



Board of Coal Mining Examiners
 P.O. Drawer 900
 Big Stone Gap, VA 24219
 Phone (276) 523-8234 - Mary Gibson
 Fax (276) 523-8239

**Note: Fax a copy of this form to the attention of Chairman, Board of Coal Mining Examiners.
 Send the original to the address above or
 Send form by e-mail to dmcertification@dmme.virginia.gov**

Notice: DISCIPLINARY ACTIONS TAKEN AGAINST MINING CERTIFICATIONS AS THE RESULT OF THE SUBMISSION OF THIS INFORMATION WILL BE SHARED WITH OTHER RECIPROCATING COAL PROGRAM STATES AND FEDERAL MINING AGENCIES.

CONFIDENTIAL

**DIVISION OF MINES
 Substance Abuse Reporting Form**

Date: _____ Mine Index #: _____

Company: _____

Address: _____

City: _____ State: _____ County: _____ ZIP: _____

Person Reporting: _____ Title: _____

Phone number: _____ e-mail address: _____

Substance Abuse Violator: _____

Certified Miner DM I.D. # _____ Date of Birth: _____

Address: _____

City: _____ State: _____ ZIP: _____

Type of testing:

- pre-employment screening
- has been discharged for violation of our company's substance or alcohol abuse policies for the following reason: _____
- refused to submit to a test required by our company's substance or alcohol abuse policies.
- tested positive
- failed to complete an employee assistance program.

Duties of the operator. § 45.1-161.87.

- *The operator or his agent shall notify the Chief, on a form prescribed by the Chief, within seven days of any failure of a pre-employment substance abuse screening test. Notice shall result in the immediate temporary suspension of all certificates held by the applicant, pending hearing before the Board of Coal Mining Examiners.*
- *The operator or his agent shall notify the Chief, on a form prescribed by the Chief, within seven days of*
 - ◆ *(i) discharging a miner due to violation of the company's substance or alcohol abuse policies,*
 - ◆ *(ii) a miner testing positive for intoxication while on duty status, or*
 - ◆ *(iii) a miner testing positive as using any controlled substance without the prescription of a licensed prescriber. An operator having a substance abuse program shall not be required to notify the Chief under subdivision (iii) unless the miner having tested positive fails to complete the operator's substance abuse program. Notice shall result in the immediate temporary suspension of all certificates held by the applicant, pending hearing before the Board of Coal Mining Examiners.*
- *The provisions of this chapter shall not be construed to preclude an employer from developing or maintaining a drug and alcohol abuse policy, testing program, or substance abuse program that exceeds the minimum requirements set forth in this section.*