

# **DRUG AND ALCOHOL POLICY**



**A NEVADA CORPORATION  
SERVING THE LAS VEGAS VALLEY SINCE 1990**

REVISED NOVEMBER 2007  
For  
ONE WORLD MEDICINE  
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## *Notice to Employees*

### **Drug and Alcohol Policy**

Gohres Construction Co., Inc. has a vital interest in maintaining safe, healthful, and efficient working conditions for its customers and employees. Using or being under the influence of drugs or alcohol on the job may pose serious safety and health risks not only for the user, but also to the public and all those who work with the user. The possession, use or sale of an illegal drug or controlled substance may also pose unacceptable risks to safe, healthful and efficient operations.

Effective April 19, 2002, the company is implementing its Drug and Alcohol Policy. Violation of the Drug and Alcohol Policy can result in disciplinary action, up to and including termination; however, Gohres Construction Co., Inc. may, at its own discretion, offer the employee an opportunity to seek chemical dependency treatment services as an alternative to disciplinary action, including termination. In these cases, Gohres Construction Co., Inc. may hold an employee's same or similar job position open upon successful participation in a treatment program, subject to return to duty drug or alcohol testing, job availability, and existing Americans with Disabilities Act (ADA) requirements.

Participation in treatment is voluntary and strictly confidential. No information regarding the employee's chemical dependency problem will be placed in the employee's personnel file or discussed with his or her supervisor without consent. In the event the employee does not come forward voluntarily to seek assistance and is later found in violation of the Drug and Alcohol Policy, the established disciplinary policy will apply. All employees will be offered an orientation to the policy and time will be set aside to answer questions. Thank you for your support.

# **DRUG and ALCOHOL POLICY**

## **TABLE OF CONTENTS**

I. Introduction - Purpose	Page 4
II. Definitions	Page 5
III. Policy	Page 5,6,7
IV. Collection Site	Page 8
V. The Role of Medical Review Officer	Page 8
VI. Contraband	Page 9
VII. Employee Consent	Page 9
VIII. Disciplinary Action	Page 9
IX. Confidentiality	Page 11
X. Employee Assistance Training Program	Page 11
XI. Temporary Employment Services	Page 12
XII. Facility Work Rules	Page 12
XII. Severability	Page 12

## Drug and Alcohol Policy

### APPENDICES

A.	Notice To Employees	Page 13
B.	Reasonable Suspicion Report	Page 14, 15
C.	Employee Response Form	Page 17, 18
D.	Return To Duty Policy For Violations Requiring Rehabilitation	Page 19
E.	Return To Duty Policy For Violations Not Requiring Rehabilitation	Page 20
F.	Applicant Notice of Drug Testing Requirements	Page 21
G.	Notice to Agency Assigned Employees	Page 22
H.	ALCOHOL AND DRUG INDICATOR CHECKLIST	Page 23
I.	CHECKLIST OF ON-THE-JOB BEHAVIORS	Page 24,25,26,27
J.	DRUG/ALCOHOL EDUCATION GUIDE	Page 28, 29
K.	REASONABLE SUSPICION DISCUSSION GUIDE	Page 30, 31
L.	DRUG PARAPHERNALIA GUIDE	Page 32



## **DRUG AND ALCOHOL POLICY**

### **I. INTRODUCTION - PURPOSE**

Gohres Construction Co., Inc. maintains a strong commitment to provide a safe, efficient, and productive

work environment. Employee involvement with alcohol or drugs can be extremely disruptive and harmful to the workplace. It can adversely affect the quality of work and the performance of employees, pose serious safety and health risks to the user, coworkers and the public, and have a negative impact on work efficiency and productivity. Gohres Construction Co., Inc. is concerned that employees are in condition to perform their duties safely and efficiently, in the interests of fellow workers and the public, as well as , themselves. It is the purpose of this policy to eliminate substance abuse and its effects in the workplace.

Accordingly, Gohres Construction Co., Inc. has developed the following policy statement regarding substance abuse in the workplace.

- The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or alcohol is prohibited in the Gohres Construction Co., Inc. workplace.

The drug and alcohol policy shall apply to all full-time, part-time and temporary employees of Gohres Construction Co., Inc. Violation of the drug and alcohol policy can result in disciplinary action up to and including discharge; however, Gohres Construction Co., Inc. may, at its sole discretion, offer the employee an opportunity to seek chemical dependency treatment services as an alternative to disciplinary action, including discharge. In these cases, Gohres Construction Co., Inc. may, entirely at its

own discretion, hold an employee's same or similar job position open upon successful participation in a treatment program subject to return to duty drug/alcohol testing, job availability and existing Americans with Disabilities Act (ADA) requirements. Cost of treatment is the sole responsibility of the employee. Participation in treatment is voluntary and strictly confidential. No information regarding the employee's chemical dependency problem will be placed in the employee's personnel file or discussed with his or her supervisor without written consent. In the event the employee does

not come forward voluntarily to seek assistance and is later found in violation of the drug and alcohol policy, only information that is necessary for the performance of normal business will be shared with his/her supervisor. All other information will be held in strict confidence.

Employment with Gohres Construction Co., Inc. is contingent upon, among other things, compliance with

This policy. Failure to comply will subject an employee to termination of employment. Employment with Gohres Construction Co., Inc. if for no fixed period of time, and may be terminated by the employee

or by Gohres Construction Co., Inc. for any reason not specifically prohibited by law. The implementation date of the Drug and Alcohol Policy will be April 19, 2002.

## II. DEFINITIONS

- A. "Illegal Drugs" means any controlled substance or drug, the sale, possession or consumption of which is illegal. The term includes prescription drugs not legally obtained and prescription drugs not being used in the manner, combination or quantity prescribed.
- B. "Legal Drugs" included prescription drugs and over-the-counter drugs which have been legally obtained and are being used in the manner, combination or quantity for which they were prescribed or manufactured.
- C. "Positive Alcohol/Drug Test" means, for the purpose of this policy, that the employee has ingested a drug(s) which causes the employee's drug threshold level to be above the Federal Department of Health and Human Services (DHHS) guidelines. An employee whose alcohol level is .04 or greater is considered to be in violation of the policy.
- D. "Reasonable Suspicion" means **a)** that the employee has been involved in a workplace accident or an incident resulting in personal injury or damage to company property, or work-place circumstances which could have resulted in personal injury or damage to company property, and a supervisory employee has reasonable suspicion to believe that the employee's acts or omissions contributed to the occurrence or severity of the accident, incident or circumstances; or **b)** behavioral conduct of an employee currently affected by alcohol drugs or a controlled substance, based upon specific personal observations of the supervisor concerning behavior, speech, or body odors; or circumstances which could indicate that the employee is reporting to work in other than a sober and reliable state, free from effects of alcohol or drugs; **c)** evidence of other specific contemporaneous physical, behavioral or performance indicators of probable substance abuse or circumstances. Two supervisors, one of whom is trained in detecting the indicators of substance abuse, shall substantiate and concur in the decision to test.
- E. "Company Property" means all real or personal property owned, leased or otherwise under the control of Gohres Construction Co., Inc. This includes, but is not limited to, buildings, facilities, vehicles, offices, parking lots, desks, cabinets, lockers, closets, etc.
- F. "Contraband" means any items such as illegal drugs, drug paraphernalia or other related items whose possession is prohibited.

