

# **Drug-Free Workplace Policy**

**Document ID:** HR-EMP-015 **Effective Date:** January 1, 2024 **Last Updated:** January 2024 **Owner:** People Operations & Legal **Applies To:** All Employees

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## **Policy Statement**

NovaTech is committed to maintaining a safe, healthy, and productive work environment. The unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace is prohibited.

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## **Scope**

This policy applies to: - All employees (full-time, part-time, temporary) - Contractors and consultants - All company premises - Company-sponsored events - Company vehicles - Remote work locations during work hours - Any location while conducting NovaTech business

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## **Prohibited Conduct**

The following are prohibited: - Reporting to work or working under the influence of alcohol or illegal drugs - Possessing, using, selling, or distributing illegal drugs on company premises or during work - Using prescription drugs in a manner inconsistent with prescription - Using legal substances in a way that impairs job performance

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## **Alcohol**

### **At Work**

- Alcohol consumption during work hours is prohibited
- Exception: Company-sponsored events where alcohol is served
- Never operate company vehicles or equipment after drinking

## **Company Events**

- Alcohol may be available at company-sponsored events
  - Consumption is optional and should be moderate
  - Responsibility for transportation is personal
  - Impaired behavior is not acceptable
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## **Legal Cannabis and CBD**

### **In States Where Cannabis is Legal**

- Cannabis remains illegal under federal law
- Impairment during work is prohibited regardless of legal status
- Off-duty use is personal choice but impairment at work is not acceptable

### **CBD Products**

- CBD products may be used
  - Must not cause impairment
  - THC content may vary—use at own discretion
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## **Prescription Medications**

### **Employee Responsibility**

- Use prescription medications only as prescribed
- If medication may impair work performance, notify HR
- Discuss potential accommodations
- Never share prescription medications

### **Medical Cannabis**

- Same rules as other impairing medications
  - Work with HR on potential accommodations
  - Impairment during work is not acceptable
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## **Support and Resources**

### **Employee Assistance Program (EAP)**

NovaTech provides free, confidential support:

- Substance abuse counseling
- Mental health support
- Referrals to treatment programs
- Family support

**Contact:** 1-800-XXX-XXXX (24/7)

### **Voluntary Self-Disclosure**

Employees who voluntarily seek help before a violation:

- Will not face discipline for seeking help
- Will be supported in treatment
- May receive leave for treatment
- Will have job protected when possible

**Note:** Self-disclosure after a violation has been identified or investigation begun does not protect from disciplinary action.

### **Treatment Support**

If you need treatment:

- Medical benefits may cover treatment programs
- FMLA leave may be available
- Discuss accommodations with HR
- Return-to-work support provided

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## **Drug Testing**

### **When Testing May Occur**

NovaTech may conduct drug testing in limited circumstances:

**Reasonable Suspicion** Testing may occur when there is reasonable suspicion of impairment based on:

- Observable signs of impairment
- Specific, articulable facts
- Direct observation by trained personnel

**Post-Accident** Testing may occur after workplace accidents where:

- Injury requiring medical attention occurred
- Significant property damage occurred
- Reasonable suspicion of impairment exists

**Pre-Employment (Select Positions)** - Positions involving safety-sensitive duties

- Positions requiring security clearance
- Positions where required by contract or regulation

## **What We Test For**

Standard panel includes: - Amphetamines - Cocaine - Opiates - Phencyclidine (PCP) - THC (marijuana)

Alcohol testing via breathalyzer when applicable.

## **Testing Procedures**

- Testing conducted by certified laboratory
- Chain of custody maintained
- Split sample for confirmation testing
- Medical Review Officer (MRO) reviews positives
- Employee may explain positive result (prescription, etc.)

## **Refusal to Test**

Refusal to submit to testing when required will be treated as a positive result and may result in termination.

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## **Consequences**

### **Violations**

Violation	Typical Consequence
First offense (impairment)	Final warning + mandatory EAP
Second offense	Termination
Distribution/sale	Immediate termination
Positive test (post-accident)	Case-by-case evaluation
Refusal to test	Treated as positive

## **Factors Considered**

- Nature and severity of violation
  - Impact on safety and operations
  - Employee's work history
  - Willingness to seek treatment
  - Circumstances of the incident
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## **Manager Responsibilities**

### **Recognizing Impairment**

Signs may include: - Slurred speech - Unsteady gait - Unusual behavior - Smell of alcohol or marijuana - Impaired coordination - Confusion or disorientation

### **Steps When Suspected**

1. Document observations
2. Contact HR immediately
3. Do not accuse or confront alone
4. Ensure employee safety
5. HR will guide next steps
6. Do not allow employee to drive home impaired

### **What NOT to Do**

- Don't diagnose or label
  - Don't search personal belongings
  - Don't ignore safety concerns
  - Don't discuss with others inappropriately
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## **Confidentiality**

All drug and alcohol-related information is confidential: - Medical information protected - EAP usage not disclosed - Testing results limited to need-to-know - Treatment details private

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## **Legal Considerations**

### **Federal Requirements**

NovaTech complies with: - Drug-Free Workplace Act (federal contractors) - DOT regulations (if applicable) - Other federal requirements

## **State Variations**

State laws vary regarding: - Cannabis legalization - Testing requirements - Privacy protections - Disability accommodations

HR considers applicable state law in all decisions.

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## **Reporting Concerns**

If you observe potential policy violations: - Report to your manager - Report to HR - Use ethics hotline (anonymous) - Prioritize safety

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## **Questions**

Contact HR for questions about this policy: - Email: hr@novatech.com - Slack: #ask-hr

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*Related Documents: Code of Conduct (HR-EMP-001), Workplace Safety (HR-SAFE-001), EAP Information (HR-BEN-010)*