

	<b>COMPANY HEALTH AND SAFETY PROGRAM</b>	
	<b>Document No.</b> 8.6	<b>Date:</b> August 17, 2006
	<b>General Drug and Alcohol Testing Program</b>	<b>Revision:</b> 0

## 1.0 PURPOSE

The General Drug and Alcohol Testing Program is intended to set the policy for HES's general employees who are *not regulated under DOT*. This policy establishes an effort to comply with government contracts and HES's Company Policy on Substance Abuse. CDL drivers are included in a separate program and thus are not included in this general testing program. HES maintains an alcohol and drug free environment. The use or possession of alcohol or controlled substances on the job is absolutely prohibited and will not be tolerated.

## 2.0 SCOPE

The goal of this program and policy is to ensure a drug-free workforce for HES's general employees. This document applies to all HES company personnel.

## 3.0 PROGRAM MAINTENANCE

This plan will be maintained by the Health & Safety Manager and approved by the Director, Environmental Services with each revision. This program will be evaluated and reviewed on an annual basis or as needed.

## 4.0 RESPONSIBILITIES

HES management will notify its general employees that alcohol or controlled substance testing is required per company policy. Unannounced random employee selection will be made by a lottery system organized by a company approved outside service and announced by one of the following: Health & Safety Manager or Director, Environmental Services. Results will be reviewed by the issuing person(s) and discussed with the subject employee within 48 hours after initial review.

## 5.0 TRAINING

HES personnel affected by this program will read and understand this program document with each new revision and sign the *Employee Consent Form* of this document.

## 6.0 PROHIBITED ACTS

- \* No employee will report for duty or remain on duty while having a blood alcohol level of 0.04%.

<b>General Drug and Alcohol Testing Program</b>	
<b>Document No.:</b> 8.6	<b>Revision:</b> 0

- \* No employee will use alcohol while on duty.
- \* Following an accident during work hours, employees will be required to take a post-accident alcohol test and will not use alcohol until he/she undergoes a post-accident alcohol test.
- \* No employee will refuse to submit to a post-accident alcohol or controlled substances test, a random alcohol or controlled substances test, or a reasonable suspicion alcohol or controlled substances test.
- \* No employee will report for duty, remain on duty, or perform a safety-sensitive function, if the employee tests positive for controlled substances.
- \* Alcoholic beverages and/or illegal controlled substances are not to be brought onto HES's property or transported in HES's vehicles.

HES will not allow any employee to perform a work function or activity if any of the prior prohibited acts have been identified. Any person who engages in prohibited acts is subject to immediate termination for cause.

## **7.0 TEMPORARY EMPLOYEES**

Periodically, temporary employees may be employed by HES based on work load or specific contracts. These employees (i.e. asbestos or lead abatement workers) will fall under amended testing requirements. Pre-employment and Random drug and alcohol testing may not be required. Once the temporary employee has been with the company for 60 calendar days, he or she must submit to drug and alcohol testing. The employee may not be required to submit to a drug and alcohol test otherwise, unless there is documented reasonable suspicion or an accident involving a company vehicle.

## **8.0 PRESCRIPTION AND NONPRESCRIPTION MEDICATIONS**

Employees using prescribed drugs or nonprescription medications which could affect the employee's ability to perform the essential functions of their job or to safely perform such job duties without posing a direct threat to their health and safety or others are required to report any known side effects to the project manager and/or the Safety Department.

Even though the use of these types of medications is not grounds for disciplinary action or termination; failure to report the use of these types of medications when required, illegally obtaining the substances, or uses which may be inconsistent with their prescription or recommendations could subject the employee to disciplinary action.

<b>General Drug and Alcohol Testing Program</b>	
<b>Document No.:</b> 8.6	<b>Revision:</b> 0

## 9.0 TEST REQUIREMENTS

- \* *Pre-employment Testing:*  
HES may require employees to undergo testing for alcohol and controlled substances as a condition of and prior to employment.
  
- \* *Pre-assignment Testing*  
HES reserves the right to require existing employees to be tested for drugs or alcohol as part of a job assignment or when returning to work after an extended period of time. When required, employees will not be assigned to a project unless they have passed the particular tests.
  
