



## Drug and Alcohol Testing Policy

### Policy:

HRST, Inc. is committed to good, ethical business practices in all aspects of its operations and establishes the Drug and Alcohol Testing Policy in accordance with that commitment. It is the policy of the company that employees be free of substance abuse.

The expanded requirements of clients and various governmental entities relative to their consultants and subcontractors often times require a drug and alcohol policy. The policy places the company in compliance with such requirements, laws, mandates, and associated contractual obligations. The policy helps protect the company from liability and insurance related risks.

This policy is posted on official company bulletin boards, including the electronic Sharepoint Bulletin Board.

### Practice:

The Drug and Alcohol Testing Policy covers all employees of the company regardless of status and prohibits the use, possession, manufacturing, concealing, sale or transfer of controlled substances or alcohol while on company premises, including the company's buildings, land, parking lots, and other public or semi-public places near the premises of the company unless authorized by company management. This policy also prohibits the use, possession, manufacturing, concealing, sale or transfer of controlled substances or alcohol while on the premises of a client, including such client's buildings, land, parking lots, and other public or semi-public places near the premises of the client. The policy prohibits the use, possession, manufacturing, concealing, sale or transfer of controlled substances or alcohol while operating the company's vehicles, equipment, or other company property. This policy covers all working hours, including lunch periods and breaks.

The policy prohibits using or possessing, while on or handling company property or performing work for or while on client property, prescription drugs or over-the-counter medication that may cause impairment except when all of the following conditions are met:

- The prescription drugs have been prescribed by a licensed physician for the person in possession of the drugs.
- The prescription was filled by a licensed pharmacist for the person possessing the drugs.
- The individual notifies their supervisor that they will be in possession of or using, impairment-causing prescription drugs or over-the-counter medication and appropriate steps are taken to accommodate the possibility of impairment, including but not limited to, removal from work for the period of possible impairment.

The policy prohibits an employee from coming to work while under the influence of controlled substances or alcohol or be at work with unacceptable levels of such substances in their system.

HRST is committed to supporting employees who may be experiencing difficulty with controlled substances or alcohol. The company may, in such circumstances, recommend the employee seek assistance in dealing with a work performance issue. If possible and appropriate, HRST will hold a position open for an individual who demonstrates the desire to participate in an appropriate rehabilitation program.

## Procedure:

### Types of Drug Testing:

In accordance with applicable laws, HRST may, at its discretion, choose to conduct drug and alcohol testing under the following circumstances:

- Pre-employment
- Periodic physical examination
- Client request
- Reasonable cause
- Post-incident
- Post-treatment program

Pre-employment: Applicants for employment may be asked to submit to a drug and alcohol test at the time the company makes an offer of employment. Offers of employment may be contingent upon the satisfactory results of a drug and alcohol test. If a positive test result is found, the applicant will be given the opportunity to explain the test result or request a confirmatory re-test at his/her own expense. Pending the results of the confirmatory re-test, the offer of employment may be withdrawn. If it is, the applicant will be informed of the reason for withdrawal of the offer.

Periodic physical examination testing: Employees may be asked to submit to a drug and alcohol test as a part of a required periodic physical examination no more than once annually. Employees will be given prior written notice as required by law that drug and alcohol testing will be performed as a part of the physical examination.

Reasonable cause testing: Employees will be required to submit to drug and alcohol tests if there is sufficient evidence of substance abuse. Employees must submit to reasonable suspicion/cause testing when any of the following characteristics are displayed:

- Observable phenomena such as direct observation of prohibited substance use, possession or physical behavior that would indicate the use of prohibited substances;
- A pattern of abnormal conduct or erratic behavior;
- Arrest or conviction for a substance related offense or identification of the employee as the focus of a criminal investigation into illegal substance possession, use or trafficking;
- Information that is either provided by reliable and credible sources or independently corroborated;
- The employee is found in the immediate area of drug related paraphernalia, alcoholic beverages or substances that are prohibited by the company.

Reasonable cause is considered a subjective judgment. Therefore, if the results of the drug and alcohol test indicated an incorrect assessment of the employee, no documentation will be retained in the employee's file and the testing process will remain confidential. Reasonable cause may be identified by a supervisor, peer, subordinate, client, or other individual.

