

Drug Free Workplace

Home On The Range is committed to maintaining a work environment that is free from the influence of alcohol and/or illegal drugs to protect the health, safety, and well-being of its residents, employees, and the public. Home On The Range has therefore adopted this Drug-Free Workplace Policy for Employees:

1. Employees are expected and required to report to work on time and in appropriate mental and physical condition for work.
2. The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance on Home On The Range premises or while conducting company business off company premises is absolutely prohibited. Violations of this policy will result in disciplinary action, up to and including termination, and may have legal consequences.
 - a. It is a violation of Home On The Range policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
 - b. It is a violation of Home On The Range policy for any employee to report to work under the influence of or while possessing in his or her body, blood, or urine illegal drugs in any detectable amount.
 - c. It is a violation of Home On The Range policy for any employee to report to work under the influence of or impaired by alcohol.
 - d. It is a violation of the Home On The Range policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.)
3. Home On The Range recognizes drug dependency as an illness and a major health problem and also recognizes drug abuse as a potential health, safety and security problem. Employees needing help in dealing with such problems are encouraged to seek help from the appropriate agencies and may use the health insurance plan when appropriate. Employees who voluntarily disclose the excessive use of alcohol and/or illegal drugs before being confronted, tested, or otherwise involved in drug and/or alcohol related discipline or proceedings will not be discriminated against because of this disclosure nor will the information that is disclosed be used as the sole basis for discipline.
4. Employees must report any conviction under a criminal drug statute for violations occurring on or off the facility premises while conducting Home On The Range

business within five calendar days of conviction.

Prohibited Conduct

Employees are prohibited from using, being under the influence of, selling, transferring, or possessing illegal drugs. "Illegal drugs" means controlled substances, and includes prescription medications which contain a controlled substance and which are used for a purpose or by a person for which they were not prescribed or intended. Additionally, employees are prohibited from using alcohol four (4) hours prior to performing work duties and prohibited from using or being under the influence of alcohol at any time while on duty, and eight (8) hours post-accident, or until tested.

Drug Testing

To ensure the accuracy and fairness of our testing program, all testing will be conducted according to DHHS/SAMHSA guidelines where applicable and will include a screening test; a confirmation test; the opportunity for a split sample; review by a properly trained drug-testing specialist, including the opportunity for employees who test positive to provide a legitimate medical explanation, such as a physician's prescription, for the positive result; and a documented chain of custody.

All drug-testing information will be maintained in separate confidential records. Each employee, as a condition of employment, will be required to participate in periodic, random, post-accident, reasonable suspicion, return-to-duty and follow-up testing upon selection or request of management. All testing will be at the expense of Home On The Range.

Random testing is conducted without individualized suspicion of a violation of Home On The Range's substance abuse policy. Selection is made by neutral criteria so that all employees eligible for testing have an equal opportunity of being tested.

The substances that will be tested for are amphetamines, cannabinoids, cocaine, opiates, phencyclidine (PCP) and alcohol. Testing for the presence of alcohol will be conducted by analysis of breath. Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.

Any employee who tests positive will be immediately removed from duty and will be subject to disciplinary action as determined appropriate by Home On The Range. Employees may, at the discretion of Home On The Range, be referred to a substance abuse professional for assessment and recommendations, required to successfully complete recommended rehabilitation including continuing care, required to pass a Return-to-Duty test and sign a Return-to-Work Agreement, subject to ongoing, unannounced, follow-up testing for a period of up to two years and terminated immediately if he/she tests positive a second time or violates the Return-to-Work Agreement.

An employee will be subject to the same consequences of a positive test if he/she refuses the screening or the test, adulterates or dilutes the specimen, substitutes the specimen with that from another person or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process in such a way that prevents completion of the test.

