

Drug Free Workplace Policy & Addendum



The Cottages recognize that the employees are our most valuable asset, and the most important contributors to our continued growth and success. We are firmly committed to the safety of our employees. The Company will do everything possible to prevent workplace accidents and is committed to providing a safe working environment for all employees.

To further this goal, The Cottages has developed a Drug-free Workplace Policy. The program will consist of four components: Post-Offer Screen, Reasonable Suspicion Drug/Alcohol Screen, Random Drug Screen, and Post-Incident Drug/Alcohol Screen. This policy applies to all candidates for employment as well as all current employees. This policy also serves to reinforce the Company's zero tolerance for illegal drug use and working under the influence of alcohol.

Post-Offer Testing

The Cottages believes accident prevention and a safe work environment begin with hiring. As such, all applicants offered employment will be required to undergo drug testing. Employment is conditional on the results of the drug screen.

Procedure

Any applicant the company hires will be subject to drug/alcohol testing. All testing for illegal drugs/alcohol will be done by the testing of the person's urine specimen. Personnel who have been instructed and trained in collection procedures, represented by The Cottages, will conduct all specimen collections.

Consequence

In the event the results of the drug test are positive, the trained Cottage personnel will send the urine sample to the currently contracted Laboratory. The Medical Review Officer (MRO) will review the report and contact the applicant to determine if any extenuating circumstances, relevant at the time of the test, could have resulted in a false positive. The MRO will determine if the applicant will be re-tested. If the test comes back positive for illegal drugs and/or alcohol the employee's offer for employment will be revoked. If an employee is using prescription or over-the-counter medication, it will be The Cottages decision if the employee's offer for employment will stand. If an employee refuses to submit to the drug screen, the job offer will be revoked.

Reasonable Suspicion

The Cottages reserves the right under all applicable laws to test any employee for alcohol and illegal drugs if The Cottages has reasonable suspicion of drug or alcohol use in the workplace. The Cottages management, supervisors, and lead persons have been trained to identify symptoms of being under the influence of illegal drugs or alcohol as illustrated in Appendix B of this policy.

Procedure

If a supervisor, manager or lead person identifies a problem, s/he will ask another supervisor/manager/lead person, if available, to confirm the presence of reasonable suspicion. Both persons will then individually fill out a Reasonable Suspicion Report. After completing the report, the persons who prepared the Reasonable Suspicion Reports shall confer, and if they agree that reasonable suspicion exists, the employee will be escorted to a private area where the supervisor/manager/lead person will speak confidentially to the suspected employee to allow the employee an opportunity to explain

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or otherwise dispute the “reasonable suspicion.” Following receipt of the employee’s explanation, if the supervisor/manager/lead person believes the employee is unfit to perform his/her duties, and reasonable suspicion for use of illegal drugs or alcohol remains, the employee will be required to submit to a drug and alcohol screening as set forth in this Policy. S/he will then be tested for illegal drugs/alcohol by the testing of employee’s urine and/or an alcohol swab test. The Cottages will perform an alcohol swab test and/or a urine analysis for the substances and/or illegal drugs listed in Exhibit ‘A’ below.

Consequence

In the event the results of the drug test are positive, the trained Cottage personnel will send the urine sample to the currently contracted Laboratory and the employee will be suspended without pay. If the employee can present a prescription from an authorized health care provider, the employee may continue to work until the lab results are received. The Medical Review Officer (MRO) will review the report and contact the applicant to determine if any extenuating circumstances, relevant at the time of the test, could have resulted in a false positive. The MRO will determine if the applicant will be re-tested. If the test comes back positive for illegal drugs and/or alcohol, the employee will be immediately terminated. If an employee is using prescription or over-the-counter medication, it will be The Cottages decision if the employee is to go back to normal work activities. If the blood alcohol test comes back with an alcohol level exceeding .02, it will be grounds for disciplinary action up to and including immediate termination. Any/All consideration outside of this drug policy will be handled at the corporate office between the supervisor and Director of Operations and/or the President/CEO. If an employee refuses to submit to the test they will be considered insubordinate and it will be grounds for immediate termination. If an employee becomes hostile, law enforcement will be called in, and s/he will be considered insubordinate, which will be grounds for immediate termination.

Random Testing

Over the course of a calendar year, at least 20% of The Cottages current workforce will be required to submit to a random drug screening.

Procedure

Employees will be chosen randomly by Definitive Drug Testing Services, a third party organization, on a periodic basis and will be tested by trained Cottage personnel.

