

SECTION: Human Resources	SUBJECT: Drug-free Workplace
DATE OF ORIGIN: 5/1/04	LAST REVIEWED: 1/1/25
LAST REVISED/EFFECTIVE: 1/1/25	
APPROVED BY:	_____ EXECUTIVE DIRECTOR

I. PURPOSE

To maintain Network180 as a drug- and alcohol-free workplace.

II. SCOPE

This policy applies to all employees and applicants.

III. REFERENCES/LEGAL AUTHORITY

Drug-free Workplace Act of 1988 (41 U.S.C. 81), Fair Credit Reporting Act

IV. DEFINITIONS

Adulterated: A specimen containing either a substance that is not a normal constituent for that type of specimen or containing an endogenous substance at a concentration that is not a normal physiological concentration.

Canceled Test: The MRO determines that the result reported by the laboratory cannot support reporting either a positive or negative test to the employer.

Chain of Custody (COC): Procedures to account for the integrity of each specimen or aliquot by tracking its handling and storage from point of specimen collection to final disposition of the specimen and its aliquots.

Chain of Custody Document: The form(s) used to document the security of the specimen and all aliquots of the specimens during testing and storage. The form, which may account for an entire test batch, shall include the names and signatures of all individuals who handled the specimens or aliquots and the date and purpose of the access.

Confirmatory Drug Test: A second analytical procedure performed on a specimen to identify and quantify the presence of a specific drug or metabolite.

Cutoff Level: The concentration used to establish and report a specimen as negative or positive.

Dilute: Refers to a specimen with less than normal physiological constituents.

Donor: The individual from whom a specimen is collected.

Follow-up Test: A specimen collected from a donor to ensure that the donor remains drug-free after being reinstated to a testing designated position.

HHS-Certified Laboratory: A location where initial and confirmatory testing is performed under the supervision of a responsible person (RP) and where certifying scientists perform

the final review and release of test results.

Initial Drug Test: The test used to differentiate a negative specimen from one that requires further testing for drugs or drug metabolites.

Initial Validity Test: The first test used to determine if a specimen is adulterated, diluted, or substituted.

Medical Review Officer (MRO): A licensed physician who is certified to review, verify, and report test results to the employer.

Negative Result: The result reported by a laboratory or test facility when a specimen contains no drug or the concentration of the drug is less than the cutoff concentration for that drug or drug class.

Positive Result: Laboratory result for a specimen that contains a drug or drug metabolite greater than or equal to the cutoff concentration.

Return to Duty Test: A specimen collected from a donor to ensure that the donor is drug free prior to being reinstated in a testing designated position.

Split Sample: Urine samples will be divided into two specimen containers before being sent to the laboratory for analysis. The primary sample, consisting of 30 milliliters (ml) will be analyzed first. The split sample 15 ml will be analyzed if the confirmatory test result of the primary sample is challenged. Employees and applicants whose primary sample is the presence of the drug(s) for which a positive result was obtained, in a different DHHS certified laboratory selected by the company. The request must be made by the employee or applicant within 72 hours of being notified by the MRO of a verified positive test result.

V. POLICY

Network180 supports any employee who has a substance use problem in seeking and obtaining appropriate treatment. The Employee Assistance Program is available to employees and may provide referrals to appropriate treatment programs.

Network180 is committed to providing a safe and appropriate workplace. All employees and applicants are subject to the following procedures whenever conducting business, representing Network180, or seeking employment with Network180. Any violation of this policy will be subject to corrective action, up to and including termination of employment; or rescinding of contingent job offers.

Employees are prohibited from testing positive for, manufacturing, using, possessing, selling, trading, and/or offering for sale alcohol, marijuana, illegal drugs, or intoxicants on Network180 premises or while performing work duties during the course of employment.

Network180 does not allow employees to perform their duties while under the influence of drugs or alcohol, including prescribed drugs that are adversely affecting their ability to perform their job duties safely and effectively. If an employee tests positive for drugs (including marijuana) or alcohol, the employee will be presumed to be under the influence of the substance while at work. For prescription drugs, employees taking a

prescribed medication must be prepared to produce a container labeled by a licensed pharmacist if asked.

Employees who refuse to cooperate in required tests or who possess, buy, sell, manufacture, or dispense marijuana or an illegal drug(s) in violation of this policy, will have their employment terminated.

