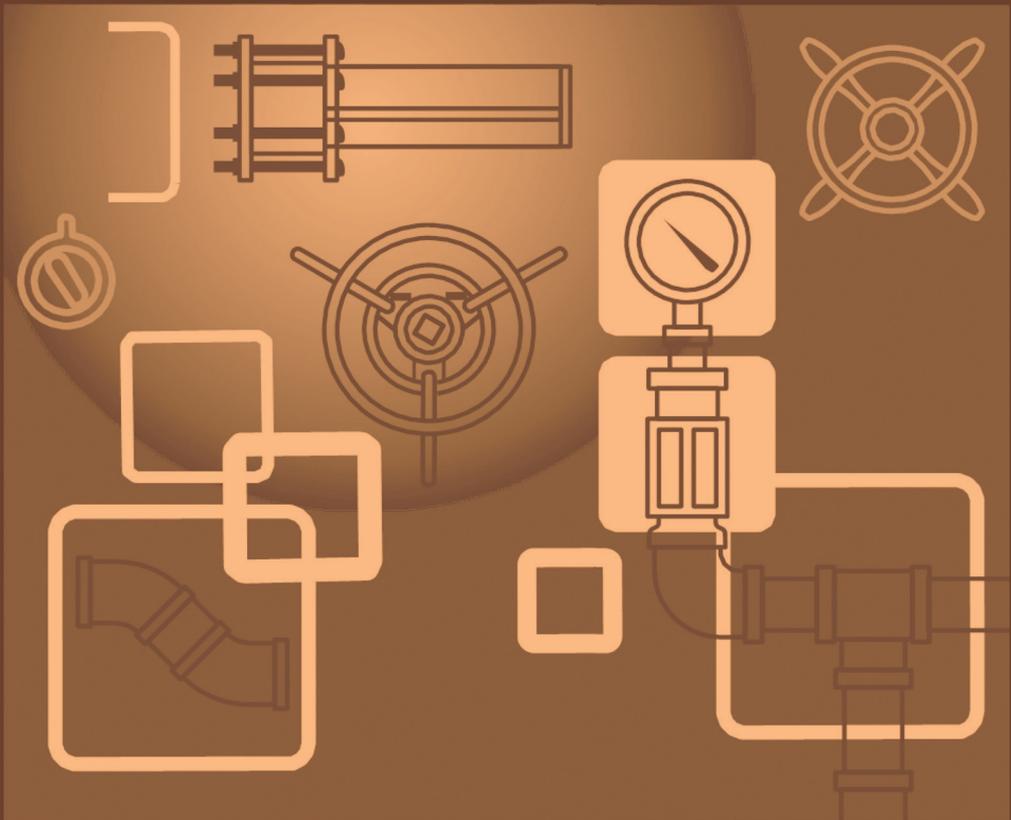




Orange & Rockland

What Gas Pipeline Employees
Need to Know

Drug and Alcohol Testing



Message to Orange & Rockland Employees

Orange & Rockland's anti-drug and alcohol programs for gas pipeline employees comply with Department of Transportation (DOT) regulations that require the Company to test covered employees for the presence and use of prohibited drugs and alcohol.

As a covered employee, you are subject to drug and alcohol testing as described in this brochure and as provided for under DOT regulations. Please read this brochure carefully and sign the tear-off certification form at the back of this brochure signifying that you have received and read this material. The signed form should be given to HR Training. O&R's anti-drug and alcohol programs for gas pipeline employees comply with Department of Transportation (DOT) regulations that require the Company to test covered employees for the presence and use of prohibited drugs and alcohol

If you have any questions about the policies described in this brochure, please contact Orange & Rockland's Designated Employee Representative. Additional information is available on the DOT's website at: <http://www.dot.gov/ost/dapc> or on the O&R intranet: http://oruintranet/hr/programs_drug_prog.htm