## III. POLICY

- A. Possession, use or sale of drugs/alcohol

1. Alcohol

Possession of open containers, use or being under the influence of alcohol by any employee during normal business hours including lunch breaks, while performing Gohres Construction Co., Inc. business

or while on company premises is prohibited. Failure to pass an alcohol test will be grounds for disciplinary action up to and including termination. An employee may consume a moderate amount of alcohol while attending a business or social function outside the workplace on behalf of the company provided that the employee's conduct and demeanor remains businesslike and professional at all time.

## 2. Illegal Drugs

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance is prohibited. Failure to pass a drug test will be grounds for disciplinary action up to and including termination.

## 3. Legal Drugs

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Except as provided below, use or being under the influence of any legal drug by any employee on company business is prohibited to the extent such use or influence any affect the safety of the employee, coworkers or the public, the employee's job performance or the safe or efficient of Gohres Construction Co., Inc. An employee under the influence of a legal drug has an obligation to inquire and determine whether the legal drug he or she is taking may or will affect his or her ability to safely and efficiently perform his or her job duties. If the employee is using a legal drug at the direction of a physician, dentist or licensed practitioner, the employee is required to obtain a written statement that the prescription will not interfere with the employee's ability to perform the duties of his/her position. Otherwise, employee may be assigned to other appropriate work or, in the absence of such work, be placed on a medical leave of absence until the employee no longer requires the legal drug pursuant to a medical release. This policy does not require the physician, dentist or other licensed practitioner to identify any prescription drug or the medical condition for which it is prescribed. Any such information must be reported to the Alcohol and Drug Program Manager (or designee) before starting work while taking any legal drug. An employee taking over-the-counter medications contrary to instructions provided by the manufacturer may be subject to disciplinary action up to and including termination.

## 4. Off-Duty Possession or Use of Drugs or Alcohol

or

Off-duty possession or use of drugs and/or alcohol is also prohibited to the extent such possession Use adversely relates to Gohres Construction Co., Inc. legitimate interests or to the ability of the employee to safely and efficiently perform his or her job duties.

## 5. Co-Workers Obligations

Any employee who has observed or has personal knowledge that another employee is using or possessing drugs or alcohol in violation of this policy may choose to make a good faith report to the Alcohol and Drug Program Manager or designee. The employee will refrain from discussing the matter with anyone except the Alcohol and Drug Program Manager or designee.

The employee may choose to report anonymously.

## B. Drug Alcohol Testing

Gohres Construction Co., Inc. will implement the following types of drug testing:

- 1) reasonable suspicion testing
- 2) post-accident testing and
- 3) return to duty testing.

### 1. Reasonable Suspicion Testing

Gohres Construction Co., Inc. may require a medical examination, breath test, blood test, and/or urinalysis when there is reasonable suspicion to believe that the employee is using drugs and/or alcohol at work or where circumstances or workplace conditions justify it (see reasonable suspicion report form)

### 2. Post Accident Testing

Each employee will be tested for prohibited drugs and alcohol use as soon as possible after a reportable accident. Gohres Construction Co., Inc. policy defines "reportable accident" as any incident that results in an employee requiring medical treatment that results in the filing of a workers compensation claim, or property damage in excess of five hundred dollars (\$500.00). An employee shall not be relieved of duty pending the receipt of test results except where there is reasonable evidence that alcohol or illegal drug use was a contributing factor as determined by the treating physician.

### 3. Return To Duty Testing, Or Treating After Returning To Duty

All employees in violation of the drug and alcohol policy who receive an assessment and/or treatment option will be subject to a return to duty policy as a condition of employment. In essence, this policy states that Gohres Construction Co., Inc. will re-hire or retain the employee in return for the employee's promise to remain alcohol and drug free, complete a prescribed course of treatment if necessary, and submit to return to duty testing on a random basis at the employee's expense to confirm on-going policy compliance. This document will be kept in a confidential file in the Alcohol and Drug Program Manager's office. Nothing in this return to duty policy creates or is intended to create a contract of employment or a promise or representation of continued or guaranteed employment. Continued employment with Gohres Construction Co., Inc. is wholly at the discretion of the company.

### 4. Testing Guidelines

Gohres Construction Co., Inc. will conduct drug testing for the following types of substances:

- a. Marijuana
- b. Cocaine
- c. Opiates
- d. Amphetamines
- e. Phencyclidine (PCP)

Gohres Construction Co., Inc. will follow federal testing guidelines as set forth in 49 CFR, Part 40 in sample collection and determination of positive or negative result. For purposes of this policy, any employee who has a alcohol level of .04 or more when arriving at work or anytime during his/her working hours is considered to be in violation of the policy. A management representative will provide transportation and accompany the employee to Nevada Occupational Health Clinic or designated emergency care facility whenever a post-accident or reasonable suspicion alcohol and drug test is required per company policy. Gohres Construction Co., Inc. will bear the cost for post-accident and reasonable suspicion drug and alcohol testing. The employee will be responsible for



the cost of return to duty testing.

#### IV. **COLLECTION SITES**

The Alcohol and Drug Program Manager will maintain a list of collection sites.

As set fourth in 49 CFR Part 40, all drug testing is done from urine specimens collected under highly controlled conditions. The employee provides a urine specimen in a location that affords privacy and the “collector” seals and labels the specimen, completes a chain of custody document and prepares the specimen and accompanying paper work for shipment to a drug-testing laboratory. The specimen collection procedures and chain of custody ensure that the specimen’s security, proper identification and integrity are not compromised.

Employee protection is also built in to the testing procedure. Laboratories that will be used for testing are those certified by the Federal Government. The initial test of any specimen will be an immunoassay which meets the requirement of the Food and Drug Administration for commercial distribution. All specimens identified as positive will be further confirmed using gas chromatography/mass spectrometry techniques.

Alcohol testing will be conducted through a breath and/or blood sample. Breath testing is performed on an evidential breath testing device (EBT). The EBT is scientific instrument which determines the concentration of alcohol expressed as “percent by weight. The confirmation test is done on the same EBT as the first test. When the confirmation result is different from the initial test, the confirmation test result will be used to determine employee consequences. The employee will be given a copy of the breath alcohol testing form. Blood alcohol testing will only be conducted when an EBT is not readily available for use or in the event the employee is unable to provide an adequate breath sample for whatever reason.

#### V. **THE ROLE OF THE MEDICAL REVIEW OFFICER**

The Medical Review Officer is a licensed physician who is knowledgeable in the medical use of prescription drugs and the pharmacology and toxicology of illicit drugs. The primary responsibility of the MRO is to review and interpret positive test results obtained through Company’s drug testing program. It is important to understand that a positive test result does not automatically identify an individual as an illegal drug user. The MRO must evaluate the alternative medical explanations that could account for a positive test result.

The review of a positive test result is initiated immediately upon receipt and is ordinarily completed within two working days after receipt of all information pertinent to the review. No information about the test result shall be given to the employer during this period. In addition to information provided by the employee, this review will include consideration of chain of custody documents prepared at the time of collection and, in connection with the laboratory, processing of the specimen. This review must also include review of the chain of custody documentation.

During the review of the laboratory results, the MRO will conduct a medical interview with the individual, review the individual’s medical history, or review other biomedical factors. The MRO must review all medical records that the tested individual submits when a confirmed positive test could have been resulted from legally prescribed medication.

If any questions arise about the accuracy or validity of a positive test result, the MRO will review the

laboratory records to determine whether the required procedures were followed. This will require collaboration with the laboratory director, the analysis and expert consultants.

