



2.2 Drug Free Work Place

Adopted 1.24.2003 – Revised 3.28.2004; 5.26.2006; 3.2.2011

Reference: WAC 388.805.200(3)

POLICY

In accordance with "The Drug Free Workplace Act of 1988," The Healing Lodge prohibits the unlawful manufacture, distribution, possession or use of a controlled substance (except when medically prescribed) in the workplace while conducting business on behalf of The Healing Lodge.

The dangers and costs associated with drug and alcohol abuse (substance abuse) are significant and are manifested in a number of ways. Substance abuse not only leads to decreased productivity, it also leads to increased accidents, tardiness, absenteeism, property damage, workers' compensation costs, health insurance costs, employee turnover, and employee theft. With this policy, the Healing Lodge of the Seven Nations intends to provide a working environment free of substance abuse and its attendant dangers and costs. This policy applies to all employees of the Healing Lodge of the Seven Nations and all applicants applying for such employment. Violation of any portion of this policy may result in disciplinary action up to and including immediate termination of employment, even for the first offense.

PROCEDURE

1.0 Who Must Comply With These Requirements

These requirements apply to all Healing Lodge employees and persons who are not Healing Lodge employees (such as contractor personnel, consultants, visitors engaged in joint projects, etc.), but work at the Healing Lodge or are involved with any Healing Lodge activity on or off Healing Lodge premises.

2.0 Drug Free Workplace

The Healing Lodge complies with federal and state law by requiring an alcohol and drug-free environment and a workplace free from drug and alcohol abuse. Healing Lodge management takes an active role in monitoring this requirement to provide a safe and healthy work environment.

2.1 Individuals are prohibited from working, or reporting to work, or engaging in any Healing Lodge-sponsored activity with unauthorized drugs in their systems or when impaired by drugs, including alcohol or other mind-altering substances. This requirement addresses not only the use of alcohol and illicit drugs during work, it also addresses the very serious issue of using drugs such as hydrocodone, oxycontin, and other prescription and over-the-counter drugs while working. These prescribed medications cause impairments which can affect your ability to perform important tasks in security and the safety and well being of our residents and coworkers.

2.2 Individuals are also prohibited from the unlawful manufacture, distribution, cultivation, dispensation, possession, sale, offer to sell, purchase, offer to purchase and/or unlawful use of controlled substances, drugs, including alcohol, on Healing Lodge premises or its offsite locations, or as any part of any Healing Lodge activity.



2.3 In addition, individuals are required to remain free from the influence of drugs, including controlled substances, alcohol, or any other substance that may impair the individual's ability to perform his or her job duties safely or productively including prescription medication, or that may otherwise impair his or her senses, coordination or judgment while on duty, or while engaged in any Healing Lodge-sponsored activity. This applies to individuals:

- On the job during work hours, including meal periods and breaks.
- On Healing Lodge premises or premises controlled by the Healing Lodge at any time.
- Involved or engaged with any Healing Lodge activity on or off Healing Lodge premises, including business travel.
- Using Healing Lodge or Healing Lodge paid for or sponsored motor vehicles.

2.4 Any individual reporting to work (or otherwise at work) or engaged in any Healing Lodge-sponsored activity under the influence of, or having present in his or her body, any drug including prescribed drugs, alcohol or other substances or medication that may adversely affect the individual's ability to work or perform their duties in a safe, productive, or efficient manner, must advise his or her supervisor before starting work or commencing the activity.

2.4.1 Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications will be responsible for consulting the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with the safe performance of his/her job or activities. If the use of a medication could compromise the safety of the employee, residents, fellow employees or the public, it is the employee's responsibility to use appropriate personnel procedures (e.g., call in sick, use leave, request change of duty, notify supervisor to avoid unsafe workplace practices or activities).

2.5 Any exception to this requirement requires the approval of the Executive Director.

2.6 In order to ensure compliance with this requirement, management, at its discretion, may authorize testing of employees under certain circumstances.

2.7 An employee who fails a drug and/or alcohol test may be subject to disciplinary action up to and including termination, even for the first offense.

3.0 Drug and Alcohol Awareness

The Healing Lodge is committed to protecting the safety, health and well being of all employees and other individuals in the workplace. Employees are encouraged to voluntarily seek help with alcohol and/or drug problems.

4.0 Definitions

Drugs – These include illegal drugs and/or controlled substances, prescription drugs, alcohol, over-the-counter medications, and/or other mind-altering substances.

Unauthorized Drugs – These include illegal drugs and/or controlled substances, and the improper and/or illegal use of drugs – for example, prescription drugs that have not been authorized for the individual or are not used in accordance with the instructions of a physician, etc.

