



POST-INJURY DRUG AND ALCOHOL TESTING POLICY

Sunwest Employer Services, Inc. (hereafter known as “The Company”) believes that it is important to promote a drug-free community, to maintain safe, healthy, and efficient operations, and to protect the safety and security of our employees, facilities, and property. Drugs and alcohol may pose serious risks to the user and all those who work with the user. In addition, the use, possession, sale, transfer, manufacture, distribution, and dispensation of alcohol or illegal drugs in the workplace pose unacceptable risks to the maintenance of a safe and healthy workplace and to the security of The Company’s employees, facilities, and property. Substance abuse, while at work or otherwise, seriously endangers the safety of employees, as well as the general public, and creates a variety of workplace problems, including increased injuries on the job, increased absenteeism, increased health care and benefit costs, increased theft, decreased morale, decreased productivity, and a decline in the quality of products and services provided by The Company. For all of those reasons, The Company has established this Post-Injury Drug and Alcohol Testing Policy. This Policy was written to ensure compliance with Arizona Revised Statutes, 23-493.

I. SCOPE OF POLICY

This Policy applies to all employees of The Company.

II. DISSEMINATION OF POLICY

All employees will receive a copy of this Policy upon hire and will be required to sign the Post-Injury Drug and Alcohol Testing Acknowledgement.

III. DEFINITIONS

A. Illegal Drugs

“Illegal drugs” means any controlled substance, medication, or other chemical substance that (1) is not legally obtainable; or (2) is legally obtainable, but is not legally obtained, is not being used legally, or is not being used for the purpose(s) for which it was prescribed or intended by the manufacturer. Thus, “illegal drugs” may include even over-the-counter medications, if they are not being used for the purpose(s) for which they were intended by the manufacturer.

B. Legal Drugs/Medication

“Legal drugs” means prescribed or over-the-counter drugs that are legally obtained and used for the purpose(s) for which they were intended by the manufacturer.

IV. DRUG AND ALCOHOL TESTING: POST-INJURY

The Company requires that employees submit to post-injury drug and alcohol testing within 24 hours of notification of injury on all injuries treated at a medical facility. Furthermore, employers may send employees for drug and alcohol testing even if treatment is not sought.

V. SPECIMEN COLLECTION AND TESTING PROCEDURES

A. Specimen Collection Procedures

1. Test Subject Privacy

Appropriate professional personnel will supervise the collection of urine and blood specimens for testing.

2. Chain of Custody Procedures

The Company will take steps to preserve the chain of custody of specimens, in order to ensure testing accuracy.

B. Specimen Testing Procedures

1. Specimens will be tested only by laboratories that are properly approved to conduct drug testing by the National Institute on Drug Abuse, the Department of Health and Human Services, or the College of American Pathologists. Specimens will be tested only for the presence of illegal drugs, and their metabolites.
2. The Company will rely only on positive initial screening test results that also have been confirmed by gas chromatography/mass spectrometry (GC/MS) or other methods of confirmatory analysis provided for by the National Institute on Drug Abuse, the Department of Health and Human Services, or the College of American Pathologists (“confirmatory test”).

C. Cost of Testing

The Company will pay for any drug or alcohol test that it requests or requires.

D. Test Results

The Company will promptly communicate positive test results to test subjects.

E. Employees: Test Result Report

Employees may request, in writing, a copy of their test result report provided that The Company receives the request within five (5) calendar days after the employee has been informed of the positive test result.

VI. CONFIDENTIALITY OF TEST RESULTS

The Company will not disclose test results except as authorized by the test subject or as authorized, permitted, or required by applicable law.

VII. CONSEQUENCES OF REFUSAL

Employees may refuse to undergo drug and alcohol testing. However, employees who refuse to undergo testing or who fail to cooperate with the testing procedures (1) may be subject to discipline, up to and including immediate discharge; and/or (2) may result in the denial of Workers’ Compensation Benefits and the employee may be required to incur the medical and testing costs related to the accident, injury or illness.

VIII. CONSEQUENCES OF CONFIRMED POSITIVE TEST RESULTS

Any employee who tests positive on a confirmatory drug and alcohol test required by The Company (1) may be subject to discipline, up to and including immediate discharge; and/or (2) may result in the denial of Workers’ Compensation Benefits and the employee may be required to incur the medical and testing costs related to the accident, injury or illness.

IX. EMPLOYEES: RIGHT TO EXPLAIN TEST RESULTS

Any employee who tests positive on a confirmatory drug and alcohol test required by The Company, may request, in writing, the opportunity to explain the positive test result in a confidential setting, provided that The Company receives the request within five (5) calendar days after the employee has been informed of the positive test result. Furthermore, any employee who tests positive on a confirmatory drug and alcohol test required by The Company may request, in writing, the confirmatory retest of the original sample, at his or her own expense, provided that The Company receives the request within five (5) calendar days after the employees has been informed of the positive test result. Confirmatory retests requested and paid for by the employee may be conducted only by laboratories that are properly approved to conduct drug and alcohol testing by the National Institute on Drug Abuse, the Department of Health and Human Services, or the College of American Pathologists.



POST-INJURY DRUG AND ALCOHOL TESTING ACKNOWLEDGEMENT

I have received and read a copy of the Sunwest Employer Services, Inc. (hereafter known as “The Company”) Post-Injury Drug and Alcohol Testing Policy (hereafter known as the “Policy”). I understand that the Policy applies to me, and that I must abide by the Policy as a condition of employment. I understand that if I fail to comply with any aspect of the Policy or test positive on a drug and alcohol test: (1) I may be subject to discipline, up to and including immediate termination of my employment; and/or (2) my Workers’ Compensation Benefits may be denied and I may be required to incur the medical and testing costs related to the accident, injury or illness.

I understand that the Policy supersedes and revokes all previous practices, procedures, policies, and other statements of The Company, whether written or oral, that modify, supplement, or conflict with this Policy. I also understand that The Policy may be amended at any time. The Policy was written to ensure compliance with Arizona Revised Statutes, 23-493.

THE UNDERSIGNED FURTHER STATES THAT HE OR SHE HAS READ THE FOREGOING ACKNOWLEDGMENT AND UNDERSTANDS THE CONTENT THEREOF.

SIGNATURE

DATE

PRINTED NAME