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**POLICY NUMBER 701  
TITLE: DRUG - FREE WORKPLACE**

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**I. STATEMENT OF POLICY**

In a commitment to safeguard the health of our employees and to provide a safe environment for everyone, Catholic Charities of the Diocese of Palm Beach, Inc. ("Catholic Charities") has established a drug-free workplace policy.

The ultimate goal of this policy is to balance our respect for individual privacy with our need to keep a safe, productive, drug-free environment. We would like to encourage those who use illegal drugs or abuse alcohol to seek help in overcoming their problem. Employees who do so may be able to return to their job position in good standing.

While Catholic Charities understands that employees and applicants under a physician's care are required to use prescription drugs, abuse of prescribed medications will be dealt with in the same manner as the abuse of illegal substances.

Employees are given notice as of the above date that it is a condition of employment to refrain from reporting to work, or working with the presence of illegal drugs or alcohol in his or her body.

This policy is implemented pursuant to the drug-free workplace program requirements under Florida Statute 440.102 and Administrative Rule 59A-24 of the State of Florida Agency for Health Care Administration.

**II. DEFINITIONS**

- A. "Legal Drug"** - Prescribed drug or over-the-counter drug which has been legally obtained and is being used solely for the purpose for which it was prescribed or manufactured.
- B. "Illegal Drug"** - Any drug (a) which is not legally obtainable, (b) which may be legally obtainable but has not been legally obtained, or (c) which is being used in a manner or for a purpose other than as prescribed.

**III. POLICY AND WORK RULE**

The policy of Catholic Charities is to employ a workforce free from use of illegal drugs and abuse of alcohol, either on or off the job. Any employee determined to be in violation of this policy is subject to disciplinary action, which may include termination, even for the first offense.

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**Continued**

It is a standard of conduct for employees of Catholic Charities that no employee shall report to work or work with the presence of illegal drugs or alcohol in his or her body. In order to maintain this standard, Catholic Charities shall establish and maintain the programs and rules set forth below.

**A. Drug Testing of Regular Full-Time Job Applicants**

All Regular Full-Time job applicants at Catholic Charities will undergo screening for the presence of illegal drugs as a condition of employment.

Any Regular Full-Time job applicant with a positive test result will be denied employment at that time but may initiate another inquiry with Catholic Charities after one year.

**B. Drug Testing of Employees**

Catholic Charities will maintain screening practices to identify employees who use illegal drugs or abuse alcohol, either on or off the job. It shall be a condition of continued employment for all employees to submit to a drug screen:

1. ALL existing employees will be subject to a drug screen on an annual basis and will be selected on a random basis.
2. When there is a reasonable suspicion to believe that an employee is using or has used illegal drugs or is abusing or has abused alcohol;

Circumstances that could be indicators of a substance-abuse problem and considered reasonably suspicious are as follows:

- Information that an employee has caused, or contributed to, an accident while at work. "Accident" includes injury to person(s) and/or damage to equipment or property.
- Observable phenomena while at work - such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- A report of drug use provided by a reliable and credible source and independently corroborated.
- Evidence that an individual has tampered with a drug test during his employment with the current employer.
- 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.

Whenever possible, the supervisor should have the employee observed by a second supervisor or manager before requiring testing. Employees who refuse substance testing under these circumstances will be terminated and forfeit workers' compensation medical and indemnity benefits.

**3. As a follow-up to Employee Assistance.**

If the employee, in the course of employment, enters an Employee Assistance Program or a drug rehabilitation program, the employer must require the employee to submit to a drug test as a follow-up to such program, unless the employee voluntarily entered the program. In that case, follow-up testing is optional. If follow-up testing is required, it must be conducted at least once a year for a two-year period after completion of the program. Advance notice of a follow-up testing date will not be given to the employee.

- 4. When the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination** that is part of the employer's established policy or that is scheduled routinely for all members of an employment classification or group.
- 5. At other times and under such circumstances as deemed appropriate** by Catholic Charities management and current state and/or federal standards. Employees will be given adequate notice of any addition/change/deletion in Catholic Charities drug testing requirements.

**C. Employee Assistance Program**

Catholic Charities does not maintain an Employee Assistance Program (EAP). The purpose of an EAP is to provide help to employees and their families who suffer from alcohol, drug abuse or other problems. We do, however, maintain a list of local providers of employee assistance, drug and alcohol treatment services that employees may access without Catholic Charities involvement.

It is the responsibility of an employee to seek assistance from an EAP before alcohol and drug problems lead to disciplinary actions. Once a violation of this policy occurs, subsequently using an EAP on a voluntary basis will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action.

An EAP will provide appropriate assessment, evaluation and counseling and/or referral for treatment of drug and alcohol abuse. Such employees may be granted leave with a conditional return to work, depending on successful completion of the agreed-upon appropriate treatment regimen, which may include follow-up testing.

The cost of seeking assistance from an EAP or other provider will be the responsibility of the **employee** and is subject to provisions of Catholic Charities' health plan, if any. Please consult the provider for specifics concerning this issue.

**D. Grounds for Termination or Discipline**

1. Illegal Drug Use

The following are considered violations of Catholic Charities' drug-free workplace policy and are subject to discipline, including discharge or suspension from employment without pay and loss of Workers' Compensation benefits, even for the first offense:

- Refusing to take Catholic Charities-required drug test
- Failing a Catholic Charities-required drug test (a *positive* test result)
- An employee bringing illegal drugs onto Catholic Charities' premises or property (including Catholic Charities vehicles)
- Possession of illegal drugs or drug paraphernalia on the employee's person
- Using, consuming, transferring, selling or attempting to sell or transfer any form of illegal drug (as previously defined) while on Catholic Charities business or at any time during the hours between the beginning and ending of the employee's workday, whether on Catholic Charities property or not.

2. Alcohol Abuse

The following are considered violations of Catholic Charities' drug-free workplace policy and are subject to discipline, including discharge or suspension from employment without pay and loss of Workers' Compensation benefits, even for the first offense:

- Refusing to take a Catholic Charities-required alcohol test
- Failing a Catholic Charities-required alcohol test
- An employee who is under the influence of alcohol beverages at any time while on Catholic Charities business or at any time during the hours between the beginning and ending of the employee's workday, whether on Catholic Charities property or not (including Catholic Charities vehicles)

An employee shall be determined to be under the influence of alcohol if:

- a. the employee's normal faculties are impaired due to consumption of alcohol, **or if**
- b. the employee has a blood-alcohol level of .04 or higher.

