



The Department of Transportation will immediately implement the following measures that will become part of active AS Horner contracts with the Department of Transportation.

- AS Horner will certify that it has a zero tolerance drug and alcohol policy and implements it accordingly. (This policy shall require the company-wide training; continuing education for all its employees; initial employment, random and probable cause drug and alcohol testing for all employees).
- AS Horner will require all its sub-contractors to adopt and implement the same drug and alcohol free policy.
- AS Horner will report to NMDOT on a quarterly basis the results of its drug and alcohol testing program.
- AS Horner will immediately report to NMDOT if any of its employees have tested positive for drugs and/or alcohol. Any employee tested positive for drugs and/or alcohol should be immediately removed from job sites pending further investigation.
- AS Horner will have a full-time safety supervisor on all its projects with NMDOT.
- AS Horner and all its subcontractors will check the validity of drivers' licenses for all their employees on a quarterly basis and report those findings to NMDOT.
- If AS Horner fails to follow any of these measures to the satisfaction of NMDOT, the Department reserves the right to terminate all contracts with the company.

Long term, Governor Richardson has directed state agencies to pursue the following measures through regulatory process.

- Amend current specifications to include zero tolerance for drugs and alcohol use or possession by contractor and subcontractor employees on work sites. This also addresses penalties for any violations.
- Amend current specifications to require contractors and subcontractors provide random drug and alcohol testing for ALL their employees directly working on construction sites as a condition of prequalification to bid on state construction projects.
- Require contractors and subcontractors to maintain certain safety ratings as determined by OSHA before they will even be considered for bidding on state construction projects.
- Require contractors and subcontractors to conduct drivers' license check for valid DL on all its employees on a quarterly basis.
- Require contractors and subcontractors to have a hiring and termination policy with regard to DWI convictions and loss of drivers' licenses, especially it pertains to foreman, safety officers and supervisors.
- Amend current specifications to enable the state to terminate a contract if a contractor's OSHA and OSHB safety ratings fall below certain acceptable standards.

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