



Hampton Tedder Electric Co.

DOT DRUG & ALCOHOL TESTING POLICY

Hampton Tedder Electric Co.

LETTER TO APPLICANTS AND EMPLOYEES

The illegal use of drugs and the abuse of alcohol are problems that invade the workplace, endangering the health and safety of the abusers and those who work around them. Every employee and applicant should understand those dangers and be aware of the Federal requirements and state guidelines concerning substance abuse in the workplace. *Hampton Tedder Electric* is committed to creating and maintaining a workplace free of substance abuse.

To answer this problem, *Hampton Tedder Electric*. (hereinafter also referred to as "COMPANY" or "Company") has developed a policy in conformity with DOT Regulations 49 CFR Part 40 regarding the illegal use of drugs and the abuse of alcohol that we believe best serves the interests of our employees. A copy of these Federal Regulations is on file with COMPANY'S Designated Employer Representative (DER) for review at any time during normal working hours.

Our policy formally and clearly states the illegal use of drugs or abuse of alcohol or prescription drugs will not be tolerated.

The purpose of this policy is to establish programs designed to help prevent accidents and injuries resulting from the misuse of alcohol or use of controlled substances by drivers of commercial motor vehicles, safety sensitive positions, and other employees of this Company covered by this policy.

An employee whose conduct violates this substance abuse policy will be subject to discipline up to and including termination.

We believe that the benefits derived from the policy objectives outweigh the potential inconvenience to employees, and we earnestly solicit the understanding and cooperation of all employees in implementing this policy.

Hampton Tedder Electric

DRUG/ALCOHOL TESTING POLICY

A. STATEMENT OF POLICY

This company has a legal responsibility to comply with the United States Department of Transportation (US DOT) regulations regarding testing of certain company employees. DOT Regulations 49 CFR Part 40 (DOT) is on file with the COMPANY'S Designated Employer Representative (DER) for review at any time during normal working hours.

To accomplish that end, the COMPANY cannot condone and will not tolerate any of the following behaviors by its employees:

- a. Use of illicit drugs.
- b. Abuse of legal drugs (prescription or over-the-counter).
- c. Abuse of alcohol.
- d. Sale, purchase, transfer, use, or possession of illegal drugs or prescription drugs obtained illegally.
- e. Arrival for, or being at work, under the influence of drugs or alcohol.

Within this Drug/Alcohol Testing Policy, certain elements are required because the COMPANY is regulated by the U.S. Department of Transportation (DOT). In addition, certain policy elements, mostly related to specific personnel actions or this Company's drug-free workplace regulations or Company Policy, reflect requirements of the COMPANY but are not required by DOT. With regard to those employees governed by DOT regulations, federal regulations shall be considered as preempting any inconsistent state or local law or regulation.

1. Department of Transportation Regulations

The COMPANY'S policy requires that employees participating in activities regulated by DOT be subject to urine drug testing and breath alcohol testing in accordance with DOT drug and alcohol testing regulations. A copy of these regulations is available from the COMPANY'S Designated Employer Representative (DER). Non-DOT regulated employees may also be subject to drug and alcohol testing.

This Policy specifically notifies all employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited while on the job or on the COMPANY property. Further, this policy notifies employees the use of a prohibited drug at any time, whether on duty or off duty, is forbidden. Additionally, the consumption of alcohol (whether as a beverage or in a medicinal formulation, and also to include methanol and isopropanol) is prohibited while performing a safety-sensitive activity or within four (4) hours

before performing a safety-sensitive activity, or within eight (8) hours following an accident to which the employee’s behavior may have contributed, or after having been notified to report to duty for any reason. **Examples:** Cough Syrup, Mouth Wash, et. al., containing Alcohol or the like. Refer to Section M, #11 for other examples.

2. Commercial Drivers’ Licenses

It is the policy of this COMPANY that persons having a CDL and participating in activities regulated by DOT are subject to drug testing and alcohol testing. Omnibus Transportation Employee Testing Act of 1991 requires alcohol and drug testing of safety- sensitive employees in aviation, motor carriers, railroad, and mass transit industries. Provisions of this policy are based upon said Act and the relevant federal regulations applicable to the Act. As a condition of employment, the COMPANY reserves the right to require all employees having a CDL and performing safety-sensitive activities regulated by DOT, to submit at any time to drug and/or alcohol testing to determine the presence of prohibited substances.