**E. Confidentiality**

1. All information, interviews, reports, statement memoranda, and drug-test results, written or otherwise, received by the employer through a drug-testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or

disclosed in any public or private proceedings, except in accordance with this section or in determining compensability under this chapter 440. F. S. (Workers' Compensation).

2. This subsection (confidentiality) does not prohibit an employer, agent of an employer, or laboratory conducting a drug test from having access to employee drug-test information or using such information when consulting with legal counsel in connection with actions brought under or related to this section or when the information is relevant to its defense in a civil or administrative matter.

#### **F. Medication Reporting Procedure**

Employees or job applicants may confidentially report to Catholic Charities' medical review officer (MRO) the use of prescription or nonprescription medications both before and after being tested. Additionally, employees and job applicants shall receive notice of the most common drugs or medications - by brand name or common name, as applicable, as well as by chemical name - which may alter or affect a drug test. (A listing of these is attached.)

#### **G. Reporting of Test Results**

Employees or job applicants who receive a positive confirmed test result may contest or explain the result to the medical review officer within 5 working days after receiving written notification of the test result. If the employee's or job applicant's explanation or challenge is unsatisfactory to the medical review officer, the medical review officer shall report a positive test result back to the employer. Employees and job applicants also may contest the drug result pursuant to rules adopted by the Department of Labor and Employment Security, as outlined below.

#### **H. Challenges to Test Results**

1. A requirement of a drug-free workplace program is that within five working days after receiving the notice of a positive confirmed test result, an employee or job applicant may submit information to the employer explaining or contesting the test result, and why the result does not constitute a violation of the employer's policy. If the employee's or job applicant's explanation or challenge of the positive test result is unsatisfactory to the employer, a written response as to why the employee's or job applicant's explanation is unsatisfactory, along with the report of positive result, shall be provided by the employer to the employee or job applicant; and all such documentation shall be kept confidential by the employer pursuant to confidentiality provisions outlined above, and shall be retained by the employer for at least 1 year.
2. An employee or job applicant may undertake an administrative challenge by filing a claim for benefits with a Judge of Compensation Claims pursuant to Chapter 440, Florida Statutes, or, if no workplace injury has occurred, the person must challenge the test result in a court of competent jurisdiction. When an employee undertakes a challenge to the result of a test, it shall be the employee's responsibility to notify the laboratory, and the sample shall be retained by the laboratory until the case is resolved.

**I. Drugs To Test For**

Catholic Charities may test for any or all of the following substances:

<b>Drugs</b>	<b>Trade or Common Name</b>
Alcohol	Liquor, Beer, Booze
Amphetamines	Biphetamine, Desoxyn, Dexedrine
Cannabinoids	Marijuana, Pot, Grass
Cocaine	Coke, Flake, Snow, Crack
Phencyclidine HCl	PCP, Angel Dust
Methaqualone HCl	Quaalude
Opiates	Paregoric, Morphine, Tylenol with Codeine
Barbiturates	Phenobarbital, Amytal, Nembutal, Seconal
Benzodiazepines	Librium, Valium, Halcion, Restoril
Synthetic Narcotics	Methadone-Polophine, Methadose Propoxyphene-Darvocet, Dolene

**J. Consultation Rights**

Employees and applicants have the right to consult the Catholic Charities Medical Review Officer (MRO) for technical information regarding prescription and nonprescription medications.

**L. Medical Review Officer**

The company's Medical Review Officer is Dr. Howard Strickler of Premiere InfoSource. Telephone Number 1-800-833-9412.

**III. Safety-Sensitive Employees Shall be Subject to Additional Rules and Regulations**

**A.** Safety-Sensitive Employees who perform or could be called upon to perform transit related functions are subject to additional testing as required by the Federal Department of Transportation regulations. Such additional testing includes those identified above as well as post accident testing. Any safety-sensitive employee who has a positive test result is prohibited from any further duties. An additional policy is available from the human resources department which fully sets forth the additional rules and regulations regulating safety-sensitive employees.

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**CATHOLIC CHARITIES OF THE  
DIOCESE OF PALM BEACH  
EFFECTIVE: OCTOBER 2004  
REVISED: APRIL 2008**

**MANUAL: PERSONNEL  
SECTION 700**

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**POLICY NUMBER: 702  
TITLE: EMERGENCY CLOSURE**

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In times of emergency, either weather (i.e. hurricanes, tornadoes) or civil (i.e. national, county) Catholic Charities administration, in consultation with the Board of Directors, will make the determination as to the closing of operations. Each Catholic Charities office will remain closed until Catholic Charities administration determines that it can reopen. This will be done on a case-by-case basis, and its staff will be notified by phone. All employees must leave an emergency contact phone number with their supervisor prior to the facility being closed.

During the days that a Catholic Charities office is closed for an emergency, the staff at that location will be paid. Hourly staff will receive pay for their regularly scheduled hours. Any vacation time that had been scheduled for the days of closure will not be deducted from the employee's accrued vacation hours.

If you have been called back to work, but need additional time off for your particular circumstances you will need to use vacation time to extend your leave.

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**CATHOLIC CHARITIES OF THE  
DIOCESE OF PALM BEACH  
EFFECTIVE: JULY 1995  
REVISED: APRIL 2008**

**MANUAL: PERSONNEL  
SECTION 700**

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**POLICY NUMBER: 703  
TITLE: ID CARDS**

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Every employee of Catholic Charities will be issued a picture ID card at time of hire. If required, the card should be worn in a visibly apparent location while performing Agency work at Catholic Charities program offices and offsite client visitations. The card remains the property of Catholic Charities and must be surrendered upon request and returned upon separation of employment. Lost cards should be reported to the Human Resources office. There may be a fee for a replacement card. Volunteers will also be issued cards that identify them as Catholic Charities Volunteers.

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**POLICY NUMBER: 704  
TITLE: PROHIBITED MATERIALS ON PREMESIS**

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Catholic Charities believes that maintenance of a workplace that is free of drugs, alcohol, and other harmful materials is vital to the health and safety of its employees and to the success of its mission. Accordingly, Catholic Charities has established the following policy concerning the prohibition of such materials on Catholic Charities premises. This policy applies to all employees of Catholic Charities.

It is forbidden for any employee to be in possession of a prohibited material(s) on Catholic Charities premises.

