



## **POLICY AND PROCEDURE**

*This policy and procedure does not alter the ATC's at-will employment policy and may be changed or replaced at any time with or without notice.*

**Policy Owner: Human Resources**  
**Effective Date: November 3, 2011**

**SUBJECT: Drug- and Alcohol-Free Workplace Policy**

---

### **I. Policy**

ATC Management Inc. (ATC) is committed to providing a drug- and alcohol-free work environment. The possession, sale, purchase, distribution, manufacturing, or use of drug paraphernalia or non-medically prescribed controlled substances by any employee of ATC at any time, whether or not the employee is performing work for ATC, conducting ATC business or on ATC's property, is strictly prohibited. Employees are prohibited from being at work under the influence of alcohol or non-medically prescribed controlled substances. Employees 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's ability to perform the work in a safe manner.

### **II. Procedure**

ATC conducts drug and alcohol testing for pre-employment, reasonable suspicion, in connection with rehabilitation and pursuant to Federal regulations.

**A. Eligibility:** All ATC Employees and contractors.

#### **B. Pre-Employment Drug Testing**

All persons who are selected to be hired by ATC will receive a conditional offer of employment, which is contingent upon, among other things, the person consenting to and passing a pre-employment drug test prior to the time they begin working at ATC.

#### **C. Reasonable Suspicion Drug or Alcohol Testing**

ATC may request an employee submit to a drug or alcohol screening test if there is a reasonable suspicion that the employee's health or ability to perform work is impaired. If an employee is selected on a "reasonable suspicion" basis for a drug-

screening test, the employee, as a condition of continued employment, must consent to and pass a drug-screening test. Factors which could establish a reasonable suspicion may include, but are not limited to, the following:

1. Sudden changes in work performance;
2. Repeated failure to follow instructions or operating procedures;
3. Violation of safety policies;
4. Involvement in an accident or near-accident;
5. Discovery of illegal or questionable substances or paraphernalia in an employee's possession or in or near an employee's workplace;
6. Odor or residual odor peculiar to alcoholic beverages, some chemicals and/or controlled substances;
7. Unexplained or frequent absenteeism or change in attendance patterns;
8. Personality changes or disorientation;
9. Arrest or conviction for violation of a criminal drug statute; and
10. Driving violation indicating alcohol consumption.

An employee must report to the collection facility and submit to the drug or alcohol screening test within one (1) hour of being instructed to do so.

**D. Confirmation Tests**

ATC may request that an employee consent to and pass additional drug or alcohol screening tests to confirm the results of a previous test. If a test is to confirm the results of a previous drug-screening test, an employee must report to the collection facility and submit to the confirmation test within one (1) hour of being instructed to do so. If the test is to confirm the results of a previous alcohol-screening test, the employee must immediately comply with the request to submit to the confirmation test after being instructed to do so.

**E. ATC as a Federal Contractor**

ATC is a federal contractor. As a condition of employment, an employee must abide by the terms of this policy, and must notify ATC within five (5) calendar days if he or she is convicted of a criminal drug violation in the workplace

ATC will then notify the contracting or granting agency within ten (10) days after receiving notice that an employee has been convicted of a criminal drug violation in the workplace.

**F. Customer Requirements**

In some circumstances, ATC's customers may require ATC employees to comply with specific drug and alcohol policy guidelines and testing in order to perform work for the customer. When required, the employee will be subject to the

customer's guidelines and testing requirements and will be required to comply with both ATC's policy as well as the customer's policy, even if the customer's policy is more stringent. Further, the employee may be required to submit to additional testing, at the customer's request.

#### **G. Prescription and Non-Prescription Drugs**

An employee who is taking any legally prescribed or over-the-counter medication which may affect behavior, performance, or fitness to work, is encouraged to notify Human Resources. Drug and alcohol dependency can be a major health problem which potentially impacts the employee, the employee's family and work performance. Employees who need help with drug and/or alcohol problems are encouraged to seek assistance through ATC's Employee Assistance Program.

An employee who voluntarily seeks assistance for an alcohol or drug-related problem prior to the ATC selecting the individual for testing may do so without jeopardizing his or her employment status provided that the prescribed treatment is followed and work performance is acceptable. In some cases, temporary reassignment or a leave of absence may be necessary

#### **H. Disciplinary Action**

Depending on the circumstances, action other than discipline imposed by the ATC including the notification of appropriate law enforcement agencies may be taken with respect to violation of this Drug and Alcohol Policy. Any illegal substances found in the workplace may be confiscated and turned over to the appropriate law enforcement agency.

Violation of any provision of this Policy will result in discipline, up to and including termination..

Conduct that will result in termination of employment or revocation of a conditional offer of employment includes, but is not limited to the following:

1. Being at work under the influence of alcohol;
2. The possession or use of non-medically prescribed controlled substances in any detectable amount while performing ATC business or while in a ATC facility;
3. The use, possession, distribution, purchase or manufacturing of non-medically prescribed controlled substances at any time, whether or not the employee is working or on ATC's premises;

4. Refusal to consent to an alcohol or drug screening test provided for by this Policy; and
5. Failure to cooperate in a timely manner with personnel who are administering an alcohol or drug screening test or delaying, tampering, diluting or otherwise altering test specimens or attendant records thereof.

**III. Exclusions**

There are no exclusions to this policy.

**IV. Exceptions/Revisions**

Exceptions or revisions to this policy require the approval of the Director of Human Resources.