Any employee who is convicted of a criminal drug violation must notify Human Resources in writing within five (5) calendar days of the conviction. Network180 will take appropriate action within thirty (30) days of notification. Federal contracting agencies will be notified within ten (10) days when appropriate.

Network180 shall comply with all federal, state, and local laws and regulations, where applicable.

VI. PROCEDURE

A. Required Tests

1. Pre-employment: A potential employee will not be hired unless they have satisfactorily passed a pre-employment drug screen. Upon a confirmed positive pre-employment drug screen, a potential employee will be ineligible for employment for a period of six (6) months and will be notified according to the requirements in the Fair Credit Reporting Act. After six (6) months, the potential employee may reapply for an open position by following the appropriate application and pre-employment policies.
2. Return to Work: Any employee who is inactive from work for a period of more than 180 days will be required to complete a drug screen before being reinstated.
3. Reasonable Cause Testing: In the event a supervisor has observed behavior that would lead them to believe an employee is under the influence, the supervisor will have the behavior corroborated by another member of management or Human Resources. If they concur there is reasonable cause for drug/alcohol testing, they will notify Human Resources immediately. Human Resources will then notify the employee of the need to report for a reasonable cause substance use test. The employee will be suspended until further notice. Reasonable cause includes, but is not limited to, abnormal physical impairments, behavior, or other related symptoms of substance abuse, including slurred speech, lack of coordination, inability to stand, abrupt mood swings, smell of alcohol or marijuana, accidents, physical indications such as needle marks, nose bleeds and frequent illnesses not medically explained, and/or possession of drug paraphernalia.
4. Post-accident: Employees who are involved in a work-related accident or injury that involves either property damage or requires medical treatment may be

required to be tested for drugs and alcohol. This test must be conducted within eight (8) hours following the accident or injury.

Employees may be subject to testing as part of any recommended follow-up, last chance agreement, or fitness for duty evaluation as determined by Network180.

Employees will be paid for time spent on alcohol or drug testing and then placed on an unpaid suspension pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management, a union representative (if applicable and requested), and Human Resources. Should the results be negative, the employee will receive back pay for the times/days of suspension unless the employee is found to have otherwise violated this policy.

B. Testing Procedure

To ensure the accuracy and fairness of the testing program, all testing will be conducted by Corewell Health according to DHHS/SAMHSA guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a Medical Review Officer, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody. As part of the chain of custody, each employee tested will be asked to sign a consent form authorizing a drug testing facility to perform a drug and/or alcohol test, and to release the results of the analysis to the employer. Proof of a valid prescription may be required. Refusing to sign the consent form or chain of custody form will constitute grounds for termination. All drug-testing information will be maintained in separate confidential records.

1. Identification: Employees must provide photo identification (e.g., driver's license) and any other required identification when submitting a sample.
2. Refusal to Submit: Employees who refuse to submit to drug or alcohol testing, refuse to cooperate, and/or refuse to sign the applicable authorization forms will be subject to termination. Samples that have been adulterated and/or hydrated will be considered tampered with and will result in corrective action up to and including termination of employment. If the employee (donor) is unable to provide an adequate sample, the employee will remain at the collection site and will be given water to drink in accordance with DHHS procedures. If after two hours the employee still cannot produce an adequate sample, the employee will be evaluated by a licensed physician to determine whether the condition is medically related. A retest may be initiated if an adequate sample is unable to be collected. Refusing to provide an adequate sample may be grounds for corrective action up to and including termination of employment.

3. Marijuana Tests: While legal to consume in Michigan, marijuana use is illegal federally, and Network180 has a policy of zero tolerance for marijuana use. Test results showing THC amounts will be considered a positive test for purposes of this policy regardless of when the employee/applicant claims to have last used or why.
4. Breath or Blood Alcohol Tests: Under reasonable suspicion, a breath or blood alcohol test will be conducted by a trained technician to determine alcohol levels. Detection levels will be evaluated against applicable state and federal levels.
5. Urine Drug Tests: Testing for the presence of the metabolites of drugs will be generally conducted by the analysis of urine. However, Network180 may utilize other testing measures if they more successfully detect whether an employee is under the influence of alcohol, marijuana, and illegal drugs.

