



# Alcohol, Drug, and Contraband Policy

01/12/2022

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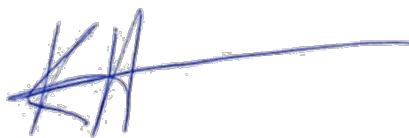
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## Revision History and Authorization

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12/31/21	A	Draft Publication
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Approved By: \_\_\_\_\_

  
Kimberly Howard, President

## 1.0 Purpose and Scope

The purpose of this document to ensure a safe, healthy, and productive work environment for the employees of Naniq Global Logistics and subsidiary company's; referred to as Company throughout this document. This policy outlines procedures in compliance with the Federal Motor Carrier Safety Regulations, CFR 49, Part 382. The following information is provided in accordance with Part 382.601.

## 2.0 Prohibited Substances

Using, possessing, selling, manufacturing, distributing, concealing, or transporting prohibited substances is not permitted by Legacy personnel providing services. Anyone found to be in violation of this policy will be subject to immediate stand down. Prohibited substances include the following:

- Alcohol: be it a consumable liquid or powdered form that can be reconstituted.
- Potentially impairing medications including prescription drugs used in a manner that is inconsistent with the prescription, over the counter medications, and herbal medication.
- Un-prescribed drugs, controlled substances, mood, or mind-altering substances naturally occurring or synthetic drugs that produces a high, or any herbal product not intended for human consumption.
- The use of marijuana for medical or recreational purposes is not permitted, even if such use is legally permitted in the State where the work is being performed.

### 2.1 Reasonable Suspicion

Company directly observes or receives objective evidence that leads the supervisor to suspect Company personnel are using a prohibited substance, the supervisor may require a drug and alcohol test.

### 2.2 Under the Influence

Under the influence is a condition in which the mental or physical faculties are impaired by the use of prohibited substances as to reduce ability to think and act with ordinary care and must be indicated by specific, contemporaneous, articulable observations such as appearance, behavior, speech, body odor, etc. A confirmed positive alcohol or drug test shall be accepted as evidence conclusive of being Under the Influence.

### 2.3 Prescription

Company defines a Prescription Drug as "A regulated pharmaceutical medicine that requires physician or other qualified health care professional authorization before it can be obtained in the jurisdiction where Legacy personnel are performing work. The term is used to distinguish it from over-the-counter drugs, which can be obtained without authorization.

### 2.4 Limit of Detection

The lowest concentration at which an analyte (e.g., a drug/metabolite or adulterant) can be definitively identified, but the concentration cannot be accurately calculated (for quantitative assays).

### 2.5 Collector

Company defines a Collector as *a person who 1) collects a specimen from employees, 2) makes an initial inspection of the specimen, and 3) completes the Custody and Control Form (CCF). When Field Screen Device (FSD) is used, Collector may be responsible for reading and recording screening test*

results.

## 2.6 Incident

Incident in this document means any actual event that caused or had the potential to cause significant safety, environmental, or property damage. Incidents include anything that requires medical treatment, or reportable environmental release, damage to a vehicle, or damage to any other property. Legacy Management will determine which incidents are significant enough to require post-incident testing.

## 3.0 Program Management

Company’s General Manager or designee has oversight of the implementation of the Drug and Alcohol Program. The HR Manager is supported by the Company Management team with primary accountability residing with the Safety Advisor. The Safety Advisor is responsible for providing training to all Supervisors on the proper methods for random testing notification, posit incident testing, reasonable suspicion testing, and stand down requirements, and disqualified personnel requirements.

### 3.1 Signs and Symptoms Training

Company Personnel and Supervisors receive Supervisor Signs and Symptoms training in Drug and Alcohol Awareness (49 CFR Part 40). Supervisors are trained in recognizing the signs of drug and alcohol use and document the basis for reasonable suspicion before sending Legacy Personnel for “reasonable suspicion” drug and alcohol testing. Supervisors must complete a Reasonable Suspicion Worksheet prior to sending Legacy Personnel for a reasonable suspicion drug & alcohol test. Reasonable Suspicion Worksheets are provided to Human Resources for filing the personnel files.

### 3.2 Designated Employer Contact

Stacy Zudell is the company’s designated person for providing information on the controlled substances program. Questions should be directed to **Stacy Zudell** at **(928) 889-1988**.

### 3.3 Categories Subject to Testing

All vehicle drivers who are required to hold a Commercial Driver License to perform their duties, who work part time or full time for the Company are subject to the controlled substance testing provisions in Part 382.

