

Copper Mountain Drug-Alcohol Policy

Updated September 2022

In compliance with the Drug-Free Workplace Act of 1988, Copper Mountain Resort has a longstanding commitment to providing a safe, quality-oriented and productive work environment consistent with the standards of the community in which we operate. Alcohol and drug abuse pose a threat to the health and safety of Copper Mountain Resort employees and guests and to the security of our equipment and facilities. For these reasons, Copper Mountain Resort is committed to the elimination of drug and/or alcohol use and abuse in the workplace.

Drug and alcohol misuse have a number of adverse health and safety consequences. Information about those consequences and sources of help for drug/alcohol problems are available from the Employee Experience Department, who has been trained to make referrals and assist employees with drug/alcohol problems. Copper Mountain Resort will assist and support employees who voluntarily seek help for such problems before becoming subject to discipline and/or termination under this or other Copper Mountain Resort policies.

Employees should report to work fit for duty and free of any adverse effects of drugs or alcohol. This policy does not prohibit employees from the lawful use and possession of prescribed medications. Employees must, however, consult with their doctors about the medications' effect on their fitness for duty and ability to work safely and promptly disclose any work restrictions to their supervisor. Employees should not disclose underlying medical conditions unless directed to do so.

For the purposes of this policy marijuana is still considered an illegal drug under the federal Controlled Substances Act and will be treated as such. Per Amendment 64 (passed in December 2012), employers are not required to 'permit or accommodate the use, consumption, possession, transfer, display, transportation, sale or growing of marijuana in the workplace or to affect the ability of employers to have policies restricting the use of marijuana by employees.'

OVERVIEW

1. Whenever employees are working, are operating any Copper Mountain Resort vehicle, are present on Copper Mountain Resort premises (including employee housing), or are conducting Company related work off-site, they are prohibited from:
 - using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia);
 - being under the influence of an illegal drug as defined in this policy; and
 - being under the influence, possessing or consuming alcohol while working unless approved by a member of the Resort Leadership Team
2. The presence of any detectable amount of any alcohol, marijuana, illegal drug or illegal controlled substance in an employee's body system, while performing company business or while in a company facility, is prohibited.
3. Copper Mountain Resort will also not allow any employee to perform their duties while taking prescribed drugs or legal drugs that are adversely affecting the employee's ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce this if asked.
4. Illegal drugs or drug paraphernalia may be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

TESTING

Reasonable Suspicion: Employees may be subject to testing based upon (but not limited to) observations by the supervision of apparent workplace use, possession or impairment. Employee Experience shall be called immediately, and drug testing should occur within 2 hours of suspicion. Reasonable suspicion testing may result from one of the following examples, but is not limited to the following:

- Specific, personal and articulable observations concerning the appearance, behavior, speech or performance of the employee; or
- Violation of a safety rule, or other unsafe work incident which, after further investigation of the employee's behavior, leads the supervisor(s) /manager(s) to believe that the employee's functioning is impaired; or
- Other physical, circumstantial, or contemporaneous indicators of impairment.
- When a supervisor/manager has reasonable suspicion to request testing, the supervisor/manager should arrange to transport the employee to the collection site, and should arrange for the employee's transport home.
- Copper Mountain may place the employee on a paid/non-paid leave pending the receipt of drug testing.

Please refer to the “Documenting Reasonable Suspicion” instructions for details on how to assess and proceed in this circumstance. *Under no circumstances should the employee be allowed to drive himself or herself to the testing facility. A member of supervision/management should escort the employee; the supervisor/manager should make arrangements for the employee to be transported home.*

Post-accident: Employees may be subject to testing after an accident and/or if reasonable cause/suspicion is believed to have been a contributing factor.

In any of these instances, the investigation and subsequent testing should take place within two (2) hours following the accident, if not sooner. **[NOTE: A positive post-accident drug or alcohol test may have adverse implications for worker's compensation claims].**

CONSEQUENCES

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy may be terminated. *If the employee refuses to be tested yet we believe they are impaired, under no circumstances should the employee be allowed to drive himself or herself home.*

The first time an employee tests positive for alcohol or illegal drug use under this policy, the result may be disciplined up to and including termination.

Employees will be paid for time spent in alcohol/drug testing and then suspended pending the results of the drug/alcohol test. After the results of the test are received, a date/time will be scheduled to discuss the results of the test; this meeting will include a member of management/supervision and Employee Experience. Should the results prove to be negative; the employee will receive back-pay for the times/days of suspension.

