

106: Drug-Free Workplace

GOBC will comply with the Drug-Free Workplace Act of 1988, to maintain a workplace that is free from the effects of drugs and alcohol abuse, and to protect the safety, health, and well-being of all employees and other individuals in our workplace and community.

Smoking of tobacco products is prohibited inside all areas of the office suite. Public Health Law, Article 13-E, prohibits the smoking of tobacco (i.e., cigarettes, cigars, pipe, vaping or any other matter or substance containing tobacco) Employees may smoke off of GO property only and are responsible for keeping smoking areas clean and free of smoking debris.

GOBC has a zero-tolerance policy regarding drugs/alcohol in the workplace.

All offers of employment will be conditioned on the applicant submitting to and successfully completing and passing a drug and alcohol test.

- A. Prohibited Behavior: GOBC prohibits the unlawful use, sale, manufacture, distribution, dispensing, and possession of a controlled substance or illegal drugs, narcotics, or alcoholic beverages on GOBC premises or worksites.

It is a violation of GOBC policy to be under the influence of alcohol at any time while on or using company property, conducting company business, or otherwise representing GOBC. If a supervisor has a reasonable suspicion an employee is under the influence at the workplace, the employee will be sent immediately for drug and/or alcohol testing. The moderate use of alcohol at GOBC approved meetings, with business meals, travel, entertainment, or in an appropriate social setting, is not prohibited by this policy.

- B. Applicability: This Drug-Free Workplace is intended to apply whenever anyone is representing or conducting business for GOBC. Therefore, this policy is in effect during all work hours, while on call, paid standby, whenever conducting business or representing the organization.
- C. Testing: An employee may be required to submit to an alcohol/drug test when any of the following occur: a report of on-the-job use or reasonable suspicion that an employee's behavior, performance, error in judgment, accident or incident, or unsafe actions are related to alcohol/controlled substance use. It will be a condition of continued employment for the employee to submit to an alcohol/drug test at the CEO's (or designee authorized to act in his/her absence) determination. Supervisors are required to immediately report to their Director and the HR Director any cause for suspicion or investigation.

All employees are subject to random drug/alcohol testing in order to prevent and detect substance abuse.

If the drug test results come back positive or diluted positive, then the employee will be terminated. If the test comes back diluted negative, then the employee may be retested to confirm a negative or positive result.

- D. Violations: Any prohibited action under this policy may subject an employee to, but shall not be limited to, the following disciplinary actions:
- a. Illegal Drug Use: Any employee's workplace use, possession on self or personal property (i.e. Vehicle), sale of illegal drugs or substances at any time may result in termination. An employee testing positive in an initial drug screen will not be hired for a position at GOBC.
 - b. Alcohol Abuse: An employee shall be determined to be under the influence of alcohol at the workplace if his/her normal faculties are apparently impaired due to consumption of alcohol or if the employee has a blood alcohol level of 0.04 percent (40MG/DL blood) or higher.
- E. Disciplinary Actions: The CEO shall have sole discretion in deciding the imposition of penalties, time periods, and conditions of any disciplinary action for an employee who has violated the provision of this policy.
- F. Consequences: One of the goals of our drug-free workplace program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

Any alleged violation will be investigated promptly, impartially and discreetly by the Department Director, HR Director, and CEO. Employees who violate the Drug-Free Workplace Policy will be subject to appropriate disciplinary action up to and including termination from employment.

An employee required by GOBC to enter rehabilitation that fails to successfully complete it and/or violates the policy will be terminated. Nothing in this policy prohibits the employee from being discharged for other violations and/or performance problems.

- G. Assistance: GOBC recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support employees, GOBC:
- Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
 - Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
 - Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.
 - Offers all employees and their family member's assistance with alcohol and drug problems through the Employee Assistance Program (EAP).

Cross Reference Section 515: Employee Assistance Program

- H. **Employee Assistance Program:** In establishing a drug-free workplace, GOBC will work with an employee suffering from drug or alcohol abuse so that the employee will receive assistance necessary to overcome dependency. An employee seeking such assistance is encouraged to contact their supervisor and/or HR Director to discuss the situation. Any disclosures made by an employee will be treated as strictly confidential.

The employee's decision to seek assistance will not be used as the basis for disciplinary action nor be used against the employee in any disciplinary proceeding.

- I. **Confidentiality:** All information received by GOBC through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.
- J. **Shared Responsibility:** A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

It is the employee's responsibility to:

- Be concerned about working in a safe environment
- Support fellow workers in seeking help
- Use the Employee Assistance Program
- Report dangerous behavior to their supervisor

It is the supervisor's responsibility to:

- Inform employees of the Drug-Free Workplace policy
- Observe employee performance
- Document negative changes and problems in performance
- Counsel employees as to expected performance improvement
- Investigate, document and report observances or reports of dangerous practices to the Department Director
- Refer employees to the Employee Assistance Program
- Clearly state consequences of policy violations

- K. **Notification of Conviction for Drug Crime Committed in the Workplace:** As a condition of employment, an employee must notify GOBC of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. GOBC complies fully with all federal, state and local laws prohibiting unfair discrimination on the basis of criminal arrests and/or convictions.
- L. **Notification of Convictions to Federal Agency:** When required, GOBC will notify the federal contracting agencies within ten (10) days of receiving notice that a covered employee has been convicted of any criminal drug statute for a violation occurring in the workplace.