Table of Contents

Page

1. Drug and Alcohol Testing of Gas Pipeline Employees	2
2. Persons Designated to Answer Questions about this Booklet	3
3. Employees covered by Drug and Alcohol Use and Testing Regulations	3-4
4. Covered Functions Performed by Gas Pipeline Employees	4
5. Prohibited Conduct	4
6. Circumstances Requiring Drug and Alcohol Testing	5
7. PHMSA Regulations Requiring Drug and Alcohol Testing	7
8. Consequences of Refusing Drug and Alcohol Testing	8
9. Consequences for Employees Violating PHMSA Regulations	9
10. Consequences for Employees Who Test Positive for Alcohol	9
11. Procedures Used in Drug and Alcohol Testing	9
12. Effects of Drug and Alcohol Use	13

Employee Education Brochure

Drug and Alcohol Testing of Gas Pipeline Employees

The material in this brochure will help you understand O&R's policies on drug and alcohol testing. It will also provide you with information on prevention and treatment options and who you may contact for further assistance.

As a gas pipeline employee performing "covered" functions as defined by the DOT's Pipeline and Hazardous Material Safety Administration (PHMSA), you are subject to regulations related to drug and alcohol testing on the job. These regulations also require employers of covered gas employees to provide educational materials explaining the company's policies on the use of controlled substances in the workplace.

Training for Supervisors

Supervisory personnel who will determine whether an employee must be drug tested based on reasonable suspicion must receive one 60 minute period of training on specific, contemporaneous, and articulable observations relating to an individual's appearance, behavior, speech and body odors of probable drug use. Supervisory personnel designated to determine whether reasonable suspicion exists to require a covered employee to undergo alcohol testing must also receive 60 minutes of training on specific, contemporaneous, and articulable observations relating to an individual's appearance, behavior, speech and body odors of probable alcohol cause.

1. Persons Designated to Answer Questions About the Information in the Brochure

The Orange & Rockland Designated Employee Representative (DER) will answer any questions you may have concerning the information contained in the brochure.

Additionally, you may contact the company's Medical Review Officers for further information about drug and alcohol use and testing.

Employee Assistance Program (EAP) - exists solely for the help and guidance of all O&R employees and their families so that they may lead productive lives both at work and at home. Take advantage of this confidential family service at any time. Contact the Employee Assistance Program 24 hours a day, seven days a week.

Substance Abuse Professional (SAP) - A person who evaluates employees whom have violated a DOT drug and alcohol regulation and make

recommendations concerning education, treatment, follow-up testing, and aftercare.

Medical Review Officer (MRO) – A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.

Orange & Rockland's Medical Review Officer (MRO):

Shubert Lartigue, M.D.
Rockland Family Medical Care
845-429-7400
34 N. Route 9W
Haverstraw, NY 10993

Russell Kramer M.D.
Partners in Safety
845-341-0515
800 North Street 17M
Middletown, NY 10940

Substance Abuse Professionals (SAP):

Available through EAP referral.

Dr Raymond Griffin
914-328-1171
5 Waller Ave.
Suite 101
White Plains, NY 10601

Employee Assistance Program (EAP):

Orange County:
800-962-7487

Rockland County:
845-357-7005

Designated Employee Representative (DER):

Joshua O'Neill
845-577-2757

Testing Laboratories:

LabCorp
1904 Alexander Drive
RTP, NC 27709-9998
Vendor: Partners in Safety

Quest Diagnostics
400 Egypt Rd
Norristown, PA 19403
Vendor: Partners in Safety

2. Employees Covered By Drug and Alcohol Use and Testing Regulations

Covered employees are in the operations, maintenance, or emergency response functions (regulated by 49 CFR Part 192 or 193) performed on a gas pipeline or LNG facility.

3. Covered Functions Performed by Gas Pipeline Employees

Covered functions mean an operations, maintenance, or emergency-

response function regulated by Part 192, 193 or 195 that is preformed on a pipeline or on an LNG facility. You are considered performing a covered function if you actually perform, are ready to perform, or are immediately available to perform a covered function on a regular, occasional, or emergency basis. Covered employees are required to be in compliance with the company's anti-drug and alcohol programs.