For purposes of this policy:

- Prohibited Materials means firearms or other weapons; explosives and/or hazardous materials or articles; illegal drugs or other controlled substances; drug-related paraphernalia; or unauthorized alcoholic beverages.
- Catholic Charities premises includes all premises and locations owned or leased by the Diocese of Palm Beach and/or any institution or entity under the control or association with Catholic Charities or entered into by its employees for employment purposes, including, but not limited to, parking lots, lockers, and storage areas.
- Possession means having the property on one's person or otherwise under one's control.

#### Disciplinary Action

If an employee is found to be in possession of a prohibited material(s) in violation of this policy, the employee will be subject to discipline, up to and including discharge.

#### Disposition of Prohibited Materials

Catholic Charities reserves the right to contact local law enforcement authorities regarding a violation of this policy. It also reserves the right to dispose of the prohibited materials in whatever manner that it deems to be in the interest of safety to its employees.

**CATHOLIC CHARITIES OF THE  
DIOCESE OF PALM BEACH  
EFFECTIVE: JULY 1995  
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**MANUAL: PERSONNEL  
SECTION 700**

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**POLICY NUMBER: 705  
TITLE: SAFETY AND SECURITY**

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In an effort to reduce injuries, legal actions and other negative outcomes of daily operations, all employees are required to adhere to program-specific guidelines regarding safety and security in the work setting.

The agency is committed to providing a safe and secure work environment for all employees. However, safety and security in the workplace is everyone's responsibility. It is accomplished only through the cooperation of all employees. The employee's supervisor shall be responsible for providing and disseminating safety and security information. Each employee must learn these safety and security practices and follow them. If in doubt about a health or safety matter or security issue, employees should promptly consult their supervisor

All employees are instructed to report immediately any emergencies, accidents or security concerns to their supervisor as well as to the proper authorities in appropriate circumstances.

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**CATHOLIC CHARITIES OF THE  
DIOCESE OF PALM BEACH  
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**MANUAL: PERSONNEL  
SECTION 700**

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**POLICY NUMBER: 706  
TITLE: SAFETY-SENSITIVE EMPLOYEE SUBSTANCE ABUSE POLICY**

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**1. Detection, - deterrence and enforcement.**

All safety - sensitive employees will be subject to reasonable suspicion, post accident, random, and return to duty drug and alcohol testing. Applicants for safety sensitive positions will not be hired unless they pass a pre-employment drug test. Any confirmed positive drug or alcohol tests will **result in a termination of employment.**

**2. Purpose.**

The purpose of this policy is to assure worker fitness for duty and to protect our employees, passengers, and the public from the risks posed by the use of alcohol and Prohibited Drugs (as defined below). This policy is also intended to comply with all applicable Federal regulations governing workplace anti-drug programs in the transit industry.

The Federal Transit Administration (FTA) of the US. Department of Transportation has adopted 49 CFR (Code of Federal Regulations) Part 655, which mandates urine drug testing, and breathalyzer alcohol testing, for employees performing safety-sensitive functions. These regulations also prevent performance of safety sensitive functions when there is a positive test result. The US. Department of Transportation (DOT) has also adopted 49 CFR Part 40, which sets standards for the collection and testing of urine and breath specimens. This Policy incorporates these federal requirements for employees performing safety-sensitive functions, as well as other provisions as noted.

In addition, DOT has published 49 CFR Part 29, implementing the Drug-Free Workplace Act of 1988, which requires the establishment of drug-free workplace policies and the reporting of certain drug-related offenses to the FTA.

If any provision of an existing CATHOLIC CHARITIES policy, rule or resolution is inconsistent or in conflict with any provision of this policy or the DOT/FTA Regulations AS TO SAFETY SENSITIVE EMPLOYEES this policy and the FTA Regulations shall take precedence; if any provision of this policy is inconsistent or in conflict with the FTA Regulations, the FTA Regulations shall take precedence.

**3. Safety-Sensitive Employees.**

This policy applies to all safety-sensitive Catholic Charities employees, including paid part time employees who perform or could be called upon to perform any transit related safety-sensitive function. In the case of alcohol testing, "performing a safety-sensitive function" includes any period in which the employee is actually performing, ready to perform or immediately performed a safety-sensitive function. For both drug and alcohol testing, this policy applies to off-site lunch periods or breaks when an employee is scheduled to return to work. Participation in CATHOLIC CHARITIES'S drug and alcohol testing program is a requirement of each safety-sensitive employee, and therefore, is a condition of employment.

A safety-sensitive function is any of the following duties:

- A. Operating a CATHOLIC CHARITIES vehicle, whether or not in agency service;
- B. Operating a NON-CATHOLIC CHARITIES vehicle, when required to be operated by a holder of a Commercial Driver's License;
- C. Controlling dispatch or movement of a revenue service vehicle;
- D. Maintaining a CATHOLIC CHARITIES vehicle or equipment used in CATHOLIC CHARITIES service; or

The following is a list of Safety-Sensitive Functions at Catholic Charities:

1. All employees with a commercial driver's license that will operate a CATHOLIC CHARITIES vehicle.
2. All drivers of CATHOLIC CHARITIES vehicles regardless of the class of license that they hold.
3. All dispatch personnel and supervisors who control the movement of any CATHOLIC-CHARITIES vehicle.
4. All Maintenance personnel, who perform various repairs to CATHOLIC CHARITIES vehicles.

### **3.1 Other Catholic Charities Employees - Contractors.**

Contractors who perform safety-sensitive duties for CATHOLIC CHARITIES will also be subject to the same requirements as safety-sensitive duties CATHOLIC CHARITIES employees.

## **4. Prohibited Substances.**

"Prohibited substances" addressed by this policy are those identified in the Personnel Policy Manual.

### **5.1 Intoxication/Under the Influence.**

Any safety-sensitive employee who is reasonably suspected of being intoxicated or under the influence of an illegal drug, or not fit for *duty* shall be relieved from his or her safety-sensitive job duties pending an investigation and verification of condition. Any safety-sensitive employee who fails to pass a drug or alcohol test shall be terminated. Safety-sensitive employees may be tested for illegal drugs at any time while on duty or on Catholic Charities property. The use and ingestion of illegal drugs is prohibited at all times and that employees can be tested for drugs anytime while on duty.

