

Alcohol & Drug-Free Safety/Workplace Policy



USUI International Corporation

**December 2007
Revised December 2009
November 2010
December 2013
Revised December 2014
Revised June 2016
Revised August 2018**

To all employees:

The employees of **USUI International Corporation** (herein referred to as “**UIC**” or “the Company”) are our most valuable resource, and for that reason, their health and safety are important to us. We take pride in the work performed by our employees. While we have the greatest respect for privacy, it must be understood that we will not tolerate any alcohol and/or drug abuse. Such negligence threatens the ability to maintain a safe, healthy, and efficient environment, which enhances the welfare of all of our employees.

Below are a few of the commonly asked questions and answers about our company's Alcohol & Drug-Free Safety/Workplace Program for your information:

Who is covered by this policy? Any individual who conducts business for the organization, is applying for a position or is conducting business on the organization's property is covered by our Alcohol & Drug-Free Safety/Workplace Policy.
What is not allowed? The following behaviors on the part of employees that relate to substance use will not be allowed: <ul style="list-style-type: none">• the use of illegal drugs;• the misuse of alcohol;• the sale, purchase, transfer, manufacture, use or possession of any illegal drugs;• arrival or return to work after having used any drug or alcohol or being under the influence of any drug (legal or illegal) or alcohol.
What will be tested? Employees will be tested for the presence of illicit or illegally used drugs and alcohol. Drugs to be tested include but not limited to: Amphetamines (including MDMA (ecstasy), MDA & MDEA), Cocaine, Marijuana (including medical marijuana), Opiates (including 6-Acetylmorphine) and PCP, Barbiturates, Benzodiazepines, Methadone, Propoxyphene, Methamphetamines and other controlled substances.
When will tests be performed? Employees will be tested on five (5) specified occasions: <ol style="list-style-type: none">1. Pre-employment (drug test only).2. Where there is reasonable suspicion of prohibited substance use.3. Following an accident or injury.4. Random Testing.5. Return to duty following a leave of absence
What are the consequences for violating the policy? ALCOHOL USE: First positive result at or above 0.02: Termination. Any alcohol positive in excess of 0.08 could affect your eligibility and/or result in a loss of compensation and benefits under this state's workers' compensation and unemployment laws. DRUG USE: Any reported, confirmed result for the presence of any prohibited controlled substance WILL, THE FIRST TIME, RESULT IN TERMINATION.
What if I refuse to take the test? It is a condition of employment and any refusal to submit to testing, failure to cooperate with the test process or any attempt to adulterate a sample will result in termination of employment and may affect eligibility for compensation and benefits under the state's workers' compensation and unemployment laws.
NOTE: Any positive result or any refusal to test may affect your eligibility for compensation and benefits under the workers' compensation and unemployment laws of this state.
How do I get help if I need it? The Company encourages all those in need of assistance with a substance abuse issue to seek help. An employee is required to ask for help prior to being chosen and/or required, for any reason, to go for a drug and/or alcohol test. Human Resources shall maintain information regarding local service providers.

We encourage you to thoroughly read the policy and if you have any questions regarding the terms and conditions please contact: **Kyle Shepherd, (513) 448-0410.**

Training sessions will be held regarding the policy and all employees will be required to attend. This written policy will be shared, and everyone will be given an opportunity to ask questions.

Remember!

**Drug and Alcohol use at work are prohibited.
Your Job Could Be At Risk!**

Where other state laws apply, they will be followed where applicable.

USUI International Corporation

Alcohol & Drug-Free Safety/Workplace Policy

December 2007
Revised December 2009
November 2010
December 2013
Revised December 2014
Revised June 2016
Revised August 2018

ALCOHOL & DRUG-FREE SAFETY/WORKPLACE STATEMENT:

USUI International Corporation is committed to providing a safe work environment and to fostering the wellbeing and health of its employees. This commitment is jeopardized when any **UIC** employee misuses prescription or over-the-counter drugs, uses illegal drugs any time or alcohol on the job, comes to work with these substances present in his/her body, or possesses, distributes, or sells illegal drugs or alcohol in the workplace. The safety and health of employees, protection of the environment, quality of our products, and financial performance of our Company can be directly affected by the use of illegal drugs and misuse of alcohol.

The Company believes that it is very important to provide a safe workplace for all of its employees. In so doing, the Company is taking steps to address the problem of substance use that negatively affects every workplace, including ours. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that alcohol abuse and illegal drug use are incompatible with employment at **UIC**. This policy applies to all employees of the company, including management. We cannot condone and will not tolerate behaviors on the part of employees that relate to prohibited substance use, such as:

- The use of illegal drugs.
- The misuse of alcohol while on the job or while using UIC equipment. Using alcoholic beverages while off the job in a manner which adversely affects the employee's performance and conduct on the job; or which poses a direct threat to the safety of others.
- The misuse of prescription or over-the-counter medications.
- The sale, purchase, transfer, manufacture, use or possession of any illegal drugs or paraphernalia or inhalants.
- Arrival or return to work after having used any drug or alcohol or being under the influence of any drug (legal or illegal) or alcohol to the extent that job performance is affected.

