

Drug Free Workplace Policy

Hope House

I. STATEMENT OF POLICY

Hope House believes that it is very important to provide a safe workplace for all of its employees. Hope House is taking steps to address the problem of substance abuse that negatively affects every workplace, including ours. Hope House is concerned with the health and well-being of all employees. Behaviors related to substance abuse can endanger all employees, not just substance abusers. We can't condone and won't tolerate behaviors on the part of employees that relate to substance abuse, such as:

1. Use of illegal drugs;
2. Abuse of alcohol;
3. Sale, purchase, transfer, trafficking, use or possession of any illegal drugs;
4. Arrival or return to work under the influence of any drugs (legal or illegal) to the extent that job performance is affected.

Management is fully committed to our Drug-Free Workplace Policy which establishes clear guidelines for acceptable and unacceptable employee behavior for everyone in the workplace. We will not tolerate substance abuse in violation of this Policy and intend to hold everyone reasonably responsible for supporting the Policy.

This document (Policy) describes Hope House's Drug-Free Workplace Program, and every employee is expected to read and understand it. The Policy applies to every employee including management. The consequences stated in this Drug-Free Policy will apply to anyone who violates the Policy.

Hope House reserves the right to terminate employment for violation of these work rules. Employees whose jobs are subject to any special law or regulation may face additional requirements in terms of substance abuse. Other consequences that apply to all employees who violate this Policy are spelled out within this document.

Our Policy covers key parts of Hope House's program. The parts are:

- A written Policy that clearly spells out the program rules and how everyone benefits.
- Annual substance awareness education for all employees.
- Training for supervisors regarding their responsibilities.
- Drug and alcohol testing, the most effective way to change harmful behaviors related to substance abuse.

Employees will have the opportunity to receive information about how substance abuse is a problem affecting the workplace. You will learn the signs and symptoms; dangers of abuse, and how and where to get help for yourselves and your families.

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Protections for Employees

This program is designed to protect employees from the behaviors of substance abusers. Some of the protections built into the program are:

- Employee records like testing results and referrals for help will be kept confidential. Information will be on a need-to-know basis. Any violation of confidentiality rights is subject to disciplinary action up to and including termination of employment
- All employees will receive awareness education every year to help identify problems and learn where employees can go for help.
- Collection of urine specimens and breath testing will be done at Health Street, and urine and/or drug specimens will be analyzed by a laboratory certified by the federal government. The lab will work closely with our local clinic to ensure the fairness and accuracy of every test. Health Street utilizes a Medical Review Officer (called an MRO), a trained physician who is responsible to determine if there's a valid reason for the presence of the substance in the employee's system. The MRO is an expert in drugs and alcohol. When the MRO receives positive test results, the MRO will contact the employee and any appropriate health care provider to determine the reason for the presence of the drug in the person's system.
- The testing program consists of an initial screening test. If the initial results are positive, then a second test is used. Cut-off levels are established for what will be considered a positive test. These levels show the amount of the tested substance necessary to affect workplace safety and job performance. These cut-off levels come from federal guidelines and are fair for all employees.

Employee Awareness Education:

Every employee will be given a copy of this Policy and will be expected to sign that it has been received and understood. All subsequent questions regarding this Policy should be directed to the Executive Director.

Drug and Alcohol Testing: Testing will be used to detect problems, get employees not to use substances in a way that they violate our Policy, and then allow us to take appropriate action to correct the situation. In addition to alcohol, the drugs that we are testing for are:

- Amphetamines (speed, uppers)
- Cocaine (including crack cocaine)
- Marijuana
- Opiates (codeine, heroin, morphine)
- Phencyclidine (PCP, "angel dust")
- Benzodiazepines
- Barbiturates
- Methadone
- Methaqualone
- Propoxyphene (Darvon)

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II. WHEN WILL A TEST OCCUR?

Employees will be tested for the presence of drugs in the urine and /or alcohol on the breath under any and /or all of the conditions outlined below:

A) **Post-Offer, Pre-Employment Medication Examination and Drug Testing**

As part of Hope House's employment procedures, all applicants will be required to undergo a postoffer, pre-employment drug screen. Any offer of employment is dependent upon satisfactory completion of the examination and/or screening, and the determination by Hope House and its examining physician that the person is capable of performing the responsibilities of the position that has been offered.

