



Professional Home Health Care, Inc.



“Life was meant to be lived.”

- Eleanor Roosevelt

PROFESSIONAL HOME HEALTH CARE, INC.

DRUG AND ALCOHOL POLICY

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TABLE OF CONTENTS

I. Purpose	5
II. Scope	5
III. Statement of Policy	5
IV. Types of Testing	6
V. The kinds of substances tested	7
VI. Safeguards/Confidentiality	7
VII. Disciplinary Action	8
VIII. Inspection and Searches	8
IX. At Will Employment	8

PROFESSIONAL HOME HEALTH CARE, INC.

EMPLOYEE DRUG AND ALCOHOL TESTING POLICY AND PROCEDURE

I. Purpose

Professional Home Health Care, Inc. (PHHC) is committed to a safe, healthy, and productive work environment for all employees free from the effects of substance abuse. Abuse of alcohol, drugs, and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision-making.

II. Scope

This policy applies to all employees. Any violation will result in disciplinary action up to and including termination. All employees have been issued, upon initiation of this policy or upon hire (whichever is later), a copy of PHHC's policy describing in detail what substances will be tested for and under what conditions employees may be tested.

III. Statement of Policy

To ensure a safe and productive work environment PHHC prohibits the use, sale, dispensation, manufacture, distribution or possession of alcohol, drugs or controlled substances on any company premises or worksites. This prohibition includes company owned vehicles, or personal vehicles being used for company business or parked at PHHC's locations.

No employee shall report to work or be at work with alcohol or any detectable amount of prohibited drugs in the employee's system. (A detectable amount refers to the standards generally used in workplace drug and alcohol testing). Any violation of this policy will result in disciplinary action up to and including termination.

When a medical professional prescribes the employee a drug, the employee shall ask the prescribing professional whether the prescribed drug has any side effects that may impair the employee's ability to safely perform the employee's job duties. If the answer from the medical professional is yes, the employee shall obtain a statement from the medical professional indicating any work restrictions and their duration. The employee shall present that statement to his or her supervisor prior to going on duty.

Illegal use of drugs off duty and off company premises or work sites is not acceptable. It can affect on-the-job performance and public and customer confidence in PHHC.

Any violation of this policy will result in disciplinary action up to and including termination.

IV. Types of Testing

Professional Home Health Care, Inc. may randomly conduct the following types of Drug/Alcohol tests for all employees:

- A. Pre-employment
- B. Reasonable Suspicion
- C. Return-to-Duty/Follow-up Testing



Categories of Substance Testing

- A. Pre-employment Testing:

Drug and/or alcohol testing may be required by PHHC of Colorado residents who are the single finalist for a position and of out-of-state finalists who come to Colorado for an interview, if the same test is required of all finalists for the position. The applicant will pay for the test and will not be reimbursed by PHHC even if the results are negative. Any conditional offer of employment will be withdrawn from an applicant whose drug test result is positive. A positive test result will bar an applicant from reapplying for employment until at least three (3) months have passed from the date of the test.

- B. Reasonable Suspicion Testing:

PHHC may require a drug or alcohol test when PHHC has reasonable suspicion to believe the employee is under the influence of a drug or alcohol on the job; or the employee's job performance is currently adversely affected by use of a drug or alcohol; or the employee has agreed to the test after a finding or admission of prior drug or alcohol abuse. Reasonable suspicion will be based on specific, objective, and clearly expressed facts.

- C. Return to Duty/Follow-up Testing (for PHHC's second-chance policy)

If PHHC elects to allow an employee to return to work following a positive test result, the employee must agree to pay for and pass a return-to-duty

drug test and agree to submit to a program of unannounced testing for a period of not more than twelve (12) months from the date of return to duty.

V. The kinds of substances tested for will include the following substances or their metabolites:

- A. Marijuana
- B. Cocaine
- C. Opiates
- D. Phencyclidine (PCP)
- E. Amphetamines
- F. Alcohol



VI. Safeguards/Confidentiality

The drug screen analysis is accomplished through urinalysis testing. Alcohol testing may be through breath and/or blood analysis testing. Samples will be collected in a sanitary environment designed to maximize employees' privacy while minimizing the possibility of sample tampering. If there is a positive drug and/or alcohol result on the initial screening test, the laboratory or blood alcohol technician will automatically do a second test to confirm the results.

A government-certified outside laboratory performs all drug tests.

An applicant or employee who does not pass a drug test may request that the original sample be analyzed again by a government certified laboratory and at his or her expense. All requests for an independent analysis must be made within **five working days** of notification of positive test results.

Each applicant or employee will have an opportunity to discuss the drug and/or alcohol test with PHHC. Each applicant or employee will be provided with a written copy of his/her positive test result. Upon written request within five working days of taking the test, an employee may access his/her test records and submit written information explaining any such results.

VII. Disciplinary Action

A. Testing Positive

Employees who test positive for drugs or blood alcohol content are in violation of this Policy. Upon the first offense, the employee may be terminated.



B. Refusal to Submit or Tampering

Employees have the right to refuse to undergo a drug or alcohol test. However, refusal to submit to testing or to fully cooperate with testing violates PHHC's company policy and will result in the termination of the employee. Similarly, laboratory results that indicate tampering with or adulteration of a test specimen violate this policy and result in termination of the employee.

C. Observation of Use

Any employee, who has been observed using or possessing illegal drugs or alcohol during work time, including lunch breaks, or on Professional Home Health Care Inc.'s premises is in violation of this policy. Discipline will be imposed regardless of whether the employee is tested and found to have alcohol or illegal drugs in his or her system.

VIII. Inspection and Searches

PHHC may conduct unannounced inspection for violations of this policy in the workplace, worksites, or company premises. Employees are expected to cooperate in any inspection.



IX. At Will Employment

Nothing in this policy is to be construed to prohibit Professional Home Health Care, Inc.'s from maintaining a safe work environment or imposing disciplinary action as it deems appropriate for reasons of misconduct or poor performance, regardless of whether the misconduct or poor performance arises from drug or alcohol use. Such disciplinary actions may include termination of employment. Employment is at-will and subject to termination by Professional Home Health Care, Inc. or the employee at any time, with or without notice and with or without cause.