Other consequences that apply to all employees who violate this policy are clearly spelled out within this document.

PLEASE READ THIS POLICY CAREFULLY.

This policy covers the five key parts of the Company's **Alcohol & Drug-Free Safety/Workplace Program**. The five parts consist of:

1. A written policy that clearly spells out the program and how everyone benefits.
2. Annual substance awareness education for all employees.
3. Training for supervisors regarding their responsibilities.
4. Drug and alcohol testing- the most effective way to change harmful substance use behaviors.
5. Employee assistance.

Employees will have the opportunity to receive information about substance use as a workplace problem, signs and symptoms, dangers of use, and how and where to get help for themselves and their families. **Kyle Shepherd** will be our Alcohol & Drug-Free Safety/Workplace Program Administrator (herein referred to as the Program Administrator). For information or assistance please contact **Kyle Shepherd at (513) 448-0410**.

The Program Administrator will be responsible for coordinating drug and alcohol testing, identifying resources that employees can turn to for help for themselves and/or their families, and arranging for qualified people to help with employee awareness education and with supervisor training.

Compliance with the Alcohol and Drug-Free Safety/ Workplace Policy is a condition of employment with the Company. Failure to cooperate fully, sign any required documents, submit to any inspection or test, or follow any prescribed course of substance or alcohol abuse treatment will result in termination of employment.

WARNING: ANY POSITIVE RESULT OR ANY REFUSAL TO TEST MAY AFFECT YOUR ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS' COMPENSATION AND UNEMPLOYMENT LAWS OF THIS STATE.

Nothing in this policy or in any oral representation by any Company representative related to any aspect of this policy is intended to alter the existing relationship between the Company and any employee and is not intended to create an expressed or implied contract of employment, or any promise of job security upon which an employee can rely.

Unless otherwise specified, all employment relations with the Company remain "at-will."

This program is designed to protect employee's rights and to protect all who come in contact with this workplace from the behaviors of substance users. Some of the protections built into the program are:

1. Employee records such as testing results and referrals for help will be kept confidential. Information will be on a need-to-know basis. Any violation of confidentiality rights is subject to disciplinary action up to and including termination of employment.
2. We are committed to employees who come forward with a substance problem to get help. Each situation will be reviewed individually. Employee assistance information is available for employees and their families, including a list of resources available through the Program Administrator and distributed to all employees upon request.
3. All supervisors will be trained in their duties related to testing before this program begins.
4. Employees will receive substance awareness education from a qualified person to help identify problems and learn where to turn to for help. This will be done annually.
5. Illegal drugs found on Company property may be turned over to law enforcement authorities.
6. The Company will administer the Alcohol & Drug-Free Safety/Workplace program within Federal and State regulations.

REBUTTABLE PRESUMPTION

Ohio Plant Employees: Effective October 13, 2004, Section 4123.54 of the Ohio Revised Code requires notice of rebuttable presumption. Rebuttable presumption means that an employee may dispute or prove untrue the presumption (or belief) that alcohol or a controlled substance not prescribed by the employee's physician is the proximate cause (main reason) of the work-related injury.

The burden of proof is on the employee to prove that the presence of alcohol or a controlled substance was not the proximate cause of the work-related injury. An employee who tests positive or refuses to submit to chemical testing may be disqualified for compensation and benefits under the Workers' Compensation Act. (Ohio Revised Code, Section 4123.54)

Virginia Plant Employees: Virginia Workers' Compensation denies benefits to an employee whose injury is caused by intoxication or use of non-prescribed controlled substances. Code of Virginia §65.2-306 (A)(3)(6)(2002). A positive drug test from an HHS certified laboratory or a positive alcohol test above .08 bac creates a rebuttable presumption the employee was intoxicated or using drugs at the time of injury. Code of Virginia §65.2-306 (B) (2002).

Michigan Office Employees: Rebuttable Presumption does not apply.

ADMINISTRATION OF ALCOHOL & DRUG-FREE SAFETY/WORKPLACE PROGRAM

Supervisors and employees should contact a Program Administrator for guidance or assistance with the Alcohol & Drug-Free Safety/Workplace Program.

Testing Procedure:

Testing will be done through a qualified collection provider and through a federally certified laboratory that uses the highest level of care in ensuring that results are accurate. When properly conducted, this process is considered scientifically accurate in detecting that the substances that the Company is concerned about are present in the employee's "system" in sufficient quantity to lead to behaviors that may endanger the person or other employees.

The certified lab will work closely with our local collection provider to ensure fairness and accuracy. **UIC** has retained the services of a Medical Review Officer (MRO), who is a qualified, trained physician responsible for checking whether there is a valid medical reason for the presence of a substance in the employee's system.

