## DRUG-FREE AND ALCOHOL-FREE POLICY and TESTING

[Shortnened Name] is committed to providing a safe, healthy and productive workplace that is free from alcohol and unlawful drugs as classified under local, state, or federal laws while employees are working on the employer's premises (either on or off duty) and while operating employer-provided vehicles. Employees that work while under the influence of drugs or alcohol pose a safety risk to themselves and others with whom they work.

In furtherance of this commitment, [Shortnened Name] maintains a policy in which job applicants and current employees may be requested or required to submit to drug and alcohol testing in certain situations. This policy is intended to comply with applicable laws regarding drug and alcohol testing and current and prospective employee privacy rights.

Pre-employment Testing

All job applicants are subject to drug and alcohol testing. All offers of employment with [Shortnened Name] are conditioned on the applicant submitting to and successfully completing and passing a drug and alcohol test in accordance with the testing procedures described in this policy.

Testing Based on Reasonable Suspicion

Employees may be asked to submit to a drug and alcohol test if an employee's supervisor or other person in authority has reasonable suspicion, based on objective factors such as the employee's appearance, speech, behavior or other conduct and facts, that the employee possesses or is under the influence of unlawful drugs or alcohol, or both. Employees who take over-the-counter medication or other lawful medication that can be legally prescribed under both federal and state law to treat a disability should inform Human Resources if they believe the medication will impair their job performance, safety or the safety of others or if they believe they need a reasonable accommodation before reporting to work while under the influence of that medication. For more information on how to request a reasonable accommodation, please refer to [Shortnened Name] 's Disability Accommodations Policy.

Periodic/Random Testing

Employees in safety or security-sensitive positions are subject to drug and alcohol testing on a yearly/random basis.]

Post-incident Testing

Employees involved in any work-related accident or incident involving the violation of any safety or security procedures may be required to submit to drug and alcohol testing. This applies even if the incident did not result in injury to any person or any property damage.

Testing Procedures

All drug and alcohol testing under this policy will be conducted by an independent testing facility [licensed by the state], which will obtain the individual's written consent prior to testing. [Shortnened Name] will pay for the full cost of the test. Employees will be compensated at their regular rate of pay for time spent submitting to a drug and alcohol test required by [Shortnened Name].

Employees suspected of working while under the influence of illegal drugs or alcohol will be suspended [with/without] pay until [Shortnened Name] receives the results of a drug and alcohol test from the testing facility and any other information [Shortnened Name] may require to make an appropriate determination.

Confidentiality

All records relating to an employee's or applicant's drug and alcohol test results will be kept confidential and maintained separately from the individual's personnel file.

Consequences of a Positive Test

Employees who test positive will be subject to discipline, up to and including immediate termination of employment. Job applicants who test positive will have their conditional job offers withdrawn.

Consequences for Refusing to Submit to Testing or Failing to Complete the Test

Employees who refuse to submit to testing as required by [Shortnened Name] or who fail to complete the test will be subject to discipline, up to and including immediate termination of employment. Job applicants who refuse to submit to drug and alcohol testing will be deemed to have withdrawn themselves from the application process and will no longer be considered for employment.

Employee Assistance Program

[Shortnened Name] provides an employee assistance program (EAP) for all employees. The EAP is designed to help individuals manage personal problems that can impact their well-being and work performance. Treatment is confidential (unless an EAP counselor is required by law to disclose information such as child abuse) and will not become a part of an employee's personnel records. For more information about the EAP, contact the Human Resources Department.

Administration of this Policy

[Shortnened Name] expressly reserves the right to change, modify or delete the provisions of this Drug Testing in the Workplace Policy without notice.

.

Employees Covered under a Collective Bargaining Agreement

The employment terms set out in this policy work in conjunction with, and do not replace, amend or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union has with [Shortnened Name]. [Employees should consult the terms of their collective bargaining agreement./Wherever employment terms in this policy differ from the terms expressed in the applicable collective bargaining agreement with [Shortnened Name], employees should refer to the specific terms of the collective bargaining agreement, which will control.