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CONTRACT DECOR INC. SUBSTANCE ABUSE POLICY

I pledge that my company will take reasonable action to create and maintain a workplace free from substance abuse. My company will work to increase awareness of the dangers of substance abuse within our workplace and throughout the construction industry.

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SCOPE OF POLICY

This document contains procedures for implementing a drug and alcohol testing program at *Contract Decor Inc.* The company prohibits the use, possession, sale, purchase, manufacture, distribution, transfer or consumption of alcohol and all illegal drugs, including legally regulated drugs.

This program applies to all employees and potential employees of the company, as well as subcontractors at all tiers, including non-bargaining and bargaining unit employees.

DEFINITIONS

Banned Substances: Illegal substances, as defined by federal/state laws, including:

- a. Amphetamines
- b. Opiates
- c. Phencyclidine (PCP)
- d. Cocaine
- e. THC (Marijuana/Cannabinoids)
- f. Intoxicants (drug and alcohol)
- g. Synthetic drugs

Third-Party Administrator: The company may retain a third-party administrator to perform testing and reporting procedures. See Appendix A: Additional Definitions.

POLICIES AND PROCEDURES

A urine drug screen shall be administered under the following circumstances.

1. **Pre-Hire Drug Screening.** All potential employees must submit to a urine drug screen no later than the commencement of employment. Pre-hire drug screening will test for the presence of illegal drugs and substances and the illegal use of prescription drugs. This screen does not include an alcohol test. Potential employees who refuse to submit to this test will not be permitted to work for the company.

If the employer participates in a pre-screen/certification program through a collective bargaining agreement (CBA) or other arrangement, and the potential employee has undergone a prior screening to which, through the CBA or other arrangement, the company is provided access to the results/certification, then the potential employee shall be deemed to have complied with the company's pre-hire drug screening requirements.

2. **Existing Employees.** Existing employees who are transferred from another location must submit to a urine drug screen prior to entering the jobsite. This screen tests for the presence of illegal drugs and substances and the illegal use of prescription drugs. This screen does not include an alcohol test. Employees who refuse to submit to this test will not be permitted to work for the company.

If the employer participates in a pre-screen/certification program through a CBA or other arrangement, and the employee has undergone a prior screening to which the company has access to the results/certification, then the employee shall be deemed to have complied with the company's pre-hire drug screening requirements. Likewise, if an employee has undergone a urine drug screen with the company within the previous three (3) months, and the company deems this test sufficient, then the employee shall be deemed to have complied with the company's pre-hire drug screening requirements.

3. **Testing for Cause.** All employees may be tested for cause when a reasonable suspicion exists that the employee appears to be under the influence of illegal drugs or illegally using prescription drugs, synthetic drugs and/or alcohol.
4. **Causal/Incident-Related.** All employees who are involved with, or may have contributed to, an incident that results in property damage or requires treatment beyond onsite first aid are required to submit to a drug screen and alcohol test. (Note: a company may also require a drug screen and/or alcohol test for incidents resulting in first aid treatment. Please consult your state/local laws pertaining to testing procedures to verify if such a practice is permissible).
5. **Random.** When permitted by law, employees may be randomly selected for unannounced drug and alcohol screening using a

scientifically/statistically valid computerized number generation process. Employees are notified of selection no more than 48 hours prior to testing.

6. **Reinstatement, Return-to-Duty and Follow-Up Testing.** After signing an agreement or participating in substance abuse counseling established by the company, the employee must complete a drug screen before returning to active employment.

TESTING PROCEDURES

I. Drug Screening of Applicants for Employment

1. Upon entering the jobsite or workplace, all applicants will proceed to the project office or trailer. They will be advised whether specimen collection will occur onsite in an approved facility or at an approved clinic offsite.
2. Each applicant will read and sign a Drug Screen Consent Form prior to any test being administered.
3. On a pre-printed, itemized form furnished by the employer, each applicant will be asked to identify any medication he/she is taking or has taken during the 30 days preceding the test.
4. A formal chain of custody will be established for every drug screen.
5. A split sample consisting of two urine collection containers sealed in a plastic container will be furnished to the applicant. (Note: Testing may be performed by a third-party administrator.) The containers must contain an amount of urine sufficient for one Enzyme Medical Immunoassay Test (EMIT) and two Gas Chromatography/Mass Spectrometry (GC/MS) tests (no less than 2 ounces of urine per container). Each applicant's urine specimen will be collected and temperature tested for verification. The second container will be used in the event the first container becomes contaminated.
6. Before the specimen leaves the applicant's sight, the urine containers will be sealed with security tape that has been initialed by applicant.

