



Covington Mill

Substance Abuse Policy for Contractors

Procedure Number: 14-070

Revision Date: January 28, 2019

Supersedes: New

1.0. SCOPE

1.1. WestRock has a strong commitment to provide a safe work place for its employees and other persons working or visiting on its premises. In order to assist in maintaining a safe working environment and to protect WestRock property, this Policy concerning substance abuse is established.

CONTRACTORS, SUBCONTRACTORS AND VENDORS WHO PERFORM LABOR OR SERVICES FOR WESTROCK EITHER ON PREMISES OR AT OTHER LOCATIONS, HEREINAFTER REFERRED TO AS CONTRACTORS, MUST HAVE AND ADMINISTER A FORMAL SUBSTANCE ABUSE POLICY. POLICIES FOR CONTRACTORS AND SUBCONTRACTORS MUST INCLUDE SUBSTANCE TESTING OF CONTRACTOR'S EMPLOYEES ENTERING WESTROCK PREMISES. (PRE-EMPLOYMENT, RANDOM, REASONABLE SUSPICION & POST-ACCIDENT)

In the event WestRock determines that the contractor fails to satisfy its commitments under this policy, WestRock may suspend and/or terminate any and all work performed by the contractor without liability for costs incurred by the contractor for such suspension or termination.

2.0. POLICY STATEMENT

2.1. The use, possession, purchase, concealment, transportation, promotion, distribution or sale of the following substances is strictly prohibited on WestRock premises, including all property owned, operated, leased by, or under the control of WestRock.

2.1.1. Illegal drugs,

2.1.2. Controlled substances,

2.1.3. Look-alike drugs,

2.1.4. Designer drugs,

2.1.5. Synthetic drugs,

2.1.6. Unauthorized prescription drugs, and

2.1.7. Prescription drugs not used for their prescribed purpose.

2.0. POLICY STATEMENT (Continued)

2.2 An illegal drug is any substance which an individual may not sell, possess, use, or distribute under federal or state law. WestRock, through its Legal Department, reserves the right to make the final determination on any question concerning substances that fall within the meaning of an illegal drug as used in this policy.

2.3. Drug paraphernalia and similar items used for substance abuse are likewise prohibited from WestRock premises.

2.4. Contractors shall submit a copy of their policy and program to the WestRock employee designated to administer contracts or to a party as otherwise designated by WestRock. Such policy must provide for substance testing of employees and must meet the minimum standards as set forth in Section 4.0 below. WestRock reserves the right to withhold solicitation of bids or to deny entry to WestRock premises of any contractor, subcontractor, or vendor who fails to present a written policy that meets WestRock's minimum standards, or who fails to administer an acceptable policy.

2.5. Any contractor's employee who has a confirmed positive result after being tested for any of the substances listed in section 4.1.4.1 of this policy is prohibited from entering WestRock premises.

2.6. A violation of this policy will subject the offending contractors' employee to denial of entry to WestRock's premises and projects. Contractors must notify any employee violating this policy that he/she will be denied access to WestRock for a period of one (1) year. Reinstatement of the access privilege may be made only by WestRock after one year upon request of the employing contractor. Such request will be evaluated on the merits of each case. A request may be granted only upon receipt of evidence that the employee has successfully completed a certified rehabilitation program and passed a substance screen within 30 days of the request. A subsequent follow-up screening test shall be required just prior to the employee entering WestRock property. This employee will also be subject to additional unannounced testing during the next **two years**. If, subsequently after reinstatement, the employee again tests positive any time in the future, he will be denied entry **permanently**.

2.7. Any contractor employee working at WestRock who is arrested for the sale or use of controlled substances will be denied entry to WestRock premises until such time as the charges have been adjudicated

3.0. DEFINITIONS

3.1. For the purpose of this policy:

- 3.1.1. "Substance testing" means the analysis of urine, hair and blood. However, at times circumstances may warrant additional testing methods;
- 3.1.2. "Chain of custody" means that combination of procedures and documentation which provide a faithful and accurate written record of the custody of a biological specimen from time of initial collection of a specimen;
- 3.1.3. "Witnessed collection" means the presence during the voiding process of another person whose positioning is discreet but sufficiently present to minimize attempts at substitution or contamination of a specimen;
- 3.1.4. "Negative test result" means a laboratory conclusion that the presence of a substance was below the thresholds specified in 4.1.4.1. in a specimen;
- 3.1.5. "Presumptive positive result" means a laboratory conclusion that a specimen was found to contain the presence of a substance based on one or more analytical procedures which did not include gas chromatography/mass spectrometry (GM/MS); and,
- 3.1.6. "Confirmed positive result" means a laboratory conclusion that a specimen was found to contain the presence of a substance based on two or more analytical procedures which did include gas chromatography/mass spectrometry (GC/MS).
- 3.1.7. Contractors, subcontractors, and vendors means those suppliers with gate passes. This does not include deliveries or wood suppliers.