The MRO is experienced in dealing with substance use. When a positive test result is received, the MRO will contact the employee and, with the employee's permission, any appropriate health care provider to determine whether there is a valid reason for the presence of the drug in the individual's system.

The testing program consists of an initial screening test whenever a test is determined to be appropriate. If the initial results are positive, then a second test is used. Cut-off levels for each drug and for alcohol are established based on federal guidelines. There are many other protections for employees that are built in.

An employee's violation of this policy will not be reported to law enforcement unless required by a regulatory body or by criminal statute, such as related to drug trafficking. However, in protection of the workforce, law enforcement may be requested to come onto Company property in conjunction with a referral for criminal prosecution.

Supervisor Training:

As required by the rules set by the Ohio Bureau of Workers' Compensation (BWC) Alcohol & Drug-Free Safety/Workplace Program, supervisors will be trained to recognize substance problems that may endanger the employee and others as well as violate this policy. This training is in addition to annual employee education. Supervisors will be trained about testing responsibilities, how to recognize behaviors that demonstrate an alcohol/drug problem and how to make referrals for help.

Employee Awareness and Training:

Employees will be given awareness training for the Alcohol & Drug-Free Safety/Workplace Policy. Every current employee will be required to attend a session in which this program is discussed. There will be an opportunity to ask questions. This written policy will be shared, and everyone will be expected to sign an acknowledgement of receipt. We will have a qualified person explain why and how substance use is a workplace problem, the effects, signs/symptoms of use, effects of commonly used drugs in the workplace, and how to get help. We will also cover how an employee can get a referral for employee assistance, the importance of determining how much of a substance problem the employee has, and what type of help is needed. There will be educational awareness annually for all employees. New employees will hear about the program during orientation and will receive substance education as soon as possible thereafter.

Employee Assistance Program:

The Company believes in offering useful information to assist employees with a substance problem. We are supportive of employees taking action on their own behalf to address a substance problem. The Company will make information regarding local substance abuse resources available to any employee in need of assistance. Please contact your supervisor or program coordinator for such information. All expenses related to substance abuse assessment and treatment will be the sole responsibility of the employee. **An employee is required to ask for help prior to being chosen and/or required, for any reason, to go for a drug and/or alcohol test.**

Be forewarned, however, that any employee found to be in violation of this policy may be terminated.

Employee Testing:

The Company has adopted testing practices to identify employees who use illegal drugs or misuse alcohol either on or off the job. It shall be a condition of employment for all employees to submit to drug and alcohol testing under the circumstances in the following section. When a situation develops that requires or may require drug or alcohol testing for Reasonable Suspicion or an On-the-Job Incident, two supervisors (if there are two supervisors available) will approach the subject employee. The employee should be removed from the job and brought to a private area for the discussion.

Drug and Alcohol Testing:

Testing is intended to detect use, deter usage and allow appropriate corrective and/or disciplinary action. In addition to alcohol, the drugs that we are testing for are:

1. Amphetamines (speed, uppers)
2. MDMA (Ecstasy)
3. Cocaine (including Crack)
4. Marijuana, including if used medicinally
5. Opiates (Codeine, Heroin, Morphine)
6. 6-Acetylmorphine
7. Phencyclidine (PCP, "angel dust")
8. Benzodiazepines (sedative)
9. Propoxyphene (pain, cough suppressant)
10. Barbiturates
11. Methadone
12. Methamphetamine

The Company also expressly reserves the right to add or delete substances on the list above, especially if mandated by changes in existing Federal, State or local regulations or legislation.

An employee attempting to adulterate a specimen or otherwise manipulate the testing process **will be terminated**, as will an employee who refuses to produce/provide a specimen or otherwise cooperate in the testing process.

Prescription medicine and over-the-counter drugs:

The Company does not prohibit employees from using prescription or over-the-counter drugs when used as prescribed, provided:

1. The prescription drugs are prescribed to the employees for medical reasons by a licensed medical practitioner, with dosage and frequency of use prescribed on the label or accompanying documentation, and
2. The employee's use of the prescription or over-the-counter drugs does not affect the employee's job performance or conduct; threaten the safety, productivity, public image or property of the Company or its employees; or result in criminal behavior.

No employee is to perform any function or duty on behalf of the Company if the drugs being taken under this provision adversely affect his or her ability to perform any such function or duty safely.

All safety sensitive employees must report to Human Resources, the use of prescribed or over-the-counter medication that contains a warning the same or similar to the following: "May impair mental and/or physical performance." The Company may restrict the employee's work assignments while he/she continues to use such medication.

Employees must keep all medication in its original container which identifies the drug.

Safety sensitive is any job or function identified by the Company, which by the nature of the work activity, could be dangerous and/or unsafe to the employee, co-workers, customers or the general public due to any momentary lapse in attention or judgment.

