

**THE FOOTBRIDGE COMPANIES**  
**DRUG AND ALCOHOL POLICY**

The FootBridge Companies believes that all of our employees and customers have the right to an environment that is free from the effects of alcohol and drugs. We have adopted this policy because we care about the health and safety of our employees, customers, and the community.

**PROHIBITED CONDUCT**

Certain forms of conduct are clearly prohibited, and are listed below as a guide. The following list is not all-inclusive, and is intended to be illustrative of the type of conduct that will not be tolerated:

- Use, possession, storage, manufacture, distribution, dispensation, transfer, or sale of an illegal drug, unauthorized prescription drug, or drug paraphernalia at any time while on The FootBridge Companies property, on The FootBridge Companies business at any time or place, in The FootBridge Companies or customer vehicles, or during work hours.
- Use, possession, manufacture, distribution, dispensation, or sale of alcohol while on The FootBridge Companies property, on The FootBridge Companies business, in The FootBridge Companies or customer vehicles, or during work hours. (Note: The FootBridge Companies may sponsor an event where alcohol is served. The moderate consumption of alcohol after work hours is permitted during these events. Individuals attending such events must still adhere to reasonable and acceptable standards of conduct.)
- Reporting to work or otherwise working under the influence of illegal drugs or alcohol, or under the influence of legal drugs that may impair your ability to safely perform your job functions.
- Refusing to submit to a required drug and/or alcohol test.
- Failing to agree to any requirements of a drug or alcohol treatment or counseling program in which you are enrolled as a condition of continued employment.
- Failing to advise your supervisor or Human Resources of your use of any drug that could impair your ability to safely perform your job duties.
- Failing to notify Human Resources within 3 days of any criminal conviction (not annulled by a court) involving alcohol or drugs.

**REPORTING REQUIREMENTS**

Any employee who is taking medication that may impair his or her ability to safely perform job functions must inform his or her supervisor or Human Resources immediately, and must not perform any work until authorized to do so by his or her supervisor or Human Resources.

- Any employee who is convicted of any crime (not annulled by the court) involving alcohol or drugs must inform Human Resources within three days of the conviction.
- If any employee is involved in drug misconduct (including the use or possession of illegal drugs or unauthorized prescription drugs) on The FootBridge Companies property or while working for The FootBridge Companies, The FootBridge Companies reserves the right to report the incident to law enforcement authorities, and to cooperate in prosecuting the crime to the fullest extent of the law.

- If any person observes an employee exhibiting behavior that may be indicative of impairment by drug or alcohol use, he or she should immediately report the behavior to Human Resources or the General Manager.

### **AVAILABLE ASSISTANCE FOR SUBSTANCE ABUSE**

The FootBridge Companies encourages employees to voluntarily seek assistance for the early resolution of drug and alcohol problems. Employees may contact Human Resources for referrals to substance abuse treatment programs and for information about the application of health insurance benefits to those programs. Individuals who are granted leaves of absence for treatment may be required to agree to periodic and/or random testing upon their return to work.

An employee will not be disciplined or terminated for voluntarily seeking assistance for a drug or alcohol problem. However, employees who undergo voluntary counseling or treatment and who continue to work must meet all established standards of conduct and job performance. The fact that an employee is in treatment for alcohol or drug abuse does not preclude The FootBridge Companies from taking disciplinary action for violation of its policies or standards of conduct. Likewise, an employee who has violated this Drug and Alcohol Policy cannot escape disciplinary action, including termination, by voluntarily requesting treatment for alcohol or drug abuse.

### **DRUG AND ALCOHOL TESTING**

- **Reasonable Suspicion Testing:** An employee may be required to submit to drug and/or alcohol testing when one or more supervisors have a reasonable suspicion that the employee:
  - Is under the influence of drugs and/or alcohol. Factors that may be considered in determining whether an employee may be under the influence of drugs and/or alcohol include, but are not limited to: the employee's behavior; evidence of impairment; and evidence of repeated errors on the job, policy violation, or unsatisfactory time and attendance patterns if coupled with a specific contemporaneous event or behavior that indicates possible impairment by reason of drug or alcohol use; or
  - Has violated this Drug and Alcohol Policy; or
  - Has sustained a personal injury while working or has caused personal injury to another person; or
  - Has cause a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident. Post accident or injury testing will be conducted as soon as practical after the accident or injury.
- **Pre-Employment Testing:** The FootBridge Companies will require drug and alcohol testing of all applicants to whom The FootBridge Companies has made a conditional offer of employment. If an applicant tests positive or tampered with the test or result in any way, the conditional offer of employment will be withdrawn.
- **Management Approval for Testing:** Reasonable suspicion drug and alcohol tests will not be performed without prior notice to and approval from Human Resources or the General Manager.
- **Testing Site:** Drug and alcohol testing will be performed by a qualified laboratory, hospital, or health center designated by The FootBridge Companies. The FootBridge Companies will provide transportation to and from the testing site. Test results will be reviewed and interpreted by a qualified Medical Review Officer, who will notify The FootBridge Companies of the results. Please refer to the Alcohol & Drug Testing Protocol available from Human Resources for more information.

