



Employee Drug and Alcohol Policy

PURPOSE: To maintain a drug free workplace and comply with the requirements of the Drug-Free Workplace Act of 1988.

POLICY

1. **Employees Covered:** All employees covered by Trademark's Worker's Compensation are subject to this policy.
2. **Controlled Substances:** This policy covers the following substances:
 - Alcoholic Beverages of any kind.
 - Controlled or illegal drugs or substances, which include all forms of narcotics, hallucinogens, depressants, stimulants, and other drugs whose use, possession or transfer is restricted or prohibited by law.
3. **Exceptions:** Drugs prescribed by a physician, dentist or other person licensed to prescribe or dispense controlled substances or drugs used in accordance with their instructions are not subject to this policy. However, employees using substances, drugs or medicines that cause drowsiness or other side effects that may impair an employee's capability to perform the job properly and safely, are obligated to inform that person's immediate supervisor of the use of any such medications.
4. **Use prohibited on Company premises:** The following activities are prohibited while an employee is on the Company's premises or otherwise engaged in the Company business:
 - The manufacture, possession, use, sale, distribution, dispensation, receipt or transportation of any controlled substance or illegal drug.
 - The consumption of alcoholic beverages except at Company-sponsored events where authorized.
 - Possession of alcohol in Company owned vehicles.

- Being under the influence of alcohol or illegal substances during business hours.
- Performing duties while under the influence of alcohol or controlled and/or illegal substances whether on or off Company premises.

Any employee who engages in such behavior may be subject to disciplinary action, and may include termination at the discretion of the management.

5. **Off-premise use:** The following actions, even if not occurring on the Company premises or during working hours, are considered to endanger the Company's reputation for honesty, integrity, and safety:

- Conviction for criminal offenses related to manufacture, possession, use, sale, distribution, dispensation, receipt, or transportation of any controlled substances or illegal drugs.

Any employee who engages in these activities may be subject to disciplinary action.

Employees who are convicted of controlled substance-related violations under State or Federal law or who plead guilty or nolo contendere (i.e. no contest) to such charges must inform the Company in writing within five days of the conviction or plea. Failure to do so will result in disciplinary action.

6. **Testing:**

- The Company will require pre-employment drug testing (alcohol included if on company time)
- The Company will require employees to undergo appropriate tests designed to detect the presence of alcohol or drugs (e.g. blood test, breath test for alcohol or urinalysis) where it has reason to believe that an employee may be under the influence of or impaired by alcohol or drugs. A minimum of 4 panel drug screen will be utilized for the testing.
- The Company will require such test whenever necessary, also including reasonable suspicion and written documentation of findings, to protect the safety and health of its employees – for example, when an employee is involved in an accident during the performance of Company business, in a Company vehicle, or on Company property that results in injuries to the employee or others or damage to property.
- The Company reserves the right to perform its own test for alcohol anytime it has reason to believe an employee may be under the influence or impaired by alcohol during the performance of company

business, written documentation will be made. Saliva alcohol testing will be performed by a designated supervisor. Positive results will be confirmed by certified personnel utilizing and evidential breath testing device.

- Random testing will be required. The Company will retain an outside firm to select individuals for testing, gather the samples, have samples tested by an independent, certified laboratory and monitor reporting to the Company. Individuals selected will be required to report to the collection site within two hours of being notified. Testing will occur just before, just after or during shift, sample irregularities (i.e. diluted, inadequate volume, temperature, etc.) will require resampling. To the extent permitted by law, random testing shall be conducted on at least 20% of the average staff on an annual basis. The percentage of selection may be changed at any time.
- All drug and alcohol testing will be performed by a drug and alcohol testing company selected by the Company. The results of the tests will be released to the Company who will in turn notify the applicant or employee of their results via telephone. A written notification will be provided to any applicant or employee who tests positive upon request from said individual.

Consent to submit to such tests as the Company may require constitutes a condition of employment. Refusal to consent to a test when such test is required will result in voluntary termination.

All drug and alcohol testing will be conducted in accordance with applicable Federal, State and/or Local laws.

All test results will be confidential. Results will be held by the firm administering the testing. Positive test results will be communicated to one individual selected by the Company.

Positive drug tests will result in immediate suspension or may result in termination at the discretion of management.

If a positive drug test is obtained during a pre-employment drug screening, no further consideration for employment will be given.

Positive alcohol tests at any level (zero tolerance) will result in immediate suspension or termination at the discretion of management.

If a positive drug or alcohol test is confirmed, the employee involved may contest or offer explanation to the Company within five (5) working days after notification of the positive result.

This is a drug free workplace and any and all vacancy announcements will include the information that the Company has a requirement of drug and alcohol testing per this policy. Further, a 60 days' notice prior to implementation of substance abuse testing will be given to current employees.

This Policy will be posted in the main office of the Company in an appropriate and conspicuous location to be determined by management. Copies of this Policy will also be made available in the Company's main office.

A list of assistance programs and people, entities or organizations designed to assist employees with personal, behavioral and/or substance abuse problems are available from your supervisor or the office.

ACKNOWLEDGMENT FORM

I have read and received of copy of Trademark Employment Services drug free work place policy and fully understand my obligations and responsibilities as outlined therein.

Signed: _____

Date: _____

Witnessed: _____

Date: _____