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LAST REVISION May 18 th , 2017	REVIEWED BY: L. Kirk Berglund, Safety Director	FORM REF No: SP-SUBABUSE
SUBJ: Substance Abuse		

DRUG & ALCOHOL FREE WORKPLACE PROGRAM

OBJECTIVE:

Meiners Electric objective is to establish and maintain a safe, healthy and productive working environment for all employees, to protect the reputation of Meiners Electric and its employees within the community and industry, and to reduce injuries, absenteeism, tardiness and other work-related problems. This objective can be adversely affected by impaired on-the-job performance due to substance abuse. Such impairment can potentially be a contributing cause of injury not only to the impaired substance abuser but to other employees as well. For this reason, Meiners Electric will utilize every reasonable measure to rid the workplace of illegal and potentially dangerous substances and paraphernalia and to provide education and treatment for our employees.

Meiners Electric will be very confidential and supportive of any employee who has a desire to correct any related problem. Meiners Electric maintains an employee assistance program which will provide confidential counseling and referral to employees or members of their families for a variety of personal needs and concerns. This counseling is entirely confidential. If a referral to a treatment provider outside the employee assistance program is necessary, costs may be covered by the employee's medical insurance, but the cost of such outside services are the employee's responsibility.

POLICY:

Meiners Electric does not tolerate impaired performance due to substance abuse by its employees on the job. The following is a statement of that policy:

Meiners Electric strictly prohibits the use, possession, sale, conveyance, distribution, or manufacture of illegal drugs, intoxicants, controlled substances, and/or drug paraphernalia in any amount or in any manner either in the workplace or on the job. Meiners Electric does not permit the consumption of alcohol on its premises or during working hours. Prescription or over-the-counter drugs if abused or used without proper medical direction are strictly prohibited. Impaired performance due to substance abuse is a violation of company policy and is prohibited. For those employees assigned to or whose job rotation potentially includes assignment to a safety sensitive position, Zero Tolerance will be enforced.

Abiding by the terms of this program is a condition of employment. Refusal by an employee to submit to drug testing will be considered cause for discharge. Meiners Electric has the right to require blood, urine, breath samples in any of the following situations:



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1. Any applicant for employment who has a conditional job offer pending. Refusal to give written consent for a drug-screening test will disqualify a job applicant from consideration for employment.
2. Any employee who is involved in an on-the job accident resulting in the injury of an employee and/or damage to client and/or company property.
3. Any employee whose behavior creates a "reasonable suspicion" (see Appendix A and Corrective Action below) that their performance is impaired and possibly under the influence of alcohol and/or drugs.

All medical exams and drug screening will be conducted in strictest confidence and in accordance with the American Disabilities Act (ADA) and State drug screening laws.

DRUGS TO BE TESTED FOR:

Meiners Electric utilizes Jant's 12 panel urine tests and a calibrated DOT/NHTSA approved electronic breathalyser for employee screening. When drug screen testing is required under the provisions of this program, a urinalysis and/or breathalyser test will be given to detect the presence of the drug or alcohol. Meiners Electric has determined that appropriate measurements to use are those dictated by the Federal Government, and State Government. The following are the types of drugs to be tested for and the types of tests performed. The first test (screening) will detect the presence of any of the drugs listed below. If a specimen screen is presumptively positive, a more precise second test, "GC/MS," is performed for confirmation. GC/MS is the abbreviation for a gas chromatography/mass spectrometry test. To perform the GC/MS test a second aliquot (sample) is removed from the specimen container. This test looks for the specific combination of metabolites that makes up the particular drug found in the screen and confirms the presence of such drug.

<i>DRUG OF ABUSE</i>	<i>SCREENING LIMIT</i>	<i>CONFIRMATION LIMIT</i>
Alcohol*		
Cannabinoids (Marijuana or THC)	50 ng/ml	15 ng/ml
Cocaine	300 ng/ml	150 ng/ml
Opiates	300 ng/ml	300 ng/ml
Amphetamines	1000 ng/ml	500 ng/ml
Phencyclidine (PCP)	25 ng/ml	25 ng/ml



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ALCOHOL SCREENING:

For alcohol screening purposes, an employee will be considered under the influence of alcohol if their blood alcohol content (BOC) reading is .02 or higher. Additionally, the following disciplinary action has been defined for verified results by a medical review officer (MRO):

BOC Range	Disciplinary Action	Retest Requirement
.020 - .039	Verbal warning	Random, less than .02
.040 - .060	One week suspension	Immediately after suspension, less than .02
.061 or Greater	Termination	N/A

APPLICANT TESTING:

Those employees who have been referred for substance abuse testing due to one of the three reasons listed above will normally be sent to Meiners Electric Workers' Compensation Primary Care Provider who will administer the test. The Primary Care Provider will maintain an affiliation with an independent testing laboratory who will conduct the specimen analysis. Meiners Electric reserves the right to use on-site screening. On-site screening will only be used to screen "negative" results. Any employee with a "positive" on-site screen result will be referred to the Primary Care Provider for an additional validation test. Positive test results will be reviewed by a Medical Review Officer (MRO) prior to the results being communicated to the affected employee and Meiners Electric. A MRO is a licensed physician who specializes in the medical review of drug screening results.

