



## Standards for Sandy Hill Staff

While employed by Sandy Hill Camp, I will be a POSITIVE ADULT ROLE MODEL for the campers by encouraging and demonstrating the following:

1. **LANGUAGE:** Using clean language, free of profanity and questionable topics (alcohol, partying, sexual innuendo, etc.)
2. **ATTITUDE:** Maintaining a positive attitude toward Sandy Hill Camp, my work, co-workers, superiors, and campers.
3. **HONESTY:** Always being honest and never gossip. Using pro-active and gossip-free problem solving. If I have a problem or am upset about something, I will speak directly to the person involved.
4. **GOLDEN RULE:** Treating others, both campers and staff, as I would like to be treated. Being kind, gentle, and forgiving.
5. **SUBSTANCES:** Maintaining an alcohol-free (regardless of age), smoke-free (including electronic cigarettes or similar devices), and drug-free lifestyle including weekends off. We are very serious about this, and violation of this standard (as well as others) may be cause for suspension or dismissal. Please note our policy for drug and alcohol testing.
6. **WORK ETHIC:** Timeliness, responsibility, positive attitude, and excellence in everything I do.
7. **SPORTSMANSHIP:** Demonstrating and enforcing it—don't let competition get out of hand.
8. **RESPECT:** Respecting people of all ages, races, faiths, and abilities, the environment, etc.
9. **NEATNESS/CLEANLINESS:** Keeping my person, my belongings, and camp areas neat, clean, and organized.
10. **ABUSE/HARASSMENT:** Exercising caution in my interactions with campers and staff. Under no circumstances will I ever do anything that could be construed as physical, verbal, or sexual abuse or harassment. To protect against this, I will always try to have two adults together when working with campers. If this is not possible, I will remain in a public and open area and make sure that more than one camper is with me.
11. **RELATIONSHIPS BETWEEN STAFF:** Building and maintaining healthy friendships but NOT dating, romantic or physically intimate relationships or the perception thereof, in public or private including your weekends off, with other staff until after the end of the last camper week or ever with campers under the age of 18.
12. **PROFESSIONAL APPEARANCE:** Look, dress, and act like an education professional at all times so that I can immediately gain the trust and respect of parents and campers.

	<b>Females</b>	<b>Males</b>
Piercings	Ears only	None
Tattoos	Any potentially offensive words or images must be covered at all times. We prefer that all tattoos are covered whenever possible.	
Hair	All dyed hair must be a naturally occurring hair-color. Hairstyles and facial hair must be well-groomed.	
Clothing	Bathing suits must be one-piece or two-pieces that fully cover the abdomen (tankini). Clothing should have a modest neckline and shorts/skirts should be an appropriate length for an active camp lifestyle and should not be excessively revealing.	Shorts and bathing suits must be loose fitting and must cover your entire buttocks. Shirts must be worn when not actively involved in water activities.
	Clothing with obscene, suggestive, or offensive language or graphics is not permitted. Your undergarments should not be seen.	
Hygiene	Use deodorant, shower with soap daily, and wear laundered clothes	

13. **PERSONAL SAFETY:** Taking care of my body, mind, and spirit. Eating and sleeping well, resting on the weekends, using my personal time wisely to rejuvenate myself. If I am too tired or stressed to function effectively, I will let someone know immediately.
14. **MALE & FEMALE AREAS:** The rules for campers apply to staff too—residential areas are NOT coed for anyone. The only exception is in case of a medical or other emergency or if I am assigned to do something (i.e. clean bathrooms, mow the grass in that area).
15. **CURFEW:** Camper lights out applies to staff as well. I will ALWAYS stay in my cabin with my campers at night. See a Camp Director, Staff Director, or Unit Leader for exceptional circumstances.
16. **CAMP PROCEDURES:** I agree to adhere to all camp policies and procedures including but not limited to those involving: safety, equipment care, medical reporting and response, confidentiality, and leaving camp property.
17. **SEEK HELP:** I will always seek help from a director for anything more than a minor difficulty. If I am in doubt, I will ask for help. Reporting all medical or other incidents and “near misses” as required.

