

## 1.1 PURPOSE

- 1.1.1 The purpose of this *Drug-Free Workplace Policy* is to maintain the highest safety, health, and work performance standards possible and to reduce TERRY R PITT CONSTRUCTION work related accidents, injuries, and damage which may be caused by drug or alcohol use. This policy is also intended to ensure the maintenance of productivity, the quality of products and services, and the security of property. The primary concern of TERRY R PITT CONSTRUCTION is the health and welfare of employees. We are committed to providing a safe working environment to protect employees and others, to provide the highest level of service, and to minimize the risk of incidents.

## 1.2 ALCOHOL AND DRUG USE/DISTRIBUTION/POSSESSION

- 1.2.1 All employees are prohibited from manufacturing, cultivating, distributing, dispensing, possessing, or using illegal drugs or other unauthorized or mind-altering or intoxicating substances while on TERRY R PITT CONSTRUCTION property (including parking areas and grounds) or while otherwise performing their work duties away from TERRY R PITT CONSTRUCTION. Included within this prohibition are lawful controlled substances that have been illegally or improperly obtained. This policy does not prohibit the possession and proper use of lawfully prescribed drugs taken in accordance with the prescription.
- 1.2.2 Employees are prohibited from having any illegal or unauthorized controlled substances in their system while at work and from having excessive amounts of otherwise lawful, controlled substances in their system.
- 1.2.3 All employees are prohibited from distributing, dispensing, possessing, or using alcohol while at work or on duty and prohibited from having alcohol in their system while at work or on duty.
- 1.2.4 The proper use of medication prescribed by a physician is not prohibited, however misuse of prescribed medication is prohibited. Employees will be permitted to bring prescription drugs to the worksite for treatment of an illness. Medication must be in the original prescription container.
- 1.2.5 Employee drug use may affect job performance, such as by causing dizziness or drowsiness. Employees bringing prescription drugs into the worksite must notify their supervisor as to what drug they are taking and the prescribed dosage. Employees can report the use of prescription or nonprescription drugs which may affect drug tests by completing a written consent form. The employee must be prepared to show supervision both the prescribed drug container and prescription. Outdated prescription drugs are not allowed. Unauthorized use of prescription drugs or use inconsistent with the physician's instructions is a violation of this policy and grounds for discipline, up to and including termination.
- 1.2.6 Employees are responsible for exercising good judgment when taking prescription or non-prescription drugs. It is their responsibility to determine from their physician whether a prescribed drug may impair job performance. If the effects of the medication impair the ability to perform the job safely or effectively, they must immediately notify their supervisor.

## 1.3 ENFORCEMENT

- 1.3.1 In order to enforce this policy and these procedures, TERRY R PITT CONSTRUCTION may investigate potential violations and require personnel to undergo drug/alcohol screening, including urinalysis, blood tests or other appropriate tests and, where appropriate, searches of all areas of TERRY R PITT CONSTRUCTION physical premises, including, but not limited to work areas, personal articles, employees' clothes, desks, workstations, lockers, and personal and company vehicles, etc. Employees will be subject to discipline up to and including discharge for refusing to cooperate with searches or investigations, to submit to screening, or for failing to execute consent forms when required by supervision.
- 1.3.2 The use, possession, sale, and/or distribution of drugs or alcohol or unauthorized substances or the presence of such substances in a person's body is prohibited and constitutes a violation of this policy.
- 1.3.3 Reporting to work or working while under the influence of a prescribed/authorized drug is prohibited if use impairs performance or the ability of the employee to work safely.
- 1.3.4 Strict adherence to the policy and procedures embodied within this *Drug-free Workplace Policy* is a condition of employment for all TERRY R PITT CONSTRUCTION personnel.
- 1.3.5 Disciplinary action for violation of this policy or any of its provisions may result in discipline up to and including termination of employment.

