

ALCOHOL AND DRUG FREE WORKPLACE

I. PURPOSE

This policy affirms the CHRC's commitment to ensure a safe alcohol and drug free work environment for its employees and other individuals performing services on client premises. It also serves to increase CHRC's employees awareness of regulations regarding alcohol, drug and/or controlled substance abuse in the workplace.

II. POLICY STATEMENT

CHRC is committed to protecting the safety, health and well-being of all CHRC employees and other individuals in our workplace. We recognize that alcohol, drug and/or controlled substance misuse poses a significant threat to our goals.

This policy applies to all CHRC employees and any individual who has been given a conditional offer of employment with CHRC.

CHRC employees found to be in violation of this policy will be subject to termination of assignment/employment. This policy also allows CHRC to create more restrictive guidelines (where required or needed).

For the purpose of this policy, any reference to drugs and/or controlled substances includes marijuana used for medical purposes. CHRC employees who possess a valid state issued registry identification card authorizing the use of marijuana for medical purposes are prohibited from using, possessing, or being impaired by marijuana in the workplace or during the hours of employment.

III. PROHIBITED BEHAVIOR

- A. This policy prohibits the unlawful use, possession, distribution, dispensing or manufacture of alcohol, drugs, and/or controlled substances in the workplace or in a job-related activity consistent with the federal Drug-Free Workplace Act of 1988. Accordingly, the following are strictly prohibited in the workplace, during work hours or while performing a job-related activity: (1) consumption and/or use of any alcohol, drugs or illegal controlled substance; (2) the presence of any alcohol or illegal controlled substance or its metabolite/components in a CHRC employee's body; and (3) any impairment by alcohol, drugs or any controlled substance, including prescription medications, over-the-counter medications, and drugs/controlled substances authorized for use by the state.



The DOT's drug and alcohol testing regulations do not authorize the use of medical marijuana for covered employees, regardless of a physician's recommended use or authorization under state law. (See [49 CFR Part 40, t 40.151\[E\]](#)). Accordingly, in addition to the prohibitions stated in section III.A, DOT-covered employees are strictly prohibited from using medical marijuana.

- B. This policy applies during all working hours.
- C. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription provided the CHRC employee can effectively and safely perform his/her duties and there is no evidence of impairment. If the use of the medication could compromise the safety of the employee/individual, coworkers or the public, it is the CHRC employee's/individual's responsibility to notify CHRC. CHRC Management shall determine appropriate action to avoid unsafe workplace conditions.

IV. ALCOHOL, DRUG AND/OR CONTROLLED SUBSTANCE TESTING

As a condition of employment or performance of service to a client, CHRC employees/individuals may be subject to alcohol, drug and/or controlled substance testing. These tests may include:

- Pre-employment/pre-placement
 - Reasonable suspicion
 - Random
 - Post-accident
 - Return-to-duty (rehire)
 - Follow-up testing (rehire)
- A. In accordance with CHRC policy, pre-employment testing shall be conducted on all applicants prior to start of any assignment.
 - B. Non-DOT covered CHRC employees: a client of a non- DOT covered CHRC employee who has a good faith belief, through their own observation or from other sources or criteria, that an employee:
 - Has consumed, used, possessed, or distributed alcohol, illegal or state authorized drugs and/or controlled substances; and/or,
 - Is impaired by illegal, prescription, over-the-counter or drugs/controlled substances authorized for use by the state while on duty or during a break from duty (including meal breaks); and/or,
 - Reported for duty under the influence of such substances,

May, with CHRC's approval, require the CHRC employee submit to a Reasonable Suspicion test.