### **5.2 Alcohol Use/Hours of Compliance.**

No safety-sensitive employee should report for duty or remain on duty when his or her ability to perform assigned functions is adversely affected by alcohol or when his or her blood alcohol concentration is 0.02 or greater. No employee shall use alcohol while on duty or while performing safety-sensitive functions or just before duty or just after duty. No employee shall have used alcohol within four hours of reporting for duty. No safety-sensitive employee shall use alcohol during the hours that they are on call. After an accident, employees shall refrain £Tom alcohol use for eight (8) hours or until an alcohol test has been administered, or it will be considered a positive test result.

**5.3 Compliance with Testing Requirements.**

Any safety-sensitive employee who refuses to comply with a request for testing, who fails to remain readily available for post-accident testing, who provides false information in connection with a test, or who attempts to falsify test results through tampering, contamination, adulteration, or substitution, or fails to report to a collection site facility upon notification in a timely manner or fails to sign a chain of custody form, will result in a diagnosis of a positive test result. Any employee falling under this category shall be removed from duty immediately. Refusal can

include an inability to provide a specimen or breath sample without a valid medical explanation, as well as a verbal or written declaration, obstructive behavior, or physical absence, including remaining readily available for post accident testing, resulting in the inability to conduct the test. Violation of these provisions shall be in accordance with disciplinary guidelines contained in this policy for a positive test result. Blatant tampering or suspected adulteration of any test will result in the employee undergoing an observed collection. Failure to permit monitoring or observation collection is a refusal to test. Falsifying test results will result in termination.

**5.4 Compliance with Treatment Requirements.**

All employees are encouraged to make use of the available resources for treatment for alcohol and substance abuse problems.

**6. Improper Application of the Policy.**

Catholic Charities is dedicated to assuring fair and equitable application of this "no tolerance" substance abuse policy. Therefore, supervisors and managers are required to use and apply all aspects of this policy in an unbiased and impartial manner. Any supervisor and manager who knowingly disregards the requirements of this policy, or who is found to deliberately misuse the policy in regard to subordinates shall be subject to disciplinary action in accordance with the provisions set forth in the personnel manual.

**7. TESTING FOR PROHIBITED SUBSTANCES.****7.1 Procedures for Testing.****A) General.**

Testing shall be conducted in a manner to assure a high degree of accuracy and reliability and using techniques, equipment, and laboratory facilities, which have been approved by the U.S. Department of Health and Human Services (DHHS). Testing for illegal drugs or alcohol on safety-sensitive employees shall be conducted in accordance with the procedures set forth in CFR Part 40. See attached Testing Procedures for detailed procedures on all required types of drug and alcohol testing.

**B) Testing for Prohibited Drugs.**

CATHOLIC CHARITIES shall collect or have collected urine samples from safety sensitive employees to test for Illegal Drugs. An assigned Collection agency will split each urine sample collected into a primary and a split sample. (see testing procedures) The urine samples will be sent under seal, with required chain of custody forms, to a laboratory approved by the DHHS. Currently Catholic Charities is under contract with Premiere InfoSource for its initial screen and confirmation testing. At the laboratory, specimens are placed in a secure storage. An initial drug screen will be conducted on each *primary* specimen. For those specimens that are not negative, a confirmatory Gas Chromatography/Mass Spectrometry (GS/MS) test will be performed. The test will be considered positive if the amounts present are above the minimum thresholds established in 49 CFR Part 40, as set forth in the attached Exhibit A (Threshold levels of testing). If the result of the test of the primary specimen is positive, the split sample will be retained in frozen storage for at least for at least 60 days from the date the laboratory receives it. All positive specimens will be retained by the laboratory in frozen storage for at least one year.

**C) Alcohol Testing**

Tests for alcohol concentration on safety-sensitive employees will be conducted with a National Highway Traffic Safety Administration (NHTSA) - approved evidential breath-testing device (EBT) operated by a trained Breath Alcohol Technician (BAT). In order to maintain quality assurance, EBT's must be externally calibrated in accordance with the plan developed by the manufacturer of the device. The EBT will identify each test by a unique sequential identification number. If the initial test on an employee indicates an alcohol concentration of 0.02 or greater, a second test will be performed to confirm the results of the initial test. For summary of applicable alcohol threshold levels, see Exhibit A.

**D) Cancelled Test.**

A cancelled test is neither a positive nor a negative test. For purposes of this part, a sample that has been rejected for testing by a laboratory is treated the same as a cancelled test. In situations in which the employer uses the split sample method of collection, if the analysis of the split specimen fails to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, or if the split specimen is inadequate for testing or un-testable, the MRO shall cancel the test and report the cancellation and the reasons for it to the DOT, the employer, and the employee.

**E) Specimen Validity Testing.**

Specimen validity testing is the evaluation of the specimen to determine if it is consistent with normal human urine. The purpose of validity testing is to determine whether certain adulterants or foreign substances were added to the urine, if the urine was diluted, or if the specimen was substituted.

**7.1.2 Medical Review Officer (MRO).**

All drug testing results shall be interpreted and evaluated by an MRO, who shall be a licensed physician or Doctor of Osteopathy, responsible for receiving laboratory results generated by an employer's drug testing program and has appropriate medical training to interpret and evaluate an individual's confirmed positive test result. The MRO should have a detailed knowledge of substance abuse disorders and drug testing. The MRO shall comply with the drug testing procedures set forth in 49 CFR Part 40. The MRO will not review alcohol test results. When a confirmed positive test is reported from the testing laboratory, it is the responsibility of the MRO to: (a) review the individual's medical history, including any medical records and biomedical information provided; (b) contact the employee and afford the employee the opportunity to discuss the test results with him/her within 72 hours of notification of the results; (c) determine whether there is a legitimate medical explanation for the result, including legally prescribed medication.

The MRO shall not convey test results to CATHOLIC CHARITIES until the MRO has made a definite decision that the test result was positive or negative. The MRO may request the laboratory to analyze the original sample again in order to verify the accuracy of the test result. If the employee provides an adequate explanation, the MRO verifies the test as negative and no further action is taken.

If the MRO reports a dilute negative to Catholic Charities, the employee will be immediately directed to take a non-observed retest. The cost of this retest will be absorbed by Catholic Charities. The results of the second test will stand as the final test result

When the MRO reports the results of the verified positive test to CATHOLIC CHARITIES; the MRO may disclose the drug(s) for which there was a positive test. The MRO may only reveal the levels of a positive drug test result to the employer, the employee, or the decision maker in a lawsuit, grievance or other proceeding initiated by the employee and arising from a verified positive drug test result.

