

**EGYPTIAN ELECTRIC COOPERATIVE ASSOCIATION
POLICY BULLETIN NO. 212**

**SUBJECT: SUBSTANCE ABUSE – ALCOHOL AND DRUG FREE
WORKPLACE**

- OBJECTIVE:**
- A. To provide a safe, alcohol and drug-free workplace and to promote high standards of health and productivity for the Cooperative's employees.
 - B. To carry out the Cooperative's basic responsibility to serve the public safely, economically and without undue interruption.
 - C. To comply with applicable State and Federal laws and regulations governing drug abuse and controlled substances in the workplace and the Federal and Illinois Departments of Transportation, all as amended from time to time.

POLICY:

A. DRUG-FREE WORKPLACE

The unlawful manufacture, distribution, dispensation, possession or use of controlled substances, whether unlawful under state or federal law, is prohibited. Violation of this policy while on the job or on the Cooperative's property, including Cooperative vehicles, shall result in disciplinary action up to and including termination without notice.

B. ALCOHOL ABUSE

Alcohol use on the job or on the Cooperative's property is prohibited, and alcohol consumption or use off-the-job that adversely affects an employee's job performance or jeopardizes the safety of other employees, the public or Cooperative equipment is prohibited. Violation of these provisions may result in disciplinary action up to and including termination

C. REPORTING FOR WORK

Employees may be terminated without notice for reporting to work under the influence of alcohol or controlled substances, drunkenness, for possession of alcohol and use or sales of alcohol while on duty.

D. DRUG-FREE AWARENESS PROGRAM

The Cooperative will periodically inform supervisors and employees about its Substance Abuse Policy, the effects of controlled substance uses on health, safety and work, the behavioral and physical changes that may indicate substance abuse, the availability of an employee assistance program and the penalties imposed for drug abuse violations. Supervisors and shop stewards will also be informed of policies and procedures for identifying and handling suspected unlawful drug abuse.

E. EMPLOYEE ASSISTANCE PROGRAM

Through an Employee Assistance Program (EAP), the Cooperative will encourage and offer confidential assistance to employees with drug, alcohol and other problems that may adversely affect job performance or safety.

F. EAP COORDINATOR

The Manager will designate an EAP Coordinator who will:

1. Inform employees of EAP services, insurance coverage for treatment and medical leave policies.
2. Provide assistance to self-referred employees seeking counseling or rehabilitation for drug or alcohol problems.
3. Maintain a list of counseling, rehabilitation and/or treatment organizations specializing in substance abuse programs.
4. Document treatment prescribed for employees referred for treatment as a result of substance abuse tests or convictions.
5. Monitor progress of referred employees during and following the rehabilitation process.
6. Maintain confidentiality of employee records and involvement in the EAP as required by applicable laws and regulations.
7. Unless otherwise designated by the Manager, the Administrative Assistant to the Manager shall be the EAP Coordinator.

G. DRUG AND ALCOHOL TESTS

All Cooperative employees will be required to submit to urine specimens or other testing designated by Cooperative under the following circumstances:

1. Pre-employment.
2. Reasonable cause. Without being all inclusive, "reasonable cause" as used in this paragraph exists when any of the following circumstances occur on Cooperative property, on the job, and during employee work hours, including any meal or rest breaks:
 - a. an employee manifests specific, articulable symptoms while working that decrease or lessen the employee's performance of the duties or tasks of the employee's job position, including symptoms of the employee's speech, physical dexterity, agility, coordination, demeanor, irrational or unusual behavior, or negligence or carelessness in operating equipment or machinery;

disregard for the safety of the employee or others, or involvement in any accident that results in serious damage to equipment or property; disruption of a process; or negligence that results in any injury to the employee or others.

- b. whenever there is reasonable suspicion of use, sale, purchase, transfer, or possession of illegal drugs or alcohol.
- c. whenever there is reasonable suspicion of illegal use, sale or transfer of legal drugs.
- d. whenever there is an incident of employee behavior evidencing a taking of needless risks or disregard for the safety of others.
- e. whenever, considering the totality of the circumstances, any of the following occurs:
 - 1. whenever there is an accident involving a fatality or serious bodily injury requiring emergency medical treatment.
 - 2. whenever there is a serious accident involving substantial vehicle or property damage.