4.0. LABORATORY AND SAMPLING STANDARDS

4.1. The following laboratory standards apply:

- 4.1.1. Contractors will be responsible for assuring that substitute or contaminated samples are not submitted up to extent of witnessed collection of the specimen;

4.0. LABORATORY AND SAMPLING STANDARDS (Continued)

- 4.1.2. Contractors must use a laboratory overseen by the Department of Health and Human Service (DHHS) under the Substance Abuse and Mental Health Services Administration (SAMHSA), formerly National Institute on Drug Abuse (NIDA);
- 4.1.3. Chain of custody protection will be afforded to specimens collected from current and prospective employees;
- 4.1.4. Contractors should establish confirmation levels consistent with **those** specified below:

	<u>EMIT Screen GC</u>	<u>Confirmation Levels</u>
	(ng/ml)	(ng/ml)
4.1.4.1. Amphetamines	1000	500
Marijuana (Metabolites)	50	15
Cocaine (Metabolites)	300	150
Opiate (Metabolites)	2000	2000
Phencyclidine (PCP)	25	25

*WestRock may revise the confirmation levels at any time

Contractors subject to DOT testing should abide by **DOT** levels.

- 4.2. The specimens of applicants and current employees will be tested using an enzyme immunoassay (such as EMIT) and/or a radioimmunoassay. In this testing scheme, a positive finding is called a presumptive positive. All presumptive positive will be further tested using GC/MS. In this testing scheme, a positive finding is called a confirmed positive.

5.0. CONFIDENTIALITY

- 5.1. When a contractor, subcontractor, or vendor conducts drug testing of its employees for the purpose of establishing eligibility to enter WestRock premises, such substance testing results which are positive will not be disclosed to WestRock. WestRock will require, however, that contractors, subcontractors, and vendors certify that each employee assigned to work on WestRock premises has passed a substance test that meets the standards of this policy. Contractors must maintain records of drug substance testing which are subject to audit by WestRock.

5.0. CONFIDENTIALITY (continued)

- 5.2. The results of substance tests performed for random testing while working at WestRock, reasonable suspicion or accident/incident investigations as outlined below must be disclosed to local WestRock management upon request.

6.0. TESTING

- 6.1. Contractors will conduct substance testing in these situations:
- 6.1.1. Before a contractor's employee may enter WestRock premises for the first time;
 - 6.1.2. Randomly for workers presently employed by a contractor and working on WestRock premises. Random means that all employees have an equal chance of being selected each time. Random could mean that the same employee is selected more than once or not at all. The frequency of random drug tests shall be determined by the contractor, except that the number of tests conducted in a calendar year shall be no less than the 50% of the average workforce for each contractor at WestRock Covington Operations at any point in time during that year;
 - 6.1.3. Upon reasonable suspicion by the contractor or WestRock that a contractor employee on WestRock premises has consumed any substance or item prohibited by this policy;
 - 6.1.4. When designated by WestRock management; as soon as possible or no later than the next business day after any incident which results in a recordable injury as defined by OSHA; after significant damage to WestRock or contractor-owned property and equipment; and after any vehicular accident. In addition, substance testing may also be required of the contractor by WestRock following a near-miss incident. A near-miss incident is any incident which could have had the potential for injury, property damage, or serious liability claim.
- 6.2. Employees selected under 6.1.2. through 6.1.5. above will be tested as soon as available, or no later than the next business day.
- 6.3. Contractors will assume all costs associated with testing referenced under 6.1. above.

6.0. TESTING (continued)

- 6.4. In addition to the testing mentioned above, WestRock may require periodic testing of any or all of a contractor's employees. The expense of such additional testing will be borne by WestRock.

- 6.5. The refusal of a contractor's employee to sign a consent form or submit to any testing will result in revocation of the person's access privileges.