At this point, the MRO makes a determination as to whether the result is scientifically sufficient to take further action. However, if the records from the collection site or laboratory raise doubts about the handling of the sample, the MRO may decide the urinary evidence is insufficient and no further actions would be taken. In these cases, the MRO shall note the possible errors in laboratory analysis or chain of custody procedures and shall notify the proper officials.

In summary, the MRO determines whether there is some reason other than illegal drug use to explain a positive drug test. If the MRO verifies illegal drug use, the case is referred to the Alcohol and Drug Program Manager. If illegal drug use is not verified, the test result is deemed negative, the employer is informed, and no further action is taken

The Alcohol and Drug Program Manager will maintain a list of Medical Review Officers.

#### VI. **CONTRABAND**

When there is reasonable suspicion to believe an employee is in possession of contraband or suspected contraband, Gohres Construction Co., Inc. will request local law enforcement to conduct, as appropriate, an inspection of the employee, the employee's locker, desk or other company property under control of the employee, as well as the employee's personal effects or automobile if on company property. Any contraband or suspected contraband discovered in a common work area should be impounded and sealed in a container. The seal should bear the date, names of the person's present, general description of the contraband, etc. A receipt should be given for such seized property. Seized contraband should be retained in a locked cabinet under the exclusive control of the Alcohol and Drug Program Manager (or designee) until law enforcement agencies can be contacted to remove contraband for appropriate evaluation and recommendation. If possession is transferred, a chain of receipts should be established. Seized property may turn out, after investigation, to be property that properly was in an employee's possession. In such cases, the property should be returned and a receipt obtained.

#### VII. **EMPLOYEE CONSENT**

An employee consent to a medical examination and drug and alcohol testing is required as a condition of employment and an employee's refusal to consent will result in disciplinary action, including termination. Consent to a medical examination and testing includes an employee's obligation to fully cooperate. Upon request, an employee must promptly complete any required forms and releases and promptly provide a sample for testing.

#### VIII. **DISCIPLINARY ACTION**

Violation of this policy will result in disciplinary action, up to and including termination; however, Gohres Construction Co., Inc. is supportive of employees who voluntarily come forward and seek assistance for alcoholism or drug addiction. Gohres Construction Co., Inc. makes available information on chemical dependency treatment programs that provide access to professional services to aid the chemically dependent employee. All employee's who suspect that may have a drug or alcohol problem are encouraged to utilize these programs before the problem impacts their employment status. A request for assistance to enter an alcohol or drug rehabilitation program made by an employee after there has been a violation of the drug and alcohol policy shall not prevent Gohres Construction Co., Inc. from proceeding with appropriate disciplinary action including termination. However, Gohres Construction Co., Inc. may consider the employee request to determine what disciplinary action is appropriate.

Participation in these programs is voluntary and strictly confidential. No information regarding the employee's chemical dependency problem will be placed in the employee's personnel file or discussed with his or her supervisor without written consent. In the event the employee does not come forward voluntarily to seek assistance and is later found in violation of the drug and alcohol policy, only information that is necessary for the performance of normal business will be shared with his or her supervisor. All other information will be held

in strict confidence.

## **DISCIPLINARY PROCESS**

### **A. Investigative Suspension**

Any employee suspected to be violation of the drug and alcohol policy will be placed on investigative suspension pending the results of the drug and alcohol testing. If test results are negative, the employee will be reinstated and compensated for wages lost during suspension unless there are circumstances that justify an unpaid suspension. If the test results are confirmed positive, the employee will be subject to the established disciplinary process. A refusal to provide either a specimen or consent form will constitute a policy violation and the employee will be subject to termination.

### **B. Test Validity**

No later than ten (10) days after receipt of a positive drug test, the employee may obtain an independent analysis of the same sample at his or her expense. Gohres Construction Co., Inc. shall not have the request test performed unless the employee first pays in advance all costs of the second test. Upon request, the medical review officer will authorize the laboratory holding the employee's sample to release to a laboratory approved by the Department of Health and Human Services a sufficient quantity of the sample to allow a second laboratory to conduct a drug testing analysis. Because some analyses deteriorate or are lost during freezing and/or storage, quantization for the re-test is not subject to a specific cutoff requirement but must provide data sufficient to confirm the presence of the drug or metabolite. By requesting a second analysis, the employee authorizes Gohres Construction Co., Inc. to obtain a copy of any test results submitted to Gohres Construction Co., Inc. will be verified by the laboratory conducting the analysis. If the second test is positive, then the Drug and Alcohol Policy will apply. If the second test is negative, then the original test shall be disregarded and the cost of the second test shall be refunded.

### **C. First Offense Positive Test**

Any employee having a confirmed positive test may be offered the opportunity for referral to a licensed alcohol and drug abuse counselor or licensed physician in addictionology for assessment and evaluation. This decision will be based on relevant factors involved at the time of the policy violation including but not limited to: the employee's job performance record; the employee's length of service with the company; safety risks associated with the policy violation and the employee's willingness to follow through with the all return to duty requirements following the policy violation. If the evaluation finds a lack of clinical data to support a diagnosis of chemical dependency, Gohres Construction Co., Inc. will require the employee to pass a reentrance alcohol/drug test before allowing a return to regular employment. Given the policy violation, the employee will also required to sign a return to duty policy that allows Gohres Construction Co., Inc. to randomly test the employee to determine on-going compliance with the policy.

If the evaluation indicates that the employee is diagnosed as chemically dependent and is in need of treatment, the employee may be offered a choice of entering rehabilitation in lieu of disciplinary action up to and including termination. This action may require an indefinite suspension of regular employment until the completion of a treatment program, Gohres Construction Co., Inc. will require the employee to pass a re-entrance drug or alcohol test before being allowed to return to employment. Additionally, the employee must follow all recommendations given by the treatment provider and submit to random drug or alcohol testing to confirm on-going compliance with the drug and alcohol policy. The employee will be required to sign a release of information, allowing Gohres Construction Co., Inc. to confer with the employee's treatment provider in order to monitor on-going compliance with treatment recommendations. Any employee who tests positive for alcohol or controlled substance prohibited by the police and refuses to report to an approved rehabilitation program for assistance within a reasonable amount of time (thirty days) after being notified to do so will be subject to

disciplinary action up to and including termination.

D. Voluntary Admittance To a Treatment Program

Employee's voluntarily seeking treatment for alcohol or drug addiction are requested to notify Gohres Construction Co., Inc.'s Alcohol and Drug Program Manger in advance of their treatment admission, when possible. All information regarding the employee's participation in treatment will be held in strict confidence. Only information that is necessary for the performance of normal business will be shared with the employee's immediate supervisor. Upon returning to work, the employee will be expected to follow all recommendations given by the treatment provider. The employee will be asked to sign a release of information allowing the Alcohol and Drug Program Manager to confer with the treatment provider to monitor on-going compliance with their recommendations.

E. Second Offense Positive Test

1. Employees not diagnosed as chemically dependent and randomly testing positive again will be terminated.
2. An employee who has a second confirmed positive test while participating in treatment, or leaves treatment (voluntarily or administratively) prior to being properly discharged, will be terminated.
3. An employee who has a second confirmed test after completing treatment will be terminated.

F. Return to Duty Policy

In the event an employee resigns prior to completion of his/her return to duty policy and later reapplies for employment, that employee will be subject to the requirements for the time remaining prior to his/her resignation.

