**4.15 Drug Testing Policy**

**Purpose:** The Company desires to provide a safe and drug free (illegal drug use) environment for employees and patients. This policy provide guidelines for drug testing

**Policy:**Employees Subject to testing under the Company's drug testing policy, current and prospective employees who work or would work in high‑risk or safety‑sensitive positions including drivers and crewmembers can be asked to submit to drug testing. No prospective employee will be asked to submit to testing unless an offer of employment has been made. An offer by the company, however, is conditioned on the prospective employee testing negative for drugs.

**Safeguards**

The Company's policy is intended to comply with all state laws governing drug testing and is designed to safeguard employee privacy rights to the fullest extent of the law.

**Written Notice**

Before being asked to submit to a drug test, the employee will receive written notice of the request or requirements.

**Licensed Laboratories**

A laboratory licensed by the state will conduct any drug testing required or requested by the Company. The employee may obtain the name and location of the laboratory that will analyze the employee's test sample by calling the laboratory before the employee is scheduled to be tested.

**Notice of Results**

If the employee is asked to submit to a drug test, the Company will notify the employee of the results after it receives them from the laboratory. To preserve confidentiality the employee will be notified whether the test was negative or confirmed positive and, if confirmed positive, what the next step is.

**Positive Test Results**

If the employee receives notice that the employee's test results were confirmed positive, the employee will be given the opportunity to explain the positive result following the employee's receipt of the test result. In addition, the employee may have the same sample re-tested at a laboratory of the employee's choice.

**Adverse Employment Action**

If there is reason to suspect that the employee is working while under the influence of an illegal drug or alcohol, the employee will be suspended without pay until the results of a drug and alcohol test are made available to the Company by the testing laboratory. Where drug or alcohol testing is part of a routine physical or random screening, there will be no adverse employment action taken until the test results are in.

If the employee's test result is confirmed positive for the first time, the employee may be given the opportunity to participate in a rehabilitation or treatment program for 6 months. When the employee has successfully completed the prescribed program, the employee may be restored to the job the employee held before entering rehabilitation or treatment at the same pay and with the same benefits.

If the employee does not successfully complete a prescribed program, or the employee refuses to participate in a prescribed program, the employee is subject to termination or suspension. In addition, if a confirmed positive test result follows one or more previous confirmed positive test results, the employee will be terminated.

**Confidentiality**

The Company will make every effort to keep the results of drug and alcohol tests confidential. Only persons with a need to know the results will have access to them. The employee will be asked for the employee's consent before test results are released to anyone else. Be advised, however, that test results may be used in arbitration, administrative hearings and court cases arising as a result of the employee's drug testing. Also, results will be sent to federal agencies as required by federal law. If the employee is to be referred to a treatment facility for evaluation, the employee's test results will also be made available to the employee's counselor. The results of drug testing in the workplace will not be used against the employee in any criminal prosecution.

**Costs**

The Company will pay the cost of any drug and alcohol testing that it requires or requests that the employee submit to, including re-testing of confirmed positive results. Any additional tests that the employee requests will be paid for by the employee.

**Drug and Alcohol Use at Work Prohibited**

The Company will not tolerate any use of non-prescribed “street” drugs or alcohol during work hours. If the employee comes to work under the influence of drugs or alcohol or uses drugs or alcohol during work time, the employee will be terminated or suspended**.**

**CROSS REFERENCE POLICY**

Disciplinary Action Policy