4. Prohibited Conduct

A covered employee must not use illegal chemicals substance at any time, such as marijuana, cocaine, opiates, amphetamines, and phencyclidine (PCP). Employees who disregard this requirement will be subject to disciplinary action up to and including termination or to be required to submit to professional rehabilitation immediately through an Employee Assistance Program.

- The employee is responsible for reporting the use of any such controlled substance to their supervisor prior to performing covered functions.
- A covered employee must not use alcohol or any medication containing alcohol within four (4) hours of beginning a shift or responding to an emergency that requires the performance of a required function.
- A covered employee must not use alcohol when on duty, on company premises, in company vehicle, or when performing covered functions.
- No employer having actual knowledge that a covered employee has used alcohol within four hours prior to performing covered functions shall permit that covered employee to perform or continue to perform covered functions.
- A covered employee cannot refuse to take a drug test or an alcohol test.
- A covered employee who is tested and found to have a positive drug test is subject to discipline, including termination.
- A covered employee is prohibited from performing any covered functions if the employee refuses a drug test or alcohol test, or if the Medical Review Officer (MRO) identifies an employee as refused to test. In addition, the employee will be subject to disciplinary action up to and including termination of employment.

At a minimum, DOT urine specimens are analyzed for the following drugs or drug metabolites:

- Marijuana
- Cocaine
- Amphetamines
- Phencyclidine (PCP)
- Opiates

5A. Circumstances under which CDL Drivers will be required to be tested for alcohol and /or controlled substances.

Pre-Employment Testing and Testing of Employees Transferred to Covered Positions

As a new hire, you are required to submit to a drug test. Only after the company receives a negative drug test result (and negative alcohol test result, if administered) may you begin performing covered functions. This also applies if you are a current employee transferring from a non-covered function into a covered position (even if it is the same employer).

Post-Accident Testing

An Accident is defined as any of the following events:

- A release of gas from a pipeline, or of liquefied natural gas or gas from an LNG facility, that results in one or more of the following consequences:
 - A death, or personal injury necessitating in-patient hospitalization;
 - Estimated property damage of \$50,000 or more, including loss to the operator and others, or both, but excluding cost of gas lost; or,
 - Unintentional estimated gas loss of three million cubic feet or more.
- An event that results in the emergency shutdown of an LNG facility. (Activation of an emergency shutdown system for reasons other than an actual emergency does not constitute an incident.)

If you are involved in an accident including certain motor vehicle accidents, post-accident drug and alcohol testing may also be required.

Drug testing shall be conducted as soon as possible, but not later than 32 hours, after an accident. Employees whose performance either contributed to the accident or cannot be completely discounted as a contributing factor to the accident will be drug tested.

Alcohol testing is to be administered promptly, within two hours of the accident and no later than eight hours post-accident. Employees whose performance either contributed to the accident or cannot be completely discounted as a contributing factor to the accident, will be alcohol tested.

Remember: Covered employees are obligated by law to submit to drug and alcohol testing mandated by PHMSA regulations.

Reasonable Suspicion Testing

You are required to submit to a drug and alcohol test when a supervisor has reasonable suspicion that a prohibited drug or alcohol is being used. Reasonable suspicion means that one or more trained supervisors reasonably believes or suspects that you are under the influence of drugs or alcohol. The decision to test must be based on observation concerning your appearance, behavior, and/or speech usually associated with drug and/or alcohol misuse. The supervisor must identify the testing as being requested as reasonable suspicion testing. Employees sent for reasonable suspicion testing shall be escorted to the collection site. Do not allow the employee to go unescorted to the collection site for reasonable suspicion testing.

Random Testing

You are subject to unannounced random drug testing. A manager, supervisor, official, or agent may not arbitrarily select you for testing. In accordance with PHMSA regulations, the company uses a scientifically valid method for random selection. This means that all covered employees must have an equal chance of being tested each time selections are made. Just prior to the testing event, you will be notified by your supervisor and be provided enough time to stop performing your covered function and report to the testing location. Failure to show for a test or interfering with the testing process may be considered a refusal. Random drug testing can be performed any day of the week or any shift including weekends, holidays, etc, if employees are scheduled to work such shifts.