G. Cost of Rehabilitation

The cost of any program of rehabilitation in which the employee participates shall be the financial responsibility of the employee. Any time off work taken by an employee to enter an alcohol or drug rehabilitation program shall be without pay, except that an employee may use any previously accumulated vacation leave for such time.

**IX. CONFIDENTIALITY**

The Alcohol and Drug Program Manager will maintain all records and reports on drug and alcohol testing for review. Confidentiality is essential and will be controlled by maintaining all drug testing records under lock and key with access to these records limited to the Alcohol and Drug Program Manager or his/her designee. Test results may be disclosed to another member of management on a need-to-know basis and to the employee upon request. Disclosures, without employee consent may also occur when: the information is compelled by law or judicial or administrative process; the information has been placed at issue in a formal dispute between the employer and the employee or job applicant; the information is used in administering an employee benefit plan or other insurance program; the information is needed by first-aid, safety, or medical personnel for the diagnosis or treatment of an employee who is unable/unwilling to authorize disclosure; for review by the State Workers' Compensation Board or the State Unemployment Security Division in determining a pending claim; or the information is compelled by Federal officials investigating compliance with the Americans With Disabilities Act.

**X. EMPLOYEE ASSISTANCE TRAINING PROGRAM**

All employees shall participate in a company-sponsored drug awareness program. The program shall provide employees with information regarding: the company's drug-free workplace policy; available counseling, referral agencies and rehabilitation; and the penalties imposed upon employees for violations of this policy.

Supervisory personnel will receive additional training on recognizing performance indicators of probable drug or alcohol abuse and how to effectively intervene.

**XI. TEMPORARY EMPLOYMENT SERVICES**

Any temporary employee assigned to Gohres Construction Co., Inc. workplace shall be subject to the same rules of employee conduct relating to alcohol and illegal drug use which are applicable to employees of the company.

**IX. FACILITY WORK RULES**

Nothing in this drug and alcohol policy precludes management of any Gohres Construction Co., Inc. facility or job site from establishing work rules which apply to that facility or job site. Such work rules cannot be less stringent than this drug and alcohol policy; provided, however, that where any federal, state, or local law imposes restrictions on implementation or enforcement of this drug and alcohol policy, Gohres Construction Co., Inc. will modify this drug and alcohol policy in accordance with such restrictions.

**XIII. CONTRACTORS AND VENDORS**

Contractors and Vendors shall be required to cooperate with this policy in achieving a drug and alcohol free workplace. Violation of these provisions or refusal to cooperate with the drug requirements can result in the company barring contract and vendor personnel from all company facilities or participation in operations.

**XIV. SEVERABILITY**

If any part or provision of this policy, or the application thereof to any person or circumstance, should be held invalid by operation of law or by any tribunal of competent jurisdiction, or if compliance with or enforcement of any part of this provision is restrained by such tribunal pending a final determination as to its validity, the remainder of this policy, or the application of such part of provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. Gohres Construction Co., Inc. reserves the right to change, amend, modify, delete or add to this policy at any time.



## **NOTICE TO EMPLOYEES**

### **DRUG AND ALCOHOL POLICY**

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Effective April 19, 2002 the company is implementing its Drug and Alcohol Policy. Violation of the drug and alcohol policy can result in disciplinary action up to and including discharge; however, Gohres Construction Co., Inc. may, at its own discretion, offer the employee an opportunity to seek chemical dependency treatment services as an alternative to disciplinary action, including discharge. In these cases, Gohres Construction Co., Inc. may hold an employee's same or similar job position open upon successful participation in a treatment program, subject to return to duty drug or alcohol testing, job availability and existing Americans with Disabilities Act (ADA) requirements.

Participating in treatment is voluntary and strictly confidential. No information regarding the employee's chemical dependency problem will be placed in the employee's personnel file or discussed with his or her supervisor without written consent. In the event the employee does not come forward voluntary to seek assistance and is later found in violation of the drug and alcohol policy, the established discipline policy will apply. All employees will be offered an orientation to the policy and time will be set aside to answer questions. Thank you for your support.



## EMPLOYEE ACKNOWLEDGMENT OF DRUG AND ALCOHOL POLICY

I acknowledge that I have received a copy of Gohres Construction Co., Inc. Drug and Alcohol Policy, effective April 19, 2002. I have read the Policy in its entirety and will comply with its requirements. I understand that the Company's Drug and Alcohol Policy does not alter my status as an "at will" employee.

---

Date

---

Employee Name (Please Print)

---

Employee Signature



## REASONABLE SUSPICION REPORT

When requesting a drug or alcohol test, Gohres Construction Co., Inc. must complete this form.

1. Name of Employee: \_\_\_\_\_
2. Position: \_\_\_\_\_
3. Date of Incident: \_\_\_\_\_
4. Time of Incident: \_\_\_\_\_
5. State objective evidence of reasonable suspicion to believe employee is in possession of using drugs and/or alcohol (physical evidence should be retained and stored):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
6. Protocol for requesting drug and alcohol testing:
  - A. Attempt to have another Supervisor corroborate your observation.
  - B. Contact the Alcohol and Drug Program Manager (or designee) or Owner (or designee) to review evidence and approve testing if appropriate.
7. Call employee into office and present employee with accusation and evidence.
8. Employee's response (investigate, where appropriate):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
9. Inform employee of \_\_\_\_\_ policy on drugs and alcohol.
10. Request employee to submit to drug and alcohol testing:
  - A. If employee agrees, have employee sign testing released and follow procedure for collecting sample.
  - B. If employee refuses to submit to testing:
    1. Ask employee for reason(s) why employee refuses to submit to drug and alcohol testing:  
Employee's Response: \_\_\_\_\_
    2. Inform employee that Gohres Construction Co., Inc. policy requires employee to consent to testing and that



refusal is grounds for discipline, including termination.

3. Again request employee to consent to drug and alcohol testing.
  - A. If employee agrees, have employee sign testing release and follow procedure for collecting sample.
  - B. A management team member will arrange transportation and accompany the employee to the collection site, stay in the waiting room until notified that the collection has been completed and then arrange transportation home for the employee.
  - C. If employee collection, inform employee that he/she is suspended pending \_\_\_\_\_ decision on the matter. Request employee to sign refusal to test form.
11. After sample collection, inform employee that he/she is on investigative suspension pending test results and \_\_\_\_\_ decision on the matter.
12. In cases where the employee is suspected of being under the influence of drugs and/or alcohol, arrange transportation (i.e., taxi) home for the employee. If the employee refuses transportation, attempt to persuade the employee to change his/her mind. Do not detain or physically restrain the employee. In cases where the employee refuses transportation and the employee's condition suggest that the employee presents a potential or actual safety risk to themselves or other drives, notify the police. Inform the employee that you intend to call the police unless the employee accepts transportation. Seek corroborating witnesses to verify employee's refusal of transportation.



## EMPLOYEE RESPONSE FORM

### REFUSAL TO TEST

I acknowledge that Gohres Construction Co., Inc. has requested that I submit to drug and alcohol testing pursuant to its Drug and Alcohol Policy. I further understand that I have previously received a copy of the Company's Drug and Alcohol Policy.

I understand that the testing is voluntary on my part, that I may refuse to submit, and that such refusal will be grounds for discipline up to and including termination.

I further understand that the test results may be released to Gohres Construction Co., Inc. and the results will be used as grounds for discipline up to and including termination.

