**[COMPANY NAME]**

**SUBSTANCE ABUSE POLICY FOR EMPLOYEES**

(FOR TESTING TO BE CONDUCTED IN ALL STATES, including the District of Columbia, excluding Maine)

1. **STATEMENT OF PURPOSE**

[Company Name] (referred to herein as “Company”) is firmly committed to ensuring a safe, healthy, productive and efficient work environment for our Employees, as well as our customers, and the public in general. The unlawful presence of controlled substances in the workplace conflicts with these vital interests and constitutes a violation of the public trust. For these reasons, we have established, as a condition of employment and continued employment, the following drug-free workplace and substance abuse policy. As provided below, drug and alcohol testing is an integral part of our substance abuse policy. Compliance with the policy is required as a condition of continued employment with the Company.

This policy applies to all Company Employees, including Employees in managerial or supervisory positions.

The Company maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist recovering addicts or alcoholics and those having a medical history reflecting treatment for substance abuse conditions. We encourage Employees to seek assistance before their drug and alcohol use renders them unable to perform their essential job functions or jeopardizes the health and safety of themselves or others. Questions regarding the meaning or application of this policy should be directed to the Company’s Human Resources Department.

This policy is not a contract of employment. All Company Employees are employed at-will, except as state or local law may limit such status, and employment can be terminated either by the Employee or the Company at any time with or without cause and with or without notice.  Failure to comply with this policy as so interpreted shall constitute just cause for discipline, up to and including discharge.

1. **PROHIBITED CONDUCT**

**Prohibited Conduct Concerning Alcohol and Drugs**. The following conduct by Employees is prohibited:

* Reporting for work or remaining on duty after the Employee has consumed alcohol in any amount that adversely affects the Employee’s job performance.
* Consuming alcohol at any time during an Employee’s workday. This includes, but is not limited to, while an Employee is on or off the premises of the Company, while an Employee is driving a Company vehicle, as well as during the Employee’s meal and other break periods.
	+ Exception: This prohibition does not include the authorized and reasonable consumption of alcohol by an Employee of legal drinking age at functions or activities sponsored by the Company, with prior approval of a senior management official. This policy also does not prohibit Employees from consuming alcohol while entertaining clients or prospective clients. However, responsible, professional, business-like behavior is expected of Employees (including management) at all times. Inappropriate, unprofessional behavior associated with alcohol consumption may subject Employees to disciplinary action, up to and including termination.
* Engaging in any illegal or unauthorized use of drugs at any time while on or off-duty. This includes, but is not limited to, while an Employee is on or off the premises of the Company, as well as during the Employee’s meal and other break periods. This prohibition does not apply to prescription or over-the-counter medications taken by Employees in safety-sensitive positions which: (i) have been lawfully prescribed to, or obtained by, the Employee; (ii) are being used by the Employee in accordance with the prescription’s guidelines (if applicable); and (iii) before reporting to work under the influence of such medication, the Employee has inquired whether the drug manufacturer or the Employee's physician warns against driving, operating machinery or performing other work-related safety-sensitive tasks. If such warnings exist, the Employee taking the medication must inform his or her supervisor of such restrictions before reporting to work under the influence of such substances. When informing his or her supervisor(s) or the Human Resources Department of such restrictions, the Employee should not identify the medication(s) being used or the reason for its use. The Company will evaluate and respond to this information on a case-by-case basis. Any Employee reporting to work in a safety-sensitive position without first advising the Company about warnings accompanying lawfully prescribed or obtained medications will be subject to disciplinary action up to and including possible termination of employment. An Employee's lack of knowledge concerning such warnings will not excuse a violation of this rule where an Employee has failed to make the inquiries required by this rule.
	+ Unless otherwise defined by applicable state law, “safety-sensitive positions” are generally defined as those positions in which impairment caused by drug or alcohol use would threaten the health or safety of any person, and include but are not limited to the following categories of jobs: (a) operating a motor vehicle, other vehicle, equipment, machinery or power tools; (b) repairing, maintaining or monitoring the performance or operation of any equipment, machinery or manufacturing process, the malfunction or disruption of which could result in injury or property damage; (c) performing duties in the residential or commercial premises of a customer, supplies or vendor; (d) preparing or handling food or medicine; or, (e) working in any occupation regulated by Arizona Rev. Stat. title 32.
	+ Using or possessing recreational marijuana or medical marijuana in the workplace is prohibited. All Employees are prohibited from being under the influence of marijuana while at work or having marijuana on the jobsite or Company premises. The Company will comply with applicable state laws with regard to the use of medical marijuana and recreational marijuana to the extent that those laws impose any obligations on employers and to the extent that safety is not compromised.
* Failing to stay in contact with the Company or its medical review officer while awaiting the results of a drug test.
* Engaging in the unlawful or unauthorized manufacture, distribution, dispensation, solicitation, sale, purchase, transfer or possession of drugs or alcohol while on Company-paid time, on Company premises, in Company vehicles, or while otherwise engaged in activities for or on behalf of the Company. This prohibition does not include the authorized distribution, dispensation, solicitation, sale, purchase, transfer or possession of alcohol at Company sponsored functions or activities. In addition, an Employee’s illegal conduct involving drugs or alcohol during non-work times may also result in discipline, up to and including discharge.
* The refusal to submit to any drug or alcohol test that is required under the Company’s policy, including tests which Employees agree to take in conjunction with rehabilitation. An Employee who engages in any of the following conduct will be considered to have refused to submit to a test:
	+ refusing or failing to appear for any substance abuse test promptly, as determined by the Company, after being directed to do so by the Company;
	+ failing to sign an authorization form permitting the release of the drug and/or alcohol test result to the Company;
	+ failing to remain at the testing site until the testing process is complete, or failing to comply with any direction provided by the Company, collection site, Medical Review Office or laboratory (including a direction to submit to a second test);
	+ failing to provide a sufficient specimen when directed, without an adequate medical explanation;
	+ adulterating or substituting a urine, salivia, or hair specimen, or attempting to adulterate or substitute a urine, saliva, or hair specimen;
	+ failing to cooperate with any part of the testing process such as by delaying the collection, testing or verification process or otherwise engaging in conduct that clearly obstructs or manipulates, or attempts to obstruct or manipulate, the testing process.
* Testing positive on any drug or alcohol test required under this policy.