An employee whose substance abuse test is "positive" may request a second test of the split sample from another independent testing laboratory. The employee making such a request will be required to deposit \$100.00 with Meiners Electric pending results of the second test. If the second test result is "negative" Meiners Electric will refund the deposit. If the second test is "positive" the deposit will be used by Meiners Electric to pay for the second test.

CHALLENGES TO TEST RESULTS:

Within 5 working days after receiving notice of a positive confirmed test result, the employee or job applicant may submit information to Meiners Electric explaining or contesting the test results and why the test result does not constitute a violation of this policy. The employee or job applicant will be notified in writing if the explanation is unsatisfactory to the company. A written notice will be given to the employee or job applicant within 15 days of receipt of the explanation or challenge, and will include why the employee's or job applicant's explanation is unsatisfactory, along with the report of positive results. All such documentation will be kept confidential and will be retained for at least one year.



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When an employee or job applicant undertakes administrative or legal challenge to the test results, it shall be the employee's or job applicant's responsibility to notify the employer and laboratory in writing of such challenge and such notice shall include reference to the chain of custody specimen identification number. After such notification, the sample shall be retained by the laboratory until the case or administrative appeal is settled.

The employer or MRO detecting a false positive error shall immediately notify the laboratory and the Department of any such error.

EMPLOYEE PROTECTION:

During the 180-day period after written notification of a positive test result, the employee will be permitted by the employer to have a portion of the specimen re-tested, at the employee's expense. The re-testing must be done at another Department Certified Laboratory. The second laboratory must test at equal or greater sensitivity for the DRUG in question as the first laboratory. The first laboratory, which performed the test for the employer, will be responsible for the transfer of the portion of the specimen to be tested, and for the integrity of the chain of custody for such transfer.

The DRUG testing laboratory is obliged under Kentucky law not to disclose any information concerning the health or mental condition of the employee.

The employer will not request or receive from the testing facility any information concerning the personal health, habit or condition of the tested employee including, but not limited to, the presence or absence of HIV antibodies in the tested workers' body fluids.

Meiners Electric will not discharge, discipline, refuse to hire, discriminate against, or request rehabilitation of an employee or job applicant on the sole basis of a positive test result that has **not** been verified by a confirmation test and the MRO.

Meiners Electric will not discharge, discipline or discriminate against an employee solely upon the employee's voluntarily seeking treatment, while under the employ of the employer, for a DRUG related problem, if the employee has not previously tested positive for DRUG use, entered an employee assistance for DRUG related problems, or entered a DRUG rehabilitation program.



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CORRECTIVE ACTION:

In furtherance of its policy to provide for the health and safety of its employees, Meiners Electric has established the following procedure to address employee substance abuse:

1. The use of legal drugs prescribed by a licensed physician may be permitted provided that any applicant for employment or any existing employee inform the Safety Director before beginning employment and/or before using such drugs that have been prescribed. The applicant will be required to inform Meiners Electric of any effects the drug may have and will be required to have his or her physician submit in writing a detailed explanation of the reasons for the drugs being prescribed and of any effect the drug may have on the employee. Meiners Electric has discretion to deny or terminate employment if it determines that the legally prescribed drug will adversely affect the employee's performance or the health and/or safety of others.
1. All job applicants at this company will undergo testing for the presence of illegal drugs as a condition of employment. Any applicant with a confirmed positive test result will be denied employment. This company will not discriminate against applicants for employment because of a past history of drug abuse. Therefore, individuals who have failed a pre-employment test may initiate another inquiry with the company after a period of no less than six months, but must present themselves drug-free.
3. If an employee is judged impaired and unfit for duty by two supervisors as evidenced by unsatisfactory appraisal on the "reasonable suspicion" checklist, he/she will not be allowed to work and will be referred to the Primary Care Provider for a substance abuse test. If the test results are "positive," the employee will face corrective action up to and including discharge.
4. In the event of a work related accident causing injury to the employee and/or equipment damage, the employee will be referred to the Primary Care Provider for a substance abuse test. If the test results are "positive," the employee will face corrective action up to and including discharge.
5. Meiners Electric has discretion to take any appropriate disciplinary action including discharge for employees who have violated the above rules in recovering from drug/alcohol dependency.

PRESCRIPTION DRUGS:

Employees are allowed to use prescription drugs during work (in the manner, combination and quantity prescribed) provided they are used with proper medical direction and provided they do not impair performance.



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Note: At the time of writing, Marijuana is illegal under Federal Law and will not be considered a valid prescription medication.

CONFIDENTIALITY:

The application of this Drug Testing Program involves personal and thus highly confidential matters. Disclosure of test results, corrective action, or treatment involving a prospective or current employee to an individual who does not have a need to know is a breach of confidentiality. **The individual breaching confidentiality may be subject to disciplinary action up to and including immediate termination depending on the severity of the breach.** All investigations and test results of individuals using illicit drugs will be kept confidential except that there may be instances when Meiners Electric will be required to notify legal authorities.



