



KCCO Corporation Policies and Procedures

Subject: **Respectful Work
Environment Policy**

Date Effective:
XX/XX/XXXX

Document #:
KCCO Policy-045

This release authorized by:

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This KCCO Corporation (KCCO) Respectful Work Environment Policy includes:

- Policy for Equal Opportunity, Non-Discrimination, and Anti-Harassment;
- Policy for a Drug- and Alcohol-Free Workplace; and
- Policy for a Violence-Free Workplace.

At KCCO, we value each other and our differences. Superior, innovative solutions come from people with varying ideas, backgrounds, and perspectives. All personnel (team members, leased staff and other vendors, independent contractors, suppliers, sales partners, and consultants) can expect to work in a safe environment where they feel supported, valued, and respected.

KCCO team members must follow the Respectful Work Environment Policy. Help create and sustain a safe and positive work environment by reporting policy violations relating to:

- discrimination
- disrespect or harassment
- use of alcohol or illegal drugs
- illegal use of legal substances
- violence

The Policy intent is to ensure a respectful workplace and comply with federal, state, and local laws. The Policy is not intended to impose any contractual obligations on KCCO or any of its personnel. KCCO team members remain employed “at will,” meaning that employment is for no definite period and team members may be separated from employment at any time, with or without cause or notice.

Neither a verbal statement nor an alleged verbal statement can alter at-will employment status. Only a legally binding, written contract, approved and signed by a KCCO executive, can alter at-will employment status.

Have Questions?

Questions about any of the Respectful Work Environment Policies should be directed to your Human Resources Representative or the Human Resources Service Center at 877-360-6947.

POLICY FOR EQUAL OPPORTUNITY, NON-DISCRIMINATION, AND ANTI-HARASSMENT

1. Equal Employment Opportunity

KCCO commits to providing equal employment opportunities and maintaining a work environment where all individuals are treated with respect. All forms of unlawful discrimination and harassment are prohibited.



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Decisions regarding the employment of qualified applicants and employees will be made without regard to sex, race, religion, creed, color, age, marital or family status, pregnancy, national origin, citizenship status, sexual orientation, gender identity, mental or physical disability, genetic information or history, and any other status protected by KCCO policy and/or applicable laws.

This Policy applies to all employment practices and terms and conditions of employment, including but not limited to hiring, promotions, transfers, compensation, separations, training, and participation in KCCO company-sponsored benefits or programs.

Team members with concerns about possible discrimination or harassment should use the complaint procedure described in [Section 4](#) of this Policy. Retaliation against anyone who makes a complaint will not be permitted.

More Information

Please also refer to KCCO Policy-055 on Equal Employment Opportunity/Affirmative Action.

2. Disability Accommodation

KCCO complies with the Americans with Disabilities Act, as amended, and applicable state and local laws that prohibit employment discrimination against qualified individuals with disabilities. KCCO will make reasonable accommodations as required by law for qualified applicants and team members with known disabilities. Contact Human Resources if you need an accommodation to perform your job duties. An HR representative can help identify and implement a reasonable accommodation and can address any questions or concerns you may have.

3. Discrimination, Harassment, and Other Prohibited Conduct

KCCO commits to maintaining a work environment free from discrimination, harassment, intimidation, hostility, and offensive conduct as defined below. This Policy covers voice mail and electronic communications (such as email, text messaging, and social media use) in the same manner as other communications and actions.

A. Persons Covered

This Policy applies to KCCO managers, supervisors, co-workers, and non-team members, including leased team members, independent contractors, vendors, suppliers, customers, and clients. Team members must not engage in prohibited conduct against other KCCO team members or personnel, independent contractors, vendors, suppliers, customers, or clients.

B. Prohibited Conduct

Prohibited conduct is verbal, written, visual, or physical action that relates to or is directed toward another person based on their *status*, which is defined as sex, race, religion, creed, color,



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age, marital or family status, pregnancy, national origin, citizenship status, sexual orientation, gender identity, mental or physical disability, genetic information or history, other protected class status, or other status protected by law. This includes conduct for the purpose or effect of interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of prohibited conduct are telling ageist or sexist jokes, making offensive or derogatory remarks about another person's status, and showing pictures or viewing internet postings that are offensive or derogatory (such as pornography and racial posts).

