



WORKPLACE SUBSTANCE ABUSE PROGRAM

Approved by: _____ Date: _____
Tammy Courtney
Project Manager

Effective Date: _____

TABLE OF CONTENTS

| | |
|---|----|
| REVISION SUMMARY | 3 |
| ACRONYM LIST | 4 |
| 1. PURPOSE..... | 5 |
| 2. SCOPE..... | 5 |
| 3. RESPONSIBILITIES | 6 |
| 3.1 HUMAN RESOURCE MANAGER..... | 6 |
| 3.2 FIRST-LINE SUPERVISOR | 7 |
| 3.3 S&S MANAGER/FACILITY SECURITY OFFICER..... | 8 |
| 3.4 CONTRACTED HEALTH SERVICES PROVIDER..... | 8 |
| 3.5 EMPLOYEE/SUBCONTRACTOR/OTHER | 9 |
| 4. PROCEDURE | 9 |
| 4.1 PRE-PLACEMENT TESTING | 9 |
| 4.2 RANDOM TESTING FOR TESTING DESIGNATED POSITIONS | 9 |
| 4.3 FOR-CAUSE TESTING..... | 11 |
| 4.4 POST-OCCURRENCE TESTING | 13 |
| 4.5 PERFORMANCE OF DRUG TESTS | 14 |
| 4.6 POSITIVE DRUG TEST RESULT ACTIONS | 16 |
| 4.7 EMPLOYEE NOTIFICATIONS TO THE COMPANY | 16 |
| 4.8 DRUG/ALCOHOL SEARCHES..... | 17 |
| 5. EMPLOYEE/SUPERVISOR TRAINING | 17 |
| 6. QUALITY ASSURANCE | 18 |
| 7. RECORDS | 18 |
| 8. DEFINITIONS | 18 |
| 9. REFERENCES..... | 20 |
| ATTACHMENT | 22 |

REVISION SUMMARY

| Rev. No. | Description of Change | Pages | Date |
|----------|--|---------------------|----------|
| 0 | Language update and clarification. Revisions made to reflect changes in Paducah Infrastructure Support Services contract DE-EM0003733. | All | 12/01/15 |
| 1 | Language updated for Post-Occurrence Testing, For-Cause Training, EAP contact information, compliance with DOE O 350.1 and 48 CFR 970.2201-1-2 (a) (1) (iii), as well as other misc. updates. | 1-2, 7, 9, 12-14 | 09/27/17 |
| 2 | Annual review. Clarified language regarding ES&H Manager and HR Manager responsibilities when determining the need for post-occurrence testing. Formatted into new template, previous no. SSI.HR-0003. | All | 10/31/18 |
| 3 | Annual review. Key updates included: definition of a TDP, language added for notification to CO, updated HR Manager's contact info, etc. | All | 10/31/19 |

ACRONYM LIST

| | |
|------|--------------------------------------|
| CFR | Code of Federal Regulations |
| CHSP | Contracted Health Services Provider |
| DOE | U.S. Department of Energy |
| EAP | Employee Assistance Program |
| ES&H | Environment, Safety, & Health |
| FSO | Facility Security Officer |
| HR | Human Resource |
| MRO | Medial Review Officer |
| O | Order |
| O/FM | Organizational or Functional Manager |
| QA | Quality Assurance |
| S&S | Safeguards and Security |
| SAP | Substance Abuse Professional |
| SPO | Security Police Officer |
| SSI | Swift & Staley Inc. |
| SST | Swift & Staley Team |
| TDP | Testing Designated Position |
| WSAP | Workplace Substance Abuse Program |

1.0 PURPOSE

To comply with federal legislation and to maintain a drug-free workplace, the Swift & Staley Team (SST) Workplace Substance Abuse Program (WSAP) outlines the responsibilities for the oversight and administration of the program per 10 Code of Federal Regulations (CFR) Part 707, *Workplace Substance Abuse Programs at the U.S. Department of Energy (DOE) Sites*, and 48 CFR 970.2201–1–2 (a) (1) (iii). SST makes a good faith effort to protect the environment, maintain public health and safety, and safeguard the national security.

2.0 SCOPE

It is SST's policy to provide employees and customers with a working environment that is free from the use and abuse of controlled substances and the abuse of alcohol. SST employees are expected to be in such mental and physical condition as will permit them to perform their assigned tasks in a professional and competent manner. An inability to meet these standards will result in disciplinary action up to and including termination. Consistent with this expectation, SST has adopted a policy that all employees must report to work completely free from the presence of controlled substances and the effects of alcohol.