Return to Duty Testing

If you have violated PHMSA drug and alcohol regulations, you are required to take a drug or alcohol test before returning to covered functions. You are subject to unannounced follow-up testing at least six times in the first 12 months following your return to active job functions.

Follow-up Testing

The amount of follow-up testing you receive is determined by a Substance Abuse Professional (SAP) and may continue for up to five years. This means the SAP will determine how many times you will be tested (at least six times in the first year), for how long, and for what substance. O&R is responsible for ensuring that follow-up testing is conducted and

completed, and may require follow-up tests to be collected under direct observation. Follow-up testing is in addition to all other PHMSA required testing.

- Return to duty and follow-up drug testing must be under direct observation of a medical professional.

5B. Employee Notification

- Notification is provided to employee's supervisor, by an email from the program administrator on the day of the test. The supervisor must notify the employee of his or her test as soon as reasonably possible. If the employee fails to report to the test site after being notified, it will constitute a refusal to test. Employees who are attending a previously scheduled off-site training on the day of the random drug test will be excused from the test.
- If an employee is excused from a random test for a valid reason, the employee must not be notified. For example, the employee must not be copied on any correspondence to HR Support regarding the employee's excusal. If the employee is notified, then he or she will be considered a "No-Show" (i.e., a refusal to test), pending review by the DER and the employee's Department.
- Every employee should be notified directly via telephone or by in-person contact.

6. What constitutes a refusal to submit to an alcohol or controlled substances test and the consequences for refusing to test?

A gas pipeline employee who refuses to submit to a random, post-accident, reasonable suspicion, or follow-up ("on call") test will be removed from all covered functions and may be subject to disciplinary action (including termination).

- Fails to appear for any test within a reasonable time, as determined by the Company, after being properly directed to report for testing.
- Fails to remain at the testing site until the testing process is complete.
- Fails to provide a urine specimen for a drug test.
- Fails to provide an adequate amount of saliva or breath for an alcohol test.
- In the case of a directly observed or monitored collection in a drug test, fails to permit the observation or monitoring of the provision of a specimen.
- Fails to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.

- ❑ Fails to provide a sufficient breath specimen, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure.
- ❑ Fails or declines to take a second or additional test that the Company or the collector has directed the employee to take.
- ❑ Fails to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the DER.
- ❑ Fails to undergo a medical examination or evaluation, as directed by the Company as part of the insufficient breath procedures outlined at 49 CFR 40.265(c).
- ❑ Fails to sign the certification at Step 2 of the Alcohol Testing Form (ATF)/Custody and Control Form (CCF).
- ❑ Fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, or behaves in a confrontational way that disrupts the collection process).
- ❑ Is reported by the MRO as having a verified adulterated or substituted test result;
- ❑ In the case of a directly observed collection in a drug test, fails to follow the observer's instructions to raise clothing above the waist, lower clothing and underpants, and turn around to permit the observer to determine if the employee has any type of prosthetic or other device that could be used to interfere with the collection process.
- ❑ In the case of a drug test, possesses or wears any prosthetic or other device that could be used to interfere with the collection.
- ❑ Admits to the collector or MRO that the employee adulterated or substituted the specimen.

Who determines refusal to test?

An MRO's refusal determination is final and not subject to review. Also, an evaluating physician's refusal determination for an employee's insufficient breath or urine is final and not subject to review.

7. Consequences for gas pipeline employees found to have violated the PHMSA Drug and Alcohol Use and Testing Regulations

- ❑ After being found to have violated the PHMSA Drug and Alcohol Use and Testing Regulations with regard to alcohol misuse, the gas pipeline employee must undergo a return to duty alcohol test, resulting in an alcohol concentration of less than .02, before being permitted to resume performing covered functions.