Catholic Charities contracts with the following MRO, through First Advantage Corporation – P.O. Box 2430, Bethesda, MD 20827.

**7.2 Types of Testing**

49 CFR Part 655 requires the following types of testing for prohibited substances for safety-sensitive employees: Pre-employment or transfer, reasonable suspicion, post-accident, random, return-to-duty, and follow-up testing.

**A) Pre-employment, or Transfer Testing**

All applicants for safety sensitive positions shall undergo urine drug testing prior to employment. Receipt by CATHOLIC CHARITIES of verified negative test results is required prior to

employment. If an applicant or employee drug test is canceled, the CATHOLIC CHARITIES shall require the employee or applicant to take another pre-employment drug test.

Employees who are being considered for transfer to safety-sensitive positions from non-safety sensitive positions will be required to undergo a drug test. An employee with a confirmed positive drug test as certified by the MRO will be disqualified from employment with CATHOLIC CHARITIES.

A pre-employment/pre-transfer test will also be performed any time an employee's status changes from an inactive status in a safety-sensitive position to an active status in a safety-sensitive position (i.e. return from worker's comp., return from a leave of absence, etc.)

**i) Previous DOT Employer Record Check.**

Each applicant or employee who transfers for safety-sensitive positions must complete a written consent that allows their previous employers to release drug and alcohol testing information to CATHOLIC CHARITIES. If the applicant/transferee refuses to provide this written consent, an offer of employment cannot be made.

CATHOLIC CHARITIES will ask all applicants/transferees whether he/she has tested positive, or refused to test within the past 2 years on any DOT pre-employment drug or alcohol test administered by a DOT -covered employer for which they did not get the job.

This consent along with a request for information will be sent to each of the DOT -regulated employers who have employed the applicant/transferee for any period during the 2 years before the date of the individual's application or transfer. The following information will be obtained; alcohol test results of 0.04 alcohol concentration or greater, verified positive drug tests, refusals to test, other violations of DOT rules and as appropriate, documentation of the successful completion of DOT return-to-duty requirements including follow-up tests. If possible, this information will be obtained and reviewed before the employee performs safety-sensitive functions. If this is not possible, a good faith effort to obtain the information must be made. All information received and documentation of good faith efforts will be kept as a confidential record and maintained for a minimum of 3 years.

If information obtained from a previous employer includes any drug or alcohol test information that indicates a non-negative test result or violation of the DOT regulations, the employee cannot perform safety-sensitive duties until CATHOLIC CHARITIES has obtained documentation that the employee has complied with the return-to-duty requirements including SAP assessment, successful treatment, negative return-to-duty test, and negative follow-up tests.

**B) Reasonable Suspicion Testing.**

All safety-sensitive employees shall be subject to reasonable suspicion testing, to include appropriate urine and/or breath testing when there are reasons to believe that drug or alcohol use

is adversely affecting job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances, which are consistent with short-term effects of substance abuse or alcohol misuse. Reasonable **suspicion tests for the presence of alcohol shall be triggered by observations made just prior, during or immediately after performance of a safety-sensitive function.**

Reasonable suspicion determination will be made by a supervisor to detect and document the signs and symptoms of drug and alcohol use and who reasonably concludes that an employee may be adversely affected or impaired in his or her work performance due to prohibited substance abuse or alcohol misuse. Supervisors must observe the appearance, behavior, speech, or body odors of the covered employee.

C) Post-Accident Testing

i) **Fatal Accidents.**

All safety-sensitive employees shall be required to undergo urine and breath testing if they are involved in an accident with a vehicle (whether or not the vehicle is in service) that results in a fatality. This includes safety-sensitive employees who are operating the vehicle and any other safety-sensitive employee whose performance could have contributed to the accident, as determined by CATHOLIC CHARITIES management.

ii) **Non-Fatal Injury Accidents.**

In non-fatal personal injury accidents, testing shall be required of safety-sensitive employees operating the vehicle if an accident results in injuries requiring medical treatment.

iii) **Property Damage.**

With respect to accidents involving property damage, all safety-sensitive employees shall be tested.

iv) **Post Accident Procedure.**

Following an accident, all safety-sensitive employees subject to testing shall remain readily available for testing. An employee who fails to remain readily available, including notifying a supervisor of his or her location if he or she leaves the scene of the accident prior to submitting for testing, may be deemed to have refused to submit to testing. The drug test shall occur as soon as possible but not later than 32 hours after the accident. If an alcohol test is not administered within two (2) hours of the accident, the employer must still attempt to administer the test, and must also prepare and maintain on file a record stating the reason(s) the test was not promptly administered. If an alcohol test is not administered within eight (8) hours of the accident no test shall be given, and documentation must be made to the file stating the reason why the test was not conducted. Nothing in this section shall delay medical attention for the injured following an

accident or prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care when appropriate.

If an FTA drug and alcohol test is unable to be performed (i.e. employee is unconscious, employee is detained by law enforcement agency). CATHOLIC CHARITIES may use drug and alcohol post-accident test results administered by State and/or local law enforcement officials. The State and local law enforcement officials must have independent authority for the test and the employer must obtain the results in conformance with State or local law.

**D) Random Testing.**

Employees performing safety-sensitive functions will be subject to unannounced, random drug and alcohol testing in accordance with FTA regulations. Each such employee shall be in a pool from which 50% random selection is made for drug testing and 10% for alcohol testing. Each such employee shall have an equal chance at selection and shall remain in the pool even after being tested. The basis for random selection shall be by a scientifically valid random number generation method initiated by computer. The dates for administering unannounced testing of randomly selected covered employees shall be spread reasonably throughout the calendar year and randomly spread throughout all hours of service. This ensures that employees would have a reasonable expectation that they might be called for a test on any day they are at work. Employees are required to proceed immediately to the collection site upon notification of their random selection with the assigned Catholic Charities escort.

**E) Employee-Requested Drug Re-Testing.**

Any safety-sensitive employee who questions the results of a required drug test under Sections 7.2 of this policy may, within 72 hours of having been notified of a verified positive test, request that the split-sample test be conducted. This test must be conducted at a different DHHS-certified laboratory.