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- C. DOT covered CHRC employees: a client of a DOT-covered CHRC employee may, with CHRC's approval and based on evidence obtained through the direct observation process outlined in the DOT's Pipeline And Hazardous Materials Safety Administration (PHMSA) [Regulation 49 CFR Part 199.105\(D\)](#) and 199.225(b) or DOT's Federal Motor Carrier Safety Administration (FMCSA), require an employee submit to a Reasonable Suspicion test if it is believed the employee:
- Has used, consumed, possessed or distributed alcohol, federally prohibited drugs and/or controlled substances; and/or,
 - Is impaired by illegal, prescription, over-the-counter or drugs/controlled substances while on duty or during a break from duty (including meal breaks); and/or,
 - That an employee has reported for duty under the influence of such substances.
- D. All tests will be conducted under the direction of CHRC.
- E. All information received by the CHRC regarding this testing is considered confidential, and access to this information is limited to those who have a legitimate need to know in compliance with federal and state laws and CHRC management policies and procedures.
- F. Any CHRC employee/individual who refuses to submit to a test as required under this policy, or CHRC procedure, shall be terminated from employment/service for the client or, in the instance of pre-employment testing, the job offer shall be rescinded.

V. EDUCATION, TRAINING AND PROCEDURES

A safe and productive alcohol and drug free work environment is achieved through cooperation and shared responsibility between CHRC employees/individuals and management. In support of this policy and the federal Drug-Free Workplace Act of 1988, CHRC shall:

- Distribute to all new CHRC employees a copy of this policy prohibiting alcohol, drugs and/or controlled substances in the workplace during new employee orientation;
- Publish this policy on CHRC's web page for CHRC employees to review;
- Provide continued alcohol, drug and controlled substance abuse awareness training for all CHRC employees as needed;
- Report convictions of criminal drug violations by CHRC employees within a client's workplace to the appropriate federal agency within ten (10) days;
- Make a good faith effort to maintain an alcohol and drug free workplace;
- Establish procedures for alcohol, drug and/or controlled substance testing under appropriate circumstances;



- Ensure CHRC management and client’s supervisors are trained to recognize signs of impairment. This encompasses a 2 hour training (1 hour – alcohol and 1 hour – controlled substances).

VI. CHRC EMPLOYEE SUPPORT AND REFERRALS

CHRC recognizes that early intervention and support improve the success of rehabilitation and encourages its employees who may have an alcohol, drug and/or controlled substance problem to voluntarily seek help, including utilizing the Substance Abuse Professional (SAP) list located at www.saplist.com at their own expense, to assess the nature of the problem and to identify other sources of assistance.

- A. It is not deemed a violation of this policy for a CHRC employee to self-refer to a treatment program or to disclose to CHRC Management, that he/she has a substance abuse problem. Disclosure must, however, be made before any client placement and/or before any procedure.

VII. ENFORCEMENT OF POLICY VIOLATIONS

- A. CHRC employees found to be in violation of this policy may be subject to termination of assignment/employment.
- B. CHRC employees are required to notify CHRC of violations of this policy and any alcohol or drug-related criminal charges and/or convictions before reporting to work or within five (5) calendar days of the violation, whichever is sooner. Failure to do so will result in termination of assignment/employment.
- C. Notwithstanding any other CHRC handbook policy, CHRC employees, who have a test result showing the presence of alcohol or any drug or controlled substance, or the metabolite or components of any drug or controlled substance who do not have or cannot produce a valid physician’s prescription, and/or who exhibit evidence of impairment shall be dismissed after their first offense unless there are compelling circumstances to the contrary.
- D. CHRC employees who have a test result showing the presence of alcohol or any drug or controlled substance, or the metabolite or components of any drug or controlled substance who do not have or cannot produce a valid physician’s prescription, and/or who exhibit evidence of impairment may be terminated from assignment/employment after their first offense unless it is determined by CHRC Management.
- E. CHRC employees/individuals who refuse to test shall be terminated from CHRC assignment/employment.
- F. CHRC shall rescind any conditional offer of employment if an individual has a test result showing the presence of alcohol or any drug or controlled substance, or the metabolite or components of any drug or controlled substance and the individual does not have or cannot produce a valid physician’s prescription, and/or exhibits evidence of impairment in the pre- employment testing process.