



ENVIROSYSTEMS

POLICY – DRUG & ALCOHOL  
PREVENTION

POLICY

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Approved by: EnviroSystems HSE Team  
Effective Date: November 15, 2012  
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Revision #: 5

**POLICY**

EnviroSystems USA, Inc. (EnviroSystems) is committed to promoting wellness, contributing to the health of our community, and for providing a safe work environment for all employees. Impairment through the misuse of alcohol or other drugs limits an employee's ability to properly do their job and can lead to an incident causing serious injury or damage to employees, other persons, the environment, and property. Therefore, our priority is the provision of the safest possible working conditions for all employees – consequently an environment that is free of the negative effects of drug and alcohol use. EnviroSystems maintains the following drug and alcohol policy:

- No employee shall distribute, possess, consume or use alcohol or illegal drugs on any company workplace;
- No employee shall report to work or be at work under the influence of drugs or alcohol that may or will affect their ability to work safely;
- No employee shall misuse prescription or non-prescription drugs while at work. If a worker is taking a prescription or non-prescription drug for which there is a potential unsafe side effect, he/she has an obligation to report it to their Supervisor;
- No employee shall test positive for any drug or alcohol at concentrations as specified in this policy;
- No employee shall tamper with a sample for a drug or alcohol test; and
- No employee shall be in possession of firearms, weapons, explosives, etc. when working at EnviroSystems facilities or Client Sites.

**SCOPE**

This policy applies to all people under the direction of EnviroSystems.

**DEFINITIONS**

**Alcohol** – Any substance that may be consumed and that has an alcoholic content in excess of 0.5 per cent by volume.

**Company Business** – All business activities undertaken by Employees in the course of EnviroSystems operations, whether conducted on or off EnviroSystems premises.

**Company Premises** – Includes but is not limited to, all land, property, structures, installations, vehicles, and equipment owned, leased, rented, operated or otherwise directly controlled by EnviroSystems.

**Designated Employer Representative** – an employee authorized by the employer to take immediate action(s) to remove or cause employees to be removed from safety-sensitive duties and to make decisions required in the testing and evaluation process. The DER receives test results and other communications for the employer.

**Drugs** – Includes any drug, substance, chemical or agent the use or possession of which is unlawful in the US, or requires a personal prescription from a licensed treating physician. For purposes of this policy, drugs of concern are those that inhibit a worker's ability to perform his/her job duties safely.

**Drug Paraphernalia** – personal property associated with the use of any drug, substance, chemical or agent that is unlawful to possess. This also includes any device or product that may be used to alter or tamper with a testing sample.

**Employee** – this would include any person employed by EnviroSystems whether permanent full-time or part-time and independent contractors of EnviroSystems and Employees of subcontractors providing services to EnviroSystems or on behalf of EnviroSystems.

**Fitness for Work/Fit for Work** – means being able to safely and acceptably perform assigned duties without any limitations due to the use or after-effects of Alcohol, Drugs or other substances.

**Incident** – Any work-related event, resulting in a loss (or potential loss) to people, property or the environment.

**Medical Review Officer (MRO)** – A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by EnviroSystems drug and alcohol testing and evaluating medical explanations for certain drug test results.

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**Medication** – refers to a drug obtained legally, either over-the-counter or through a doctor's prescription.

**Negative Dilute** – A test result that has a creatinine concentration greater than 5 mg/dL – immediate recollection upon DER's notification of a negative dilute.

**Negative Test Result** – A report from the MRO that the employee who provided a specimen for drug and alcohol testing **did not** have a drug and alcohol concentration level equal to or in excess of the levels set out in this policy.

**Observed Collection** means that a person at the collection site, of the same sex as the employee giving specimen, must watch the employee urinate in the collection container. An observed collection is required when an employee is sent a return-to-duty or follow-up test after completing the return-to-duty program set forth by an SAP due to a failed test, as well as additional reasons stated in 49 CFR part 40.

**Positive Test Result** – A report from the MRO that the employee who provided a specimen for drug and alcohol testing **did** have a drug and alcohol concentration level equal to or in excess of the levels set out in this policy.

**Refusal** – the outright refusal to provide a suitable specimen for drug and/or alcohol analysis, tampering with samples, or intentional and unreasonable delay in providing a suitable specimen for drug and/or alcohol analysis. DCC "refusal to submit a specimen" form to be used.

**Return to Work** – The process started after an Employee violates this Policy. It includes referral to a substance abuse professional (SAP) an initial visit to a (SAP), and any education and/or treatment deemed part of the return to duty, and return to duty testing as per the program set forth by the SAP. Return to duty collections will be under direct observation.