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REASONABLE SUSPICION CHECKLIST

Appearance

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Normal | <input type="checkbox"/> Flushed | <input type="checkbox"/> Dilated/constricted pupils | <input type="checkbox"/> Profuse sweating |
| <input type="checkbox"/> Bloodshot Eyes | <input type="checkbox"/> Tremors | <input type="checkbox"/> Frequent sniffing | <input type="checkbox"/> Disheveled |
| <input type="checkbox"/> Runny Nose | <input type="checkbox"/> Puncture Marks | <input type="checkbox"/> Inappropriate wearing of sunglasses | |

Behavior: Speech

- | | | | |
|-----------------------------------|-------------------------------------|-------------------------------------|---------------------------------|
| <input type="checkbox"/> Normal | <input type="checkbox"/> Incoherent | <input type="checkbox"/> Slurred | <input type="checkbox"/> Silent |
| <input type="checkbox"/> Confused | <input type="checkbox"/> Slowed | <input type="checkbox"/> Whispering | <input type="checkbox"/> Loud |

Behavior: Awareness

- | | | | |
|------------------------------------|--------------------------------------|---|---|
| <input type="checkbox"/> Normal | <input type="checkbox"/> Confused | <input type="checkbox"/> Mood swings | <input type="checkbox"/> Euphoria |
| <input type="checkbox"/> Lethargic | <input type="checkbox"/> Disoriented | <input type="checkbox"/> Lack of coordination | <input type="checkbox"/> Aggressive/Violent |
| <input type="checkbox"/> Paranoid | | | |

Standing, Walking and Turning

- | | | | |
|------------------------------------|----------------------------------|--|--|
| <input type="checkbox"/> Normal | <input type="checkbox"/> Swaying | <input type="checkbox"/> Dropping things | <input type="checkbox"/> Arms raised for balance |
| <input type="checkbox"/> Stumbling | <input type="checkbox"/> Failing | <input type="checkbox"/> Frequent sniffing | <input type="checkbox"/> Reaching for support |

Absenteeism

- ☐ Frequent unreported absences
- ☐ Unusually high incidences of colds, flu, upset stomach or headaches
- ☐ Frequent use of unscheduled vacation time
- ☐ Leaving work area more than necessary or unexplained disappearance from job site
- ☐ High rate of absenteeism or lateness on Mondays and Fridays or the days before and after holidays

Work Patterns

- | | |
|---|---|
| <input type="checkbox"/> Inconsistency in quality of work or productivity | <input type="checkbox"/> Concentration lapses |
| <input type="checkbox"/> Difficulty in remembering own mistakes | <input type="checkbox"/> Increased difficulty handling complex situations |

Name of Observed Employee: _____ Date: _____

Signature of Supervisor Conducting Observation



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CONFIDENTIAL

NON SAFETY SENSITIVE POSITION

**FIRST TIME CONFIRMED POSITIVE DRUG TEST RESULT
(EMPLOYEE ACKNOWLEDGMENT)**

I acknowledge that I have been informed of and have received a copy of a confirmed positive drug test result from a test conducted on a sample provided by me under the company's Drug & Alcohol Free Workplace Program. Since this is the first time I have tested positive while employed at this company and since I am not currently assigned to a Safety Sensitive Position, I am being retained as an employee subject to the following conditions:

1. I will be given the opportunity to participate in a qualified professional drug assessment program, and if necessary drug abuse rehabilitation. This assessment and rehabilitation will be at my own expense or pursuant to coverage under the employee benefit plan.
2. If I either refuse to participate in the assessment or rehabilitation program, or fail to successfully complete the program as evidenced by withdrawal from the program before its completion, or a report from the program indicating unsatisfactory compliance I understand that I will be discharged from employment immediately.
3. Any further positive drug test result on a confirmation test under the company's Drug & Alcohol Free Workplace Program after commencement of the drug assessment (or drug abuse rehabilitation if required) will result in immediate discharge from employment.

Date

Signature of Employee

Print Name

Employee Social Security Number

THIS PAGE TO BE SIGNED AND RETURNED



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PROGRAM
(EMPLOYEE ACKNOWLEDGMENT)**

I acknowledge that I have received a copy of Meiners' Electric Drug and Alcohol Free Workplace Program and agree to abide by its policies, practices and procedures. Furthermore, I agree to assist Meiners Electric pursue its Program objectives.

I understand and agree that this Program is not intended to be an employment contract either expressed or implied, nor shall it serve as contract of employment. Meiners Electric continues to recognize employment-at-will in accordance with applicable State Law. Employees have the right to terminate their employment relationship at any time and for any reason, with or without notice, and Meiners Electric reserves the same right as well.

I also understand that Meiners Electric may change the policies and procedures in this Program from time-to-time. Any change (including additions and/or deletions) is not valid unless it is a published change to this Program and acknowledged by the employee in writing.

Date

Signature of Employee

Print Name

Employee Social Security Number

THIS PAGE TO BE SIGNED AND RETURNED