- ❑ Gas pipeline employees who have found to have violated the PHMSA Drug and Alcohol Use and Testing Regulations will not be permitted to resume performing covered functions until they pass 3 DOT drug and/or alcohol test and the SAP has determined that the employee may return to duty.
- ❑ Gas pipeline employees who return to duty shall be subject to a reasonable program of follow up testing, without prior notice, for up to 60 months after his or her return to duty. The employee may also be required in some circumstances to complete a company mandated rehabilitation program.
- ❑ Gas pipeline employees who violate O&R's Drug Policy will be offered one opportunity to receive treatment, further violations will result in termination.
- ❑ Any employee who tests positive for alcohol a second time during the first sixty months following the first positive test (0.04 and above) will be subject to disciplinary action up to and including termination. An employee who tests positive for the second time after the 60 months will be treated as if this was a first time and all other conditions of the Drug and Alcohol Program will apply and be followed.

8. Consequences for gas pipeline employees found to have an alcohol concentration of 0.02 or greater, but less than 0.04.

Gas pipeline employees who test positive for a breath alcohol concentration (BAC) between 0.02 and 0.04 are prohibited from performing any safety sensitive function for 24 hours or until their BAC result is less than 0.02, whichever is later.

9. Drug or alcohol use can affect an individual's health, work, and personal life.

There are available methods of intervening when an alcohol or a controlled substance problem is suspected, including confrontation, referral to any employee assistance program, and/or referral to management.

10. Procedures used to test for the presence of alcohol and controlled substances protect the gas pipeline employee and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct employee.

Alcohol tests are conducted by trained and qualified screening test technicians (STTs) and breath alcohol technicians (BATs). A BAT also conducts alcohol confirmation tests.

- ❑ If the test result is an alcohol concentration of 0.02% or higher, the BAT or STT will direct the employee to take a confirmation test.
- ❑ The BAT conducting the alcohol confirmation test will take the following steps:
 - In the presence of the employee, conduct an air blank on the evidential breath testing device (“EBT”) before beginning the confirmation test, and show the reading to the employee.
 - Proceed with the test if the reading is 0.00.
 - Make sure the employee reads the unique test number displayed on the EBT.
 - Instruct the employee to blow steadily and forcefully into the mouthpiece for at least six seconds or until the device indicates that an adequate amount of breath has been obtained.
 - Show the employee the result displayed on the EBT.
 - Show the employee the result and unique test number that the EBT prints out either directly onto the Alcohol Testing Form (“ATF”) or onto a separate printout.
 - If the EBT provides a separate printout of the result, attach the printout to the designated space on the ATF with tamper-evident tape, or use a self-adhesive label that is tamper-evident.
 - After the EBT has printed the result of an alcohol confirmation test, the BAT will sign and date Step 3 of the ATF.
 - If the alcohol confirmation test result is 0.02% or higher, the BAT will direct the employee to sign and date Step 4 of the ATF. The BAT then will immediately transmit the result directly to the DER in a confidential manner.

Drug Testing Collection Procedure:

- ❑ All collections must be split specimen collections.
- ❑ When the employee gives the collection container to the collector, the collector will:
 - Check to ensure that the specimen contains at least 45 mL of urine.
 - Discard any excess urine (The employee has no right to the excess urine).

- Check the temperature of the specimen no later than four minutes after the employee has given it to the collector. The acceptable temperature range is 32-38°/90-100°F.
 - Determine the temperature of the specimen by reading the temperature strip attached to the collection container.
 - If the specimen temperature is within the acceptable range, mark the “Yes” box on the CCF (Step 2).
 - If the specimen temperature is outside the acceptable range, mark the “No” box and enter in the “Remarks” line (Step 2) the findings about the temperature.
 - Inspect the specimen for unusual color, presence of foreign objects or material, or other signs of tampering (e.g., any unusual odor).
- After the employee brings the urine specimen to the collector, the collector will:
- Check the box on the CCF indicating that it was a split specimen collection.
 - First pour at least 30 mL of urine from the collection container into one specimen bottle, to be used for the primary specimen.
 - Then pour at least 15 mL of urine from the collection container into the second specimen bottle to be used for the split specimen.
 - Place and secure (i.e., tighten or snap) the lids/caps on the bottles.
 - Seal the bottles by placing the tamper-evident bottle seals over the bottle caps/lids and down the sides of the bottles.
 - Write the date on the tamper-evident bottle seals.
 - Ensure that the employee initials the tamper-evident bottle seals for the purpose of certifying that the bottles contain the specimens he or she provided.
- To complete the collection process, the collector will:
- Direct the employee to read and sign the certification statement on Copy 2 (Step 5) of the CCF and provide date of birth, printed name, and day and evening contact telephone numbers.
 - Complete the chain of custody on the CCF (Step 4) by printing the collector’s name, recording the time and date of the collection, signing the statement, and entering the