CIRCUMSTANCES FOR ALCOHOL AND DRUG TESTING:

WHEN TESTING WILL OCCUR

Urine specimen collection (for a drug test) and/or breath/saliva (for an alcohol test) are to occur immediately after a need for a test has been determined. The company will consider any employee who seeks to delay in providing a specimen as refusing to be tested.

A. Pre-employment Drug Testing

As a condition of employment, all candidates must satisfactorily complete a pre-employment drug screen prior to reporting to duty. Any offer of employment is contingent upon, among other things, satisfactory completion of this screening, and the determination by the Company that the applicant is capable of performing the responsibilities of the position that has been offered.

Newly hired employees will attend orientation; during this session they will receive a current copy of the Company's Alcohol & Drug-Free Safety/Workplace Policy, and sign the form entitled, Acknowledgement of Receipt.

B. Reasonable Suspicion Testing

Reasonable suspicion testing will occur when Company Management and/or a Supervisor have reason to suspect that an employee may be in violation of this policy. The suspicion must be documented in writing within 24 hours of the event or prior to the release of the test findings. Reasonable suspicion testing may be based upon, among other things:

1. Observed behavior, such as direct observation of drug/alcohol use, paraphernalia, or possession and/or the physical symptoms of drug and/or alcohol use;
2. A pattern of abnormal conduct or erratic behavior;
3. Arrest, guilty plea or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking. The employee is responsible for notification to the Company, within five (5) working days, of any drug-related conviction;
4. Information provided either by a reliable and/or credible sources or independently corroborated, regarding an employee's substance use; or
5. Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

Reasonable suspicion testing does not require certainty, but mere "hunches" are not sufficient to justify testing. To prevent this, all supervisors will be trained in the recognition of drug and alcohol-related signs and symptoms. Testing may be for drugs or alcohol or both.

C. Post-Accident Testing

Post-accident testing will be conducted whenever an accident occurs as defined below. For the purposes of this policy, an accident is considered an unplanned, unexpected or unintended event that occurs on Company property, during the conduct of the Company's business, during working hours, or which involves Company-supplied equipment, motor vehicles or motor vehicles that are used in conducting Company business, or is within the scope of employment, and which results in any of the following:

1. A fatality of anyone involved in the accident;
2. An accident that causes a bodily injury to the employee and/or another person that requires off-site medical attention away from the Company's place of employment and would include the injured worker and anyone contributing to the injury;
3. Vehicular/equipment damage in apparent excess of \$750; or
4. Non-vehicular/equipment damage in apparent excess of \$500.

When such an accident results in one of the situations above, any employee who may have contributed to the accident will be tested for drug and/or alcohol use, **provided** the Company has reasonable cause to believe that the employees involved may have violated this policy by using a prohibited substance. "Reasonable cause" includes a pattern of behavior or circumstances that involves an accident which includes an error in reason, timing or judgment.

For those employers wishing to take advantage of the presumptive denial of workers' compensation benefits (section 4123.54 B), documentation of any evidence of reasonable cause to believe there may have been drug/alcohol use at the time of the accident/injury should be made.

Timing: Drug and/or alcohol testing after an accident

Urine specimen collection (for a drug test) and/or breath/saliva (for an alcohol test) is to occur immediately after a need has been determined. The Company will consider any employee who seeks to delay providing a specimen as refusing to be tested. If the employee responsible for an employment-related accident is injured, it is a condition of employment that the employee herein expressly grants to the Company, its officers and management, the right to request that attending medical personnel obtain appropriate specimens (breath and/or urine) for the purpose of conducting alcohol and/or drug testing. Furthermore, all employees herein expressly grant to the Company, its officers and management, access to any and all other medical information that may be relevant in conducting a complete and thorough investigation of the employment-related accident, to include, but not be limited to, a full medical report from the examining physician(s) or other health care providers.

D. Random Testing

At any time, UIC may institute random or universal drug testing. Random testing will include all company employees and is conducted on an unannounced basis. An independent, non-Company testing organization will utilize objective computer software that ensures a truly random selection process in which all employees in the testing pool have an equal statistical likelihood of being selected for testing.

When the next random draw is conducted, all employees are again included in the pool with an equal chance of selection, regardless of whether an employee was previously selected.

The Company will provide employee identification numbers to be used in the random selection drawing. The independent, non-Company testing organization will, in turn, furnish the Company with a list of individuals to be tested at the beginning of each selection period. It shall be the responsibility of the Company to notify each employee who was selected with the date, time and location for that random test. Once the employee is notified of the selection to submit to random testing, it shall be the responsibility of the employee to appear for testing immediately and to provide a urine specimen for drug testing and or submit to breath-alcohol testing.

An employee's failure to timely comply with the request for a specimen for random testing will be considered a refusal to submit to testing and may result in termination of employment.

