy 4** (employer copy) of the **CCF** to WorkForce WV: 304-558-8332
Fax **copy 2** (MRO copy) of the **CCF** to the MRO: 321-216-3155
Mail all billing invoices for drug screen collections to:
Health Research Systems, Inc.
PO Box 524
Huntington, WV 25710

Authorized By (Drug Screening Facility Staff)	
Printed Name	
Signature	Date / /

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ATTACHMENT B - Disclosure Form - American Job Center Drug Screening

I, the undersigned, understand that I must be drug-free to receive Workforce Innovation and Opportunity Act (WIOA) Title I funds to support my third-party training program. To that end, I understand I must submit to a ten-panel drug screen at a drug screening facility, specified by the American Job Center (AJC) career planner, by the date identified on the Drug Test Authorization form.

I also understand that I must present a government issued photo ID at the time of testing.

I have received the following documents for my records:

- Disclosure Form
- Frequently Asked Questions
- Drug Screening Facility list
- Substance Abuse Treatment Reference Guide

I have received the following documents that I must take to the drug screening facility:

- Drug Testing Authorization Form
- Custody and Control Form

I also understand that I will not be eligible to receive any training until I return to the American Job Center with the results of the drug screen in the form of a certificate sent to me, via mail, by the WorkForce West Virginia's vendor, Health Research Systems, Inc.

Sanctions for Testing Positive for Controlled Substances

I understand that if I test positive for any controlled substances, I will be sanctioned from receiving WIOA Title I-funded training through the American Job Center system for the following periods:

- Upon the first positive drug screen, I understand I will be sanctioned from receiving any WIOA/NDWG funded training-level services for a period of ninety (90) days from the date of the positive drug screen.
- Upon the second positive drug screen, I understand I will be sanctioned from receiving any WIOA/NDWG funded training-level services for a period of one calendar year from the date of the positive drug screen.
- I understand I am eligible for reinstatement to the WIOA/NDWG training program following the period of sanctioning and may complete another drug screen at that time.

Appeal Rights

I understand I have the right to appeal the results of a positive split specimen drug screen retest by submitting an appeal form (Attachment D) within thirty (30) calendar days of receipt of positive retest to the following address:

Equal Opportunity Officer
WorkForce West Virginia
2699 Park Avenue, Suite 240
Huntington, WV 25704

Participant Printed Name

Participant Signature

Date

Witness Printed Name (AJC staff)

Witness Signature (AJC staff)

Date

1900 Kanawha Blvd., E. • Building 3, Suite 300 • Charleston, WV 25305

304.558.7024 304.558.9157 (fax)

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ATTACHMENT C-
Frequently Asked Questions about Drug Screening for Participants Enrolling in Training Programs

On July 16th, 2012, WorkForce West Virginia (WFWV) began mandatory drug screening for all participants who enroll in Individual Training Accounts (ITA)/On-the-Job Training (OJT) paid for by the Workforce Innovation and Opportunity Act (WIOA).

Who will be tested?

All participants who request ITA/OJT training to be paid for by WIOA will be screened. This guidance notice only includes ITAs and OJTs. This guidance notice does not apply to in-office American Job Center (AJC) services such as career counseling, resume writing, or outside training provided by Trade Act and Adult Basic Education.

Are the results confidential?

The results are confidential. The drug screening vendor will mail the results directly to the participant's mailing address they provided on the Drug Test Authorization (DTA) form.

What is the process for drug screening?

Prior to enrollment in training, an AJC career planner will explain the drug screening guidance notice to the participant. The career planner will provide the participant with a list of approved drug screening facilities, a Drug Test Authorization form, and a Custody and Control Form (CCF). Participants have from the day of referral, up until close of the next business day to take the DTA and CCF to one of the approved facilities. Screening will be completed by urinalysis.

Participants need to allow for enough time during this two-day timeframe to remain at the drug screening facility long enough to provide an adequate specimen. Participants who leave the drug screening facility without providing an adequate specimen will be considered as a FAIL result and will not be permitted to retest for 90 days.

The results of the drug screen will be processed and mailed to the participant. All participants will receive a certificate that clearly indicates the results of the drug screen within 14 days. To receive funding for an ITA/OJT, participants must bring the certificate, indicating a negative result, to the career planner as soon as possible, but in any event, it will be valid for 90 days.

