



SUBSTANCE ABUSE POLICY

A CONTROLLED DOCUMENT



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Substance Abuse Policy

1.0. Purpose

Persons who are impaired by substance abuse endanger clients, themselves, and their fellow workers. By prohibiting substance abuse, and by establishing a program to determine whether employees are engaged in substance abuse, this policy seeks to prevent its risks and ill effects. This policy replaces all existing policies concerning substance abuse and drug testing of employees.

2.0. Definitions

2.1. Substance abuse shall mean:

- a. The use or possession of any drug in a manner prohibited by law; and
- b. The use of alcohol or any legal drug or other substance in such a way that the user's performance as an employee is impaired.

2.2. Impaired shall mean that a person's mental or physical capabilities are reduced below their normal levels (with or without any reasonable accommodation for a disability).

2.3. A positive drug test shall mean any drug test whose results indicate that the employee has committed substance abuse, according to the current NIDA standards and the definitions in this policy. No test results shall be reported as positive without a gas chromatography / mass spectrometry analysis.

2.4. A negative drug test shall mean any drug test whose results do not indicate a positive drug test.

2.5. Reasonable cause shall mean that evidence which forms a reasonable basis for concluding that it is more likely than not that a person has engaged in substance abuse. Facts which could give rise to reasonable cause include, but are not limited to:

- The odor of alcohol or drugs;
- Impaired behavior such as slurred speech and decreased motor coordination;
- Marked changes in personality or job performance; and
- Unexplained accidents.

2.6. Covered employees shall mean those employees holding a position within Advance Builders, Inc. At a minimum this shall consist of all contractors, subcontractors, and vendors who perform labor or services on company premises, for work being done on behalf of the company, or on whose premises company employees spend substantial time, hereinafter referred to as Contractors and all employees who are authorized to operate AB vehicles. This policy may be amended by the Director of Human Resources.

3.0. Work Rules

3.1. Substance abuse is prohibited. Any employee who engages in substance abuse at work or on project site may be discharged. Employees who engage in substance abuse off site and not during working hours may be discharged if their substance abuse does affect, or is likely to affect, their ability to perform their official duties.

3.2. Employees who refuse to participate in a drug test required under this policy may be discharged.



3.3. In no event should employees perform their official duties while they are impaired.

3.4. If an employee is convicted (or given first offender treatment, or pleads nolo contendere) in any court for a crime which constitutes substance abuse, they must report this to their supervisor. Employees who fail to do so may be discharged.

4.0. Drug Testing Procedures

4.1. The drug tests required by this policy shall be performed in accordance with the current procedures of either the Clinical Pathology Laboratory of the company or client's choice. These procedures shall ensure that the sample identified to an employee actually contains materials from that employee, that the samples are protected from tampering, and that the analysis of them is done in accordance with reasonable and accepted medical standards.

4.2. The tests shall screen for the use of drugs whose use is either illegal, or which are prone to abuse, as determined at the discretion of the President of Advance Builders, Inc. If the drug test is being performed pursuant to reasonable cause to believe that a Covered Employee is abusing a particular drug or substance, then the test shall also screen for that particular drug or substance.

4.3. The results of a classified employee's drug test shall be communicated by the laboratory to the Director of Human Resources, who shall notify the employee and the employee's supervisor of any positive drug test.

4.4. The laboratory may bill the employer of the offender or employee for the tests performed pursuant to this policy.

A. LABORATORY AND SAMPLING STANDARDS

1. Testing for the following substances, at the indicated screening and confirmation cutoffs, are recommended:

| <u>Drug</u> | <u>EMIT Screen</u> | GC/MS |
|---------------------|--------------------|----------------------------|
| | | <u>Confirmation Levels</u> |
| Amphetamines | 1000 ng | 500 ng |
| Cannabinoids | 50 ng | 15 ng |
| Cocaine Metabolites | 300 ng | 150 ng |
| Opiates | 2000 ng | 2000 ng |
| Phencyclidine | 25 ng | 25 ng |
| Alcohol | .02 BAC | .02 BAC |

NOTE: Contractors subject to DOT testing shall abide by appropriate levels.



5.0. Pre-employment Drug Testing

5.1. All covered employees shall undergo a drug screening test prior to beginning work as an employee of Advance Builders, Inc.

5.2. The Director of Human Resources shall be responsible for ensuring that all applicants provide a sample for drug testing before they report for duty, or within ten days of reporting.

5.3. Any applicant or covered employee who fails to provide a sample for pre-employment drug testing shall be discharged, or not hired. Any applicants or covered employees with a positive pre-employment drug test will be discharged, or not hired. Such persons shall not be eligible for employment by Advance Builders, Inc. for two years.

6.0. For Cause Drug Testing

6.1. All covered employees shall undergo a drug screening test when reasonable cause exists to believe that they have committed substance abuse.

6.2. If any employee has reason to believe that a covered employee is engaged in substance abuse in violation of this policy, they should report this fact to the supervisor of the apparently abusing employee.

6.3. If a supervisor has reasonable cause to believe that a covered employee under their supervision is engaging in substance abuse in violation of this policy, then they should seek permission to perform a drug test. To document this process, Attachment A should be completed.

