



## **DRUG AND ALCOHOL POLICY**

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### **INTRODUCTION:**

It is the policy of **Eagle Valley, Inc. (COMPANY)** to provide a safe working environment for all employees, and to continue the tradition of the highest standard of quality in products and services. These goals mandate that this **COMPANY** establish a firm policy against drug and alcohol abuse in the work place. Our goal is to eliminate the abuse, not to eliminate the abuser. Our goal is to help, not to apprehend.

### **PRE-EMPLOYMENT SCREEN POLICY:**

As a final step in the employment process, all applicants who are conditionally considered for employment and those former employees who are to be reinstated for employment after layoff or a leave absence will be required to submit to a drug screen test. Any employee who is transferred to a department where drug testing is required, will be required to have testing performed. Any employee who is promoted to a department where drug testing is required and having a positive drug test will have any promotion withdrawn. Rehabilitation will be offered. If refused to consent to the test, employment will be denied. If the test is positive, employment will be denied.

### **ALL EMPLOYEES**

#### **GENERAL POLICY:**

The following rules represent the **COMPANY'S** policy concerning substance abuse and will be enforced uniformly with respect to all employees, as indicated:

1. All employees are prohibited from being under the influence of alcohol or illegal drugs during work hours.
2. The sale, possession, transfer or purchase of illegal drugs on **COMPANY** property or while performing **COMPANY** business is strictly prohibited. Such action will be reported to the appropriate law enforcement officials.
3. The use, sale or possession of an illegal drug or controlled substance while on duty is cause for termination.
4. Any employee who commits an unlawful act on or off **COMPANY** premises or whose conduct discredits the **COMPANY** in any way will be subjected to discipline including termination.
5. No alcohol beverage will be brought or consumed in/on **COMPANY** property/job site. Employees may be tested for alcohol, post accident,

- random, and probable cause at the discretion of the **COMPANY**. Anyone testing above .02 will be considered positive.
6. No prescription drug will be brought on **COMPANY** premises by anyone other than the one for whom it is prescribed. Such drugs will be used only in the manner of combination and quantity prescribed.
  7. Any employee whose off-duty abuse of alcohol or illegal or prescription drugs results in absenteeism or tardiness, or is the cause of an accident or poor work, will be subject to termination.
  8. As a condition of employment, the employee will abide by the terms stated previously and will notify the **COMPANY** within five (5) days of any drug-related conviction. The **COMPANY** will subject the employee to the same disciplinary procedures as those employees who test positive under drug screening procedures.
  9. The drug test will include at least a five (5) drug panel that tests for the following: (A) Amphetamines (B) Cocaine (C) Opiates (2000 ng/ml) (D) PCP (E) THC.

**THE PURPOSES OF THE POLICY SET FORTH ABOVE ARE:**

1. To establish and maintain a safe and healthful working environment for all employees;
2. To ensure the reputation of the **COMPANY** and its employees within the community and industry at large;
3. To reduce the number of accidental injuries to person or property;
4. To reduce absenteeism, tardiness and improve productivity.

**WHEN TESTING WILL OCCUR:**

All employees will be required to submit to a drug screen test as a condition of employment under the following circumstances:

1. Each employee will be tested for drugs and alcohol: (a) after a work-related accident; (b) if he or she has been observed using suspected prohibited substance on the job; (c) if he or she exhibits a severe and prolonged reduction in productivity; or (d) if the **COMPANY** has other reasonable cause for testing him or her. **COMPANY** may perform baseline testing on all employees, crew or shift at any given time.
2. If an accident occurs that causes **\$500.00** dollars or more in property damage or personal injury, that employee must be tested if the accident occurs during work hours or in a **COMPANY** vehicle. The test should be done as soon as possible. Any employee involved in an accident, but not injured may be tested at the discretion of the **COMPANY**.
3. The **COMPANY** may at its discretion conduct random drug testing of employees at any time with or without cause or suspicion in order to assure compliance with its drug-free work place policy. Each employee must be subject to a drug test at least one (1) time each year. At least two percent (2%) of the contractor's employees must be randomly selected each month for testing.
4. An employee returning from a leave of absence may be required to a retest.

5. An employee who alters his (her) specimen, fails, or refuses to submit to testing when requested will be subject to disciplinary action including termination.

**EMPLOYEE TESTING POSITIVE:**

Any employee who tests positive is subject to immediate disciplinary action including termination; but may be allowed to continue employment on a conditional basis on the following terms:

1. The employee agrees to participate in counseling in a certified rehabilitation program and to successfully complete the program.
2. The employee agrees to remain drug and alcohol free during the conditional employment period.
3. The employee agrees to routine, periodic, and unscheduled drug screen and alcohol tests to ensure that the employee remains drug and alcohol free.

The cost of a rehabilitation program and subsequent drug tests will be borne by the employee. A second positive test will be grounds for immediate termination.

**PRESCRIPTION DRUGS:**

Employees taking prescription drugs must adhere to the following procedure:

1. If you are taking any prescription medication that may affect your ability to perform your duties and work responsibilities, you must notify the immediate supervisor prior to the commencement of the work shift. Warning labels normally appear on the prescription bottle and state exactly what, if any, side effects there may be. As an example and not meant as a limitation, "may cause drowsiness," "may cause dizziness," "may cause periodic nausea," "use caution while operating machinery," "use caution when driving," or any other warning, caution, or description of side effects that will affect your ability to perform your work duties must be disclosed before you begin your work shift so that your work responsibilities may be assigned or reassigned to take into account your medical condition. **YOU ARE NOT REQUIRED TO STATE THE NAME OF THE MEDICATION, THE DOCTOR WHO PRESCRIBED IT, OR THE REASON IT HAS BEEN PRESCRIBED,** in accordance with the Patient Privacy Laws under HIPAA (Health Insurance Portability and Accountability Act), and all applicable Indiana Privacy Laws.

The only time that you may be asked to identify what medication(s) you are taking is during reasonable assessment of a serious reaction to the medication, during medical treatment for an accident or injury, or for purposes of determining what medication was prescribed to you after a drug or alcohol test has been performed and a positive result would require reprimand or disciplinary action. At that time, you will be asked privately by the testing agent or agency what, if any, prescription medication you are currently taking, and you will be required to show proof that the prescription medication was prescribed to you.

2. The medication must be in the original prescription container with no more than the necessary dosage required for the work shift. Your pharmacist will provide you with an extra empty bottle upon request so that you will not be susceptible to criminal charges for transporting medication in a non-prescribed container.
3. Failure to abide by the provisions of this section on prescription drugs shall subject the employee to disciplinary action including termination.

**RESERVATION OF RIGHTS:**

**COMPANY** reserves the right to interpret, modify or expand upon this policy in whole or in part, with or without notice.

**EMPLOYEE'S AT-WILL STATUS:**

This policy does not in any way affect an employee's at-will status. Under this policy, each and every employee remains free to resign with or without cause, and **COMPANY** retains the right to terminate an employee's employment with or without cause.

**INQUIRIES ABOUT POLICY:**

Any employee with questions about the interpretation, implementation or enforcement of this policy or issues related to drug or alcohol use in the workplace should raise those concerns with their supervisor or the President of the **COMPANY** without fear of reprisal.