Consequence

In the event the results of the drug test are positive, the trained Cottage personnel will send the urine sample to the currently contracted Laboratory and the employee will be suspended without pay. If the employee has a prescription from an authorized health care provider, the employee may continue to work until the lab results are received. The Medical Review Officer (MRO) will review the report and contact the applicant to determine if any extenuating circumstances, relevant at the time of the test, could have resulted in a false positive. The MRO will determine if the applicant will be re-tested. If the test comes back positive for illegal drugs and/or alcohol, the employee will be immediately terminated. If an employee is using prescription or over-the-counter medication, it will be The Cottages decision if the employee is to go back to normal work activities. Any/All consideration

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outside of this drug policy will be handled at the corporate office between the supervisor and Director of Operations and/or the President/CEO.

If an employee refuses to submit to the test they will be considered insubordinate and it will be grounds for immediate termination. If an employee becomes hostile, law enforcement will be called in, and s/he will be considered insubordinate, which will be grounds for immediate termination.

This policy applies to all Company employees involved in a work-related accident or a near miss incident. This policy also serves to reinforce the Company's intolerance for illegal drug use and/or working under the influence of alcohol.

Procedure

Any employee involved in a work-related accident or near a miss incident, must immediately inform a supervisor. If the incident involves property damage or results in an injury, the employee shall be directed to receive appropriate medical care, and shall be required to submit to a drug and alcohol screening as prescribed by this Policy as soon as possible following the accident. If Cottage personnel is unable to complete the drug/alcohol testing on-site, the testing may be performed in conjunction with the employee's medical treatment. The test results shall only be released to the Human Resources Manager. The testing will consist of a breath alcohol test and a urine analysis which tests for the substances listed in Exhibit 'A'.

Consequences

Any employee who tests positive for a controlled substance shall be terminated immediately. If the blood alcohol test comes back with an alcohol level exceeding .02, it will be grounds for disciplinary action up to and including immediate termination. In addition, any employee who refuses to submit to the testing procedure will be considered insubordinate, which may serve as grounds for immediate termination. Any/All consideration outside of this drug policy will be handled at the corporate office between the supervisor and Director of Operations and/or the President/CEO.

Right of employee or prospective employee to explain positive test result and request for retest

Any employee or prospective employee who tests positive for drugs or alcohol will be given written notice of that test result, including the type of substance involved. The employee shall be provided an opportunity to discuss and explain the positive test result with a medical review officer or other qualified person.

Any employee or prospective employee who has a positive test result may request that the same sample be retested. A request for retest must be submitted in writing to The Cottages corporate office within seven (7) working days from the date of the first confirmed positive test notification. The retesting shall be paid for by the employee requesting the test. If the retest results in a negative finding, The Cottages shall immediately reimburse the cost of the retest, compensate the employee for his time if suspended without pay, or if terminated solely because of the positive test, shall be immediately reinstated with back pay.

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Confidentiality of Information

All information, interviews, reports, statements, memoranda or test results, written or otherwise, received through the substance abuse testing program described in this Policy shall be kept confidential, and are solely intended for internal business use only. The information obtained by the employer under this Policy shall be the property of the employer.

The Cottages along with the laboratory, medical review officer, employee assistance program, drug or alcohol rehabilitation program and their agents, who receive or have access to information concerning test results, shall keep the information confidential.

Construction of Drug-Free Workplace Policy

The intent of this Policy is to implement and enforce the provisions of the *Idaho Employer Alcohol and Drug-Free Workplace Act* set forth at *Idaho Code Sections 72-1701, et seq.*, and the construction of this Policy shall be consistent with and in accordance with the requirements and limitations set forth at the *Idaho Employer Alcohol and Drug-Free Workplace Act, supra*.

EXHIBIT A: Tested Controlled Substances:

Amphetamines (Speed, pep pills)	Cannabinoids (Marijuana, THC)
Cocaine (including crack)	Opiates (Heroin)
Meth Amphetamines	

Self-Referral:

All employees of the company who consider themselves drug or alcohol dependent and who voluntarily identify themselves as such will be encouraged to obtain an evaluation by a substance abuse counselor and to seek treatment, as such is the counselor's recommendation. A request for rehabilitation may not be made in order to avoid the consequence of a positive drug/alcohol result or to avoid taking a drug/alcohol test when requested to do so under the terms of this policy.

The Cottages will take the following action to facilitate treatment:

1. Provide the employee necessary time off work without pay for the purpose of treatment. (employee may use accrued paid time off)
2. Provide the employee information regarding available treatment programs and/or facilities.
3. Provide the employee information about those benefits that are available for treatment under the Company's health insurance plan.

Any treatment sought by the employee will be at his/her own expense, except to the extent that the Company health insurance program provides any coverage.