3. Who Is Impacted:

- a. Anyone employing CDL drivers to operate commercial motor vehicles (CMVs) on public roads
- b. CDL drivers who operate CMVs on public roads
- c. Interstate motor carriers
- d. Intrastate motor carriers
- e. Federal, State, and local governments
- f. Civic organizations (disabled veteran transport, boy/girl scouts, etc.)
- g. Faith-based organizations

h. SUBSTANCES TO BE TESTED AND DETECTION THRESHOLDS

The following substances will be tested for:

	<u>Drug Screen Cut-off GC/MS</u>
a. Marijuana (Delta-9 Carboxy-THC)	50 ng/ml 15 ng/ml
b. Cocaine (Benzoylecgonine)	300 ng/ml 150 ng/ml
c. Opioids (Morphine/Codeine/Codone/Morphone)	2000 ng/ml 2000 ng/ml
d. Phencyclidine (PCP)	25 ng/ml 25 ng/ml
e. Amphetamine (Methamphetamine)	1000 ng/ml 500 ng/ml
f. Alcohol – removal from safety sensitive position at .02% BAC or greater, violation of Policy at .04% BAC or greater.	

i. MEDICATIONS

Employees shall not use or be under the influence of medications while working if the medications have the potential to alter or to adversely affect their judgment, motor skills, to induce sleepiness or to otherwise detract from their safe job performance. Exceptions can, of course, be made in work areas and activities of decreased safety sensitivity where the potential for accident and injury is minimal and where the effect of the medication on the employee is judged to be no factor by medical authority. It must also be acceptable to management for the employee to continue work. Exceptions to this rule (Section C) will be made at least one level of supervision above the concerned employee's immediate supervisor. Employees will report their use of medications to their supervisor before beginning work; those sensitive to the disclosure of their use of certain medications may call or visit the COMPANY official in charge of the Drug/Alcohol Testing Policy, in confidence to resolve their unique work situation.

j. DRUG/ALCOHOL TESTING POLICY MONITORING

To measure the success of, and to aid in enforcing, our Drug/Alcohol Testing Policy, the following types of drug screening tests may be administered to employees:

1. Job applicants, as a condition of obtaining employment
2. Employees who are required to undergo FITNESS FOR DUTY MEDICAL EXAMINATIONS.
3. Employees as a FOLLOW-UP to a return from rehabilitation program. These employees will be testing periodically. Under DOT regulations, follow up testing will be at a minimum six tests over the first year of return to duty.
4. Random testing as described in Exhibit I.
5. Post Accident testing as described in Exhibit II.
6. Employees who, by reliable evidence, or by their observed or reliably reported behavior, may be REASONABLY SUSPECTED of: (a) Using or being under the influence of drugs, alcohol or medications while working (b) Tampering with a drug screen test.
7. Return to Duty testing following a removal from a Safety Sensitive position after a Positive, adulterated or substituted test and referral to a Substance Abuse Professional (SAP).

Notice of Drug Testing may be given on all vacancy announcements. In addition to the drug screening, a test for the presence of alcohol will be administered as a result of conditions stated in Section D. 4, 5 & 6 above.

A copy of documentation supporting a REASONABLE SUSPICION drug and alcohol test will be completed within 24 hours of the occurrence and, will be provided to the employee upon request, and will be retained confidentially by the COMPANY for at least one (1) year.

On the basis of an accident that requires a DOT post-accident test or the finding of reasonable suspicion that leads to a DOT reasonable suspicion test, the employee will immediately be removed from safety-sensitive functions pending the outcome of the post accident or reasonable suspicion drug/alcohol test.

A laboratory approved by the Substance Abuse and Mental Health Services Administration (SAMHSA) will perform testing for the presence of drugs after obtaining urine specimens for drug tests. Laboratories are mandated to test all DOT specimens for specimen validity (i.e., adulterants and urine substitutes). All positive specimens from the initial screening are then tested a second time using a different technique and chemical principal from

the initial test to insure reliability and accuracy. All drug test results are reported to the Medical Review Officer (MRO) for verification prior to being transmitted to the employee and/or employer.

Dilute Specimens –

If the MRO informs the Company that a negative test was dilute, the Company may take the following action depending on Company policy and/or guidance provided by the MRO:

(1) If the MRO directs that a recollection take place under direct observation (i.e., because the creatinine concentration of the specimen was equal to or greater than 2mg/dL, but less than or equal to 5 mg/dL), the Company will do so immediately. Failure of the employee to submit for this recollection is classified by the DOT as a **refusal to test**.

(2) For current employees required to submit to a return-to-duty test or follow-up test (both of which under DOT regulations must be a negative test result) a second directed observed collection resulting in a negative dilute urine test result will render the result a “negative” test.

(3) An applicant with a second (2nd) directly observed negative dilute urine test result may not be eligible for hire. DOT rules do not prohibit hiring an applicant under such circumstances.

(4) Otherwise (i.e., if the creatinine concentration of the dilute specimen is greater than 5 mg/dL), the Company may, but is not required to, direct the employee to take another test immediately.

NOTE: The Company will treat all employees the same for this purpose. The Company may, however, establish different policies for different types of tests (e.g., conduct retests in pre-employment situations, but not in random test situations). The Company will inform its employees in advance of its decisions on these matters.