If an employee violates this policy, he or she will be subject to disciplinary action, up to and including immediate termination of employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Assistance

Home On The Range 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 our employees, our drug-free workplace policy:

1. Encourages employees to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
2. Encourages employees to utilize the services of qualified professionals in the surrounding communities to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
3. Ensures the availability of a current list of qualified community professionals.
4. Offers all employees and their family members assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
5. Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Treatment for alcoholism and/or other drug use disorders may be covered by the employee benefit plan. However, the ultimate financial responsibility for recommended treatment belongs to the employee.

Confidentiality

All information received by Home On The Range 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. Positive test results may be disclosed to the extent allowed or required by law, including reporting to regulatory agencies. In addition, results may be used in any subsequent worker's compensation proceeding, disciplinary action, grievance, mediation, arbitration, administrative claim or lawsuit brought by an employee or applicant against the employer.

Employee Assistance Program.

Home On The Range offers an Employee Assistance Program (EAP) benefit for employees and their dependents. The EAP provides confidential assessment, referral and short-term counseling for employees who need or request it. If an EAP referral to a treatment provider outside the EAP is necessary, costs may be covered by the employee's medical insurance, but the cost of such outside services are the employee's responsibility, if not covered by applicable insurance.

Confidentiality is assured. NO information regarding the nature of the personal problem will be made available to the supervisors nor will it be included in the permanent personnel file.

Participation in the EAP will not affect an employee's career advancement or employment, nor will it protect an employee from disciplinary action if substandard job performance continues. The EAP is a process used in conjunction with discipline; it is not a substitute for discipline.

The EAP can be accessed by an employee through self-referral or through referral by a supervisor.

Visibly Impaired Worker

An employee reporting to work visibly impaired will be deemed unable to properly perform required duties and will not be allowed to work. Possibly signs of reporting to work impaired include, but are limited to:

- a. Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse;
- b. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
- c. A report of substance abuse provided by a reliable and credible source;
- d. Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer;
- e. Information that an employee has caused or contributed to an accident while at work; or
- f. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

If possible, the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status. Next the supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the supervisor, the employee is considered impaired, the employee will be sent home or to a medical facility by a safe transportation alternative - depending on the determination of the observed impairment - and accompanied by the supervisor or another employee if necessary. A drug test may be in order. An impaired employee will not be allowed to drive.

Opportunity to Contest or Explain Test Results

Employees and job applicants will be given the opportunity to explain or contest a confirmed positive result with the Executive Director (ED) with five (5) working days after being notified by the ED of his/her test result.

Employees with a confirmed positive test result may, at their option and expense, have a second confirmation test made on the same specimen. An employee will not be allowed to submit another specimen for testing.

Pre-Employment Drug Testing

All job applicants will undergo testing for the presence of illegal drugs as a condition of employment. Any applicant with a confirmed positive test will be denied employment.

Applicants will be required to submit voluntarily to a urinalysis test at a laboratory chosen by Home On The Range, and by signing a consent agreement will release this Company from liability.

If the physician, official, or lab personnel has reasonable suspicion to believe that the job-applicant has tampered with the specimen, the applicant will not be considered for employment.

Home On The Range will not discriminate against applicants for employment because of a past history of drug abuse. It is the *current* abuse of drugs, preventing employees from performing their job properly, that Home On The Range will not tolerate.

Individuals who have failed a pre-employment test may initiate another inquiry with Home On The Range after a period of not shorter than six (6) months; but they must present themselves drug-free as demonstrated by urinalysis or other test selected by Home On The Range.

Alcohol Abuse

An employee who is under the influence of alcoholic beverages at any time while on Home On The Range business or at any time during the employee's work day shall be

guilty of misconduct and is subject to discipline up to and including termination. An employee shall be determined to be under the influence of alcohol if the employee's normal faculties are impaired due to the consumption of alcohol, or if the employee has a alcohol level of .05 or higher.

Failure to submit to a substance abuse test also is misconduct and also shall be subject to discipline up to and including termination.

Safe and Drug Free Workplace is Everyone's Responsibility

It is the responsibility of Home On The Range's supervisors to report employees whenever they see changes in performance or behavior that suggest an employee has a drug or alcohol problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs, and the abuse of alcohol are incompatible with employment at Home On The Range.