### 3.4 Safety Sensitive Functions

All drivers are considered to perform safety sensitive functions during any period in which they are actually performing, are ready to perform, or immediately available to perform as a driver of a commercial motor vehicle. These functions are further defined as:

- Time at a terminal, facility or other property waiting to be dispatched.
- Time inspecting equipment as required, or servicing/conditioning a motor vehicle.
- Driving.
- Time spent in or on any commercial vehicle.
- Time spent loading or unloading a vehicle or remaining in readiness to operate a vehicle.
- Time spent supervising or assisting loading or unloading a vehicle.
- Time spent attending a vehicle being unloaded.
- Time spent performing driver requirements relating to accidents.

- Time spent repairing, obtaining assistance or remaining in attendance upon a disabled vehicle.
- Time spent providing a breath or urine sample in compliance with the requirements of Part 382.

### 3.5 Clearinghouse Reporting

A Clearinghouse Report is done by the Safety and Compliance team. These reports are completed as part of the pre-employment process, as well as pulled annually. The report is done through the Federal Motor Carrier Safety Administration (FMCSA) to check whether any drug/alcohol violation information exist. A consent form is needed, and the terms of this consent will be in effect for the duration of employment.

Refusal to provide consent will prohibit the employee from performing safety-sensitive functions, including driving a commercial motor vehicle, as required by FMCSA's drug and alcohol program regulations.

### 4.0 Prohibitions

The Company will stand down any Company Personnel who participate in prohibited activities or possess contraband. Company Personnel are prohibited from the following:

- Using, possessing, selling, manufacturing, distributing, concealing, or transporting any prohibited substance or contraband
- Being under the influence of any Prohibited Substance
- Company personnel are prohibited from performing services if they at any time one of the following:
  - Have a confirmed positive for alcohol or drugs
  - Refuse to test for alcohol or drugs
  - Switch or adulterate any urine, blood, or any other specimen
  - Obstruct the collection or testing process
  - Fail to promptly proceed to a collection site and provide specimens when told to do so
  - Refuse to sign required forms
  - Fail to cooperate with an inspection
- Company personnel are prohibited from operating a vehicle under the influence.

#### 4.1 Disqualified Personnel

Company personnel are disqualified from work should they be found to be non-compliant with any of the above prohibitions. Disqualified Company personnel may not be assigned or reassigned in the future and will be immediately removed from the property.

#### 4.2 Prohibited Conduct

All drivers who are performing safety sensitive functions must comply with the following:

- No driver shall report for duty or remain on duty while having an alcohol concentration of 0.02 or greater. (A driver found to have a concentration greater than 0.02 but less than 0.04 will be removed from performing any safety sensitive functions for 24 hours.)
- No driver shall possess alcohol unless the alcohol is manifested and transported as part of a shipment.
- No driver shall use alcohol while performing safety sensitive functions.
- No driver shall perform safety sensitive functions within four hours of using alcohol.

- No driver required to take a post-accident alcohol test shall use alcohol for eight hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first.
- No driver shall refuse to submit to a post-accident; random; reasonable suspicion; or follow-up, alcohol, or controlled substances test.
- No driver shall report for duty or remain on duty when the driver uses any controlled substance. An exception is when the use of the controlled substance is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle. Note: the use of another individual's prescription medicine may be considered prohibited controlled substance use.
- No driver shall report for duty, remain on duty, or perform a safety sensitive function, if the driver tests positive for controlled substances.

### 4.3 Consequences of Prohibited Conduct

Any driver who engages in conduct prohibited by Part 382 will be immediately removed from performing any safety sensitive function. In addition, the driver will be subject to termination from his/her employment with the Company. The reinstatement will be subject to the driver submitting to a treatment needs assessment by an authorized Substance Abuse Professional and following and completing the recommended treatment. In addition, the driver will be required to submit to a Return-To-Duty controlled substance and/or alcohol test.

## 5.0 Testing Requirements

All testing will be performed with procedures that are outlined in the Code of Federal Regulations, Part 40. These procedures are designed to protect the driver, maintain integrity in the testing process and safeguard the validity of the test results.

