

Updated and Revised September 2023

Drug and Alcohol Policy

CDL Electric Company, Inc. and the public share an interest in a safe, healthy and productive workforce. CDL strictly prohibits the use, sale, solicitation, or transfer of drugs, or other controlled substances, or alcohol on CDL premises (including parking lots) and CDL worksites, wherever located. Further, CDL strictly prohibits any employee from reporting or being at work under the influence of drugs (unless medically prescribed) or alcohol, wherever such work is being performed, including off CDL property. This prohibition includes the operation of any CDL vehicle and equipment used in furtherance of CDL work or when off-duty. Therefore, alcohol and/or drugs may not be transported in any CDL property at any time.

Prescriptions drugs are allowed if they do not inhibit the employee's ability to operate CDL equipment. If warning labels state operation of heavy equipment and/or driving should be prohibited while taking the prescription, the employee needs to notify their supervisor immediately, so accommodations can be made.

CDL does not accommodate the medical use of marijuana in the workplace. Employees, including state- authorized medical marijuana users, are prohibited from using marijuana while at work.

Drug & Alcohol Procedures

Regardless of whether the conduct is otherwise lawful, all employees who are in active work status are prohibited from unlawfully manufacturing, distributing, purchasing, selling, dispensing, possessing, using or being under the influence of restricted substances, or abusing a prescription drug in the workplace or while on CDL official business, on or off the workplace. An employee is prohibited from reporting to work or being under the influence of restricted substances or abusing prescription drugs during the workday.

Alcohol and medical marijuana are considered restricted substances, and no employee is permitted to use or possess alcohol, restricted substances, and medical marijuana while in an active work status or otherwise in the workplace including CDL vehicles, CDL worksites, or during breaks and lunch. This prohibition exists even if an employee has a valid physician's recommendation for medical marijuana. Employees under Federal testing regulations, e.g: employees required to maintain a valid commercial driver's license, are subject to additional prohibitions, including no use of medical marijuana at any time.

CDL supervisors are expected to monitor their operations, and to investigate as necessary, situations which may violate CDL's drug and alcohol policies. If a supervisor detects the odor of

alcohol on an employee, if the employee is found in possession of alcohol or illegal, controlled substances, or if the supervisor has suspicion to believe that an employee's behavior is the result of being under the influence of drugs or alcohol, then the employee will be removed from service and will be required to complete the appropriate substance abuse testing for alcohol and/or drugs. In all cases, the employee will remain out-of-service until the results of the substance abuse testing have been received.

An employee may not refuse to submit to a required drug or alcohol test, or otherwise fail to cooperate with the testing. An employee must immediately report to testing upon being contacted to test. An unreasonable delay to report to test is considered a refusal to test. A refusal to test shall be considered a positive test, and subject to disciplinary action, up to and including termination. An applicant who refuses to test is not eligible for employment.

CDL uses the random method of testing selection to determine employees who will be subject to unannounced testing any time during the year. Because the method of selection is random (or by chance of the draw), some employees may not be picked to be tested more than once, other employees may be tested more than once, and other employees may not be picked to be tested.

Employees with a legally prescribed medication and/or a medical marijuana recommendation shall be required to provide medical documentation which may explain a positive test result upon request from employer. Medical documentation does not supersede the prohibition of reporting to work under the influence of restricted substances and/or operating CDL vehicles and/or equipment. It is the accountability of the employee to inform supervisors of working accommodation requirements if under medical recommendations for restricted substances.

It is the policy of CDL not to allow or permit employees who are suspected to have violated the Drug & Alcohol Policy or appear to be under the influence of alcohol or other drugs, to drive their CDL vehicle or any other vehicle from CDL's property or worksite. This policy is based upon CDL's responsibility to protect the safety of the employees involved, and to protect the safety and health of others.

1. If a probable violation of the Drug & Alcohol Policy has been found, a substance abuse test will be required. If the test concludes that a violation has occurred, the employee will be dismissed.
2. An employee who is dismissed under this policy who has at least one or more years of service and has had no prior violations of the Drug & Alcohol Policy may, after a period of time to be determined by CDL, reapply for employment with CDL, and at the sole discretion

of CDL, may be reinstated on a one-year probationary basis, subject to drug and alcohol testing at the sole discretion of CDL in accordance with recommendations from a Substance Abuse Professional.

As of January 1st, 2019, any accidents and/or injuries will be required to take a drug and alcohol test.

Identification of Troubled Employees

Employees who may have a drug and alcohol problem should, before the problem is found through testing, talk to their supervisor and the supervisor can refer the employee to a Substance Abuse Professional (SAP). CDL will not pay for any counseling or treatment programs but will try to cooperate with the employee to help resolve the employee's problem as CDL deems appropriate within its sole discretion.

Whenever an employee talks to their supervisor, this information will be kept confidential. The employee must follow all recommendations of the Substance Abuse Professional to remain employed with CDL. This is a one-time referral only.