## 1.4 TESTING

- 1.4.1 All employees, to the extent permitted by federal, state, and local laws, will be required to undergo testing for the presence of alcohol or unauthorized drugs in their system. TERRY R PITT CONSTRUCTION will conduct drug tests in the following circumstances.
- 1.4.2 *Pre-Employment Screening*
- 1.4.2.1 As part of TERRY R PITT CONSTRUCTION's employment procedures, all applicants are required to undergo a post-offer, pre-employment drug screen that is conducted by a contractor designated by the company. Any offer of employment is contingent upon a negative result upon completion of this screening and the determination by TERRY R PITT CONSTRUCTION that the applicant is capable of performing the responsibilities of the position that has been offered. Testing will be performed prior to employment and specifically before the initial job assignment.
- 1.4.2.2 Refusal to submit or a positive confirmed drug test may be used as a basis for refusal to hire the applicant. All applicants may provide a list of prescription and non-prescription drugs being taken at the time of the screen and, upon request, provide a valid prescription dated prior to the testing.
- 1.4.3 *Reasonable Suspicion*

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- 1.4.3.1 Employees will be required to submit to drug/alcohol screening whenever a supervisor has reasonable cause or suspicion that an employee is performing work under the influence of drugs and/or alcohol and that they have violated the rules of this policy.
- 1.4.3.2 Supervisors will receive permission from management before initiating a drug test based on reasonable cause.
- 1.4.3.3 Reasonable suspicion may arise from supervisory observation, a pattern of abnormal conduct or erratic behavior, coworker complaints, performance decline, arrest or conviction for a drug related offense, attendance or behavioral changes, results of drug searches or other detection methods, or involvement in a workplace incidents.
- 1.4.3.4 An employee tested for reasonable cause will be suspended immediately and removed from the worksite pending confirmation of the results.

## 1.4.4 *Random Selection*

- 1.4.4.1 Employees at each worksite will be selected for testing on a quarterly basis. A random computer-generated selection process will be utilized at random times for all employees. TERRY R PITT CONSTRUCTION employees will be chosen through an unbiased selection process. There will be no qualifiers or exclusions made to limit the availability of the random testing requirement.
- 1.4.4.2 Computer generated testing will include all employees and is conducted unannounced. A non-company testing group will use objective software that ensures a random selection process in which all employees in the testing pool have an equal statistical likelihood of being selected for testing. When the next random draw is conducted, all employees are again included in the pool with an equal chance of selection, regardless of whether an employee was previously selected. It will be the responsibility of TERRY R PITT CONSTRUCTION to notify each employee who is selected with date, time, and location of the testing. When notified, it will be the responsibility of the employee to provide a urine specimen for drug testing and/or submit to breath-alcohol testing. An employee's failure to comply with the request for a specimen for computer generated testing will result in termination of employment.

## 1.4.5 *Post-Accident/Incident*

- 1.4.5.1 If an employee's actions have caused or are suspected to have caused an incident involving an explosion or fire, loss, or spill of hazardous materials, bodily injury, or death of any person, equipment, or property damage or the need for medical treatment of any kind, that employee is subject to immediate drug and/or alcohol testing. Likewise, the employee is subject to immediate testing if involved in a near miss incident.

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- 1.4.5.2 Post-incident testing will be conducted within 32 hours of the incident. Alcohol testing will be performed within 2 hours of the incident whenever possible, but at least within 8 hours, or it will not be performed but will be documented.
- 1.4.5.3 Employees involved in a work-related incident or accident where drug or alcohol use can reasonably be suspected as a contributing factor must undergo drug or alcohol testing. All work-related incidents or accidents will not require a drug and alcohol test.
- 1.4.5.4 An employee receiving a positive result on a post-accident/incident drug/alcohol screen will be immediately suspended pending confirmation of the results.
- 1.4.6 *Follow up* testing occurs when an employee who has previously tested positive is allowed to return to work in the event of a *second chance* or *last chance* agreement. A return to duty test is required before the employee is allowed to return to work. If the employee fails this test, employment will be terminated. Any employee with a second positive test result will be terminated. Any employee who receives an unacceptable drug or alcohol test result must be removed from the host company’s property, site, or facility.
- 1.4.7 At management’s discretion, employees may be subject to additional testing for unauthorized substances, beyond pre-employment, reasonable suspicion, or random selection tests.
- 1.4.8 The testing program consists of an initial screening test. If the initial results are positive, then a confirmation is used.