EMPLOYEE CONSENT

All UIC employees and applicants will be required to complete and sign the appropriate consent form before the actual testing takes place. The employee consent form applies to breath/saliva or blood specimens for alcohol and a urine specimen for drugs. Failure to comply with a drug or alcohol testing request will be considered a refusal, and will be regarded as insubordination and subject to discipline up to and including termination. **It is the employee's responsibility to return the companies copy of the drug testing consent form to Human Resources upon return from testing.**

SUBSTANCES TO BE TESTED FOR AND THE METHODS OF TESTING

Urine and/or other appropriate testing for drugs (other than alcohol):

"Systems presence testing" is the procedure that is used to identify the presence of the following controlled substances that may be present: (A negative initial screening test is considered a negative test.) For each of the tested drugs Amphetamines (including MDMA (ecstasy), MDA & MDEA), Cocaine, Marijuana (including medical marijuana), Opiates (including 6-Acetylmorphine), PCP, Barbiturates, Benzodiazepines, Methadone, Propoxyphene, Methamphetamines, and other controlled substances, there is an initial test used to screen the urine, blood and/or other appropriate testing specimen. If the initial screen is positive [at or higher than a cut-off level in accordance with federal Department of Health & Human Services (DHHS)], a second or confirmatory test is done. This is a different test and is considered scientifically accurate. Detection thresholds (or cut-off levels) are standards that have been established by the DHHS for each of the above drugs after years of research. These levels will be used to interpret all drug screens/tests, whether for a pre-employment examination, new hire, reasonable suspicion, random or post-accident test.

The Company also expressly reserves the right to add or delete substances on the list above, especially if mandated by changes in existing Federal, State or local regulations or legislation.

Alcohol Testing:

An independent, non-Company testing organization that only uses federally qualified equipment and personnel will conduct breath alcohol or saliva testing. Breath alcohol concentrations exceeding 0.02 will be considered a verified positive result. In the event of an accident where an employee has a "whole blood" alcohol drawn at a medical treatment facility, a result equal to or greater than 0.02 shall be considered to be a verified positive result. An Evidentiary Breath Test (EBT) is used to confirm any initial positive test result. Any employee testing at or above 0.02 will be removed from any safety-sensitive position and will be subject to the discipline specified in policy (See CONSEQUENCES).

If/where the Company specifically authorizes the use of alcohol at a company sponsored event(s) under no circumstances shall any employee consume to excess. **If any employee of the company, drinks to excess, a taxi and/or family member will be called to transport them home. They will meet with their supervisor during their next scheduled work hours and discipline may be imposed.**

SPECIMEN COLLECTION PROCEDURE

Trained collection personnel, who meet quality assurance and chain-of-custody requirements for urine collection and breath alcohol testing, shall conduct testing. Confidentiality is required from all service providers. Any individual subject to testing under this policy shall be permitted to provide urine specimens in private, but subject to strict scrutiny by collection personnel so as to avoid any adulteration or substitution of the specimen to be provided.

Breath alcohol testing will likewise be done in an area that affords the individual privacy. In all cases, there will only be one individual tested at a time. Failure to appear for testing when scheduled shall be considered refusal to participate in testing, and will result in termination. (For an applicant, failure to appear will result in withdrawal of any offer of employment).

All aspects of the testing procedure will be carried out in a confidential and private manner. After receiving notification to report for drug testing, the employee or applicant will go to the collection site and will:

1. Provide a photo ID;
2. Assist in completing a Drug Testing Chain of Custody and Control form;
3. Provide a urine specimen in privacy;
4. Be expected to observe the entire collection, processing and chain of custody procedure of the specimen;
5. Read, sign and date the chain of custody statement certifying the specimen is that individual's and it has not been changed or altered at the time of collection;
6. Note the temperature reading on the collection bottle and verify the temperature reading was correctly recorded on the form.

REVIEW OF TEST RESULTS

To ensure fairness the Company has hired a licensed physician to review positive drug test results. This physician is referred to as the Medical Review Officer or MRO. The MRO is a medical doctor or doctor of osteopathic medicine with a specialized knowledge of substance abuse disorders. The role of the MRO is to review in confidence with the donor any possible legitimate medical explanation for the result. Federal Guidelines on this procedure will be followed. In the absence of any medical justification for the presence of drugs in the body, that result will be verified as positive and the Company will be notified.

EMPLOYEES' RIGHTS RELATED TO AN INITIAL POSITIVE TEST RESULT

An employee who tests positive under this policy will be given an opportunity to explain, in confidence, the findings to the MRO prior to the issuance of a positive test result to the Company. Upon receipt of a confirmed positive finding, the MRO will attempt to contact the employee by telephone. If contact is made by the MRO, the employee will be informed of the positive finding and given an opportunity to rebut or explain the findings. The MRO can request information on recent medical history and on medications taken within the last thirty days by the employee. If the MRO finds support in the explanation offered by the employee, the employee may be asked to provide documentary evidence to support the employee's position (for example, the names of treating physicians, pharmacies where prescriptions have been filled, etc.). A failure on the part of the employee to provide such documentary evidence will result in the issuance of a positive report by the MRO with no attendant medical explanation.