**Safety Sensitive Position** – A position in which incapacity due to drug or alcohol impairment could result in direct and significant risk of injury to the employee, others or the environment. When determining whether a job is safety sensitive, one must consider the context of the industry, the particular workplace and an employee's direct involvement in a high-risk operation.

**Substance Abuse Professional (SAP)** – A person who is knowledgeable about and who has clinical experience in the diagnosis and treatment of alcohol and controlled substances related disorders and who evaluates Employees who have violated this Policy and makes recommendations concerning education, treatment, follow-up testing and aftercare.

**Under the Influence** – means exhibiting the behaviors consistent with being inebriated or impaired due to alcohol or drug use.

## REFERENCES

The following U.S. Department of Transportation (DOT) Regulations are incorporated by reference herein:

- Federal Regulation 49 CFR Part 40 (Subtitle A – Office of the Secretary of Transportation) – Procedures for Transportation Workplace Drug and Alcohol Testing Programs  
<http://www.ecfr.gov/cgi-bin/text-idx?SID=ea49db8cbf3e54b4f3c1dfd7a9ecdd9d&node=pt49.1.40&rgn=div5>
- Federal Regulation 49 CFR Part 199 (Subtitle B – Other Regulations Relating to Transportation) - Drug and Alcohol Testing (Subchapter D – Pipeline Safety) (Pipeline and Hazardous Material Safety Administration)  
<http://www.ecfr.gov/cgi-bin/text-idx?SID=ea49db8cbf3e54b4f3c1dfd7a9ecdd9d&node=pt49.3.199&rgn=div5>
- Federal Regulation 49 CFR Part 382 – Controlled Substances and Alcohol Use and Testing (Federal Motor Carrier Safety Administration)  
<http://www.ecfr.gov/cgi-bin/text-idx?SID=ea49db8cbf3e54b4f3c1dfd7a9ecdd9d&node=pt49.5.382&rgn=div5>

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**PROGRAM DETAILS****Education**

EnviroSystems is committed to informing employees of the existence of this policy and to taking such other steps that are reasonable to inform its employees of the safety risks associated with the use of alcohol and drugs and the assistance available under the Employee Assistance Program (EAP). New employees are informed about this policy during the New Employee Orientation.

**Charges/Convictions**

Any employee required to operate a company vehicle must immediately report any impaired driving charges or convictions to their Supervisor. If the employee loses their license, they are no longer qualified to operate company vehicles until their license is reinstated.

**Contractor Compliance**

EnviroSystems will comply with the DISA NASAP Policy based on Client requirements (see NASAP Policy attachment). All testing and confirmation levels match the NASAP Policy.

EnviroSystems uses various DISA Certified Collection Sites and all results are processed through Quest Diagnostics Inc. and the MRO is:

Dr. Randy Barnett, D.O.  
University Services/DISA DOT  
2837 Southhampton Road  
Philadelphia, PA 19154  
Phone: 800-624-3784  
Fax: 215-637-6998

**Marijuana (Medical and/or Recreational)**

EnviroSystems prohibits employees, while on any company business, from using, possessing and/or distributing all substances listed in the chart on page 6 of this policy including Cannabinoids (Marijuana).

**Property Searches**

EnviroSystems reserves the right to conduct unannounced searches to the extent considered appropriate to ensure the safe and efficient execution of its work and consistent with applicable law. Entry onto EnviroSystems property, Client property, including parking areas, or any other locations, while engaging in EnviroSystems business, or while using a EnviroSystems vehicle (owned, leased or rented by), is deemed consent to an inspection of person, vehicle and personal effects at any time while entering, on, or leaving the property.

Searches will be witnessed by at least two EnviroSystems management personnel and the employee. Searches taking place on Client property may require the notification of Client Representative, all requirements of the Client will be met providing the legal rights of the employee are not compromised.

Any substances found in the process of a search will be documented and acknowledged, in writing, by the employee and others present. Employees found in possession of alcohol and/or illegal controlled substances will be subject to disciplinary action up to and including disqualifying themselves from employment. Conditions under which searches may be considered include when an employee is subject to alcohol and drug screening for Post Incident, Reasonable Suspicion, or when management believes the possession of alcohol and drugs may be occurring in violation of the policy.

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Employees who refuse to cooperate with search procedures will not be forced to comply, but they will be informed that failure to comply will result in employee disqualifying themselves from employment.