With full knowledge of the forgoing, I hereby refuse to submit to drug and alcohol testing.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
IMMEDIATE SUPERVISOR/ALCOHOL AND DRUG PROGRAM MANAGER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
DATE



## EMPLOYEE RESPONSE FORM

### AGREEMENT TO TEST

I acknowledge that Gohres Construction Co., Inc. has requested that I submit to drug and alcohol testing pursuant to its Drug and Alcohol Policy. I Further understand that I have previously received a copy of the Company's Drug and Alcohol Policy.

I understand that the testing is voluntary on my part, that I may refuse to submit, and that such refusal will be grounds for discipline up to and including termination.

I further understand that the test results may be released to Gohres Construction Co., Inc. and the results will be used as grounds for discipline up to and including termination.

With full knowledge of the foregoing, I hereby agree to submit to drug and alcohol testing by the Company-selected medical clinics and/or laboratories.

\_\_\_\_\_  
EMPLOYEE'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
IMMEDIATE SUPERVISOR/ALCOHOL AND DRUG PROGRAM MANAGER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
WITNESS

\_\_\_\_\_  
DATE

## **RETURN TO DUTY POLICY FOR VIOLATIONS REQUIRING REHABILITATION**

I understand that my continued employment by Gohres Construction Co., Inc. shall be conditioned upon the following:

1. I accept admission to a treatment program.
2. I will comply with all of the program requirements to their successful completion.
3. I will provide a negative drug/alcohol test and obtain a release from a physician to return to work upon completion of treatment.
4. I agree during the treatment period and after my return to work that I will submit to return to duty drug/alcohol testing to confirm my successful participation in chemical dependency treatment.
5. I agree to attend the recommended number of aftercare sessions weekly for the duration of the policy requirements. I understand the program/treatment provider will submit monthly progress reports to the Alcohol and Drug Program Manager to inform him/her of my ongoing compliance and participation.
6. I agree to attend the recommended number of meetings of Alcoholics Anonymous or Anonymous for the duration of the policy requirements. I understand I will need to have my attendance verified by the chairman/secretary's signature and submit the list to the Alcohol and Drug program Manager on a monthly basis for review.
7. I understand that, upon return to the workplace, I must meet all established standards of conduct and job performance and that I will be subject to Gohres Construction Co., Inc.'s disciplinary procedures for any failure to meet the standards.
8. I understand that I will be subject to these requirements until I have completed at least two years of work. Upon completion of two years of work, the Alcohol and Drug Program Manager will review my job performance and determine if the terms will be removed, modified, sustained, or added to.
9. I UNDERSTAND AND AGREE THAT MY REINSTATEMENT AND EMPLOYMENT ARE CONTINGENT UPON MY SATISFACTORILY MEETING ALL OF THE ABOVE TERMS AND THAT MY FAILURE TO DO SO SUBJECTS ME TO IMMEDIATE TERMINATION OF MY EMPLOYMENT WITH COMPANY. I ALSO UNDERSTAND THAT EMPLOYMENT WITH COMPANY IS FOR NO FIXED PERIOD OF TIME AND MAY BE TERMINATED BY ME OR COMPANY AT ANY TIME FOR ANY REASON NOT SPECIFICALLY PROHIBITED BY LAW. NO ORAL REPRESENTATION TO THE CONTRARY HAS BEEN MADE TO ME, AND I FURTHER UNDERSTAND THAT NO EMPLOYEE OF COMPANY IS AUTHORIZED TO MAKE ANY SUCH REPRESENTATION.

\_\_\_\_\_  
Alcohol and Drug Program Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date



## RETURN TO DUTY POLICY FOR VIOLATIONS NOT REQUIRING REHABILITATION

I understand that my continued employment by Gohres Construction Co., Inc. shall be conditioned upon the following:

1. I will provide a negative drug/alcohol test to be able to return to work.
2. I agree to submit to return to duty drug/alcohol testing to confirm my further compliance with the drug free workplace policy.
3. I understand that my violation of Company Drug and Alcohol Policy warrants close supervision for an extended period of time upon my return to work and I will accept such supervision as a constructive part of my employment.
4. I understand that upon return to the workplace I must meet all established standards of conduct and job performance and that I will be subject to the disciplinary procedures for any failure to meet the standards.
5. I understand that I will be subject to the terms of this policy until I have completed at least two years of work. Upon completion of the two years of work, the Alcohol and Drug Program Manager will review my job performance and determine if the terms of this policy will be removed, modified, sustained or added to.
6. I UNDERSTAND AND AGREE THAT MY REINSTATEMENT AND EMPLOYMENT ARE CONTINGENT UPON MY SATISFACTORILY MEETING ALL OF THE ABOVE TERMS AND THAT MY FAILURE TO DO SO SUBJECTS ME TO IMMEDIATE TERMINATION OF MY EMPLOYMENT. I ALSO UNDERSTAND THAT EMPLOYMENT WITH COMPANY IS FOR NO FIXED PERIOD OF TIME AND MAY BE TERMINATED BY ME OR COMPANY AT ANY TIME FOR ANY REASON NOT SPECIFICALLY PROHIBITED BY LAW. NO ORAL REPRESENTATION TO THE CONTRARY HAS BEEN MADE TO ME, AND I FURTHER UNDERSTAND THAT NO EMPLOYEE OF COMPANY IS AUTHORIZED TO MAKE ANY SUCH REPRESENTATION.

\_\_\_\_\_  
Alcohol and Drug Program Manager

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date



## **DRUG TESTING PROGRAM**

Gohres Construction Co., Inc. has a vital interest in maintaining safe, healthful and efficient working conditions for its customers and employees. Using or being under the influence of drugs and/or alcohol on the job may pose serious safety and health risks not only for the user, but the public and all of those who work with the user. The possession, use or sale of any illegal drug or controlled substance may pose unacceptable risks to safe, healthful and efficient operations.

To meet this compelling interest, individuals who wish to be considered for employment must agree to **DRUG AND ALCOHOL TESTING DURING EMPLOYMENT.**

By completing and signing this Notice and the attached Application of Employment, the applicant understands and agrees to submit to drug and alcohol testing during the course of employment as provided for in Gohres Construction Co., Inc.'s Drug and Alcohol Policy. The applicant further understands and agrees to release Gohres Construction Co., Inc. and its directors, officers, agents, employees, parents, subsidiaries and affiliated concerns from any and all liability, claims, demands, damages and causes of action of every kind and nature arising out of or resulting from or in connection with submitting to drug and alcohol testing and any decision concerning employment made by Gohres Construction Co., Inc. in whole or in part, based upon the results of drug and alcohol testing.