**Consumption of Food or Food-Products Containing Hemp or CBD**: Employees who use CBD and/or hemp products are advised that many of these products are unregulated and may contain THC, the psychoactive ingredient in marijuana, and may cause a positive drug test result for marijuana. A positive drug test result caused by CBD or hemp products will not excuse a positive drug test result unless otherwise required by law.

**Prohibition on Employee Working**: No supervisor or manager who has actual knowledge that an Employee has engaged in or is engaging in conduct prohibited under this policy shall permit the Employee to work or continue working under such circumstances. Any Employee who has been directed not to work or directed to stop working under such circumstances must immediately comply.

1. **REQUIRED TESTS**

Except as otherwise provided in this policy, Employees are required to submit to testing under the circumstances described below. Except where conditions otherwise require, all tests will normally be conducted either during or immediately after the regular work period, which includes any period when an Employee is working overtime. Employees will be paid for time spent being tested.

**Reasonable Suspicion Drug and Alcohol Testing**.

An Employee must submit to a drug test and/or an alcohol test whenever the Company has, in accordance with the applicable state or local law, reason to suspect the Employee has or may have used drugs or alcohol in violation of the Company’s policy.

Except as state or local law may otherwise provide, the Company’s “reasonable suspicion” determinations will be based on specific, current observations that can be verbalized, including but not limited to the Employee’s appearance, behavior, speech, or body odors. These observations may also include indications of an Employee’s chronic use of, or the effects of withdrawal from, drugs or alcohol. All supervisors and managers must consult with Human Resources before arranging for “reasonable suspicion” testing.

All “reasonable suspicion” tests must be administered as soon as possible following the determination, but no later than within 8 hours for alcohol and within 32 hours for drugs. The Company shall transport or make arrangements for the transport of the Employee to and from the collection site.

