



DRUG-FREE WORKPLACE POLICY & SUBSTANCE ABUSE PREVENTION

Drug-Free Workplace Policy

Consistent with the federal Drug-Free Workplace Act of 1988, any place or location at which the Company business is conducted is declared to be a drug-free workplace. Several of the terms used in this Policy are defined on the last page of the Policy.

Prohibited Conduct

As an employee of the Company, you are expected and required to report to work without unlawful drugs in your system and free from the influence of cannabis products, other controlled substances and/or alcohol.

The manufacture, distribution, dispersion, possession or use of a controlled substance or a cannabis product on the Company premises or while conducting Company business off Company premises is absolutely prohibited. The use of a controlled substance by an individual other than the individual for whom it was prescribed, and/or the improper use and/or abuse of a controlled substance by the individual for whom it was prescribed, is absolutely prohibited.

Violations of this policy will result in disciplinary action up to and including discharge.

The Dangers of Drug use at Work

The manufacture, distribution, dispersion, possession or use of a controlled substance or a cannabis product on Company premises or while conducting Company business off Company premises is dangerous to your health and safety, substantially interferes with the conduct of the Company business and seriously jeopardizes the safety, health, welfare and security of all employees.

Notification of Convictions

If you are convicted or plead guilty or nolo contendere under any criminal drug statute for any violations occurring on the Company premises or while conducting Company business off Company premises, as a condition of your employment, you must report your conviction to the Vice President, Human Resources within five (5) days of your conviction. The Company is required by law to report your conviction to all agencies of the Federal Government with which it contracts. If you are convicted of a drug offense, which has occurred on Company premises or while conducting Company business, you will be subject to discipline up to and including discharge.

Employee Acknowledgment

As a condition of employment with the Company, every employee shall abide by the terms of this policy and sign an acknowledgment that he or she has read and received a copy of the Company Drug- Free Workplace Policy. This policy is issued as part of the Company's Drug-Free Awareness Program.

Substance Abuse Prevention Program

Program Statement

The use of illegal drugs, on or off duty, is inconsistent with law-abiding behavior expected of all citizens. The use of illegal drugs, or abuse of alcohol, cannabis products, or prescription drugs, on or off duty, impairs the ability of workers to perform tasks that are critical to proper work performance. The result is an increased risk of accidents, which pose a serious threat to the safety of all workers and the general public. Impaired workers are less productive, less reliable and prone to greater absenteeism, resulting in the potential for increased cost and



DRUG-FREE WORKPLACE POLICY & SUBSTANCE ABUSE PREVENTION

delays in all Company operations, and in the timely completion of its contracts.

Furthermore, all employees have the right to work in a drug-free environment and to work with persons free from the effects of drugs and alcohol. Workers who are impaired by drugs or alcohol are a danger to themselves and to others.

In an effort to create a safe and healthful workplace, the Company has adopted a Substance Abuse Prevention Program involving a Substance Abuse Testing Policy and an Employee Assistance Referral Program, as herein defined.

Program Objective

The objective of this policy is to provide fair, objective, consistent and manageable procedures for drug screening of employees for the presence of ingested drugs. The types of testing conducted under this Program involve pre-employment testing, plant-wide/site-wide testing, reasonable suspicion/for cause testing, post-accident testing, post-injury testing and random testing. The purpose of the Substance Abuse Prevention Program is to assist in the identification of those individuals who may have substance abuse problems and to increase on-the-job safety and productivity by denying workplace presence to individuals whose abilities are believed impaired by drugs or alcohol. This Program, along with the Employee Assistance Referral Program, will help produce a drug-free workplace and improve workplace safety.

The following is strictly prohibited from any and all of the Company work sites and workplaces, those in transit to/from such locations and those on Company business: (1) the use, abuse or presence in the body of illegal and unauthorized drugs, controlled substances or alcoholic beverages; (2) reporting to work under the influence of illegal and unauthorized drugs, controlled substances, cannabis products or alcoholic beverages; (3) bringing illegal and unauthorized drugs, controlled substances, alcoholic beverages, cannabis products, or drug-related paraphernalia onto the work site or into the workplace; and (4) the unlawful manufacture of, distribution, possession, transfer, storage, concealment, transportation, promotion or sale of illegal and unauthorized drugs, controlled substances, cannabis products, alcoholic beverages or drug-related paraphernalia by employees.