6.4. Authorization for a drug test for cause must be obtained from both:

1. The Director of Human Resources (or designee); and
2. One of the following, as appropriate:

-The Assistant Safety Director or higher authority, for Covered Employees assigned to Advance Builders, Inc.; or,

-The Department Head or higher authority, for all other Covered Employees at the project site; or,

-The highest-ranking Advance Builders, Inc executive at any other location.

6.5. If authorization for a drug test for cause is given, then the employee shall be directed to provide a sample for testing immediately. The Human Resources Division and the employee's supervisor shall coordinate with the laboratory to arrange the test. Pending the results of such a test, covered employees shall be placed on paid administrative leave, and they shall be removed from duty. Supervisors should advise impaired employees that they should not drive. It is the responsibility of the impaired employee to arrange for their own safe transportation from their current location.

6.6 Covered employees with a positive for cause drug test may be discharged.

7.0. Random Drug Testing



7.1. All covered employees who are Safety Officers or who hold Commercial Drivers Licenses for their official duties shall be subject to random drug testing.

7.2. Once a month, the Division of Human Resources shall randomly pick no fewer than eight employees and/or holders of Commercial Drivers Licenses for drug testing. Human Resources shall provide a list of the chosen employees to the Director of Safety (or the President's designee), who shall ensure that the chosen employees and their supervisors are notified and that the employee submits to the drug test as directed. In no event shall the employee to be tested receive notice of the test earlier than the day or shift during which they are to be tested.

8.0. Counseling and Rehabilitation

8.1. It is recognized and accepted that early treatment is the key to rehabilitation for substance abusers. Employees are encouraged to voluntarily request counseling or rehabilitation before their substance abuse leads to disciplinary or work related problems. If, prior to an arrest for substance abuse, an employee notifies their immediate supervisor that they illegally use a controlled substance, marijuana, or a dangerous drug and is receiving or agrees to receive treatment under a drug abuse and education program, such employee shall be retained for up to one year as long as the employee successfully follows the treatment program. If the employee fails to successfully follow the program, they must be discharged. No statement made by an employee to their supervisor in complying with this program shall be admissible against the employee in any proceeding. The rights granted in this section shall be available to an employee only once during a five year period, and shall not apply to an employee who has been asked to provide a sample for cause, or an employee who has refused a drug test, or tested positive for controlled substance, marijuana, or a dangerous drug.

8.2 CONFIDENTIALITY

8.2.1 When contractors conduct drug testing of contractor's employees for the purpose of establishing eligibility to enter company premises or perform work on behalf of the company, such substance testing results which are positive will not be individually disclosed to company. Contractor shall certify that each employee assigned to work on behalf of the company or on Company premises has passed a substance test that meets the standards of this policy. Contractor shall maintain records of drug substance which are subject to audit by Company.

8.2.2 The results of substance tests performed for reasonable suspicion or accident/incident investigations as outlined below shall be disclosed to local Company management upon request.

9.0. Appeals

9.1. Employees who are disciplined for substance abuse may appeal the discipline under the relevant classified employee or faculty policies.

10.0 SEARCHES AND INSPECTIONS

10.1 Company reserves the right at all times on its premises to conduct unannounced substance screens, searches, and inspections of Contractor's employees, vendors, and other persons, including their effects, lockers, baggage, desks, tool boxes, clothing, and vehicles. The purpose of such screens, searches, and inspections is to ensure compliance with this policy.

10.2 Any controlled substances or items prohibited by this policy, or any materials that are illegal to possess, will be retained by Company and may be destroyed or turned over to the appropriate law enforcement agency.

10.3 The refusal of Contractor's employee to submit to a search or inspection will result in the revocation of the person's access privileges.



11.0 COMPLIANCE AUDITS

11.1 Company reserves the right to periodically audit Contractor's records to verify compliance with this policy. Such verification shall include, but not be limited to:

1. Examination of the Contractor's substance abuse policy and its implementing directives and procedures;
2. A determination that substance testing is being conducted in those situations which require it and that the testing meets the standards of this policy;
3. Examination of chain of custody procedures which ensure Integrity of collected specimens; or
4. Evaluation of laboratory services.

11.2 Audit results will be treated as confidential so as to protect the privacy of tested persons.

12.0 SUBCONTRACTS

12.1 In all cases where Contractor is permitted to employ a subcontractor, the Contractor shall ensure that the subcontractor and subcontractor's employees are in compliance with this policy. Contractor's subcontracts shall stipulate that Company reserves the right to audit subcontractor's substance programs.



Attachment A

FOR CAUSE DRUG TESTING AUTHORIZATION

To be completed by the supervisor of the employee to be tested.

1. Name of employee suspected of substance abuse.

2. Reasons why you suspect them of substance abuse. Be as specific as possible, including times and dates where unusual behavior was observed, and the names and whereabouts of those witnessing the behavior. If you suspect the employee of abusing any particular substance, please list it.

3. Based on the information above, it is my opinion that there is reasonable cause to believe that this employee has engaged in substance abuse.

_____, _____ / _____.

Signature, Date / Time

Name of supervisor completing this form. _____.

Approval obtained from:

(1) Division of Human Resources by _____ (name); and,

(2) Other by _____ (name).

To be completed the employee to be tested (optional).

Are you taking any medications, or is there any other information you believe might explain your behavior or assist the physician interpreting your test?

The original of this form must be given to the Human Resources Division for inclusion in the employee's records, with one copy kept by the supervisor and one given to the employee.