MEDICAL MARIJUANA AND AMENDMENT 64

Copper Mountain does not provide any exception to this policy for the use or possession of marijuana, medical or not.

ALCOHOL AT WORK FUNCTIONS

Any alcohol physically in the workplace should be secured and under the direct control of management, i.e. Director, Manager or Supervisor. In Company-owned restaurants/bars, bartenders, etc. may be in control of alcohol, but they must report up to a Manager/Supervisor who ultimately is accountable for the alcohol use; and inventory controls must be in place.

On special occasions, alcoholic beverages may be served in conjunction with an authorized event on company premises with the express approval of a department director or senior team member. At such functions it remains the employee's obligation to drink responsibly and in moderation. Any alcohol consumption at the workplace should be done after work shifts are completed. Consumption should be limited to a recommended 2 drink maximum per employee and must be done under management supervision. Alcohol should not be consumed in locker room areas unless approved by a Resort Leadership Team member.

Employees under the legal drinking age are prohibited from participating in any alcohol consumption. Management is responsible to see that employees do not disregard their obligation to drink responsibly and in accordance with this policy. Management must ensure that employees have available transportation alternatives (i.e. Uber, Summit Stage, designated drivers, etc.) if the employee appears impaired. Under no circumstances should management ‘take control’ of an intoxicated employee; if an employee refuses to take alternative transportation options and tries to drive, proper authorities should be alerted. Off-duty employees who are guests in company-owned restaurant facilities that serve alcoholic beverages are expected to exercise good judgment. This includes following any regional laws/regulations regarding skiing/riding/driving under the influence of alcohol or drugs.

COMPANY EVENTS

- A “company event” is defined as a celebration, party, or informal gathering of employees that is sponsored by the company either on or off of company property.
- All advertisements, posters, etc. for company events should include the following disclosure statement: “This event is entirely voluntary and is not considered in the scope of your employment.” There should be no pressure or inference that attendance is expected notwithstanding the voluntary attendance notice, such as a strong business purpose for the event. Events at which alcohol is served should be primarily social in nature and should not have a primary business purpose. Employees must not be prejudiced, for example, by loss of wages or loss of access to business information if they decide not to attend the event.

- The event should be scheduled after regular business hours. If an exception is made to this policy, it must be made doubly clear to employees that attendance is completely voluntary and that no one will be expected to return to work after the event.
- Ensure that any company events with alcohol are in compliance with any applicable liquor laws (i.e. Employees may not be able to bring their own beverages to drink on property after work as it may violate the division's liquor license)
- Drinking should not be the focus of the company event. Appropriate entertainment, presentations, speeches, etc. should be the central focus and purpose, but as noted above, a Company business purpose must not be the principal reason for the event.
- Employees who do not consume alcohol should be included in these events and an appropriate selection of non-alcoholic beverages should be provided.
- In order to monitor alcohol consumption – either drink tickets or a cash bar should be provided at large company events. There should be no kegs or open liquor service whereby employees can help themselves.
- Bartenders at events are not to serve alcohol to any person who appears to be inebriated (i.e. slurring of speech, swaying/staggering, lack of focus). If possible – all bartenders should be trained and certified on appropriate alcohol serving guidelines (i.e. TIPS). Events should have a maximum of 2 free drinks and may have the option of a cash bar component afterwards.
- A substantial amount of food (as opposed to just a few snacks or bags of chips) should always be served at events where alcohol is provided
- Employees should be prepared to present photo ID prior to being served alcoholic beverages upon request. At large events, it is recommended that wristbands, hand stamps, etc. be used to monitor this process. Management has the right to refuse to provide alcohol to anyone for any reason.
- If possible, it is recommended that the serving of alcoholic beverages should cease at least 1 hour prior to the end of the event
- “Party Managers” should be designated to monitor employees' behavior. Their responsibilities should include monitoring the consumption of alcohol by employees, coordination of safe transportation for employees and overseeing general employee interactions to ensure compliance with our harassment policies, etc.
- Safe, promptly accessible alternative transportation methods must be provided at no cost for employees.
- Employees who arrive to the event intoxicated should not be admitted; instead they should be given a ride home or provided with safe alternative transportation.
- Policy violations should be addressed by the Management team in conjunction with Employee Experience. Failure to comply with this policy may result in disciplinary action up to and including termination without notice.
- Consuming alcohol on company property while off duty and not at a Company sanctioned event or in a company restaurant, bar, cafeteria, etc. may not be permitted, so as to have separation from the guests. Please check with your individual manager to see if this applies.

For further details or questions on this policy please see the Employee Experience department.