Sexual harassment includes a wide range of subtle or overt behaviors and may involve individuals of the same or different gender regardless of the sexual orientation of the individuals.

Examples of sexual harassment are sexually suggestive comments, jokes, or innuendos; use of sexually degrading words; persistent, unwelcome flirtation and/or invitations for dates or other social activities; unwelcome sexual advances or passes; propositions or subtle pressure for sexual activities; sexual or graphic remarks or questions about a person's body, clothing, or sexual activities; offensive touching; and displays or communication of sexually suggestive pictures, email, internet sites, objects, or clothing.

All types of harassment are unacceptable both in the workplace and work-related settings outside the workplace. Prohibited conduct could occur through personal contact, comments, visual displays, observation, voice mail, internet and other forms of electronic communication, or other types of broadcast containing sexually explicit, vulgar, profane, or otherwise offensive language. Any individual who engages in harassment as covered in this Policy is subject to disciplinary action, including possible employment separation.

4. Complaint Procedure

This section discusses who should report a suspected violation of this Policy and how to do so. It also provides an overview of how reports are investigated and the right to request a review if there are concerns about the investigation. Confidentiality and retaliation are also covered.

A. Report Concerns of Harassment, Discrimination, or Other Prohibited Conduct

Non-supervisory team members, job applicants, and others who are aware of or have been subjected to possible discrimination, harassment, or other prohibited conduct must immediately notify their immediate supervisor/manager, their manager's manager, or any Human Resources representative. KCCO may ask that complaints be in writing to help the investigation process.



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Supervisors or managers who become aware of any incident or alleged incident of discrimination, harassment, or other prohibited conduct by employees or non-team members, including leased team members, independent contractors working for KCCO, vendors, suppliers, customers, or clients, must immediately report the incident to their manager or a Human Resources representative.

Upon receiving a complaint, supervisors and managers must consult with Human Resources before undertaking an investigation or other action. If a Human Resources representative is not immediately available, the supervisor or manager may take reasonable action to temporarily separate the complaining team member(s) and the accused team member(s), without penalizing anyone, pending the involvement of a Human Resources representative.

Any supervisor or manager who fails to promptly report allegations of discrimination, harassment, or other prohibited conduct, or who otherwise fails to properly handle the allegations, may be subject to discipline, including the possibility of employment separation.

Retaliation

The Equal Employment Opportunity Commission ([eeoc.gov](https://www.eeoc.gov)) reports that retaliation was the most common type of workplace discrimination in 2018, making up 51.6% of all charges filed with their agency.

B. Investigation and Response

KCCO will promptly investigate all reported concerns of discrimination, harassment, or other prohibited conduct. The person reporting a concern will be notified of the investigation results.

KCCO will take immediate and appropriate corrective action, to the extent possible, consistent with the results of an investigation. Based on the nature of the concerns and the investigation results, a resolution may include informal or formal counseling, formal discipline, employment separation, or other action. This applies equally to team members and non-team members (independent contractor, vendor, supplier, customer, client) who are found to have discriminated, harassed, retaliated, or engaged in other conduct prohibited by this Policy.

C. Confidentiality and Non-Retaliation

Reports of discrimination, harassment, or other prohibited conduct will be kept confidential to the extent possible, consistent with the need for a thorough investigation and to protect the complaining party from any concerns of retaliation or reprisal, both of which are expressly prohibited by this Policy. Although KCCO cannot always guarantee the confidentiality of a matter, every effort will be made to handle matters in a way that addresses the concerns without disrupting working relationships.



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KCCO will not retaliate or make any form of reprisal against an individual (witness or victim) who reports discrimination, harassment, or other conduct prohibited by this Policy. Neither will retaliation or reprisal be made against anyone who participates in an investigation into a complaint or concern. Retaliation or reprisal by a KCCO team member, manager, or supervisor is forbidden.

Retaliation is an action taken with a vengeful purpose. Retaliation may be happening if a person is being treated differently, including being subjected to adverse terms and conditions of employment, because they are believed or assumed to have reported a complaint or concern, or to have come forward with information about another person's complaint or concern.