#### Testing Scenarios

The following drug and alcohol testing scenarios apply to **safety sensitive positions** (with the exception of customer access testing, depending on their specific requirements). EnviroSystems will cover the costs for all testing scenarios with the exception of Return-to-Work Clearance Testing. EnviroSystems will comply fully with the DISA NASAP and DOT Policy Regulations and testing procedures for compliance and access to DCC Contractors Consortium Owner Sites. (Please see attached DISA NASAP Policy).

In all testing scenarios, a Designated Employer Representative (DER) will be identified at each division/location who will receive the test results from the testing company. The DER must keep all test results confidential from the general workforce and only communicate the results to the employee's Supervisor. All test results must be filed in a secure location.

1. Pre-Employment (Pre-Enrollment) Test

A conditional offer of employment should be offered to prospective employees when pre-employment drug and alcohol testing is conducted. Hiring is contingent on employer receiving a negative result. Pre-employment drug and alcohol testing will also be conducted as a means to determine an individual's ability to perform the essential requirements of a safety sensitive position. Employers' receipt of a negative test result will gain the employee and "Active" status in the DISA Random Pool. Employees working on client sites are required to have an "Active" status.

2. Pre-Access Test

EnviroSystems employees may be required to complete pre-access drug and alcohol testing by certain customers before they are allowed to access that customer's facility. Failure to submit to and pass a customer access drug and alcohol test will prevent the employee from working at that customer's site and may be treated as a Refusal to test.

3. Post Incident Test

Testing should be conducted as soon as reasonably practicable after a significant incident has occurred and there is evidence that an employee's act or omission may have contributed to the incident. The Supervisor must explain to the employee(s) why they are being tested and should be done with a second person wherever reasonably possible. The employee is not permitted to drive to the testing facility and must be offered suitable transportation.

Testing is required if an employee is involved in a work related accident/incident which results in one or more recordable injuries, as defined by OSHA, an environmental incident or damage to a Contractor's or Owner's property or both, and employee performance cannot be ruled out as a cause.

Testing is also required if an employee is involved in an incident (including a near miss) in which safety rules and regulations may have been violated and employee performance cannot be ruled out as a cause.

The employee(s) tested as part of Post Incident Testing will not be allowed to return to work on a clients' site until documentation has been received showing a negative alcohol and drug test result.

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A Supervisor/Manager of an employee need not request the employee to submit to a drug and alcohol test if the Supervisor/Manager, conclude that there is objective evidence to believe that the use of drugs and alcohol did not contribute to the cause of the incident. The Post Incident Drug & Alcohol Testing Form should be completed in these situations.

#### 4. Random Testing

Random testing will be applicable to all employees of EnviroSystems. Employees will complete a pre-employment screening. Upon receipt of a negative test result the employee will received an Active Status and be placed in the DISA DCCHA Random Pool and will be subject to Random testing. A method of random selection will be administered by DISA to ensure that an employee is selected by chance. All employees will be in the random selection pool every time a drawing is made. No employee will be excluded merely because he/she has previously been randomly selected and tested.

Unjustified failure of the selected employee to submit to testing **within 30-minutes plus travel time** will be treated as a refusal to test. Any acceptable justification must be for causes beyond the control of the employee and/or employer. Employer must maintain documentation of the time of receipt of notice of selection, notice to the employee and any justification for failure to report to the collection site with the time required.

For all Non-Negative test results the employer must ensure employee is removed from all duties pending Medical Review Officer (MRO) determination upon notification of the Non-Negative test. An employee who tests non-negative on a Random Test or is otherwise classified as "Inactive" in the DISA Random Pool as a consequence of such a test, shall be ineligible to work and will need to go through the return to work process to regain an "Active" status.

#### 5. Reasonable Suspicion/Cause Test

A trained Supervisor/Manager of an employee must request an employee to submit to an alcohol and drug test if the Supervisor/Manager has reasonable grounds to believe that the actions, appearance or conduct of an Employee, while on Company Business or Company Premises, are consistent with, or indicative of the use of, or after effects of drugs and/or alcohol. The Supervisor/Manager must explain to the employee(s) why they are being tested and should be done with a second person wherever reasonably possible. The employee is not permitted to drive to the testing facility and must be offered suitable transportation.

The employee(s) tested as part of Reasonable Suspicion/Cause Testing will not be allowed to return to work on a clients' site until documentation has been received showing a negative alcohol and drug test result.