name of the delivery service transferring the specimen to the laboratory.

- Ensure that all copies of the CCF are legible and complete.
- Remove Copy 5 of the CCF and give it to the employee.
- Place the specimen bottles and Copy 1 of the CCF in the appropriate pouches of the plastic bag.
- Secure both pouches of the plastic bag.
- Advise the employee that he or she may leave the collection site.
- Prepare the sealed plastic bag containing the specimens and CCF for shipment, place the sealed plastic bag in a shipping container (e.g., standard courier box) designed to minimize the possibility of damage during shipment (more than one sealed plastic bag can be placed into a single shipping container for multiple collections); seal the container as appropriate; and, if a laboratory courier hand-delivers the specimens from the collection site to the laboratory, prepare the sealed plastic bag for shipment as directed by the courier service.
- Send Copy 2 of the CCF to the MRO and Copy 4 to the DER, within 24 hours or during the next business day.
- Each specimen collected will be shipped to a laboratory as quickly as possible, but in any case within 24 hours or during the next business day.
- The Federal Drug Testing Custody and Control Form (CCF) will be used to document every urine collection required by the DOT drug testing program.

Overview of DOT Drug Testing

Lab Testing

The lab analyzes bottle A and sends the results to the MRO.

Notification

The covered employee is notified to submit to a drug test.

Medical Review

The MRO reviews lab results and determines if there are any legitimate medical reasons for a positive, adulterated, or substituted result. This includes an interview, a review of the employee's medical records, or a request that the employee be examined by MRO-approved physician.

Why

- Pre-employment
- Reasonable Suspicion
- Random
- Post – accident
- Return-to-duty and follow up

Report

The covered employee reports immediately to the collection site.

Employees' Rights

Upon notice by the MRO, the covered employee has 72 hours from the MRO interview to request the B bottle be tested by another certified lab at the cost of the employee.

Urine Collection

- Verify ID
- Empty Pockets
- Select sealed kit
- Provide 45 ml of urine
- Watch collector check temperatures and pour into 2 bottles
- Watch collector seal bottles A & B
- Sign Paperwork

MRO verifies results to employer as either:

- Negative
- Positive
- Refusal
- Cancelled

The full details of the procedures can be found in Orange & Rockland's Anti-Drug Plan and Alcohol Misuse Prevention Plan or online at http://oruintranet/hr/programs_drug_prog.htm

Effects of Drug or Alcohol Abuse

A. Why You Should Get Involved

- There are three good reasons why you should be concerned if any of your coworkers is using drugs or alcohol on the job:

- Your health and safety may be at risk
 - Drug or alcohol misuse costs you money
 - Drug or alcohol creates a negative work environment.
- ❑ According to the National Institute on Alcohol Abuse and Alcoholism, drug and alcohol use on the job costs society an estimated \$102 billion a year. Since most of this cost is passed onto you in the form of higher health insurance rates or in consumer prices, drug and alcohol use on the job costs you and your fellow workers a significant amount of money.
 - ❑ Absenteeism among problem drinkers or alcoholics is 3.8 to 8.3 times greater than normal. If your fellow workers don't come to work, you may have to do their jobs in addition to your own.
 - ❑ Workers who use drugs or misuse alcohol don't function at their full potential. Not only is absenteeism a problem, but when these employees are at work they may have reduced capabilities and productivity.
 - ❑ No matter what your position is in the organization, there is something you can do to ensure that drug and alcohol use never becomes a problem at the company. Acceptance of any misuse puts you, this company, and the public at risk.