If you experience or witness retaliation that you believe is prohibited by this Policy, you must report it immediately. KCCO does not tolerate retaliation. Any team member, supervisor, or manager who retaliates against another team member or witness because of a complaint of discrimination, harassment, or other prohibited conduct, or because of participation in any investigation, will be subject to discipline, up to and including employment separation. KCCO strongly encourages all team members to report any incident of possible retaliation immediately.

D. Request for Additional Review

If the person raising a concern under this *Complaint Procedure* is not satisfied with the action taken by KCCO, they may request, in writing, an additional review of the matter. The request should be submitted to the Human Resources Manager or to the Vice President of Human Resources. The matter will then be considered by a Committee established by the Vice President of Human Resources.

At its discretion, the Committee may request a meeting with the person raising the concern, further investigate the concern, impose discipline on the offending individual, or take other appropriate action. The Committee will notify the person raising the concern of the result of the review.

POLICY FOR A DRUG- AND ALCOHOL-FREE WORKPLACE

1. Purpose and Scope

KCCO's goal is to maintain a safe, healthy, efficient operation and to protect the safety and security of team members, property, and equipment. KCCO believes that a working environment free of drug and alcohol abuse is safer, healthier, and more productive.



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This Policy applies to all KCCO team members and employment applicants in all locations and shall constitute KCCO's written drug testing policy as permitted by law. This Policy also applies to KCCO team members in all U.S. states to the extent allowed by the laws of the state in which the team member is employed and resides. The testing provisions of this Policy do not apply to drivers or applicants for driver positions already covered by KCCO's Department of Transportation (DOT)-required testing policy. The other provisions of this Policy, however, do apply to drivers and driver applicants.

If any element of this Policy is inconsistent with federal or state law, now or in the future, that element of the Policy shall not be implemented, administered, or relied upon and the provisions imposed by federal or state law will govern. Every team member subject to testing will be provided access to this Policy, and all team members and applicants may receive and review a copy of this Policy. Parents of team members who are minors will be provided a copy of this Policy by certified mail, return receipt requested.

2. Employee Assistance Program

KCCO encourages team members with substance abuse problems to seek help before performance deficiencies, a positive test result, or violation of this Policy results in disciplinary action. KCCO has an Employee Assistance Program (EAP) to support team members with substance abuse or personal, financial, or behavioral problems.

Team members are encouraged to review the benefits and services available to them, as well as the policies and procedures regarding access to and utilization of the program.

3. Definitions

For the purposes of this Policy, the following terms have the following meanings:

Alcohol includes alcohol, ethanol, isopropanol, and methanol.

Applicant is a person who has made an oral or written application to KCCO to become a team member and has received a conditional offer of employment.

Company property and company equipment, machinery, or vehicles means all real property, plant, equipment, and motor vehicles that are owned, leased, rented, or used by KCCO.

Employee Assistance

The services of qualified Employee Assistance Program counselors are available confidentially, 24 hours a day, 7 days a week at 866-532-8656.



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Detectable levels of illegal drugs and the metabolites of illegal drugs means the level of controlled substances or metabolites in a sample taken for drug testing that meets or exceeds nationally accepted standards for determining detectable levels of controlled substances as adopted by the federal Substance Abuse and Mental Health Services Administration (SAMHSA).

In the case of an oral fluid sample subject to testing, if nationally accepted standards for oral fluid tests have not been adopted by SAMHSA, the standards for determining detectable levels of controlled substances for a confirmed positive test result shall be the same standard as established by the federal Food and Drug Administration for the measuring instrument used to perform the oral fluid test.

Detectable levels of alcohol means an alcohol concentration of 0.04 or greater, expressed in terms of grams of alcohol per 210 liters of breath, or its equivalent.

Team member is a person currently employed by KCCO, either full- or part-time.

Illegal drugs are any substance that is illegal to use or possess under federal, state, or local law, including under Schedules I, II, III, IV, or V of the federal Controlled Substances Act (CSA), 21 U.S.C. § 801, et seq., as well as prescription medication for which the individual does not have a valid prescription, or over-the-counter (OTC) or prescription medication used in a manner inconsistent with the prescription or OTC medication packaging. Because marijuana continues to be illegal under CSA Schedule I, marijuana is an illegal drug under this Policy, including medical and recreational marijuana. KCCO reserves the right to take adverse action based on marijuana use, possession, or testing positive for marijuana.

