

Employee Drug Prevention & Testing

SUMMARY POLICY STATEMENT & ACKNOWLEDGEMENT

PURPOSE:

Our Company is committed to protecting the safety, health and wellbeing of all our employees, customers, vendors and all other individuals within our work environment. We recognize that alcohol and/or drug use pose a significant threat to our employee's safety and the safety of the public. As such, we have established this drug-free workplace & employee testing policy that strives to balance our respect for individual's right to privacy against our desire to maintain a safe and drug free work environment.

APPLICABILITY:

This Policy applies to all employees, which include all contractors, sub-contractors, volunteers of any other person or entity conducting business on behalf of our Company. The Company has also adopted additional requirements, under its own independent authority, separate from D.O.T., which are outlined below.

POLICY & PROHIBITIONS:

It is a violation of our drug-free workplace policy to use, possess, sell, trade, and/or offer for sale any form of alcohol, illegal/prohibited drug, "medical/recreational marijuana" or any other type of intoxicants, to include the possession and/or use of "legal" substances marketed or designed to change mood (i.e.: "Spice", "Bath-Salts", "Salvia", etc.). Further, any employee who is convicted of a criminal drug or alcohol related offense must notify the Company in writing, within five calendar days of such conviction. It is a violation to have any amount of illegal or prohibited drugs, mood altering substances or alcohol at or above .01% BrAC within your bodily system, while representing or perceived to be representing the Company or while on Company property, assignment or any job site. Further, no employee is permitted to consume any type of intoxicants, such as alcohol or marijuana, within four hours of their assigned work shift or while on-call. It is a violation to fail to submit to any type of drug or alcohol test requested on behalf of the Company. Sample tampering, such as adulteration, substitution or any other conduct deemed by the Company to be restrictive to the testing or sample collection process, will be considered a "Refusal to Test". This includes but is not limited to, argumentative, violent or obstructive behavior toward the sample collectors or staff. "Invalid", "Unable to Test", "Interfering Substance" or any other abnormal test result will require immediate retesting via HAIR, in order to rule out sample tampering. Any refusal to be tested or any other conduct that interferes with the testing process must be reported to management, and the employee will be held responsible for engaging in any type of hazardous work or environment. The name of the medication or reason for its use need NOT be disclosed. The Company may require a medical evaluation to determine if the employee can safely work, while taking these legally prescribed prescription medications.

09/2019: All employees are prohibited from performing any type of "Safety-Related" or "Safety-Sensitive" function, while under the influence of a controlled substance or any other substance that may cause impairment. Also, prescription or pharmaceutical medications, obtained from the Internet or countries, other than the United States, are prohibited.

VIOLATIONS & CONSEQUENCES:

Any violation of this Policy or any of its prohibitions may lead to immediate removal from duty and discharge, even on a first offense. Additionally, if applicable, drug & alcohol violations will be reported and queried annually through the Federal Department of Transportation's Commercial Driver's License Drug and Alcohol Clearinghouse Database.

DRUG AWARENESS & SELF-HELP:

Printed and electronic drug & alcohol education and prevention materials are available, free of charge, by visiting The Foundation for a Drug Free World at: www.drugfreeworld.org or Vmcall them at **1-888-668-6378**. Free government help and treatment referral services can be found at: www.samhsa.gov or by calling 24/7 at **1-800-662-HELP (4357)**.

DRUG & ALCOHOL TESTING:

Our Company may request, under its own independent authority, a single or combination of tests, using urine, hair, fingernail, saliva, blood, breath or any other method to determine our employee/applicant's drug-free status. All urine samples will be collected and processed through FDTI, Inc. and their Department of Health & Human Services (DHHS)/Substance Abuse & Mental Health Services Administration (SAMHSA) certified labs for at a minimum for substances and their respective Amphetamines, Marijuana, Cocaine, Opiates, Heroin and PCP. Any sample testing "Positive" on the initial screen will be automatically confirmed via GC/MS and/or LC/MS/MS. These findings, if positive, will be reviewed with the employee/applicant by our Medical Review Officer (MRO). This will be the Donor's one and only opportunity to discuss the "Positive" findings with a Medical Doctor. Any private medical information should only be discussed between the Donor and the MRO (not the Company or sample collector). All D.O.T. mandated testing, if applicable, will be conducted in accordance with Title 49 CFR part 40, with additional testing being conducted under the Company's independent authority. Furthermore, this Policy will automatically incorporate any updated rules and regulations, as they apply to Title 49 CFR Part 40 & 382, without further notice. You may view these federal updates any time at www.fdti.com under DOT Logo.