## **Other Staff Policies**

1. **WEEKENDS:** Staff members who are 18 or older are permitted to stay at camp on their weekends off unless the camp directors specify otherwise. Staff must sleep in their cabins, and they are not permitted to sleep elsewhere such as meeting rooms or staff lounges without permission from the Camp Directors.
2. **USE OF SANDY HILL FACILITIES:** During off-duty times, staff must have prior permission from Greg or Kathy Ann to use Sandy Hill’s recreational facilities. This includes the ropes course, pool, boats, and horses.
3. **VISITORS:** No visitors are allowed at camp when campers are present. See the Camp Directors for exceptional circumstances.
4. **ELECTRONIC DEVICES:** Campers are not allowed to bring cell phones, tablets, iPods, computers, etc. to camp. Staff members can bring and use these types of devices on the weekends or during personal time, but must keep them in the staff lounge, lockers, personal vehicles or office during camp sessions. These devices cannot be used within sight of campers and are not permitted to be in the cabins, bathhouses, or lodges. Small lockable lockers will be provided for staff interested in using them. Sandy Hill accepts no responsibility for damage or theft of personal items stored at camp.
5. **MAKING TELEPHONE CALLS:** When off-duty, you may use the “pay phone” to make personal calls. If the “pay phone” is not available and it is urgent, you can ask permission from someone in the office to use the office phone. All calls to phone numbers in the US are free, but you must pay for any international phone calls by using a calling card. If you have a cell phone at camp, it cannot be kept in your cabin or lodge. It must be stored in the staff lounge, locker, or in your vehicle. Many staff use their own devices or Sandy Hill computers in the staff lounge to communicate with friends and family.
6. **RECEIVING TELEPHONE CALLS:** Your family or friends can leave messages for you on your cell phone or by calling our office at 410-287-5554. The message will be written down and given to you at the next meal. If it is an emergency, you will be contacted immediately. They can also send faxes to 410-287-0826. Please do not abuse these privileges.
7. **INTERNET/EMAIL ACCESS:** There are designated computers that staff can use to access the Internet. Your email account cannot be resident on this computer, but must be checked through a browser (i.e. accounts on gmail, hotmail, etc.). No files may be saved to the computer. Only Internet sites with camp-appropriate material may be accessed. Because 100+ staff share only a few computers, access time on the computer may be limited. Most staff bring their own devices and use the camp wi-fi.
8. **MAIL:** Place any letters in the outgoing mail basket in the office or dining hall. Stamps are sold in the camp store. Any letters that you receive will be given to you at meal times or put into your mail slot in the staff lounge. Your family or friends can send letters and packages to you at:

Your Name - Counselor  
Sandy Hill Camp  
3380 Turkey Point Road  
North East, MD 21901

# **Policies Regarding Internet Communication**

We know that the Internet, when used wisely, provides many safe and positive ways to stay in touch with your friends from camp. We view Internet venues as your right to self-expression and generally have a favorable regard for them. What you do privately, on your own time, is your business. **Once you identify yourself as a camp employee** in a social networking profile, website, group page or weblog, however; **or use the camp name, logo or any official camp photograph or text**, everything and anything that you post or say in that medium can then be seen as a reflection of camp. That is why we require you, as a condition of employment at camp, to observe the guidelines below. We established these guidelines to assure that camp remains an emotionally and physically safe environment for all staff, employees, campers and families.