B) **Reasonable Suspicion Testing**

Reasonable suspicion testing will occur when management has reason to suspect that an employee may be in violation of this Policy. The suspicions will be documented in writing prior to the release of the test findings. A reasonable suspicion test may occur based on:

1. Observed behavior, such as direct observation of drug/alcohol use or possession and/or physical symptoms of drug and/or alcohol use;
2. A pattern of abnormal conduct or erratic behavior;
3. Arrest or conviction for a drug-related offense, or identification of an employee as the focus of a criminal investigation into illegal drug possessions, use or trafficking;
4. Information provided either by reliable and credible sources or independently corroborated regarding an employee's substance use; or
5. Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

Reasonable suspicion testing does not require certainty, but mere "hunches" are not sufficient to justify testing. To prevent this, all managers/supervisors will be trained to recognize drug and alcohol related signs and symptoms. Testing may be for drugs or alcohol or both.

C) **Post-Accident Testing**

Post-accident testing will be conducted whenever an accident occurs, regardless of whether there's an injury. We consider an accident an unplanned, unexpected or unintended event that occurs on our property, during the conduct of business, or during working hours, or which involves one of our motor vehicles or motor vehicles that are used in conducting Hope House business, or is within the scope of employment, and which results in any of the following:

1. A fatality of anyone involved in the accident.
2. Bodily injury to the employee and/or another person that requires off-site medical attention away from Hope House's place of employment
3. Vehicular damage in apparent excess of \$500.00
4. Non-vehicular damage in apparent excess of \$500.00

When such an accident results in one of the situations below, any employee who may have contributed to the accident will be tested for drugs or alcohol use or both.

Urine specimen collection (for drugs) or breath/saliva (for alcohol) is to occur as quickly as possible after a need to test has been determined. At no time will a urine specimen be collected after 32 hours from the time of an employment related incident. Breath or saliva

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alcohol testing will be performed as quickly as possible, but no later than eight hours after the accident, or it will be documented but not performed. If the employee responsible for an employment-related accident is injured, it is a condition of employment that the employee grants Hope House the right to request the attending medical personnel obtain appropriate specimens (breath, urinate and/or blood) for the purpose of conducting alcohol and/or drug testing. Further, all employees grant Hope House access to any and all other medical information that may be relevant in conducting a complete and thorough investigation of the work-related accident including a full medical report form the examining physician(s) or another health care provider. A signed consent to testing form is considered a condition of employment. Management reserves the right to determine who may have caused or contributed to a work-related accident and may choose not to test after minor accidents if there is not violation of a safety or work rule, minor damage and/or injuries and no reasonable suspicion.

C) Random Testing

Random drug testing will include all employees and workers and is conducted on an unannounced basis. A non-company testing organization uses computer software that ensures a truly random selection process in which all employees in these testing pools have an equal statistical likelihood of being selected for testing. When the next random draw is conducted, all employees are again included in the pool with an equal chance of selection, regardless of whether an employee was previously selected. Random testing is designed to deter drug use in violation of the Policy and ensures that we maintain confidence in our employee's abilities to perform their duties. Hope House has contracted with an outside vendor to perform the periodic selection of employees for inclusion in the random testing pools. The contractor selects employees at random for drug testing at any time during the calendar year. Hope House will provide employee identification numbers to be used in the random selection drawings. The contractor will in turn, furnish Hope House with a list of individuals to be tested at the beginning of each selection period. It shall be the responsibility of Hope House to notify each employee who has been selected with the date, time and location that random testing will be performed. When notified, it shall be the responsibility of the individual employee to provide a urine specimen for drug testing. An employee's failure to comply with the request for a specimen for random testing will result in termination of employment.

III. SUBSTANCES TO BE TESTED FOR AND METHODS OF TESTING

The procedure that is utilized is called systems presence testing. This is how qualified testing professionals identify the presence of one or more prohibited controlled substances or alcohol that may be present in the employee. There is an initial screening test. If it's negative, then a negative test is declared. If the initial test is positive, (comes in at or higher than the cut-off level) a second test called a "confirmatory" test is done. This is a different test and is considered 100% accurate by experts and in court. Cut-off levels are standards that have been established for each of the tested drugs after years of research. These levels will be used to interpret all drug screens/tests, whether for a pre-employment examination, reasonable suspicion test, and post-accident test or follow up test. Breath alcohol testing will

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be conducted by a medical clinic that uses only certified equipment and personnel. Breath alcohol concentrations at/or exceeding .04 will be considered a verified positive result. In the event of an accident where an employee has “whole blood” alcohol drawn at a medical treatment facility, a result equal to or greater than .043 shall be considered by a verified positive result. An Evidentiary Breath Test (EBT) will typically be used to confirm any initial positive test result. Hope House also reserves the right to add or delete substances of the list above, especially if mandated by changes in existing Federal, State or Local regulations or laws.