Legal drug is a substance for which a person using or possessing it has obtained a valid prescription or has purchased as an OTC medication, and which is used in accordance with the applicable prescription or OTC medication packaging. Note, however, that marijuana—even with a prescription—is an *illegal* drug for purposes of this Policy because it is still illegal under federal law.

Sample is a specimen of urine, saliva, breath, or blood obtained for the purpose of revealing the presence of alcohol, other drugs, or drug metabolites, in a human body. Blood sampling will only be used when a team member is involved in a workplace accident and the treatment/care provider directs that a blood sample be obtained. Blood samples may not be obtained at the request or suggestion of KCCO.

4. Workplace Rules

This section explains KCCO's policies on alcohol, illegal drugs, and prescription and over-the-counter medications, as well as searches of company property.



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A. Alcohol

Team members may not work or report to work under the influence of alcohol or with a detectable level of alcohol in their system.

Team members may not use, possess, or distribute alcohol while on KCCO property, including parking lots, while operating KCCO equipment, machinery, or vehicles, or while performing KCCO business. The consumption or purchase of alcohol, however, may be permitted at work-related business or social functions with management's prior approval. At any such functions, team members are expected to consume alcohol only in moderation, and all KCCO employment policies—including harassment and workplace violence—continue to apply.

Team members violating any of these provisions are subject to disciplinary action, including possible employment separation, even if it is the team member's first offense. Although KCCO is not required to do so, a drug or alcohol test may be administered to a team member suspected of violating these provisions. If a drug or alcohol test is performed, discipline will be imposed only in accordance with [Section 9](#), below.

B. Illegal Drugs

Team members may not work or report to work under the influence of illegal drugs or with detectable levels of illegal drugs or metabolites of illegal drugs in their bodily system.

Team members may not use or possess any illegal drugs while on KCCO property; while operating KCCO equipment, machinery, or vehicles; or while performing KCCO business.

Team members may not possess, manufacture, distribute, dispense, transfer, or sell illegal drugs while on KCCO property or while performing KCCO business. This Policy prohibits recreational and medical marijuana regardless of whether its use or possession is legal under state law.

To comply with various federal and state laws, team members must notify their manager of any criminal drug statute conviction based on conduct occurring in the workplace within five (5) days of the conviction. KCCO is thereby permitted to take all necessary action required by law.

Team members violating any of these provisions are subject to disciplinary action, including possible employment separation, even if it is the team member's first offense. Suspected violation of these provisions may subject the team member to drug and/or alcohol testing under the procedures of this Policy. If a drug or alcohol test is performed, discipline will be imposed only in accordance with [Section 8](#), below.



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C. Use and Possession of Legal Drugs

Prescription drugs are permitted on KCCO property and may be used by an employee if the medication was prescribed to the team member by a licensed health-care professional, the prescription was filled for the team member by a licensed health-care professional or licensed pharmacist, and the medication is taken in accordance with the prescriber's instructions and prescribed dosage. Because marijuana is illegal under federal law, this Policy prohibits the use and possession of recreational and medical marijuana—even with a prescription—regardless of whether its use or possession is legal under state law.

Use of OTC medication is permitted, provided the team member is using the medication according to the purpose and dosage recommended on the packaging.

If a team member has reason to believe that use of a legal drug may pose a significant risk of substantial harm to the health and safety of another team member or person, or may significantly impact the team member's ability to safely perform their essential job functions, the legal drug use must be reported to the Health Services Department or Human Resources Department. A team member need not report the medication used or the underlying medical condition to their supervisor/manager. However, KCCO may ask the team member to discuss this information in order to determine whether any reasonable accommodations, limitations, or restrictions could be made to minimize or eliminate such risk. KCCO will keep such information confidential.

If it is determined that the team member poses a significant risk of substantial harm to the health and safety of any person, or that the team member's ability to safely perform his or her essential job functions is adversely affected due to use of a legal drug, and such risk cannot be eliminated or minimized to an acceptable level by a reasonable accommodation, the team member may be placed on a leave of absence or transferred to another job, or other appropriate action may be taken. KCCO will make all determinations on a case-by-case basis, based on an interactive dialogue with each reporting team member and in accordance with applicable disability, privacy, and other laws.