- 1) As a camp employee, before I...
  - a. use the camp name or official camp logo or camp photograph;
  - b. add a link from my group page, profile or other site to the official camp website;
  - c. include text or photographs that are the property of camp;
  - d. include photographs of campers or other staff members;
  - e. or create a camp "group page" with the above items......I must request and receive *prior written approval* from the camp.
- 2) As a camp employee I agree to be respectful of the camp, its program, the campers and its employees in all communications in my e-mails, IMs, posts, profiles, blogs or other Internet sites. As such, I agree to the following:
  - a. I will not use obscenities, profanity or vulgar language.
  - b. I will not engage in harassment or intimidation.
  - c. I will not post comments that are derogatory with regard to any individual's race, gender, religion, sexual orientation or disability.
  - d. I will not use sexually explicit, suggestive, humiliating or demeaning comments.
  - e. I will not post photographs that compromise anyone's privacy or that are used to demean, humiliate or otherwise embarrass anyone.
- 3) As a camp employee I agree not to use a social networking profile, group page, weblog or other Internet medium to discuss behavior that is prohibited by camp policy, including, but not limited to alcohol or drug use, sexual behavior, delinquent behavior, destruction of property, harassment or intimidation.
- 4) I understand that I may NOT share any contact information (including, but not limited to cell phone number, e-mail address, weblog address or social networking site) with a camper unless the parents are fully aware of this exchange, give expressed written permission for such contact, and take full responsibility for it. I understand that the camp takes no responsibility for securing this permission.
- 5) Once I identify myself as a staff member at camp, which is to say as an employee of Sandy Hill, the general public may see me as an ambassador or spokesperson of Sandy Hill. I therefore understand that is a condition of employment that I agree to and adhere to the guidelines outlined above. I understand that if any of the guidelines outlined in this measure are violated, it may result in disciplinary and/or legal action including possible termination of my employment.

## **COMMITMENT**

I am willing to abide by the standards listed above and by the camp's policies and procedures while working at Sandy Hill Camp. I agree to abide by the Policies Regarding Internet Communication during and after my employment at Sandy Hill Camp. I will cheerfully follow the instruction of my supervisors. I understand that anyone who violates these rules or demonstrates poor service is subject to disciplinary action and/or dismissal.

**Sandy Hill, LLC**

**Drugs and Alcohol  
and the Testing Rules -  
Policy for Employees**

Effective Date:  
March 31, 2018

# Substance Abuse in the Workplace

## General Policy Overview

**Sandy Hill Camp and Retreat Center** is a family-owned and operated, licensed and ACA-accredited, residential summer camp. Since 1995, Sandy Hill has offered a variety of action-packed one and two-week sessions for boys and girls who have completed 2nd through 10th grades. Our programs are designed to help each camper learn and grow through fun, educational, and character-building experiences. Campers are supervised by a caring and qualified staff who lead by example to create a safe and nurturing environment.

Sandy Hill LLC (the Company) is committed to providing a drug and alcohol-free workplace for its employees, clients and visitors and is committed to providing a safe, healthy, secure, and efficient workplace by providing a drug and alcohol free environment. The Company is also strongly committed to promoting high standards for individual performance to secure the reputation of the company and its personnel within the community and the industry. As part of this commitment, Company strives to maintain a work environment free from the effects of drug and alcohol abuse and has enacted this Policy to help achieve its objective.

Specifically, this Policy:

- Provides guidelines regarding the use, abuse, possession or distribution of alcohol, controlled Drugs and Unauthorized Substances;
- Makes Company employees aware of the consequences of non-compliance with this Policy;
- Makes Company employees aware of the risks of drug and alcohol abuse and aware of rehabilitation assistance and the extent of such assistance that will be provided by Company; and
- Assures that the Company complies with drug testing requirements set forth in local, state, and federal laws.

### **GENERAL OVERVIEW:**

**What are the rules?** This provides information about various regulations and the effect they have on **SANDY HILL, LLC T/A “Sandy Hill Camp and Retreat Center”** (COMPANY) policy and on you as a COMPANY employee.

**WHO IS AFFECTED? --THE TESTING PROGRAM APPLIES TO ALL EMPLOYEES**

**What are the prohibitions?** Performance of “Safety-Sensitive Functions” is prohibited—

- within four (4) hours after using alcohol/prohibited drugs;
- while having a breath alcohol concentration of .02 or greater;
- if in possession of alcohol or prohibited drugs;
- if using alcohol or prohibited drugs; and/or
- if an employee has used or tested positive for drugs.