The Supervisor/Manager must have completed Supervisor Awareness/Reasonable Suspicion Training and should complete a Reasonable Grounds Drug & Alcohol Testing Form and send to the Company DER for filing. The referral for a test will normally be based on specific personal observations resulting from, but not limited to:

*Observed use or evidence of use of drugs or alcohol, changed, erratic or unusual behavior of an Employee, changes in the physical appearance of an Employee, and changes in the speech patterns of an Employee.*

In all situations when management believes an employee is unfit to be on the work site, responsible escort procedures should be followed. The employee will not be permitted to drive home and will be offered alternative transport arrangements.

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6. Return-To-Work Test

An Employee found to be in violation of this Policy and/or has received a test result that is a non-negative must complete a treatment program for substance abuse, or satisfy the recommendations of a Substance Abuse Professional (SAP) either through the EAP program or a third party provider, must complete a return-to-work alcohol and drug clearance test which yields a negative result prior to returning to work. Notification will be given to the employee on how to proceed with the return-to-duty process. The employee will have a minimum of 30 days to begin the return to duty process. Employee must contact employer/DER with notification of his/her intent. If no contact is made in this 30 day time period – employee will automatically be terminated.

7. Follow-up Testing

Upon providing a negative Return-To-Work/Duty Test result, the employee must comply with unannounced periodic follow-up testing as recommended by the appropriate Substance Abuse Professional (SAP) and as defined in the applicable Return-To-Work agreement (see DER for Return-To-Work Agreement) and may include alcohol and controlled substances if deemed necessary by the SAP. Follow-up testing is unannounced, collected under direct observation and is in addition to Random Testing.

8. Negative Dilute Result / Retest

If the MRO reports a negative dilute test that has a creatinine concentration greater than 5 mg/dL, the DER will notify the Supervisor/Manager to send employee immediately for recollection. All employees with a negative dilute test will be asked to proceed to a collection facility for the recollection under the original test purpose. The result of the second test will be the result of record. If the employee declines to take the retest as directed, the employee will be considered to have refused to test which will be dealt with in a manner consistent with a positive test result.

### Refusals

All refusals will be dealt with in a manner consistent with a positive test result and in compliance of the DISA NASAP Policy (with the exception of a Customer Access Test scenario). See attached DCC "Refusal to submit a specimen" form.

### Testing Protocols and Panel

All drug and alcohol testing is carried out by certified laboratory facilities that are in accordance with the requirements of the USDOT testing requirements.

1. Alcohol

An initial screening test and follow-up confirmation test is performed with an Evidential Breath Testing (EBT) device to determine the blood alcohol concentration in an Employee's system. The alcohol testing protocol will follow US DOT guidelines.

2. Drugs

An initial screening test and follow-up confirmation test will be performed using a split urine sample, and tested for:

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DRUGS	SCREEN LEVEL	CONFIRM LEVEL
Amphetamines	300 (ng/ml)	
Amphetamine		250 (ng/ml)
Methamphetamines		250 (ng/ml)
MDMA		250 (ng/ml)
MDA		250 (ng/ml)
MDEA		250 (ng/ml)
Barbiturates	300 (ng/ml)	100 (ng/ml)
Benzodiazepines	300 (ng/ml)	100 (ng/ml)
Cocaine Metabolites	150 (ng/ml)	100 (ng/ml)
Marijuana Metabolites	20 (ng/ml)	10 (ng/ml)
Methadone	300 (ng/ml)	100 (ng/ml)
Methaqualone	300 (ng/ml)	200 (ng/ml)
Opiates	300 (ng/ml)	
Morphine		100 (ng/ml)
Codeine		100 (ng/ml)
Hydromorphone		100 (ng/ml)
Hydrocodone		100 (ng/ml)
Oxycodone		100 (ng/ml)
Oxymorphone		100 (ng/ml)
6-Acetylmorphine (6-AM) - Heroin		10 (ng/ml)
Phencyclidine (PCP)	25 (ng/ml)	25 (ng/ml)
Propoxyphene	300 (ng/ml)	200 (ng/ml)
Alcohol	0.02% (BAC)	0.04 (BAC)

*NOTE: Alcohol screening and confirmation methods are conducted according to US DOT protocol. Substances and levels may be modified when applicable*

The initial screening test is performed to see if any drugs are present in the above categories. If the amount of drug present exceeds the concentration shown in the "Screen Level" column, the screening test is considered positive.

If a positive result is obtained, the sample is then re-tested using a more exact and sensitive method to identify exactly which drug or metabolite is present and at what level of concentration. If the amount of drug present exceeds the level of concentration shown in the "Confirm Level" column, the confirmation test is considered positive. A positive confirmation test is then reported to the Medical Review Officer (MRO) for further evaluation.

Following a positive test result, the employee will be referred to the SAP per the DISA NASAP Policy to undergo an assessment at the employee's expense. The employee should be suspended immediately without pay pending the results of the SAP assessment and the incident investigation.

