

Drug and Alcohol Free Workplace Policy

RELCO is committed to providing a safe work environment. To do so, we enforce a Drug and Alcohol-Free Workplace Policy. Drugs (even prescription drugs), alcohol and other mind-altering substances can cause the user injury or death or lead to the injury or death of somebody else. Therefore, the following are strictly prohibited:

Using, being under the influence, or possessing Drugs or any look alike substances that may mimic the effects of other illicit substances.

Buying, selling, soliciting to buy or sell, transporting, or manufacturing Drugs or any look alike substances that may mimic the effects of other illicit substances.

Binging or attempting to bring onto RELCO premises or property or worksite Drugs or any look alike substances that may mimic the effects of other illicit substances.

Using or being under the influence of Legal Drugs that are being used illegally or whose use can adversely affect the ability to work safely.

Using Alcohol within 8 hours of performing a work-related function or normal work duties.

Using or being under the influence of Alcohol at any time while performing a work-related function or normal work duties, within 8 hours post-accident, or until tested post-accident.

Testing positive for Drugs and/or Alcohol while performing a work-related function or normal work duties.

Substituting or adulterating a urine sample in order to alter the outcome of the Drug test.

Refusing to be tested for Drugs and/or Alcohol when circumstances warrant.

Violation of this Policy will result in disciplinary action up to and including termination even for the first offense. However, if an Alcohol or Drug test is performed, discipline will be imposed only as described below. For prospective employees, it could result in the individual not being made a job offer. This policy applies to all RELCO employees and prospective employees.

Under certain circumstances, and as required by applicable law, RELCO may initiate a Drug or Alcohol test, and requires pre-employment screening. RELCO may initiate any disciplinary action it deems appropriate without testing.

Covered Employees

All drivers that operate a commercial motor vehicle, as defined in 49 CFR § 382.107, which requires a driver holding a commercial driver's license, are subject to the Drug and Alcohol testing requirements in 49 CFR Parts 40 and 382. (See 49 CFR § 383.3). This includes, but is not limited to: full time, regularly-employed drivers; casual, intermittent or occasional drivers; leased drivers and independent owner-operator contractors.

All Iowa employees will follow the Iowa Code § 730.5 regulations regarding alcohol and drug-free workplaces; and all Illinois employees will follow regulations regarding alcohol and drug-free workplaces.

Definitions

- Abuse of a Legal Drug: Any use of a Legal Drug other than as medically directed or taking a prescription drug that was prescribed for another is abuse of a Legal Drug.
- Alcohol: Ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, from whatever alcohol source or by whatever process produced, isopropanol, or methanol.

- **Controlled Substance or Drug:** Any drug or substance included in schedule I, II, III, IV or V under the Federal Controlled Substances Act, 21 U.S.C., § 801 et seq.; Any substance regulated by the Iowa Imitation Controlled Substances Act (which is defined as “a substance which is not a controlled substance but which by color, shape, size, markings, and other aspects of dosage unit appearance, and packaging or other factors, appears to be or resembles a controlled substance”) found at Iowa Code Chapter 124A.2; and Any controlled substance or counterfeit substance under the Iowa Uniform Controlled Substances Act, found at Iowa Code Chapter 124.
- **Legal Drug:** A drug for which there is a valid prescription and taken under the direction of a licensed medical professional, or an over-the-counter medication which is taken according to the applicable medical directives.
- **Prospective Employee:** A person who has made application, whether written or oral, to RELCO to become an employee.
- **Refusal to Submit to a Test:** An individual will be deemed to have refused to submit to a test if he/she declines to consent to a test, fails to provide an adequate Sample for testing, or engages in any conduct which impairs or obstructs the testing process.
- **Sample:** Testing shall be conducted upon a sample from the human body capable of revealing the presence of Alcohol or Drugs or the metabolites as “sample” is defined by the Administrative Rules and Regulations of the Iowa Public Health Department applicable to drug and alcohol testing under Iowa Code Section 730.5. Sample does not include blood, except in a workplace accident if the test was administered by or at the direction of a person providing treatment to the employee and the test was not made at the request or by the suggestion of RELCO.