If the employee fails to contact the MRO as instructed, the employee will be considered to have waived the right to do so and/or to have failed to cooperate in the test process. The MRO will issue an appropriate (positive/confirmed adulteration, etc.) report to the Company.

NEGATIVE DILUTES FOR PREEMPLOYMENT

If a urine specimen is reported by the MRO to be negative dilute, the applicant will be required to, as soon as possible, return for an unannounced retest that must be directly observed by the collection facility. If the retest comes back negative dilute, after there was a confirmed direct observation, the application will not be eligible for hire.

NEGATIVE DILUTES FOR CURRENT EMPLOYEES

If a urine specimen is reported by the MRO to be negative dilute, the employee will be required to, as soon as possible, return for an unannounced retest that must be directly observed by the collection facility. If the retest comes back negative dilute, after there was a confirmed direct observation, the employee will have to undergo a medical exam to confirm a medical reason for the negative dilute. If no medical reason is found, the employee will be terminated.

REPORTING OF RESULTS

All test results (positive, negative, adulterated) will be reported directly to the MRO by the laboratory prior to the results being issued to the Company. Each substance tested for will be listed along with the results of the testing. The Company will receive a summary report, and this report will indicate that the employee passed or failed the test. All of these procedures are intended to be consistent with the most current guidelines for Medical Review Officers, published by the federal DHHS.

STORAGE OF TEST RESULTS AND RIGHT TO REVIEW TEST RESULTS

All records of drug/alcohol testing will be stored separately and apart from the employee's general personnel documents. Access is limited to designated Company officials on a "need to know" basis. The information contained in these files shall be utilized only to properly administer this policy and provided to certifying agencies for review as required by Law. Those designated Company officials that shall have access to these records are charged with the responsibility of maintaining the confidentiality of these records. Any breach of confidentiality with regard to these records may be an offense resulting in termination of employment. Any employees tested under this policy have the right to review and/or receive a copy of their respective test results. An employee may request from the Alcohol & Drug-Free Safety/Workplace Program Administrator, in writing, with a duly notarized Employee Request for Release of Drug Tests Results form, that a copy of the test be provided. The Company will use its best efforts to promptly comply with this request and will issue to the employee a copy of the results personally or by U.S. Certified Mail, Return Receipt Requested.

CONSEQUENCES

Any violation of this policy could result in discipline as follows:

ALCOHOL USE:

First positive result at or above **0.02**: Termination.

Any alcohol positive in excess of 0.08 could affect your eligibility and/or result in a loss of compensation and benefits under this state's workers' compensation and unemployment laws.

DRUG USE:

Any reported, confirmed result for the presence of any prohibited controlled substance WILL, THE FIRST TIME, RESULT IN TERMINATION.

Refusal: Any refusal to submit to testing, failure to cooperate with the test process or any attempt to adulterate a sample may result in termination of employment and may affect eligibility for compensation and benefits under the state's workers' compensation and unemployment laws.

TERMINATION NOTICES

In those cases where testing results in the termination of employment, all termination notices will list "gross misconduct" as the reason. Termination shall be deemed "for cause."

APPENDIX 1

Definitions:

The following definitions shall apply to the interpretation and enforcement of this policy. Where any conflict occurs between this policy and state law, state law shall govern.

Glossary of Acronyms

ADA Americans with Disabilities Act
ADAMH Alcohol, Drug Addiction and Mental Health Services Board (Ohio)
ADAS Alcohol and Drug Addiction Services Board (Ohio)
AOD Alcohol and Other Drugs
BAC Blood Alcohol Content
BWC (Ohio) Bureau of Workers 'Compensation
CADCA Community Anti-Drug Coalition of America
CAP College of American Pathologists
CCDCIII Certified Chemical Dependency Counselor
CEAP Certified Employee Assistance Professional
DHHS U.S. Department of Health and Human Services
DOT U.S. Department of Transportation
EAP Employee Assistance Program
FMCSA Federal Motor Carrier Safety Administration
5-Panel A drug test covering five drugs (required by DOT/FMCSA)
GC Gas Chromatography (part of confirmatory drug test)
MCO Managed Care Organization
MRO Medical Review Officer
MS Mass Spectrometry (part of confirmatory drug test)
NCADI National Clearinghouse of Alcohol and Drug Information
NHTSA National Highway Traffic Safety Administration
NIDA National Institute on Drug Abuse (now SAMHSA)
OBWC Ohio Bureau of Workers 'Compensation
OCPS 1 and Ohio Certified Prevention Specialist
ODADAS Ohio Department of Alcohol and Drug Addiction Services
OTC Over-The-Counter medications
SAMHSA Substance Abuse and Mental Health Services Administration
SAP Substance Abuse Professional
9-Panel A drug test covering nine drugs
TPA Third Party Administrator

APPENDIX 2

Drug and Alcohol Testing Terminology

Accident - An incident or injury which occurs on Company property, on Company business, or during working hours, or which involves Company-supplied motor vehicles/equipment or motor vehicle/equipment being used for Company purposes and which results in any of the following:

1. A fatality of anyone involved in the accident;
2. An accident that causes a bodily injury to the employee and/or another person that requires off-site medical attention away from the Company's place of employment and would include the injured worker and anyone contributing to the injury;
3. Vehicular/equipment damage in apparent excess of \$750; or
4. Non-vehicular/equipment damage in apparent excess of \$500.