PRE-EMPLOYMENT:

Pre-Employment drug testing will be required of all job applicants, who have been issued a conditional offer of employment. Current employees who are transferring from a Non-Safety Sensitive position, into a D.O.T. regulated or other "Safety-Related" position will also be required to submit to pre-placement testing, prior to transfer. Additionally, any employee who has been removed from the Random testing pool, for 30 days or more, will be required to submit to a new Pre-Employment test, prior to resuming work for the Company. D.O.T. Regulated applicants, if applicable, will also be required to consent to a two year "Release of Information" from the applicant's past employers and grant the Company continuous access to their testing history, found within the "Federal Department of Transportation's Commercial Driver's License Drug and Alcohol Clearinghouse Database". Any "MRO Verified Positive" drug test result, Breath Alcohol confirmation reading at or above .04% BrAC or any Refusal to Test found during this investigation, which has not been cleared to resume duty, by a D.O.T. qualified S.A.P., will result in the applicant's immediate denial/removal from employment. Our Company does not allow for any type of sample re-collection following a "MRO confirmed Positive" or "Refusal to Test" result. "Split-Sample" testing, of the initial sample collection (Bottle B), may be available, if requested within 72 hours of the initial MRO reported "Positive" findings. Please, refer to Section 17 of our extended Policy for possible employer options.

RANDOM ("Safety-Sensitive" or "Safety-Related" only):

All "**Safety-Related**" employees and D.O.T. regulated "**Safety-Sensitive**" employees will be required to immediately submit, without delay, to random drug and breath alcohol testing, upon request of the Company. All random testing will only be conducted just before, during or just after the employee's performance of duty. Random selections will be conducted using Forensic Drug Testing Services' (FDTSI) computer generated random selection system, that will ensure all covered employees will have an equal and fair chance of being selected for testing. Once tested, the covered employee is returned to the eligible pool of "covered employees", for possible selection on the next round of Random testing. The Company may, at any time, require 100% baseline testing of all "Safety-Related" or D.O.T. regulated "Safety-Sensitive" employees, to include baseline testing of a specific crew or shift. For a complete listing of covered positions, please refer to your extended Company Policy available within the Company's Personnel Department. ALL Random drug and alcohol testing, for D.O.T. regulated "Safety-Sensitive" employees will be conducted at or above the current minimum testing rates, as published within the Federal Register.

POST ACCIDENT:

All employees are required to immediately submit to testing for drugs and breath alcohol, following any incident, resulting in the death of any person, any personal injury requiring professional medical treatment away from the incident scene or when any vehicle has to be towed away from the incident scene. In addition, under the Company's own authority, any employee or group of employees, will be required to undergo Post Accident drug and breath alcohol testing, immediately following any incident that has resulted in property damage that will require professional repair (*not a simple scratch in paint*). This includes testing of any or all employees, who the Company determines, have or may have been a contributing factor to the incident/accident. The employee's medical treatment should not be delayed simply to take a test. Drug & Breath Alcohol testing **MUST BE** completed within 2 hours, without fail and without excuse! Please Note: Emergency Medical treatment must be conducted first, then the employee should be safely transported to FDTS, Inc. for required testing. The employee must not be allowed to drive or perform any type of "Safety-Related" or "Safety-Sensitive" duty for the Company, until the test results are reported back to the Company's Designated Employer Representative (DER) by FDTS, Inc. AT NO TIME shall the Company or it's supervisors use the threat of employee Drug and/or Breath Alcohol Testing, with the intent or motive of discouraging the injured employee from seeking treatment under the Company's Worker's Compensation Benefit or the Company provided medical insurance plan (*if provided*). Any supervisor determined to be taking such steps, to detour, harass, embarrass, belittle or in anyway discourage the injured employee from reporting their workplace injury(s), will be subject to severe disciplinary action, up to and including termination. If in doubt if testing is required, report to FDTSI for testing, without delay!

REASONABLE SUSPICION:

Any employee, who the employer determines may be working while impaired or is suspected of violating any section within this Policy, will be required to submit to immediate drug and breath alcohol testing. The employee should be transported to FDTS, Inc. for testing. The employee must not be allowed to drive or perform any type of "safety-related" duty for the organization until the test results are reported back to the organization's Designated Employer Representative (D.E.R.) by FDTS, Inc. All supervisors are required to report any violation, without delay, to the Company President or D.E.R.

EMPLOYEE CONSENT & ACKNOWLEDGMENT

I acknowledge that I have read, understood and received a copy of the Company's Drug Prevention & Testing Summarized Policy Statement, shown above. I also understand that I may obtain and/or review the Company's entire Drug Prevention & Testing Policy at any time within the Company's H.R. Department. After being given the opportunity to read these Policies, I hereby agree and freely consent to work under these conditions of continued employment, this also includes my free consent to the Drug & Alcohol testing requirements outlined within these Policies. Further, I authorize Forensic DTS, Inc. and its agents to disclose any and all test results and supporting information to my employer, without any further direction or consent. I consent further to allow my employer, MRO, SAP and the Company C/TPA to access and report my personal drug and alcohol testing results and supporting information, on a continuous and ongoing basis, within the DOT/FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse Database. Finally, I fully understand that any violation of this Policy may lead to my immediate removal from duty and immediate termination from employment.



PRINT APPLICANT/EMPLOYEE NAME

Date

CONSENTING Applicant/Employee *Signature*

Date