Team members are not allowed to share or distribute legal prescription drugs to anyone in the workplace or during working hours. If this happens, it may be grounds for employment separation.

Team members violating any of these provisions are subject to disciplinary action, up to and including employment separation, even if it is the team member's first offense.



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D. Searches of Company Property

Searches of KCCO property, facilities or equipment, parking lots, team member lockers, team members, and/or team members' personal property may be conducted by authorized management when there is suspicion of a policy violation. At no time will any team member be searched by or in the presence of a member of the opposite sex. Refusal to cooperate with or submit to a search may be treated as serious insubordination, warranting immediate disciplinary action, up to and including employment separation.

5. Drug and Alcohol Testing

KCCO may require team members and applicants to submit to drug and/or alcohol testing under the following circumstances:

A. Pre-Employment Testing

All applicants, upon receiving a conditional offer of employment from KCCO, may be required to undergo a drug test before beginning work, as a condition of being considered for employment. No applicant will be allowed to begin working before the test results are received.

B. Reasonable Suspicion Testing

KCCO may require that a team member undergo a drug and/or alcohol test if there is reasonable suspicion that the team member is using or has used alcohol and/or drugs in violation of this Policy. Evidence of reasonable suspicion will be drawn from specific objective and articulated facts and reasonable conclusions drawn from those facts considering experience.

C. Post-Incident Testing

Team members may be required to submit to a post-accident alcohol and/or drug test if:

- (1) The testing is required by state or federal law; or
- (2) The team member caused an accident that resulted in an injury to a person for which a record or report could be required under federal or state law, or that resulted in damage to property, including equipment, in an amount reasonable as estimated by management at the time of the accident to exceed one thousand dollars (\$1,000); and
- (3) There is reasonable suspicion that drug or alcohol use contributed to the accident; and
- (4) The testing is designed to accurately identify impairment caused by alcohol or drugs.



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D. Testing Pursuant to Federal Law or Regulation

KCCO will conduct alcohol and/or drug testing as required by federal, state, or local law or regulation, or by law enforcement.

E. Random Testing

KCCO will regularly conduct random drug tests.

F. Applicable State/Local Law

In addition to Pre-Employment and Rehabilitation Testing in California, other than for work performed in the City/County of San Francisco, KCCO will conduct Reasonable Suspicion and Post-Incident Testing as follows.

Reasonable Suspicion Testing. Team members will be subject to Reasonable Suspicion drug and/or alcohol testing when there is reasonable suspicion to believe a team member is working under the influence of, or impaired by, drugs or alcohol.

Post-Incident Testing. As part of its duty to maintain a safe work environment and in connection with conducting post-accident investigations, KCCO will conduct post-accident testing when a team member has caused or contributed to an accident resulting in property damage estimated by KCCO at the time of the accident to equal or exceed \$250, or personal injury that requires medical treatment beyond first aid.

Please Be Aware!

Certain controlled substances and their metabolites may remain in a person's system at or above detectable levels for several days or several weeks.

6. Testing Procedures

Testing will occur during or immediately before or after a team member's regular work period. KCCO will pay for any drug and/or alcohol test that it requests pursuant to this Policy. If testing is done off-site, KCCO will either transport the team member to and from the testing site or pay for the team member's reasonable transportation costs. The time required for testing, including transportation, shall be considered "work time" for purposes of compensation and benefits.

Persons required to submit to a drug test will be provided a list of the drugs for which they are being tested. Drug test samples will be tested only for the presence of controlled substances and the metabolites of controlled substances, as included in Schedule I, II, III, IV, or V under the Federal Controlled Substances Act, 21 U.S.C. § 801, et seq.



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Any persons required to submit to a drug test will be given an opportunity to provide any information which may be relevant to the test, such as the use of prescription or over-the-counter medication. This information should be provided by the team member to the Medical Review Officer (MRO).

Samples will be collected and tested in accordance with federal, state, and local laws, and this Policy. Testing personnel will supervise the collection of urine samples for testing but will not directly observe the collection of a urine sample without receiving prior authorization from KCCO management. Direct observation will not take place in California (including San Francisco).

