

# **Hire Up Staffing** **Substance Abuse Prevention Policy**

## **I. Policy Objectives**

Hire Up Staffing (hereinafter, “Hire Up” or “the Company”) is committed to protecting the safety, health and well-being of our employees, our customers and all people who come into contact with our employees and/or who use our services and products. Hire Up recognizes that drug and alcohol abuse pose a direct and significant threat to this goal, and to the goal of a productive and efficient working environment in which all employees have an opportunity to reach their full potential. The Company believes that illegal drug use and alcohol abuse have no place in the workplace. Individuals acting on behalf of the company or during working hours may not be under the influence of any drug (non-prescribed) or alcohol.

Hire Up is therefore committed to ensuring a substance-abuse free working environment for all of our employees through implementation and enforcement of this Substance Abuse Prevention Policy. Questions about the Policy may be directed to Rebecca Abell.

## **II. To Whom Does the Policy Apply?**

This policy applies to all employees, without exception. Job applicants also are required to take and pass a drug and/or alcohol test following a conditional offer of employment and before commencing work. Temporary employees, contractors, and vendors also must not engage in prohibited activity while on Company premises or while performing services for the Company.

## **III. Prohibited Conduct**

### ***Drugs***

The Company strictly prohibits the use, sale, attempted sale, conveyance, distribution, manufacture, purchase, attempted purchase, possession, cultivation, and/or transfer of illegal drugs or other unlawful intoxicants at any time, and in any amount or any manner, regardless of occasion. “Illegal drugs” means all drugs, the use or possession of which is regulated or prohibited by federal, state, or local law and includes prescription medications for which the individual does not have a valid prescription, or which are used in a manner inconsistent with the prescription or dosing directions. The Company treats medical marijuana the same as any other illegal drug.

### ***Prescription and Over-the-Counter Medications***

This policy does not prohibit employees from the lawful use and possession of prescribed or over-the-counter medications. However, an employee taking medication should consult with a health care professional about a medication’s effect on the employee’s ability to work safely at his or her job, and promptly disclose any work restrictions and the length of time they are expected to apply to a supervisor or Human Resources representative. Medicines brought to work must be carried in the original prescription bottle or over-the-counter containers.

The Company reserves the right to transfer, reassign, place on leave of absence, or take other appropriate action regarding any employee during the time the employee uses medication that may affect the employee's ability to perform safely. Prescription and over-the-counter medications may cause a positive drug test result.

### ***Alcohol***

The Company strictly prohibits the use of alcohol while working, while representing the Company, while operating a Hire Up-provided vehicle, on Company business or when present on Hire Up premises (defined as all land, property, buildings, structures, installations, and parking areas owned or leased by the Company or its affiliates and all places where the Company conducts business, including customer premises). The possession of alcohol while working or while present on Hire Up premises also is prohibited.

Employees are prohibited from working or coming onto Company premises with alcohol in their systems. Moreover, the use or abuse of alcohol off the job which impairs performance on the job may subject the employee to disciplinary action.

On occasion, Hire Up may authorize the use of alcohol at Company approved events (with approval of senior management, Vice President or above, given in advance). On these occasions, the moderate and limited use of alcohol is acceptable. Employees of legal drinking age may choose to consume alcohol at such events, but those who do are expected to act responsibly and professionally at all times, and to avoid becoming intoxicated or impaired.

## **IV. Drug & Alcohol Testing Requirements**

Hire Up may test for the presence of the following substances, or their metabolites: marijuana, cocaine, opiates (including heroin, morphine, and codeine), amphetamines (including methamphetamine), barbiturates, benzodiazepines (Valium, Xanax), methadone, phencyclidine (PCP), and alcohol. The Company may require tests in the following circumstances:

- a) **Pre-Employment** – Individuals may be offered employment conditioned on taking and passing a drug test before commencing work. Applicants for safety-sensitive jobs may be asked to submit to a pre-employment alcohol test as well. Employment offers will be withdrawn whenever an applicant receives a verified positive test result or refuses to participate in the testing process.
- b) **Reasonable Suspicion** – When Company management has reason to believe that any employee has violated this Policy, the employee may be asked to submit to a reasonable suspicion drug and alcohol test. Requests for tests based upon reasonable suspicion will be based upon reasonably contemporaneous observations of the individual's behavior or performance, or other indication that this Policy may have been violated. Examples of what may trigger a request to submit to a reasonable suspicion test include, but are not limited to, one or more of the following:

- observed suspected drug or alcohol abuse;
- bizarre or erratic behavior (endangerment to self, fellow employees, Company property, equipment or services provided), or a pattern of conduct that indicates substance abuse may be a problem;
- observed suspected possession of drugs or drug paraphernalia, or of alcohol while on Company premises;
- information provided by either a reliable and credible source or independently corroborated;
- a pattern of unexplained absenteeism, tardiness, or other unexplained change in job performance; and/or
- a physical appearance, odor, or symptoms which may indicate drug or alcohol abuse.

Employees asked to take a reasonable suspicion drug and/or alcohol test will be transported to the collection site for testing and then transported home. Employees will be suspended pending receipt of test results.

- c) Post-Accident Testing – Any employee who is involved in a serious accident while on duty (regardless of location), and in which the employee’s actions, or failure to act appear to have played a part in the accident, may be asked to submit to a post-accident drug and/or alcohol test as part of the Company’s investigation of the incident. If the following criteria are present, this testing based on an accident at work applies whether or not an employee is injured as part of the accident. “Serious accidents” include those in which significant property damage is incurred or off-site or emergency medical treatment required. All such tests will be conducted as soon as possible after the Company learns of the accident or incident, but after any necessary emergency first aid has been administered.