### 5.1 Types of Testing

The following alcohol and controlled substance tests will be performed. In order for the driver to be allowed to perform safety sensitive functions, a negative result for controlled substances and an alcohol concentration of less than 0.02 will be necessary. (a concentration between 0.02 and 0.039 will result in a 24-hour disqualification. A concentration of 0.04 will result in a positive test)

- Pre employment: administered prior to a driver performing safety sensitive functions for the first time for an employer. (Controlled substances testing only.)
- Post-Incident: administered as soon as practicable, following an accident involving a commercial motor vehicle, if there is a fatality, or if the driver is cited for a moving traffic violation. (We must test for alcohol within 8 hours of the accident, and controlled substances within 32 hours).
- Random: administered if a driver's name is selected in a random drawing, conducted periodically throughout the year. Drivers notified of a random selection must submit immediately for testing.
- Reasonable suspicion: administered if the employer has reasonable suspicion to believe the driver is in violation of any of the prohibitions listed above.
- Return to duty: administered prior to a driver returning to duty, following a "positive" controlled substances or alcohol test. We must also administer a return to duty test if a driver is disqualified from the random pool for any reason, and then re-enters the random pool.
- Follow-up: if a driver has refused to test or tested positive and wishes to be re-qualified to perform safety sensitive functions, he/she must be counseled by a Substance Abuse

Professional (SAP), follow the recommended program, and then produce a negative “Return to Duty” test result. The SAP will then direct the company to administer a minimum of six “Follow-up” tests in the next 12 months. This number may be increased by the SAP. The company will select the times for the follow-up tests.

**5.2 Refusal to Test**


All drivers are required to submit to testing, when directed by an official of the Company, in order to comply with the requirements of Part 382. If any driver refuses to test under the conditions outlined in Part 382, the refusal will be treated as a positive result, and will be subject to consequences of a positive test. Refusal to test includes any action which interferes with the testing process.

**5.3 Testing Process and Results**

Company’s third-party collection and testing service providers that perform alcohol testing and collect drug testing specimens use protocols that are compliant with US DOT procedures and local laws. Alcohol and Drug Tests are always performed together.

Company’s third-party collection service provider utilizes a Breathalyzer for alcohol testing. Alcohol screening test results are documented on a custody control form (CCF) with the breathalyzer printout attached to document the result for each person. Figure 1 below shows a typical Alcohol Testing report issued to Company by the third-party specimen collection service provider for the Alcohol Testing Results:

**FIGURE 1: Typical Alcohol Test Result Report**



**Test Results**

---

<p><b>Date Results Transmitted:</b> 2:55 PM</p> <p><b>Transmitted By:</b> JO</p> <p><b>Participant/Donor:</b> -</p> <p><b>SSN/EID:</b> 4006</p> <p><b>CCF/Specimen ID:</b> BAT07114006</p> <p><b>Specimen Type:</b> BREATH</p> <p><b>Company:</b> PRL LOGISTICS INC</p> <p><b>Location:</b> PRL LOGISTICS INC</p> <p><b>Lab Account Number:</b></p>	<p><b>Reason for Test:</b></p> <p><b>Date Specimen Collected:</b></p> <p><b>Collection Site:</b> BEACON - CORDOVA</p> <p><b>Collection Site Phone:</b> 9072227612</p> <p><b>Program:</b> NONDOT</p>
---	---

**Test Results**

Panel - Breath Alcohol with no cutoffs displayed ALCOHOLBREATH\_NoQUANT

Drug	Results	Screen	Confirm	Levels
Breath Alcohol	NEGATIVE			

**NEGATIVE**

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Following alcohol testing for any reason, personnel whose alcohol screening test result is positive shall be immediately stood down. If a confirmation test is negative, personnel will not return to work until at least 8-hours has elapsed.

Company's third-party collection service provider ensures that specimens are stored in a secure location with at least on physical control point restricting non-Collector access from the time of collection to the pick-up for laboratory shipment.

Company only selects accredited laboratories recognized international, national or regional organization that address workplace drug testing to a forensic standard that meet standards. To ensure absolute compliance, Company only selects suppliers and providers that are approved and available through NCMS.

Company's Alcohol and Drug test includes synthetic drugs. All drug test results are reviewed by the MRO who decides if the result and signs the Drug Test Results Reports. MRO review is required for all non-negative laboratory results including positive results for drugs or drug metabolites, adulterated, or substituted specimens, and invalid laboratory results. Figure 2 below provides the minimum drug testing panel and cut-off limits for each panel item.

**FIGURE 2: Minimum Drug Testing Panel and Cutoff Limits**


SUBSTANCE	SCREENING CUT-OFF LEVEL (ng/ml)	CONFIRMATION CUT-OFF LEVEL (ng/ml)
<b>AMPHETAMINES</b>	500	
AMPHETAMINE		250
METHAMPHETAMINE		250
MD MA		250
MDA		250
MD EA		250
<b>BARBITURATES</b>	300	
AMOBARBITAL		200
BUTALBITAL		200
PENTOBARBITAL		200
PHENOBARBITAL		200
SECOBARBITAL		200
<b>BENZODIAZEPINES</b>	300	
ALPRAZOLAM METABOLITES		100
NORDIAZEPAM		100
OXAZEPAM		100
TEMAZEPAM		100
FLURAZEPAM METABOLITES		100