C. Results

1. Negative or Negative – Dilute: Test results that are negative require no additional follow up. Test results that are negative – dilute will require another test within 24-48 hours. If a second test result of negative – dilute is received, the final result of the test will be considered negative.
2. Dilute or Dilute – Invalid: Test results of dilute or dilute – invalid will require another test within 24-48 hours. If a second test result is dilute or dilute – invalid, the result will be considered positive.
3. Positive Drug Tests or Admitted Policy Violation: Employees on probation and/or employees within their first six (6) months of employment who violate this policy or submit a confirmed positive drug and/or alcohol test result shall be dismissed and shall not be eligible for rehire or work in any capacity. Employees who have successfully completed probation and MPP employees who have successfully completed six (6) months of employment who violate this policy or have a positive drug and/or alcohol test will be immediately suspended without pay and referred to a Substance Abuse Professional (SAP) for assessment. Refusal to follow the treatment plan outlined by the SAP will be grounds for termination of employment. Failure to schedule an appointment with a SAP within thirty-six (36) hours of being notified of the positive test will be grounds for termination. The SAP and the employee will determine the appropriate course and duration of treatment. The cost of this program will be at the expense of the employee (may be covered under employee health insurance plan).
4. Employee Reinstatement: Employees may be reinstated under the terms of a “last chance agreement.” Employees must provide verification of their drug and/or alcohol-free condition and validation they have met the requirements of the SAP. The employee will be subject to fitness for duty and continued follow-up testing for a period of two (2) years upon completing the rehabilitation program. The follow-up testing will consist of a series of six (6) random tests for a period of two (2) years. Reinstatement of an employee may occur while the employee is enrolled

in the treatment program, provided the SAP provides clearance to return to work and a negative fitness for duty test, including a negative drug/alcohol screen. The fitness for duty test must be conducted within twenty-four (24) hours of being cleared by the SAP. The “last chance agreement” must be executed by the employee and their union representative (if applicable) and the Director of Human Resources. If an employee declines to sign the “last chance agreement,” employment will end even if the employee completed the rehabilitation program.

5. Second Positive Drug and/or Alcohol Test: Employees who have been reinstated and test positive for drugs and/or alcohol a second time at any point during employment shall be dismissed and shall not be eligible for rehire or work in any capacity.

D. Self-referrals

Network180 recognizes alcohol and drug use and addiction are treatable illnesses. We also realize early intervention and support improve the success of rehabilitation. To support our employees, we:

1. Encourage employees to seek help if they are concerned, they or their family member(s) may have a drug and/or alcohol problem.
2. Offer all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
3. Provide an employee with up to twelve (12) weeks leave of absence for participation in an inpatient substance abuse program in accordance with any applicable leave of absence policies. The employee will be required to use any accrued benefit time while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other substance use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee. The SAP will recommend to the employer a plan for employment during treatment. The employee will also be required to authorize the SAP to communicate directly to the employer regarding attendance/participation in treatment. Reinstatement of an employee may occur while the employee is enrolled in the treatment program, provided the SAP provides clearance to return to work and a negative fitness for duty test, including a negative drug/alcohol screen. The self-referral request must be made before the employee is required to submit to a drug or alcohol test under this policy. Employees may not use this self-identification provision to avoid being disciplined for receiving a positive test result or for refusing to submit to a test.

E. Searches

Network180 reserves the right to conduct searches consistent with the *Use of Network180 Resources* Human Resources policy.

F. Notification of Criminal Drug Convictions

Network180 will take appropriate action within thirty (30) days of said notification. Federal agencies will be notified when appropriate.

VII. RESPONSIBILITIES

- Employee: Submit to required testing and searches as applicable. Comply with treatment plans. Any employee who is convicted of a criminal drug violation must notify Network180 in writing within five (5) calendar days of the conviction.
- Supervisor: In the event a supervisor has observed behavior that would lead them to believe an employee is under the influence, the supervisor will have the behavior collaborated by another member of management or Human Resources. If they concur there is reasonable cause for drug/alcohol testing, they will notify Human Resources immediately and complete Attachment C.
- Human Resources: Act upon employee conviction notification within thirty (30) days of the notification. Arrange applicant and employee testing as appropriate. Institute appropriate personnel action as required.

VIII. ATTACHMENTS

- A. Drug Screening Policy Acknowledgement
- B. Pre-Employment Drug Screening
- C. Reasonable Suspicion Drug and Alcohol Test Report

IX. REVIEW HISTORY

10/1/05, 8/7/09, 6/10/11, 6/1/13, 8/15/14, 9/11/15, 7/12/16, 12/20/17, 12/6/18, 1/1/20, 3/1/21, 9/28/21, 10/26/24, 1/1/25