Each urine sample is to be a minimum of 45ml. The sample is to be split at the time of collection onto 30ml. for the primary test and 15ml. for a re-test if the primary sample tests positive. The test must be conducted on the split sample that was provided at the same time as the original sample. The method of collecting, storing, and testing the split sample will be consistent with the procedures set forth in 49 CFR Part 40. The employee's request for a re-test must be made to the MRO within 72 hours of notice of the initial test result. Requests after 72 hours will only be accepted if the delay was due to document able facts that were beyond the control of the employee. If the analysis of the split sample fails to confirm the presence of the drug(s) detected in the primary specimen, or if the split specimen is unavailable, inadequate for testing or untestable, the MRO will cancel the test and report the cancellation and the reasons for it to DOT, CATHOLIC CHARITIES and the employee.

**7.3 Consequences of Positive Test Result.**

**A) Positive Alcohol Test.**

i) A safety-sensitive employee who has a confirmed alcohol concentration of greater than 0.02 but less than 0.04 will be removed from his or her duties for eight hours unless a re-test results in a concentration measure of less than 0.02. (For a test result which is less than 0.04 no other action will be taken except that which is described in this paragraph.)

ii) An alcohol concentration of 0.04 or greater will be considered a positive alcohol test. The employee will be immediately removed from duty.

**B) Positive Drug Test.**

Any employee who tests positive for illegal drugs as confirmed by the MRO will be terminated immediately and informed of educational and rehabilitation programs available.

**8. Training and Education.**

All employees shall participate in a minimum one-hour training session designed to meet FTA requirements by learning about the effects and consequences of drug use on personal health, safety and the work environment. The training will also include manifestations and behavioral cues that may indicate prohibited drug use.

For those supervisors participating in reasonable suspicion testing, there will be at least two hours of training to explain the criteria for reasonable cause testing, including at least an hour on the physical, behavioral and performance indicators of probable drug use and another hour on the physical, behavioral, speech and performance indicators of probable alcohol misuse.

Initial training sessions will be re-enforced with educational materials and meetings. Further, employees shall be provided with a community hot-line telephone number.

CATHOLIC CHARITIES affirms the need to protect individual dignity, privacy and confidentiality throughout the testing process. In addition, if at any time, the integrity of the testing procedures or the validity- of the test results is compromised, the test will be cancelled.

**9. System Contact.**

Any questions regarding this policy or any other aspect of CATHOLIC CHARITIES should be directed to the human resources office.

**10. Local Authority.**

Catholic Charities human resources is authorized to receive test information from the MRO as well as confirmation test results from the Certified B.A.T.

**11. Revisions to the Policy and Program.**

This policy and program is subject to revision and is not intended to constitute a contract between Catholic Charities of the Diocese of Palm Beach, Inc., and the employee. Catholic Charities maintains the right to take personnel action against any employee as provided in the Personnel Manual.

**EXHIBIT A**

Pursuant to the Federal Department of Transportation regulations, the following are the drugs to be tested and the threshold levels of each test, which Catholic Charities is required to accept:

<u>Drug or Metabolite</u>	<u>Urine Initial Test Cutoff (ng/ml) *</u>	<u>Confirmatory (GC/MS) Test Cutoff (ng/ml) *</u>
1. Cannabinoids (Marijuana)	50	15 2/
2. Cocaine	300 1/	150 3/
3. Opiates (narcotics such as heroin, morphine, codeine, and other medicinal narcotics)	2,000	2,000
4. Amphetamine (racemic Amphetamine, Dextroamphetamine, Methamphetamine)	1,000	500 4/
5. Phencyclidine (PCP)	25 ng	25 ng

\* nanograms I milliliter

1/ 25ng/ml if immunoassay specific for free morphine

2/ delta-9-tetrahydrocannabinol-9-carboxylic acid

3/ Benzoylecgonine

4/ Specimen containing methamphetamine must also contain amphetamine at a concentration greater than or equal to 200 nglml

**ALCOHOL**

(Includes ethanol, methanol, isopropanol)

**Breath Alcohol Concentration**

(expressed in terms 6fgrams of alcohol per 210 liters of breath)

**Initial Screen**

Under 0.02

**Confirmatory**

(given if 0.02 or greater on initial screen)

0.02 to less than .04 employee may not perform Safety-sensitive function

## TESTING PROCEDURES

### RANDOM TESTING PROCEDURES

The FTA regulations require random testing for illegal drugs and alcohol for all safety-sensitive employees. Random testing identifies who is using illegal drugs or misusing alcohol but is able to use the predictability of other testing methods to escape detection. More importantly, it is widely believed that random testing serves as a strong deterrent against employees beginning or continuing prohibited drug use and misuse of alcohol at CATHOLIC CHARITIES. CATHOLIC CHARITIES has developed procedures for notification and collection to best implement the requirements of the federal regulations.

These procedures answer common questions regarding random testing: *Who is tested? Why are only some individuals tested? When and how do the tests occur?*

1. Random drug and alcohol testing applies only to safety-sensitive employees. All safety-sensitive employees will be included in a selection pool.
2. Random drug and alcohol testing is accomplished by a scientifically valid, tamper-proof, computer generated selection process. A random list of employee numbers will be generated every month.
3. Employees are chosen in an unannounced, unpredictable manner. No employee will be removed from the random pool following selection, and every employee will continue to be subject to selection throughout the year. Every employee in the random pool has an equal chance of being selected every time. Employees are only removed from the random pool when they are in rehabilitation programs or permanently transferred to a non safety-sensitive position.
4. Random testing will be conducted on all shifts, all times of day, and all days of the week throughout the calendar year. No shift is exempt from testing.
5. Fifty percent (50%) of the eligible safety-sensitive employees in the random pool will be tested for illegal drugs and ten percent (10%) for alcohol each calendar year.
6. Random drug testing may be conducted concurrently with random alcohol testing or at any time during an employee's shift. Random alcohol testing will be conducted just before the employee is scheduled to perform a safety-sensitive function, while the employee is performing safety-sensitive duties or just after the employee performs a safety-sensitive function. The employee must proceed to the test site immediately after being notified that he or she has been selected for testing.
7. For both Maintenance and Operations (Drivers) the Management will be notified which employees have been selected for testing. The employee will be notified of the test, and once

notified, must go immediately to the collection site to which they are directed. Once an employee is notified of his/her selection, he/she must report immediately for the test. **Failure to report after notification constitutes a refusal to test.**

8. Employees will be notified where to report for collection, when to stop work and report to the collection site and who they must contact, if necessary.
9. All employees are provided with a Catholic Charities form indicating to the collection site the type of test to be performed.
10. The employee must submit to a drug and/or alcohol test, and sign all necessary forms. Failure to cooperate with the collection procedure in any way constitutes a refusal to test which is considered the same as a positive test result.
11. The employee is in a paid status throughout the random testing procedure. Employees will be removed from duty if the results are positive.
12. If both alcohol and drug tests are being given, the breath alcohol test will be performed first if possible. Immediately thereafter, the urine sample will be collected for the drug tests.
13. If there is a confirmed breath alcohol test of between .02% and .04%, the employee will be relieved from duty immediately for a minimum of eight (8) hours.
14. If there is a confirmed positive breath alcohol test (.04% or above) and/or confirmed positive drug test, the employee will be terminated.