In addition to complying with the minimum requirements of 10 CFR 707 and 48 CFR 970.2201–1–2 (a) (1) (iii), SST will also provide for baseline services including education awareness programs on the hazards of using substances in the DOE workplace, supervisory training on their responsibilities with impaired employees, and Employee Assistance Program (EAP) services. Where testing designated positions (TDPs) have been identified, SST administers a testing program that meets the requirements of *Mandatory Guidelines for Federal Workplace Drug Testing Programs*, issued by the U.S. Department of Health and Human Services, and 10 CFR 707. The requirements of this WSAP apply to all SST employees, including those members of the bargaining unit, and the requirements of this plan are incorporated into the collective bargaining agreement; applicants for employment; former employees who are subsequently rehired, reinstated, or recalled; and subcontractors performing work for SST. All SST and subcontractor employees must abide by the terms of this program as a condition of employment.

Once an individual is assigned to the SST project site, the employee is subject, for the duration of his/her assignment, to "random," "post-occurrence," and "reasonable suspicion" drug and alcohol testing at a facility approved by SST and at SST's expense.

Persons who use, possess, sell, distribute, traffic, or manufacture illegal drugs will not be considered for employment with SST or its subcontractors. Pre-employment screening practices, including drug tests, will be used to prevent

individuals from being hired who use illegal drugs or those who use controlled substances without proper authorization to do so. Applicants will not be placed on SST or subcontractor payroll until after they have passed a drug test. **IF** the applicant receives a confirmed positive for drugs as a result of pre-employment drug screening, **THEN** SST or subcontractor will withdraw the offer of employment.

Such screening practices also will apply to any employee being considered for a transfer to a TDP. Final selection of an employee for assignment to a TDP will not be made until the employee has passed a drug test.

The results of any drug test given will remain confidential and shall only be used for the purpose of determining whether an applicant may be employed by SST or a subcontractor.

3.0 RESPONSIBILITIES

3.1 HUMAN RESOURCE MANAGER

The SST Human Resource (HR) Manager is responsible for:

- Ensuring development and promulgation of a drug and alcohol testing program;
- Making final interpretation of drug and alcohol testing;
- Determining whether reasonable suspicion exists to require an individual to undergo drug and/or alcohol testing, and requests the Contracted Health Services Provider (CHSP) to perform any test;
- Protecting confidentiality, limiting the number of management personnel involved in a case;
- Interfacing with union officials, if applicable, to apprise them of any situation where a bargaining unit or individual may require their services;
- Determining disciplinary action and, after consultation with the Medical Review Officer (MRO), any required and appropriate rehabilitation, treatment, counseling or medical assistance, if an individual's drug test is positive or if an alcohol test has met or exceeded the threshold limit;
- Recommending level of discipline for an individual, up to and including termination;
- Reporting immediately to the appropriate first-line supervisor an individual's failure of an alcohol and/or drug test;
- Ensuring that the Safeguards and Security (S&S) Director/Facility Security Officer (FSO)/designee, is aware of all drug tests with positive results or alcohol test results above the threshold limit;

- Notifying in writing DOE's Contracting Officer within ten (10) calendar days after receiving a conviction notification from an employee or subcontract employee, or otherwise receiving actual notice of a conviction of a drug-related offense;
- Notifying other contractors' site managers when any of their employees working on-site are identified as and/or suspected of being under the influence of alcohol or drugs (legal or illegal);
- Notifying a subcontractor's contact when a subcontract employee is identified as or suspected of being under the influence of alcohol or drugs (legal or illegal);
- Notifying DOE of the SST and subcontractor positions subject to substance abuse testing;
- Establishing and maintaining a records system for corrective actions administered, and treatment or rehabilitation completed, in each instance of a positive drug test result and/or alcohol test that meets or exceeds the threshold limit;
- Controlling access to the records to only those positions specifically identified in this program as requiring access; and
- Conducting an annual review of this plan.