B. Effects of Drug Use or Alcohol Misuse on an Individual's Health, Work, and Personal Life.

- ❑ Alcohol is a central nervous system depressant. Taken in large quantities it affects your judgment, ability to think, your motor functions, and can kill you.
- ❑ Long term overuse of alcohol can cause liver damage, heart problems, sexual dysfunction, and other serious medical problems.
- ❑ In some cases, alcohol use can lead to physical and psychological dependence on alcohol. Alcoholism is a serious chronic disease; if left untreated, it will inevitably get worse.
- ❑ Workers who misuse alcohol (and use other drugs) affect everyone. Studies have shown that compared to alcohol and drug free workers, substance abusers are far less productive, miss more workdays, are more likely to injure themselves or someone else, and file more workers' compensation claims.
- ❑ The measurable dollar costs of workplace substance abuse from absenteeism, overtime pay, tardiness, sick leave, insurance claims, and workers compensation can be substantial. However, the hidden costs resulting from diverted supervisory and managerial time, friction among workers, damage to equipment, and damage

to the company's public image mean that workplace substance abuse can further cut profits and competitiveness.

- Drugs and Alcohol can also destroy relationships, lead to serious problems with the law (e.g., drunk driving), and even cause harm to the people you love.
- If drugs or drinking affect your work life, it could lead to job loss and all the financial problems that would follow.

C. Signs and Symptoms of Drug Use or Alcohol Misuse-Any One or More of the Following Signs May Indicate a Problem:

- Family or social problems
- Job or financial difficulties
- Loss of a consistent ability to control drinking or drug use
- "Blackouts" or the inability to remember what happened
- Distressing physical and/or psychological reaction if you try to stop drinking or use drugs
- A need to use increasing amounts of drugs or alcohol to get the desired effect
- Marked changes in behavior or personality
- Getting high or drunk frequently
- Injuring yourself or someone else while under the influence of drugs or alcohol
- Breaking the law while under the influence of drug and alcohol
- Starting the day with a drink

D. Available Methods of Evaluating and Resolving Problems Associated with the Use of Drugs or Misuse of Alcohol

- O&R provides confidential counseling and treatment options for employees in need of help with drug or alcohol addiction problems through our EAP service. Ask your supervisor, Human Resources Representative or go to oruintranet/hr/programs_EAP.htm for information on obtaining assistance.
 - Service outside the company also exist in a variety of settings:
 - Community mental health centers
 - Full service agencies
 - Private physicians and therapists offices
 - Occupational settings

- ❑ Specialized treatment facilities
- ❑ Inpatient services, designed for those with more serious problems, can be found in the hospitals, residential care facilities, community halfway houses, and some alcoholism clinics.
- ❑ Many local communities have resources available to confidentially assist you through the evaluation and treatment of your problem. If you would like to find a treatment facility close to you, check your local yellow pages, local health department, or visit the U.S. Department of Health and Human Services treatment facility locator at [. This site provides contact information for substance abuse treatment programs by state, city, and U.S. Territory.](#)
- ❑ You may also search the Web site of the National Substance Abuse Professionals Network (NSAPN) for qualified counseling services.
- ❑ E. Community Services
- ❑ New York State Office of Alcoholism and Substance Abuse Services is available for assistance. Their number is 800-522-5353.
- ❑ Alcoholics Anonymous at 212-647-1680
- ❑ Narcotics Anonymous at 212-929-NANA

Please tear out this form, sign and date it, and return it to
HR Training in Goshen.

Certification of Educational Materials Received

This will certify that I,

Employee name

Employee number

, have received and understand the O&R's educational brochure on the company's drug and alcohol policies, as they relate to gas pipeline employees who perform covered functions.

Signature of employee

Date materials received

Original to HR Training for inclusion in his or her File.

HEA0000260

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