

# DRUG & ALCOHOL USE POLICY FOR EMPLOYEES AND SUBCONTRACTORS

## Drug and Alcohol Policy

It is **COMPANY NAME** desire to provide a drug-free, healthy, and safe workplace. To promote this goal, employees are required to adhere to the following Drug and Alcohol Policy ("Policy"). Notwithstanding anything to the contrary herein, as this Policy relates to subcontractors, this Policy is subordinate to any union agreements.

### **Pre-Employment Testing**

**Company Name** conducts drug testing of all applicants for employment

### **Random Testing**

**COMPANY NAME** may randomly test employees or require subcontractors to test their employees for compliance with this policy. As used in the Policy, "random testing" means a method of selection of employees and/or subcontractors for testing, performed by an outside third party. Furthermore, **COMPANY NAME**, has no discretion to waive the selection of an employee and/or subcontractors selected by this random selection method.

### **Scheduled Periodic Testing**

**COMPANY NAME** reserves the right to conduct or require subcontractors to conduct periodic testing on a regularly scheduled basis for designated departments, classifications, work groups or construction sites.

### **Post Accident Testing for Drugs and Alcohol**

When an employee or subcontractor has been involved in a construction incident that has caused property damage or has been injured, such employee or subcontractor will be required to follow **COMPANY NAME** drug testing procedure. Within 24 hours of the construction incident, drug testing must be performed by a designated testing lab.

### **Substances Covered By Drug/Alcohol Testing**

Employees and subcontractors will be tested for their use of commonly-abused controlled substances, which include: Amphetamines, Barbiturates, Benzodiazepines, Opiates, Cannabinoids, Cocaine, Methodone, Methaqualone, Phencyclidine (PCP), Propoxyphene, and chemical derivatives of these substances.

Employees and subcontractors must advise testing lab employees of all prescription drugs taken in the past month before the test, and to be prepared to show proof of such prescription to testing lab personnel.

### **Testing Methods and Procedure**

All testing will be conducted by a licensed independent medical laboratory, which will follow testing standards established by the State and/or federal government. Testing will be conducted on a urine sample provided by the employee and subcontractors to the testing laboratory under procedures established by the laboratory to insure privacy of the individual, while protection against tampering/alteration of the test results.

Employees (only) will be considered to be engaged at work for the time spent in taking any tests, and will be compensated for such time at their regular rate.

**COMPANY NAME** will pay for the cost of the testing of **COMPANY NAME** employees. Subcontractors will pay for the cost of the testing of their own employees. This includes the confirmation of any positive test result by gas chromatography. The testing lab will retain samples in accordance with State law, so that an employee and/or subcontractor may request a retest of the sample at his/her own expense if the individual disagrees with the test result.

## **Refusal to Undergo Testing**

Employees and subcontractors who refuse to submit to a test are subject to immediate discharge. Zero Tolerance.

## **Positive Test**

If an individual tests positive on an initial screening test the following will happen:

**Employee:** The employee will be temporarily suspended while the confirmation test is being conducted. On receipt of the confirmation test, the employee will be subject to disciplinary action, up to and including discharge. Discipline selected by **COMPANY NAME** will depend upon a variety of factors, including the prior work record of the employee; the length of prior employment; the prior accident and attendance record of the employee, the circumstances which led to the testing; and the proposals by the employee to address the problem.

**Subcontractor:** will be temporarily suspended from the jobsite while the confirmation test is being conducted. If the additional test is also positive, the individual will no longer be able to conduct work on the jobsite. Additionally, the subcontractor's contract may be cancelled. Further ramifications will be decided on a case by case basis.

## **Right to Explain Test Results**

All employees and subcontractors have the right to meet with the testing laboratory personnel, and with **COMPANY NAME** to explain their test results. These discussions shall be considered confidential except that information disclosed in such tests will be communicated to personnel with **COMPANY NAME**, or within the lab who need to know such information in order to make proper decisions regarding the test results or regarding the employment of the individual.

## **Right to Review Records**

Employees and subcontractors have a right to obtain copies of all test results from the testing laboratory. When the individual disagrees with the test results, the individual may request that the testing laboratory repeat the test. Such repeat test shall be at the expense of the individual, unless the repeat test overturns the original report of the lab, in which case **COMPANY NAME** will reimburse the employee (only) for the costs incurred for the retest.

## **Confidentiality Requirements**

All records for employees and subcontractors concerning test results will be kept confidential. Information shall not be released to any third parties without the individual's specific written consent. Testing laboratories may conduct testing only for substances stated in this policy provided to the individual, and may not conduct general testing related to the medical conditions of the individual which are unrelated to drug usage.

## **Retesting**

Employees (only) may request a retest of their positive test results, within three (3) working days after notification by Testing Lab of such positive test result. This retest is at the expense of the individual, unless the original test result is called into question by the retest.

Where the employee believes that the positive test result was affected by taking of lawful or prescribed substances, the individual may be suspended without pay pending receipt of confirming information to substantiate the claims of the individual. Normally, the individual will be provided no more than three (3) business days in which to provide this additional information.

Once **COMPANY NAME** has determined whether or not there is evidence to indicate that the test results are incorrect, **COMPANY NAME** will advise the individual of its decision.

**AMENDMENTS**

The company reserves the right to modify, amend, or discontinue this policy and procedure at anytime as deemed necessary.

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Sign, Print Name and Title

SAMPLE