



Policy Owner:	Vice President of Human Capital
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## DRUG & ALCOHOL POLICY

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### PURPOSE

ATC Management Inc. ('ATC' or the 'Company') is committed to providing a drug- and alcohol-free work environment. Employees and Contingent Workers are strictly prohibited from using, possessing, attempting to possess, distributing, delivering, manufacturing, or being under the influence of illegal drugs at any time, including non-work time, and from using or being impaired by or under the influence of alcohol while on the job. Employees and Contingent Workers are also prohibited from reporting to work under the influence of any legally-prescribed or over-the-counter medication or substance that could affect the employee or Contingent Worker's ability to perform the work in a safe manner. In furtherance of this policy, ATC conducts drug and alcohol screening tests prior to an employee or Contingent Worker commencing work for ATC, based on Reasonable Suspicion, in connection with rehabilitation, and pursuant to Federal regulations.

### SCOPE

This policy applies to all ATC employees and Contingent Workers.

### DEFINITIONS

*Contingent Worker* – Any contractor, consultant, or service provider (including local distribution companies) contracted to perform work for ATC.

*Employee Assistance Program (EAP)* – A program that provides a confidential resource for employees and their families if they are facing personal problems. A broad range of issues or concerns can be addressed through the program including child care, elder care, stress, anxiety, depression, marital problems, family counseling, tobacco cessation, financial difficulties, alcohol and drug abuse, or legal difficulties. Employees and their families are provided with up to five free sessions per case.

*Point of Contact* – The primary liaison at the vendor providing Contingent Worker services to ATC.

*Reasonable Suspicion* – An observation of behavior which common sense, in light of all of the circumstances, indicates that drugs or alcohol could be affecting the individual. Factors that could establish a Reasonable Suspicion of drug or alcohol use may include, but are not limited to, the following:

- Blood shot eyes
- Impaired reaction times
- Decline in work performance
- Repeated failure to follow instructions or operating procedures
- Disregard for safety of others
- Possession of illegal or questionable substances or paraphernalia
- Odor or residual odor peculiar to alcoholic beverages, chemicals, and/or controlled substances
- Unreported absences and unusual or questionable excuses for absences

- Accidents including, but not limited to, driving accidents or moving violations during work time, OSHA recordable safety incidents, acts or omissions resulting in near misses, and switching errors

## RESPONSIBILITIES

Employees and Contingent Workers are responsible for:

- Passing a drug screening test prior to beginning work at ATC, in accordance with the [Personnel Risk Assessment Policy](#).
- Performing their job duties unimpaired by illegal drugs, alcohol, or legal substances used improperly.
- Refraining from using, possessing, attempting to possess, distributing, delivering, manufacturing, or being under the influence of illegal drugs at any time, including non-work time.
- Refraining from possessing drug paraphernalia while performing ATC business or while on ATC property.
- Notifying their supervisor or ATC’s Human Resources Department (in the case of employees) or their Point of Contact or employer’s Human Resources Department (in the case of Contingent Workers) if they are taking any legally prescribed or over-the-counter medication or substance that may affect behavior, performance, or fitness to work. Note: A legally prescribed or over-the-counter medication or substance includes medical marijuana.
- Refraining from working under the influence of any legally prescribed or over-the-counter medication or substance that could affect the individual’s ability to perform their work in a safe manner.
- Refraining from being under the influence of alcohol or illegal drugs, or any legally prescribed or over-the-counter medication or substance that could affect the individual’s ability to operate a vehicle in a safe manner while in a Company-leased vehicle, as applicable.
- Refraining from allowing alcohol or illegal drugs in a Company-leased vehicle, as applicable.
- Reporting to the collection facility to submit to a drug or alcohol screening test within one hour of being instructed to do so, if selected based on Reasonable Suspicion. Note: Contingent Workers must work with their employer to complete a drug or alcohol screening test within one hour of being instructed to do so, if selected based on Reasonable Suspicion. In the event of a positive test or a refusal to submit to testing, a Contingent Worker will not be permitted to perform work for ATC.
- Cooperating in a timely manner with personnel who are administering a drug or alcohol screening test. Note: Employees and Contingent Workers must refrain from delaying, tampering, diluting or otherwise altering test specimens or attendant records.
- In the case of employees, consenting to follow-up drug screening tests during any probationary periods, as may be required by ATC, or during the time the employee has been a participant in an alcohol or drug dependency rehabilitation program.
- In the case of employees, participating in ATC-mandated rehabilitation programs and post-rehabilitation drug and alcohol screening tests, as may be required by ATC.