An employee who adulterates, attempts to adulterate or substitutes a specimen or otherwise manipulates the testing process will be terminated. A refusal to produce/provide a specimen is considered a positive test unless there's a verifiable medical reason that the specimen could not be produced.

IV. SPECIMEN COLLECTION PROCEDURE

Urine specimens and breath testing will be conducted by trained collection personnel who meet standards for urine collection and breathe alcohol testing. Confidentiality is required from our collection sites and labs. Employees are permitted to provide urine specimens in private, but subject to strict scrutiny by collection personnel to avoid any alteration or substitution of the specimen. Breath alcohol testing will likewise be done in an area that affords the individual privacy. In all cases, there will only be one individual tested at a time. Failure to appear for testing when scheduled shall be considered refusal to participate in testing and will subject an employee to termination or to the cancellation of an offer of employment. An observed voiding will only occur if there are grounds for suspecting manipulation of the testing process.

V. REVIEW OF TEST RESULTS

To ensure that every employee who is tested is treated fairly, we have hired a Medical Review Officer (MRO). The MRO is a doctor with a specialized knowledge of substance abuse disorders and will be able to determine whether there are any valid reasons for the presence on the employee's system of the substance that was tested positive.

VI. EMPLOYEE'S RIGHTS WHEN THERE'S A POSITIVE TEST RESULT

An employee who tests positive under this Policy will be given an opportunity to explain the findings to the MRO prior to the issuance of a positive test result to Hope House. Upon receipt of a confirmed positive finding, the MRO will attempt to contact the employee by telephone or in person. If contact is made by the MRO, the employee will be informed of a positive finding and given an opportunity to rebut or explain the findings. The MRO can request information on recent medical history and on medications taken within the last thirty days by the employee. If the MRO finds support in the explanation offered by the employee, the employee may be asked to provide documentary evidence to support the employee's position (for

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example, the names of treating physicians, pharmacies where prescriptions have been filled, etc). A failure on the part of the employee to provide such documentary evidence will result in the issuance of a positive report by the MRO with no attendant medical explanation. A medical disqualification of the employee will result. If the employee fails to contact the MRO as instructed, the MRO will issue a positive report to Hope House.

VII. REPORTING OF RESULTS

All test results will be reported to the MRO prior to the result being issued to Hope House. The MRO will receive detailed report of the findings of the analysis from the testing laboratory. Each substance tested for will be listed along with the results of the testing. The company will receive a summary report, and this report will indicate that the employee passed or failed the test. All these procedures are intended to be consistent with the most current guideline of Medical Review Officers, published by the Federal Department of Health and Human Services.

VIII. STORAGE OF TEST RESULTS AND RIGHT TO REVIEW TEST RESULTS

All records of drug/alcohol testing will be stored separately and apart from the employee's general personnel documents. These records shall always be maintained under lock and key. Access is limited to designated employees. The information contained in these files shall be utilized only to properly administer Policy and to provide to certifying agencies for review as required by law. Designated employees that shall have access to these records are charged with the responsibility of maintaining the confidentiality of these records. Any breach of confidentiality with regard to these records may be an offense resulting in termination of employment.

Any employees tested under this Policy have the right to review and/or receive a copy of their test results. An employee may request a copy of his or her drug screen results in writing from the Executive Director. Hope House will use its best efforts to promptly comply with this request and will issue to the employee a copy of the results personally or by US Certified Mail, Return Receipt Request.

IX. POSITIVE TEST RESULTS

Employees who are found to have a confirmed positive drug or alcohol test will be terminated. Termination shall be deemed "for cause".

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ACKNOWLEDGMENT OF RECEIPT OF DRUG-FREE WORKPLACE POLICY

Signing this form acknowledges that the employee has received a copy of Hope House's Drug-Free Policy, has had the opportunity to discuss the Policy and have questions answered, and understands all the provisions in the Policy. Although it reflects Hope House's current Policy regarding substance use, it may be necessary to make changes from time to time to best serve the needs of our organization. However, any changes deemed necessary will be made in writing, and the modified Policy will be shared with every employee.

By my signature below, I acknowledge that I have received a copy of the Drug-Free Policy of Hope House. I understand that it is my obligation to read, understand and comply with the procedures and provision contained within this Policy.

Employee's Name – Printed

Employee's Signature

Date Signed: _____