In other locations, direct observation of the collection of urine may not be authorized by management unless there is reasonable suspicion that the test subject may alter or substitute the urine sample to be provided, or has previously altered or substituted a urine sample provided pursuant to a drug or alcohol test. Persons of the opposite sex are never authorized to directly observe the collection of urine samples. When necessary, employees will be sent to an approved testing facility for off-site urine sample testing.

KCCO will comply with governing law concerning the chain of custody of samples in order to ensure testing accuracy and reliability.

All confirmatory drug testing will be conducted only by laboratories that are approved, certified, accredited, or licensed for drug testing under governing law. Precautions will be taken to ensure that the testing reveals only the presence of the substances that are prohibited under the Policy.

KCCO will conduct alcohol testing, including initial and confirmatory tests, pursuant to this written Policy. Testing pursuant to this Section will be consistent with the regulations adopted as of January 1, 1999, by the United States Department of Transportation (DOT) governing alcohol testing required to be conducted pursuant to the federal Omnibus Transportation Employee Testing Act of 1991.

Only personnel who are qualified and properly trained pursuant to DOT procedures will administer and confirm the results of alcohol testing. KCCO will use either DOT-approved alcohol screening devices or approved evidential breath-testing devices in conducting alcohol screening tests. All positive alcohol test results shall be confirmed using an evidential breath-testing device, in accordance with applicable DOT procedures. Positive evidential breath tests shall be considered confirmed for purposes of this Policy.

Team members who refuse to undergo testing pursuant to this Policy, or who fail to fully cooperate with such testing procedures, will have their employment separated. Applicants who refuse to undergo testing pursuant to this Policy, or who fail to cooperate with such testing procedures, will not be hired.



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Any team member or applicant who obstructs the testing process in any way, including but not limited to adulterating, altering, substituting, or attempting to adulterate, alter, or substitute a sample will be deemed to have failed to cooperate with the testing procedures. Refusal to undergo testing also includes failing to provide an adequate sample for testing without a valid medical explanation as determined by KCCO and its agents, including, in the case of a drug test, its Medical Review Officer (MRO).

7. Post-Testing Procedures

This section explains what happens if a team member tests positive for illegal drugs or alcohol.

A. Medical Review Officer (MRO)

An MRO will be designated by KCCO to handle certain functions related to drug testing, including reviewing information provided by an applicant or team member to determine if there is a legitimate, biomedical explanation (such as medically prescribed marijuana or taking prescription medication) for a positive drug test result.

The MRO will not disclose to KCCO any legitimate biomedical information provided by an applicant or team member that explains a positive test result and will otherwise comply with all rules and regulations concerning disclosure of such information. However, in the event a team member explains a positive marijuana test result on the basis of medical marijuana use, the MRO will, in addition to reporting the test as “positive,” report that use to KCCO so that KCCO may evaluate and assess what legal accommodations are available, necessary, and/or required.

B. Confirmatory Tests

When testing team members, KCCO will rely only on test results that have been confirmed as positive by the methods of analysis established by governing law. In the case of alcohol testing, confirmatory tests will be done in accordance with this Policy.

C. Suspensions Pending Test Results

Pending receipt of confirmatory test results, team members may be suspended from their jobs without pay. If a team member is suspended and the final test result is negative, the team member will be reinstated immediately with full back pay.

D. Confidentiality of Test Result Reports

Except as authorized by the team member or applicant, or as permitted by law, test results and other medical information provided by test subjects will be kept confidential and will be maintained in the medical file that is separate from the individual’s regular personnel file. If the team member has a confirmed positive test result, such test results may be provided, however,



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to chemical dependency evaluators and treatment centers for the purpose of evaluation or treatment and may otherwise be disclosed as required by law.

E. Notification of Positive Test for Drugs

The team member will be notified by the designated MRO via telephone of a confirmed positive test result for drugs. The MRO will explain the team member's right to request a second confirmatory test (with the fee being paid by the team member), the right to access test results, and the MRO's report.

If the person tested is a minor, notice of a confirmed positive test will be released to the parent or legal guardian identified by the minor.

8. Consequences of Testing Positive for Illegal Drugs

Discipline resulting from a confirmed positive test result for drugs will be uniformly and consistently applied. Any action taken pursuant to a confirmed positive test for drugs will be based solely on the results of the test and will not be influenced by other factors. No disciplinary action will be taken based on a negative test result; however, employees remain subject to discipline pursuant to other KCCO policies and workplace rules.