NOTE: A post-accident drug and/or alcohol test should be administered as soon as possible after necessary medical attention is administered; preferably within 8 hours for alcohol and 32 hours for drug.

Air blanks - A quality assurance test administered on an EBT to ensure that the machine is testing accurately.

Alcohol concentration - The amount of alcohol in an individual's breath, measured in grams per 210 liters of breath.

Alcohol test - A test used to detect the content level of alcohol in the blood (BAC). This may be performed by using federally authorized testing equipment such as breath or saliva test with an evidentiary breath testing device (EBT) applied for confirmation, or this level can be determined through a blood test.

Breath alcohol technician (BAT) - The only technician who can conduct a breath alcohol test for the Bureau's DFWP Program. To be classified a BAT; an individual is required to complete training and proficiency requirements outlined by the federal government.

Chain of custody - The protocol followed when submitting specimens for drug testing. It assures that there is no opportunity for contamination or switching of samples. Elements include signed and witnessed forms, sealed and initialed containers, and couriers requiring a receipt.

Collection site - A place where individuals provide specimens of their urine to be analyzed for the presence of drugs, or breath, saliva or (on rare occasion) blood to be analyzed for the presence of alcohol. This site may or may not be owned and/or operated by the laboratory that actually analyzes the specimen.

Collection site person - Only those individuals qualified in accordance with federal guidelines (49 CFR Part 40) shall be permitted to administer a drug test collection under this policy unless otherwise specified.

Company property or premises - including buildings, offices, warehouses, plants, facilities, land, equipment, vehicles which are owned/leased/used for Company business and parking lots owned/utilized by the Company or any customers or supplier of the Company. It also includes any other site at which the Company business is transacted whether on or away from the Company's property.

Confirmatory test - When testing for drugs, this is the second analytical procedure to confirm the presence of a specific drug/metabolite in a urine specimen. This procedure uses a more sophisticated technique (e.g., GC/MS, EBT) to ensure reliability and accuracy. With breath testing for alcohol, the confirmatory test is conducted on an EBT which has the capability to print out the results, date and time, a sequential test number, and the name and serial number of the testing device.

Cut-off level - A pre-determined amount of drug metabolite, measured in nanograms (ng) per milliliter (ml) of urine, which constitutes whether a tested specimen is negative or positive. For example, a test would be declared positive if the amount of drug/metabolite were equal to or above the cut-off level. Employers typically choose levels that have been adopted and tested by a recognized authority such as the Department of Health and Human Services (DHHS) or, for drugs other than the "DOT 5," are recommended by their DHHS-certified laboratory.

DHHS (also referred to as NIDA or SAMHSA) -certified laboratory – Is a drug testing facility, which is certified and closely monitored by the DHHS. To obtain and maintain certification, a laboratory must undergo extensive performance testing and on-site inspections.

Drug metabolite - The specific substance produced when the body breaks down a given drug as it passes through the body and is excreted in the urine.

Drug test - Both a screening test and a confirmation must be used to established a positive test result. The tests will analyze the following drugs in the body in quantities which are at or greater than the specified "cut-off" levels:

Drugs	EMIT Screen (ng/ml)	GC/MS Confirmation (ng/ml)
Marijuana Metabolites(THCA)	50	15
Cocaine Metabolites (Benzoyllecgonine)	150	100
Phencyclidine (PCP)	25	25
Amphetamines	500	250
Methamphetamine	500	250
MDMA/MDA	500	250
Codeine/Morphine	2,000	2,000
6-Acetylmorphine (6AM or Heroin)	10	10
Hydrocodone	300	100
Hydromorphone	300	100
Oxymorphone	100	100
Oxycodone	100	100

Evidentiary breath testing devices (EBT) - Instruments used to measure the amount of alcohol in an individual's system. In DOT/FMCSA-mandated alcohol testing, these instruments are approved by the federal government and operated by trained and certified technicians. The DFSP Program is modeled on the federal programs in terms of procedures.

Enzyme multiplied immunoassay technique (EMIT) - A preliminary screening test performed on a urine specimen to identify the presence of a drug/metabolite in an individual's system. If this test is positive, while accurate, a second and more sophisticated analysis is conducted to confirm which drug/metabolites are present and in what quantity.

