

Drug and Alcohol Use

Updated July 2021

It is the Firm's desire to provide a drug-free, nicotine-free, healthy, and safe workplace. To promote this goal, you are required to report to work in appropriate mental and physical condition to perform your job in a satisfactory and appropriate manner.

In light of the above, the Firm has adopted the following rules:

1. The Firm does not permit the use of tobacco and/or nicotine on the premises or in vehicles leased or rented for business use, which includes but is not limited to vaping, e-cigarettes, cigarettes, or chewing tobacco.
2. With respect to drugs:
 - a. The Firm prohibits the unlawful use, possession, transfer, sale, or distribution by any employee or non-employee of any illegal drug or paraphernalia believed to be used in connection with illegal drugs (including marijuana even if the individual has a valid medical marijuana card), **on Firm time or on Firm premises** (including premises and vehicles owned or leased by the Firm);
 - b. The Firm prohibits working while under the influence of illegal drugs that were used or consumed off premises or off duty (including marijuana in states that have legalized the use of marijuana), except as otherwise provided under applicable state law;
 - c. The legal use of prescribed or over-the-counter drugs is permitted (whether used on or off the job) only if it does not impair your performance, or interfere with the duties and performance of you, your co-workers or the overall operation of Firm business, or affect your ability to safely perform job duties.
3. With respect to alcohol:
 - a. The Firm prohibits the use, transfer, sale, or distribution by an employee or non-employee of alcohol on Firm time or property, except that alcohol may be used on a limited basis and in a responsible manner by those of lawful age **on Firm premises** during special occasions hosted or sponsored by the Firm or if otherwise authorized by the Chair of the Firm, the Office Managing Partner, a Practice Group Leader, or any voting member of the Executive Committee;
 - b. The Firm prohibits working while under the influence of alcohol, whether consumed **on or off duty or on or off premises**, if said use of alcohol impairs your performance, or interferes with your duties and performance or the duties or performance of others or the overall operation of Firm business, or affects your ability to safely perform job duties, or results in or could result in harm to the reputation of the Firm and/or its employees/partners;

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- c. If any employee or Partner (who is of lawful age) uses alcohol at any client-sponsored, Firm-sponsored, business development, marketing, business travel, or business-related event or activity that **occurs off Firm premises**, the Firm expects such individual to drink responsibly, behave appropriately and professionally, and limit their alcohol intake at such events.

The Firm reserves the right to conduct drug and alcohol testing and a positive test or other information indicating a violation of this policy may result in termination of employment. Such testing may include pre-employment, reasonable suspicion, post-accident, return to work following leave of absence, post-rehabilitation, random, or any other type of testing. A positive test result will be considered evidence of “working under the influence” (except as otherwise specifically provided by applicable state law).

Violations of this policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required evaluation to determine if a substance abuse problem is causing performance, conduct, or safety issue(s). Such violations may also have legal consequences.

If you have questions or concerns about substance dependency or abuse, you are encouraged to discuss these matters with your supervisor(s) or Human Resources to receive assistance or referrals to appropriate resources in the community.

If you are struggling with a drug or alcohol problem that has not resulted in, and are not the immediate subject of pending investigation or disciplinary action, you are encouraged to request approval to take unpaid time off to participate in a rehabilitation or treatment program through the Firm’s health insurance benefit coverage. Leave may be granted in appropriate circumstances (including FMLA leave if you are eligible for it).

If you have any questions on this policy or issues related to drug or alcohol use in the workplace, we encourage you to raise your concerns with your supervisor or Human Resources without fear of reprisal.