Impairment – For purposes of this requirement, an individual is impaired when any of his/her mental or physical abilities are adversely affected by his/her ingestion of drugs, including alcohol or other mind-altering substances.



Workplace – Any Healing Lodge facility, premises or any place Healing Lodge business is conducted, such as on-site or off-site training classes or other Healing Lodge-sponsored events, working or while on business travel, etc.

5.0 Responsibilities

It is everyone's responsibility to report actual or suspected violations of this requirement to management. Staff who report actual or suspected violations are protected from retaliation, and are encouraged to be forthcoming to protect our residents from being exposed to inappropriate activity.

5.1 Employee Responsibility

5.1.1 As a condition of employment, Healing Lodge employees are required to read, understand, and comply with this requirement.

5.1.2 Employees are encouraged to voluntarily seek help for substance abuse and related problems. The Employee Assistance Program (EAP) offers counseling and referral services to employees for a wide range of drug and/or alcohol-related problems. Contact Human Resources for more information on the EAP.

5.1.3. Individual who violate this requirement may be subject to disciplinary action. The type of discipline will depend on the circumstances of each case and may include discipline up to and including termination, even for the first offense.

5.1.4. An individual's involvement in a rehabilitation program, the EAP, or other intervention or similar program does not excuse or limit the individual's obligation to comply with Healing Lodge Policies, Requirements or with Healing Lodge standards.

5.1.5. An employee who is convicted, including a plea of no contest, of a criminal drug statute violation must, within 5 days after the conviction, notify the Healing Lodge, in writing, of such conviction by informing Human Resources.

5.2 Contractor Personnel and other Non-Healing Lodge-Employees' Responsibility

5.2.1 Persons who are not Healing Lodge employees, but perform work for the Healing Lodge (such as contractor personnel, consultants, visitors engaged in joint projects, etc.) are required to comply with this Requirement.

5.2.2 Individuals who violate this Requirement may be barred from the workplace or from doing work for the Healing Lodge.

5.3 Management Responsibility

5.3.1 Management is responsible for complying with this Requirement and reporting violations or suspected violations of this Requirement to Human Resources.

5.4 Human Resources Responsibility

5.4.1 Human Resources administers this Requirement and provides guidance to employees and management in applying and understanding this Requirement.

5.4.3 Human Resources also conducts investigations when actual or suspected violations of this Requirement are reported.

5.5 Employee Assistance Program (EAP)



Please see Human Resources or your supervisor about the EAP services.

6.0 Drug and Alcohol Testing

The Healing Lodge reserves the right to require drug and/or alcohol testing of its employees as described in the sections below. The type of test required depends on the “Testing Category” (see section 6.2 below).

6.1 Testing Protocol

6.1.1 Scientifically validated test procedures are used to determine the presence of drugs or their metabolites and/or alcohol in the systems of employees.

6.1.2 Test results are confidential and are stored in a confidential file separate from the employee’s personnel file.

6.1.3 Access to test results or related information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

6.1.4 Collection sites or facilities where specimens are collected and/or where examinations, analysis, and/or tests are conducted to detect drugs, unauthorized drugs, or alcohol are conducted by Healing Lodge medical staff or external facilities and/or laboratories approved by the Healing Lodge.

6.1.5 Specimens will be collected in accordance with established procedures to ensure the proper collection of specimen samples.

6.1.6 Testing for the presence of drugs or unauthorized drugs and their metabolites will be conducted by the analysis of urine.

6.1.7 Individuals subject to testing will be permitted to provide urine specimens in a restroom stall or similar enclosure so that the individual is not observed while providing the specimen, except when there is reason to believe that the individual may alter or substitute the specimen to be provided.

6.1.8 Failure to comply with the instructions of collection site personnel pertaining to Healing Lodge’s Drug-Free Workplace Requirement may be considered a refusal to test.

6.1.9 Before a test is reported as positive to the Healing Lodge Human Resources Department, the specimen will undergo two levels of testing. If the specimen tests negative on the initial screening test, the test will be reported as negative. If the specimen tests positive on the initial screening test, a second, confirmation test will be performed on the same sample. If the sample still tests positive after the second confirmation test, it will be reported to the Healing Lodge Human Resources Department as positive.

6.1.10 Following a confirmed laboratory detection of alcohol and/or drugs or unauthorized drugs, the Human Resources Department will review the test result to determine if there is an alternative medical explanation for the positive test result. This process may involve:

- Verification that the laboratory report and assessment are correct.
- Conducting a medical interview with the individual tested.
- Reviewing the individual’s medical history and any relevant biomedical factors.
- Reviewing all medical records made available by the individual tested to determine if a confirmed positive test may have an alternative medical explanation.



