

PREVENTION OF ALCOHOL AND DRUG ABUSE IN THE WORKPLACE

SHARE recognizes its responsibility to support the community by promoting a healthy and productive workplace. SHARE has implemented this policy designed to prevent employee alcohol and/or drug abuse. Additionally, it is further the intent of this policy to provide a workplace for employees, volunteers and clients that is free from the adverse impact of alcohol and illegal drug use, and to take reasonable measures to ensure that their use does not jeopardize the success of SHARE.

All employees are required to abide by this policy as a condition of employment. Violation of this policy is serious misconduct which could result in discharge.

Use of Alcohol: The use or possession of alcoholic beverages while on SHARE business is prohibited. Reporting to work while under the influence of alcohol is also prohibited. An employee will be considered “under the influence” of alcohol when its use has impaired or is likely to impair job performance, in the sole judgment of SHARE.

Illegal Use of Drugs: The sale, purchase, transfer, use or possession of any illegal drug while on SHARE property and/or while on SHARE business is prohibited. In addition, illegal use of legal drugs is also prohibited. Reporting to work while under the influence of any drug (except legal and legitimate use of prescription drugs and over-the-counter medication) is also prohibited. An employee will be considered “under the influence” of a drug when its use has impaired or is likely to impair job performance, in the sole judgment of SHARE, or if the employee tests positive for illegal drugs.

Legal Use of Prescription Drugs and Over-the-Counter Medication:

Prescription drugs and over-the-counter medication are only a cause for concern to SHARE if they affect the ability of an employee to work safely. It is the responsibility of the employee to review any work restriction that should be observed while taking the drug. If there is a work restriction, it is also the responsibility of the employee to review that restriction with his/her direct supervisor before the commencement of job duties. SHARE reserves the right to require a physician’s certification of the work restriction.

Alcohol and Drug Testing:

Testing will be conducted under the following four conditions:

1. **Pre-hire:** After a conditional offer of employment is made.
2. **Random sample:** Subject to irregular random selection.
3. **Post-accident or post incident:** Any work related accident or incident which causes property loss, damage, injury or death may require testing. Testing is limited to employees whose performance either contributed to an accident or incident or cannot be entirely discounted as a contributing factor. Post injury testing is limited to injuries that require medical attention beyond first aid from a licensed professional in a medical facility. No unreasonable delay shall occur in the determination of those persons to be tested. Each employee requiring testing shall be escorted to the testing site by a direct supervisor. Testing shall occur as soon as possible.
4. **Reasonable Cause:** Includes cases in which an employee is acting in an abnormal manner or displaying inappropriate behavior, and a direct supervisor has reasonable cause to believe that the person is demonstrating symptoms of alcohol or drug abuse. The decision to test must be based upon observation of at least one supervisor with the concurrence of another supervisor. The two supervisors together must substantiate and document reasonable cause. At least one supervisor shall be trained in detection of possible alcohol or drug use and the Human Resources Manager may be consulted if available.

Human Resources Notification: The Human Resources Department shall be notified within 24 hours of any work-related accident or incident which causes property loss, damage, injury or death. Weekend notification is to be made by fax at 863-4363. It is the responsibility of the supervisor to whom it was reported to insure that proper paperwork is completed and forwarded to the Human Resources Department.

An employee's refusal to submit to alcohol and drug testing, refusal to sign consent forms, or failure to cooperate in testing are considered insubordination and will subject the employee to disciplinary action, up to and including discharge for cause. If the results of testing indicate evidence of alcohol or drug usage in violation of this policy, the employee will be subjected to disciplinary action, up to and including discharge for cause. SHARE will endeavor to keep results of any alcohol and/or drug test confidential and disclosed only on a need-to-know basis.

Alcohol and Drug Testing: Employees will be subject to medically recognized tests designed to detect traceable amounts of alcohol or drugs in the body. SHARE will use the results of these tests to establish the use or presence of alcohol, illegal drugs, abuse of prescription drugs, or other controlled substances at levels established to be excessive.

Alcohol and Drug Testing Sites: Testing sites and hours are listed below:

* Regular Business Hours (Monday- Friday 8:00am to 5:00pm)

El Dorado Employees
Occupational Medicine & Drug Testing
101 Thompson Street
El Dorado, AR 71730
870-864-9661

Magnolia Employees
Hands and Scroll
1920 South Washington
Magnolia, AR 71753
870-234-2050

* After Hours (after 5:00pm, weekends and holidays)

El Dorado Employees
MCSA Emergency Room

Magnolia Employees
Magnolia Hospital Emergency Room

Random Testing Procedure: Those designated for random testing will be escorted to the testing site by a supervisor during regular business hours. When the direct supervisor is notified that an employee is to be tested this information shall be kept confidential. The employee's supervisor can determine when the schedule will best allow for the employee to be escorted to the testing site; however that person shall not be notified that he/she has been selected prior to the day of testing. The employee's supervisor shall make time for the testing within the week of notification.

Post Accident or Incident involving property loss or damage: If no one is injured supervisors shall report the accident or incident to his/her Executive Director or designee immediately. The Executive Director or designee in conjunction with the Human Resources Manager if available will determine individuals to be tested. Those designated shall be escorted to the appropriate testing site by a supervisor.

Post Injury Testing: When an on the job injury occurs, getting medical attention for the employee is the priority. Testing shall occur as soon as possible after medical treatment has been received. If the injuries were minor the employee shall go to the appropriate testing site during normal business hours after seeking treatment. If the testing site is closed the employee shall go the lab at the appropriate hospital. If treatment is sought in the ER testing shall be done there. Employees shall be escorted for treatment and/or testing whenever possible.