The possession of alcohol in the original sealed container given or received as gifts will not be considered a Program violation. Further, the moderate use of alcohol at an authorized Company social function is not prohibited by this policy. However, an employee or others whose alcohol level is at 0.02% or above during working hours is in violation of this Policy.

Zero Tolerance – An Owner, Project Manager and/or their designee (collectively “Owner”) may adopt a Zero Tolerance Alcohol and/or Cannabis Policy for a particular project or several projects, provided that:

- 1) the Owner requires all individuals entering the site(s) to conform to the Zero Tolerance Policy;
- 2) A Project Labor Agreement (PLA) for the project(s) requires Zero Tolerance Policy.



DRUG-FREE WORKPLACE POLICY & SUBSTANCE ABUSE PREVENTION

Program Application

This Program applies to all full-time, part-time, temporary, probationary, casual or contract employees and to employee applicants of the Company. The Company will require compliance with this Program as a condition of employment for qualified applicants or continued employment for current employees. No employee or prospective employee of the Company shall be allowed to work for the Company unless such employee has acknowledged his understanding in writing of the requirements of this testing Program and has tested negative as required by this Program. This Program may also be applied or modified to meet the specific requirements of a particular site or jurisdiction or to comply with the contractual obligations of clients, owners or governmental agencies in order to perform work on their property or project.

Program Administration and Audit

The development, implementation and administration of the Company's Substance Abuse Prevention Program shall be the responsibility of the Safety Department and Employment Resources.

The Company shall make testing records available to meet the requirements of federal, state or county agencies and the contractual requirements of the Company project agreements.

Employee Assistance Referral Program

The Program recognizes that chemical dependence and other medical behavior conditions are highly complex problems, which often can be successfully treated. Each employee is responsible for seeking help before an alcohol or drug problem leads to disciplinary action. The employee's decision to seek assistance (self-referral) prior to violation of the Program will not be used as a basis for disciplinary action and will not be used against the employee in any disciplinary proceeding. Employees are encouraged to contact their individual health care provider or health insurance plan provider for assistance and/or referral for counseling services.

Substance Abuse Testing Protocols

- **Confidentiality:** An individual's privacy and confidentiality is a very high priority of this Program. Accordingly, all testing results will be treated with due regard for their sensitive nature. The Company will not disclose those results, except as authorized by this Policy, or as otherwise authorized by the employee.

Drug Testing:

- Urine Samples will be initially collected and analyzed at or near the work site by a trained collector. All urine samplings will be performed with concern for the individual's personal privacy, dignity and confidentiality. Samples collected under this Program will be screened initially by examining the test and temperature strips on the urine sample container. Samples screening as non-negative or invalid on the screening test shall be referred to a NIDA/SAMHSA approved laboratory for a Gas Chromatography/Mass Spectrometry (GC/MS) confirmation test. All samplings confirmed as positive or invalid shall be referred to a licensed Medical Review Officer (MRO) for interpretation. The MRO is a licensed physician who has knowledge of substance abuse disorders and has received the appropriate medical training to interpret and evaluate an individual's positive or invalid test result as it relates to the employee's medical history and any other biomedical information.



DRUG-FREE WORKPLACE POLICY & SUBSTANCE ABUSE PREVENTION

- A Urine Sample that reads non-negative for Marijuana Metabolites (THC) will be confirmed through Oral Fluid screening swabs which screens for Marijuana (THC) use within the previous 12 hours.

Oral Fluid screening swabs for presumed THC use within the last 12 hours uses a rapid lateral fluid immunoassay utilizing monoclonal antibodies to selectively detect specific drug at or above cut-off levels in human saliva.

The cut-off level for the VeriCheck THC Oral Fluid screening swabs is 10 ng/ml.

Persons testing at or over the Confirmation Test Cut-Off Level are presumed to have been impaired at the time of testing.

If a current employee's drug test result shows impairment at the time of testing or the presence of an illegal drug, the employee will be suspended pending completion of the reinstatement procedures.