Employee will be given written notification of the Return-to-Duty process and must notify Manager or Company DER within 30 days of this notice of his/her intent. If no notification is received by Company in this 30 day time frame employee will be terminated.

**Employee Assistance**

Employees need to be made aware of assessment and treatment services to resolve any problems they may have with alcohol, drugs or medications. Rehabilitation assistance is available to all Employees through EnviroSystems Employee Assistance Program (EAP) – please contact the compliance office for more information.

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Treatment services may be required as a result of testing and/or assessment by the SAP. Services may include detoxification, in patient programs, residential programs, out-patient treatment, day treatment and continuing care. Accessing assistance, or following a treatment program does not eliminate the requirement for maintenance of satisfactory performance levels. Costs associated with treatment services will be the employee’s responsibility.

**RECORDKEEPING**

To provide proof of testing requirements, EnviroSystems will maintain appropriate records, to include Chain of Custody Forms, Alcohol Testing Forms, Test Pools, Test Selections, Test Results, and Signed acknowledgment/consent forms for a period of not less than 5 years.

**RESPONSIBILITY FOR IMPLEMENTATION**

All levels of management and all employees are responsible for the full implementation and efficient functioning of this policy. Further, the HSE Team should be involved in the administration and fair and effective implementation of this policy.

**CONSEQUENCES FOR POLICY VIOLATION**

Any violation to this policy is grounds for discipline up to and including dismissal.

**Employees performing Safety-Sensitive Duties as defined by U.S. DOT Regulations are subject to the Federal Motor Carrier Safety Regulations (FMCSR) and must comply with the U.S. DOT FMCSA CONTROLLED SUBSTANCE USE AND ALCOHOL MISUSE POLICY.**

**WEAPON AND VIOLENCE FREE WORKPLACE POLICY**

EnviroSystems has a separate Weapon and Violence Free Workplace Policy, a copy will be supplied upon request.

**RELATED DOCUMENTS**

- Post Incident Drug & Alcohol Testing Form
- Reasonable Grounds Drug & Alcohol Testing Form
- DCC “REFUSAL TO SUBMIT A SPECIMEN” Form
- DISA NASAP POLICY
- EMPLOYEE ACKNOWLEDGEMENT & CONSENT TO SEARCH SIGNATURE PAGE

**EVALUATION**

This policy will be reviewed on a yearly basis by the Health and Safety Department in conjunction with the Joint Occupational Health and Safety Committee, where one exists.

<i>Revision #</i>	<i>Change</i>	<i>Date of Change</i>	<i>Changed by</i>
1	Policy finalized	11/15/2012	L Schulz
--	Reviewed	1/1/2014	L Schulz
2	Revised to include Client Requirements	2/13/2014	L Dockter
3	Reviewed and updated MRO information	2/25/2015	L Schulz
4	Reviewed and updated to include EnviroSystems	1/4/2016	L. Dockter
5	Reviewed and updated MRO information	5/24/2016	L. Dockter

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**EMPLOYEE ACKNOWLEDGEMENT RECEIPT  
OF  
DRUG & ALCOHOL PREVENTION POLICY  
&  
CONSENT TO SEARCH**

I, the undersigned employee of EnviroSystems hereby acknowledge:

1. I have read and received a copy of EnviroSystems Drug & Alcohol Prevention Policy (the "Policy") for review. I have had an opportunity to ask questions about the Policy, and I understand the requirements of the Policy.
2. I understand that, among other things, EnviroSystems Drug & Alcohol Prevention Policy requires employees to submit to tests to be analyzed for the presence of unauthorized controlled substances and/or alcohol; that the presence of a detectable trace of any unauthorized controlled substance and/or alcohol is grounds for disciplinary action up to and including termination of my employment; and that my cooperation is voluntary, but that refusal to submit a specimen for testing is grounds for my termination.
3. I understand and consent to searches as outlined the *Property Searches* section of the Policy.
4. I agree to comply with the terms of the Policy or any changes or amendments thereto and understand that noncompliance with the Drug & Alcohol Prevention Policy shall result in disciplinary action up to and including termination.
5. Consent and authorization for disclosure to clients of EnviroSystems of alcohol and drug test results. I understand that my personal identification information will be protected. I hereby consent to disclosure by EnviroSystems and its agents, including, but not limited to any collecting and testing agencies, of the test results identified above and any related information to clients of EnviroSystems and its authorized agents.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Employee's Name

\_\_\_\_\_  
Last 4 Digits of Social Security #

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