SUBSTANCE	INITIAL TEST	CONFIRMATION TEST
Amphetamines (speed, uppers)	500 ng/ml	250 ng/ml
Cocaine (including Crack)	150 ng/ml	100 ng/ml
Cannabinoids (Marijuana)	50 ng/ml	15 ng/ml
Opiates (Codeine, Morphine)	2000 ng/ml	2000 ng/ml
Phencyclidine (PCP, <i>Angel Dust</i> )	25 ng/ml	25 ng/ml
MDMA (Ecstasy)	500 ng/ml	250 ng/ml
Methadone	300 ng/ml	300 ng/ml
Alcohol	0.04 BAC	0.04 BAC
Barbiturates	300 ng/ml	300 ng/ml
Benzodiazepines	300 ng/ml	300 ng/ml
Propoxyphene	300 ng/ml	300 ng/ml

- 1.4.9 TERRY R PITT CONSTRUCTION expressly reserves the right to add or delete substances on the list above, especially if mandated by changes in existing federal, state, or local regulations.
- 1.4.10 Any employee who refuses to take a drug or alcohol test or who fails a drug or alcohol test will be removed from the worksite and suspended immediately. Employees refusing or failing a drug or alcohol test are prohibited from further employment with the company.



## 1.5 SAMPLING PROCEDURES

- 1.5.1 Testing will be conducted by trained collection personnel who meet quality assurance and chain-of-custody requirements for urine collection and breath-alcohol testing. The responsibilities of the MRO will include review of test results and laboratory performance to maintain validity of the program. All test results will be handled with strict confidentiality.
- 1.5.2 A drug/alcohol testing custody and control form is used for each test.
- 1.5.3 Any initial drug screening that indicates positive will be confirmed. If the subsequent test indicates a negative result, the sample will be considered as testing negative. Any drug sample testing negative is discarded and a negative test report is sent by the laboratory to the company for documentation. The employee tested may be notified of the negative result. All samples confirmed positive will be retained for one year by the laboratory.
- 1.5.4 Employees who are found to have a positive drug or alcohol test will be immediately taken off the job (not be allowed to work on a client site or facility) until confirmation test results are available. The MRO will contact the employee and any appropriate health care provider to determine whether there is a valid reason for the presence of the drug. If negative results are received, the employee will return to work with back pay. In all other cases, employees are subject to discipline up to and including termination. For any drug testing sample confirmed positive, the employee will have sixty days to request a retest of the original sample.
- 1.5.5 An employee is positively identified prior to each test by some form of picture bearing identification.
- 1.5.6 The sampling procedure will be conducted in a manner which will not demean or otherwise embarrass the employee, while ensuring the validity of the sample
- 1.5.7 An employee attempting to alter a specimen or otherwise manipulate the testing process will result in termination of employment, as will a refusal to produce/provide a specimen.
- 1.5.8 Any individual subject to testing under this policy will be permitted to provide urine specimens in private, but subject to strict scrutiny by collection personnel so as to avoid any alteration or substitution of the specimen to be provided. Breath alcohol testing will likewise be done in an area that affords the individual privacy. In all cases, there will only be one individual tested at a time. Failure to appear for testing when scheduled will be considered refusal to participate in testing.
- 1.5.9 Upon request, reports of test results will be made available to the client via the Medical Review Officer if it is a condition of employment. Test results will be made available to state and federal agencies for use in investigations, provided the request is accompanied by proper documentation.

## 1.6 INVESTIGATIONS AND SEARCHES

- 1.6.1 When supervision has reasonable suspicion that an employee has violated the *Drug-Free Workplace Policy*, the supervisor may inspect vehicles, lockers, work areas, and other locations or items without prior notice, in order to ensure a work environment free of prohibited substances.
- 1.6.2 Employees are hereby notified that locked areas or containers do not prevent a search and thus employees should understand there is no expectation of privacy on TERRY R PITT CONSTRUCTION premises. Employees may be asked to be present and remove personal locks. Where the employee is not present or refuses to remove a personal lock, TERRY R PITT CONSTRUCTION may do so for him or her and compensate the employee for the lock.
- 1.6.3 TERRY R PITT CONSTRUCTION may use unannounced drug detection methods. Failure of the employee to cooperate in a search or inspection will be grounds for termination.