Employees are strongly encouraged to:

- Seek support, counseling, and guidance from ATC’s EAP, as necessary. Note: Employees who come forward with and voluntarily seek assistance for an alcohol or drug dependency problem prior to violating this policy will be given a chance to seek treatment, provided they cooperate with a mandatory referral to the EAP or a rehabilitation program, they follow the prescribed treatment, and their work performance is acceptable. In some cases, temporary reassignment or a leave of absence may be necessary.
- Otherwise seek counseling, therapy, or immersion in a treatment program, if suffering from a drug or alcohol dependency problem.

Human Resources is responsible for:

- For employees, coordinating pre-employment drug screening tests for all individuals who are selected to be hired by ATC. Note: Individuals will receive a conditional offer of employment, which is contingent upon (among other things) the individual passing a pre-employment drug screening test prior to beginning work at ATC.
- For Contingent Workers, working with the Point of Contact to ensure drug screening tests are completed prior to a Contingent Worker beginning work at ATC if a drug screening test is applicable to such Contingent Worker's role as defined in the [Personnel Risk Assessment Policy](#).
- Coordinating a drug or alcohol screening test if there is Reasonable Suspicion that an employee or Contingent Worker's health or ability to perform work is impaired. Note: Coordination of such drug or alcohol screenings for Contingent Workers shall occur by way of the Point of Contact for the Contingent Worker.
- Providing transportation to screening facilities for individuals selected based on Reasonable Suspicion to receive a drug or alcohol screening test.
- Coordinating drug or alcohol screening tests in connection with any ATC-mandated rehabilitation.
- Coordinating drug or alcohol screening tests pursuant to federal regulations.
- Confiscating and turning over illegal substances found in the workplace to law enforcement.
- Offering employees who come forward with and voluntarily seek assistance for an alcohol or drug dependency problem prior to violating this policy one opportunity to resolve the problem through the EAP or a rehabilitation program, provided that the employee follows the prescribed treatment and the employee's work performance is acceptable.
- Obtaining periodic assessments of employee's progress in an EAP or rehabilitation program. (Note: In cases when an EAP or a rehabilitation program is mandated by ATC, every effort to maintain confidentiality will be honored, insofar as to not impede good management practices.)

Point of Contact is responsible for:

- Coordinating drug screening tests for Contingent Workers prior to such Contingent Workers beginning work at ATC if a drug screening test is applicable to the Contingent Worker's role as defined in the [Personnel Risk Assessment Policy](#).
- Notifying ATC's Human Resources Department if a Contingent Worker is or is suspected to be under the influence of any illegal drugs or alcohol, or if a Contingent Worker is or is suspected to be under the influence of any legally prescribed or over-the-counter medication or substance that could affect the individual's ability to perform his/her work in a safe manner.
- Working with ATC's Human Resources Department to complete a drug or alcohol screening test within one hour of being instructed to do so for any Contingent Worker that is selected based on Reasonable Suspicion.

## **REPORTING**

It is the responsibility of all ATC employees and Contingent Workers to report any suspected violations of this policy, in accordance with ATC's [Open Door Policy](#).

## **EXCEPTIONS/VIOLATIONS**

Exceptions to this policy require the approval of the Policy Owner listed above.

Appropriate use of alcohol at company-sponsored events may be permitted.

Employees and Contingent Workers who violate this policy are subject to disciplinary action, up to and including termination of employment/contract. In addition, depending upon circumstances, notification to appropriate law enforcement agencies may be warranted, with respect to violations of this policy.