

**MARKLUND**  
**HUMAN RESOURCES POLICY AND PROCEDURE**

**POLICY NO. 3-3-8**

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**SUBJECT: EMPLOYMENT DRUG TESTING**

**DEPARTMENTS AFFECTED: ALL**

**APPROVED BY:**

**ISSUE DATE: 7-02-96**

**REVISION DATE: 6/25/98**

**EFFECTIVE DATE: 7-08-96**

**PURPOSE:** Marklund is committed to the goal of maintaining a drug-free work place. Achieving this goal is necessary to maintain the safety and quality of our work environment. Furthermore, our employees have the right to work with persons free from the effects of drugs and our residents have the right to have caregivers that are free from the effects of drugs.

**PROCEDURE:** Consistent with Marklund's objectives and concerns we will conduct drug screening for the four following purposes:

- 1) **Pre-employment:** After a conditional offer of employment has been made to an individual, an appointment will immediately be made for a drug screen. The results of that drug screen will take 24 to 48 hours. Once the Human Resources Department has been notified of a negative result, the candidate will be contacted and set up for their pre-employment physical.

If the results are positive, employee will have been notified by the Medical Review Officer, and the offer for employment is retracted. The applicant may reapply in 90 days and be re-screened.

- 2) **Probable Cause:** Any employee observed demonstrating unusual behavior may be asked to subject to a drug test. Examples of unusual behavior include but are not limited to:

- Direct Observation of alcohol or other drug use and/or the physical symptoms of being under the influence;
- A pattern of abnormal conduct, incoherent mental state, or erratic behavior that is otherwise unexplained;
- Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession use or trafficking.
- Newly discovered evidence that the employee has tampered with a previously administered drug test;
- Other actions or conduct that provide reasonable suspicion that the employee may be under the influence.

Any staff member observing another staff member of any behavior or action that is abnormal to the expectations in the workplace should first get another staff member of a supervisor level if at all possible but in all cases another available individual to also observe these erratic behaviors.

After confirmation a supervisor must be notified. The employee should be confronted and asked to submit to a drug/and or alcohol test immediately. The employee is to be brought to the nearest ABH facility, i.e., Urgent Care, CDH, Danada, after notifying them by phone. The employee must not drive themselves. Suspected employee is to punch out and advised they cannot return until result of the test has been determined.

In the event of a confirmed positive test result for alcohol or drugs, the Administrator and Human Resources Manager will be notified to decide the next course of action. Before a decision is made, including potential discipline to be taken, the affected employee will be given a reasonable opportunity to rebut or explain the positive test result. Upon written request, management will provide the affected employee with a copy of the confirmed positive alcohol or other drug test results.

Marklund may encourage an employee with positive result to seek assistance from the EAP (Employee Assistance Program) and may also make this assistance a condition of their continued employment. Marklund may require that the employees EAP counseling be confirmed with their supervisor.

- 3) **Post Accident:** In accordance with the Omnibus Transportation Testing Act, any employee possessing a CDL license and involved in an accident while driving a Marklund Vehicle that requires a CDL license, must submit to a drug and alcohol screen after any recordable accident, if the driver receives a citation. Alcohol screening must be conducted within two hours and drug screening within 32 hours. These tests will be conducted at one of the ABH centers.
- 4) **Random Testing:** In accordance with the Omnibus Transportation Testing Act, any employee possessing a CDL license must have Alcohol testing must happen at an annual rate of 25% of the average number of drivers. Controlled Substance Testing must happen at an annual rate of 50% of the average number of drivers. Marklund must insure that random selection is conducted by a scientifically valid method with each driver having a equal chance of being selected. A driver selected returns to the pool for the next selection. Therefore, in the course of the year some drivers may be selected more than once while other drivers may not be selected at all. Since Marklund has a small amount of drivers we are participating in a consortium for testing with other small companies through the assistance of the Association for Business Health.