## 1.7 EMPLOYEE ASSISTANCE PROGRAM

- 1.7.1 Besides meeting the usual everyday demands of the workplace, today's employers must also provide some level of support to employees during critical and potentially overwhelming times.
- 1.7.2 A service provided by TERRY R PITT CONSTRUCTION for employees to address the treatment, as well as prevention, of mental and addictive behavioral problems is the *Employee Assistance Program (EAP)*. Through company insurance, employees are offered free, confidential support with personal issues. This service provides employees with a place to start.
- 1.7.3 TERRY R PITT CONSTRUCTION's EAP offers professional counselors who can help with difficult issues. Employees can call the EAP telephone number on their member ID card. Licensed counselors are ready to help 24 hours a day, seven days a week. The EAP is provided at no cost and it is completely confidential.
- 1.7.4 In addition to unlimited, 24-hour online and telephone access, employees can use up to three face-to-face assessment and consultative sessions per year, per issue for mental health and substance abuse issues.
- 1.7.5 The EAP addresses a broad and complex body of issues affecting mental and emotional well-being, such as alcohol and other substance abuse, stress, grief, family problems, financial or legal matters, childcare, marriage and relationships, mental and psychological disorders, and work related issues.
- 1.7.6 A strong EAP promotes better employee productivity and well-being, before problems become an emotional or financial burden. The major purpose of the EAP is to assist employees to maintain a good mental outlook and therefore be a highly productive and well-adjusted worker.
- 1.7.7 TERRY R PITT CONSTRUCTION holds all employees accountable in terms of substance use but also supports getting help. Employees who come forward voluntarily to identify that they have a substance problem will receive support and assistance. If an employee has a substance problem

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and does not come forward and the employee then tests positive for drug or alcohol use in violation of this policy, TERRY R PITT CONSTRUCTION reserves the right to take appropriate action up to and including termination.

1.7.8 Employees will have the opportunity to receive information about substance use as a workplace problem, signs and symptoms, dangers of use, and how and where to get help.

1.7.9 Employees are encouraged to seek help for a drug or alcohol problem before it deteriorates in a disciplinary matter. If an employee voluntarily notifies supervision that he or she may have a substance abuse problem, the company will assist in locating a suitable employee assistance program for treatment and will counsel the employee regarding any medical benefits available under the company or union health and welfare insurance program.

1.7.10 If treatment necessitates time away from work, TERRY R PITT CONSTRUCTION will provide for the employee an unpaid leave of absence for purposes of participation in an agreed upon treatment program. An employee who successfully completes a rehabilitation program may be reinstated to his or her former employment status, if work for which he or she is qualified exists.

1.7.11 The employee is subject to signing a *second chance* or *last chance* agreement acknowledging that a second violation of the policy will result in termination of employment. The employee will be tested prior to being allowed to return to work and must produce a negative test result and will be subject to accelerated testing thereafter in conjunction with the substance use professional.

## 1.8 NOTIFICATION OF IMPAIRMENT

1.8.1 It will be the responsibility of each employee who observes or has knowledge of another employee in a condition which impairs the employee to perform his/her job duties or who presents a hazard to the safety and welfare of others or is otherwise in violation of this policy, to promptly report that fact to his/her immediate supervisor. Supervisors will be trained to determine if an employee is under the influence of a substance. If a supervisor is in doubt, they are to notify management immediately.

## 1.9 ACKNOWLEDGMENT

1.9.1 All employee applicants will be required to review the TERRY R PITT CONSTRUCTION *Drug-Free Workplace Policy* and acknowledge in writing that they have read, understand, and agree.

## 1.10 RECORDKEEPING

1.10.1 All training records, documents, test information, and other materials generated as a result of the *Drug-Free Workplace Policy* will be retained by the safety department for a period of 5 years.

## 1.11 TRAINING

1.11.1 All training on drug and alcohol requirements is done through the required training curriculum.

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- 1.11.2 Employees will receive annual substance awareness education from a qualified person to help identify problems and learn where to turn to for help.
- 1.11.3 Supervisors will be trained to recognize substance problems that may endanger the employee and others as well as violate this policy. This training is in addition to annual employee education. Supervisors will be trained about testing responsibilities, how to recognize behaviors that demonstrate an alcohol/drug problem, and how to make referrals for help.

*Terry R.*  
**PITT**  
CONSTRUCTION INC.