**What about prescription drugs?** Employees are required to inform their supervisor if their doctor has prescribed a controlled substance, even if the doctor has advised that it will not interfere with the ability to safely operate a motor vehicle or perform job duties

**What drugs are tested for?**

- MARIJUANA
- COCAINE
- AMPHETAMINES
- OPIATES
- PHENCYCLIDINE (PCP)

**What is considered “on duty time”?** Anytime an employee is performing a safety-sensitive function, including—

- performing job duties whether on or off site
- at the driving controls of a commercial motor vehicle;
- while in or upon any commercial motor vehicle;
- assisting or supervising in loading or unloading a vehicle;
- on COMPANY site while on break time or to handle administrative actions such as picking up paychecks, or other reporting requirements
- on COMPANY assignment that is offsite.

**What tests are required?**

#### **1. Post-accident**

Drug and alcohol testing will be administered following an accident that results in—

- personal injury to any occupant of any vehicle or to a pedestrian, or
- damage to a COMPANY vehicle, other vehicle or any other property.

#### **2. Random**

It is acknowledged that, based on the scope of duties, and the exposure of each of COMPANY’S employees, both full and part time, to children, all Employees will be subject to random testing for alcohol and drug use.

Random testing for drugs and alcohol may occur anytime one is at work. Once an employee has been

notified of selection for testing, he/she must follow the supervisor's instructions on where and when to report for testing.

### 3. Reasonable Suspicion Testing

Employees may be required to submit to drug and alcohol testing if a supervisor has reason to believe that their appearance or behavior indicates alcohol and/ or drug use. Testing must be based on the following:

- the observations of a supervisor trained in the detection of probable drug and alcohol use, and
- specific, clearly stated observations concerning appearance, behavior, speech, or body odor.

**What happens if an employee refuses to be tested?** An employee who refuses to be tested will be subject to dismissal with no opportunity for rehabilitation. In addition, any behavior that obstructs the testing process, such as not providing sufficient breath or urine for testing, will be treated as a refusal to be tested.

**How is testing done?** An employee who is required to be tested will be directed to an approved testing facility. Before testing is administered, the employee will be informed of the type of alcohol and/or drug test to be conducted.

#### 1. Alcohol Testing

- Employee will be given a breath test using an evidentiary breath testing device, or EBT. They will be asked to blow forcefully into the mouthpiece.
- Employee will be shown the result displayed on the EBT and are required to sign a testing form certifying the results.
- If the initial EBT screening test shows a breath alcohol concentration (BAC) of .02 or greater, a second confirmation test will be done after at least 15 minutes but not more than 30 minutes .
- A test result of .02 or greater is a positive test for alcohol.

#### 2. Drug Testing

- Employee will be required to provide a urine sample for testing.
- Employee will not be directly observed while providing the sample; however, if laboratory personnel have reason to believe a sample is adulterated, they will request a second sample and take precautions, including direct observation, that this sample is valid.
- Urine samples will be divided into two containers by the collection site person in the presence of the employee. These two samples are called "primary" and "split."
- A screening test is performed on the primary sample. If the result is positive for the presence of drugs, a confirmation test is required.
- All results will be reported to a medical review officer (MRO).

- Negative results will be reported to COMPANY by the MRO.
- If the test is positive, the MRO will notify the employee to find out if there is a medical reason for the drug use. If the employee can document why the substance is being taken, and if the MRO finds out it is a legitimate medical use and does not interfere with the ability to perform safety-sensitive functions, the test may be reported to COMPANY as negative.
- If the test is positive, the employee has 72 hours from notification by the MRO to request a test of the split sample. If so requested, the split sample will be sent to another certified lab for testing.
- If the split sample does not confirm the presence of drugs, the MRO will report the test as negative.

### What are the consequences of a positive test for alcohol or drugs?

#### 1. Post -accident testing

Any employee who tests positive for drugs or alcohol following an accident will be subject to dismissal with no opportunity for rehabilitation.