An Employee who is required to submit to a “reasonable suspicion” test will be suspended after the completion of the drug or alcohol tests, pending receipt of the test results. The Company also reserves the right to evaluate the Employee’s conduct that triggered the drug and/or alcohol test, to determine if the conduct in and of itself warrants discipline, up to and including termination.

**Post-Accident Drug and Alcohol Testing**.

Unless otherwise required by state or local law, whenever an employee causes or contributes to a work-related accident (as defined below), the employee will be required to submit to a drug test and/or an alcohol test. As used in this policy, “work-related accident” means an accident:

* which occurs while the employee is on the premises of the Company or at another work-site location, or is off-site while engaged in activities for or on behalf of the Company, or while the employee is operating a vehicle, including the employee’s, for or on behalf of the Company; and,
* there is a reasonable possibility that drugs or alcohol could have caused or contributed to the accident; and,
* the accident results in one or more of the following: (i) a fatality; or (ii) bodily injury to any individual who, as a result of the accident, requires immediate medical treatment (excluding first aid) at or away from the scene of the accident; or (iii) property damage that is reasonably anticipated to exceed $1,500, including vehicular damage.

All post-accident tests must be administered as soon as possible following the accident, but no later than within 8 hours of the accident for alcohol and within 32 hours of the accident for drugs. Employees who are involved in a work-related accident must remain readily available for testing or will be considered to have refused to submit to a test. However, an employee who is involved in a work-related accident is not prohibited from leaving the scene of an accident for the period of time necessary to obtain assistance in responding to the accident or to obtain necessary emergency medical care for the employee or others who injured as a result of the accident.

Except where circumstances do not permit, the Company shall transport or make arrangements for the transport of the employee to and from the collection site.

An employee who is required to submit to a post-accident test will be suspended after the completion of the test, pending receipt of the test results. The Company also reserves the right to evaluate the employee’s conduct that triggered the test, to determine if the conduct in and of itself warrants discipline, up to and including termination.

**Random Drug Testing**.

In accordance with applicable state and local laws, the Company may conduct random drug testing. No random drug testing will be conducted in Connecticut, Rhode Island, Vermont, Boulder, CO. and San Francisco, CA. In certain other states, random testing will be limited to safety-sensitive employees.

Where random testing is conducted, the tests will be unannounced ahead of time and the dates of such tests will be spread out reasonably throughout the calendar year.

As permitted by law, employees who will be subject to random testing will be put into one or more random selection pools and will be selected for testing by the Company using a scientifically valid random selection process that ensures that each employee in the selection pool has an equal chance of being selected each time a selection is conducted. Appropriate safeguards will be used to ensure that the identity of individual employees who could be selected cannot be determined until after an employee is actually selected.

Whenever an employee is notified of his or her selection, the employee must proceed to the test site immediately and no employee will be excused. A delay in reporting for testing may be deemed a refusal to test.

**Return-To-Duty and Follow-Up Drug and Alcohol Testing**.

In accordance with applicable state and local laws, the Company may conduct return-to-duty and follow-up drug and alcohol testing after an Employee has returned to work after drug or alcohol rehabilitation.

1. **CONSEQUENCES FOR POLICY VIOLATIONS.**

Employees who violate the Company’s policy are subject to the following consequences:

**Refusal to Submit**: Employees who refuse to submit to a test when requested will be terminated from employment.

**Levels Establishing Positive Test Results for Alcohol**: A confirmed alcohol test result of 0.04 BAC or greater will be considered a positive test.

**Positive Test Results Due to Medical Marijuana Use**: The Company will comply with applicable state laws with regard to the use of medical marijuana or recreational marijuana to the extent that those laws impose any obligations on employers and to the extent that safety is not compromised. In the absence of any applicable obligations under state or local law regarding marijuana test results, the Company will treat a positive marijuana test like other positive drug test results as discussed below.

**Positive Drug and Alcohol Test Results – Disciplinary Consequences**: Any Employee who receives a verified positive drug test result or confirmed alcohol test result will be terminated from employment unless otherwise required by law. Employees who test positive for alcohol in Iowa, or test positive for drugs or alcohol in Minnesota, Rhode Island, and Vermont may be subject to discipline and will be required to comply with the applicable “Last Chance” laws defined in each state.

