

Substance Abuse Policy

- a) It is expressly acknowledged that all Licensee employees shall be prohibited from being under the influence of illegal drugs, alcohol or controlled substances while at the Facility.
- b) In the event the Licensee is bound by a previously approved collective bargaining agreement (“CBA”), which sets forth exclusive and bona fide provisions related to drug and alcohol testing of Licensee employees, copies of such CBA and the testing provisions shall be provided to SMG. To the extent such CBA provisions are not in effect, the Licensee shall provide proof of a current and properly administered substance abuse screening and prevention policy which, as determined by the General Manager of McCormick Place, includes the following:
 - i) A clear and unambiguous statement that the Licensee strictly prohibits use, possession, sale or transfer of alcohol, illegal drugs or controlled substances by employees while conducting Licensee business. Illegal drugs are defined as any drug that is not legally obtainable; that is legally obtainable but has not been legally obtained; or that is being used in a manner or for a purpose other than as prescribed. Controlled substances include those defined by the Illinois Controlled Substances Act, 720 ILCS 570/100 et seq. The legal use of prescribed drugs is permitted on the job if it does not impair a Licensee employee’s ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace. If a Licensee employee is taking prescription or non-prescription medication that may affect his/her ability to safely and efficiently perform his/her job, the Licensee must notify the Authority.
 - ii) A testing program which may include random testing and shall include the right of the Licensee and the Authority, upon reasonable suspicion, to require testing of any Licensee employee for the presence of drugs or alcohol. Reasonable suspicion shall include, but is not limited to, any accident or injury to the Licensee employee, or arising from an incident in which such Licensee employee was involved.
 - iii) Any Licensee employee who, after notification of reasonable suspicion, refuses to consent to testing; refuses to submit a breath or urine sample for testing; or tampers with or adulterates the sample shall be removed from and be ineligible for work at the Facility.
 - iv) Any Licensee employee who fails a drug and/or alcohol test shall be removed from the Facility and is ineligible for assignment by the Licensee to any Authority property. Provided, in the event the following minimum procedures are followed, the Licensee employee may be permitted to work at the Facility:

(A) **First offense:** The Licensee employee is suspended for a period of 45 consecutive days. Licensee employee shall have 15 days to enter into an approved rehabilitation program. Upon completion of the program the Licensee employee must submit to a “return to work” drug and/or alcohol test with a negative test result before he or she is referred or requested. All Licensee employees that test positive are subject to up to three (3) follow-up drug and/or alcohol tests for up to one (1) year thereafter. A positive test within that one year shall result in SMG immediately and permanently banning Licensee employee from the Facility and Licensee employee shall be permanently ineligible for dispatch by the Licensee.

(B) **Second offense:** Once a Licensee employee who is employed or dispatched pursuant to the preceding paragraph again fails any drug and/or alcohol test under this policy, such Licensee employee shall be immediately and permanently banned from working at the Facility or any other Authority property and permanently ineligible for dispatch by the Licensee.