#### 2. Random and reasonable cause testing

Any employee who tests positive for drugs or alcohol in random or reasonable cause testing will be given two options—

- dismissal, or
- the opportunity to participate in and complete rehabilitation with potential re-assignment to a non-safety sensitive position.

### What if an employee needs help with a drug or alcohol problem now?

The COMPANY does not provide an employee assistance plan or counseling program. If requested, the COMPANY will refer the Employee to facilities that may be of assistance to the Employee, however, the COMPANY does not actively participate in such plans, nor advocate one provider to the exclusion of other options.

# Alcohol and Drug Testing Program

## I. PROGRAM AND POLICY REVIEW

**COMPANY prohibits** the use, possession, purchase, sale, or distribution of alcohol or drugs on COMPANY property, during COMPANY hours, and while on COMPANY business whether on or off site at a COMPANY function or program. This policy applies to ALL EMPLOYEES, full time, part time, or contractual.

**Employees are also specifically prohibited** from reporting for duty or remaining on duty for the performance of safety-sensitive functions if they have used or tested positive for drugs or alcohol. Employees are not permitted to report for duty to perform “Safety-Sensitive Functions” within four (4) hours after using alcohol. In addition, no employee shall report for duty to perform “Safety-Sensitive Functions” while having a breath alcohol concentration (BAC) of 0.02 or greater. Employees should be aware that they may in fact need to abstain from drinking for a longer period than four (4) hours in order to be below the 0.02 BAC. For the purposes of these prohibitions, “Safety-Sensitive Functions” include driving, inspecting or servicing, loading or unloading, supervising loading or unloading, and remaining in readiness to operate a motor vehicle. In addition, “Safety-Sensitive Functions” include any activity, whether direct or in preparation of such activity, that involves children or disabled adults, whether on-site or sponsored by the COMPANY off site, or any activity involving transportation, whether of the employee, a child/ disabled adult or equipment necessary for such function.

**For purposes of this program, the term “drug” shall include** any substance that is unlawful to possess under either the *Federal Controlled Substances Act* or Maryland state law, or any substance that could affect one’s ability to function on the job.

**Employees are required** to inform their supervisors of any therapeutic use of controlled substances. The mere possession of a valid prescription or over-the-counter drug for medical reasons does not constitute a program violation. In addition, the use of drugs will not constitute a program violation as long as a doctor has advised the employee, pursuant to a valid prescription, that the substance will not adversely affect the employee’s ability to safely operate a commercial motor vehicle. By contrast, possession of any alcohol while on duty or operating a commercial motor vehicle will constitute a program violation. This prohibition includes the possession of medicines containing alcohol (prescription

or over-the-counter), unless the packaging seal is unbroken.

## II. PROGRAM COVERAGE

The testing program applies to all employees.

## III. TESTING PROCEDURES

### A. General Procedures

1. When this program requires that an employee be tested for alcohol and drugs, the employee will be taken or sent to an approved testing facility for the purpose of collecting urine and breath. Testing will be performed by a certified laboratory with trained technicians. When notified about an obligation to report for testing, employees are required to proceed directly and immediately to a testing facility.
2. Before any alcohol or drug test is administered, employees will be given notice of the alcohol and/or drug testing for which they are required to report. Employees shall be required to comply with the testing procedures in place at the COMPANY’S designated testing facility/ies
3. Any refusal to submit to an alcohol or drug test required by this program will result in the employee being subject to dismissal with no opportunity for rehabilitation. Engaging in conduct that clearly obstructs the testing process, including but not limited to failure to provide adequate breath or urine for testing without a valid medical explanation, or any activity deemed by the testing facility to be obstructive, will be treated as a refusal to submit to testing. In the absence of emergency circumstances, a failure to remain readily available for post-accident testing will be treated as a refusal to submit to testing.

### B. Alcohol Testing

1. In all instances in which alcohol testing is required by this program, employee will be required to submit to breath alcohol testing using an evidentiary breath testing (EBT) device, as required by federal regulations. If the initial EBT device indicates a breath alcohol concentration (BAC) of 0.02 or greater, a second confirmation test will be performed to validate the positive result.