**Other Policy Violations**: The Employee will be immediately removed from his or her job duties and will be subject to discipline, up to and including termination. In addition to the consequences imposed under this policy, an Employee who unlawfully manufactures, distributes, possesses, or uses a controlled substance may be subject to criminal fines and/or imprisonment under federal, state and/or local law.

**Fitness-For-Duty Evaluation**: Whenever an Employee is required to submit to a “reasonable suspicion” test and receives a negative test result, the Company may require the Employee to submit to a fitness-for-duty evaluation. The purpose of the evaluation is to determine whether the Employee poses a significant risk of substantial harm to the health and safety of the Employee or others in the workplace, including customers and visitors.

**Potential Loss of Workers’ Compensation and/or Unemployment Compensation Benefits**: An Employee’s violation of the Company’s policy will be considered as gross and willful misconduct. In addition to the discipline and other consequences imposed under this policy, therefore, such Employee misconduct may also result in the denial of unemployment compensation under applicable state law. Additionally, Employees who are injured as a result of using drugs or alcohol in violation of this policy and/or the other Company safety rules also risk forfeiture of workers’ compensation benefits under the applicable state law. In West Virginia, an injured Employee who refuses to submit to drug testing forfeits eligibility for unemployment compensation benefits, and if injured, for indemnity benefits under the Worker Compensation Laws.

1. **NOTIFICATION OF TEST RESULTS, CONFIDENTIALITY, TESTING EXPENSES AND COMPENSATION FOR TESTS.**

Employees who test positive will be provided with a copy of their test results if required by law. Negative results will be provided where required by law. Employees located in Boulder, Colorado, may obtain, upon request, a copy of the records pertaining to their verified positive tests results, and to submit written information explaining such results. Written notification of a verified positive drug test result conducted pursuant to this policy also will be provided to a parent/guardian of a minor Employee. In Iowa, such notification to a parent/guardian will be provided by certified mail, return receipt requested. In Oklahoma, employees have the right to obtain copies of all information and records relating to their drug tests.

The Company will maintain records of its substance abuse program in a secure location with controlled access. These records are confidential and will not be disclosed, except in accordance with applicable law.

In Illinois, if the Company elects to discipline any employee on the basis that the employee is under the influence or impaired by marijuana, the Company will afford the employee a reasonable opportunity to contest the basis of the determination.

In Montana, all information, interviews, reports, statements, memoranda, and test results are confidential communications that may not be disclosed to anyone except the tested Employee, the designated representative of the employer, or in connection with any legal or administrative claim arising out of the employer’s implementation of a testing program pursuant to Montana’s drug testing law or in response to inquiries relating to a workplace accident involving death, physical injury or property damage in excess of $1,500, when there is reason to believe that the Employee may have caused or contributed to the accident. Information obtained through testing that is unrelated to the use of a controlled substance or alcohol must be held in strict confidentiality by the medical review officer and may not be released to the Company.

In Nevada, if an Employee tests positive for marijuana within the first 30 days of employment, the Employee has the right to submit to an additional screening test, at his or her own expense, to rebut the results of the initial screening test. The Company will accept and give appropriate consideration to the results of such test.

1. **TESTING PROCEDURES**.

The Company’s drug testing procedures comply with applicable state and local law. The Company’s procedures ensure the integrity, confidentiality and reliability of the testing process, safeguard the validity of the test results and ensure that test results are attributed to the correct individual. The procedures also minimize the impact upon the privacy and dignity of Employees undergoing such tests.

**Drug Testing**. Drug testing will be conducted via urine, saliva, or hair testing. The Company has established a chain of custody procedure for urine saliva, or hair specimen collection and testing that will verify the identity of each urine saliva, or hair specimen and test result. In Iowa, the Company’s drug testing procedures comply with Iowa Code Ann. §730.5. In Vermont, an Employee may request, at his or her own expense, to have a blood specimen drawn at the time that he or she provides the urine specimen and maintained for potential testing at a later time.