- **Alcohol Testing:** The initial screening test for alcohol shall be performed with an alcohol testing swab. A positive alcohol confirmation test shall be performed promptly by a follow up test of blood alcohol or a breathalyzer. In addition to the urine sample, new employees or potential employees may be asked to submit to alcohol testing.
- **Alternate Location Testing:** In the event work site drug or alcohol testing is impractical, as determined by Company management, testing may be conducted at an authorized testing laboratory approved by the Company.

Threshold Limits

All urine samples collected under this Program shall be analyzed utilizing the following substances and levels:

<u>Substance</u>	<u>Confirmed Initial level (ng/ml)</u>	<u>Confirmation Test Cut-Off Level (ng/ml)</u>
Amphetamines (AMP)	1000 ng/ml	250 ng/ml
Barbiturates (BAR)	300 ng/ml	200 ng/ml
Buprenorphine (BUP)	10 ng/ml	10 ng/ml
Benzodiazepines (BZD)	300 ng/ml	300 ng/ml
Cocaine Metabolite (COC)	300 ng/ml	100 ng/ml
Methamphetamine (MET)	1000ng/ml	250 ng/ml
Ecstasy (MDMA)	500 ng/ml	250 ng/ml
Morphine (MOP)	300 ng/ml	100 ng/ml
Methadone (MTD)	300 ng/ml	300 ng/ml
Oxycodone (OXY)	100 ng/ml	100 ng/ml
Phencyclidine (PCP)	25 ng/ml	25 ng/ml
Marijuana Metabolites (THC)	50 ng/ml	15 ng/ml
Alcohol	.02%	.02%

Type of Testing to be Utilized

As a condition of employment, all current and potential employees will be subject to substance abuse testing, under the following circumstances, to determine the use of any substance prohibited by this Program.



DRUG-FREE WORKPLACE POLICY & SUBSTANCE ABUSE PREVENTION

Pre-Employment Testing

Subject to the terms of this Policy, initial employment with the Company will be contingent upon the successful passing of a urine drug test. Accordingly, all applicants of the Company who are offered employment on any basis will be required to undergo a urine drug test. If an applicant's drug test shows either impairment at the time of testing or the presence of an illegal or unauthorized drug, the Company will deny or terminate employment and the individual will be ineligible for employment for a period of twelve (12) months. In addition to the urine sample, new employees or potential employees may be asked to submit to cannabis products and alcohol testing.

Plant-wide/Site-wide Testing

All Employees working at Company manufacturing plants and/or jobsites may be subject to, and consent to the administration of an unannounced random plant-wide/site-wide drug and alcohol testing when requested by the Owner or party controlling a jobsite or when the Company has a reasonable suspicion that drugs or alcohol are being used on Company property and/or jobsites or during working hours.

Such reasonable suspicion may include, but not be limited to, anonymous complaints and tips from other employees/personnel and/or external parties.

Reasonable Suspicion/For Cause Testing

As a condition of employment, all employees will be subject to, and consent to the administration of a drug and alcohol test based on observed behavior which is unusual to the circumstances or the employee's normal behavior and which reasonably indicates being under the influence of, or impairment by, drugs or alcohol. Examples of such behavior may include, but not be limited to, noticeable odor of alcohol or cannabis products, abnormal speech or inappropriate mood, anonymous complaints and tips from other employees/personnel and/or external parties, accidents or to the reasonable perception of an inability to properly and safely perform job responsibilities.

Post-Accident/Incident Testing

Employees may be subject to, and consent, to the administration of a drug and alcohol test following:

(1) any OSHA-reportable on-the-job injury where impairment could have been a cause or contributing factor; (2) any workplace accident or potentially serious incident, including near misses, involving the violation of safety precautions; (3) any potentially serious incident involving the failure to give proper safety instructions, or where unsafe instructions or orders were given; (4) any potentially serious incident involving damage to vehicles, equipment or property (whether under the control of the Company or otherwise); (5) any incident in which an unusually careless act was performed; or (6) any incident resulting from the failure to wear prescribed personal protective equipment.