#### **PROCEDURES FOR RANDOM TEST NOTIFICATION**

1. The TP A triggers the selection list of the month's safety-sensitive employees to be scheduled for testing.
2. The Dispatch Supervisor will review work schedules, including planned absences when known, to develop a best available time to perform the tests. The local manager will coordinate the testing schedule with the collector.
3. In developing testing times, the goal will be to minimize the impact in service. Testing will be conducted using the following priority periods:
  - Before work,
  - During split time,
  - After work,
  - During work, with standby personnel relief,
  - During work, without relief (if no other time is possible).
4. Notification of Employees  
Catholic Charities will notify each safety-sensitive employee selected. Each employee who is selected is to report to the test site immediately.

5. The employee cannot "go off sick" or on vacation or leave after notification.
6. An employee who fails to report for testing shall be terminated.

**RANDOM COLLECTION PROCEDURES**

1. An employee will be notified that she/he has been selected for random testing for drugs, or for drugs and alcohol and the time and place of the collection by a supervisor.
2. The employee must report to the collection site immediately after notification.
3. The employee shall provide photo identification to collection site personnel. Supervisors will verify the identification of employees without photo identification and may photograph the employee if necessary.
4. The employee must comply with all collection procedures including signing correctly all required federal urine and breath forms. Refusal to sign constitutes a refusal to test and will be treated as a confirmed positive drug or alcohol test.
5. The employee must follow the directions of the collection staff to ensure that an unadulterated urine specimen is collected and the breath alcohol test is completed.
6. The employee will be in a private enclosure and unobserved unless there is reason to believe that the individual has altered or substituted the specimen.
7. The employee must supply at least 45 ml of urine (approx. 1 YS oz). If the employee gives an inadequate amount of sample, this sample will be destroyed. If the employee is unable to give a sufficient urine sample, collection site staff shall provide the individual with no more than 40 oz's of liquid water- to drink during a period of up to 3 hours. The employee will then attempt to provide a complete sample using a fresh container. If the required amount is provided, the original insufficient specimen shall be discarded. If the employee is still unable to provide an adequate specimen, the insufficient specimen shall be discarded, testing discontinued, and the employer shall refer the individual for a medical evaluation to determine whether the individual's inability to provide a specimen is genuine or constitutes a refusal to submit to a drug test.
8. If the employee fails to provide an adequate amount of breath for the breath alcohol test, a second attempt will be made. Failure to produce a sample, the Breath Alcohol Technician (BAT) shall so note in the "Remarks" section of the breath alcohol testing form and immediately inform the employer. The employer will instruct the employee to obtain, as soon as possible after the attempted provision of breath, an evaluation from a licensed physician who is acceptable to the employer concerning the employee's medical inability to provide an adequate amount of breath.

9. Whenever there is reason to believe that a particular individual has altered or substituted the urine specimen, a second specimen shall be obtained as soon as possible under direct observation of a same gender collection site person. Reasons include; temperature of the specimen out of normal range, bluing agent in the specimen, or suspicious behavior.
10. The 45 ml sample will be split into two parts, one 30 ml *primary* sample, and one 15 ml *split* sample. The specimen will be poured, sealed and labeled in the presence of the employee.
11. If the primary specimen is positive, the employee will have 72 hours after notification by the MRO to request that the split specimen be tested.
12. Not all employees receive both tests since the testing rate for drugs is different than the testing rate for alcohol. As part of the random selection process, the computer will select employees for both tests. If both tests are being given, the breath alcohol test will be performed first if possible and followed by the collection of the urine sample for the drug test.
13. If the breath alcohol screening is 0.02 or greater, the breath alcohol technician will wait at least 15 minutes and a maximum of 30 minutes, then administer the confirmation test. If the second test is positive, it is considered a confirmed positive result.
14. To ensure that the test results are attributed to the correct covered employee; both specimen bottles must be sealed and labeled in the presence of the donor. The labels must be printed with the same specimen identification number as the custody control form and are attached to the specimen bottles. The donor initials the labels verifying that the specimen is his or hers.

### **REASONABLE SUSPICION TESTING PROCEDURES**

The FTA regulations also require a safety-sensitive employee to submit to a test when he employer has a reasonable, suspicion that the employee has used an illegal drug or has misused alcohol as defined in the regulations. The request to undergo a reasonable suspicion test must be based on specific, articulate contemporaneous observations concerning appearance, behavior, speech, or body odor of the safety-sensitive employee.

1. If a supervisor observes behavior that might be indicative of drug use and/or alcohol misuse, he/she directs the employee to stop work and escorts the employee to an area to be questioned and observed in private.
2. If there is a decision to test based on observable symptoms, the employee is ordered to submit to a drug and alcohol test and is taken to the collection site. Collections of samples will follow #'s 2-13 of random collection procedures outlined in this manual.
3. The employee is on paid status until the test collection is completed. CATHOLIC CHARITIES requires that the employee may not perform safety-sensitive work pending the

outcome of the drug test. Since the employee is believed to be under the influence of drugs and/or alcohol, arrangements will be made to have him/her transported home.

4. If there is a confirmed breath alcohol test of greater than .02% and less than .04%, the employee will be relieved from safety-sensitive duty immediately for a minimum of eight (8) hours.
5. If there is a confirmed positive breath alcohol test (.04% or greater) and/or confirmed positive drug test, the employee will be terminated.
6. If the drug test is reviewed by the MRO, and determined to be positive, the employee has 72 hours to request testing of the split sample. If the test is confirmed positive, the employee is then terminated.

### **POST-ACCIDENT TESTING PROCEDURES**

The FTA regulations require testing for illegal drugs and alcohol in the case of certain mass transit accidents. Post-accident testing is mandatory for accidents where there is a loss of life and for other nonfatal accidents.