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TERRY R PITT CONSTRUCTION is concerned with the safety and health of its employees. It is the express policy of TERRY R PITT CONSTRUCTION that when its employees come to work, they are expected to be lucid, sober, and prepared to perform their job functions without endangering themselves or their coworkers because of drug or alcohol use on or off the jobsite.

Any employee taking prescribed medication from a physician or non-prescribed medication which may impair their ability to perform their job functions safely must notify their supervisor immediately. All employees are subject to drug and alcohol testing at any time especially after an accident. Any employee found to be using prescribed medication or over the counter medication which may impair their performance without notifying their supervisor or found to be intoxicated will be subject to immediate termination.

I hereby consent to a medical examination which will include the collection and analysis of urine and/or blood, or other specimens for the purpose of screening for alcohol or drugs. I give my permission for the results of these examinations to be transmitted to TERRY R PITT CONSTRUCTION and, if a condition of employment, to the client/customer of TERRY R PITT CONSTRUCTION, via their safety or medical department.

I release TERRY R PITT CONSTRUCTION and the examining agency from any and all claims or demands for liability or damages arising from or related to the medical examinations described above.

WARNING: PURSUANT TO LSA-RS 23:1081, ANY EMPLOYEE FOUND TO BE UNDER THE INFLUENCE OF ALCOHOL OR ANY NON-PRESCRIBED CONTROLLED DANGEROUS SUBSTANCE WILL BE SUBJECT TO IMMEDIATE TERMINATION AND MAY FORFEIT ANY RIGHT THEY MAY HAVE OTHERWISE HAD TO WORKERS' AND UNEMPLOYMENT COMPENSATION.

I have read and understand the information provided above.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Last Four Numbers of SSN

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## Employee Acknowledgment Form

I hereby acknowledge that I have read, understand, and will abide by the *Drug-Free Workplace Policy* of TERRY R PITT CONSTRUCTION and I agree to follow the procedures set forth in the policy. I understand that the policy is to promote safe working conditions for all employees of the company. I also understand what is expected of me as an employee and I agree to comply fully with the provisions of this policy.

I hereby consent to such testing as the company deems appropriate and to the release of the results of such tests to the extent necessary to administer and enforce this policy.

I further understand that nothing in the *Drug-Free Workplace Policy* creates or is intended to create a promise or representation of continued employment and that my position and compensation at the company are *at-will*.

**MY SIGNATURE BELOW ATTESTS TO THE FACT THAT I HAVE READ, UNDERSTAND, AND AGREE TO BE LEGALLY BOUND TO ALL OF THE ABOVE TERMS.**

*Terry R.*

\_\_\_\_\_  
Employee Name (printed)

\_\_\_\_\_  
Date

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

**PITT**  
CONSTRUCTION INC.



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## Agreement to Submit to Drug and/or Alcohol Screen by Blood and/or Urine Tests and Authorization for the Release of Medical Information

I have been requested to submit to a drug and/or alcohol screen by blood and/or urine and/or hair tests and medical assessment.

I have been informed and I understand that my agreement to submit to the requested alcohol and/or drug screens by blood and/or urine is completely voluntary on my part, and that I have the right to refuse to submit to the tests. I am aware and have been told that my refusal to submit to the drug and/or alcohol screen by blood and/or urine and/or hair tests and/or medical assessment may be grounds for disciplinary action against me up to and including termination.

I have also been informed and am aware and hereby authorize that the results of this drug and/or alcohol screen by blood and/or urine and/or medical assessment may be released to TERRY R PITT CONSTRUCTION and such other company officials that may be determined if it is necessary to disclose such information. I understand that the information so released to the company will be used to determine whether I was fit to perform my job duties, and/or whether I had violated the company's work rules concerning drug and alcohol use, and that the results of such test(s) may form the basis for disciplinary action against me, up to and including termination.

With full knowledge of the above information, I have decided to voluntarily submit to the requested drug and/or alcohol screen by blood and/or urine and/or medical assessment and in recognition of this agreement, do sign this consent form.

Applicants for hire will not be employed if a confirmed positive test is returned. Applicants will not be eligible for hire if they refuse to submit to a drug and/or alcohol screen.

\_\_\_\_\_  
Employee Granting Release (printed)

\_\_\_\_\_  
Last Four Numbers of SSN

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Superintendent Signature

\_\_\_\_\_  
Date