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ALCOHOL AND DRUG-FREE WORKPLACE POLICY

RWCFS is committed to maintaining a workplace free from the health and safety-related consequences of drug and alcohol use and abuse. Employees are expected and required to report to work in the proper mental and physical condition to safely and effectively perform their job.

The program prohibits the manufacture, use, possession, distribution, sale, consumption and performance of work while under the influence of or impaired by alcohol or any illegal drug or controlled substance, as follows:

- while working
- while on RWCFS premises
- while conducting RWCFS business off premises
- while driving on business, whether in a personal vehicle or a vehicle owned or leased by RWCFS
- while representing RWCFS at any time, including during out-of-town training, conferences and work-related activities

Marijuana

RWCFS recognizes the legalization of recreational and/or medical marijuana under certain state laws. Employees will not be discriminated against because of their lawful use of cannabis/marijuana products during non-work hours.

However, the law does not require an employer to permit an employee to be under the influence of, possess or use cannabis/marijuana in the workplace or while performing their job. Employers are permitted to refuse to hire and to discipline an employee, including termination, for violating their drug-free workplace policy.

Prescription Medication

If you are taking a prescription medication which may impair your ability to safely and adequately perform your duties, notify Program Design Director before incurring a violation under this policy. You may be required to provide additional information from your medical provider confirming your ability to safely and adequately perform your job while using the medication.

You are not required to provide information regarding the underlying medical condition or any other information protected by the Americans with Disabilities Act (ADA) and the laws of the state. Any medical information you provide will be maintained confidentially and separately from your general personnel file.

Types of Testing

To ensure compliance with our program, RWCFS will conduct drug and/or alcohol testing on prospective and current employees under the following circumstances and conditions:

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1. **Pre-Employment:** Conducted on qualified job candidates after contingent offers of employment.
2. **Post-Accident:** Conducted on regulated drivers involved in a motor vehicle accident during the course of driving for RWCFS, in accordance with DOT/FMCA regulations.
3. **Reasonable Suspicion:** Upon reasonable suspicion of a drug and/or alcohol violation of this policy. "Reasonable suspicion" is determined by our discretion and can include:
    - Direct observation of drug or alcohol use or the physical symptoms of such use
    - Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance
    - A report of alcohol or other drug use provided by a reliable and credible source, including an arrest related to drugs or alcohol
    - Evidence that an individual has tampered with any drug or alcohol test required by RWCFS
4. **Random:** Conducted on an unannounced, periodic basis on regulated drivers, in accordance with DOT/FMCSA regulations. A separate policy will be provided to those employees upon hire.

Testing Procedures

Testing will be conducted in accordance with applicable laws and privacy concerns. All providers are licensed, certified or accredited to perform the testing services and all testing will be conducted at a laboratory licensed, certified or accredited to perform such tests. Chain-of-custody procedures have been established to ensure proper recordkeeping, handling, labeling, and identification of the samples to be tested.

Results

An initial/rapid drug test with "non-negative" results will be confirmed by a medical review officer (MRO). The individual will be given the opportunity to provide any information relevant to the testing, including the identification of any prescription or non-prescription drugs currently or recently used, or other relevant information that may have affected test results.

An applicant subject to pre-employment testing will not be allowed to begin work until/unless the test results report as confirmed negative. A current employee will be paid for their time at the clinic while completing their sample collection. If the initial/rapid test results report is negative, then the employee will be allowed to return to work immediately without loss of pay. If the results require confirmation, then the employee will be suspended pending the outcome.

Whether the time while suspended will be paid depends on the confirmed test results. If confirmed as negative, then the employee will be allowed to return to work and their time while suspended will be paid. If confirmed as positive, then the time while suspended will not be paid.

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Right to Refuse
Individuals have the right to refuse to participate in any drug and/or alcohol testing required by RWCFS. However, such refusal is considered equal to a positive test result for the purposes of determining the appropriate consequence. Confirmed positive test results for an applicant will result in a withdrawal of the offer of employment.

Consequences
In the event of a confirmed positive pre-employment drug test, the job offer will be rescinded and the candidate made ineligible for hire. An employee with a confirmed positive drug test or alcohol impairment test will be subject to adverse action, including but not limited to the following:

- Mandatory participation in the RWCFS EAP and any recommended treatment, rehabilitation or counseling, the successful completion of which may be a condition of continued employment and the costs of which may or may not be covered by the employee's health plan
- Suspension without pay for a designated period of time
- Follow-up unannounced testing for a designated period of time
- Immediate termination of employment
- Any other adverse employment action deemed appropriate under the circumstances

The adverse action will be determined within the discretion of RWCFS and applied in a non-discriminatory manner.

Reports
In consideration of workplace safety, employees are required to notify their supervisor or Program Design Director if they observe any violation or potential violation of this policy. Employees will not be subjected to negative actions or retaliation in any way for making a report of any violation of this policy in good faith.

Confidentiality
All communications related to the drug test or alcohol test results and received through this program are confidential communications and may not be disclosed or used as evidence in a criminal proceeding, except as allowed by law.