

Team relevance	All employees
Policy definition	<b>Drug and alcohol policy</b>
Responsibility	Business Owner
Date updated	8/24/2018
Policy	<p><b>Purpose</b></p> <p>Love at First Bite Catering (LAFB) is committed to providing a safe, healthy, secure and efficient workplace. LAFB is also committed to promoting high standards for individual; performance to secure the reputation of the company and its personnel within the community and the industry. As part of this commitment, LAFB strives to maintain a work environment free from the effects of drug and alcohol abuse and has enacted this policy to help achieve this objective.</p> <p>Specifically, this policy:</p> <ul style="list-style-type: none"> <li>• Provides guidelines for all employees regarding the use, abuse, possession or distribution of alcohol, illegal drugs and unauthorized substances;</li> <li>• Makes all employees aware of the consequences of non-compliance with this policy;</li> </ul> <p><b>Effect of policy</b></p> <p>Employment at LAFB is 'at-will', and this can only be changed by a legally binding, written contract covering employment status. None of the provisions of this Policy are to be regarded as a contract between LAFB and any person subject to this Policy (see "Covered Persons" below).</p> <p><b>Definitions</b></p> <p>For the purpose of this policy, the following words and terms mean:</p> <ol style="list-style-type: none"> <li>1. <b>Company Premises or Property</b> - means all property owned, rented, or leased by LAFB, including by not limited to, LAFB kitchen/office, parking lots and vehicles and also includes client sites including their places of</li> </ol>

business, or places they have rented, leased or loaned to conduct an event, also inclusive of but not limited to parking lots.

2. **Covered Persons** - means all employees, management and contractor employees. Covered Persons also include all applicants seeking employment with LAFB and all persons entering LAFB premises including visitors.
3. **Illegal Drug** - means any drug or controlled substance which is not legally obtainable under both state and federal law, including by not limited to (recreational and medicinal) marijuana, opiates, PCP (phencyclidine), cocaine, heroin, amphetamines, barbiturates, benzodiazepines, narcotics, hallucinogens, inhalants, designer drugs and/or any substances and/or materials that are prohibited by federal or state regulations.

Note that it is the intention of LAFB to comply with state and federal laws. Where state and federal law differ, however, LAFB will typically comply with federal law. For example, some state laws permit the use and possession of marijuana for medical and/or non-medical purposes. Federal law does not. In the absence of state law to the contrary, LAFB considers marijuana to be an illegal drug for purposes of this policy.

4. **Unauthorized substance** - means over-the-counter or prescription drugs that: are not prescribed to the Covered Person and/or prescribed on an invalid or non-current prescription; prescription drugs that are prescribed to the Covered Person at non-therapeutic levels or used in a manner or quantity other than as set forth in the prescription; over-the-counter drugs in a manner or quantity other than set forth in the directions; or over-the-counter or prescription drugs used in an unsafe manner.
5. **Safety Sensitive Positions** - means a position that requires tasks involving a potential risk of injury to self or others. Generally Covered Persons who operate or perform maintenance on moving equipment such as commercial trucks, vans or other company owned or leased motor vehicles, or personal motor vehicles used during a work shift, as well as those Covered Persons who operate kitchen equipment including but not limited to knives, are considered to work in Safety Sensitive Positions.
6. **Security Sensitive Positions** - means a position that requires tasks involving security or protective service functions for LAFB, or where cash or securities are handled.
7. **Reasonable Suspicion** - means a belief based on observed, specific, objective facts indicating the person is under the influence of drugs or

alcohol. The following factors, although not an exclusive list, should be considered:

- a. Observable phenomena, such as direct observation of drug or alcohol use and/or the physical symptoms of being under the influence
- b. Abnormal conduct, incoherent mental state or erratic behaviour that is otherwise unexplained
- c. A workplace incident in which there was actual or potential harm or injury to any person or property
- d. Information either provided by reliable and credible sources or independently corroborated
- e. Other action, conduct or misfeasance that provides reasonable suspicion that the employee may be under the influence.

### **Scope**

This policy applies to all Covered Persons at Love at First Bite Catering.

### **Drug and alcohol policy**

As a condition of employment, all Covered Persons agree to comply with this Policy and to consent to drug and/or alcohol testing as requested. Covered Persons who engage in the conduct below or otherwise violate the terms of this Policy are subject to discipline up to and including termination of employment.

1. Covered Persons are prohibited from applying for employment, reporting to work, being on Company Premises or Property or operating/occupying a company vehicle or equipment, or personal vehicle or personal premises during a work shift with alcohol in his/her system and/or with Illegal Drugs (and/or drug metabolites) in his/her system. For clarity, we have ZERO tolerance.
2. Covered Persons are prohibited from using, possessing, purchasing, transferring, dispensing, trafficking, or distributing (or attempting to use, possess, purchase, transfer, dispense, traffic or distribute) alcohol, Illegal Drugs and/or Unauthorized Substances, including related paraphernalia, in any amount, in any manner or at any time, on or in Company Premises or Property or in their own vehicle or personal premises while clocked on for work.
3. When clocked on for work, Covered Persons are prohibited from driving any vehicle (company owned or otherwise) with an open alcohol container.

4. Covered Persons in Safety Sensitive Positions and Security Sensitive Positions who are taking a drug or medication which adversely affects, or which may reasonably be expected to adversely affect, the Covered Person's ability to perform work in a safe and productive manner, are required to report the use of such drug and/or medication to their Supervisor. Failure to disclose such use, particularly where it may affect work performance or safety, is also grounds for disciplinary action, up to and including termination.
5. Excepting the need for first-aid or emergency medical care, Covered Persons asked to submit to a post-accident or reasonable suspicion alcohol or drug test are prohibited from using alcohol or drugs (including over-the-counter or prescription drugs) for eight hours following the accident or determination of reasonable suspicion, or until the Covered Person undergoes an alcohol or drug test, whichever occurs first.
6. When working at an event as a mixologist, bartender or cocktail waiter/waitress, Covered Persons will take all possible actions to ensure that alcohol is not served to minors.

#### **Exception for Alcohol Use at Company-Sponsored Events**

Alcohol is served at certain company-sponsored events and industry association events. At those events, alcohol consumption by Covered Persons (in moderation) does not violate the terms of this Policy as long as the Covered Person exercises good judgment and as long as the Covered Person acts in a lawful, safe, professional and responsible manner at all times.

#### **Crimes Involving Drugs and Alcohol**

LAFB does not desire to intrude into the private lives of its employees, but recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace.

Therefore, LAFB reserves the right to take appropriate disciplinary action for drug usage/sale/distribution while off company premises. Employees are required to report any drug or alcohol-related criminal convictions, admissions, or nolo contendere pleas to the Business Owner within five (5) working days. Employees are also required to report any suspension or revocation of their driver's license to the Business Owner within five (5) working days. Failure to comply could result in automatic discharge.

Notes