1. The supervisor ensures that all injured people receive proper medical care.
2. The supervisor assesses whether there is a need for reasonable suspicion testing.
3. The employee will be taken to the collection site and tested as soon as is practicable following the accident. The employee should remain readily available for alcohol testing up to 8 hours post-accident and for drug testing up to 32 hours after the accident, including notifying his/her supervisor of his /her location, or he/she may be deemed to have refused to submit to testing if he/she does not make him/herself readily available for testing. Collection procedures will follow those outlined in Random Testing #2-13.
4. If the employee is injured and needs medical treatment, provisions will be made to perform a drug test within 32 hours of the accident.
5. The employee is prohibited from using alcohol for 8 hours and illegal drugs for 32 hours after the accident, prior to testing.
6. If the employee is not tested within two hours for alcohol, the supervisor must document the reason for the delay, and if test is not conducted in 8 hours, you must update the records as to the reason(s) why the test was not completed.
7. Pending the results of a drug test, the employee will be returned to his/her safety-sensitive position if medically cleared to be returned to work.

8. If the employee is tested also for alcohol, and the test is negative, the employee will be returned to duty. If the alcohol test is positive (.04% or greater), the employee must be removed from duty and terminated. If the test is greater than or equal to .02% and less than .04%, the employee will be removed from duty for at least 8 hours.
9. If the employee refuses to be tested or if the drug or alcohol test is confirmed positive, the employee is removed from duty and terminated.
10. The employee has 72 hours to request a test of the split sample if the initial drug test is positive.

**POST ACCIDENT ALCOHOL AND DRUG TESTING CRITERIA**

It should be noted that a post-accident test is given because the incident meets the criteria listed below. It is NOT a probable cause or reasonable suspicion test.

An accident (§655.4) is defined as an occurrence associated with the operation of a vehicle in which:

1. A fatality occurs.
2. An individual suffers a bodily injury and immediately receives medical treatment away from the scene of the accident.
3. With respect to an occurrence in which the mass-transit vehicle involved is a bus, van or automobile, one or more vehicles incurs disabling damage as the result of the occurrence and is transported away from the scene by a tow truck or other vehicle. For purposes of this definition, "disabling damage" means damage which precludes departure of any vehicle from the scene of the occurrence in its usual manner in daylight after simple repairs. Disabling damage includes damage to vehicles that could have been operated, but would have been further damaged if so operated, but does not include damage which can be remedied temporarily at the scene of the occurrence without special tools or parts, tire disablement without other damage even if no spare tire is available, or damage to headlights, tail-lights, turn signals, horn, or windshield wipers that makes them inoperative; or
4. If the vehicle is removed from service.
5. In regards to fatal accidents, safety-sensitive employees not on the vehicle (e.g. maintenance personnel), whose performance could have contributed to the accident (as determined by the agency using the best information available at the time of the accident) must be tested.
6. For non-fatal accidents any other safety-sensitive employee whose performance could have contributed to the accident, as determined by the employer using the best information available at the time of the accident.

## **RETURN-TO-DUTY AND FOLLOW-UP TESTING**

Catholic Charities has a no tolerance policy with regards to positive drug or alcohol test results. Follow up testing which is a federally mandated component does not apply to no tolerance policies.

### **PRE- EMPLOYMENT TESTING**

1. The FTA regulations require that all applicants for employment in safety-sensitive positions or individuals being transferred to safety-sensitive positions must be given a pre-employment drug test.
2. Applicants may not be hired or assigned to safety-sensitive functions unless they pass the test.
3. Applicants must be informed in writing of the testing requirements prior to conducting the test. CATHOLIC CHARITIES will require applicant to sign a form acknowledging that they know that their urine will be tested for Cocaine, PCP, Amphetamines, Marijuana, and Opiates.
4. The employee must be made aware that their employment is contingent upon a negative test result.
5. It is the responsibility of the applicant to report to the collection site at the time and day scheduled.
6. Positive test results must be reviewed by the MRO.
7. Applicants are notified by the MRO and are given an opportunity to discuss the results.
8. Applicants who test positive will not be allowed to apply.
9. An applicant, whose pre-employment test results are negative, will continue through the safety-sensitive hiring process.

### **EMPLOYER REQUESTED TESTING PROCEDURES**

1. At the time of collection, the urine specimen is split and poured into two specimen bottles, one of 30ml and one of 15ml.
2. Both specimens are sent to the contracting Department of Health and Human Services (DHHS) Laboratory but only the larger 30ml sample is analyzed. The 15ml or split sample is stored in case the employee requests that the 15ml or split sample be analyzed.
2. The employee has the option of having an analysis of the split sample if an employee tests positive. The split sample analysis is, performed at a separate DHHS laboratory.

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**POLICY NUMBER: 706**

**Continued**

**TITLE: SAFETY-SENSITIVE EMPLOYEE SUBSTANCE ABUSE POLICY**

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4. The employee has 72 hours after being notified by the MRO of a verified positive sample to request a test of the split sample.
5. The employee notifies the MRO that he/she wants to have the split sample tested.
6. Catholic Charities will provide a list of one or more acceptable DHHS laboratory location(s), from which the employee may choose.
7. The cost of the split sample testing will be the responsibility of the employee, unless other arrangements have been made with management. Nevertheless, the test must be done in a timely fashion, and cannot be delayed due to an inability to pay for the test or due to a disagreement as to who will pay for the test

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**CATHOLIC CHARITIES OF THE  
DIOCESE OF PALM BEACH  
EFFECTIVE: JULY 1995  
REVISED: APRIL 2008**

**MANUAL: PERSONNEL  
SECTION 700**

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**POLICY NUMBER 707**

**TITLE: SMOKE-FREE ENVIRONMENT**

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Catholic Charities is a smoke-free environment. This policy applies to both employees and clients at all agency locations.

While Catholic Charities encourages its employees to consider the risks of smoking, it will allow employees to take cigarette breaks.

As per the Rest/Lunch Periods policy, employees are entitled to two- fifteen (15) minute paid rest periods and an unpaid thirty (30) minute lunch period at the discretion of the program administrator on a daily workday basis.

During those periods, an employee may have a cigarette in an appropriate or designated area. The employee should not smoke in front of the clients he/she deals with especially minors.

In certain residential programs within Catholic Charities, this policy is superseded by Program Policy which requires staff to stay on the non-smoking premises for entire shift including breaks.