6.1.11 If an individual refuses or fails to participate in a timely manner in the process of reviewing a confirmed positive detection, the situation will be reported to Human Resources for appropriate handling.

6.1.12 If the review by Human Resources determines that the test results are positive (meaning alcohol and/or drugs, unauthorized drugs or their metabolites were detected), the positive result will be reported to the Executive Director for handling.

6.1.13 Employees will be treated with dignity and their privacy will be respected. Test results and related information are considered confidential. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies. Human Resources will work with management as appropriate following receipt of the drug test results.

6.2 Testing Categories

The Healing Lodge has the right to require employees to submit to drug testing, which may including testing for alcohol, in the following situations:

Job Applicants: All job applicants are required to submit to a drug test after the Healing Lodge has extended an offer of employment. The Healing Lodge will use a refusal to submit to a drug test or a verified positive test as a basis for not hiring the job applicant. The cost of applicant testing shall be borne by the Healing Lodge.

Post Mishap Evaluations: Anytime an employee is involved in a serious work related mishap or a serious near mishap, or when an employee's actions, or failure to act, appear to be the cause of a mishap or a serious near-mishap in the workplace or when engaged in any Healing Lodge-sponsored activity, whether on or off duty.

Random Testing: The Healing Lodge engages in random testing for drugs. Generally, random testing involves the blind and random selection of a predetermined number of employees for drug testing without notice. Because of the random nature of selection, it is possible that an employee may be selected for random testing two or more times while another employee may not be selected at all over the same number of years. Upon notification to an employee that they have been randomly selected to submit to a drug test the employee shall, as soon as possible, proceed to the nearest specimen collection site for such random test.

Reasonable Suspicion Testing: When the Healing Lodge reasonably suspects, based on behavior or other circumstances, that an employee is reporting for work or working, either A) with unauthorized drugs in his/her system; or B) when impaired by drugs, including alcohol or other mind-altering substances.

Mandated Testing: Mandated testing may be required, as a condition of continued employment, when an employee has violated aspects of this Drug-Free Workplace Policy in a manner that does not require immediate termination. These employees, including but not limited to employees returning to work from Healing Lodge-required treatment or rehabilitation for alcohol and/or drug abuse and employees who have entered into a Last Chance Agreement with the Healing Lodge, will be required to pass subsequent unannounced follow up drug tests, which may include testing for alcohol.

6.2.2 Testing Based on Post Mishap Evaluation, Reasonable Suspicion or Mandated

6.2.2.1 Supervisors should immediately notify Human Resources after any work related mishap involving a Healing Lodge employee.



Policies & Procedures

6.2.2.2 If the work related mishap involves a contractor, Human Resources should be contacted to discuss initiating sub-contract requirements related to drug testing of the contractor(s). Human Resources should also be advised when a request to drug test a contractor is initiated.

6.2.2.3 Management and employees are responsible for contacting Human Resources when an individual is reasonably suspected of being impaired by drugs, including alcohol or other mind-altering substances in violation of this Requirement.

6.2.2.4 An employee's refusal to submit to testing may result in discipline, up to and including termination.

6.2.2.5 Failure to appear for testing within the prescribed timeframe and provide a urine specimen and/or breath sample may be considered a refusal to be tested.

6.2.2.6 An employee who successfully passes the drug test is permitted to return to work, absent other circumstances that preclude such return.



**ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING
HEALING LODGE OF THE SEVEN NATIONS
SUBSTANCE ABUSE POLICY**

The undersigned job applicant acknowledges that he/she has received a copy of and has reviewed the substance abuse policy. By signing below, I agree to comply in all respects with the policy and consent to the substance testing and procedures described in the policy. I release The Healing Lodge of the Seven Nations and its agents, contractors and employees from any claim arising from or incident to substance testing in accordance with the policy.

My signature acknowledges that I understand that either refusal to sign this form, refusal to take the drug test, fail to appear at the testing location by the specified day, fail to successfully complete the drug testing process, or receive a verified positive drug test result, the conditional offer of employment will be withdrawn.

I further understand that the Healing Lodge performs random drug testing and also requires a drug screen test under this policy whenever I am involved in an on-the-job accident or injury under circumstances that suggest possible involvement or influence of drugs or alcohol in the accident or injury event.

This policy and authorization have been explained to me in a language I understand, and I acknowledge that if I have any questions about the test or the policy, they will be answered.

Applicant Signature

Date

Applicant Printed Name