3.2 FIRST-LINE SUPERVISOR

The first-line supervisor is responsible for:

- In urgent cases during off-shift hours, performing responsibilities of the HR Manager/designee or alternate when this individual is unavailable;
- Immediately reporting to the HR Manager/designee any observations or suspicions of the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance (illegal drug) by any person on company premises;
- Immediately reporting to the HR Manager/designee any observations or suspicions of the use, sale, purchase, transfer, or possession of alcohol on company premises by any person;
- Coordinating escort requirements, when necessary, or as directed by the HR Manager/designee; and
- Scheduling and administering disciplinary/termination discussions, as appropriate, with the assistance of the HR Manager/designee.

3.3 SAFEGUARDS & SECURITY DIRECTOR/FACILITY SECURITY OFFICER/DESIGNEE

The SST S&S Director/FSO/designee is responsible for:

- Ensuring DOE and other regulatory reporting requirements are met;
- Coordinating Security Police Officer (SPO) escort services with the Paducah Deactivation and Remediation Contractor when requested by first-line supervisors, HR, etc.; and
- Providing immediate notification to DOE security officials whenever the circumstances in connection with this program raise a security concern (circumstances include, but are not limited to, a determination that an individual holding a DOE security clearance or in process for a clearance has used an illegal drug).

3.4 CONTRACTED HEALTH SERVICES PROVIDER

The CHSP is responsible for:

- Administering drug and alcohol testing programs according to *Mandatory Guidelines for Federal Workplace Drug Testing Programs*, issued by the U.S. Department of Health and Human Services;
- Ensuring that the most current version of the drug and alcohol testing procedures always are in use and that all changes to these documents are made officially through formal revision and not through other means such as memos;
- Ensuring that site collection personnel (drug testing), breath alcohol technicians (breath testing), and screening technicians (saliva testing) are properly trained and certified before performance of any drug or alcohol test;
- Ensuring that drug and alcohol testing equipment calibrations are performed according to the manufacturer's quality assurance (QA) programs;
- Performing drug and/or alcohol tests as directed by the HR Manager/designee;
- Performing MRO activities and receiving all test result notifications;
- Notifying the HR Manager/designee immediately of positive drug test results and alcohol test failures;
- Submitting a signed, written notification to the HR Manager/designee of positive drug test results and alcohol test failures within 24 hours of the verbal notification; and
- Preparing and maintaining for each individual subject to any drug and/or alcohol test, a file that is separate from medical records but equally confidential as site medical records.

3.5 EMPLOYEE/SUBCONTRACTOR/OTHER

The employee/subcontractor/other is responsible for:

- Providing the S&S Director/FSO/designee a written notice of any arrest or conviction under a criminal drug statute for a violation occurring on the DOE owned or controlled site no later than five (5) calendar days following the conviction;
- This notification is in addition to the personnel security individual reporting requirements for cleared employees and employees in process for a clearance. Refer to PGDP-SS-PL-004, *Paducah Gaseous Diffusion Plant Personnel Security Plan*.
- Abiding by terms of this program as a condition of employment; and
- Cooperating fully with the testing process.

4.0 PROCEDURE

4.1 PRE-PLACEMENT TESTING

HUMAN RESOURCE MANAGER

- 4.1.1 Provide a copy of this program to all applicants and maintain a current copy in the required reading manuals.
- 4.1.2 Secure drug tests through the CHSP and ensure that test results are negative before any new hire or rehire, re-instatement, or recall is placed on the SST or subcontractor payroll.
- 4.1.3 Ensure that negative test results are received prior to any employee transfer into a TDP.
- 4.1.4 Notify applicants in writing who have tested with a confirmed positive test result that their offer of employment is being withdrawn because they were unable to meet pre-employment requirements. Positive test results will only be disseminated to those within SST with a “need-to-know.”
- 4.1.5 **IF** a confirmed positive test result is received for an employee requesting transfer to a TDP, **THEN** notify the employee that the position will not be available to them because they were unable to meet the requirements.

4.2 RANDOM TESTING FOR TESTING DESIGNATED POSITIONS

- 4.2.1 Swift & Staley Inc. (SSI) takes a broad approach to random drug screening and therefore does not limit our testing parameters to only those working in a TDP. Rather, **all** permanent employees are subject to random drug testing on an on-going basis. This includes full time union employees within the United Steel

Workers, full time and part-time non-union SSI employees, subcontracted employees working on the SSI project, and SSI consultants. Random drug testing excludes temporary employees, interns, and summer students unless they are working in a TDP. In addition, all employees will be subject to random urine drug testing on the basis of reasonable suspicion, as the result of an occurrence, or as a follow-up to rehabilitation.

