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Applies To	AEROJET ROCKETDYNE
Content Expert	Vernon, Violet M.
Nature of Change	Minor. Renumbered from AR-POLICY-409 with minor editorial changes.

PURPOSE AND SCOPE	<p>To establish and describe Aerojet Rocketdyne’s policies associated with illegal drugs, unauthorized controlled substances, and alcohol.</p> <p>This Policy applies to all employees (including employees within bargaining units, to the extent that the provisions of this Policy do not conflict with the applicable collective bargaining agreements), temporary employees, prospective employees, visitors to Aerojet Rocketdyne property, and individuals employed by Aerojet Rocketdyne as consultants, contractors, or vendors.</p>
REQUIREMENTS ORIGIN	NASA Contracts

BACKGROUND

Aerojet Rocketdyne is committed to providing a safe, efficient, and secure work environment, to providing education for its workforce about the dangers of substance abuse in the workplace and to fostering the well-being and health of its employees. It has established the following Policy consistent with applicable laws and regulations, including the Federal Acquisition Regulation System, Department of Transportation (DOT) regulations, Federal Aviation Administration (FAA) regulations, NASA, and other applicable regulations.

Aerojet Rocketdyne follows substance abuse policies and procedures that are appropriate to the work environments, business conditions, and the overall interests of the Company. Implementation of this Policy is subject to restrictions contained in federal laws, and to the extent not inconsistent with federal government contractor requirements, state and local laws.

POLICY

1. Whenever employees are working, are operating Aerojet Rocketdyne equipment or vehicles, are present on Aerojet Rocketdyne premises, or are conducting company-related work off-site, they are prohibited from:
 - Using, possessing, buying, selling, manufacturing, or dispensing illegal drugs (as defined under federal law and in this Policy), including possession of drug paraphernalia;
 - Being under the influence of or impaired by alcohol or an illegal drug as defined in this Policy;
 - Possessing an open container or consuming alcohol;
 - Being impaired by the use of prescription or over-the-counter medication which affects one’s ability to safely and/or efficiently perform the essential job duties.
2. Prescription Drugs: This Policy does not prohibit employees from the lawful possession and use of over-the-counter and prescribed medications that do not interfere with the employee’s ability to safely and/or effectively perform their essential job duties.



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Employees have the responsibility to consult with their doctors or other licensed medical practitioners about the effect of over-the-counter and prescribed medications on their ability to perform their specific job duties in a safe manner, and to promptly disclose any work restrictions to their supervisors, Health Services or the Human Resources Department. However, employees should not disclose underlying medical conditions, impairments or disabilities to their supervisors or the Human Resources Department unless specifically directed to do so by their doctors or other licensed medical practitioners.

3. Marijuana. Despite state laws legalizing recreational or medical use (including Washington and the District of Columbia), recreational use of marijuana or use of medical marijuana is not considered lawful possession or use, as a prescription drug or otherwise, because marijuana is a prohibited controlled substance under federal law. See, e.g., DOT regulations, 49 C.F.R. §40.151.

4. Aerojet Rocketdyne conducts testing of employees to ensure employee safety, protect national security, sensitive corporate or governmental information, and to comply with relevant statutes and regulations. As a condition of employment, all employees and/or applicants must submit to substance abuse testing under the following circumstances, as defined herein:
 - Post-offer, pre-placement testing
 - Return to work
 - Post-accident or serious near-miss testing
 - Reasonable suspicion testing
 - Random testing (except where prohibited by law)
 - Follow-up testing
 - Department of Transportation required testing
 - FAA required testing
 - NASA required testing
 - Eligibility for or holding a Security Clearance

5. Employees who refuse to comply with the Aerojet Rocketdyne Substance Abuse Policy shall be subject to disciplinary action, up to and including termination of employment.

6. Individuals employed as or by consultants, contractors, or vendors and visitors to all Aerojet Rocketdyne sites may have their immediate and future business relationship and/or visiting privileges terminated if they violate this Policy.

