

VETERANS RESEARCH FOUNDATION OF PITTSBURGH
SUBSTANCE ABUSE AND
DRUG/ALCOHOL TESTING POLICY, NOTICE, AUTHORIZATION and
CONSENT

I understand that the Veterans Research Foundation of Pittsburgh (“VRFP”) has a Substance Abuse and Drug/Alcohol Testing Policy. I have been given a copy of this policy, which suffices as notice.

I hereby authorize and give full permission to VRFP and/or their third party screening company, physician or laboratory to send a specimen of my urine, hair and/or blood to a laboratory to test for the presence of illegal drugs, alcohol, and controlled substances taken in a manner not consistent with prescription use.

I understand VRFP will use the results of such tests to make employment-related decisions regarding my employment with them or client customers, and I will release and hold harmless VRFP, its owners, affiliates, management and its client customers and the testing facility, company, physician and/or lab from any claims, charges or causes of action related to this testing and/or use of its results.

I authorize VRFP to release drug and/or alcohol test results to any state or federal agencies, client companies, the Medical Review Officer, and any of VRFP’s insurance carriers. I release and hold harmless VRFP for any action(s) that may result from this release.

I understand this policy and authorization. I have been informed that any questions I may have about the drug and/or alcohol test will be answered.

VRFP will not discriminate against applicants for employment because of a past history of drug or alcohol abuse.

IN ACCORDANCE WITH THE POLICY OF VRFP AND THIS AUTHORIZATION AND CONSENT, I UNDERSTAND VRFP WILL REQUIRE A DRUG TEST WHENEVER AN ON-THE-JOB ACCIDENT OR INJURY IS REPORTED, IN OTHER INSTANCES ACCORDING TO POLICY AND IN ACCORDANCE WITH STATE AND/OR FEDERAL LAW.

I have read and understand the Substance Abuse and Drug/Alcohol Testing Policy, Notice, Authorization and Consent of Veterans Research Foundation of Pittsburgh.

If employed by Veterans Research Foundation of Pittsburgh, I will abide by this policy.

SIGNATURE

DATE

PRINT NAME

VRFP STAFF/WITNESS SIGNATURE

DATE

Veterans Research Foundation of Pittsburgh

SUBSTANCE ABUSE and DRUG/ALCOHOL TESTING POLICY

Veterans Research Foundation of Pittsburgh (“VRFP”) is dedicated to maintaining a safe, healthy and efficient working environment for our clients/customers and employees. Being under the influence of a drug or alcohol on the job poses serious safety and health risks to the user and to all those who work with the user. The use, sale, manufacture, purchase, transfer, or possession of an illegal drug or of alcohol in the workplace, and the state of being under the influence of illegal drugs or of alcohol in the workplace pose unacceptable risks for safe, healthy, and efficient working operations. Consequently, the following Substance Abuse and Drug/Alcohol Testing Policy is in effect for all current and future employees of VRFP.

VRFP further expresses its intent through this policy to comply with federal and state rules, regulations or laws that relate to the maintenance of a workplace free from illegal drugs and alcohol.

DEFINITIONS

Alcohol means any beverage that contains ethyl alcohol (ethanol), including but not limited to beer, wine and distilled spirits.

VRFP premises or VRFP facilities means all property of VRFP including, but not limited to the offices, storage areas, facilities and surrounding areas on VRFP owned or leased property and parking lots. The term also includes VRFP owned or leased vehicles and equipment, if any, wherever located.

Contraband means any article, the possession of which on VRFP premises or while on VRFP business, causes an employee to be in violation of a VRFP work rule or of a law. Contraband includes illegal drugs and alcoholic beverages, drug paraphernalia, lethal weapons, firearms, explosives, incendiaries, stolen property, counterfeit money, untaxed whiskey, and pornographic materials.

Drug testing means the scientific analysis of urine, blood, breath, saliva, hair, tissue, and other specimens of the human body for the purpose of detecting a drug or alcohol.

Illegal drug means any drug which is not legally obtainable; any drug which is legally obtainable but has not been legally obtained; any prescribed drug not legally obtained; any prescribed drug not being used for the prescribed purpose; any over-the-counter drug being used at a dosage level other than recommended by the manufacturer or being used for a purpose other than intended by the manufacturer; and any drug being used for a purpose not in accordance with bona fide medical therapy. Examples of illegal drugs are cannabis substances, such as marijuana and hashish, cocaine, heroin, methamphetamine, phencyclidine (PCP), and so-called designer drugs and look-alike drugs.