- 4.2.2 Random testing will provide for tests at a rate equal to 30 percent of the total number of employees for each 12-month period.

HUMAN RESOURCE MANAGER

- 4.2.3 SST shall follow their WSAP plans whenever an individual tests positive and report positive results to DOE on a semiannual basis.
- 4.2.4 Maintains an up-to-date listing of SST and subcontractor employees for random testing under this program. SST will maintain all SST reports related to the random testing as "Official Use Only" in a fireproof cabinet.

CONTRACTED HEALTH SERVICES PROVIDER

- 4.2.5 Promptly informs either the selected SST employee or the selected employee's supervisor when an employee has been selected for random testing. Arranges for/ensures that the employee(s) selected promptly reports to the CHSP for testing.
- 4.2.6 Maintains employee responses to company requests to report for random testing, including information indicating whether the employee selected was out of town on SST or subcontractor business; in training; out due to illness, personal time off, or scheduled day off; or whether on-site, but unable to be contacted and the reason for his/her inability to be contacted.
- 4.2.7 Utilizes a sensitive system for randomly selecting names of site personnel and U.S. Department of Transportation positions, as requested by Human Resources, to undergo random testing each month and notifies SST of the random selections.
- 4.2.8 Maintains electronic company confidential records separately for SST employees to include the following information:
- All random selections, including frequencies for individuals tested during each 12-month period;
 - Employees reporting for testing, with the date and time employee reported and was tested; and
 - Results of all testing performed.

- 4.2.9 Maintains the information listed above and keeps it available in a format readily available for audit by DOE or any other organization with the authority to audit such records.
- 4.2.10 Maintains records with the date and time employee(s) reports for and completes testing. Provides SST with testing results including any positive results.
- 4.2.11 Compiles in January and July of each year a statistical summary of the data for the previous six-month period on the drug testing component of this program and forwards it to the applicable HR Manager/designee. This statistical summary will not include specific employee identifiers, such as employee name, but will include the following information:
- Total number of tests administered for illegal drugs;
 - Number of tests administered in each testing category (i.e., random, occurrence, for-cause, return-to-work, follow-up);
 - Number of additional tests administered (applicants);
 - Number of tests administered to comply with requirements of other federal agencies;
 - Number of individuals who receive an MRO-determined positive test by testing category; and
 - Number of individuals who received an MRO-determined positive test by drug category.
- 4.2.12 The HR Manager/designee will include in this report actions taken with regard to each individual who received an MRO-determined positive test (e.g., referral to employee assistance services, termination, removal from a TDP) and a description of the education and training provided to supervisors, managers, and employees. The HR Manager/designee will submit these reports to DOE within 30 days of the end of the preceding six-month period.

SST will review and approve all SST subcontractors' testing plans and require subcontractors with TDPs to submit semiannual reports.

4.3 FOR-CAUSE TESTING

- 4.3.1 Where there is reasonable suspicion that an employee may be under the influence or in possession of an illegal drug, or under the influence or in possession of a controlled substance without proper authorization for that substance, or under the influence of alcohol on company time or premises, the employee may be required to submit to a drug/alcohol test or a personal search. The SST supervisor will immediately notify the SST HR Manager/designee when an employee is sent for testing.

- 4.3.2 Any supervisor with the ability to authorize a reasonable suspicion or for-cause testing will receive two hours of classroom training to determine when an employee is under the influence of drugs or alcohol. The training shall include the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. Recurrent training for supervisory personnel is not required but may be delivered as the need arises.
- 4.3.3 The fact that an employee had a confirmed positive test for the use of illegal drugs or alcohol at some prior time, or has undergone a period of rehabilitation or treatment, will not, by itself, be grounds for testing on the basis of reasonable suspicion. Reasonable suspicion or for-cause testing must be based on performance-related issues and must be confirmed by the SST or subcontractor supervisor familiar with the employee's performance before it will be conducted.

ANY EMPLOYEE

- 4.3.4 Employees are responsible to report to supervision all observations or knowledge of illegal drug involvement, on or off the job, of a co-worker; observations of the use of alcohol or other controlled substances by a co-worker while on company premises; or observations of behavior of a coworker that could be attributed to being under the influence of illegal drugs or alcohol on company time or premises.

