

DRUG AND ALCOHOL POLICY

Definitions

- A. Company Premises - All Company property including without limitation, vehicles, lockers, and parking lots.
- B. Company Property - All Company owned or leased property used by employees including without limitation, vehicles, lockers, desks, closets, etc.
- C. Controlled Substance - Any substance listed in Schedules I-V of Section 202 of the Controlled Substance Act (21 U.S.C. S 812), as amended. Copies are maintained by the Company for employee review.
- D. Drug - A drug is any chemical substance that produces physical, mental, emotional or behavioral change in the user, including, but not limited to, alcoholic beverages, illegal inhalants and illegal drugs.
- E. Drug Paraphernalia - Equipment, a product or material that is used or intended for use in concealing an illegal drug for use in injecting, ingesting, inhaling or otherwise introducing into the human body an illegal drug or controlled substance.
- F. Illegal Drug - An illegal drug is any drug or derivative thereof which the use, possession, sale, transfer, attempted sale or transfer, manufacture or storage of is illegal or regulated under any federal, state, or local law or regulation and any other drug, including (but not limited to) a prescription drug, used for any reason other than a legitimate medical reason and inhalants used illegally. Included is marijuana or cannabis in all forms.

Purpose and Scope

The objective of this Drug and Alcohol Policy (the "Policy") is to develop a drug and alcohol-free workplace which will insure a safe and productive workplace for our employees. In order to further this objective, the following rules regarding alcohol and illegal drugs in the workplace have been established. Any individual who conducts business for or on behalf of the Company or who is on Company Premises is covered by this drug and alcohol-free workplace policy. This policy applies during all working hours, at any time while conducting Company business, while representing the Company, while on call and while on Company's Premises.

Prohibited Behavior

It is a violation of this policy to use, possess, sell, trade, distribute, dispense, purchase, and/or offer for sale, on Company Premises or on or in Company Property, any alcoholic

beverages, illegal drugs, drug paraphernalia, intoxicants and/or illegal inhalants. This policy may include prescription drugs.

Preventive Acts

No employee shall report to work while their ability to perform their job duties is impaired due to on-or off-duty use of alcohol, drugs or Controlled Substances. Any employee involved in a work related accident where alcohol or drugs are believed to be a contributing factor will be terminated.

If an employee is taking medication that has been medically prescribed, and the employee believes that such medication may affect his or her job performance, they should inform their manager of this fact. (This written information must be kept confidential and communicated to the direct manager prior to the employee commencing work.) All medical information will be kept confidential and the Company, without exception, will punish any breach of privacy and confidentiality in this regard. All prescription drugs must be kept in their original container.

Consequences

If an employee violates the policy, he or she may be subject to disciplinary action, up to and including termination. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

Employee Testing

Drug testing will be administered for all safety-sensitive positions, including those positions in which an employee drives or operates a Company owned and/or leased vehicle (including, but not limited to, any machinery, such as a forklift). The Company will require drug tests for all Company safety-sensitive positions at the pre-employment stage and may also require random drug testing for employees in safety-sensitive positions. The Company may require all employees (including those not in safety-sensitive positions) to submit to reasonable suspicion and/or post-accident drug testing, as well as drug testing during routine physical examinations, such as an annual physical or return-to-work physical. In addition, employees who apply for a vacant safety-sensitive position will be required to undergo drug testing.

All random drug testing will be done in an occupational medical facility near the Company location and will be coordinated through the Human Resources Department. At that time, employees will be asked to sign a Consent to Drug and Alcohol Screening Form. Random drug testing will be administered for existing employees in safety-sensitive positions. Employees who test positive for alcohol and/or drugs while at work, will be subject to disciplinary action, up to and including termination.

If the Company has reasonable cause to believe that any employee (including those in non-safety-sensitive positions) is under the influence of illegal drugs, intoxicants, illegal inhalants and/or alcohol, the Company will require the employee to submit to a drug and alcohol test. Reasonable cause is defined as a belief based on observation, specific, articulable, objective facts where the rational inference to be drawn under the circumstances and in light of experience is that the person is under the influence of drugs or alcohol.

In the event that an employee is involved in an accident while driving a Company owned/leased vehicle (including any machinery), the Company will require the employee to submit to a drug and alcohol test.

Any employee who refuses to submit to drug testing as provided for in this Policy, may be asked to leave the office or client facility immediately and the employee may be terminated.

The Company recognizes that in certain states employers are prohibited from subjecting employees to random drug testing; therefore, in those states where random drug testing is prohibited, this part of the Policy will be suspended.

Drug and alcohol tests that may be used include (but are not limited to) blood tests, breath analysis, saliva tests, hair tests, as well as urinalysis or other scientific methods. Any measurable amount of illegal drugs detected by scientific testing in an employee's system is a violation of the Drug and Alcohol Policy of the Company and may result in immediate termination.

Coordination with Law Enforcement Agencies

The Company reserves the right, at all times, and without prior notice, to inspect and search any and all Company Property and Premises for purposes of determining whether this Company policy or any other Company policy has been violated, or whether such inspection and investigation is necessary for purposes of promoting safety in the workplace or compliance with state and federal laws. Moreover, the Company may permit or request public safety and law enforcement officials to conduct searches of Company Property. Such inspections may be conducted during or after business hours and in the presence or absence of the employee.

The sale, use, purchase, transfer or possession of an illegal drug or drug paraphernalia is a violation of the law. The Company will report information concerning possession, distribution, or use of any illegal drugs to law enforcement officials and will turn over to the custody of law enforcement officials any such substances found on Company Premises or Property. The Company will cooperate fully in the prosecution and/or conviction, of any violation of the law.

Treatment and Education

The Company encourages employees to seek help if they are concerned that they have a drug and/or alcohol problem. The Company encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.

The Company will not provide any assessment, referral, treatment or education assistance to employees other than as provided by the Company's health care insurance. Entering into or use of any assessment, referral, treatment or education program relating to drug and alcohol abuse shall be at the sole discretion of the employee, and unless the Company's health care insurance pays for such a program, the entire cost of the program shall be borne by the employee.

Reservation of Rights

The Company reserves the right to interpret, change, suspend, cancel or dispute, with or without notice, all or any part of this Policy, or procedures or benefits discussed herein. The Company expressly reserves the right to initiate employee testing procedures if the Company determines the same to be advisable. Employees will be notified before the implementation of any change and a description of any drug testing program will be provided to employees prior to the implementation of such program. Employees will also be provided with a copy of any revised Drug and Alcohol Policy.

Although adherence to this Policy is considered a condition of continued employment, nothing in this Policy alters an employee's status and shall not constitute nor be deemed a contract or promise of employment. Employees remain free to resign their employment at any time for any or no reason, without notice, and the Company retains the right to terminate any employee at any time, for any or no reason, without notice.

Other Laws and Regulations

The provisions of this Policy shall apply in addition to, and shall be subordinated to, any requirements imposed by applicable federal, state or local laws, regulations or judicial decisions. Unenforceable provisions of this policy shall be deemed to be deleted.