Employees whose conduct may have contributed to the incident may have their urine, saliva, breath and/or blood tested and screened. If it is impossible or impractical, because of the physical condition of the individual(s) involved in the accident to give a urine, saliva, breath or blood sample, and if in subsequent medical treatment that person(s) blood or other bodily fluid will be drawn, then the blood or other bodily fluids may be analyzed for prohibited substances.



DRUG-FREE WORKPLACE POLICY & SUBSTANCE ABUSE PREVENTION

Random Testing

All employees will be subject to unannounced random drug testing. Random selections of employees will be made four (4) times a year at an annualized rate of a minimum of five (5) percent per calendar quarter. Random selection will be made by use of a numerical computer program designed to ensure that no employee can be singled out. The frequency of the random selection may be adjusted at the discretion of the Company. Employees selected for random testing shall be required to present themselves for testing within twenty-four (24) hours of notification.

Return to Work, Post Treatment, Rehabilitation Testing

Upon completion of the reinstatement requirements, the returning employee will be required to successfully pass a drug and alcohol test prior to being reinstated. The return-to-work test will be at the employee's expense and conducted at the work site or at an authorized testing laboratory approved by the Company.

Retest

Employees testing positive and reviewed by the MRO will have the right to request that their original sample be retested by an NIDA/SAMHSA approved laboratory of their choice. The request must be made in writing to the MRO within twenty-four (24) hours of the notification of a Confirmed Positive Test. The initial cost for a retest shall be paid in advance by the employee requesting the retest. In the event that said retest should prove to be negative, the employee shall be reimbursed for the cost of the test and be reinstated.

Policy Violations

The Company will require employees and others to participate in such urine, saliva, breath and/or blood testing as may be necessary or appropriate to assist the Company in providing a safe, healthy and productive working environment and to comply with federal, state, and local laws.

By signing the acknowledgement that accompanies this Policy, employee consents to the administration of such testing, and the disclosure of the results of such testing, as are provided in this Policy. The failure to comply with any provisions of this Program shall be grounds for disciplinary action including, but not limited to, written reprimands, suspensions, or discharge from employment. The failure to sign the acknowledgement that accompanies this Policy will disqualify an applicant from employment with the Company.

Determination for Violation of Policy: Among other things, any of the following actions will constitute a violation of this Program:

- A screened or confirmed positive test for drugs or alcohol as defined in this Policy.
- Failure or refusal to sign the acknowledgement that accompanies this Policy.
- Refusal to contact the Medical Review Officer as required by this Policy.
- Failure to report as directed for random testing.
- Switching, adulterating or attempting to tamper with any sample taken for drug or alcohol testing or otherwise interfering or attempting to interfere with the testing process.



DRUG-FREE WORKPLACE POLICY & SUBSTANCE ABUSE PREVENTION

- Failing to submit a specimen for testing will be viewed as a positive test and will carry with it the same consequences as specimens tested and reported as positive.
- In the event of physical inability to initially submit a specimen for urine testing, the Employee will be provided liquids and allowed a maximum two (2) hour window to submit a specimen. Failure to submit a specimen after two (2) hours will carry with it the same consequences as specimens tested and reported as positive.
- The use of a controlled substance by an individual other than the individual for whom it was prescribed or the abuse of a controlled substance by the individual for whom it was prescribed is prohibited.

Confirmed Positive Test Results

- **Illegal and/or Controlled Substances and Cannabis Products:**
Employees who test positive (first occurrence) for a substance prohibited by this Program, as a result of a confirmed urine, saliva, breath and/or blood test, will be suspended for eight (8) normal working days without pay. During this eight (8) day period the employee must seek and enroll in an assessment, counseling or rehabilitation program to be considered for continued employment with the Company. Failure to do so shall result in termination of employment.
- **Unauthorized Alcoholic or Intoxicating Beverages:**
The moderate use of alcohol at an authorized Company social function is not prohibited by this policy. However, an employee or others whose alcohol level is at 0.02% or above during working hours is in violation of this policy. The following actions that involve alcoholic beverages are prohibited and any violation thereof shall result in disciplinary action:
 - The unauthorized consumption, manufacture, distribution, possession, use, sale or storage of any alcoholic beverage while on or in the workplace is prohibited.
 - The performance or attempted performance of any job function or the operation of any Owner's or Employer's property or equipment while under the influence of alcohol is prohibited.