FIRST-LINE SUPERVISOR

- 4.3.5 Reports to the HR Director/designee all observations or knowledge of illegal drug involvement of an employee, on or off the job and observations or knowledge of an employee being under the influence of alcohol or other controlled substance on company time or premises. **IF** there are health- or safety-related concerns, **THEN** the HR Director/designee will consult with the Environment, Safety, and Health (ES&H) Manager.
- 4.3.6 Takes no immediate action relative to the employee suspected of illegal drug, alcohol, or controlled substance abuse until the matter has been confirmed by the HR Director/designee.

HUMAN RESOURCE DIRECTOR/DESIGNEE

- 4.3.7 Limits the number of personnel involved in the case. Instructs personnel not to communicate company confidential information about the case or about the results of the drug/alcohol test to persons not authorized to receive it, and otherwise protects the confidentiality of the matter and the privacy interests of the individual.
- 4.3.8 Determines if the evidence is sufficient to warrant further examination of the incident. If evidence is determined to be insufficient, the matter ends. If the

evidence warrants further examination, then initiates additional inquiries as he/she deems appropriate.

- 4.3.9 Maintains a confidential written record of observations or actions related to the matter.
- 4.3.10 Contacts the ES&H Manager if there is a potential safety concern and involves him or her in the investigation.
- 4.3.11 Interviews the employee, provides him or her with a summary of the facts and circumstances of the investigation, and asks him or her for an explanation.
- 4.3.12 Investigates, as appropriate, any new information provided by the employee.
- 4.3.13 **IF** the evidence supports the suspicion of illegal drug use, alcohol, or controlled substance abuse, **THEN** orders a for-cause drug/alcohol test and escorts or arranges for an escort for that employee to the CHSP.

NOTE: An employee's refusal to consent to a required drug/alcohol test or personal search will be considered cause for disciplinary action up to and including termination, even for a first offense.

- 4.3.14 **IF** an individual refuses to cooperate with the testing process, **THEN** CHSP personnel shall inform the HR Manager/designee. The individual failing to cooperate shall be treated in all respects as if he/she had been tested and had been determined to be under the influence of or in possession of an illegal drug, controlled substance, or alcohol. **IF** the individual holds a security clearance, **THEN** his/her failure to cooperate in the collection process will be reported promptly to the S&S Director/FSO/designee.

4.4 POST-OCCURRENCE TESTING

Occurrence means any event or incident that is a deviation from the planned or expected behavior if the deviation has environmental, public health and safety, or national security protection significance. Such an occurrence includes, but is not limited to, the following (resulting from an individual's actions or inactions):

1. Injury or fatality;
2. Incidents resulting in vehicle, equipment, or property damage;
3. Accidental release of pollutants which results or could result in a significant effect on the public or environment; and
4. Accidental release of radioactive material above regulatory limits.

EMPLOYEE

4.4.1 Promptly reports incidents to their supervisor as required by ISSC-ESH-PR-008, *Accident/Incident Reporting*.

SUPERVISOR

Reports incidents to the ES&H Manager as soon as practical.

ES&H MANAGER

4.4.2 Immediately notifies the HR Manager/designee of the incident and discusses the need for post-occurrence testing.

4.4.3 **IF** the HR Manager and ES&H Manager determines post-occurrence testing is required, **THEN**:

- Inform the Supervisor to escort the employee to on-site medical provider; and
- Inform the Supervisor to restrict employee from performing work related to the incident (e.g., operating mobile equipment) until notified by HR of test results.

HUMAN RESOURCE MANAGER/DESIGNEE

4.4.4 **IF** the HR Manager/designee and the ES&H Manager determine post-occurrence testing is required, **THEN**:

- Orders drug and/or alcohol testing by calling the on-site medical provider and submitting an authorization form via email.
- If necessary, assists by arranging to have an escort for the employee to be taken to the CHSP for a post-occurrence drug test.
- Sends authorization form via e-mail to the on-site medical provider.

4.5 PERFORMANCE OF DRUG TESTS

CONTRACTED HEALTH SERVICES PROVIDER

4.5.1 Maintains the confidentiality of all documentation related to the drug/alcohol program.

4.5.2 Ensures that sample collection, chain of custody, testing, recording, and reporting procedures meet requirements of all applicable local, state, and federal laws. Also ensures that equipment used in drug and alcohol tests are approved based on the requirements of local, state, and federal laws.