PROCESS

Positive Test Results

1. Refusal to submit to required testing, adulteration or tampering with a sample, or failing to cooperate in the testing process is considered a positive test result.
2. Results of the tests are also considered positive when a sample (urine, blood, hair, breath, etc.) is determined to contain alcohol, drug(s), or improperly used prescription or non-prescription drug(s), at or above applicable governmental limits (e.g., DOT Regulations, 49 C.F.R. §40.87), as confirmed by the selected test protocol, or when a sample is reported as altered or adulterated. Medical Marijuana use is not a legitimate medical explanation for a positive drug test result.



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Consequences of Positive Test Results

1. Employees who test positive for illegal drugs shall be subject to employment termination. Employees who test positive for alcohol, or are impaired due to prescription drugs, shall be subject to disciplinary action up to and including termination of employment.
2. Except to the extent any applicable collective bargaining agreement provides otherwise, Aerojet Rocketdyne has discretion to give (but is not required to give) employees who test positive the first time, the opportunity to participate in the Employee Assistance Program (EAP) and execute a Substance Abuse Monitoring Agreement in lieu of employment termination, and in conjunction with less severe discipline. A sample Substance Abuse Monitoring Agreement may be obtained from Human Resources.
3. Aerojet Rocketdyne will comply with applicable laws and regulations requiring reporting of positive tests. Under no circumstances will an employee be permitted to return to work until the employee attains an acceptable result on all tests.

Post-offer, Pre-placement Screening

Applicants for employment shall undergo testing for substance abuse as a condition of employment. Testing includes full-time, part-time and may include subcontract workers, temporary workers, or any others who work on Aerojet Rocketdyne premises that have a safety or security impact. Those Applicants for employment who test positive shall no longer be considered for employment and any offer of employment by the Company shall be revoked.

Return to Work Testing

Employees who have been in inactive status for more than 90 days and are rehired, recalled from layoff, or return to work after leave of absence, may be subject to drug testing prior to returning to active status.

Post-accident Testing

Employees who may have caused or contributed to a work-related accident may be subject to alcohol and drug testing as determined by a local workplace SH&E, HR and/or Medical professional. Post-accident testing will be required in cases of death or serious bodily injury, significant property damage or serious near miss, as defined herein, subject to the discretion of the Vice President of Human Resources and/ or the Vice President of Environmental Health and Safety.

Reasonable Suspicion Testing

Employees may be subject to testing when there is reason to believe they are using or have used drugs or alcohol in violation of this Policy, or are impaired by the use of prescription or over-the-counter medication that affects their ability to safely and/or efficiently perform their essential job duties. Reasonable suspicion is drawn from specific, objective facts and reasonable inferences drawn from those facts in light of experience. Any employee or contingent worker may be tested when his/her conduct causes a reasonable person to believe he/she may be impaired by alcohol and/or drugs.

Such facts and inferences may be based upon, but *not* limited to, the following:

1. Direct observation of substance abuse or the physical symptoms or manifestation of being impaired due to substance use.



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2. Abusive, dangerous, offensive, or erratic behavior while at work or a significant deterioration in work performance.
3. Evidence that an employee has caused or contributed to an accident while at work.
4. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working, or on the Company premises or while operating Aerojet Rocketdyne vehicles, equipment, or machinery.

Supervisors are to use [HR-AF200-2](#) Observed Behavior Reasonable Suspicion Record to document their observations of an individual employee's behavior and work performance. Behavior observations must be witnessed by two supervisors.

A request for testing may be based on one or more behaviors associated with impairment. Behaviors that may indicate signs of impairment include, but are not limited to:

- Distinct odor of drugs or alcohol
- Difficulty in maintaining balance
- Slurred speech
- Abnormal or erratic behavior
- Apparent inability to perform assigned work in a safe or satisfactory manner
- Altered consciousness, orientation, or alertness.

