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DRUG AND ALCOHOL POLICY

Our Company believes that all of our employees and customers have the right to an environment that is free from the effects of alcohol and drugs. We have adopted this drug and alcohol policy because we care about the health and safety of our employees, customers, and the community.

Prohibited Conduct

Certain forms of conduct are clearly prohibited and are listed below as a guide. The list is not all-inclusive and is intended to be illustrative of the type of conduct that will not be tolerated:

- Use, possession, storage, manufacture, distribution, dispensation, transfer, or sale of an illegal drug, unauthorized prescription drug, or drug paraphernalia at any time while on Company property, on Company business at any time or place, in Company or customer vehicles, or otherwise during work hours.
- Use, possession, manufacture, distribution, dispensation, or sale of alcohol while on Company property, on Company business, in Company or customer vehicles, or during work hours. (Note: The Company may sponsor an event where alcohol is served. The moderate consumption of alcohol is permitted during these events. Individuals attending such events must still adhere to reasonable and acceptable standards of conduct.)
- Reporting to work or otherwise working under the influence of illegal drugs or alcohol or under the influence of legal drugs that may impair your ability to safely perform your job functions.
- Refusing to submit to a required drug and/or alcohol test.
- Failing to agree to any requirements of a drug or alcohol treatment or counseling program in which you are enrolled as a condition of continued employment.
- Failing to advise your supervisor or Human Resources of your use of any drug that could impair your ability to safely perform your job duties.
- Failing to notify Human Resources within three (3) days of any criminal conviction (not annulled by a court) involving alcohol or drugs.

Reporting Requirements

- Any employee who is taking medication that may impair his or her ability to safely perform job functions must inform his or her supervisor or Human

Resources immediately and must not perform any work until authorized to do so by his or her supervisor or Human Resources.

- Any employee who is convicted of any crime (not annulled by the court) involving alcohol or drugs must inform Human Resources within three (3) days of the conviction.
- If any employee is involved in drug misconduct (including the use or possession of illegal drugs or unauthorized prescription drugs) on Company property or while working for the Company, the Company reserves the right to report the incident to law enforcement authorities and to cooperate in prosecuting the crime to the fullest extent of the law.
- If any person observes an employee exhibiting behavior that may be indicative of impairment by drug or alcohol use, he or she should immediately report the behavior to Human Resources or the General Manager.

Available Assistance for Substance Abuse

Our Company encourages employees to voluntarily seek assistance for the early resolution of drug and alcohol problems. Employees may contact Human Resources for information about the application of health insurance benefits to substance abuse treatment programs and the Company's Employee Assistance Program, if one is in place.

An employee will not be disciplined or terminated for voluntarily seeking assistance for a drug or alcohol problem. However, employees who undergo voluntary counseling or treatment and who continue to work must meet all established standards of conduct and job performance. The fact that an employee is in treatment for alcohol or drug abuse does not preclude the Company from taking disciplinary action for violation of its policies or standards of conduct. Likewise, an employee who has violated this Drug and Alcohol Policy cannot escape disciplinary action, including termination, by voluntarily requesting treatment for alcohol or drug abuse.

Drug and Alcohol Testing

- **Pre-Employment Testing:** The Company will require drug testing of all applicants to whom the Company has made a conditional offer of employment. If an applicant tests positive for drugs or there is evidence that the applicant tampered with the test or result in any way, the conditional offer of employment will be withdrawn.
- **Reasonable Suspicion Testing:** An employee may be required to submit to drug and/or alcohol testing when one or more supervisors have a reasonable suspicion that the employee:
 - Is under the influence of drugs and/or alcohol. Factors that may be considered in determining whether an employee may be under the

influence of drugs and/or alcohol include, but are not limited to: the employee's behavior; evidence of impairment; and evidence of repeated errors on the job, policy violation, or unsatisfactory attendance patterns if coupled with a specific contemporaneous conduct that indicates possible impairment by reason of drug or alcohol use; or

- Has violated this Drug and Alcohol Policy; or
- Has sustained a personal injury while working or has caused personal injury to another person; or
- Has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident. Post-accident or injury testing will be conducted as soon as practical after the accident or injury.
- **Management Approval for Testing:** Reasonable suspicion drug and alcohol tests will not be performed without prior notice to and approval from Human Resources or the General Manager.
- **Testing Site:** Drug and alcohol testing will be performed by a qualified laboratory, hospital, or health center designated by the Company. The Company will provide transportation to and from the testing site for employees. Applicants must arrange for their own transportation. Test results will be reviewed and interpreted by a qualified Medical Review Officer, who will notify the Company of the results. Please refer to the "*Alcohol and Drug Testing Protocol*" available from Human Resources for more information.
- **Consent to Testing:** Tests will not be conducted without the individual's written consent. However, applicants and employees must submit to tests requested or required by the Company as a condition of hire and employment. If an applicant refuses to submit to a required test, the applicant will not be hired. If an employee refuses to submit to a requested or required test, the employee will be subject to disciplinary action up to and including termination of employment.
- **Cooperation With Testing:** Individuals subject to testing may not try to subvert the test by using an adulterated, diluted, or substituted specimen. Failing to provide a specimen in a timely manner or otherwise tampering with the process is grounds for withdrawal of a pending job offer or employment termination.
- **Opportunity to Explain Positive Results:** Any applicant or employee who tests positive will have the opportunity to rebut or explain positive test results within three (3) business days of notice of the positive test result and/or to request and pay for a confirmatory re-test.

- **Confidentiality:** Test results and other medical information will be maintained as confidential and shared only on a “need-to-know” basis unless otherwise required by law. Test results may also be disclosed to a substance abuse treatment facility for the purpose of evaluating or treating the employee. An applicant or employee may request a copy of the test result report for any test he or she undergoes.
- **Consequences of a Positive Test Result:** If an applicant tests positive, the applicant will not be hired. If an employee tests positive, he or she will be subject to disciplinary action, up to and including termination of employment. Within its discretion, the Company may decide to refer an employee for drug or alcohol treatment in lieu of termination and as a condition of continued employment. Within its discretion, the Company may suspend the employee while he or she participates in the treatment program. Employees must pay for the cost of any such treatment programs. Employees who refuse to participate in such programs or who fail to successfully complete a treatment program are subject to immediate termination.
- **Follow-Up Testing:** An employee who is referred by the Company for drug or alcohol treatment or who is voluntarily participating in a drug or alcohol treatment program may be requested or required to undergo drug or alcohol testing without prior notice during the treatment period and for a period of time, determined by the Company, after the completion of the treatment. An employee who tests positive during this period will be subject to termination.

Investigations and Searches

When there is reasonable cause to suspect that an employee has violated this policy, the Company reserves the right to inspect, without prior notice, lockers, work areas, desks, cabinets, purses, bags, briefcases, other belongings, and vehicles brought on Company property or at locations where work-related activities are being conducted. Cause to suspect shall be solely in the judgment and discretion of the Company, which may release any illegal drugs, paraphernalia, or other evidence to law enforcement authorities.

Violations of This Policy

Any violation of this policy may lead to disciplinary action up to and including immediate termination of employment. Compliance with this policy is a condition of employment.

The Company reserves the right to interpret or change this policy with or without notice. Please also note that nothing in this policy is to be construed as a guarantee of employment for any period of time or a restriction of the Company's ability to discipline or terminate employees or its right to place employees on administrative leave. Employees may be terminated at any time, with or without cause or reason, as all employees of the Company are employed on an at-will basis.