- 4.5.3 Receives all drug testing results. Makes determination of use of illegal drugs or alcohol level in accordance with applicable legal requirements.
- 4.5.4 **IF** the laboratory confirmed test result is negative, **THEN** reports the negative result to the HR Manager/designee. The investigation ends at this point and the HR Manager/designee notifies the employee(s) and first-line supervisor(s).
- 4.5.5 **IF** the laboratory confirmed the test result as positive, **THEN** review the employee's relevant biomedical information for a medical explanation.
- 4.5.6 **IF** there is a medically legitimate explanation for the positive test result, **THEN** the CHSP (a) certifies the results do not meet the conditions for a determination of illegal drug/alcohol use, and (b) notifies the HR Manager/designee of the false positive test result finding.
- 4.5.7 **IF** there is no medically legitimate explanation for the laboratory confirmed positive test result, **THEN** the CHSP (a) certifies that the results meet the conditions for a determination of illegal drug/alcohol use, and (b) notifies the HR Manager/designee of the positive test result finding.

HUMAN RESOURCE MANAGER/DESIGNEE

- 4.5.8 Notifies the employee, in person (if practical), of the positive test result finding.
- 4.5.9 Discusses positive results with the employee and provides him/her an opportunity to explain the test result and provides the individual an opportunity to report and verify the use of any prescription or over-the-counter medication.

NOTE: An individual who has been notified of a positive drug/alcohol test result will be informed that he/she may request a retest at the same or another certified laboratory. In such case, the individual must request a retest no later than the workday immediately following the initial positive test result. If the employee chooses a retest, he/she is responsible for paying the costs of transportation and/or retesting. This applies to urine specimen testing only. If the results of the retest are negative, the company will reimburse the employee for the amount the employee paid for the retest. Retesting on a Breathalyzer cannot be repeated since alcohol levels decrease over time.

- 4.5.10 **IF** the individual requests a retest, **THEN** no final determination is made until the second set of test results are returned. Any detectable amount of an illegal drug or a higher-than-normal level of a controlled substance is confirmation of a positive result.
- 4.5.11 **IF** the second test result is negative, **THEN** the entire testing is considered negative and the individual is informed.
- 4.5.12 **IF** there is any detectable amount of an illegal drug or a higher-than-normal level of a controlled substance or if the employee cannot provide proof that he/she had proper authorization for a controlled substance, **THEN** the result is positive.

4.6 POSITIVE DRUG TEST RESULT ACTIONS

RETURN-TO-WORK TESTING

- 4.6.1 Following a violation of the SST WSAP and in the event the employee retains his/her job, the employee will be required to undergo and complete a treatment prescribed by a Substance Abuse Professional (SAP). Additionally, the employee will be subject to drug and/or alcohol testing prior to returning to duty and will be required to certify in writing his/her understanding and acceptance of a rehabilitative (or return-to-work) agreement.
- 4.6.2 A return-to-work test will be performed only after the SAP indicates that the employee has completed or is following a prescribed treatment program. In the return-to-work evaluation, the SAP will determine the frequency and duration of follow-up testing after the employee returns to work.

FOLLOW-UP TESTING

- 4.6.3 Employees permitted to return to work are subject to unannounced follow-up testing. A minimum of six follow-up tests will be performed during the first 12 months after the employee returns to work. The testing period shall not exceed 60 months from the employee's return-to-work date.
- 4.6.4 Follow-up testing is separate from and in addition to the regular random testing program. Employees subject to follow-up testing will remain in the standard random pool and will be tested whenever their names come up (even if this means being tested twice in the same day, week, or month).

HUMAN RESOURCE DIRECTOR/DESIGNEE

- 4.6.5 Reviews the findings in conjunction with the Company discipline policy and makes appropriate determination in conjunction with the employee's supervisor and Organizational or Functional Manager (O/FM).

4.7 EMPLOYEE NOTIFICATIONS TO THE COMPANY

EMPLOYEE

- 4.7.1 Notifies the S&S Director/FSO/designee, of any drug or alcohol-related citation, arrest or conviction or receipt of a positive drug/alcohol test result as soon as possible, but within five (5) calendar days of such arrest, conviction, or receipt, regardless of whether it occurs on or off the job.
- This notification is in addition to the personnel security individual reporting requirements for cleared employees and employees in process for a clearance. Refer to PGDP-SS-PL-004, *Paducah Gaseous Diffusion Plant Personnel Security Plan*.