After observing and documenting an employee's work performance and behavior, the supervisor must immediately contact the designated representative in Human Resources or Health Services to review the facts.

A medical professional may assess the impaired employee or contingent worker to determine if the observed behavior may be attributable to a medical condition. If the medical professional determines that the employee's or contingent labor's behavior is completely attributable to a medical condition, the testing will not be conducted.

Random Testing

Random testing is defined as testing which is unscheduled and has no specific pattern. Employees who hold a security clearance, or are assigned to safety-sensitive and/or sensitive positions, or to positions designated by local, state, or federal statutes, or per vendor contract, are subject to random drug and alcohol testing. This includes, but is not limited to DOT, NASA, and FAA programs and those employees with a Security Clearance. Random testing will be administered in accordance with the provisions of [EHS-P-7.02.04.00.0005](#).

Follow-up Testing

Follow up testing is defined as periodic alcohol and drug testing conducted as part of a follow-up to counseling or rehabilitation when an employee is subject to a substance abuse treatment plan. Failure to comply will result in termination of employment. A positive test during a treatment period and any future positive test may also result in termination from Aerojet Rocketdyne.

DOT Testing

Follow up testing is defined as periodic alcohol and drug testing conducted as part of a follow-up to counseling or rehabilitation when an employee is subject to a substance abuse treatment plan. Failure to comply will result in termination of employment. A positive test during a



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treatment period and any future positive test may also result in termination from Aerojet Rocketdyne.

FAA Testing

The Federal Aviation Administration (FAA) requires contractors to FAA repair station certificate holders to establish and maintain a Drug and Alcohol-Free Workplace, including testing of employees, as required by 14 C.F.R. §120.1, *et. seq.* FAA testing requirements supersede any conflicting requirements of this Policy.

NASA Testing

The National Aeronautics and Space Administration (NASA) requires contractors to establish and maintain a Drug and Alcohol-Free Workplace, including testing of employees working on NASA programs, as required by 48 C.F.R. §1852.223-74. NASA testing requirements supersede any conflicting requirements in this Policy.

Security Clearances

Employees in the process of obtaining a new security clearance or completing a periodic re-investigation, shall have three (3) business days from receipt of notification from the Personnel Security Clearance Processing Center or the designated security representative to contact Medical Services and schedule a drug screening. A drug screening will not be required when the Personnel Security Clearance Processing Center or designated security representative receives a notification from Medical Services that the employee has had a required drug screening within the past 90 days.

Employee Assistance Program (EAP)

1. As a benefit of employment, employees have access to an Employee Assistance Program (EAP) to professionally assist employees and their families with substance abuse problems. However, an employee's participation in the EAP or a prescribed substance abuse treatment program shall not excuse or limit the employee's obligation to comply with Aerojet Rocketdyne's Policies, standards of conduct, and standards of performance. Rather, rehabilitation is an option for an employee who acknowledges a substance abuse problem and voluntarily seeks treatment to end that dependency. Except as provided above, an employee who tests positive for drugs or alcohol will not be referred to EAP in lieu of employment termination.
2. The EAP offers referrals to drug and alcohol services and rehabilitation programs. The goal of the EAP is to encourage voluntary self-referrals for treatment.
3. If referred to EAP, the employee shall have one opportunity to enter a rehabilitation program. Successful completion of the program and/or any treatment, passing follow up testing and other stated conditions, is a condition of continued employment with Aerojet Rocketdyne. Violations of other Aerojet Rocketdyne Policies and/or procedures shall be handled as a separate violation.
 - a. The employee is expected to contact EAP for an appointment the following business day after notification of the test results.
 - b. The employee is required to meet with an EAP or Substance Abuse Professional (SAP) within one week for assessment and sign a release authorizing the EAP, SAP, or any referred provider (i.e. a drug/alcohol rehabilitation provider), to release pertinent information to appropriate individuals within Aerojet Rocketdyne Human Resources or Health Services regarding the employee's compliance with treatment.