Legal drug means any prescribed drug or over-the-counter drug that has been legally obtained and is being used for the purpose for which prescribed or manufactured.

Reasonable belief means a belief based on objective facts sufficient to lead a prudent person to conclude that a particular employee is unable to satisfactorily perform his or her job duties due to drug or alcohol impairment. Such inability to perform may include, but not be limited to, decreases in the quality or quantity of the employee's productivity, judgment, reasoning, concentration and psychomotor control, and marked changes in behavior. Accidents, deviations from safe working practices, and erratic conduct indicative of impairment are examples of "reasonable belief" situations.

Under the influence means a condition in which a person is affected by a drug or by alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. A determination of being under the influence can be established by a professional opinion, a scientifically valid test, such as urinalysis or blood analysis, and in some cases by the opinion of a layperson.

THIS POLICY EXPRESSLY PROHIBITS:

- The use, possession, solicitation, sale, transfer or manufacture of illegal drugs, controlled substances, alcohol and/or prescription medication used in a manner inconsistent with the prescription while on VRFP or customer/client premises or while performing VRFP business.
- Being impaired while under the influence of legal or illegal drugs or alcohol on VRFP or customer/client premises or while performing VRFP functions. When an employee experiences side effects from legally prescribed medication that may impair his/her ability to perform his/her job safely and properly, it is the responsibility of the employee to notify VRFP. However, an employee may continue to work even though using a legal drug if VRFP management has determined, after consultation with VRFP human resources officials, that such use does not pose a threat to safety and that the use does not significantly affect the employee's job performance. Otherwise, the employee may be required to take a leave of absence or comply with other appropriate action as determined by VRFP management and policy.
- A felony charge for possession, use, solicitation for or the sale of legal or illegal drugs, alcohol or prescription drugs must be reported to VRFP management. Any criminal drug statute conviction for a violation occurring in the workplace must be reported to management no later than 5 days after conviction. Aforementioned charges or convictions will subject the employee to disciplinary action up to and including discharge.

ANY EMPLOYEE VIOLATING ANY OF THE ABOVE IS SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING DISCHARGE FOR THE FIRST OFFENSE.

VRFP WILL MANDATE A DRUG AND/OR ALCOHOL TEST FOR THE FOLLOWING:

1. **WORK PLACE ACCIDENTS/INCIDENTS**—Any employee of VRFP will be required to submit to a drug test if he or she is involved in a work place incident which results in injury or illness to the employee or to any other person, in instances of property damage estimated to be \$500 or more, or in cases where the injury or illness to the employee is likely to result in a worker’s compensation claim. All employees of VRFP have an obligation to report any workplace injury, regardless of how minor they appear. If either the employee or VRFP determines that medical attention/care is necessary, then the employee will be required to undergo a post-accident drug or alcohol test. In accordance with appropriate Workers’ Compensations Laws in the states within which we operate, insurance coverage for the injury may be denied if the results of such tests are positive for illegal drugs, alcohol and/or illegally used prescription medications.
2. **EMPLOYMENT DECISIONS**—Applicants/Employees of VRFP will be required to take a drug and/or alcohol test in order to be eligible for certain job assignments or to be eligible for continuing assignment (periodically announced) with a client/customer. Any applicant who refuses to submit to, or fails, a pre-employment drug and/or alcohol screening will be deemed ineligible for hire with VRFP.

All employees of VRFP will have access to the VRFP Substance Abuse and Drug/Alcohol Testing Policy.

A job applicant will be provided with a copy of this VRFP Substance Abuse and Drug/Alcohol testing Policy prior to being tested. Job applicants are hereby informed of his or her right to refuse to undergo such testing; and that the consequence of refusal is termination of the pre-employment process.

A job applicant is required to acknowledge receipt and understanding of the VRFP policy notice by signature.

VRFP will be responsible for the cost of such drug testing as described in this Section 2. Any repeat drug testing desired by an employee will be at the employee’s own expense.