Drug tests will be administered at outside collection facilities and analyzed by laboratories which are certified by the U.S. Department of Health and Human Services (“DHHS-certified laboratory”) or are otherwise required or permitted to be used under applicable state law. All drug testing in Montana will follow the procedures utilized by the U.S. Department of Transportation, 49 C.F.R. Part 40.

**Drugs to be tested for**. Unless otherwise prohibited by law, the Company will test for the following drugs:

|  |  |  |
| --- | --- | --- |
| **Test Analyte** | **Initial Test Cutoff** | **Confirmatory Test Cutoff** |
| **Amphetamines** |   |   |
| *Amphetamine, Methamphetamine* | 300 ng/mL | 250 ng/mL |
| *MDMA/MDA* | 250 ng/mL | 200 ng/mL |
| **Cocaine** | 150 ng/mL | 100 ng/mL |
| **Marijuana** | 20 ng/mL | 10 ng/mL |
| **Opioids** |   |   |
| *6-Acetylmorphine (6-AM)* | 10 ng/mL | 10 ng/mL |
| *Codeine, Morphine* | 300 ng/mL | 100 ng/mL |
| *Hydrocodone, Hydromorphone* | 300 ng/mL | 100 ng/mL |
| *Oxycodone, Oxymorphone* | 100 ng/mL | 100 ng/mL |
| **Phencyclidine (PCP)** | 25 ng/mL | 25 ng/mL |
| **Barbiturates** | 200 ng/mL | 100 ng/mL |
| **Benzodiazepines** | 200 ng/mL | 100 ng/mL |
| **Methadone** | 300 ng/mL | 100 ng/mL |
| **Methaqualone** | 300 ng/mL | 200 ng/mL |
| **Propoxyphene** | 300 ng/mL | 200 ng/mL |
| **Synthetic Cannabinoid** | *Varies Based on Metabolite* |

Applicants will not be tested for marijuana in Connecticut, Montana, New Jersey, New York or the city of Philadelphia, PA., except as permitted by law.

All positive drug test results will be confirmed by gas chromatography and mass spectrometry (“GC/MS”). All confirmed positive drug test results will be reviewed by a medical review officer (“MRO") to determine whether there is any legitimate explanation for the positive test result. This review may include a medical interview, review of the Employee’s medical history, or review of any other relevant biomedical factors and all medical records made available by the Employee. In Vermont, the detection of a drug at a therapeutic level will be reported as a negative result, and the laboratory’s report will not contain any information indicating the presence of a drug at a therapeutic level.

An Employee’s use of prescription and over-the-counter medications may result in a positive test result. Employees will be given the opportunity to discuss with the MRO any legitimate explanation for the positive test result. Employees may provide any information which may be considered relevant to the test, including identification of prescription or nonprescription drugs currently or recently used, or other relevant medical information. The MRO will take such information into consideration when determining whether the test result should be reported as positive or negative. (Employees should report the use of medical marijuana to the MRO who will provide that information to the Company for further analysis). If an Employee refuses or fails to make himself/herself available to speak with the MRO, the MRO may verify a test as positive without having communicated directly with the tested individual.

If the MRO reports to the Company that a negative drug test was dilute, the Employee will be directed to take another test immediately. If the Employee refuses to take a second test, this constitutes a refusal to test. If the second test is negative dilute, the test stands as a negative.

Employees whose primary specimen is verified positive may request a confirmatory re-test of the original specimen, at their own expense (unless otherwise provided by law), in a different DHHS-certified laboratory (or other laboratory required or permitted under state law) selected by the Company, unless otherwise required by law. In general, this request must be made by the employee within 72 hours of being notified by the MRO of a verified positive test result. However, in certain states, including Illinois (marijuana only), Iowa, Maryland, Minnesota, New Jersey (marijuana only) and North Carolina, employees who test positive will be notified by the Company in writing of their test results and will be advised of the time period in which to request a confirmatory re-test. No other appeal procedure is available.