When such a retest is required, the employee will be given the minimum possible advance notice that he or she must go to the collection site. The result of the retest will be considered the final result, not the result from the first test. For current employees required to submit to a return-to-duty test or follow-up test (both of which under DOT regulations must be a negative test result) a second directly observed collection resulting in a negative dilute urine test result will render the final result a “negative” test; and an applicant with a **second** directly observed negative **dilute** urine test result will not be eligible for hire under the Company’s uniformly enforced policy.

If the employee declines to take a retest required because of a dilute specimen, the action will be considered a “**refusal to be tested**” and will be treated the same as a confirmed and verified positive result.

Invalid Results Due to Medical Conditions

An employee with a previously diagnosed medical condition which has caused them in the past to provide an invalid urine test result when called for testing, may now be referred directly to the MRO who will conduct a “signs and symptoms” medical evaluation (or the MRO may direct a licensed physician acceptable to the MRO to perform such an evaluation in accordance with DOT Regulations) to determine if there is evidence the employee is an illicit drug user. If no such evidence is found, the MRO will determine the test result to be a “negative” test and provide a report to the Company. If the medical evaluation provides contrary evidence, the MRO will provide the Company a report that the test is cancelled and state the reason(s) the employer cannot hire nor have the individual resume safety-sensitive work without a negative result.

Direct Observation Specimen Collections –

Under certain circumstances, applicants or employees (donors) may be required to submit their urine specimen for drug testing under direct observation. During the observed collection, items such as prosthetic devices designed to carry clean urine will be checked for by observers with both male and female donors, by asking the donor to raise and lower clothing, turn around, and then put the clothing back into place for the observed collection. The observer must then watch the employee urinate into the collection container. Specifically, the observer must watch the urine go from the donor’s body into the collection container. The observer must be of the same gender as the donor, and does not need to be the collector.

k. CONSEQUENCES TO EMPLOYEES OF:

The following is an overview of the terms and conditions of the COMPANY’S drug and alcohol policy, and for violation of which an employee is subject to discipline as outlined below.

- (1) It is a violation of Company policy for any employee to use, possess, manufacture, sell, trade, offer for sale, offer to buy, or make arrangements to distribute illegal drugs, or otherwise engage in the illegal use of drugs while at work or on COMPANY property.
- (2) It is a violation of Company policy for anyone to report to work under the influence of alcohol, or any illegal drugs.
- (3) It is a violation of Company policy for anyone to remain on duty that requires the operation of a motor vehicle or other hazardous equipment, or the performance of safety-sensitive job duties, while under the influence of illegal drugs or alcohol.
- (4) It is a violation of Company policy for anyone to use prescription drugs illegally. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.) Such prescription drugs brought to work should

remain in the original labeled container and show both the prescribing doctor's name and expiration date.

(5) It is a violation of Company policy to report to work or be at work, where the presence of prescribed or over-the-counter narcotics or drugs exceeds statutory limits in blood or urine, or the use of prescribed or over-the-counter narcotics or drugs poses a risk to the safety of the employee, other persons, the general public or property or may render the employee temporarily medically unfit under applicable DOT agency regulations.

(6) It is a violation of Company policy to ingest hemp food products or coca food products. (Recent studies indicate that ingestion of hemp seed oil and hemp food products can result in a positive test for marijuana.) A Medical Review Officer (MRO) may not accept consumption or other use of Hemp products, or coca teas, or medical marijuana as an excuse for a positive drug test. This also includes CBD products containing THC or any of its metabolites or chemical properties that will cause a positive drug test

(7) It is a violation of Company policy for on-call employees to use alcohol within four (4) hours before performing any safety-sensitive activity. The COMPANY will provide an opportunity for each such on-call employee to acknowledge the use of alcohol at the time he/she is called to report for duty, in addition, it is the employee's responsibility to inform his/her supervisor at the earliest possible time of any potential impairment from alcohol.

(8) It is a violation of Company policy to engage in the following conduct as defined and identified in 49 CFR Part 40 and this Policy:

- a) Receiving a verified positive drug test
- b) Receiving a verified adulterated or substituted drug test
- c) Receiving an alcohol test result of 0.04 or higher
- d) Failure to appear for a drug or alcohol test within the time directed by the DER but no longer than two (2) hours of being so ordered
- e) Refusal of an Alcohol or Drug Test
- f) Refusal to provide the collector with requested information to be placed on the Custody and Control Form (CCF)
- g) Refusal to cooperate with the collector's directions to remove outer clothing, leave personal belongings, empty pockets, wash hands or other such directives of the collector
- h) Refusal to follow the collector's instructions to submit to an observed or monitored collection.
- i) Refusal to sign a CCF or initial tamper-evident bottle seals
- j) Submit, or attempt to submit, an adulterated, diluted or otherwise altered specimen, or substituting a specimen from another person
- k) Failure to appear for any test (except a pre-employment test) within a reasonable time, as determined by the employer, consistent with

applicable DOT agency regulations, after being directed to do so by the employer. This includes the failure of an employee (including an owner-operator) to appear for a test when called by C/TPA