**ANY APPLICANT WHO IS UNWILLING TO AGREE TO THESE CONDITIONS SHOULD NOT APPLY FOR EMPLOYMENT WITH COMPANY.**

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date



**NOTICE TO AGENCY ASSIGNED EMPLOYEES**

**ACKNOWLEDGMENT OF DRUG AND ALCOHOL POLICY**

I acknowledged that I have received a copy of Gohres Construction Co., Inc. 's Drug and Alcohol Policy, effective April 19, 2002. I have read the Policy in its entirety and will comply with its requirements.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Name (Please Print)

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Agency

**ALCOHOL AND DRUG INDICATOR CHECKLIST**

## Physical Signs or Conditions

- Weariness, exhaustion
- Unusual cuts, bruises, rashes
- Dilated or constricted eyes
- Nystagmus/Strabismus present
- Unusual effort to cover arms
- Alcohol on breath
- Blank stare
- Change in personal grooming habits
- Unusual thirst
- Extreme bad breath
- Excessive use of nasal sprays
- Strong use of perfumes or colognes
- Flushed face
- Facial itching
- Eyelid tremors
- Sleepiness (nodding)
- Fresh puncture marks
- Untidiness
- Slurred speech
- Bitter hair and nails
- Grinding teeth, dental problems
- Shakes, hand tremors
- Major weight gains or loses
- Yellow/gray skin complexion
- Glassy/blood shot eyes
- Marked reddening of eyelids
- Sunglasses worn at inappropriate times
- Change in appearance after lunch or break
- Yawning excessively
- Unsteady walk/poor coordination
- Dry mouth
- Receding Gums
- Running nose
- Use of breath purifiers, such as gum/spray

## Mood

- Appears to be depressed or extremely anxious all the time
- Complains about others
- Mood changes after lunch or bread
- Emotional unsteadiness (e.g., outbursts of crying)
- Irritable
- Low frustration tolerance levels
- Confusion
- Suspicious
- Over-reactions
- Disorientation

## Actions

- Becomes a loner
- Spends excessive amount of time on the telephone
- Avoids talking with supervisor regarding work issues
- Argumentative
- Displays violent behavior
- Wage attachments or other involvement's with the law
- Has exaggerated sense of self-importance
- Withdrawn or improperly talkative

## Absenteeism

- Acceleration of absenteeism & tardiness, especially on Mondays, Fridays, before & after holidays
- Leaving work area more than necessary (e.g., frequent trips to water fountain & bathroom)
- Frequent unreported absences, later explained as "emergencies"
- Usually high incidence of colds, flu, upset stomach, headaches
- Unexplained disappearance from the job with difficulty in locating employee
- Unauthorized leaves
- Long lunch hours
- Requesting to leave work early for various reasons
- Frequent use of unscheduled vacation time
- Highly unlikely excuses for absences

## Accidents

- Taking of needless risks
- Higher than average accident rate on & off the job
- Disregard for the safety of others
- Damage to company property or equipment

## Work Patterns

- Inconsistency in quality of work
- Mental slow down
- Lapses in concentration
- Difficulty in remembering own mistakes
- Complaints from customers
- Increased difficulty in handling complex situations
- High & low periods of productivity
- Poor judgment, more mistakes than usual, general carelessness
- Difficulty in recalling instructions
- Using more time to complete work, missing deadlines
- Wasting materials

## Relationships to Others on the Job

- Over-reaction to real or imagined criticism
- Complaints from co-workers
- Complaints of problems at home such as separation, divorce, child discipline
- Avoidance & withdrawal from peers
- Persistent job transfer requests
- Unrealistic resentments
- Wide swings in morale
- Borrowing money from fellow employees

## **CHECKLIST OF ON-THE-JOB BEHAVIORS**



## **Work Performance:**

Employee's on-the-job behaviors and work habits that directly impact on efficiency and effectiveness of task accomplishment.

1. Has the individual's work **QUALITY** or **QUANTITY** changed?
  - Greatly changed speed of working.
  - Changed level of work involvement.
2. Has the employee made more **MISTAKES** or **BAD JUDGMENTS**?
  - Has numerous accidents.
  - Laughs off errors or reprimands.
  - Denies mistakes.
  - Unnecessarily condemns self for mistakes.
3. Has the employee's **EFFICIENCY** lessened?
  - Has trouble arriving at decisions.
  - Often fails to meet deadlines.
  - Needs repeated directions of easy tasks.
4. Does the individual have more difficulty **CONCENTRATING**?
  - Forgets important or obvious things.
  - Acts without thinking.
  - Daydreams too much.
  - Doodles excessively.
  - Repeats same action over and over.
5. How much is the worker **ABSENT FROM THE JOB**?
  - Late or absent, especially Monday or Friday.
  - Leaves work without notice.
  - Falsifies attendance records.
  - Takes a lot of sick leave.
  - Gives improbable excuses for absences.
6. Is the employee **ABSENT "ON THE JOB"**?
  - Wanders around a lot.
  - Takes excessively long lunches and breaks.
  - Gets sick while at work.
7. Does the employee adhere to **ORGANIZATION POLICY**?
  - Steals or damages property.
  - Disregards rules.
  - Bends the rules.
8. Have you noticed the individual becoming **OVERCAUTIOUS**?
  - Overreacts to normal conditions.
  - Freezes or disappears in an emergency.
  - Overly concerned about details/accuracy.
9. Has the employee become **OVER-ZEALOUS**?
  - Never takes breaks.
  - Comes to work early.
  - Hangs around after shift.
  - Volunteers for excessive amounts of overtime.
  - Suddenly exceed work expectations.
10. Does the employee engage in a lot of **RISK-TAKING**?
  - Drives recklessly.
  - Operates equipment carelessly on or off the job.
  - Shows poor judgment in dangerous physical activities.

- Gambles a lot.
11. Has the individual's **COOPERATION** with **CO-WORKERS** changed?
- Refuses to share equipment or information.
  - Refuses to take directions.
  - Refuses to accept help from others.

**Social Interactions:**

Type and quality of employee's relationships with work associates that may impact on team performance.

1. Does the employee appear **LESS SOCIABLE** than before?
  - Isolated/withdrawn.
  - Shallow friendships.
  - Smiles and talks to self.
  - Refuses social contacts.
  - Poor eye contact.
  - Lacks a sense of humor.
  - Overly suspicious of others.
  - Holds grudges/sulks.
2. Has the individual to become **TOO SOCIABLE**?
  - Talks too much with other employees.
  - Unusual talking together.
  - Plays pranks/jokes.
  - Monopolizes conversation.
  - Inappropriate sex behavior.
  - Flashes money.
3. Are there changes in the employee's choice of **FRIENDS**?
  - Especially for breaks/lunch or transportation.
  - Has separate set of friends just for drinking or gambling.
4. Are there changes in the way **OTHER WORKERS** react to him/her?
  - Ignore or avoid.
  - Get angry with.
  - Become condescending.
  - Complain about.
  - Mistrust.
  - Play pranks on.
  - Joke about.
5. Does the employee show more **ANGER**?
  - Impatient.
  - Overreacts to real or imagined criticism.
  - Irritable.
  - Argumentative.
  - Physical fights.
  - Temper Outbursts.
6. Does the individual **MANIPULATE** others?
  - Builds up brownie points.
  - Brags/exaggerates.
  - Acts naive or innocent.
  - Lies.

- Shows off.
  - Borrows money.
7. Have you noticed any changes in the employee's **SPEECH BEHAVIOR**?
    - Talks slower/faster.
    - Talks more/less.
    - Stammers.
  8. Has the employee's **SPEECH CONTENT** Changed?
    - Jumps from topic to topic.
    - Talks about hopeless future.
    - Occupied with suicide, disasters, and destruction.
    - Occupied with one topic.
    - Never chats about family/interests.
  9. Does the employee have more **COMPLAINTS** about?
    - Physical ailments.
    - Back pain/muscle aches.
    - Co-workers or supervisors.
    - Being ignored/left out.
    - Family/money problems.
    - Lack of privileges.
    - Or has stopped complaining.

### **Personal Health:**

Employee's physical and emotional states that affect work behavior.