- \* *Post-accident Testing:*  
HES will require the employee to undergo testing for alcohol and controlled substances as soon as practicable following an occurrence or accident. The employee will be tested for alcohol within two (2) hours and for controlled substances within two (2) hours of the accident.
  
- \* *Random Testing:*  
HES will require general employees to submit to alcohol and controlled substance testing through a random selection process. Twenty-five percent (25%) of the total employees will be tested for alcohol at a minimum on an annual basis. Fifty percent (50%) of the total employees will be tested for controlled substances at a minimum on an annual basis. Typically, one non-CDL licensed employee will be selected per quarter. The selection of employees will be made by a simple random method, such as a lottery. Under the selection process used, each employee will have an equal chance of being tested each time selections are made. The tests will be unannounced and the employee will proceed to the testing facility/site as soon as notification is made and in a safe manner.
  
- \* *Reasonable Suspicion Testing:*  
HES will require an employee to submit to an alcohol and/or controlled substances test if it has reasonable suspicion to believe that the employee has violated any of the Prohibited acts. HES's determination that reasonable suspicion exists to require the employee to undergo the test(s) will be based on specific observation concerning appearance, behavior, speech or body odors of the employee. The employee will not report back for duty until an alcohol test is administered and the employee's alcohol concentration measures less than 0.02 or twenty-four (24) hours have elapsed following the determination that there is reasonable suspicion concerning the use of alcohol. A written record will be made of the observations leading to a controlled substance reasonable suspicion test.

<b>General Drug and Alcohol Testing Program</b>	
<b>Document No.:</b> 8.6	<b>Revision:</b> 0

The record will be signed by the supervisor or company representative who made the observations, within twenty-four (24) hours of the observed behavior or before the results of the controlled substances test are released, whichever is earlier.

★ *Return-to-Duty Testing:*

HES will require an employee to undergo a return-to-duty alcohol test after engaging in any one of the prohibited acts. Before an employee returns to duty, the results must indicate an alcohol concentration of less than 0.02.

HES will also require an employee to undergo a return-to-duty controlled substances test after engaging in any one of the prohibited acts. Before an employee returns to duty, the results must indicate a verified negative result for controlled substances use.

## **10.0 SEARCHES AND INSPECTIONS**

HES reserves the right at any time and with or without cause to conduct searches of company property, including vehicles, lockers, desks, filing cabinets, or equipment owned or being operated by company employees. HES also reserves the right to conduct searches of employee's personal property (such as briefcases, purses, backpacks, coats, or vehicles) when, in the view of management, there is cause or reasonable suspicion to believe that an employee is buying, selling, transporting, or otherwise in possession of illegal drugs or alcohol on company property. The employee must sign an authorization form prior to having a search or inspection conducted of the employee's personal property. A refusal to submit to, or cooperate with, a search may result in immediate disciplinary action.

## **11.0 MEDICAL REVIEW**

The Medical Review Officer is an authorized representative of Occupational Medicine Associates Employer Health Services approved by HES. The Medical Review Officer must forward a signed, written notification of report to the Health & Safety Manager within three business days of completion of the medical review officer's review.

The Medical Review Officer will maintain dated records and notifications, identified by individual, for a minimum of five years for verified positive controlled substances test results, for a minimum of one year for negative and canceled controlled substances test results.

## **12.0 RECORDS RETENTION**

HES's Company Safety Department will manage and maintain the confidential records of its alcohol misuse and controlled substances use drug and alcohol

<b>General Drug and Alcohol Testing Program</b>	
<b>Document No.:</b> 8.6	<b>Revision:</b> 0

testing program. The records will be maintained for a minimum of five years, unless otherwise noted and will be kept in employee personnel files.

Subcontractors may be required to maintain records associated with their drug-free workplace or related program on their employees and lower tier subcontractors. HES reserves the right to request copies and audit specific program related records.

### **13.0 REFERRAL, EVALUATION, AND TREATMENT**

Each employee who has engaged in one of the prohibited acts will be advised by HES of the resources available to the employee in evaluating and resolving problems associated with the misuse of alcohol and use of controlled substances through the help of substance abuse professionals and counseling and treatment programs.

The choice of the substance abuse professional will be in accordance with the company healthcare policy for those who carry medical insurance through HES. The cost for the evaluations and rehabilitation will be covered by the employee's medical insurance or the employee's own pocket. HES will not cover the cost of any evaluations or rehabilitation.

