

# DRUG-FREE WORKPLACE POLICY

<b>Policy No:</b> HR-Drug Free Workplace-PO-0004	<b>Effective Date:</b> 10.2017 <b>Revision Number:</b> 1
<b>Responsible Official:</b> VP, Human Resources	<b>References:</b>

## 1. PURPOSE

This Drug-Free Workplace Policy (Policy) reflects the Company's intent to maintain a drug-free workplace in order to promote the safety of all employees, customers, and the general public and to comply with the Federal Requirements of The Drug-Free Workplace Act of 1988 (Act) and applicable state, or local law, or any controlling authority.

## 2. SCOPE

This Policy applies to all work locations and employees while in the workplace, performing duties or actions on behalf of the Company, in any way connected with or related to the Company, or in any manner that may tarnish the image or reputation of the Company. This Policy also encompasses coming to work under the influence of, possessing, distributing, or selling drugs without proper (as determined by the Company's sole judgment) authorization.

## 3. POLICY

3.1. General: The Company prohibits employees within the scope of this Policy from engaging in the use or misuse of legal or illegal drugs, unauthorized alcohol, or any other substance that impairs one's judgment. As a condition of employment and continued employment, each employee must:

- A. Comply with this Policy;
- B. Provide written notification to the Human Resources Department and the immediate supervisor within five (5) calendar days of any drug-related offense;
- C. If required under contract, the Company will provide written notice to the appropriate person or office in the contract within ten (10) calendar days of learning of an employee's conviction for a drug-related offense as the Company deems appropriate. The notice shall include the convicted employee's position, title, and contract identification number; and
- D. Any employee who violates this Policy is subject to disciplinary action up to and including termination of employment and, if warranted, legal proceedings may be initiated.

3.2. Testing

- A. The Company may drug test employees in accordance with the procedures, rules, and requirements of governing federal, state, or local law, or any controlling authority to which the employee is governed.
- B. The Company may conduct reasonable suspicion drug testing, random testing, and any other legal type of testing for alcohol, including distilled spirit, wine, malt beverages, or intoxicating liquor; amphetamines; cannabinoids; cocaine; phencyclidine ("PCP"); hallucinogens; methaqualone; opiates; barbiturates; benzodiazepines; synthetic narcotics; designer drugs; or metabolites of any of the substances listed in this section.
- C. Drug testing may be done following an accident or incident that occurs in the workplace, or in connection with the performance of duties assigned by the Company, or that may affect the employee's ability to safely perform his/her work duties.
- D. An employee who refuses to submit to drug testing may be disciplined up to and including termination of employment.

3.3. Prohibitions: This Policy prohibits employees from engaging in any of the following activities:

- A. Use, possession, manufacture, distribution, dispensation, or sale of illegal drugs, or any other substance that impairs one's judgment, or the misuse of legal drugs;
- B. Unauthorized use or possession, or any manufacture, distribution, dispensation, or sale of a controlled substance or any other substance that impairs one's judgment;
- C. Use of unauthorized alcohol. Moderate alcohol consumption that does not rise to the level of inebriation is allowed during the Company's business development dinners with prospective or current clients or at special functions such as office holiday functions, provided the Company is represented in a professional manner at all times;
- D. Inappropriate or illegal use, possession, manufacture, distribution, dispensation, or sale of prescription drugs. However, nothing in this Policy precludes the appropriate use of legally prescribed drugs as described in this Policy;
- E. Storing in a kitchen, desk, or other repository on Company premises any controlled substances whose use is unauthorized;
- F. Reporting to work under the influence of illegal drugs or alcohol;
- G. Being under the influence of a controlled substance;
- H. Any possession, use, manufacture, distribution, dispensation, or sale of illegal drugs off the Company's premises that adversely affects the employee's work performance, his or her own safety or the safety of others at work, or the Company's regard or reputation in the community;
- I. Failure to adhere to the requirements of any drug treatment or counseling program in which the employee is enrolled;
- J. Failure to submit to a drug test at the request of the Company;
- K. Failure to notify the Company of any arrest for or conviction of a drug-related offense within five (5) calendar days; and
- L. Refusal to acknowledge this Policy.