Where do clients go to take a drug screen?

Career planners will provide participants with a list of approved local drug screening facilities.

How long do participants have to complete a drug screen?

Participants have from the day of referral, up until the close of the next business day.

What do participants need to bring to the drug screening facility?

Participants must bring the signed DTA form and CCF (provided by career planner) and a valid, government-issued photo ID.

What happens to participants taking legally-prescribed medications?

Participants taking legally-prescribed prescriptions should be prepared to discuss any medications with the Medical Review Officer (MRO). Participants who test positive may be contacted by the MRO to determine if the positive result may have been caused by a legally-prescribed medication. Any discussions between the MRO and the participant will remain confidential. Career Planners and Drug Screening Facility Staff will not discuss medications with participants.

What kind of drug screen is used?

Drug screening is conducted through urinalysis. The screening tests for 10 substances:

- | | |
|------------------------|-------------------------|
| 1. Amphetamines | 6. Benzodiazepines |
| 2. Cannabinoids/THC | 7. Propoxyphene |
| 3. Cocaine | 8. Methadone |
| 4. Opiates | 9. Barbiturates |
| 5. Phencyclidine (PCP) | 10. Synthetic Narcotics |

How do participants get the results?

The drug screening vendor will mail the results via the US Postal Service.

What are the drug screen results?

1. Negative-the participant tested negative for controlled substances and will be processed for training as appropriate.
2. Positive-the participant tested positive for controlled substances and will not be processed for training at this time.

What if a participant's drug screen result is positive?

If a participant contacts the career planner and reports they received a results certificate with a positive result, the career planner will review the following documents with the participant:

- a. Drug Screen Appeal process
- b. Schedule of Sanctions
- c. Substance Abuse Treatment Reference Guide

If the participant does not agree with the Positive/FAIL result, they must immediately request a split specimen retest.

- a. The participant must notify their career planner that they would like their split specimen retested. The career planner in turn must notify Angela Fry and Rachel Bowman via email that the participant would like their split specimen retested.
- b. The request for a split specimen must be made by the participant. The participant must contact the Medical Review Officer (MRO) at 321-821-3383. The participant is not responsible for the cost of the split specimen retest.
- c. The participant will receive the split specimen retest result certificate via the US Postal Service.
- d. If the split specimen retest result is still Positive/FAIL, the participant has the right to appeal the results.

Will participants who test positive be referred to substance abuse counseling?

Yes, all participants will receive information on substance abuse counseling.

Can participants appeal the results of a drug screen?

Yes, participants may appeal a positive drug screen. All appeals must be submitted in writing within 30 calendar days of receiving the split specimen retest results. Participants will receive information on the appeals process prior to the drug screen.

What if a participant refuses to take the drug test?

Participants who refuse to take a drug test will not be processed for training.

What happens to participants who test positive for drugs?

Participants who test positive cannot enroll in an ITA/OJT for 90 days. If the participant passes a drug screen after 90 days he/she will be reconsidered for training. A second positive drug screen will result in a one year exclusion from training.

Who pays for the drug screen?

Workforce Innovation and Opportunity Act (WIOA) funds.

Will this guidance notice affect unemployment insurance benefits?

No, participants who test positive will not be denied unemployment insurance benefits, but they will not be eligible for training under WIOA.

If a training provider or employer requires a drug screen, will the participant have to take two drug screens?

It is up to the training provider/employer to decide whether the WFWV drug screen is adequate or if another drug screen given by the training provider/employer is required. WFWV may accept a training provider/employer's drug screen results if no more than 90 days old, are for the same 10 panel substances, and they at least meet, or are more stringent, than the appropriate cutoff levels established by WFWV.

ATTACHMENT D – DRUG SCREEN APPEAL PROCEDURES
WorkForce West Virginia

Subject: Drug Screen Appeal Procedures, Workforce West Virginia Guidance No. 15-12, Change 2, Workforce Innovation and Opportunity Act (WIOA) of 2014 - Participant Drug Screening

Effective Date: July 16, 2012 February 28, 2018

Purpose: To set forth procedures for WIOA/NDWG participants to file an appeal of the results of a drug screen administered for the purpose of providing WIOA/NDWG funded services. Such appeals are covered under Section 181(f)(2)(B), and are addressed in WorkForce West Virginia Guidance Notice No. 15-12, Change 2.