3. **RANDOM SELECTION** – VRFP reserves the right to randomly select employees via a third party administrator for testing.
3. **FOR CAUSE/REASONABLE SUSPICION**—When an employee exhibits behavior which is consistent with the contemporaneous physical evidence of impairment within the reasonable belief of those observing the behavior, drug and/or alcohol testing may be utilized. The evidence will be documented, and the employee will be removed from the job site pending the results of the aforementioned tests.

5. OTHER—

Additionally, VRFP may perform drug and/or alcohol testing:

-of any employee who is subject to drug or alcohol testing pursuant to federal or state rules, regulations or laws, for example, through government contracting;

-of any group of employees whose job duties, in the estimation of VRFP management, include special safety concerns.

6. TESTING PROCESS AND CONSEQUENCES OF REFUSAL –

An employee who refuses to consent and submit to a test when requested, or tests positive for illegal drugs or legal drugs not prescribed for that employee, or alcohol will be subject to disciplinary action up to and including termination pursuant to VRFP's discipline and dismissal policies and procedures. Refusal to submit includes failure to provide adequate breath for testing without a valid medical explanation after receiving notice of the requirement for breath testing, failure to provide adequate urine for controlled substances testing without a valid medical explanation after receiving notice of the requirement for urine testing, engaging in conduct that clearly obstructs or tampers with the testing process and leaving the scene of an on-the-job accident.

Any drug testing required or requested by VRFP will be conducted by a laboratory licensed by the Commonwealth of Pennsylvania. If the employee receives notice that the employee's test results were confirmed positive, the employee will be given the opportunity to explain the positive result. In addition, the employee may have the same sample retested at a laboratory of the employee's choice at the employee's own expense.

If there is reason to suspect that the employee is working while under the influence of an illegal drug or alcohol, the employee will be suspended without pay until the results of the drug and alcohol test are made available to VRFP by the testing laboratory. Should a negative test result be determined, any work time missed as a result will be reimbursed. Where drug or alcohol testing is part of a routine physical or random screening, there will be no adverse employment action taken until the test results are in.

7. INSPECTIONS AND SEARCHES

- VRFP may conduct unannounced general, random inspections and searches for drugs or alcohol on VRFP premises or in VRFP vehicles or equipment wherever located. Employees are expected to cooperate.
- Search of an employee's personal property may be made when there is reasonable belief to conclude that the employee is in violation of this policy.
- An employee's consent to a search is required as a condition of employment, and the employee's refusal to consent may result in disciplinary action, including discharge, even for a first refusal, pursuant to VRFP's Disciplinary Policy.
- Illegal drugs, drugs believed to be illegal, and drug paraphernalia found on VRFP property will be turned over to the appropriate law enforcement agency and the full

cooperation given to any subsequent investigation. Substances that cannot be identified as an illegal drug by a layman's examination will be turned over to a forensic laboratory for scientific analysis.

- Other forms of contraband, such as firearms, explosives, and lethal weapons, will be subject to seizure during an inspection or search. An employee who is found to possess contraband on VRFP property or while on VRFP business will be subject to discipline up to and including discharge, pursuant to VRFP's Disciplinary Policy.
- If an employee is the subject of a drug-related investigation by VRFP or by a law enforcement agency, the employee may be suspended pending completion of the investigation, pursuant to VRFP Policy.

8. EDUCATION

- Supervisors and other management personnel are to receive education, at a minimum in
 - a. detecting the signs and behavior of employees who may be using drugs or alcohol in violation of this policy;
 - b. intervening in situations that may involve violations of this policy;
 - c. Recognizing the above activities as a direct job responsibility.
- Employees are to be informed of:
 - a. the health and safety dangers associated with drug and alcohol use;
 - b. the provisions of this policy, including detail on drug testing.

Results of all drug and/or alcohol tests will be treated confidentially within the scope outlined in this policy and its Authorization and Consent form. Employees of VRFP who come forward with a substance and/or alcohol-related problem prior to the determination of a positive test result may request referral to VRFP's EAP or local public agencies that provide rehabilitation and counseling services. The financial obligation of these aforementioned services will remain the responsibility of the employee, and not VRFP, except within the normal coverage under an existing insurance plan.

All information relating to drug or alcohol testing or the identification of persons as users of drugs and alcohol will be protected by VRFP as confidential unless otherwise required by law, overriding public health and safety concerns, or authorized in writing by the persons in question.