3.4. Use of Prescription Medicine: Prescription medication is a drug or medicine obtained pursuant to a written, signed, or other legally authorized communication by a duly licensed practitioner licensed by the laws of a state to prescribe such drugs or medicinal supplies to be filled, compounded, or dispensed by another person licensed by the laws of the applicable state. Employees may engage in the appropriate use of medicine as legally prescribed.

However, an employee undergoing prescribed medical treatment with any drug which may alter their physical or mental ability may be asked to report this treatment to the immediate supervisor and to the Company's Human Resources Department. The Human Resources Department, in conjunction with management, will determine whether a temporary change in the employee's job assignment is warranted during the period of treatment.

3.5. Disciplinary Actions

- A. Upon being made aware of an employee's arrest or conviction for a drug-related offense, the Company may initiate appropriate disciplinary action, up to and including termination of employment.
- B. If an employee returns a positive drug test result that has been verified by a confirmation test and a Medical Review Officer, he or she may be disciplined or required to attend rehabilitation in order to maintain employment with the Company. An employee who returns a confirmed positive drug test

result shall not, by virtue of the result alone, be deemed to have a “handicap” or “disability” as defined under Federal, state, or local handicap and disability discrimination laws.

- C. If an employee voluntarily comes forth to seek treatment for a drug-related event and the employee has not previously tested positive for drug use, the Company will not discharge, punish, or discriminate against the employee. The Company may nonetheless take action to ensure the health and safety of all stakeholders. The Company shall also determine whether an employee, if referred for drug treatment and counseling, should be temporarily reassigned to another position.
- D. In the Company’s sole discretion, disciplinary action for a violation of this Policy or a positive and verified drug test may include:
  - 1. Disciplinary or corrective action up to and including immediate termination; or
  - 2. Requiring the employee to satisfactorily participate in a drug abuse assistance, treatment, counseling, or rehabilitation program, approved by, and for such purposes by Federal, state, local health, law enforcement, or other appropriate agency.
- E. Disciplinary actions taken by the Company shall be consistent with all applicable federal, state, and local laws.
- F. Employees referred to drug abuse assistance, treatment, counseling, or rehabilitation program by the Company must immediately cease any drug use, may be subject to periodic unannounced testing in accordance with applicable federal, state, or local law, and must comply with all other conditions of the treatment and counseling program. The Company shall pay for all drug tests it requires, however, is not responsible for expenses incurred as a result of an employee’s participation in a treatment program.

### 3.6. Drug-Free Awareness Program

In addition to the drug-free workplace testing program, the Company offers company-sponsored benefit programs through various providers. These programs may include inpatient consultations, intensive outpatient services, and hospitalization for mental health disorders and substance abuse, as well as expanded psychiatric and counseling services. In addition, the Company may periodically offer education programs such as:

- A. A discussion of the Company’s Policy at new employee onboarding;
- B. Distribution of published educational materials regarding the dangers of drug abuse;
- C. Reorientation of all involved employees in cases in which a drug-related accident or incident occurs; inclusion of the Policy in employee handbooks and any other personnel policy publications; and
- D. Video tape presentations on the hazards of drug abuse.

### 3.7. Reporting Substance Abuse:

The Company encourages employee participation in facilitating the maintenance of a drug-free workplace. If an employee suspects a violation of this policy, he or she should immediately report this to his or her Manager or Supervisor, or Department Head should the concern involve the employee’s Manager or Supervisor. No conduct reprisals, punishment, or retaliatory action will be taken against an employee who registers a concern in good faith.

### 3.8. Records: Records of employee acknowledgements shall be maintained.