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- c. Participation in an EAP rehabilitation program does *not* negate other appropriate corrective action for violation of this Policy.
 - d. The employee is solely responsible for selection of a bona fide treatment program and obtaining verification of successful completion. The costs of treatment may be reimbursed to the limits stated in the employee's elected medical plan. Any additional costs are borne by the employee. The employee must participate in good faith and make satisfactory progress as defined by the Monitoring Agreement.
 - e. The employee shall be subject to periodic, follow-up testing upon their return to work for a period of at least 12 months. A positive test result during that period or at any future date shall result in employment termination.
4. The Company will encourage and reasonably accommodate employees with substance abuse problems (alcohol or drug) who seek treatment and/or rehabilitation before they violate this Policy. Employees desiring such assistance should request a treatment or rehabilitation leave. The Company is not obligated however, to continue to employ any person who violates this Policy or whose performance of essential job functions is impaired because of a drug or alcohol use, nor is the Company obligated to re-employ any person who has participated in treatment and/or rehabilitation if that person's job performance remains impaired as a result of dependency. Nothing herein is intended to limit or affect the Company's right to discipline and terminate employees who violate this or other Policies.

Searches and Inspections

A work environment free of drugs and alcohol may require a search of Company property. Company property is all real or personal property owned, leased or otherwise under the control of Company, including but not limited to, buildings, plant facilities and offices, parking lots, desks, cabinets, lockers, and closets. The Company reserves the right to conduct searches of all company property. All individuals entering or leaving Company property may be subject to a search of personal property such as automobiles, purses, briefcases, lunch containers, tool containers, etc., brought onto Company property; and there is no reasonable expectation of privacy attached to these items while on Company property, despite their personal nature.

Drug-related Convictions

Any employee convicted of violating any drug statute or regulation will notify their immediate supervisor or manager no later than five (5) days after such conviction. It is the responsibility of all supervisors, once so notified, to immediately advise Human Resources, of employee convictions for violating criminal drug statutes and regulations. Criminal conviction relating to any illegal drug, including marijuana, shall result in termination of employment.

Special Reporting Requirements for Employees with Security Clearances

- 1. For employees who hold a security clearance, when counseling is needed, you are encouraged to seek assistance from our Employee Assistance Program (EAP) or other counseling service. Counseling is private and need *not* be reported if you sought the counseling on your own initiative. Counseling must be reported if you were advised to seek counseling owing to your work performance or other undesirable behavior.
- 2. For employees who hold a security clearance: If you are arrested for substance abuse or any reason, the arrest must be reported regardless of whether or *not* you were convicted or charges were dropped for lack of evidence. Minor traffic violations are the only exception to this reporting requirement. The Company defines a minor violation as one for which the penalty is only a fine of \$300 or less.



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3. If required to report counseling, arrests, or convictions under this section, any employee with security clearances must report the information to the site Facility Officer who will coordinate with Human Resources.

Supervisor/Manager Training

Supervisor/Manager training related to this Policy and its implementation is available in Rocket University, **Drug-Free Workplace–Supervisors HR1122**. Questions relating to implementation of this Policy should be directed to AR Health Services, Security and/or Human Resources, depending upon question/issue involved.

VP, Human Resources

The Vice President of Human Resources, in conjunction with the Legal Department, is responsible for the content of and interpretation of this Policy. The Vice President of Human Resources or designee must approve any exception to this Policy in writing.

Employees Reporting

All employees shall be provided a copy of this Policy and acknowledge receipt of the same.

The Company shall report information, such as participation in a drug and alcohol services and rehabilitation program that reflects adversely on the integrity or character of an employee possessing an industrial security clearance.