NOTE: SST currently utilizes ComPsych for the EAP. ComPsych provides services 24 hours per day, seven days per week, by calling 1-855-387-9727 or by visiting www.guidanceresources.com. The SST EAP Implementation Plan outlines the details of the EAP. Services provided by ComPsych include, but are not limited to, access to employee assistance counselors and employee and family counseling in the areas of elder care, child care, marital distress, relationship issues, legal and financial concerns, substance abuse, workplace conflict, and stress.

Website: www.guidanceresources.com

Organization Web ID: LFGsupport1

HUMAN RESOURCE MANAGER/DESIGNEE

4.7.2 Works in conjunction with the supervisor to impose disciplinary action within 30 days, up to and including termination, or the opportunity to participate in an approved substance abuse rehabilitation program in accordance with the EAP.

4.8 DRUG/ALCOHOL SEARCHES

NOTE: Security personnel usually conduct drug/alcohol searches, but the O/FM or a local law enforcement officer also may do so in cases where time is of the essence. Drug/alcohol searches of an individual and searches of vehicles in company parking lots will be conducted only (1) when there is reason to suspect use, possession, sale, distribution, trafficking in, or manufacture of illegal drugs; or (2) where there is reason to suspect that an employee is under the influence of a controlled substance without the proper authorization; or (3) when there is reason to suspect that an employee is under the influence of alcohol on company time or company premises; and (4) after the employee under suspicion has consented to the search.

4.8.1 All decisions related to the determination for performing drug/alcohol searches will be made by the Project Manager. Notifications to security personnel will be made by the Project Manager.

5.0 EMPLOYEE/SUPERVISOR TRAINING

HUMAN RESOURCE MANAGER/DESIGNEE/CONTRACTED HEALTH SERVICES PROVIDER

5.1.1 Provides training to the entire workforce concerning problems of substance abuse, including illegal drug use; safety, security, and other work-related problems caused by substance abuse; the provisions of DOE Order (O) 350.1 Chapter VIII, *Contractor Workplace Substance Abuse Programs*, and 10 CFR 707; the SST WSAP; the availability of assistance through the EAP and referrals to other resources; and the penalties that may be imposed upon employees for drug-related violations.

NOTE: An EAP is available to employees for preventive services, education, short-term counseling, coordination and referral to outside agencies, and follow-up.

5.1.2 Provides training to supervisors on recognition of deteriorating job performance or judgment, or observation of unusual conduct which may be the result of possible illegal drug use; responsibility to intervene when there is deterioration in performance, or observed unusual conduct, and to offer alternative courses of action that can assist the employee in returning to satisfactory performance, judgment, or conduct, including seeking help from the EAP; appropriate handling and referral of employees with possible substance abuse problems, especially illegal drug use; and SST policies and procedures for giving maximum consideration to the privacy interests of employees and applicants.

6.0 QUALITY ASSURANCE

The SST QA Manager is responsible for performing periodic independent assessments of the SST and subcontractor WSAPs and of the CHSP.

7.0 RECORDS

SST shall maintain records of drug and alcohol testing programs in accordance with their procedures. Due to Privacy Act considerations, the records will be stored in a secure location with controlled access in the respective HR Organization instead of the Records Management Centers. All records generated by this program will be maintained according to 36 CFR Chapter 12, *National Archives and Records Administration*.

8.0 DEFINITIONS

The following terms are used in this policy:

Alcohol – The intoxicating agent in beverage alcohol, ethyl alcohol, or other low-molecular weight alcohols including methyl and isopropyl alcohol, and includes any over-the-counter substance containing alcohol.

Alcohol Confirmation Test – A test, following a screening test with a result of 0.02 or greater, that provides quantitative alcohol concentration data.

Alcohol Use – The consumption of any beverage, mixture, or preparation including any medication containing alcohol.

Chain of Custody Form – A form ensuring the integrity of each urine specimen. It accounts for the specimen's handling and storage from point of specimen collection to final disposition of the specimen. Drug testing requires an appropriate drug testing laboratory with a laboratory chain-of-custody form that accounts for the sample or sample aliquot while it is at the testing laboratory.

Contracted Health Services Provider – SST currently contracts health services and substance abuse testing to Healthworks Medical, LLC, located at 127 Alben Barkley Drive, Paducah, Kentucky 42001, (270) 448-9355. Healthworks provides the following services: physical evaluations, evaluation and treatment of work-related injuries/illnesses, 24-hour drug screen collection and evaluation services, case management and return-to-work progress reporting, employee wellness and educational support programs, and medical department consultation.