Co-workers should immediately refer any employees to their supervisor or any management representative if the co-worker feels the employee is unsafe or appears to be in violation of CDL's Drug & Alcohol Policy. If the employee is found to be in violation of the policy, the employee will be removed from service. The employee will be given a one-time option at the discretion of CDL unless otherwise mandated by respective DOT guidelines to meet with a Substance Abuse Professional (SAP) provider at the employee's own expense. The employee must agree to undertake and successfully complete a course of treatment as recommended by the SAP provider at their own expense as a requirement of eligibility of employment.

Co-worker Report Policy

Employment Relationship

A covered employee who enters and follows the tenants of this program as discussed below, will maintain his or her position upon successful completion of any program. This policy applies to an employee following an alleged first offense.

General Conditions & Procedures

- The alleged violation must come to the attention of CDL as a result of a report by a co-worker that the employee was apparently unsafe to work with, or was, or appeared to be, in violation of CDL's alcohol and drug rules.
- If the CDL representative determines that the employee is in violation, CDL will

immediately remove the employee from service in accordance with its existing policies and procedures.

- The employee must elect to waive investigation on the rule charge and must contact the substance abuse professional within the next business day following the waiver.
- The SAP must schedule necessary interviews with the employee and complete an evaluation within ten (10) calendar days of the date on which the employee contacts the professional with a request for evaluation under the policy, unless it becomes necessary to refer the employee for further evaluation. In such case, all necessary evaluations must be completed within twenty (20) days of the date on which the employee contacts the professional.

When Treatment is Required

If the SAP determines the employee is affected by psychological or chemical dependence on alcohol or a drug or by another identifiable disorder involving the abuse of alcohol or drugs as a primary manifestation, the following conditions and procedures apply:

- **Leave of Absence.** CDL will, to the extent necessary for treatment and rehabilitee, grant the employee a leave of absence, not to exceed 45 days, for the period necessary to complete primary treatment and establish control over the employee's alcohol or drug problem.
- **Agreement.** The employee must agree to undertake and successfully complete a course of treatment deemed acceptable by the SAP.
- **Return to Service.** CDL will promptly return the employee to service, on recommendation of the SAP, when the employee has established control over the substance abuse program. Return to service may also be conditioned on successful completion of a return-to service medical examination.
- **Follow-Up Treatment.** The employee, as a further condition on withholding discipline, may, as necessary, be required to participate in a reasonable program of follow-up treatment for a period not to exceed sixty (60) months from the date the employee was originally withdrawn from service.

When Treatment is Not Required

If the SAP determines the employee is not affected by an identifiable and treatable mental or physical disorder:

- CDL will return the employee to service five (5) days after completion of the minimum education requirements.
- During or following the out-of-service period, CDL will require the employee to participate in a program of education and training concerning the effects of alcohol and drugs on occupational or transportation safety.

- Employee will be subject to drug and/or alcohol screenings to ensure he/she is not in any danger or putting others in danger.
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Voluntary Referral Policy

Employment Relationship

An employee who enters and follows the tenants of this program as discussed below, will maintain his or her position upon successful completion of the program. Before the employee is charged with conduct deemed by CDL to warrant dismissal, the employee must seek assistance through CDL for his or her alcohol or drug use problem or be referred for such assistance by another employee.

Referral Sources

CDL has a program that allows either self-referral or co-worker referral to the Employee Assistance Program if an employee has a drug or alcohol-related problem. Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take unpaid time off to participate in a rehabilitation or treatment program through CDL's Employee Assistance Program. Leave may be granted if the employee agrees to abstain from use of the problem substance, abide by all CDL's policies, rules, and prohibitions relating to conduct in the workplace. The policy will allow a leave of absence of not less than 45 days, if necessary, for the purpose of meeting initial treatment needs. The employee will be returned to service on the recommendation of the Substance Abuse Professional. Approval to return to service will not be unreasonably withheld.

Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their supervisor, without fear of reprisal, to receive assistance or referrals to appropriate resources in the community. Disclosures you make to CDL concerning your use of legal drugs or your participation in any drug or alcohol counseling or rehabilitation program will be treated confidentially.

Confidentiality

CDL treats the referral and subsequent handling, including counseling and treatment, as confidential. Any drug or alcohol testing conducted pursuant to CDL's voluntary referral policy is non-federal testing because a violation of federal regulations has not occurred.

Leave of Absence

CDL will, to the extent necessary for treatment and rehabilitation, grant the employee a leave of absence from CDL for the period necessary to complete primary treatment and establish

control over the employee's alcohol or drug problem. The policy must allow a leave of absence of not to exceed 45 days, if necessary, for the purpose of meeting initial treatment needs.

Return to Service

The employee will be returned to service on the recommendation of the SAP. Approval to return to service may not be unreasonably withheld.

Optional Provisions

- This policy does not apply to an employee who has previously been assisted by CDL under this policy or program.
- The rule of confidentiality is waived if the employee at any time refuses to cooperate in a recommended course of counseling or treatment; and/or the employee is later determined, after investigation, to have been involved in an alcohol or drug-related disciplinary offense growing out of subsequent conduct.
- The employee must report to the contact designated by CDL either during non-duty hours (i.e. at a time when the employee is off-duty); or while unimpaired and otherwise in compliance with CDL's alcohol and drug rules.
- A successful completion of a return-to-service medical examination is required as a further condition of reinstatement.