

**DRUG-FREE WORKPLACE POLICY**

# PREFACE

We all must recognize that drug use and abuse negatively affects the company, the employee, job performance and co-workers. In this regard, Hurley Electrical Contracting LLC has adopted a Drug-Free workplace policy effective June 1, 2018. While we hope that this policy protects and benefits the company, we hope even more that it protects and benefits the employee and co-workers and creates a safe and efficient work environment.

For the purpose of clarification, alcohol is considered a drug under this policy.

# IMPAIRMENT PROHIBITED

No employee shall report for work or work impaired by any substance that is legal or illegal. “Impaired” means under the influence of a substance such that the employee’s motor senses (i.e., sight, hearing, balance, reaction, reflex) or judgment either are or may be reasonably presumed to be affected.

# POSSESSION PROHIBITED

No employee at any work site will possess any quantity of any substance, legal or illegal, which in sufficient quantity could cause impaired performance, except for authorized substances. “Work site” means any office, building, or property (including parking lots) owned or operated by the company, or any other site at which an employee performs work for the company. “Possess” means to have a drug or drugs either in or on an employee’s person, personal effects, motor vehicle, tools, and areas entrusted to the employee such as desks, files and company vehicles.

# INSPECTIONS

1. For purposes of assuring compliance with the prohibition of possession of drugs, employees may be subject to inspection for drugs. Any refusal by the employee to submit to an inspection is an act of insubordination subject to disciplinary action.
2. An employee’s person, work area, desk, files, company motor vehicle, and similar areas are subject to inspection for drugs at any time on a random or any other nondiscriminatory basis for purposes of complying with this policy. Similarly, an employee’s own car, lunch box, personal containers, etc., may be inspected for drugs when brought onto any work site.

# REQUIRED SCREENINGS

1. Pre-employment screenings
2. All new hires will be required to pass a pre-employment drug screen during the probation period. If a positive test comes back during this time it is an immediate dismissal and the individual can re-apply for position after 20 days. No positions will be held for an individual during that time.
3. Accident Testing
4. If any employee involved in an accident that has caused harm to themselves, others or company property may be required to report for testing.
5. Quarterly Testing
6. Random testing will take place quarterly.
7. Department of Transportation

HEC is required to participate in a consortium with the DOT. Random drug testing will take place quarterly.

1. Drug testing may be required as:
2. Urine sample
3. Hair test
4. Saliva test
5. Breath alcohol test if suspicion exists.

# HELP AND MEDICAL TREATMENT

1. The company believes that drug use and abuse is an illness requiring medical treatment. In this regard, the company will:
   1. Encourage affected individuals to voluntarily seek medical help.
   2. Assist supervisors in dealing with associated problems related to the employee’s work performance.
   3. Discourage supervisors, fellow employees, and possibly family members from “covering up” for the affected individual.
2. If the employee seeks help prior to discovery of drug use and abuse, then confidentiality, job security, and promotional opportunities of the employee will be protected; if the employee does not seek help for drug abuse, and the problem comes to the attention of the company, then the employee will be subject to disciplinary action.
3. The company may refer an employee to a drug use and abuse counseling agency for help because of deteriorating job performance or excessive absenteeism of the employee associated with use and abuse of drugs.

# TESTING POSITIVE

* If an employee test positive during any drug screening and has a prescription from the doctor, the employee must acquire a written signed statement/letter from prescribing doctor that highlights the prescribed medication and assures HEC that the medication prescribed will not interfere with work related duties or impairment to fulfill job description. Employee must then submit the documentation to HR for approval.
* Failure to report changes in medications may result in disciplinary action.

Failure to pass any random, accidental or DOT drug test after probation period will result in the following conditions:

1. Immediate removal from job site
2. Between 7-10 days unpaid suspension or immediate dismissal from company.
3. New drug screen paid for by individual resulting in a negative screening before returning to work and based on approval from HEC.
4. Positive results will be placed in employee file and employee will be placed on probation for up to 6 months.
5. Reputative failure of drug screens will result in termination of employee.

# EFFECT ON COMPANY RULES

It is emphasized that recognizing drug use and abuse as an illness does not detract from company rules and regulations in respect to intoxication on the job, or having drugs on company property, which will continue to be enforced unless management approves otherwise.

# DISCIPLINE

Any violation of this policy may result in summary discipline for the employee, up to and including discharge

Hurley Electrical Contracting

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*Signature*

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*HEC Rep*

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Date

If any employee seeks assistance regarding and drug related issue, please feel free to contact HR for resources that may assist. All information is confidential.

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