Employees must provide at least 45 milliliters of urine for a drug test. If the employee is unable to provide such a quantity of urine, then the individual will be instructed to drink a set amount of fluids and, after a set period of time, again directed to provide a complete specimen. If an employee has not provided a sufficient specimen within a certain time period after the first unsuccessful attempt to provide the specimen, the Company will direct the employee to submit to an evaluation by a physician selected by the Company to determine whether there is a legitimate medical explanation for the individual’s inability to provide an adequate sample. The refusal to cooperate in this process or the lack of a legitimate medical explanation will be considered a refusal to submit to a test. If the physician determines that there is a legitimate medical explanation for the individual’s failure to provide an adequate amount of urine, the Company will determine whether a reasonable accommodation can be made, which may require a retest.

Procedures for collecting specimens allow an individual privacy unless there is a reason to believe that a particular individual may adulterate or substitute the specimen. In such cases, a specimen may be obtained under the direct observation of a collection site person, unless prohibited by law.

**Alcohol Testing**. Except as may otherwise be required by law and as provided below, alcohol screening tests will be performed by a certified technician using a non-evidential screening device or evidential breath testing device which the technician is proficient to operate. If the result of the screening test is an alcohol concentration of 0.02 or greater, a confirmation test will be performed within 15 minutes from the end of the screening test. The confirmation test result is the final result upon which any discipline or other action taken under the Company's policy shall be based. If the employee is unable to provide sufficient saliva to complete a test on a saliva screening device, the technician shall conduct a new test, using a new device, if possible, or the employee will be directed to take a breath alcohol test using an evidential breath testing device (“EBT”). A confirmed breath alcohol test result of .04 or greater will be considered a positive test result.

For breath alcohol tests (initial or confirmatory), the employee shall blow forcefully into the mouthpiece of the EBT for at least six (6) seconds or until the EBT indicates that an adequate amount of breath has been obtained. If an employee fails to provide or claims that he or she is unable to provide a sufficient amount of breath to permit a valid breath test, the Company will direct the employee to submit to blood testing, where permitted by law, or to obtain, within five days, an evaluation from a licensed physician who is acceptable to the Company and who has expertise in the medical issues raised by the employee’s failure to provide a sufficient specimen. The lack of a legitimate medical explanation or the failure to undergo such an evaluation constitutes a refusal to test. If the physician concludes that a medical condition has, or with a high degree of probability could have, precluded the employee from providing a sufficient amount of breath, the employee’s test will be canceled.

In Nebraska, an employee who tests positive for alcohol on a breath test may immediately request confirmation by providing a blood specimen for testing.

**Alcohol Testing in Hawaii, Louisiana, Maryland, Minnesota, Oregon, Vermont, Boulder, CO., and San Francisco, CA.**

Alcohol testing will not be conducted in Vermont. When alcohol testing is required in Hawaii, Louisiana, Maryland, Minnesota, Oregon (in Oregon, only if the test is not a reasonable suspicion test or the Employee does not consent to breath testing), Boulder, CO., and San Francisco, CA., the Company will direct the Employee to submit to a blood test. Blood tests will be analyzed at a certified laboratory and positive test results will be subject to confirmatory testing conducted by gas chromatography and mass spectrometry (“GC/MS”) as well as MRO review.

An Employee who receives a verified positive blood alcohol test result may request a confirmatory “re-test” of the original blood specimen at a different DHHS-certified laboratory (or other laboratory required or permitted under state law) selected by the Company. This request must be made by the Employee within 72 hours of being notified by the MRO of a verified positive test result (unless otherwise required or permitted under state law).

1. **SELF-IDENTIFICATION OF SUBSTANCE ABUSE PROBLEM.**

Consistent with and subject to the Company’s policies concerning the Family and Medical Leave Act, and personal leaves and vacations, Employees who voluntarily self-identify as having a drug or alcohol problem and who voluntarily request assistance for such problem will be referred to a substance abuse professional for an evaluation and for an appropriate counseling, treatment or rehabilitation program, if recommended. The cost of the evaluation and any counseling, treatment or rehabilitation is the Employee’s responsibility. (For further details concerning the Employee’s payment obligations, Employees should refer to their individual medical insurance plan.)

This request must be made before the Employee is required to submit to a drug or alcohol test required by this policy. Employees may not use this self-identification provision to avoid taking a test when required under this policy or to avoid being disciplined for receiving a positive test result or for refusing to submit to a test.

