



DRUG AND ALCOHOL POLICY

Health, Environmental, Safety and Training Program

HEST A004
Revision 00

24-May-13

PROHIBITED DRUGS OF ABUSE AND ALCOHOL POLICY

In compliance with: DISA, Inc. Prohibited Drugs of Abuse and Alcohol Plan (DOT and Non-DOT) Industry Best Management Practices and Corporate Responsibility Programs

GENERAL

Eco Alliance has established minimum guidelines as part of its “Zero Tolerance” program regarding drugs of abuse and alcohol in the workplace. Eco Alliance is committed to maintaining a safe work environment for employees that is conducive to high work standards. This atmosphere can only be achieved with strict adherence to the prohibition of illegal drugs, misused prescription drugs, any and all inhalants, and alcoholic beverages of all kinds. In some cases, this may include prescribed medications that would alter the safe behavior or actions of an employee.

DEFINITIONS

ADMINISTRATOR – The person or organization to which authority for conducting the testing program has been awarded by Eco Alliance.

ADULTERATED SPECIMEN – A specimen that contains a substance that is not expected to be present in human urine, or contains a substance expected to be present, but is at a concentration so high that it is not consistent with human urine.

AIR BLANK – In evidential breath testing devices (EBTs) using gas chromatography technology, a reading of the device’s internal standard or a reading of ambient air containing no alcohol.

ALCOHOL – The intoxicating agent in beverage alcohol, ethyl alcohol or other ingested alcohols, including methyl or isopropyl alcohol.

ALCOHOL CONCENTRATION – The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test conducted under the federal regulations.

ALCOHOL SCREENING DEVICE – An approved and certified breath or saliva device, other than an EBT.

ALCOHOL USE – The consumption of any beverage, mixture, or preparation, including any medication, containing alcohol.

BREATH ALCOHOL TECHNICIAN (BAT) – An individual who instructs and assists individuals in the alcohol testing process and operates an EBT.

CANCELED TEST – A drug or alcohol test that has an identified problem that cannot be, or has not been, corrected. A canceled test is neither a positive nor a negative test.



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CHAIN-OF-CUSTODY – Procedures to account for the integrity of each urine specimen by tracking its handling and storage from point of specimen collection to final disposition of the specimen. These procedures shall require that an appropriate drug testing custody form from a certified laboratory be used from time of collection to receipt by the laboratory.

COLLECTION CONTAINER – A container into which the employee urinates to provide the specimen for a drug test.

COLLECTION SITE – A place selected by the company where employees present themselves for the purpose of providing a urine specimen for a drug test.

COLLECTOR – A person who instructs and assists employees at a collection site, who receives and makes an initial inspection of the specimen provided by those employees, and who initiates and completes the Chain of Custody and other required documents.

CONFIRMATION TEST – A second test following a screening test with a result of 0.02 or greater that provides quantitative data of alcohol concentration.

COVERED EMPLOYEE – Any person employed by Eco Alliance.

EBT (or evidential breath testing device) – An EBT approved and certified for testing content of alcohol during the performance of a breath test.

MISSED TESTS – Any test that is not administered within an eight (8) hour time period.

OWNER/OPERATOR/CLIENT – An owner or operator of property accessed for assigned work duties. A client is defined as a party to whom Eco Alliance has a direct contract for task performance.

PERFORMING A COVERED FUNCTION – Includes actually performing, ready to perform, or immediately available to perform, a covered function under contract with a client.

PROHIBITED CONDUCT – Anyone who has an alcohol concentration of 0.02 or greater, who has used alcohol within four (4) hours of reporting for duty, and anyone who has used alcohol on-duty.

REFUSAL TO SUBMIT, REFUSE, OR REFUSE TO TAKE – A refusal to take a drug test or refusal to take an alcohol test.

SCREENING TEST (OR INITIAL TEST) – An analytic procedure to determine whether an employee may have a prohibited concentration of alcohol in a breath specimen.

SCREENING TEST TECHNICIAN (STT) – An individual who has successfully completed an approved training course and who will conduct alcohol-screening tests in accordance with industry standards.



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SUBSTANCE ABUSE PROFESSIONAL (SAP) – A person who evaluates employees who have violated a drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

POLICY REVIEW

Eco Alliance prohibits the following at all of its work locations:

1. Use or possession of prohibited drugs, including inhalants and alcoholic beverages;
2. An employee being under the influence of these drugs or beverages;
3. Measurable presence of these drugs or alcohol in an employee's body as determined by urine, blood, hair follicle or other accepted testing procedures; and,
4. Tampering by an employee or job applicant with a specimen or using a substance or device designed to falsify test results.

Prohibited drugs include, among others, marijuana, hashish, cocaine, hallucinogens, depressants, stimulants, and medication not prescribed for current personal treatment by a licensed physician.

As a condition of employment or continued employment with Eco Alliance, all prospective and incumbent employees consent to the collection of bodily fluids for drug or alcohol testing. Employees shall sign the appropriate Consent Form and Release of Liability; however, an employee's continuation in Eco Alliance's employment provides evidence in and of itself of the employee's consent; thus a signed Consent Form may not be required in all cases.

Entry into any Eco Alliance work location, including project sites, offices or vehicles, is conditional on the Eco Alliance's right to search entrants and their personal effects and vehicles for prohibited drugs and paraphernalia, alcoholic beverages, or unauthorized property or equipment. Authorized Eco Alliance representatives may make periodic, unannounced searches of any Company work location or of anyone entering a work location. Work locations also include project sites or entrant vehicles.