- l) Failure to remain at the testing site until the testing process is complete
- m) Failure to provide a urine specimen or fail to attempt to provide a saliva or breath specimen
- n) Fail or decline to take a second test the DER or collector has directed
- o) Fail to undergo a medical examination or evaluation, as directed by the MRO as part of a verification process, or as directed by the DER as part of the “shy bladder” or “shy lung” procedures
- p) Behave in a confrontational way that disrupts the collection process is classified as **refusal to test** or fail to cooperate with any part of the alcohol testing process
- q) For an observed collection, fail to follow the observer’s instructions to raise your clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you have any type of prosthetic or other device that could be used to interfere with the collection process.
- r) Possess or wear a prosthetic or other device that can be used to interfere with the collection process
- s) Admit to the collector or MRO that you adulterated or substituted the specimen.

DISCIPLINE ACTIONS FOR VIOLATIONS LISTED ABOVE:

1. Job Applicants will **not** be hired.
2. Employees violating this policy **will be subject to discipline up to and including termination.** Injured employees may also forfeit eligibility for workers’ compensation medical payments and indemnity payments.
3. Employees arrested, indicted or convicted of violating controlled substance laws will notify the employer within five (5) days of the event and if this substance abuse policy was also violated, will be disciplined up to and including termination, depending on the circumstances.
4. DOT consequences for a confirmed positive, adulterated, substituted drug/alcohol test or **refusal to test** require the employee to be removed to/from a safety sensitive and referred to a Substance Abuse Professional (SAP). The employee cannot return to the safety sensitive position until a final evaluation from the SAP and a return to duty negative test.

I. CHALLENGES TO CONFIRMED POSITIVE TEST RESULTS

DOT Testing – 49 CFR Part 40 Regulations

- a. Upon receipt of a verified positive drug test result, the COMPANY will immediately remove the employee involved from performing safety-sensitive functions. The COMPANY will take this action upon receiving the initial report of the verified positive test result.
- b. On positive or **refusal to test**, the Medical Review Officer (MRO) will explain split specimen testing process to the employee.
- c. Employee has 72 hours after verification to request test of split specimen; employee will be responsible for the cost of the split specimen testing. Funds for this may be held from employee's last paycheck (if applicable by law).
- d. When the employee makes a timely request for a test of the split specimen, the MRO immediately provides written notice to the laboratory that tested the primary specimen, directing the laboratory to forward the split specimen to a second laboratory certified also by the United States Department of Health and Human Services (HHS).

m. CONFIDENTIALITY OF DRUG TESTING INFORMATION

All written reports and related information received by the COMPANY, laboratories, employee leasing programs, drug and alcohol rehabilitation programs and their agents will be held in strictest confidence and will not be disclosed except in accordance with Federal Statutes or otherwise legally disclosed. Release of such information under any other circumstance shall be solely pursuant to a written consent form signed voluntarily by the person tested. Information on drug test results shall not be released or used in any criminal proceeding against the employee or job applicant.

Agents of our company and the laboratory conducting a drug test will, however, have access to drug test information when consulting with legal counsel in connection with actions brought against them when the information is relevant to its defense in a civil or administrative matter.

n. CONFIDENTIAL REPORTING OF MEDICAL USE

The COMPANY knows that eventually most people need to take medications to combat various illnesses. Employees must realize, however, that many medications will alter or affect a drug test. An employee could possibly test positive for a drug when taking medications prescribed by a doctor or bought over the counter at a pharmacy. Medications known to alter or affect a drug test are listed in Section M. The name of the testing laboratory is listed in Section N. Employees who want more technical information about medications may consult the testing laboratory. To avoid the potential problems created by a false test result, the COMPANY has implemented procedures to enable employees to confidentially report the use of medications. You may report the use of medications on the back of your copy of the chain of custody form after your specimen is collected and discuss only with the MRO.

o. SUBSTANCE ABUSE PROFESSIONAL

Our company maintains a Substance Abuse Professional (SAP) that consists of referring employees who have tested positive for drugs and/or alcohol to local drug and alcohol rehabilitation centers. Any costs of outside services are, however, the employee's responsibility.

Any employee who has not previously tested positive for drug or alcohol use and has not yet entered a drug and/or alcohol abuse rehabilitation program, may seek assistance for drug and alcohol problems before they lead to disciplinary actions.

No employee will be discharged, disciplined or discriminated against solely upon the employee's voluntarily seeking treatment for a drug/alcohol related problem if the employee has not previously tested positive for drug use, entered an employee assistance program for drug related problems, or entered an alcohol and drug rehabilitation program.