Employees may be required to execute an “Agreement for Voluntary Treatment and Conditions for Continued Employment” prior to the commencement of such leave, and the Employee may be required to submit to a return-to-duty and/or follow-up testing (and receive negative results) as a condition of returning to work and continued employment, if permitted under applicable law.

1. **INSPECTIONS.**

Inspections of Company Property: The Company may conduct unannounced random inspections at any time and without cause for the presence of illegal drugs or unauthorized alcohol on Company facilities and property such as (but not limited to) Company-issued vehicles, desks, file cabinets, and lockers. Employees are expected to cooperate in the conduct of such inspections.

Inspections of Individual Property: Personal inspections of Employees and their personal property, such as (but not limited to) vehicles, clothing, packages, purses, briefcases, lunch boxes, or other containers brought onto or being taken off of Company premises, may be conducted by the Company when there is reasonable suspicion to believe that the individual may have or has violated the drug or alcohol prohibitions contained in this policy.

1. **EMPLOYEE ASSISTANCE PLAN.**

As part of the Company’s commitment to provide a safe, healthy and efficient working environment for our Employees, the Company maintains an Employee Assistance Program (“EAP”). The EAP provides information concerning the effects and consequences of alcohol and drug use on an individual’s health, work, and personal life and the signs and symptoms of an alcohol or drug problem. In addition, the EAP provides referral services to Employees and their families seeking help with problems resulting from alcohol misuse and drug use. Participation in this program is voluntary and confidential. The EAP can discuss available counseling, treatment and rehabilitation programs, fiscal responsibilities, and can help the Employee decide what program might be best for his or her situation. For further information or to arrange an appointment, Employees may contact the EAP at the following numbers:

EAP:

1. **DRUG-FREE WORKPLACE POLICY.**

The unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on Company premises, in the Company’s vehicles or while engaged in Company activities or buisinesses is strictly prohibited.

You must notify the Human Resources Department of any criminal drug statute conviction for a violation occurring within the workplace within five (5) days of such conviction. Within ten (10) days of such notification or other actual notice, the Company will advise the contracting agency of such conviction.

All Employees are hereby advised that full compliance with the foregoing policies shall be a condition of employment at the Company.

Any Employee who violates the foregoing drug-free workplace policy described above shall be subject to discipline up to and including immediate discharge. In the discretion of the Company, any Employee who violates our drug-free workplace policy may be required, in connection with or in lieu of disciplinary sanctions, to participate to the Company's satisfaction in an approved drug assistance or rehabilitation program.

In order to maintain a drug-free workplace, the Company has established a drug-free awareness program to educate Employees on the dangers of drug abuse in the workplace, our drug-free workplace policy, the availability of any drug-free counseling, rehabilitation and Employee assistance programs and the penalties that may be imposed for violations of our drug-free workplace policy.

**EMPLOYEE'S CERTIFICATION**:

[ ]  I hereby acknowledge that I received a copy of the Company’s Substance Abuse Policy for Employees on the date noted below. I acknowledge and agree that I am responsible for reading the policy in full and complying with its requirements. I have also been advised and understand that the Company will answer any questions which I may have regarding the policy and that my questions should be addressed to the Human Resources Department. I also understand and acknowledge that in signing this receipt I am giving the Company my consent to submit to the Company’s drug and alcohol tests under the terms and conditions described in the policy.

[ ]  I also understand that the Company’s Substance Abuse Policy for Employees is not a contract of employment and does not alter my status as an employee at-will, which means that my employment can be terminated either by me or the Company at any time with or without cause and with or without notice, except where prohibited by law. Failure to comply with this policy as so interpreted shall constitute just cause for discipline, up to and including discharge.

[ ]  I hereby authorize and consent to the release of my drug and alcohol testing restuls and all related information by [Company Name] and it’s agents, assigns or representatives including any collecting or testing agencies to any customer of [Company Name] and it’s agents, assigns or representatives.

Prior to signing this Receipt, I read it carefully and had an opportunity to ask questions regarding its content.

Signed this       day of       , 20     .

 Employee Name (Please Print)

 Employee Signature

 Company Representative Name (Please Print)

 Company Representative Signature