Follow-up testing after return to work from assessment or treatment - This testing occurs when an employee who has previously tested positive for drug and/or alcohol is allowed to return to work under a "second-chance" or "last-chance" agreement. A return-to-duty test is required before the employee is allowed to return to work and, if the employee fails this test, this will lead to termination of employment. Once an employee passes the drug and/or alcohol test and returns to work, there will be a series of a minimum of four (4) additional tests conducted over a period of at least a year. Any employee with a second positive test result will be terminated.

Gas Chromatography/Mass Spectrometry (GC/MS) – Is a state-of-the-art test used to confirm the presence and amount of an identified drug/metabolite in a urine specimen.

Laboratory - Facility where urine, blood and/or any other appropriate specimen is analyzed for the presence of drugs/metabolites. The specimen is typically not collected at this facility, but rather at a designated collection site that then ensures timely transport of the specimen to the laboratory.

Medical Review Officer (MRO) - A licensed physician responsible for receiving laboratory results and determining if there is a medical explanation for the presence of drugs/metabolites in the donor's urine, blood and/or any appropriate specimen. This physician must be qualified in accordance with federal guidelines (49 CFR Part 40) and have knowledge of substance use disorders and appropriate medical training to interpret and evaluate an individual's confirmed positive test result, together with his/her medical history and any other relevant medical information.

On the job – during working hours, while performing work duties, while acting within the scope of employment, and/or while on, in or using Company premises or property. Subject to the alcohol exception this also includes breaks, meal periods, and time between split shifts regardless of whether the employee is actually on Company premises.

Prohibited or illegal drugs – chemical substances which:

- a. are not legally obtainable
- b. are legally obtainable but have been obtained or are used illegally; or
- c. are not for the purpose for which they are prescribed or manufactured; and
- d. may include, but not limited to the following:
Amphetamines (including MDMA (ecstasy), MDA & MDEA), Cocaine, Marijuana (including medical marijuana), Opiates (including 6-Acetylmorphine) and PCP, Barbiturates, Benzodiazepines, Methadone, Propoxyphene, Methamphetamines and other controlled substances.

Reasonable suspicion – A belief that illegal drug and/or alcohol involvement and/or use is influencing employee's behavior, appearance, job performance, or fitness for duty, and/or that employee is under the influence of or is possessing, selling, purchasing, receiving, manufacturing or distributing illegal drugs or alcohol while on the job or while on Company premises.

- a. Observed behavior, such as direct observation of drug/alcohol use or Possession and/or the physical symptoms of drug and/or alcohol use;
- b. A pattern of abnormal conduct or erratic behavior;
- c. Arrest or conviction for a drug-related offense, or the identification of an employee as the focus of a criminal investigation into illegal drug possession, use, or trafficking. The employee is responsible for notification to the Company, within five (5) working days, of any drug-related conviction;
- d. Information provided either by reliable and credible sources or independently corroborated regarding an employee's substance use; or
- e. Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

Reasonable suspicion testing does not require certainty, but mere "hunches" are not sufficient to justify testing. To prevent this, all supervisors will be trained in the recognition of drug and alcohol-related signs and symptoms. Testing may be for drugs or alcohol or both.

Re-test - A second-opinion analysis of a urine specimen originally deemed positive for drugs/metabolites. This test is usually requested by the donor and performed at a laboratory meeting the same standards as the lab conducting the first analysis.

Safety Sensitive – Any job or function, identified by the Company, which by the nature of the work activity, could be dangerous and/or unsafe to the employee, co-workers, customers or the general public due to any momentary lapse in attention or judgment.

Screening Test Technician (STT) - A technician who is qualified under federal guidelines (49 CFR Part 40 as may be amended) to use the saliva testing mechanism to screen for alcohol.

Substance Abuse Professional (SAP) - A professional who is qualified under federal guidelines (49 CFR Part 40) to perform alcohol/drug assessments. Such qualified professionals include licensed physicians, licensed/certified psychologists, social workers, employee assistance professionals and certified addiction counselors with knowledge of and clinical experience in the diagnosis and treatment of alcohol/drug-related disorders.

Left Blank Intentionally For Notes

USUI International Corporation

Alcohol & Drug-Free Safety/Workplace Policy Acknowledgement

By my signature below, I acknowledge that I have received a copy of and understand the **USUI International Corporation Alcohol & Drug-Free Safety/Workplace Policy**. I have been given the opportunity to ask questions about all aspects of this policy and I agree to adhere to the policy requirements:

My signature below acknowledges my agreement to abide by the provisions of this policy and I recognize that any violation could lead to termination of my employment.

WARNING: ANY POSITIVE RESULT OR ANY REFUSAL TO TEST MAY AFFECT YOUR ELIGIBILITY FOR COMPENSATION AND BENEFITS UNDER THE WORKERS' COMPENSATION AND UNEMPLOYMENT LAWS OF THIS STATE.

Employee's Signature

Date Signed

Print Name