LORAZEPAM		100
TRIAZOLAM METABOLITES		100
<b>COCAINE METABOLITES</b>	150	
BENZOYLECGONINE		100
<b>MARIJUANA METABOLITES</b>	20	
THCA (11-nor delta-9THCA)		10
<b>METHADONE</b>	300	200
<b>OPIATES</b>	300	
MORPHINE		100
CODEINE		100
HYDROMORPHONE		100
HYDROCODONE		100

SUBSTANCE		SCREENING CUT-OFF LEVEL (ng/ml)	CONFIRMATION CUT-OFF LEVEL (ng/ml)
<b>6-ACETYLMORPHINE (6- AM)</b>		10	10
<b>OXYCODONES</b>		100	
OXYMORPHONE			10 0
OXYCODONE			10 0
<b>Synthetic Cannabinoids – US Only</b>			
PARENT COMPOUND	REQUIRED URINE TESTING METABOLITE	MAX SCREENING and CONFIRMATION CUT-OFF LEVELS (ng/ml)	
JWH-018/AM-2201	JWH-018 N-pentanoic acid	2. 0	0.2 screen and confirmation 6/1/2016 and beyond
JWH-073	JWH-073 N-butanoic acid	2. 0	0.2 screen and confirmation 6/1/2016 and beyond
UR-144/XLR-11	UR-144 N-pentanoic acid	4. 0	0.5 screen and confirmation 6/1/2016 and beyond
AKB-48-(APINACA)	AKB48 N-pentanoic acid	2. 5	

BB-22	BB-22-3-carboxyindole	5	
PB-22-(CUPIC)	PB-22-3-carboxyindole	5	
5-FLURO-PB-22- (5F-PB-22)	5-FLURO PB-22-3-carboxyindole	5	
AB-FUBINACA	AB-FUBINACA oxobutanoic acid	2.5	
ADB-PINACA	ADB-PINACA N-pentanoic acid	5	
AB CHMINACA	AB CHMINACA 3-methyl-butanoic acid ("M2")	2.5	
AB PINACA/5-F-AB-PINACA	AB PINACA N-pentanoic acid	5	
ADBICA	ADBICA N-pentanoic acid	5	

**FIGURE 3: Example Drug Test Result report that shows the test results and the screening level for each test component:**



**Test Results**

---

**Date Results Transmitted:** 6:04 AM

**Transmitted By:** DRN

**Participant/Donor:**

**SSN/EID:**

**CCF/Specimen ID:** AA08764585

**Specimen Type:** URINE

**Company:** PRL LOGISTICS INC

**Location:** PRL LOGISTICS INC

**Lab Account Number:**

**Reason for Test:**

**Date Specimen Collected:**

**Laboratory:** Quest Diagnostics

**Collection Site:** BEACON - CORDOVA

**Collection Site Phone:** 9072227612

**Program:** NONDOT

**Date MRO Received CCF Copy 2:**

**Date Test Verified by MRO:**


**Test Results**

Panel - 10 PANEL W/MDMA + EXP-OPI + 6AM + OXY + ALC + SNTH-THC 33237N			
Drug	Results	Screen	Confirm
Alcohol	NEGATIVE		.04
Amphetamines	NEGATIVE	300	250
Barbiturates	NEGATIVE	300	200
Benzodiazepines	NEGATIVE	300	100
Cocaine	NEGATIVE	150	100
Marijuana	NEGATIVE	20	10
MDA-Analogues	NEGATIVE	250	250
Methadone	NEGATIVE	300	200
Methaqualone	NEGATIVE	300	200
Opiates	NEGATIVE	300	100
Oxycodones	NEGATIVE	100	100
Phencyclidine (PCP)	NEGATIVE	25	25
Propoxyphene	NEGATIVE	300	200
Synthetic Marijuana	NEGATIVE		

MY DETERMINATION/VERIFICATION IS: **NEGATIVE**

**Certified Medical Review Officer**  
David Nahin M.D.

Signature



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## 6.0 Medical Disclosure

Company personnel are required to disclose any potentially impairing medication to their Supervisor prior to performing work, regardless of whether the medication is prescription or sold “over the counter”. The medication must have been obtained in a manner that is consistent with laws and regulations. Supervisors will require all personnel to obtain a medical evaluation of fitness for duty in consideration of the potentially impairing medication and their safety sensitive job duties.

## 7.0 Inspections

Searches and inspection may be conducted at work locations at any time. Searches and inspections may be unannounced and may be performed by Legacy, or by scent-trained canines. Canines are used to search or inspect property; however, non-contact pass-by screening of personnel by canines may occur. Personnel must provide written consent for inspections prior to mobilization to their work location.

