

Revision: September, 2021

Through: Cornell Safety

Policy: Drug and Alcohol

### **A. Background**

This policy applies to all Cornell & Company, Inc. employees, candidates for employment with Cornell & Company, Inc., and those employees of Cornell subcontractors present at Cornell worksites.

### **B. Hazards of Drug Use Concern**

Abuse of alcohol, tested-for substances, and illegal drugs can have adverse effects on safety, productivity, and rational responsible decision making. This drug and alcohol policy provides guidelines for ensuring that all employees under the influence of alcohol, tested-for substances, and illegal drugs do not pose a hazard to themselves, their co-workers, Cornell customers and associates, or persons present in Cornell facilities, and/or those assets to the company itself.

### **C. General Drug-Free Workplace Policy**

Federal Law requires all employers who receive federal contracts or grants maintain a healthy and drug-free workplace. Cornell & Company, Inc. services federal contractors and believes that the work environment shall—at all times to the extent possible—remain safe and hazard free. Cornell Safety will enforce the requirements of federal law through implementation of this policy.

1. Employees must participate in a drug-free awareness program, which will be explained throughout this policy.
2. All Cornell employees must read, understand, and abide by the terms of this policy.
3. For any questions regarding the Cornell & Company Inc. Drug and Alcohol Policy, employees should feel free to address such inquiries to their general foreman, or the Cornell safety department.
4. Any and all records relating to employee drug and alcohol testing will be maintained in a confidential manner, in accordance with all applicable HIPAA privacy laws.

### **C. General Testing Policy**

To maintain a safe and healthy work environment, drug testing will be conducted on the following basis:

1. Pre-employment basis for all Cornell & Company Inc. staff (including shop and yard)
2. When under reasonable suspicion of use

Cornell & Company Inc. also reserves the right to test employees on a random basis. Testing will be done at an approved third-party facility, where results can be verified by a certified lab technician or medical profession in that field. Testing post-accident will only be done when any individual(s) involved are under suspicion of intoxication or drug abuse.

## **Cornell & Company, Inc.**

### **D. On-the-Job use, Possession, Distribution, and/or Manufacture of Illegal Drugs, Tested-For Substances, and/or Alcohol.**

1. Alcohol – Using, under the influence of, or possession of alcohol while performing Cornell & Company, Inc. business, or while in a Cornell owned facility or vehicle is strictly prohibited.
2. Legal Tested for Substances – The use of or being under the influence of a legally acquired drug or narcotic while working for Cornell & Company, Inc. is prohibited to the extent that such use influences or affects the safety of an employee, co-worker, or member of the public, as well as the any Cornell owned facility and/or vehicle. An employee may continue to work, even though under the influence of a legal drug, if management is aware of and—following a consultation with the employee—has determined that the employee does not present a threat to his/her safety, the safety of co-workers, and the safety behind work to be performed by the employee. Cornell Safety does reserve the right to consult the employee's physician, should the consultation be necessary when trying to determine the safe use of any controlled substance while on the job. Any employee taking narcotics for a medical purpose, which may affect his/her performance, must provide a doctor's note, certifying that the employee can safely perform their job while under the influence of said narcotic. If unable to acquire a physician's endorsement, the employee may be required to take a leave of absence or comply with other appropriate actions determined by management, including an alteration in his/her job duties.
3. Illegal Drugs – Use of illegal drugs while performing business with Cornell & Company, Inc. or in and around a Cornell owned facility is strictly prohibited. The manufacture, distribution, purchase, or possession of any illegal drug by a Cornell employee, while on Cornell owned/occupied property is also strictly prohibited.

### **E. Reasonable Cause Testing**

Cornell & Company, Inc. will initiate and maintain reasonable cause testing for illegal substances and/or narcotics for all employees. Testing will occur when an individual has been observed displaying actions, appearance, and/or unusual behavior indicative of drug use.

### **F. Post-Accident Testing**

Cornell & Company, Inc. reserves the right to have an employee screened for drugs following any event where management finds or believes that employee drug use is likely to have contributed to any accident or incident, and for which a drug test can accurately identify impairment caused by drug use.

### **G. Consequences of Violating Company Drug and Alcohol Abuse Policy**

1. General – employees who are found in violation of this Alcohol and Drug Policy **MAY** be terminated at their first offense.
2. Any employee who submits a confirmed positive test result **MAY** be terminated and referred to their union (if applicable) representative for further evaluation. The employee is free to re-apply for employment with Cornell & Company, Inc., pending they have successfully completed an evaluation by a licensed Medical Review Officer (MRO), and will have a current drug screening from a certified testing facility with negative results. Should the employee be reinstated, they will be subjected to three random drug screenings in the first year of employment. If at any time the employee tests positive, or refuses to submit a sample, that employee shall be terminated.

## **Cornell & Company, Inc.**

### **H. Policy Modification**

Nothing in this policy precludes management from establishing additions or modifications to this policy statement. Where any state or federal law imposes restrictions or modifications to this policy, management will modify the policy to be in accordance with such restrictions.

Cornell Safety

---

Employee

---