Post-accident/incident testing: Employees will be required to submit to a drug and alcohol test immediately following an accident/incident for either of the following reasons as determined by the company:

- The employee is involved in a work related accident which results in one or more recordable injuries, as defined by the Occupational Safety and Health Administration (OSHA), an environmental incident or damage to company or client property, or both, and employee performance cannot be ruled out as a cause;
- The employee is involved in an incident (including near misses) in which safety rules and regulations may have been violated and employee performance cannot be ruled out as a cause.

Client request: Employees working on site under the direction of a client may be required to submit to a drug and alcohol test based upon client's policy or other appropriate circumstance. Employees of HRST, who are on assignment with a client, may be subject to random drug testing as part of a client's drug test policy.

Post-treatment program testing: An employee who has undergone chemical dependency evaluation or alcohol treatment or is participating in a chemical dependency program supported by the company may be required to submit to a drug and alcohol test at the discretion of the company, within the context of applicable law.

A positive test result pursuant to the above procedure may be grounds for discharge. Employees will be given the opportunity to explain the test result and may request a confirmatory re-test at his/her own expense.

#### Prohibited Substances

The use, possession, manufacturing, concealment, transportation, promotion or sale of the following items or substances is strictly prohibited on HRST premises:

- Illegal drugs, controlled substances (including trace amounts), look-alike and designer drugs.
- Alcoholic beverages.
- Drug paraphernalia.
- Unauthorized prescription drugs.

While all illegal substances are prohibited pursuant to the above policy, the substances listed in Appendix I are of particular concern.

#### Consequences of Confirmed Positive Test

When drug and alcohol tests are performed, the testing will cover illegal drugs, alcohol, and their metabolites only. No other tests are performed and the company is not informed of any results other than those relating to illegal drugs, alcohol, and their metabolites.

In the event of a positive test result, an employee has the right to request a confirmatory re-test at his/her expense. Within three working days after notice of a positive test result on a confirmatory test, the employee or job applicant may submit information to the company, in addition to any information already submitted, to explain that result, or may request a confirmatory retest of the original sample at the employee's or job applicant's own expense. If the confirmatory re-test is positive, the employee may be immediately terminated from employment.

Under some circumstances, the company may recommend treatment for the employee and may, at its discretion, hold the employee's position open until such time as the treatment is completed. If this occurs and the employee does not successfully complete treatment, termination will occur.

#### Right to Refuse

Any applicant or employee has the right to refuse a drug and alcohol test. Refusal to cooperate with such testing is considered grounds for the withdrawal of an offer of employment for an applicant or termination for an employee.

Any of the following will be considered a "refusal to test":

- Refusal to provide a specimen, or cooperate with any part of the testing process as directed,
- Failure to report for collection as specified above,
- Submission of an adulterated or substituted specimen, or

- Failure to provide sufficient breath or urine in accordance with the DHHS protocol, unless there is an adequate medical reason for the failure.

#### Consent

At the time an applicant or employee is asked to submit to a drug and alcohol test, the applicant or employee will receive a consent form stating that they have read and understand the company's Drug and Alcohol Testing Policy. The consent form will request the applicant or employee to document any and all prescription or non-prescription medications taken within the past thirty days, and any other information which may be relevant or to explain a positive test result.

#### Testing Procedures and Reporting of Test Results

All urine specimens tested under this Policy will be collected in compliance with Department of Transportation (DOT) regulations, Department of Health and Human Services (DHHS) Guidelines and submitted to a NIDA-approved laboratory that will mirror Federal protocol (49 CFR Part 40) where legally permissible for analysis.

Analysis of tests will be performed by laboratories pursuant to the above qualifications. The laboratory will report all drug tests to a Medical Review Officer (MRO.) The MRO will review all test results and will determine whether the test is negative or there is a legitimate medical explanation for confirmed positive, adulterated, substituted, or invalid drug tests results from the laboratory.

The laboratory is authorized to report test results to Human Resources only. The Human Resources Representative will report all negative test results directly to company management.

Before reporting a positive test result, the MRO will attempt to contact the employee to discuss the test result and give the employee the opportunity to defend the result or request a second test. All specimens initially testing positive will be subjected to a confirmatory re-test before being reported by the MRO as positive.

Pursuant to applicable laws, individual test results for applicants and employees will be released to the company and kept confidential unless the employee's prior consent for the release of the results has been obtained.

#### Diluted Test Result

Dilute specimens are not acceptable to truly tell if the donor has had previous drug use. If the employee is notified of a diluted test result, the employee needs to be recollected and give a valid (not diluted) specimen as soon as possible.