Employees will be shown the test results displayed on the EBT and will be required to sign a testing form certifying the results.

2. For the purposes of this program, a test indicating a BAC of 0 .02 or greater is a positive test for alcohol.

### **C. Drug Testing**

1. In all instances in which drug testing is required by this program, the employee will be required to provide a urine sample for testing. The sample will be split by the testing laboratory into two separate specimens; in the event of a positive test result, employee will be given the opportunity to request a test of the split specimen.
2. Pursuant to federal law, employee will be tested for the presence of marijuana, cocaine, amphetamines, opiates, and phencyclidine (PCP). Employee will not be directly observed while providing urine samples, but laboratory personnel will take appropriate steps to ensure that the sample remains unadulterated. If the technician determines that a first sample was adulterated, an inference of employee drug use may be adopted. The technician will request that the employee submit a second sample, and appropriate steps, including direct observation, may be taken to ensure that a proper sample has been submitted.
3. After the employee has provided the sample, the laboratory will comply with the appropriate chain of custody procedures. Results will be reported to a physician designated by COMPANY as a medical review officer (MRO).
4. In the case of a negative dilute result, in all cases, the applicant or employee will be directed to immediately report to the collection site to submit another urine specimen. The results of this second test will serve as the result of record.
5. In the case of negative test results, the MRO will contact COMPANY to report the negative laboratory findings. In the case of positive tests, the MRO will contact the employee to determine whether the use of valid prescription drugs could explain the positive tests. All communications with the MRO will remain confidential. If the MRO's investigation reveals a valid reason for the test results, and the MRO determines that the employee is fit for duty, then the MRO shall report the test results as negative to COMPANY. The MRO will report the test results to COMPANY as positive if the MRO's investigation does not reveal a valid reason for the positive test results, or if the investigation reveals a valid reason for the results but the MRO does not certify the employee as fit for duty. The MRO will determine whether the employee/s is fit for duty based on the type and concentration of drugs in the employee's system.

6. The MRO shall notify each employee who has a confirmed positive test that the employee has 72 hours in which to request a test of the split specimen. If the employee requests an analysis of the split specimen within this time, the specimen will be sent to another certified laboratory for analysis. The positive test result will be cancelled and considered a negative test if the analysis of the split specimen fails to reconfirm the presence of the drug(s) found in the primary specimen.

## **IV. REQUIRED TESTING**

Employees will be subject to drug and alcohol testing in three circumstances: (1) employees will be subject to random testing for alcohol and drugs; (2) employees will be tested for alcohol and drugs after specified types of accidents or incidents; and (3) employees will be tested for alcohol and drugs whenever reasonable suspicion is present to suspect that an employee may be under the influence of alcohol or drugs .

### **A. Random Testing**

1. All employees who perform "Safety-Sensitive Functions" as previously described in this Policy will be subject to random alcohol and drug testing.
2. Random alcohol and drug testing can and will be administered without advance notification. Because every employee's name must be included in each random selection pool, any one employee may be required to submit to random alcohol and drug testing several times during one year if his/her name is selected multiple times through random selection .
3. An employee will be subject to random alcohol testing just before, just after, or while performing safety-sensitive functions. Employees selected for random alcohol and drug testing will be required to proceed directly and immediately to the testing site upon notification of being selected. "Safety-Sensitive Functions" include driving, inspecting or servicing, loading or unloading, supervising loading or unloading, remaining in readiness to operate a motor vehicle, repairing a motor vehicle and working with children or disabled adults. (See also §I entitled 'Program and Policy Review'.)
4. An employee who has been randomly tested for alcohol and drugs will be returned to service upon receiving a negative result from the drug or alcohol test. If a positive result for drugs or alcohol is later reported, the employee will be removed from service at that time. Upon receiving a positive result, an employee may be placed in a nonpay status, consistent with COMPANY disciplinary procedures and other provisions of this program.