Any employee with a saliva or breath screen test result indication 0.02% or greater will be given an alcohol confirmation test. An employee whose confirmed alcohol level is at or above 0.02% during working hours is in violation of this Program and will be immediately suspended and must comply with the reinstatement requirements listed below. Any employee with a confirmed alcohol result of 0.01% - 0.019% may be sent home without pay for the remainder of the workday.

NOTE: Drivers covered under the Federal Highway Administration or DOT safety regulations will be disqualified from operating a commercial motor vehicle if they are discovered to be working with a blood alcohol concentration (BAC) at or above 0.04%

Reinstatement Requirements

Employees suspended as a result of a confirmed positive test may be reinstated at the discretion of the Company after all of the following conditions are satisfied:



DRUG-FREE WORKPLACE POLICY & SUBSTANCE ABUSE PREVENTION

- Suspension without pay for eight (8) consecutive working days.
- Evidence is submitted to the Company that, following the confirmation of the test, the employee has enrolled in or has successfully completed a rehabilitation or counseling treatment program approved by the Company.
- Employee submits to and successfully passes a urine drug/blood alcohol test at his/her own expense conducted at a work site or at an authorized testing laboratory approved by the Company.

Employees who are required to undergo an assessment, rehabilitation or treatment program will not be eligible for reinstatement for the following policy violations:

- Failure to seek and enroll in an assessment, rehabilitation, or treatment program within five (5) working days after notification of a positive test result.
- Refusal or failure to participate in an approved assistance program.
- Abandonment of a treatment program prior to completion or being properly released.

Probation Status

Upon completion of the reinstatement requirements the returning employee will be subject to intermittent drug and alcohol testing at the discretion of the Company for a period of one (1) year following his or her return. Any subsequent (second offense) confirmed positive test or refusal to provide an acceptable specimen will result in immediate termination without eligibility for employment with the Company for a period of one (1) year.

Definitions

Cannabis Products – Any product containing Delta-9-tetrahydrocannabinol (THC), the primary psychoactive cannabinoid extracted from the cannabis (marijuana) plant.

Confirmed Positive Test - A second analytical procedure used to confirm the presence of a specific drug or metabolite, which is independent of the initial test. This verification procedure, GC/MS, is the only authorized and accepted confirmation method for determining the concentration levels of a controlled substance.

Employee Assistance Referral Program - Is any program available under the employee's health insurance plan dealing with treatment of or rehabilitation of substance abuse.

Illegal Drugs - This Program includes cocaine, opiates, amphetamines, phencyclidines and all other controlled substances within the meaning of the U.S.C. Section 802 and also includes any such substances legally obtained by prescription but used other than as prescribed.

Prohibited or Controlled Substances - Shall be any of the substances specified in Schedule I or II of the Controlled Substance Act, including any revisions.

Testing Laboratory - A laboratory that has been approved and certified by the Department of Health and Human Services (NIDA).



DRUG-FREE WORKPLACE POLICY & SUBSTANCE ABUSE PREVENTION

Under the Influence of Alcohol - Is being affected by alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with behavior nor of obvious impairment of physical or mental abilities such as slurred speech or difficulty in maintaining balance. The determination of being under the influence can be established by a professional opinion, a scientifically valid test and/or in some instances, by a layperson's opinion.

Under the Influence of Cannabis Products – Evaluated on a case-by-case basis, depending on the totality of the circumstances including testing positive for THC within the parameters defined in the "Threshold Limits" section of this Policy and/or engaging in observed behavior or other conduct which is unusual under the circumstances (and/or which deviates from the employee's normal behavior) and which can reasonably indicate being under the influence of Cannabis Products.

Examples of such observed behavior include, but are not limited to; unusual odor/body odor; erratic movement; dilated, constricted, bloodshot, wandering or watery eyes; blank or confused look; erratic or uncontrollable emotions; exhibiting unusual fatigue or high levels of energy; and slurred, erratic or disjointed speech. The determination of being under the influence can be established by a professional opinion, a scientifically valid test and/or in some instances, by a layperson's opinion.