1. Are you aware of any signs of "**NERVES**" or **EMOTIONAL UPSET**?
  - Headaches.
  - Starts easily.
  - Cries easily.
  - Shaky voice.
2. Does the individual use **ALCOHOL** or **DRUGS** differently?
  - Drinks too much.
  - Alcohol on breath.
  - Pre-occupied with drinking or drugs.
  - Gulps drinks, especially the first couple.
  - Encourages others to use.
  - Frequently "on the wagon".
3. Has the individual had unusual **ILLNESSES**?
  - Claims large amount of mental/medical/emotional benefits.
  - Slow recovery from illness.
  - Pre-occupied with death or suddenly religious.
  - Ignores own illness.
4. Has the individual **ENERGY LEVEL** changed?
  - Yawning.
  - Fatigues.
  - Restlessness.
  - Fidgeting.
5. Are you aware of any changes in **DAILY LIVING ROUTINE**? In **WORK ROUTINE**?
  - Sleep difficulties.
  - Changes in after-work hobbies, activities.
  - Change in amount/pattern of eating.
  - Rigidly follows same pattern without reason.
6. Have you noticed any changes in the individual's **GENERAL APPEARANCE**?

- Appears better/more poorly groomed.
  - Walks differently (slower, stumbles).
  - Changes in posture.
7. Have you noticed any **FACIAL** changes?
- Blushing or paleness.
  - Red eyes.
  - Dry mouth (frequent swallowing/lip wetting).
  - Dilated pupils.
  - Puffy face.
8. Have you noticed any changes in the individual's **BODY** or **LIMBS**?
- Shaky hands.
  - Nail biting.
  - Weight loss/gain.
  - Cold, sweaty hands.
  - Twitching.
  - Sweating, especially non-seasonal.
9. Has the employee had any **GASTROINTESTINAL** changes?
- Nausea/vomiting.
  - Stomach ache/gas.
  - Frequent trips to the rest room.
  - Excessive use of antacids, coffee/tea or other liquids, aspirin, cigarettes.
10. Does the employee have any **CARDIOVASCULAR** difficulties?
- Dizziness/fainting.
  - Breathing irregularities.
11. Have you noticed any changes in the employee's **THINKING PATTERN**?
- Sees things that aren't there (hallucinations).
  - False beliefs (delusions).
  - Bizarre or unusual ideas.
12. If the employee is a supervisor, is there data pertinent to Supervisory level?
- Becomes lax in his/her supervisory duties.
  - Issues conflicting instructions to employees.
  - Uses employee's time and skills to cover responsibilities.
  - Submits incomplete reports and data.
  - Mismanages budget.
  - Fails to coordinate schedules.

## **DRUG/ALCOHOL EDUCATION GUIDE**

The following guidelines have been provided by Associated Pathologists as an aid in recognizing employees who are under the influence of alcohol or drugs:

<b><u>DRUG</u></b>	<b><u>PHYSICAL SYMPTOMS</u></b>	<b><u>LOOK FOR</u></b>	<b><u>DANGERS</u></b>
ALCOHOL	Intoxication, slurred speech, a	Smell of alcohol on clothes	Addiction, accidents as

(beer, wine, liquor)	unsteady walk, relaxation, relaxed inhibitions, impaired coordination, slowed reflexes.	or breath, intoxicated behavior, hangovers, glazed eyes.	result of impaired ability & judgment, overdose when mixed with other depressants, heart and liver damage.
COCAINE (coke, base, rock crack)	Brief intense euphoria, elevated blood pressure and heart rate, restlessness, excitement, feeling of well-being followed by depression.	Glass vials, glass pipe, white crystalline powder, razor blades, syringes, needle marks.	Addiction, heart attack, lung damage, seizures, severe depression, paranoia (see stimulants)
MARIJUANA (pot, dope, grass, weed, herb, hash, joint)	Altered perceptions, red eyes, dry mouth, reduced concentration and coordination, euphoria, laughing, hunger.	Rolling papers, pipes, dried plant material, odor of burnt hemp rope, roach clips.	Panic reaction, impaired short term memory, addiction.
HALLUCINOGENS (acid, LSD, PCP, MDMA, Ecstasy, psilocybin, mushrooms, peyote)	Altered and perceptions, focus on detail, anxiety, panic, nausea, synaesthesia (ex: smell, colors, see hallucinations)	Capsules, tables, micro-dots, blotter squares.	Unpredictable behavior, emotional instability, violent behavior (with PCP).
INHALANTS (gas, aerosols, glue, nitrites, Rush White out)	Nausea, dizziness, headaches, lack of coordination and control.	Odor of substance on clothing and breath, intoxication, drowsiness, poor muscular control.	Unconsciousness, suffocation, nausea and vomiting, damage to brain & central nervous system, sudden death.
NARCOTICS Heroin (junk, dope, black tar, china white) Demerol, Dilaudid (D's) Morphine, Codeine	Euphoria, drowsiness, insensitivity to pain, nausea, vomiting, watery eyes, runny nose. (see depressants)	Needle marks on arms, needles, syringes, spoons, pinpoint pupils, cold moist skin.	Lethargy, weight loss contamination of un-sterile needles (hepatitis, AIDS) accidental overdose.
STIMULANTS (speed, uppers, crank, bam, black beauties, crystal, dexies)	Alertness, talkativeness, wakefulness, increased blood pressure, loss of appetite, mood elevation.	Pills and capsules, loss of sleep and appetite, irritability or anxiety, weight loss, hyperactivity.	Fatigue leading to exhaustion, addiction, paranoia depression, confusion, possible hallucinations.
DEPRESSANTS Barbiturates, sedatives, tranquilizers (downers, ludes, reds, Valium, alcohol)	Depressed breathing and heartbeat intoxication, drowsiness, uncoordinated movements.	Capsules and pills, confused behavior, longer periods of sleep, slurred speech.	Possible overdose, especially with alcohol; muscle rigidity, withdrawal and requires treatment.

#### SEVEN POSSIBLE SYMPTOMS OF DRUG INVOLVEMENT:

1. Change in school or work attendance or performance.
2. Alteration of personal appearance.
3. Mood swings or attitude changes.
4. Withdrawal from responsibility/family contacts.
5. Associating with drug using persons
6. Unusual patterns of behavior.
7. Defensive attitude concerning drugs.

## **ALCOHOL/DRUG CRISIS MANAGEMENT**

There are times when performance management will not be effective in handling a drug/alcohol crisis. When a supervisor observes a direct policy violation or criminal activity, he/she must take immediate action. When faced with a drug/alcohol crisis, the supervisor must effectively analyze the situation and consider appropriate options. The following questions can serve as a guide before proceeding:

1. What exactly did you observe?
2. How reliable are outside sources of information?
3. Who is involved in the incident (employees, strangers)?
4. Are you the direct supervisor of the employee(s) involved?
5. Could physical danger occur by taking action or not taking action?
6. Will intervening make the matter worse?
7. Is there a company policy that applies to the situation?
8. When should I ask for outside assistance?

Depending on the assessment of the situation, the supervisor may choose to observe or confront the situation. Observation may be chosen if there is a lack of factual data, witnesses are unreliable, or physical danger could occur in confronting. Confrontation may be chosen if the supervisor's assessment indicates the incident can be effectively and safely handled.