Eco Alliance employs substance abuse (including drug and alcohol) testing programs through DISA, Inc. Substance abuse testing procedures are conducted under the following circumstances:

1. Pre-employment: Prospective employees must pass a substance abuse test before they are eligible for employment.
2. Post-accident: Employees involved in job-related accidents are tested immediately after the accident.



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3. Random: Periodically, employees are randomly selected for testing from a computer-generated list.
4. Reasonable Suspicion/Cause: Employees may be tested or removed from the work environment based on observable actions, physical evidence, or observable changes in established behavior patterns.
5. When government requirements exceed or contain elements not addressed in this policy (i.e. Department of Transportation; Research and Special Programs Administration; or the U.S. Department of Health and Human Services Guidelines for Federal Workplace Drug Testing Programs 53FR11970); the testing procedures will be amended to include these requirements.
6. Confirmed positive test results indicating the presence of a prohibited substance in an employee's urine or blood are considered sufficient evidence of a violation of this policy. A positive test result will lead to the termination of the employee and will preclude the hiring of a prospective employee.

PROCEDURES

Eco Alliance's Drug and Alcohol Testing Program is administered by Eco Alliance's office administrator, his designee, or a designated third-party provider.

Drug and alcohol testing procedures will be coordinated with authorized Drug Testing Facilities and in accordance with federal regulations as required.

COMPANY RESPONSIBILITIES

At a minimum, Eco Alliance's Owner or his designee is responsible for:

1. Providing oversight and evaluation of this plan;
2. Providing guidance and counseling;
3. Reviewing all discipline methods administered under this plan for consistency;
4. Scheduling of random alcohol and/or drug testing;
5. Providing oversight of reasonable suspicion/cause supervisory training and employee testing;
6. Coordinating post-incident testing and return-to-duty testing;
7. Maintaining a locked file system on drug testing results; and,
8. Oversee any requirements for additional testing criteria.



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Additionally, Eco Alliance will:

1. Ensure that all covered employees are aware of the provisions and coverage of this written plan;
2. Be responsible for compliance with all applicable requirements and procedures;
3. Be responsible for all actions of its officials, representatives, and agents (including Program Administrators) in carrying out the requirements of the Eco Alliance's Drug and Alcohol Testing Procedure;
4. Maintain all drug and/or alcohol testing and test results in locked, confidential files;
5. Conduct searches of persons or personal effects with emphasis placed on the safety of those performing the search. (NOTE: Any and all discovery of prohibited items shall initiate the assistance of law enforcement or security professionals when applicable.)
6. Conduct searches of person or personal effects in such a way as to protect those being searched and their personal property, whenever possible.

Eco Alliance Supervisors

Supervisors will be responsible for observing the performance and behavior of employees; observing and documenting events suggestive of reasonable cause testing; and also requesting second observations for substantiation and concurrence for reasonable cause testing, if applicable.

Employees

Each employee has the responsibility to be knowledgeable of the requirements of Eco Alliance's Prohibited Drug and Alcohol Plan and to fully comply with its provisions.



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EMPLOYEE NOTIFICATION AND RECEIPT OF PROHIBITED DRUG AND ALCOHOL PLAN

I hereby certify that I have received a copy of Eco Alliance's Prohibited Drugs and Alcohol Plan. I have read it and understand its contents. I further recognize and acknowledge that compliance with this plan will constitute a condition of my continued employment with Eco Alliance. I understand that a copy of this signed document will be retained in my permanent personnel file.

PLEASE PRINT

Name _____

Address _____

Phone _____

Date _____

Signature _____



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PRE-EMPLOYMENT DRUG/ALCOHOL TESTING CONSENT AND RELEASE FORM

I hereby consent to submit to a drug or alcohol test and to furnish a sample of my urine, breath, hair follicle and/or blood for analysis, as shall be determined by Eco Alliance Resources ("Eco Alliance"), in order to meet with their policy regarding the selection of applicants for employment. I further understand that Eco Alliance's Drug and Alcohol Policy requires that all newly-hired individuals will be tested for substance abuse and that at any time after hiring, Eco Alliance management may request periodically and for reasonable suspicion, additional tests for drugs and alcohol in my body.

I understand that it is the current use of illegal drugs and/or alcohol that would prohibit me from being employed at Eco Alliance. I fully understand that if I should refuse to be tested as stated herein, I will not be hired, or I could be suspended from my job without pay or be terminated for insubordination.

I further authorize and give full permission to have Eco Alliance and/or its authorized agents and physicians to send the specimen or specimens so collected to a laboratory for a screening test for the presence of any prohibited substances under the policy, and for the laboratory or other testing facility to release any and all documentation relating to such test to Eco Alliance. I further agree to and hereby authorize the release of the results of said tests to Eco Alliance. I understand that the test results will be kept in confidence and handled by authorized management personnel only. To the extent set forth in this document, I hereby waive any other privilege I may have in connection with such information.

I further agree to hold harmless Eco Alliance and its agents and physicians from any liability arising in whole or part, out of the collection of specimens, testing, and use of the information from said testing in connection with Eco Alliance's consideration of my application of employment. I acknowledge that a confirmed "positive" test may cause me not to be hired and/or, after being hired, to be subject to termination.

I further agree that a reproduced copy of this pre-employment consent and release form shall have the same force and effect as the original.

I have carefully read the foregoing and fully understand its contents. I acknowledge that my signing of this consent and release form is a voluntary act on my part and that I have not been coerced into signing this document by anyone.

APPLICANT:

Print Name: _____ S.S.#: _____

Signature: _____ Date: _____

WITNESS:

Print Name: _____

Signature: _____