A. Applicants

Applicants for whom there is a confirmed positive result for drugs will not be hired.

B. Employees

KCCO shall separate the employment of any team member for whom there is a confirmed positive test result for drugs.

9. Consequences of Testing Positive for Alcohol

Discipline resulting from a confirmed positive test for alcohol will be uniformly and consistently applied. Any action taken pursuant to a confirmed positive test result for alcohol will be based solely on the results of the test and will not be influenced by other factors. However, engaging in misconduct that violates KCCO policy due to being under the influence of alcohol will not excuse the misconduct, and appropriate disciplinary action up to and including employment separation may be taken based on the misconduct. Team members also remain subject to discipline pursuant to other KCCO policies and workplace rules.

KCCO shall separate the employment of any team member for whom there is a confirmed positive test result for alcohol in violation of this Policy.



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POLICY FOR A VIOLENCE-FREE WORKPLACE

1. Purpose

The purpose of this Policy is to ensure the highest standard of health and safety for all team members, customers, leased team members, contractors, and visitors, in both the usual workplace and all other places at which KCCO conducts business.

2. Definitions

For the purposes of this Policy, the following terms have the following meanings:

Violence may include, but is not limited to, physically harming another, shouting, shoving, pushing, harassment, intimidation, assault, coercion, possession of weapons in the workplace, and/or intentional property damage. Violence also includes threats of violence, enticement, suggestion, or talk of violence.

Weapons means firearms, explosives, switchblades, hunting knives or other knives with 3-inch blades or longer, incendiary devices, chemical and biological devices, or any item considered a weapon under state or federal law restricting the use of weapons, or any other item obtained or possessed with the intent to be used to commit violence against a person or property, or that is actually used to commit violence against a person or property.

These definitions are not exhaustive. KCCO always reserves the right of discretion to determine what constitutes violence or threats of violence or weapons within the meaning of this Policy.

3. Persons Covered

This Policy applies to all KCCO team members, non-team members such as independent contractors and leased team members doing work for KCCO, vendors, suppliers, customers, and clients.

4. Violence on Company Premises

Any team member who commits or threatens to commit any act of violence while on KCCO premises or while conducting KCCO business will be subject to disciplinary action, up to and including employment separation.

5. Violence Off Company Premises

Any team member who, while engaged in KCCO business off-premises, commits or threatens to commit any act of violence will be subject to disciplinary action, up to and including employment separation. Even when off the premises and not involved in KCCO business, a team member who commits or threatens to commit an act of violence may be subject to disciplinary action, up to and including



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employment separation, if the team member's action could adversely affect KCCO, the security of its team members or property, or its reputation in the community.

6. Weapons

Please reference KCCO's *Weapons-Free Policy*.

7. Reporting

Team members should assume that all threats of violence are serious. Any team member who is subject to an act or threat of violence (as defined above), or who witnesses an act or threat of violence, or who is aware of another individual who has been subject to an act or threat of violence is required to immediately report this information to his/her supervisor or Human Resources.

Avoid engaging in physical or verbal confrontation with a potentially violent individual. If you encounter an individual who is threatening immediate harm to a team member or anyone else on our premises, immediately notify emergency personnel (911), then notify your manager/supervisor and Human Resources as soon as possible.

Any team member who has reason to believe that they may be at risk of harm by a violent individual while at work (such as based on a troubled domestic situation) should discuss the situation with a Human Resources representative immediately. The report will be treated confidentially to the extent possible while still arranging for appropriate security measures.

8. Investigation and Confidentiality

Reports of threats or violence will be investigated. KCCO will take prompt and appropriate corrective action based on the results of its investigation. Team member confidentiality will be maintained to the extent practicable, consistent with the need for a thorough investigation and the need to ensure the safety of all involved. Any threat or act of violence may be reported to proper authorities for prosecution and to other appropriate persons and organizations.

9. Employee Questions

Team members are encouraged to contact the Human Resources Department or any member of the KCCO Management Team for questions about:

- their rights and obligations under this Policy,
- the security of the workplace, or
- how to respond to threats or acts of violence.



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