The required retest following a diluted result will require the employee/donor to report for collection the following morning of the workday after the employee/donor has been notified. The employee is responsible for reporting for the retest on the following morning. Legitimate reasons for not reporting for the retest include: employee no longer works for the company or the employee is scheduled to be off work (pre-arranged), etc.

If the employee fails to report for the second test without a legitimate reason, a refusal to test will be documented and any offer of employment will be withdrawn or continued employment terminated.

#### Company's Rights

The company reserves the right to amend, modify, alter, or terminate this policy at any time to the extent permitted by law. The company will provide notification of any amendment, modification, alteration, or termination of the policy to all employees. Nothing in this policy will constitute an employment contract. Employment is at will.

**Responsibility:**

It is the responsibility of the Human Resources department and supervisors to administer this policy in conjunction with one another. It is the responsibility of every HRST employee to report to the Human Resources department any incidents that may potentially involve the use of illegal drugs or alcohol, or reasonable cause judgments concerning its use. It is up to each individual employee who may be subject to a drug or alcohol test based upon a client's policy or project requirements to be aware of such policy or requirements, and to be prepared to submit to a test.

**Receipt and Acknowledgement:**

I have read the above Drug and Alcohol Testing policy and agree to abide by the terms and conditions of this policy:

Applicant/Employee:	Date:	
HR Representative:	Date:	

**APPENDIX I**

**DRUG AND ALCOHOL PANEL**

DRUGS	SCREENING LEVEL	CONFIRMATION LEVEL
Amphetamines	300 (ng/ml)	300 (ng/ml)
Barbiturates	300 (ng/ml)	100 (ng/ml)
Benzodiazepines	300 (ng/ml)	100 (ng/ml)
Cocaine	300 (ng/ml)	150 (ng/ml)
Methadone	300 (ng/ml)	100 (ng/ml)
Opiates	2000 (ng/ml)	2000 (ng/ml) Morphine 2000 (ng/ml) Codeine
Cannabinoids	20 (ng/ml)	10 (ng/ml)
PCP	25 (ng/ml)	25 (ng/ml)
Propoxyphene	300 (ng/ml)	200 (ng/ml)
Alcohol	0.02% (BAC)*	0.04% (BAC)*

\* **NOTE:** Alcohol screening and confirmation methods are conducted according to DOT protocol. Substances and levels may be modified when applicable.

## APPENDIX II

### KEY TERMS

**MEDICAL REVIEW OFFICER (MRO)** – A licensed physician who is responsible for receiving and reviewing laboratory tests generated by a drug testing program to evaluate laboratory test results to assure proper interpretation of those results. The MRO must have appropriate medical training to interpret and evaluate an employee's test result in conjunction with the employee's medical history and any other relevant bio-medical information.

**DILUTED TEST/SPECIMEN** – Urine specimens which are tested for drugs also include tests to assure the urine provided is a valid specimen. Specimens are also checked for creatinine, specific gravity and pH. Specimens which have a combination of low creatinine and low specific gravity are considered DILUTE SPECIMENS – meaning they did not fall in the normal accepted range.

Diluted specimens are usually caused by over hydration – meaning a person has either intentionally or unintentionally consumed a large enough volume of fluid to put the body into a temporary state of over hydration. Dilution can also be caused by adding fluid to the urine at the time of collection. This is not usually the reason for the dilute since the temperature of the urine is monitored and a warm source should not be available during the collection process.

**CLIENT** – An external company or entity that contracts for HRST services, products, benefits or professional advice. This definition also includes prospective clients, meaning any companies that HRST is involved in considering performing any services, sale of products or providing professional advice.

**OSHA** – Occupational Safety and Health Association is a U.S. government agency within the Department of Labor which oversees safety and health in the work environment.

**DHHS** - The United States Department of Health and Human Services (DHHS) is a Federal agency established to protect the health of the US population. DHHS divisions include, among others, FDA, NIH, the Centers for Disease Control and Prevention, and Centers for Medicare & Medicaid Services.

**DOT** – The Department of Transportation is a U.S. Federal department that institutes and coordinates national transportation programs. DOT rule, **49 CFR Part 40**, describes required procedures for conducting workplace drug and alcohol testing for the federally regulated transportation industry.

**NIDA** – National Institute on Drug Abuse.

**LICENSED PHYSICIAN** – A Medical Doctor (M.D.) who is currently licensed with the respective state licensing board.

**LICENSED PHARMACIST** – A Pharmacist who is currently licensed with the respective state licensing board.