Through the SAP, the COMPANY will attempt to provide appropriate referral to drug and alcohol abuse rehabilitation programs. Such employees may not continue to work in safety sensitive functions until they have completed the SAP's course of action and a negative result on a return-to-duty test. For up to five years, a series of periodic, observed drug tests will be administered after returning to work a minimum of 6 tests will be required the first 12 months.

If an employee wishes to pursue help through the SAP, please contact the person listed in Section N for appropriate referral.

p. FMCSA CLEARINGHOUSE

The Clearinghouse final rule requires the following:

- Employers must query the Clearinghouse for current and prospective employees' drug and alcohol violations before permitting those employees to operate a commercial motor vehicle (CMV) on public roads.
- Employers must annually query the Clearinghouse for each driver they currently employ.

The Clearinghouse provides FMCSA and employers the necessary tools to identify drivers who are prohibited from operating a CMV based on DOT drug and alcohol program violations and ensure that such drivers receive the required evaluation and treatment before operating a CMV on public roads. Specifically, information maintained in the Clearinghouse enables employers to identify drivers who commit a drug or alcohol program violation while working for one employer, but who fail to subsequently inform another employer (as required by current regulations). Records of drug and alcohol program violations will remain in the Clearinghouse for five years, or until the driver has completed the return-to-duty process, whichever is later.

The Federal Motor Carrier Administration (FMCSA) established the Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse (Clearinghouse). This new database contains information pertaining to violations of the U.S. Department of Transportation (DOT) controlled substances (drug) and alcohol testing program for holders of CDLs.

The Clearinghouse rule requires FMCSA-regulated employers, medical review officers (MROs), substance abuse professionals (SAPs), consortia/third party administrators (C/TPAs), and other service agents to report to the Clearinghouse information related to violations of the drug and alcohol regulations in 49 Code of Federal Regulations, Parts 40 and 382 by current and prospective employees.

q. FEDERAL AND STATE LAWS AND REGULATIONS

Nothing in this statement of policy shall be presumed to override, amend or change any requirements of State and/or Federal law. In the event any of the provisions of this policy conflict with applicable laws and regulations, such laws and regulations will be deemed to control.

r. AMENDMENT AND SEVERABILITY

The employer may amend this policy in any and all respects at any time. If any provision of this policy or the application thereof to any party or circumstance is held invalid or unenforceable, the remainder of the terms of this policy and the application of any invalid or unenforceable provisions to other parties or circumstances will not be affected thereby, and to this end, the provisions of this policy are severable.

s. SUBSTANCES THAT COULD ALTER OR AFFECT THE OUTCOME OF A DRUG TEST

(BRAND NAMES AND COMMON NAMES)

- 1. AMPHETAMINES:** Abetrol, Biphedamine, Desoxyn, Dexedrine, Didrex
- 2. CANNABINOIDS:** Marinol (Dronabinol, THC), Marijuana, Hash Pot, CBD
- 3. COCAINE:** Cocaine HCl topical solution (Roxanne), Crack, Coke
- 4. PHENCYCLIDINE:** Not legal by prescription; PCP, Angel Dust
- 5. OPIOIDS:** Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (Hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Opium, Heroin, Hydrocodone, Oxycodone, etc.
- 6. METHAQUALONE:** Not legal by prescription
- 7. BARBITURATES:** Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Firoicet, Esgic, Butisol Mebaral, Butabarbital, Butabital
- 8. METHADONE:** Dolphine, Methadose
- 9. BENZODIAZEPINES:** Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, and Centrax
- 10. PROPOXYPHENE:** Darvocet, Darvon N. Dolene, etc.
- 11. ALCOHOL:** Liquid medications containing ethyl alcohol (ethanol). Please read the label for actual alcohol content.
Examples are Approximate Values:
Vick's Nyquil is 25% (50 proof) ethyl alcohol; Comtrex is 20% (40 proof); Contac Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof); Booze, Drink

Hampton Tedder Electric
DRUG/ALCOHOL TESTING POLICY RECEIPT

I hereby acknowledge that I have received a copy of the COMPANY's Drug/Alcohol Testing Policy. I also acknowledge that I have received a full and complete explanation of the Program, including all policies and the availability of an Employee Assistance Program.

I have had the terms and conditions of the COMPANY's Drug/Alcohol Testing Policy explained to me, and I freely and voluntarily consent to submit to drug and alcohol screening or testing as set forth in the COMPANY's Policy. I understand that violation of any provision of this policy may lead to disciplinary action up to and including termination of employment, and that I may forfeit my workers' compensation benefits. A **REFUSAL to Test** is considered a **Confirmed Positive Result**.

I give my consent to the COMPANY and/or its designated Service Agent to collect specimens for screening and testing for the purpose of determining the presence of, and content of, drug and alcohol substances, as well as to obtain results from any alcohol or drug screen, as set out in the drug and alcohol testing policy. I further agree to and hereby authorize the release of the results of said tests to the COMPANY's Medical Review Officer and Designated Employee Rep (DER) as set forth in the COMPANY drug and alcohol testing policy.