Consequences of Violation of Policy

The Company may take disciplinary and/or other appropriate action when an employee violates any part of this Directive or engages in any conduct or is involved in any crime (including being charged with a crime, except where precluded by applicable law) that could adversely affect or be detrimental to the Company’s operations, interests, or reputation.

RESOURCES

Definitions

Drugs: As used in this Policy, the term “drug” or “drugs” means a controlled substance as defined under federal law. Marijuana is considered a controlled substance under federal law and this Policy, regardless of whether the employee/user has a medical prescription to use it, or resides in a state which permits its recreational use. In addition, this Policy applies to “designer drugs” which are not yet considered controlled substances under federal or state law if those “designer drugs” possess or impart intoxicating qualities.

Alcohol: A colorless, volatile and flammable liquid that is an intoxicating agent.

Refuse to Cooperate: To obstruct the collection process, to submit an altered, adulterated, or substitute sample, or to fail to promptly provide specimen (s) for testing when directed.

Safety-Sensitive Position: A position identified by the federal government as one that includes tasks that may impact the health and welfare of others.

Sensitive Positions: An employee who has been granted access to classified information, or employees in other positions that the contractor determines involve national security, health or safety, or functions other than the foregoing requiring a high degree of trust and confidence.



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Under the Influence of Alcohol: An alcohol concentration of 0.04 or more, or actions, appearance, speech or bodily odors which reasonably cause a supervisor to conclude that an employee is impaired because of alcohol use.

Under the Influence of Drugs: A test result at or above applicable governmental limit, as selected by management, as confirmed through established test protocol.

Serious Bodily Injury: Examples of injuries that would likely meet the definition of serious bodily injury include but are not limited to:

- Any life-threatening injury (as diagnosed by the treating physician or medical professional);
- Any injury resulting in paralysis;
- Any fracture to the skull, jaw or back; any compound fracture; fractures to long bones in multiple limbs; or multiple fractures to long bones in the same limb;
- Any injury that results in the loss of a body part or function, such as amputation (involving loss of bone) or loss of vision;
- Loss of consciousness;
- Any puncture wound that penetrates the skull, spine or body cavity;
- Any 3rd degree burn larger than 2% of Body Surface Area (BSA) or 2nd degree burn larger than 15% of BSA; or
- Other injuries, which in the opinion of the medical professional, result in permanent bodily impairment or necessitate medical intervention to preclude permanent bodily impairment.

Serious Near-Miss: An unexpected, uncontrolled circumstance that, under different conditions, reasonably could have resulted in loss of life, serious injury, and/or resulting in significant property damage or harm to the environment. Examples of near miss incidents that could lead to serious bodily injury or death, may include, but are not limited to:

- Violation of engineering or administrative barriers associated with remotely controlled or shielded operations. These include, but are not limited to, warning lights, barricades, instruction signs, or interlocked controls
- Lockout/tag out procedures not followed
- Confined space procedures not followed
- Walking under a suspended overhead crane load
- Failure to use machine guarding during hazardous operations
- Moving hazardous materials or other items without securing the load
- Forklift and pedestrian or forklift and motor vehicle collision

Excessive motor vehicle speeds or erratic behavior while driving on Company property.

Significant Property Damage: For the purposes of this Policy, significant property damage is defined as an actual incident or a near miss that could have resulted in damage to property, loss of resources, or business interruption greater than \$10,000. Testing is appropriate when the employee's actions or inaction either contributed to the incident or cannot be completely discounted as a contributing factor.



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Acronyms	Acronym	Definition
	DOT	Department of Transportation
	EAP	Employee Assistance Program
	FAA	Federal Aviation Administration
	SAP	Substance Abuse Professional
	NASA	National Aeronautics and Space Administration

References	Identification	Title
	HR-AF200-2	Observed Behavior Reasonable Suspicion Record
	EHS-P-7.02.04.00.0005	Random and Periodic Drug Testing

Training	Identification	Title/Description
	HR1122	Drug-Free Workplace–Supervisors

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