3. Post Accident

Results of these tests will be considered along with other factors to determine drug and/or alcohol impairment or influence. Refusal to consent to such tests or an attempt to falsify or adulterate tests may result in disciplinary action including termination of employment.

H. LEGAL DRUGS

If an employee has received a prescription from his or her health care provider, and has been informed by the health care provider that the employee should promptly inform the employee's supervisor of the legal drug(s) side effects, after such notice by the employee to his or her supervisor, the Cooperative may request a release from the employee to receive a certification from the employee's health care provider of the side effects stating what restrictions, if any, the employee may have while taking the legal drug(s). Based on this certification from the employee's health care provider, where the Cooperative determines that it is necessary or appropriate in order to protect the safety of the workplace and other employees or members of the public, the Cooperative may require the employee to use sick leave or take a temporary leave of absence without pay or comply with other appropriate remedies during the period the employee is consuming a legal drug or drugs.

Despite legalization of recreational cannabis use under Illinois law, the Cooperative remains a zero-tolerance and drug free workplace. Smoking, consumption, storage, or use of cannabis in the workplace or while on call is strictly prohibited. No employee is

permitted to be under the influence of cannabis while on or off Cooperative property, including Cooperative vehicles, while performing the employee's job duties, or while on call.

I. DISCIPLINARY ACTION FOR DRUG CONVICTION

Any employee convicted of a criminal drug statute violation occurring in the workplace or during the hours the employee is at work shall notify the Cooperative's Manager no later than five (5) days after such conviction. Within thirty (30) days after receiving notice of a conviction for such violation by the employee or otherwise, the Cooperative:

1. Will take appropriate personnel action against the employee up to and including termination; and/or
2. May require the employee to satisfactorily participate in an approved employee assistance program.

J. FOLLOW-UP PROCEDURES

The Cooperative will require an employee who is participating in a drug treatment program to undergo follow-up testing and to continue in an after-care program at the sole discretion of the Cooperative's management. The after-care program and periodic testing shall not continue longer than sixty (60) months following the employee's return to work.

When any employee who after having tested positive is placed in the Cooperative's EAP program, said employee must comply with all requirements of the EAP. Should the employee not comply with all such requirements, the employee may be subject to discipline up to and including termination. Any employee subject to the Cooperative's EAP Program and wishing to challenge the reasonableness of the EAP requirements may file a grievance pursuant to the collective bargaining agreement between the Cooperative and the Union.

K. COMPLIANCE WITH D.O.T. REGULATIONS

Employees who are drivers of Cooperative vehicles with a gross vehicle weight rating or gross combination weight rating of more than 26,000 pounds shall comply with the Federal and Illinois Departments of Transportation regulations concerning alcohol and controlled substance testing. The Cooperative will implement pre-employment, random, reasonable cause and post-accident testing and additional testing as required by this legislation. In addition, the Cooperative will implement procedures as required from time to time to comply with Department of Transportation regulations.

L. ADOPTION OF IMPLEMENTING RULES

The Cooperative may, from time to time, adopt such rules or regulations as it may deem necessary or appropriate for the purpose of implementing this policy and the provisions hereof and its administration and enforcement. Such rules or regulations shall be designated as applying to this Policy 212 and published and posted with and as an addendum to said Policy and shall have the same force and effect as the Policy.

M. EMPLOYEE NOTIFICATION AND ACKNOWLEDGMENT

Compliance with this Substance Abuse Policy is a condition of employment and employees are expected to make a good faith effort to maintain an alcohol and drug-free workplace. A copy of this Policy will be posted in a prominent place in the headquarters office at Murphysboro, Illinois, and such other workplace offices of the Cooperative as may be appropriate.

Adopted: 12/22/1998
Revised: 03/27/2012
Revised: 11/26/2019

Attested: Kevin Liefer Secretary
Attested: Kevin Liefer, Secretary
Attested: Paul Pyatt, Secretary