## **GUIDELINES FOR CONFRONTING AN ALCOHOL/DRUG CRISIS**

1. Seek assistance from another supervisor to observe and evaluate the situation.
2. Quietly remove the employee(s) to a private area away from the work area.
3. Inform employee of your suspicion and request an explanation (with a witness, if possible)
4. Notify your supervisor and other appropriate management official.
5. Follow company policy and procedures (i.e., fit-for-duty evaluation, drug testing, discipline).
6. Turn over any confiscated material to appropriate authorities.
7. Document the incident, making a detailed record of all actions, observations, statements and other pertinent facts.
8. Keep a list of emergency numbers readily accessible (company officials, security, police, fire, hospital, EAP, Ambulance).



## REASONABLE SUSPICION DISCUSSION GUIDE

1. Immediately relieve the employee from duty.
2. Quietly remove the employee(s) to a private area away from the work site.
3. Seek assistance from another supervisor to observe and evaluate the situation. Do not tell the Corroborating supervisor that you suspect alcohol or drug use. This could easily bias his/her observation. Simply state that you are concerned about the employee's behavior or job performance and would like him/her there to observe and or talk with the employee to get their opinion of the situation.
4. **Two** supervisors meet with the employee and ask for an explanation regarding your observations about their performance, behavior or fitness for duty (i.e., Joe, I noticed the following things in your performance or behavior today at work (use Alcohol and Drug indicator checklist) Can you explain why?
5. Based on their response, ask the following questions:
  - a) Have you been drinking alcohol or using any drugs on the job site **today**?  
  
\* Do not ask about any off duty use of alcohol or drugs before coming to work.
  - b) Are you taking any medication that would explain what I am seeing in your performance, behavior, fitness for duty?  
  
\* Do not ask about the identity or type of medication the employee is taking. If the employee volunteers this information you can take action upon the disclosure.
  - c) Are you aware of any medical condition that would explain what I am seeing in your performance, behavior or fitness for duty?  
  
\* Do not ask about the type or identity of the medical condition. If the employee volunteers this information you can take action upon the disclosure.

In the event the employee discloses information on a medical condition or medication use to explain your observations, inform the employee that they must obtain a written release from their physician or dentist that the medical condition or medication being taken will not affect their ability to perform their job safely. They should not continue to work or be scheduled to work again until you have the medical release.

6. If the employee admits to alcohol or drug use on the job - immediately transport them to the clinic for reasonable suspicion testing. It is critical to still test them as they may deny they admitted to use the next day.
7. If they remain in denial and you feel there is reasonable suspicion to test state:  
"Based on my observations of your behavior or performance today at work I am requesting that you submit to a drug and alcohol test to rule out as a factor in your fitness for duty."
8. Never accuse the employee of using alcohol or drugs or being under the influence, impaired or high. Only a drug and alcohol test can provide objective proof of alcohol or drug use. Keep your discussion focused on safety and fitness for duty.
9. If employee agrees, have employee sign testing release and follow procedure for collecting sample.
10. If employee refuses to submit to testing:

- a) Ask employee for reason(s) why employee refuses to submit to drug and alcohol testing:
- b) Inform employee that the Company policy requires employee to consent to testing and that refusal is grounds for discipline, including termination.
- c) Again request employee to consent to drug and alcohol testing.
  1. If employee agrees, have employee sign agreement to testing and follow procedure for collecting sample.
  2. A management team member will arrange transportation and must accompany the employee at all times to the collection site, stay in the waiting room until notified that the collection has been completed and then arrange transportation home for the employee.
  3. If employee still refuses, inform employee that he/she is suspended pending the Company's decision on the matter. Request employee to sign refusal to test form.
11. After sample collection, inform employee that he/she is on investigative suspension pending test results and the Company decision on the matter.
12. In cases where the employee is suspected of being under the influence of drugs and/or alcohol, arrange transportation, attempt to persuade the employee to change his/her mind. Do not detain or physically restrain the employee. In cases where the employee refuses transportation and the employee's condition suggests that the presents a potential or actual safety risk to themselves or other drivers, notify the police by calling 911. State: "I am calling because I am concerned about an employee by the name of \_\_\_\_\_. Based on my observations of his/her behavior and performance today at work, I am concerned about his/her ability to operate a motor vehicle". Relay your observations to the officer but not voice an opinion about alcohol or drug use. Inform the employee that you intend to call the police unless the employee accepts transportation. Seek corroborating witnesses to verify employee's refusal of transportation.
13. Instruct the employee to contact the owner and set an appointment as soon as possible to review the matter.
14. Document the incident, making a detailed record of all actions, observations, statements and other pertinent facts.
15. Keep a list of emergency numbers readily accessible (Company officials, security, police, fire hospital, EPA, ambulance.)





## DRUG PARAPHERNALIA GUIDE

The drugs themselves are not the only material connected with drug abuse. In many cases, some type of paraphernalia is needed to sue, store or conceal the drug. It may look as innocent as a common pocket mirror, used to snort cocaine, or as gaudy as a death-head water pipe, for smoking marijuana or hashish. Here are some examples of drug paraphernalia you might encounter:

Top left and center left - 2 examples of "roach clips", which clamp onto the ends of marijuana cigarettes and allow them to be smoked without burning the user's fingers. The clip on the top is attached to a hand scale used to weigh bags of marijuana. Bottom left - small plastic container, such as one used to store film, adapted to use in carrying small amounts of drugs, such as marijuana (shown here), hashish and powder or crack cocaine.

Top center - Cigarette papers, used to roll marijuana cigarettes, or "joints." Middle center - "smokeless" pipe for marijuana or hashish, especially useful for concealing drug use in the workplace. Bottom center - Death-head pipe, used for marijuana or hashish.

Top right - Small marijuana or hashish pipe. Center right - Glass pipe, used primarily for crack cocaine, but also used for marijuana or hashish. The open end permits a "shotgun" effect while inhaling; when used the user's finger is removed from the opening; the smoke is propelled deeply into the lungs, for more intense effects. Bottom center right - Cocaine paraphernalia; the small vials are used to carry either powder or crack cocaine. The vial on the right includes a "coke spoon," to hold doses of the powder from inhalation, or "snorting." The single-edge razor blade is used to divide the powder into individual doses, or "lines," while the rolled up bill is used to snort the drug. Bottom right - Hypodermic needle, used to intravenously inject cocaine, speed or opiates.

### PUPILOMETER

#### Pupillary Drug Reactions

**NARCOTICS:** Opiates, cocaine, methadone - pupils constrict below 3.0 mm - 3 to 6 hours after use little or no reaction to light  
Droopy eyelids.

**DEPRESSANTS:** Barbiturates, Etc. No significant pupillary size change - (bouncing of eyes) and (inability of both eyes to fixate an object).

**STIMULANTS:** Cocaine, Etc. Pupils dilated above 5.5 mm in ordinary indoor light. Sluggish or no reaction to light. Eyes may appear more wide open. Note: Pupil construction has been observed with abuse.

**HALLUCINOGENS:** LSD, Peyote, Mushrooms. Pupils will usually dilate and have a sluggish reaction to light.

**PCP:** No significant dilation or constriction, horizontal and vertical nystagmus. Droopy eyelids.

**CANNABIS:** Marijuana, hashish. Pupils may dilate, nystagmus, vessels on white of eye engorged causing increased redness.

**POLYDRUGS:** Stimulants in combination with depressants (i.e., cocaine and heroin). Check for hippus (pulsating pupils with direct lighting is applied). May also be seen with withdrawal.

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