Finally, I agree that neither the issuance of these policies, nor the acknowledgment of its receipt, constitutes or implies a contract of employment or a guaranteed right to recall.

Date Received

Employee Signature

Employee Print Name

Date

Witness – print & sign

PROVIDE UPON HIRE – MAINTAIN COPY IN EMPLOYEE FILE

u. NATIONAL HOTLINE NUMBERS

Employee Assistance Program

The following organizations and resources provide confidential assistance to individuals who have, or know someone who has, a problem with alcohol or other drugs.

Substance Abuse Treatment Locator - www.findtreatment.samhsa.gov

Phone: 1-800-662-4357 / 1-800-662-9832 (Espanol) / 1-800-228-0427 (TDD)

This Substance Abuse and Mental Health Services Administration (SAMHSA) Web site and toll-free phone line help individuals locate drug and alcohol abuse treatment programs in their communities.

Other National Hotlines & National Assistance Groups:

Drug & Alcohol Abuse Hotline	1-800-784-6776
Drug & Alcohol Treatment Referral	1-800-252-6465
Alcoholics Anonymous	1-800-344-2666
Narcotics Anonymous	1-818-773-9999
AL-ANON Family Group Headquarters	1-800-356-9996
Child Help's – National Child Abuse Hot Line	1-800-422-4453
M.A.D.D.	1-800-438-6233
S.A.D.D.	1-508-481-3568
Families Anonymous	1-800-736-9805
Florida Alcohol and Drug Abuse Association	1-850-878-2196
National Runaway Switchboard	1-800-621-4000
National Institute on Drug Abuse (NIDA)	1-301-443-1124
National Suicide Prevention Lifeline	1-800-273-8255
National Council on Alcoholism & Drug Dependence Hopeline	1-800-622-2255
National Clearing House for Alcohol & Drug Information	1-800-729-6686

NOTE: DOT regulates employees testing Positive, or **Refusal to test** must be referred to a **SAP**. A list of qualified SAPs is available from your DER.

Substance Abuse Professional (SAP):

American Substance Abuse Professionals, Inc.
711 West 40th Street-Ste 235
Baltimore, MD 21211
888-792-2727

Employees may also speak with the Company representative identified in **Section N** for additional Employee Assistance Program (EAP) information or required referral to a Substance Abuse Professional.

EXHIBIT 1

Hampton Tedder Electric DRUG/ALCOHOL TESTING POLICY

Random Testing

- a. Certain categories of workers are required to undergo random drug testing to ensure continued fitness for duty as required by the US DOT guidelines.
- b. Random drug testing will be performed at a minimum rate, as specified by the DOT, year for FMCSA. Random alcohol testing should be conducted at an annualized rate as determined by FMCSA DOT of the qualified workers for FMCSA. These are minimum testing rates; employer may test higher.
- c. After notification, it is the responsibility of the employee to provide the urine specimen within the allotted time. Failure to comply with a request to a random specimen will result in the immediate medical disqualification of the employee, resulting in the employee being unable to perform assigned job duties. This may result in the loss of employment.
- d. At the time of notification, the donor will be instructed to go directly to the designated collection site. The employee will notify the collection site personnel that he/she has been selected for a random test and are ready to provide a urine specimen for a drug test and/or a breath/saliva specimen for an alcohol test. A breath specimen will be used to confirm a positive alcohol screen.
- e. The employee may need to bring a drug testing and/or alcohol chain of custody form to the collection site.
- f. The company may, at any time, test DOT employees under **Non-DOT Guidelines**.
-Non Federal/Non-DOT Chain of Custody (CCF) will be used in these cases.

EXHIBIT II

Hampton Tedder Electric DRUG/ALCOHOL TESTING POLICY

Post-Accident Testing

- a. Certain employees are required to submit to post-accident urine drug testing as required by the US DOT guidelines.
- b. An employee will submit to **controlled substances** tests immediately following a reportable accident, but no later than 32 hours after the time of the accident, as defined in the table below. Cease attempts after these allotted times.
Alcohol testing must be conducted within eight (8) hours; if not completed within two (2) hours, the employer must document the reasons it was not promptly administered.
- c. If the employee is injured, the COMPANY retains the right to contact any treating medical facility and request that a controlled substance test be obtained, or to obtain from the employee's medical records, the result of any such test obtained during the course of treatment. The refusal of any employee to allow the collection of these specimens or to attempt to block the release of said specimen will result in the immediate medical disqualification of the employee. See FMCSA Post Accident regulations for details on drug conducting testing on unconscious and severely injured employees.
- d. An employee who fails to report an accident to the COMPANY and who fails to comply with the post-accident requirements of this policy will be presumed to be positive for the presence of a controlled substance resulting in the medical disqualification for employment with this Company.
- e. Accidents/Incidents that do not fall into the DOT Reportable Accident table below, and are considered an Incident shall be reported to management. Personnel that caused or are believed to have caused or been involved in the incident shall have a Non Federal (non dot) (split specimen) drug and an alcohol test performed. A DOT Regulated form is NOT permitted in these cases and shall be completed using a Non-DOT/Forensic Chain of Custody form (CCF).