7. Specimens collected onsite will be transported to a laboratory in accordance with the chain of custody procedures. A portion of the sample will be tested using the EMIT; if positive, another portion and/or the split sample will be tested for verification using the GC/MS test.
8. The remainder of the urine specimen and split sample will remain at the laboratory for 30 days following the test.
9. Upon signing a form giving consent to use the urine sample for drug screening, the applicant is eligible for employment on a 72-hour probationary basis. This consent form is co-signed by the collection specialist.
10. Any applicant who refuses to submit to a drug screening will not be eligible for employment.
11. The employer receives the drug test results within 72 hours. If the applicant's test results in a confirmed positive, as confirmed by a medical review officer (MRO), he/she will be terminated immediately and paid for all hours worked, if permissible by state/local law. The individual will not be eligible for employment with the employer for a period to be determined by the employer, not exceeding one year. If hired later by the employer, and contingent on a negative drug screen, the employee may be tested periodically without notice for a period of up to one year from the date of hire.
12. If any individual who has tested positive by the MRO wants to confirm the results of the GC/MS test, he/she may do so by having a GC/MS test performed on the previously collected split urine specimen at a certified National Institute on Drug Abuse (NIDA) or Substance Abuse and Mental Health Services Administration (SAMHSA) laboratory of his/her choice. The specimen will be shipped directly from the employer's lab to the lab of the employee's choice. The costs of this test will be borne by the employee. If the results of this test are negative, the individual will be reinstated with full back pay and benefits, and will be reimbursed for the cost of the test. The individual must exercise the option of a second GC/MS test within 24 hours of being notified of the positive results.

13. Pre hire drug screens include tests for at least the following (a five-panel drug screen):
 - a) Amphetamines
 - b) Opiates
 - c) Phencyclidine (PCP)
 - d) Cocaine
 - e) THC (Marijuana/Canabinoids)

The company reserves the right to administer testing for additional substances (For more information on seven-panel, 10-panel, 12-panel and hair follicle tests, refer to the “Best Practices” section of the Construction Coalition for a Drug- and Alcohol-Free Workplace website at www.drugfreeconstruction.org).

II. Drug Screening of Transferred Employees

The procedure for testing employees transferred from another jobsite is the same as the pre-hire procedure.

III. “For Cause” Testing Procedures

1. All employees working for the company may be tested for illegal drugs, substances, synthetic drugs and alcohol if there is reasonable suspicion that the employee is under the influence of alcohol, any of the substances identified in paragraph 13 or abuse of prescription medication. For the purpose of this program, the term “reasonable suspicion” shall be defined as “aberrant behavior or unusual on-duty behavior of an individual employee who:
 - (a) is observed on duty by either the employee’s immediate supervisor, higher ranking employee, or other managerial personnel who have been trained to recognize the symptoms of drug abuse, impairment or intoxication (observations shall be documented by the observers);

- (b) exhibits the type of behavior that shows accepted symptoms of intoxication or impairment caused by controlled substances or alcohol or addiction to or dependence upon said controlled substances; and
 - (c) such conduct cannot reasonably be explained by other causes such as fatigue, lack of sleep, side effect of prescription or over-the-counter medications, illness, reaction to noxious fumes or smoke.
2. Testing of this type will not be conducted without the written approval of the company's superintendent or designated manager. The jobsite superintendent or designated manager must document in writing who is to be tested and why the test was ordered, including the specific objective facts constituting reasonable suspicion leading to the test being ordered, and the name of any source(s) of this information. One copy of this document shall be given to the employee before he/she is required to be tested. After receiving a copy of the document, the affected employee shall be given enough time to read the document.
 3. When a supervisor, higher ranking employee or other managerial personnel has reasonable suspicion to believe an employee is using, consuming or under the influence of an alcoholic beverage, non-prescription controlled substance (other than over-the-counter medication), and/or non-prescribed narcotic drug while on duty, that person will notify the jobsite superintendent or designated manager for the purpose of observation and confirmation of the employee's condition. The employee will be given an opportunity to explain his/her condition, such as reaction to a prescribed drug, fatigue, lack of sleep, exposure to noxious fumes, reaction to over-the-counter medication or illness. If, after this explanation, the jobsite superintendent or designated manager continues to have reasonable suspicion that the employee is using, consuming and/or under the influence of an alcoholic beverage, non-prescribed controlled substance or non-prescribed narcotic while on duty, then, by a written order signed by the superintendent or designated manager, the employee may be ordered to immediately submit to a drug and alcohol screen. Refusal to submit to testing after being ordered to do so may result in disciplinary action up to and including discharge.
 4. Employee drug screens for cause will include testing for alcohol, as well as the same drugs as the pre-hire screening test. Each employee

will read and execute a consent form prior to any test being administered. Failure to execute the consent form will result in termination.

5. Reasonable suspicion testing shall be performed at a NIDA/SAMHSA-approved clinic. The individual will be immediately accompanied to the clinic by a company representative. Samples will be taken as per the pre-hire procedure.
6. An EMIT test and, if positive, a confirming GC/MS test, will be performed on the urine sample. The remainder of the sample and the split sample will be stored at the laboratory for 30 days.
7. If an employee's test is positive, his/her employment will be terminated immediately. The employee will be given a copy of the results of the drug screen. He/she may have the second container tested at his/her own expense as per the pre-hire procedure.
8. Alcohol detection will be based on a evidential breath alcohol device approved by the National Highway Traffic Safety Act. If an employee's test results indicate he/she is legally intoxicated at or above the state of jurisdiction's legal limit, he/she may be subject to discipline up to and including discharge.