References: WIOA Section 181(f)(2)(B).

Background: Section 181(f) of Title I of the Workforce Innovation and Opportunity Act (WIOA) specifically provides the authority to test and sanction WIOA/NDWG participants for use of controlled substances. On April 24, 2012, the Governor of the State of West Virginia signed Executive Order 8-12, charging WorkForce West Virginia (WFWV) with the development and implementation of a drug screening process for WIOA Title I training-level services.

Policy: Issuance of WorkForce West Virginia Guidance No. 15-12, Change 2, of the Workforce Innovation and Opportunity Act Participant Drug Screen, sets forth West Virginia's procedures for drug screening of training-level participants.

Appeals will be initiated by completing the Appeal Form attached to these procedures. Appeals must be submitted to Workforce West Virginia Equal Opportunity (EO) Office within 30 calendar days of receipt of the split specimen retest results. Faxed or e-mailed Appeal Forms are accepted. However, verbal appeals will not be accepted. The Appeal Form must be completed in its entirety before submission to the WFWV EO Office.

The appeal form is available through the WFWV American Job Centers, local Workforce Development Offices, and the WFWV EO Office.

Pertinent contact information for the WFWV EO Office is:

Workforce West Virginia EO Office
2699 Park Avenue, Suite 240
Huntington, WV 25704-2057
Email: Vickie.H.Elkins@wv.gov

Phone: 304-528-5525, extension 2108
Fax: 304-528-5529
TDD: WV Relay 711

Appeal Drug Test

Upon receipt of a completed Appeal Form, the WFWV EO Office staff will log the appeal and establish a file to track progress. An initial determination will be made as to whether it is appropriate for the appeal to continue through the process. If the appeal is determined to be appropriate for the appeal process, the WFWV EO Office will send written notification to the participant of receipt of the appeal. If the appeal is determined to be inappropriate for the appeal process, the WFWV EO Office will notify the participant, in writing, of this determination. The appeal must be submitted within thirty (30) calendar days from the receipt of the results of the split specimen retest.

When an appeal has been received and accepted, the WFWV EO Office will schedule a hearing, as appropriate, within 30 days of the date the appeal was received by the WFWV EO Office. This hearing will be conducted by an impartial hearing examiner who will determine the results of a drug screen were valid, and whether the participant should be removed from sanction and allowed to receive WIOA funded training.

If a hearing is appropriate, the hearing officer shall be responsible for:

- 1) Scheduling the hearing and notifying the parties of the date, time and place for the hearing
- 2) The issue(s) to be resolved
- 3) The participants right to present evidence, witnesses and testimony

The hearing examiner's decision must be rendered within 60 calendar days of the date the appeal was filed. **The hearing examiner's decision is final.**

Action: The affected LWDB and other affected parties are to ensure that this appeal policy is available to participants who may wish to file an appeal. All affected parties are to be guided by the procedures contained in this issuance during the appeal process.

Questions: Question concerning the appeals process should be directed to: WFWV EO Office, 2699 Park Avenue, Suite 240, Huntington, WV, 25704-2057. Phone: 304-528-5525, extension 2108.

Expiration: Effective until rescinded or modified by WFWV.

**WorkForce West Virginia
Drug Screen Appeal Form**

Background-Section 181 (f) of Title I of the Workforce Innovation and Opportunity Act (WIOA) specifically provides States the authority to test WIOA/NDWG participants for the use of controlled substances, and sanction such participants who test positive for the use of such controlled substances. On April 24, 2012 the Governor of West Virginia signed Executive Order Number 8-12, charging WorkForce West Virginia with the development and implementation a drug screening policy for Workforce Innovation and Opportunity Act Title I training-level services.

Filing Date _____

Name of participant _____ **MACC#** _____

Address _____ **Phone #** _____

Basis of Appeal: _____

Remedy Sought: _____

Date of drug screen: _____ **Location of drug screen:** _____

Participant's Signature _____ **Date** _____

The Appeal Form is to be sent, by the participant, within 30 calendar days of receipt of the split specimen retest results to:

Equal Opportunity Officer
WorkForce West Virginia
2699 Park Avenue, Suite 240
Huntington, WV 25704
Telephone: (304) 528-5525, ext 2108 Fax: (304) 528-5529 TDD WV Relay: 711