



NOTICE OF YOUR RIGHTS AND RESPONSIBILITIES UNDER THE NORTH CAROLINA CONTROLLED SUBSTANCE EXAMINATION ACT

In accordance with Kelly policy, you have been selected, or can be selected, for a controlled substance screening. This Notice explains your rights and responsibilities under the North Carolina Controlled Substance Examination Regulation Act (CSERA) and the corresponding administrative rules.

Your Rights

- You have the right to refuse to participate; however, your job or employment opportunity may be in jeopardy.
- You have the right to have your sample tested by an approved laboratory in accordance with accepted procedures to ensure chain of custody.
- You have the right to privacy and dignity during the collection of your sample.
- You have the right to confidentiality of information regarding your screening result, your medical history, or any medications you are taking.
- You have the right to have a positive initial screening confirmed by a more sophisticated test (gas chromatography/mass spectrometry) before any action is taken against you based on the screening result.
- In the event you have a confirmed positive screening result, you have the right to request a retest of the same sample by any approved laboratory (at your expense).

Your Responsibilities

- You must inform the laboratory conducting the screening of any medical conditions or lawful medications you are taking that might affect your screening result.
- If you desire to have a confirmed positive screening result retested, you must inform your employer (in writing) of your request within 10 days of being notified of the confirmed positive result.
- You are responsible for the costs of a retest.
- You are responsible for providing your employer with the results of any retest.

If you believe any procedural requirements of the CSERA were violated, you can file a complaint with the N.C. Department of Labor – Wage and Hour Bureau at 1-800-NC-LABOR. The Department has no jurisdiction regarding an employer's requirement for controlled substance testing or its decisions regarding results of controlled substance testing.