Drug Confirmation Test – A second analytical procedure, independent of the screen test, to identify the presence of a specific drug or metabolite. It uses a different technique and chemical principle than the screen test does to ensure reliability and accuracy. Gas chromatography/mass spectrometry is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine.

Illegal Drug – Includes for this program, any substance which under the Federal Controlled Substances Act (21 USC 811) or state statute is unlawful to possess. Examples are marijuana, cocaine, heroin, Quaaludes, hallucinogens, and other street drugs and controlled prescription drugs such as amphetamines and barbiturates unlawfully prescribed for the individual using or possessing them.

Immediate Notification – Any reference to an immediate notification shall mean as soon as administratively possible given the circumstances at the time.

Medical Review Officer – A licensed physician (medical doctor or doctor of osteopathy), employed by the CHSP, responsible for receiving testing laboratory results generated by an employer's drug testing program. This physician is knowledgeable of substance abuse disorders and is trained to interpret and evaluate an individual's confirmed positive test result along with their medical history and any other relevant biomedical information. Healthworks Medical Director is a Board Certified Family Physician.

Occurrence – Any event or incident that is a deviation from the planned or expected behavior if the deviation has environmental, public health and safety, or national security protection significance.

Refusal to Submit (to an alcohol or drug test) –

1. Failure to submit to a test as directed,
2. Failure to provide an adequate breath or saliva specimen for alcohol testing without a valid medical explanation,
3. Failure to provide an adequate urine specimen for drug testing without a valid medical explanation,
4. Conduct that clearly obstructs the testing process, or
5. Failure to sign any forms required to complete testing.

Screening Test (also known as initial test) – In alcohol testing, an analytical procedure to determine whether a person may have a prohibited concentration of alcohol in their system. In drug testing, immunoassay screen to eliminate “negative” urine specimens from further consideration.

Site Personnel – Includes SST Contractor and their subcontractor employees.

Specimen – A breath, saliva, or urine specimen. All confirmatory tests require obtaining a breath specimen from the person being tested. A breath or saliva specimen may be used for the initial alcohol test. A urine specimen is required for drug testing.

Substance Abuse Professional – A licensed physician (medical doctor or doctor of osteopathy), licensed or certified psychological social worker, employee assistance professional, or addiction counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission) with knowledge of and clinical experience in the diagnosis and treatment of alcohol-related and controlled substances-related disorders.

Testing Designated Position (TDP) - Positions defined by 10 CFR 707 and DOE Order 3792.3. Applicants for, and holders of, a DOE “Q” or “L” access authorization (security clearance) are deemed to be in Testing Designated Positions (TDP). Other examples of TDP’s include the following: where failure could significantly harm the environment, public health or safety, or national security; personnel directly involved in production, use, storage, transportation, or disposal of hazardous materials sufficient to cause significant harm to the environment or public health and safety; positions having access to classified matter or significant quantities of special nuclear material; classifications/positions requiring a security clearance; and other positions determined by DOE to have the potential to significantly affect the environment, public health and safety, or national security.

9.0 REFERENCES

The following references are used in this policy:

- 10 CFR 707, *Workplace Substance Abuse Programs at DOE Sites*
- 48 CFR 970.2201–1–2 (a) (1) (iii)
- 36 CFR Chapter 12, *National Archives and Records Administration*
- DOE O 350.1, *Contractor Human Resources Management Programs*, Chapter VIII, *Contractor Workplace Substance Abuse Programs*
- U.S. Department of Health and Human Services *Mandatory Guidelines for Federal Workplace Drug Testing Programs*
- Federal Controlled Substances Act (21 USC 811)

- ISSC-ESH-PR-008, *Accident/Incident Reporting*
- DOE O 472.2, *Personnel Security*

DRAFT

ATTACHMENT

PROJECT MANAGER AND HUMAN RESOURCE MANAGER CONTACT INFORMATION

Swift & Staley Inc. Project Manager's Contact Information:

Name: Tammy Courtney
Address: 5505 Hobbs Road, Kevil, KY 42053
Phone: (270) 441-5270
Email: tammy.courtney@pad.pppo.gov

Swift & Staley Inc. Human Resource Manager's Contact Information:

Name : Jeannine Jameson
Phone: (270) 441-5199
Fax: (270) 441-5255
Email: jeannine.jameson@pad.pppo.gov