Work Rules

Legal Drugs/Medications

- **Prescription Drugs.** An employee may bring to work and take a prescription drug during work hours only if the drug has been prescribed for the employee by a physician or other authorized medical provider and only if the drug is taken in accordance with the prescriber’s directions. All prescription drugs must be kept in the container in which they were received from the pharmacy or dispenser and must be secured.
- **Over-the-Counter Medications.** An employee may bring to work and take an over-the-counter medication during work hours only if the over-the-counter medication is used for its intended purposes and in accordance with package directions and any supplemental directions of the employee’s medical provider. All over-the-counter medications must be kept in the original container (including the “box” or other material which contains warnings and cautions) in which they were received and must be secured.
- **Notification and Accommodation.** An employee must notify Human Resources or their supervisor if they believe they are taking medication that may impair their job performance, safety, or the safety of others or if they believe they need reasonable accommodation BEFORE reporting to work while under the influence of the medication. In making this determination, the employee should rely on the warnings or cautions that are received with the particular drug, including warning or caution that one should not engage in certain activities which are within the scope of the employee’s job duties while taking the drug. RELCO will discuss with the employee potential reasonable accommodations. RELCO reserves the right to take appropriate action (including relieving employee from work) if the use of the drug is impairing or deemed likely to impair the employee’s faculties or work performance and/or create a safety risk.

- Abuse. Abuse of Legal Drugs will not be tolerated, and will be dealt with in the same manner as the illegal use of a Controlled Substance.

Impairment During Work Hours

- It is RELCO's intent that an employee whose faculties reasonably appear to be impaired during work hours will not be allowed to work, regardless of the cause.
- An employee whose faculties are impaired during work hours due to the effects of the use of Alcohol and/or Legal Drugs and/or Drugs is subject to discipline including termination. However, if a Drug or Alcohol test is performed, discipline will be imposed only as described below.

Drug-Related Criminal Convictions

Any employee who has been convicted of, or has pled either "guilty" or "no contest" to, a drug-related crime must notify RELCO of any conviction or plea no later than five (5) days after it is entered. RELCO will evaluate the factual circumstances underlying the criminal conviction or plea, and will determine responsive actions, which may include termination of employment. The failure of an employee to provide timely notice as required by this Policy may result in disciplinary action, up to and including termination.

Notification

Any person suspecting that an employee during working hours is impaired or has in his/her possession Alcohol or Drugs or is Abusing Legal Drugs should report this immediately to his/her supervisor or Human Resources. Issues arising under this Policy shall be directed to Human Resources for review.

Drug Testing for Prospective Employees

- Prospective Employees will submit to a drug test at a collection site and time designated by RELCO.
- The testing shall be conducted upon a Sample.
- Prospective Employees may submit information relevant to the test, including identification of any Legal Drug currently or recently used or other relevant medical information. The medical review officer (MRO) will evaluate the information provided.
- The list of Drugs for which testing may be conducted for non-DOT employees includes but is not limited to the following:
 - Amphetamines
 - Methamphetamines
 - Barbiturates
 - Benzodiazepines
 - Buprenorphines
 - Cannabinoids and THC derivatives (Marijuana)
 - Cocaine
 - Methadone
 - Opiates (including Morphine and Codeine)
 - Phencyclidine (PCP)
 - Propoxyphene
 - Oxycodone

- The list of Drugs for which testing may be conducted for DOT employees (49 CFR Part 40) is as follows (5 panel with expanded Opioids):
 - Marijuana
 - Cocaine
 - Phencyclidine (PCP)
 - Amphetamines (includes Methamphetamines, MDMA, MDA)
 - Opioids (Codeine/Morphine, 6-AM (Heroin), Hydrocodone/Hydromorphone, Oxycodone/Oxymorphone)
- In the event of a confirmed positive drug test, the Prospective Employee may request the following information from RELCO: (1) the test results; (2) the address and name of the MRO supervising the test; and (3) notification of the right to request records concerning the test results.
- If the Prospective Employee is a minor, such notice of the confirmed positive drug test may also be provided to a parent, step-parent, or guardian of the Prospective Employee.
- The Prospective Employee shall be entitled to receive records of a confirmed positive drug test only if a request for records is made within 15 calendar days from the date that notice of the test results is provided. The request for records shall be directed to RELCO's Albia facility to the attention of Human Resources.
- RELCO will refuse to hire a Prospective Employee based upon a confirmed positive drug test or upon refusal to provide a Sample for testing.

Drug or Alcohol Testing of Current Employees

Procedure

An employee who has been selected for Drug and/or Alcohol testing is required to immediately report to the collection site designated by RELCO.

Drug Testing

- The testing shall be conducted upon a Sample.
 - The employee may submit information relevant to the test, including identification of any Legal Drug currently or recently used or other relevant medical information. The medical review officer (MRO) will evaluate the information provided.
 - The lists of Drugs for which testing may be conducted is the same as the test lists indicated for Prospective Employees above.
 - In the event of a confirmed positive drug test, the employee will be notified in writing by certified mail, return receipt requested of the test results, the employee's right to request and obtain a confirmatory test, the test fee and the procedure to request a confirmatory test.
 - If the employee is a minor, such notice of the confirmed positive drug test may also be provided to a parent, step-parent, or guardian of the employee.
 - Employees shall be entitled to receive records of a confirmed positive drug test only if a request for records is made within 15 calendar days from the date that notice of the test results is provided. The request for records shall be directed to RELCO's Albia facility to the attention of Human Resources.
 - In all situations where drug testing is initiated, the employee is required to report immediately to the designated collection site for testing. Transportation to the designated collection site will be

offered by RELCO. Other alternatives are that RELCO will pay for a cab or a family member can be called for transportation. Employees are paid for time spent in testing.