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Employees who demonstrate progress or completion of a recommended course of treatment with a referral back to work from a certified SAP (Substance Abuse Provider) may return to work after taking and passing a drug and/or alcohol test. Said employee will be subject to (6) random tests during the next 6 months after return to duty, at the employee's expense. Any positive drug/alcohol tests upon return to duty, will result with immediate termination.

Additional Procedures

If an employee is terminated as a result of breaking this policy and seeks employment with The Cottages in the future, they are required to meet with the Director of Operations and/or the President/CEO for any consideration of employment.



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Appendix A

Notice to Employees

The Cottages

Drug-free Workplace Policy

The goal of The Cottage Drug-free Workplace policy is to balance our respect for individuals with the need to maintain a safe, productive and Drug-Free environment. The intent of this policy is to offer a helping hand to those who need it while sending a clear message that illegal drug use and alcohol abuse are incompatible with employment at The Cottages.

All employees are expected to understand and actively participate in this program. The Cottages encourages its employees to take a proactive approach in identifying potential problems or violations by promptly reporting them to their supervisor. It is the employee's responsibility to be aware of the following violations:

1. It is a violation of our policy for any employees to possess, sell, trade, or offer for sale illegal drugs or otherwise engage in the use of illegal drugs or alcohol on or off the job.
2. It is a violation of our policy for anyone to report to work under the influence of illegal drugs or alcohol--that is, with illegal drugs or alcohol in his/her body.
3. It is a violation of our policy for anyone to use prescription drugs illegally. It is not a violation of our policy for an employee to use legally prescribed medications, but the employee should notify his/her supervisor if the prescribed medication will affect the employee's ability to perform his/her job.
4. Violations of this policy are subject to disciplinary action ranging from a letter of reprimand, to suspension from work without pay, up to and including dismissal.

The Cottages will continue to follow federal regulations regarding the use of marijuana, meaning it is illegal under federal law because it is classified as a Schedule I drug under the Controlled Substances Act.

If you have any uncertainty regarding the content of this policy, you are required to consult your supervisor. This should be done prior to signing and agreeing to The Cottages Drug-free Workplace Policy.

I have read and understand The Cottages Drug-free Workplace Policy, and its requirements and expectations of me as an employee.

Employee Name (Printed): _____

Employee Signature: _____ Date: _____

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By signing below, I acknowledge receipt of The Cottages Handbook and have read and understand all policies contained herein.

Employee Signature

Date

Administrator Signature

Date

Appendix B

Supervisors Report of Reasonable Suspicion

SUPERVISOR'S REPORT OF REASONABLE SUSPICION

Both persons will individually fill out a Reasonable Suspicion Report if available:

1. Administrator 2. Lead Staff/House Manager/Supervisor

Employee Name: _____

Department: _____ Location: _____

Date of Observation: _____ Time: _____ am/pm

OBSERVATIONS (check ALL that apply):

BEHAVIOR

- ☐ Stumbling, unsteady gait
- ☐ Drowsy, lethargic
- ☐ Agitated, anxious, restless
- ☐ Hostile, belligerent
- ☐ Irritable, moody
- ☐ Depressed, withdrawn
- ☐ Unresponsive, distracted
- ☐ Clumsy, uncoordinated
- ☐ Tremors, shakes
- ☐ Suspicious, paranoid
- ☐ Hyperactive, fidgety
- ☐ Inappropriate, uninhibited behavior
- ☐ Possessing, dispensing or using controlled substances or alcohol

APPEARANCE

- ☐ Flushed complexion
- ☐ Excessive sweating
- ☐ Cold, clammy sweats
- ☐ Unkempt grooming
- ☐ Disheveled clothing
- ☐ Eyes:
 - ☐ bloodshot
 - ☐ tearing, watery
 - ☐ dilated pupils
 - ☐ constricted pupils
 - ☐ unfocused, blank stare

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ODORS

- ☐ Alcohol
- ☐ Marijuana
- ☐ Excessive Body Odor

SPEECH

- ☐ Slurred, thick
- ☐ Incoherent
- ☐ Exaggerated enunciation
- ☐ Loud, boisterous
- ☐ Rapid, pressured
- ☐ Excessively talkative

- ☐ Nonsensical, silly
- ☐ Cursing, verbal abusiveness
- ☐ Inappropriate verbal response to questions or instruction

TEST DECISION:

- ☐ To perform a Reasonable Suspicion Alcohol Breath Test.
- ☐ To perform a Reasonable Suspicion Drug Urine Test.
- ☐ To NOT perform any drug or alcohol test.
- ☐ Though required, the employee refused to submit to any testing.
- ☐ No Test Conducted (explain): _____

SUMMARY

(Describe circumstances, employee response, and any additional observations – attach additional pages if necessary):

Supervisor Name (printed)

Supervisor Signature

Date