7.0. VALIDITY PERIOD

- 7.1. A pre-access substance test must have been administered within 180 days immediately preceding access. This requirement may be waived by local WestRock management for persons who are regaining access after an absence of not more than 90 days.
- 7.2. Each employer must test each new employee prior to hiring even if that employee has been previously working at WestRock's Covington or Low Moor facilities and has been tested within the 180-day period by his/her previous employer.

8.0 EXCEPTIONS

- 8.1. The following exceptions may be granted at the discretion of WestRock management:
- 8.1.1. Contractors and contractors' employees who are contracted or hired on short notice may be permitted to begin work on-site after results of a field test Drug Detection Device has been administered and successfully passed by all employees entering the site. Test kits such as TesTcup 5, Sure Step-Drug Screen Card Panel Dip Test, Drug Check7 5, Rapid Drug Screen – 5 Panel (Roche) may be utilized if they cover all targeted items listed in 4.1.4.1.
- 8.1.2. This screening test must be followed within *seven (7)* calendar days from the first date after work starts by the Contractor with a test procedure stipulated in section 4.0 of this standard.
- 8.1.3. Any person working under this provision must be removed from the work site immediately upon receipt of a positive test result, or at the end of 14 calendar days if test results have not been reported.
- 8.1.4. This provision is to allow work to begin on emergency or short notice situations only. Testing must be done as soon as reasonably feasible, and results must be available within the 14 calendar days allotted. This provision covers only employees needed for initial staffing and does not extend to those hired with enough time for pre-access testing (7-10 days after job begins).

9.0. SEARCHES AND INSPECTIONS

- 9.1. In order to carry out the purposes of this policy and to help ensure a safe, healthy, and productive work environment, WestRock reserves the right to carry out unannounced searches of individuals, their vehicles and personal effects when entering, while on, or

when leaving its property. Such searches may be initiated without prior announcement. Contractors shall notify their employees in writing of WestRock's rights under this policy.

- 9.2. Any controlled substances or items prohibited by this policy, or any materials that are illegal to possess, will be retained by WestRock Security and may be turned over to the appropriate law enforcement agency.
- 9.3. The refusal of a contractor's employee to submit to a search or inspection will result in the revocation of the person's access privileges.

10.0. COMPLIANCE AUDITS

- 10.1. WestRock reserves the right to audit contractor employee records related to controlled substances to satisfy itself of compliance. It is expected the contractor will secure any required releases from its employees. Such verification will include, but not be limited to:
 - 10.1.1. Examination of the contractor's substance abuse policy and its implementing directives and procedures;
 - 10.1.2. A determination that substance testing is being conducted in those situations which require it and that the testing meets the standards of this policy;
 - 10.1.3. Examination of chain of custody procedures which ensure integrity of collected specimens; and,
 - 10.1.4. Evaluation of laboratory services.
- 10.2. Audit results will be treated as confidential to protect the privacy of tested persons.

11.0. SUBCONTRACTS

- 11.1. In all cases where a contractor is permitted to employ a subcontractor, the contractor is responsible for insuring that the subcontractor and subcontractor's employees are in compliance with this policy. Contracts between contractors and subcontractors must stipulate that WestRock reserves the right to audit subcontractor's-controlled substance programs.

12.0. CONSENT FORMS

- 12.1. The contractor must obtain a signed consent demonstrating each employee's agreement to release to contractor and WestRock the results of any substance testing performed.

- 12.2. WestRock will examine substance test results only during occasional compliance audits as described in Section 10.0., or when testing is required by WestRock as described in **Sections 6.1.2., 6.1.3., 6.1.4., 6.1.5. and 6.4.**

13.0. NOTICE

The contractor must ensure that each of its employees and subcontractor employees are informed of the provisions of this policy and of the contractor's substance abuse policy. Notice will include the consequences of failure to comply, and notice will be made prior to entering WestRock premises.

14.0. CONCLUSION

- 14.1. Consideration for work on WestRock premises will be conditioned upon contractor's implementation of a policy that, in WestRock's sole judgment, conforms to the minimum standards expressed in this policy. Program development and implementation are the responsibility of the contractor.
- 14.2. The central goal of this policy is to provide a safe and efficient working environment for all persons on WestRock premises. Cooperation is vitally important to the achievement of this important goal.

NOTE: WESTROCK RESERVES THE RIGHT TO MODIFY AND/OR REVISE THIS POLICY AT ANY TIME.