- If the employee refuses transportation assistance and it is reasonably believed by RELCO that the employee is currently impaired, a release of liability must be signed by the employee. The local police or sheriff will then be notified if the employee will be driving.
- Documentation will be maintained in a separate file.
- Alcohol Testing
 - When available, breath alcohol will be used to determine Alcohol levels. A breath alcohol level equal to or greater than .02 grams of alcohol per 210 liters of breath is considered a positive alcohol test and violates this Policy.

Unannounced Testing

Unannounced Alcohol or Drug testing is a form of random testing. It allows RELCO to provide a safe work environment. A neutral and objective selection process will be adhered to by an independent entity. Each employee has an equal chance of selection for testing. DOT regulated employees will be in a separate random pool from the non-DOT employees.

Reasonable Suspicion Testing

If an employee of RELCO is suspected of being impaired, a RELCO designee will evaluate and determine reasonable suspicion. Reasonable suspicion will include specific objective, articulable and reasonable inferences drawn from those facts in light of experience. If a reasonable suspicion exists, a Drug or Alcohol test may be initiated.

Post-Accident Testing

A non-DOT employee who is involved in an accident which results in property damage reasonably expected to exceed \$1,000 or personal injury where medical treatment other than first aid is needed and where the nature of the accident suggests that impairment of the employee to be tested was a likely cause of or contributed to the accident, is required to participate in a Drug and/or Alcohol test. A DOT employee who is involved in an accident is subject to the Drug and Alcohol testing requirements in 49 CFR Parts 40 and 382.

Discipline

- Positive Drug or Alcohol Tests. Upon receipt of a confirmed positive test, the employee will be subject to termination, subject to the requirements of rehabilitation for a confirmed positive Alcohol test under Iowa Code Section 730.5(9)(g).
- Failure to Provide a Sample. Any employee who refuses to provide a Sample for testing will be subject to termination.
- Suspension. Following a Drug or Alcohol test, but prior to receipt of the final results of the test, RELCO may suspend a non-exempt employee, without pay, or an exempt employee with pay, pending the final outcome of the test. An employee who has been suspended shall be reinstated, with back pay and interest on such amount (if the suspension was unpaid), if the result of the test is not a confirmed positive test.

Education

RELCO shall require supervisory personnel involved with Drug or Alcohol testing to receive training regarding such testing in accordance with the minimum time required by Iowa law. The training will include, but is not limited to information concerning the recognition of evidence of employee Alcohol and other Drug abuse, the documentation and corroboration of employee Alcohol and other Drug abuse, and the referral of employees who abuse Alcohol or other Drugs.

Confidentiality of Records

- All communication received by RELCO relevant to employee or Prospective Employee Drug or Alcohol test results, or otherwise received through the RELCO Drug and Alcohol testing program, is confidential communication and shall not be used or received in evidence, obtained in discovery or disclosed in any public or private proceeding, except as otherwise provided or authorized under applicable law (e.g. Section 730.5 of the Iowa Code).
- An employee or Prospective Employee, who is the subject of a Drug or Alcohol test pursuant to RELCO written policy and for whom a confirmed positive test result is reported shall, upon written request, have access to any records relating to his/her own Drug or Alcohol test, including records of the laboratory where the testing was conducted and records relating to the results of any relevant certification or review by a MRO.

Assistance Services

RELCO believes that any time an employee has any sort of problem, whether it be related to drug or alcohol use or related to some personal or family circumstance, it is better to seek help from a competent source than to try to “tough it out” alone. We encourage employees with such problems, including employees who use Drugs or Abuse Legal Drugs, to seek help.

RELCO employees may also have a confidential employee assistance program offered as part of the employee benefits program. Such programs are provided by the insurance company and provide guidance for personal issues that one might be facing.

The specific documentation from the insurance company has the most accurate information, but, in general, these services provide:

- Free telephone consultation with a counselor available virtually round the clock
- Referrals to local counselors — typically up to three sessions free of charge
- Detailed web based resources that include hundreds of helpful articles on topics like wellness, training courses, plus a legal and financial center

Employees are assured that no adverse action will be taken, and no adverse inference will be drawn, against any individual who seeks access to the confidential employee assistance program. If an employee needs to take leave (See the Leave Benefits chapter) for an in-patient program, they are invited to discuss this with their supervisor and/or HR.