### C. Reasonable Suspicion Testing

1. An employee will be required to submit to alcohol and drug tests when COMPANY has reasonable suspicion to believe the employee has violated any of the alcohol or drug prohibitions outlined in this program. The determination that reasonable suspicion exists to require an employee to undergo testing will be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee. The required observations for reasonable suspicion testing will be made by a supervisor who has been trained to identify the physical, behavioral, speech, and performance indicators of probable alcohol misuse and the use of drugs. Although subject to disciplinary action through other COMPANY policies, the mere possession of alcohol alone may not provide a basis for reasonable suspicion testing, in the absence of other observations of an employee's appearance, behavior, speech, or body odor indicating alcohol misuse. However, under state law authority, COMPANY will conduct alcohol and drug tests on employee when it has reasonable suspicion, based on other factors not enumerated above, to suspect an employee has violated any of COMPANY's alcohol or drug prohibitions. For example, reasonable suspicion to conduct testing might arise based on reports of an employee's drug or alcohol use from other employees, students, parents, police, or the general public.
2. Employees required to submit to reasonable suspicion testing will be escorted immediately to the testing site by a supervisor following notification that the test is required.
3. An employee who is required to report for alcohol and drug testing based on reasonable suspicion will be removed from all duty, but will continue to receive pay immediately after the determination is made that reasonable suspicion exists to require the employee to undergo testing. The employee will be returned to duty upon receiving a negative result from both the alcohol and drug tests. Upon receiving a positive result, an employee may be placed in a nonpay status consistent with COMPANY disciplinary procedures and other provisions of this program.

### D. Post accident Testing

1. Employees will be required to submit to alcohol and drug testing following certain accidents or incidents involving a commercial motor vehicle.
2. An employee will be subject to post accident alcohol and drug testing after any occurrence involving a motor vehicle operating on a public road which results in a fatality, personal injury or when the employee has received a citation under state or local law for a moving traffic violation after an

occurrence that resulted either in bodily injury to a person who immediately received medical treatment away from the scene or that resulted in disabling damage to the motor vehicle such that it must be transported away from the scene by another vehicle .

3. Testing also will be required in certain additional types of accidents or incidents, pursuant to COMPANY or independent testing authority. Post accident testing under the authority of COMPANY will be required after any occurrence in which an employee is behind the wheel of a motor vehicle that results in either personal injury to any occupant(s) of that vehicle, to occupant(s) of another vehicle, a pedestrian, or disabling damage to the commercial motor vehicle or another vehicle .
4. Following the accident or incident, the employee will be taken to, or be required to report to, a laboratory for the required alcohol and drug testing. If the employee requires hospital care, the department/division to which the employee reports will make arrangements to ensure that the appropriate tests are performed at the hospital. An employee who is subject to post accident testing must remain readily available for such testing. In the absence of emergency circumstances, failure to remain readily available for post accident testing will be treated as a refusal to submit to testing.
5. An employee who is required to report for alcohol and drug testing because of an accident or incident will be removed from driving service and be placed on other-than-driving duty, with pay, immediately after the accident/incident. The employee will be returned to service upon receiving a negative result from both the alcohol and drug tests. Upon receiving a positive result, an employee may be placed in a nonpay status, consistent with COMPANY's disciplinary procedures and other provisions of this program.
6. Nothing in this program shall be construed to require the delay of necessary medical attention for injured people following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care.
7. An employee subject to post accident testing must refrain from consuming alcohol for eight (8) hours following the accident, or until he/she submits to an alcohol test, whichever comes first.
8. COMPANY will cease attempts to administer a post-accident alcohol test if it has not been accomplished within eight (8) hours following the accident. If an employee has not submitted to a post-accident drug

test within 32 hours of the accident, COMPANY will cease attempts to administer the test.

9. COMPANY may rely on the results of a breath or blood test for the use of alcohol or a urine test for the use of drugs conducted by the police or any other federal, state, or local officials having independent authorities for the test, providing the tests conform to applicable federal, state, or local requirements.