The following table notes when a FMCSA **DOT** post-accident test is **required**:

Type of accident involved	Citation issued to the CMV Driver	Test must be performed by employer
Human fatality	YES	YES
	NO	YES
Bodily injury with immediate medical treatment away from the scene	YES	YES
	NO	NO
Disabling damage to any motor vehicle requiring tow away	YES	YES
	NO	NO

This table has been reproduced from Federal Motor Carrier Safety Administration 49 CFR Part 382 rules for Controlled Substances and Alcohol Use and Testing.

Reminder: All incidents that fall outside of the table above shall follow procedures outlined in Exhibit B, section (e).

Note: Union Employees are to follow their Local Union Drug Testing Policy.

- ❖ Union(s) shall always supply the Company DER or Management with the most current revision of their written and documented Drug Testing Policy.

Hampton Tedder Electric
DRUG/ALCOHOL TESTING POLICY

Reasonable Suspicion Testing: 49 CFR 382.307

Employers must provide training to all persons who supervise drivers subject to the regulations, in accordance with [§382.603](#). The purpose of this training is to enable supervisors to determine whether reasonable suspicion exists to require a driver to undergo testing described in [§382.307](#). It must include at least 60 minutes of training on alcohol misuse and 60 minutes on controlled substances use (120 minutes total).

An employer shall require a driver to submit to an alcohol test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions concerning alcohol. The employer's determination that reasonable suspicion exists to require the driver to undergo an alcohol test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver.

(b) An employer shall require a driver to submit to a controlled substances test when the employer has reasonable suspicion to believe that the driver has violated the prohibitions concerning controlled substances. The employer's determination that reasonable suspicion exists to require the driver to undergo a controlled substances test must be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. The observations may include indications of the chronic and withdrawal effects of controlled substances.

(c) The required observations for alcohol and/or controlled substances reasonable suspicion testing shall be made by a supervisor or company official who is trained in accordance with [§ 382.603](#) for Reasonable Suspicion Training, this can be one or more members of management trained on the Reasonable Suspicion process as per above CFR. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test of the driver.

(d) Alcohol testing is authorized by this section only if the observations required by [paragraph \(a\)](#) of this section are made during, just preceding, or just after the period of the work day that the driver is required to be in compliance with this part. A driver may be directed by the employer to only undergo reasonable suspicion testing while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

(e)

(1) If an alcohol test required by this section is not administered within two hours following the determination under [paragraph \(a\)](#) of this section, the employer shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test required by this section is not administered within eight hours following the determination under [paragraph \(a\)](#) of this section, the employer shall cease attempts to administer an alcohol test and shall state in the record the reasons for not administering the test.

(2) Notwithstanding the absence of a reasonable suspicion alcohol test under this section, no driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while the driver is under the influence of or impaired by alcohol, as shown by the behavioral, speech, and performance indicators of alcohol misuse, nor shall an employer permit the driver to perform or continue to perform safety-sensitive functions, until:

(i) An alcohol test is administered and the driver's alcohol concentration measures less than 0.02; or

(ii) Twenty four hours have elapsed following the determination under [paragraph \(a\)](#) of this section that there is reasonable suspicion to believe that the driver has violated the prohibitions in this part concerning the use of alcohol.

(3) Except as provided in [paragraph \(e\)\(2\)](#) of this section, no employer shall take any action under this part against a driver based solely on the driver's behavior and appearance, with respect to alcohol use, in the absence of an alcohol test. This does not prohibit an employer with independent authority of this part from taking any action otherwise consistent with law.

(f) A written record shall be made of the observations leading to an alcohol or controlled substances reasonable suspicion test, and signed by the supervisor or company official who made the observations, within 24 hours of the observed behavior or before the results of the alcohol or controlled substances tests are released, whichever is earlier.

Hampton Tedder Electric
Drug/Alcohol Testing Policy

Employee Name _____

ID Number _____

DOCUMENTATION OF BASIS FOR REASONABLE SUSPICION TESTING

Prepare within 24 hours after testing for reasonable suspicion, give to employee upon request, and keep in confidential file for at least one year.

Date of testing for reasonable suspicion _____.

Circumstances, which existed to warrant the testing done for reasonable suspicion, were as follows:

- _____ A report of drug use, provided by a reliable and credible source, which has been independently corroborated.

- _____ Evidence that an individual has tampered with a drug test during his employment with the current employer.

- _____ Information that an employee has caused, contributed to, or been involved in an accident while at work.