Inspections may include personal items such as clothing, wallets, purses, baggage, lockers, work areas, desks, toolboxes, vehicles, and anything else on the premises or jobsites. If Personnel refuse to submit to inspections, they will be subject to disciplinary action up to and including terminations. If discovery of prohibited substances or contraband cannot be directly associated with a specific individual but can be tied to a group, if any Personnel are in this group, they will be subjected to group suspicion-based testing.

## 8.0 Physical Symptoms, Uses and Effects

### 8.1 General Symptoms

- Tardiness or absenteeism
- Borrowing money from co-workers
- Problems with relationships
- Increased irritability
- Decreased attention span
- Difficulty remembering instructions
- Taking criticism personally
- Denial of any problem
- Paraphernalia present

### 8.2 Types of Paraphernalia

- Roach clips
- Cigarette papers
- Pipes, bongs
- Razor blades, small mirrors
- Small spoons and straws
- White powder
- Syringes; needles
- Eye droppers
- Rubber tubing

<b>Marijuana</b>	
<b>Physical Symptoms</b>	<b>Uses and Effects</b>
Red eyes	Some medical uses for THC
Pale face	Effect lasts 2-4 hours; stays in system for several days/weeks
Strong odor, like burning rope	stored in fat tissue cells
Loud, boisterous in early stages	Smoked or taken orally
Sleepy, stuporous in later stages	Causes euphoria; increased appetite; disoriented behavior; relaxed inhibitions; negative effect on peripheral vision
	Overdose can cause fatigue; paranoia; not fatal

<b>Cocaine</b>	
<b>Physical Symptoms</b>	<b>Uses and Effects</b>
Runny nose; nasal problems	May be used as a local anesthetic
Needle marks on arms	Highly addictive
Dizziness	Effect lasts 1-2 hours
Dilated pupils	Sniffed, smoked or injected
Dry mouth and nose	Increased alertness; euphoria; excitation; increased pulse and blood pressure; insomnia; loss of appetite
Bad breath;	frequent lip licking Overdose can cause agitation; hallucination; convulsions; possible death
Lack of interest in food and sleep	

<b>Opiates</b>	
<b>Physical Symptoms</b>	<b>Uses and Effects</b>
Drowsiness; lethargy	Used as pain killer; cough medicine
Slurred speech	Highly addictive (codeine is moderately addictive)
Constricted pupils	Effect lasts 3-6 hours
Needle scars	Sniffed, injected, smoked, taken orally
Loss of appetite	Causes euphoria; drowsiness; nausea
Nausea; flushed face	Slow, shallow breathing; clammy skin; convulsions; possible death

<b>PCP</b>	
<b>Physical Symptoms</b>	<b>Uses and Effects</b>
Increased heart rate/blood pressure	No medical uses
Flushing, sweating, dizziness, numbness, drowsiness	Highly addictive; effect lasts several days
Pupils dilated	Smoked, injected, taken orally
Rigid muscles, deadened actions	Causes illusions; hallucinations
Symptoms of intoxication without smell of alcohol	Overdose may cause more intense trips; possible death

<b>Amphetamines</b>	
<b>Physical Symptoms</b>	<b>Uses and Effects</b>
Increased heart and breathing rates	Used for weight control; to treat narcolepsy; attention deficit disorder
High blood pressure; high fever	Highly addictive
Dilated pupils	Effect lasts 2-4 hours
Decreased appetite; dry mouth	Injected or taken orally
Sweating; headache; blurred vision; dizziness	Increased alertness, pulse, and blood pressure; insomnia; loss of appetite; euphoria; excitation
Unable to sleep	Overdose may cause agitation; convulsions; possible death

<b>Alcohol</b>	
<b>Physical Symptoms</b>	<b>Uses and Effects</b>
Sloppiness	Limited medicinal use; over the counter sleep aids; cough syrups
Slurred speech	Addictive; may be genetic
Trouble walking	Moody, emotionally unstable
Has the "shakes"	Accident-prone
Blackouts	Withdrawn; may be violent; overly talkative
Hangover (headaches)	
Smell of alcohol	

### 9.0 Acknowledgement Form

All employees are required to review this drug and alcohol policy and sign an acknowledgement form upon hire and each time the policy is modified.

#### RECEIPT

I hereby certify that the Company has provided me with a copy of its policies and procedures as follows:  
Alcohol, Drug, and Contraband Policy

I have read and understand each policy; and that I agree to abide by these terms and conditions of these policies.

I understand that nothing in these policies is intended to create a contract and that no such contract is created by these policies.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_