Reasonable Cause Testing:

An employee's supervisor who has established reasonable cause for testing an employee shall escort that employee to the testing site.

Inspections: SHARE reserves the right to, when there is reasonable cause, with or without prior notice conduct an inspection of employees and their personal effects, lockers, bags, purses, desks, clothing, and vehicles on SHARE property for the purpose of determining if they are in violation of this policy. Inspections will be performed with respect for the integrity of each person. Any employee found to be in possession of a controlled substance whether in his/her actual physical possession or contained in his/her personal effects, locker, bag, purse, desk, clothing, or vehicle on SHARE property, will be subjected to disciplinary action, up to and including discharge for cause. An employee's refusal to submit to an inspection, refusal to sign consent forms, or failure to cooperate in an inspection is considered insubordination and will subject the employee to disciplinary action, up to and including discharge for cause.

Alcohol and Drug Convictions: An employee is required to notify his/her direct supervisor in writing of a criminal conviction for drug or alcohol offenses no later than five calendar days following the conviction so that SHARE may determine if the conviction involves a violation of policy.

Voluntary Request for Assistance: An employee who voluntarily seeks assistance for a substance abuse problem prior to being selected for testing, or prior to an incident which would require testing, shall be granted a leave of absence for rehabilitation conditional upon:

- 1.) The rehabilitation being completed in a SHARE approved rehabilitation program.
- 2.) The cost of such rehabilitation to be borne by the employee.

- 3.) The required rehabilitation to be completed within 90 days with continued out-patient counseling as required for successful completion of rehabilitation to be arranged during the employee's off-work hours.

An employee's decision to seek treatment will not be used as a basis for disciplinary action against the employee. However, satisfactory job performance and adherence to SHARE policy is still mandatory, and an employee seeking treatment will not avoid disciplinary action if he/she does not otherwise meet satisfactory job performance standards and other SHARE policies.

Discharge. If an employee tests positive for the presence of alcohol, illegal drugs, abuse of prescription drugs other controlled substances, he/she will be discharged. Re-employment may be considered if that employee has completed a SHARE approved rehabilitation program. As a condition of re-employment, the employee must agree in writing to be tested every 30 days for the first six months after re-employment. The cost of such testing will be borne by the employee. Proof of such testing will be provided to the Human Resources Department and kept confidential. Any positive result after re-employment will result in discharge and the employee will no longer be eligible for rehire.

SEXUAL HARASSMENT

Sexual harassment is against the law and is strictly prohibited by SHARE. Employees who engage in sexual harassment will be subject to discipline, up to and including discharge.

What is Sexual Harassment?

Sexual harassment can take many forms. Sexual harassment may involve supervisors, co-workers, customers, clients or contractors of a company. It is against the law for females to sexually harass males or other females and for males to sexually harass females or other males.

Under state and/or federal law, unlawful harassment because of sex includes but is not limited to: Unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of Sexual Harassment

Some examples of Sexual Harassment include but are not limited to verbal conduct directed at an employee due to his/her sex such as sexually explicit jokes, name-calling, derogatory or patronizing comments, slurs or unwanted sexual advances, invitation or comments; visual conduct directed at an employee due to his/her sex such as derogatory posters, e-mails, photography, cartoons, drawings, leering or gestures; physical conduct directed at an employee due to his/her sex such as assaults, unwanted touching, pinching, grabbing or poking, blocking normal movement or interfering with work; threats and demands to submit to sexual requests in order to keep a job or avoid some other loss or offer of job benefits in return for sexual favors; and retaliation for having reported or having threatened to report sexual harassment.

What to do if Sexual Harassment Occurs

Consider discussing the problem with the harasser. A person engaged in harassment may not realize his/her advances or behaviors are offensive. An employee may, at his/her option, choose to inform the harasser that the behavior or advances are

unwelcome and must stop. Sometimes a simple, polite and professional discussion will resolve the matter.

To report Sexual Harassment, immediately contact your direct supervisor. If the direct supervisor is involved in the complaint, harassment may be reported to the President/COO or the Chairman of the Board of SHARE.

Sexual Harassment shall also be reported to the Human Resources Department in writing. An employee may report such activities even though he/she was not the target of the harassment. The report shall include the details of the incidents, the names of the individuals involved and the names of witnesses. The Human Resources Department in conjunction with the President/COO will immediately undertake an effective, thorough and objective investigation about harassment allegations. This investigation will be completed and a determination regarding the alleged harassment will be made and communicated as soon as possible.

If SHARE determines that unlawful harassment has occurred, it will take effective corrective action appropriate for the severity of the offense. Appropriate action will also be taken to discourage all future harassment. Whatever action is taken against the harasser will be made known to the employee being harassed and/or the employee making the report.

The Penalty for Sexual Harassment

If an employee is found guilty of or liable for sexual harassment, he/she may be personally liable for monetary damages. SHARE will not pay damages assessed against employees personally. In addition, disciplinary action, up to and including discharge, will be taken against employees who engage in sexual harassment.

Confidentiality

All complaints received by SHARE shall be kept confidential to the extent possible. All complaints shall be promptly investigated.

Retaliation

Retaliation against an employee who in good faith reports harassment or provides information about a harassment charge is not allowed.

Communication

This policy will be distributed to employees each year. SHARE will periodically hold training programs concerning sexual harassment, and this subject will be discussed at every new employee orientation.

Other Types of Harassment

This policy also applies to harassment based on race, color, religion, national origin, age and disability. To report other harassment, follow the sexual harassment guidelines.