

USE OF RETROGRADE EXTRAPOLATION IN DRUG/ALCOHOL TEST

An employee was found guilty of the offense of working with an alcohol level of .04 or greater, even though he was tested about four hours after the workday began and he had a level of .014 at the time. The Company presented evidence that it is scientifically accepted that the minimum rate at which a person metabolizes previously consumed alcohol is .01 per hour. Therefore, using this minimum rate of .01 per hour it was possible through retrograde extrapolation to calculate with a reasonable degree of certainty the minimum alcohol level an employee had during the period the employee was at work prior to being tested, although this calculation may be less reliable if the elapsed time exceeds two or three hours. (U.S. Steel Corp., Granite City Works and United Steelworkers, Local 1899, Dec. 10, 2007, 124 LA 978, Shyam Das, Arb.)