IV. Causal/Incident-Related Testing

Subject to applicable law and consistent with reasonable suspicion, the company reserves the right to require its employees to present themselves for testing within 24 hours following an employee's involvement in an accident, near accident or an incident resulting in lost work time, property damage, and/or injury to any employee or other person while on the company's premises, on the job or otherwise working for the company.

V. Random Testing

Subject to applicable law, the company reserves the right to require its employees to present themselves for random, unannounced testing. The company will adopt an objective procedure, using a statistically valid number generation process, to randomly select employees to be tested.

Upon anonymous selection, the company will notify the employee(s) to report immediately for drug testing. The company solely determines the time and frequency of random drug tests. Any employee may be selected for random testing in accordance with state/local laws. An employee could be randomly selected for testing more than once a year.

VI. Reinstatement, Return-to-Duty and Follow-Up Testing/Rehabilitation Programs

The company maintains a referral relationship with drug and alcohol abuse services. Additionally, certain health insurance benefits may provide help to employees who suffer from substance abuse and/or other personal or emotional problems; however, it is the responsibility of each employee to seek necessary professional assistance before alcohol and drug problems lead to disciplinary action.

If the company mandates a sponsored rehabilitation program, the employee will be subjected to a drug screen following the procedures outlined in Section I (Drug Screening of Applicants for Employment) prior to reinstatement. In addition, per post-rehabilitation program monitoring guidelines, the company may subject the employee to follow-up testing for a period to be determined in cooperation with the rehabilitation program and employer. Testing will follow the procedures outlined in Section V (Random Testing).

VII. Drug and Alcohol Testing Requirements for Employees with a Commercial Driver's License (CDL)

The United States Department of Transportation (DOT) requires that all employees maintaining a CDL and operating commercial motor vehicles be subjected to the drug screen policies outlined in the "Testing Procedures" section of this document. CDL employees, per the DOT, are required to submit to a minimum five-panel drug screen for the presence of:

1. Amphetamines
2. Opiates
3. Phencyclidine (PCP)
4. Cocaine

5. THC (Marijuana/Canabinoids)

A positive test result requires the employee to be immediately removed from operating any commercial motor vehicles on public roadways. In addition, employees whose test produces a positive result must complete return-to-duty and follow-up testing after completion of an approved rehabilitation program as prescribed by a substance abuse professional. Follow-up testing must include a minimum of six unannounced, directly observed drug screens within 12 months of the initial return-to-duty screen following the procedures outlined in Section V (Random Testing).

For more information on the DOT's CDL drug screening requirements, visit: http://www.fmcsa.dot.gov/documents/Drug_Alcohol_Test_Brochure2009_508compliant_rev2.pdf

VIII. Disciplinary Policies and Procedures

For examples of disciplinary procedures and appeals processes, visit the "Best Practices" section of the Construction Coalition for a Drug- and Alcohol-Free Workplace website at www.drugfreeconstruction.com.

First Offense

Disciplinary actions defined by the company.

Second Offense

Disciplinary actions defined by the company.

Appealing Disciplinary Action

Appeals process defined by the company.

Substance Abuse Rehabilitation

Following a positive result, the company retains the right to enter the employee into an approved substance abuse rehabilitation program. Upon completion of the program, the employee will be subjected to drug screening procedures outlined in Section VI (Reinstatement, Return-to-Duty and Follow-Up Testing/Rehabilitation Programs).

IX. Policy Amendments

Review Procedures

The company will undertake a comprehensive review of the policy biennially. A review panel consisting of senior management, safety professionals and site employees will assess the relevance and current status of the policy's components, as well as incorporate updated procedures and requirements that will ensure the policy meets or exceeds industry requirements. Any policy changes made as a result of the review will be made available and provided to every employee as an addendum to the company's Employment Policies and Procedures Handbook.

In addition to the biennial policy update, the company may undertake revisions due to new regulatory requirements. Any revisions made outside the biennial review will be provided as a separate addendum to all employees.

X. Confidentiality Statement

Employee information, including drug screen results and rehabilitative programs, will be treated as medical records and will remain strictly confidential following HIPAA guidelines for patient confidentiality. Employee requests to release the results of drug screens to any party outside the company must be made in writing and given to the employee's immediate supervisor and designated safety and health officer.

SAMPLE CONSENT FORM

Pre Hire

_____ Release form for obtaining urine samples for drug screening and permission to furnish the results to the company.

For Cause

_____ Release form for obtaining urine samples for drug screening and permission to furnish the results to the company.

_____ Release form for obtaining NHTSA-approved evidential breath alcohol test and permission to furnish the results to the company.

Post Incident

_____ Release form for obtaining test samples for drug and alcohol screening following any incident requiring medical care.

I hereby authorize Contract Decor Inc. , its physicians or agents, to take the indicated sample from me to use for the purposes indicated above. I understand why these samples are being requested and I give permission for the results to be released to the company and to my employer (if different).

I further release and hold harmless the owner, the company and its subcontractors from any consequences arising out of the drug and/or alcohol test or results therefrom.

Name (please print) Social Security Number

Signature (required) Date

Street City State Zip

Phone Number (with area code)

Witness Date

Contract Decor Inc.

Employer Occupation