Employees asked to take a post-accident drug and/or alcohol test will be transported to the collection site for testing and then transported home. Employees will be suspended pending receipt of test results.

- d) Return-To-Work and Follow-Up Testing – At its sole discretion, the Company may permit an individual who has abused drugs or alcohol in violation of this Policy to return to work, provided he or she is first evaluated by a Company approved substance-abuse treatment provider and successfully completes any course of education and/or treatment recommended. As a condition of continued employment, the employee will be asked to sign a return-to-work agreement. In addition, before returning to work, the employee must take and pass a return-to-work drug and/or alcohol test and agree to submit to frequent unannounced drug and/or alcohol tests for a period of up to 2 years, or as recommended by the treatment provider. Employees who test positive on a return-to-work or follow-up test will be terminated.

## V. Procedures for Drug & Alcohol Testing

Consent – No alcohol test will be administered, sample collected, or drug test conducted on any sample without the written consent of the person being tested. However, a person’s refusal to submit to a proper test will be viewed as insubordination and will subject the person to disciplinary action, up to and including termination. Hire Up will pay the costs of all drug and/or alcohol tests it requires of employees and applicants.

Collection and Chain-of-Custody – Persons being drug tested will be asked to provide a test specimen by the collection site person. Procedures for the collection of specimens will allow for reasonable individual privacy, unless there is a reason to believe the individual may alter or substitute the specimen to be provided. Urine specimens will be tested for temperature, and may be subject to other validation procedures as appropriate. The collection site person and the person being tested will maintain chain-of-custody procedures for specimens at all times.

Testing Methods – Urine, hair, or other appropriate tests may be used to detect the presence of drugs. All drug test specimens will be screened using an immunoassay technique and all initial positive drug tests will be confirmed using gas chromatography/mass spectrometry (GC/MS). All drug tests will be confirmed by a laboratory certified by the federal Substance Abuse and Mental Health Services Administration. Breath, saliva, urine or other appropriate tests may be used to detect the presence of alcohol. An alcohol test will be considered positive if it shows an alcohol concentration of .04 percent or more alcohol content. Tests will seek only information about the presence of drugs and alcohol in an individual’s specimen, and will not test for any medical condition.

Notification & Report By MRO– Any individual who tests positive for drugs will be contacted by a Medical Review Officer (“MRO”) (a health care professional with an expertise in toxicology) before the result is reported to the Company, and given an opportunity to provide any legitimate reasons he or she may have that would explain the positive drug test (such as, for example, evidence that the individual holds a prescription for the substance detected). If the individual provides an explanation acceptable to the MRO that the positive drug-test result is due to factors other than the consumption of illegal drugs, the MRO will order the positive test result to be disregarded and will report the test as negative to Hire Up. Otherwise, the MRO will verify the test as positive and report the result to Hire Up. The MRO also reviews all test documentation. Therapeutic levels of prescription drugs will not be reported. Individuals will be provided with a copy of their own test result. An individual who tests positive for drugs may request that his or her urine sample be sent to an independent certified laboratory for a second confirmatory test, at the individual’s expense, although the Company may suspend, transfer, or take other appropriate action pending the results of any such re-test.

## **VI. Consequences of a Positive Test or a Refusal-to-Test**

An employee whose alcohol and/or drug test is positive is considered to be in violation of this Policy and will be subject to adverse employment action, up to and including termination. An employee who refuses to submit to drug and/or alcohol testing is insubordinate and in violation of this Policy and will be subject to adverse employment action, up to and including termination.

An applicant whose drug test is positive is considered to be in violation of this Policy and will have any job offer rescinded and employment denied. An applicant who refuses to submit to drug

testing is considered to be in violation of this Policy and will have any job offer rescinded and employment denied.

Any attempt to tamper with, substitute, adulterate, dilute, or otherwise falsify a test sample is considered a refusal-to-test, as is failure to complete the testing process, failure to fully cooperate in the testing process, and any other intentional conduct which would prevent or compromise a valid test result.

## **VII. Confidentiality**

All records relating to positive test results, drug and alcohol treatment, and employee medical information shall be kept confidential, and disseminated to and within the Company only on a need-to-know basis. Such records will be kept in secure files separate from personnel files. Test results will not be released outside the Company without the written consent of the tested individual, except in an action brought by the employee or his representative against the Company, or as otherwise may be required by law, or legal process.

## **VIII. Counseling and Rehabilitation**

Employees who voluntarily seek help for substance abuse (self-referral) will be provided an opportunity to pursue counseling and rehabilitation. Hire Up will make available to these employees information about counseling and rehabilitation services. An employee who is receiving counseling and/or treatment for substance abuse may use available vacation, sick leave, or, if eligible, family and medical leave. Health insurance often covers the costs of such services. The employee may return to work only after successful completion of a rehabilitation program and after taking and passing a return-to-work drug and/or alcohol test. In addition, the employee may be asked to submit to follow-up testing for a period following the return to work.

An employee's decision to seek help voluntarily will *not* be used as a basis for disciplinary action, although the individual may be transferred, given work restrictions, or placed on leave, as appropriate. A request for help is considered voluntary only if it is made before the employee is asked to submit to a drug or alcohol test or is discovered to have otherwise violated this policy. An employee's decision to seek help will be treated as confidential, and communicated only to those Hire Up employees and agents with a need-to-know. Please be aware, however, that a decision to seek treatment can neither absolve nor protect employees from the consequences of failing to meet job expectations or for engaging in policy violations, so the Company encourages you to seek assistance before such problems develop. If you have a question about employee assistance resources, please contact Rebecca Abell for more information.