

## **EMPLOYEE DRUG AND ALCOHOL POLICY**

### **General Policy and Rules**

Drug and alcohol use and abuse not only threaten the health of the user, but also create a danger to the life and safety of fellow employees on the job. They also are extremely costly in terms of absenteeism, reduced productivity, and related problems in the workplace.

Consistent with the foregoing, Adler has adopted the following rules regarding drugs and alcohol. All employees are required to abide by these rules as a condition of their employment with Adler:

1. The distribution, sale, possession or use of illegal drugs or controlled substances while on duty or on Adler property is absolutely prohibited and will subject employees to immediate discharge. Employees who are impaired by or under the influence of alcohol, illegal drugs or controlled substances, while on duty or on Adler property, also will be subject to discharge.
2. Off-the-job, illegal manufacture, distribution, sale, possession or use of illegal drugs or controlled substances may adversely affect an employee's job performance, the safety of other employees and the public, and the public's trust in Adler and its ability to provide quality products and services. Accordingly, such conduct also will subject employees to disciplinary action, up to and including immediate discharge.
3. Adler reserves the right to search the person, vehicle, and personal property of employees for contraband (including, but not limited to alcohol, illegal drugs, controlled substances, and drug paraphernalia) while on duty or on Adler property. Adler also reserves the right to search all University property (including, but not limited to, employee offices, desks, and lockers) for such contraband. Employees who fail to submit to or cooperate fully in such searches will be subject to disciplinary action, up to and including immediate discharge.
4. Each employee must notify HR of any conviction under a criminal drug statute which the employee receives for a violation occurring while on duty or on Adler University property within five (5) days of such conviction.
5. Employees taking a prescribed drug or controlled substance must maintain the same in the original container identifying the drug or substance, dosage, date of prescription, name of the person for whom it was prescribed, and authorizing physician. Employees also must review with their supervisor or HR any work restrictions that should be observed while taking the prescribed drug or substance.
6. As explained more fully below, employees may be required to submit to a drug and/or alcohol test as a condition of continued employment. Employees who fail to submit to the required tests and/or test positive for alcohol, illegal drugs or controlled substances will be subject to immediate discharge.

7. Employees are required to report known violations of these rules directly to their supervisor or HR. Adler will use its best efforts to protect the anonymity of all employees involved and will treat the information as confidential.
8. Employees who recognize that they have a drug and/or alcohol problem are encouraged to voluntarily seek medical or other professional assistance to correct the problem. No employee will be disciplined or discharged for doing so. However, the employee must continue to observe all of Adler's policies and rules, including those relating to the use and possession of drugs and alcohol. Seeking professional assistance or participating in a drug and/or alcohol rehabilitation program will not insulate an employee from discipline, up to and including immediate discharge, for violation of Adler's policies and rules.

### ***Drugs and Alcohol Testing***

Adler reserves the right to require employees to submit to drug and/or alcohol tests as a condition of continued employment. Such tests may be required when, for example, Adler has reason to believe that an employee is using, impaired by, or under the influence of alcohol, illegal drugs or controlled substances, or has any of the same present in his or her system, while on duty or on Adler property. Behavior and/or symptoms which may lead to such testing include, but are not limited to, slurred speech, abnormal gait, glazed eyes, unusual or erratic conduct, and the odor of alcohol, drugs or controlled substances on the employee's person. Because of the significantly increased risk and probability of accidents and injuries arising out of the use of alcohol, illegal drugs or controlled substances, employees who are involved in work-related accidents or unsafe practices may, depending on the circumstances, also be required to submit to a drug and/or alcohol test.

Employees who fail to submit to a drug and/or alcohol test requested by Adler, or who test positive for alcohol, illegal drugs or controlled substances, will be subject to disciplinary action, up to and including immediate discharge.

Under Adler's policy, employees first undergo an initial drug and/or alcohol test or screen. In the event of a positive test result, a confirmatory drug and/or alcohol test is conducted. All tests are paid for by Adler and are conducted by duly qualified medical and/or clinical personnel.

In the event of a positive result on the confirmatory test, employees will be notified of the same and given an opportunity to explain or challenge the test result. They also may request a confirmatory re-test of the original blood and/or urine sample at their own expense. Adler will review any information provided by the employee in connection with any adverse employment action which it is considering or has taken. However, Adler reserves the right to take whatever action it, in its sole discretion, deems appropriate under the circumstances.

### ***Definitions***

The following definitions apply for purposes of Adler's drug/alcohol policy and rules:



1. The terms “drugs,” “illegal drugs,” and “controlled substances” include controlled substances as defined in the federal Controlled Substances Act (21 U.S.C. § 812 et seq.) and the Illinois Controlled Substances Act (720 ILCS 570/100 et seq.), and cannabis as defined in the Illinois Cannabis Control Act (720 ILCS 550/1 et seq.). The terms specifically include, but are not limited to, marijuana, cocaine, PCP, heroin, LSD, amphetamines, and barbiturates.
2. The term “University property” includes, but is not limited to, all University offices, work areas, lunch or break rooms, rest rooms, parking lots, buildings and grounds, vehicles, desks, and lockers, wherever located, which are owned, leased or operated by the University or any of Adler’s customers, or which are used by employees in connection with the performance of their duties on behalf of the University.
3. The term “conviction” means a finding of guilt, including a plea of nolo contendere, or imposition of a sentence or both, by any judicial body charged with determining violations of federal or state criminal drug statutes.
4. The term “criminal drug statute” means a criminal statute involving the manufacture, distribution, sale, position, or use of any controlled substance.