## **V. CONSEQUENCES OF POSITIVE TEST RESULTS**

A drug test will be deemed positive if the presence of drugs over the cut-off levels designated in this program is detected. An alcohol test will be deemed positive if a breath or blood alcohol concentration of 0.02 or greater is reported. Any employee refusing to take a required test will be dismissed without any opportunity for rehabilitation.

Persons testing positive for drugs will be afforded the opportunity to request a retest of the split specimen. Drug tests will be reported as positive only if the MRO certifies that there is no valid reason for the test result. Persons testing positive for alcohol in a test utilizing an EBT will be retested automatically without the need to request a retest.

After testing positive for alcohol or drugs, employee will be given a copy of this written policy on the use of alcohol or drugs. Written notice of COMPANY's intent to take disciplinary action also will be provided.

### **A. Random and Reasonable Suspicion Testing**

1. Employees who test positive for alcohol or drugs in random or reasonable suspicion testing will be placed on administrative leave with pay and will initially be given an opportunity to meet with an HR representative in order to explain the positive test results. At that time, the HR representative will explain that the employee has three (3) days to choose one of two options: 1) to undergo rehabilitation, with the potential of later assignment with COMPANY if an appropriate position exists at such time, or 2) to be dismissed. The employee will be given a written form describing these options. If the employee fails after three (3) days to request rehabilitation, the employee will automatically be dismissed.
2. If the employee requests rehabilitation, he/she will be advised that alcohol or drug use in violation of the program is grounds for dismissal. However, dismissal will be held in abeyance and the employee will be referred to a third-party Assistance Program. The employee will be placed in a nonpay status, but sick leave can be used during rehabilitation and medical benefits shall be continued. After enrollment in a rehabilitation program, the employee may apply for conditional reinstatement. Before an employee will be considered for

conditional reinstatement, the third-party provider must certify that the employee is fulfilling all the requirements of the rehabilitation program and that the employee is fit to return to duty. The employee's conditional reinstatement to a non-driving position is subject to monitoring of the rehabilitation and one (1) year of periodic testing at COMPANY's discretion. If any positive alcohol or drug test occurs during this one (1) year probationary period or during the rehabilitation period, then the employee will be subject to immediate dismissal with no additional opportunity for rehabilitation. If the employee does not successfully complete the rehabilitation program, the employee will be dismissed without any additional rehabilitation opportunity.

3. Alternatively, an employee who tests positive for alcohol or drugs may elect to be dismissed from employment with COMPANY, subject to the normal grievance procedures. If the employee files a grievance, he/she may challenge the accuracy of the test at that time.

### **B. Post accident Testing**

Employees who test positive for alcohol or drugs in post-accident testing will be placed on administrative leave with pay and will be given an opportunity to meet with an HR representative in order to explain the positive test results. At that time, the HR representative will explain COMPANY's policy regarding alcohol and drug use in a post-accident context. Due to the serious nature of being involved in an accident or incident while the employee has alcohol or drugs in his/her system, it is the policy of COMPANY that the employee will be subject to dismissal with no opportunity for rehabilitation. The employee will be given a written form describing this policy. If the employee files a grievance over the dismissal, he/she may challenge the accuracy of the test at that time.

## **IV. PROGRAM STATEMENT NOT A WAIVER OF ANY RIGHTS**

The purpose of this program statement is to familiarize COMPANY employees with the alcohol and drug testing program. This program statement is not intended to, and shall not, constitute a waiver of any rights possessed by COMPANY derived from any source whatsoever. Nothing in this program shall be construed as limiting COMPANY's right to take administrative or disciplinary action, up to and including dismissal, for involvement with alcohol or drugs that is not specifically addressed in this program.

Nothing in this program statement shall limit the rights of COMPANY as derived from existing law, rules and regulations, manuals, handbooks, statements of program, bulletins, memoranda, directives, local customs and practices, labor contract provisions, and

customs or practices under past or present labor contracts. COMPANY expressly reserves all such rights and any other rights derived from any other source whatsoever. COMPANY may modify this program from

time to time, including when there are changes in applicable federal or state laws.