- _____ Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery or equipment.

- _____ Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol.

- _____ Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.

Additional Comments:

Date

Employer Signature

CONTACT the DER for Supplementary Behavioral Checklist and How to Document instructions

POST ACCIDENT PROCEDURES

1. Please review your transportation mode regulations for determining what constitutes a DOT post-accident drug/alcohol test and the time frame for completion of the test.
2. Post-accident testing shall be done immediately, as soon as possible following the accident.
3. If testing under DOT and mode regulations – the test should be conducted using a Federal/DOT Chain of Custody form and Federal/DOT Breath Alcohol testing form. If not a Federal/DOT reportable accident, you may test under company policy – do not use Federal forms.
4. During normal daytime hours, call **909-991-2275** for instructions on where to have the employee sent for the DOT drug/alcohol test.
5. **After hours** call **1-855-951-8378** for instructions on where to have the employee sent for the DOT drug/alcohol test.
6. Follow the instructions below (Always notify- DER and Safety Manager)

24 – HOUR TESTING PROCEDURE PROGRAM REASONABLE SUSPICION AND POST ACCIDENT

Normal Hours **9:00am – 5:00pm -**

After Hours **5:00pm – 9:00am -**

Procedure

1. Initial after hours call will be to an answering service that will page the on call customer service representative (CSR) who will respond shortly.
2. Identify yourself first as an employee of **Hampton Tedder Electric**
3. CSR will obtain appropriate information from you.
 - *Donor Name, Location of Accident, SSN, Time of Accident, Mobility of Donor (can he/she drive to a site or must a collector be sent to donor).*
 - *You will then give a call back number and CSR will call you back.*
4. CSR will then locate a clinic, hospital emergency room or mobile collector (depending on the circumstances).
5. CSR will then contact you and give you the collection information (where and when the test will be conducted).
6. Collection is performed (including breath alcohol when appropriate).
7. You will be contacted if the alcohol test result is 0.02 or greater.
8. You will be contacted if there is a no show or any other problems with the collection.

*Fees for Post-Accident testing will be **more than the normal** cost of testing due to the use of clinics, hospitals, and/or the after-hours nature of these incidents*

Please Post-

IMPORTANT INFORMATION FOR ANTI-DRUG & ALCOHOL MISUSE PROGRAMS

<p><u>Notice to Applicants and Employees</u></p> <p>DOT PRE-EMPLOYMENT AND OTHER REQUIRED DOT DRUG TESTING IS FOR THE FOLLOWING FIVE DRUGS:</p> <ul style="list-style-type: none"> ◆ Marijuana ◆ Cocaine ◆ Opioids ◆ Amphetamines ◆ Phencyclidine (PCP) <p>Random, reasonable suspicion and post-accident testing:</p> <ul style="list-style-type: none"> ◆ Above 5 Drugs ◆ Breath Alcohol Testing (when suspected for reasonable suspicion) 	<p>COMPANY DESIGNATED EMPLOYER REPRESENTATIVE (DER) – ALL QUESTIONS REGARDING THE DRUG & ALCOHOL TESTING PROGRAM</p> <p>DER: <i>Jennifer Bender</i></p> <p>COMPANY LOCATION: <i>Hampton Tedder Electric</i> 4571 State St. Montclair, CA 909-628-1253</p>
<p align="center">DRUG OR ALCOHOL HOTLINE #'S</p> <p align="center">National Council on Alcoholism and Drug Dependence Hopeline Phone: (800) 622-2255 www.ncadd.org</p> <p align="center">Alcohol & Drug Referral Hot Line 1-800-252-6465</p> <p align="center">SUBSTANCE ABUSE PROFESSIONAL (EMPLOYEE MUST BE REFERRED AFTER VIOLATION OF DOT DRUG/ALCOHOL POLICY):</p>	<p>IT IS THE POLICY OF THIS COMPANY THAT THERE IS NO PLACE FOR THOSE WHO USE ILLEGAL DRUGS OR WHO ABUSE LEGITIMATE DRUGS OR WHO HAVE BECOME DEPENDENT UPON ANY CHEMICAL SUBSTANCE INCLUDING ALCOHOL</p> <p>THIS COMPANY INTENDS TO BE IN COMPLIANCE WITH THE DOT REGULATIONS CONCERNING DRUG ABUSE AND ALCOHOL MISUSE WHICH INCLUDES A PROGRAM OF RANDOM URINALYSIS TESTING FOR ILLICIT DRUG USE AND A PROGRAM FOR RANDOM ALCOHOL TESTING</p> <p>EMPLOYEES WHO HAVE A CONFIRMED POSITIVE TEST FOR DRUGS OR ALCOHOL ARE SUBJECT TO DISMISSAL OR TRANSFER TO A NON-COVERED JOB WITH LOSS OF ALL OR PART OF WAGES</p>