- **Consent to Testing:** Tests will not be conducted without the individual's written consent. However, employees must submit to tests requested or required by The FootBridge Companies as a condition of employment. If an employee refuses to submit to a requested or required test, the employee will be subject to disciplinary action up to and including termination of employment.
- **Cooperation With Testing:** Individuals subject to testing may not try to subvert the test by using an adulterated or substituted specimen. Failing to provide a specimen in a timely manner or otherwise tampering with the process is grounds for termination.
- **Opportunity to Explain Positive Results:** Any employee who tests positive will have the opportunity to rebut or explain positive test results within three (3) business days of notice of the positive test result and/or to request and pay for a confirmatory re-test.
- **Confidentiality:** Test results and other medical information will be maintained as confidential and shared only on a "need to know" basis unless otherwise required by law. Test results may also be disclosed to a substance abuse treatment facility for the purpose of evaluating or treating the employee. An employee may request a copy of the test result report for any he or she undergoes.
- **Consequences of a Positive Test Result:** If an employee tests positive, he or she will be subject to disciplinary action, up to and including termination of employment. Within its discretion, The FootBridge Companies may decide to refer an employee for drug or alcohol treatment in lieu of termination and as a condition of continued employment. Within its discretion, The FootBridge Companies may suspend the employee while he or she participates in the treatment program. Employees must pay for the cost of any such treatment programs. Employees who refuse to participate in such programs or who fail to successfully complete a treatment program are subject to immediate termination.
- **Follow Up Testing:** An employee who is referred by The FootBridge Companies for drug or alcohol treatment or who is voluntarily participating in a drug or alcohol treatment program may be requested or required to undergo drug or alcohol testing without prior notice during the treatment period and for a period of time, determined by The FootBridge Companies, after the completion of the treatment. An employee who tests positive during this period will be subject to termination.

## **INVESTIGATIONS AND SEARCHES**

When there is reasonable cause to suspect that an employee has violated this policy, The FootBridge Companies reserves the right to inspect, without prior notice, lockers, work areas, desks, cabinets, purses, bags, briefcases, other belongings, and vehicles brought on The FootBridge Companies property or at locations where work-related activities are being conducted. Cause to suspect shall be solely in the judgment and discretion of The FootBridge Companies, which may release any illegal drugs, paraphernalia, or other evidence to law enforcement authorities. Please refer to our Workplace Search Policy for more information on searches.

## **VIOLATIONS OF THIS POLICY**

Any violation of this policy may lead to disciplinary action up to and including immediate termination of employment. Compliance with this policy is a condition of employment.

The FootBridge Companies reserves the right to interpret or change this policy with or without notice. Please also note that nothing in this policy is to be construed as a guarantee of employment for any period of time or a restriction of The FootBridge Companies ability to discipline or terminate employees, or its right to place employees on administrative leave. Employees may be terminated at any time, with or without cause or reason as all employees of The FootBridge Companies are employed on an at-will basis.

**Employee Acknowledgment of****THE FOOTBRIDGE COMPANIES**  
**Drug & Alcohol Policy and Consent Form**

I acknowledge that I have received a copy of The FootBridge Companies Drug & Alcohol Policy, and further acknowledge the following:

- I understand that it is my responsibility to read the policy, and that I may address any questions about the policy to Human Resources.
- I understand that I may be required to submit to alcohol and/or drug testing as a condition of employment.
- I further understand that if I fail or refuse to undergo a test upon request by The FootBridge Companies, I may be subjected to disciplinary action, up to and including immediate termination of employment.
- I also understand that if I violate any of the provisions of The FootBridge Companies' Drug & Alcohol Policy and/or if the results of the alcohol and/or drug testing indicate that I may have violated The FootBridge Companies' Drug & Alcohol Policy, I will be subject to disciplinary action, up to and including immediate termination of employment.
- I hereby release and hold harmless The FootBridge Companies, its parent and sister corporations and affiliates, the laboratory used to conduct drug and/or alcohol testing, the Medical Review Officer, and their respective past, present and future officers, employees, agents, representatives, and contractors from any and all claims, causes of action, and/or liability whatsoever arising from or relating to the drug and/or alcohol test, the testing of the specimen or sample, and any decisions made concerning my application for employment or my continued employment based upon the results of the test.
- I consent to allow any The FootBridge Companies employee, as well as any physician, laboratory, hospital, clinic or medical professional designated by The FootBridge Companies, to perform appropriate testing for the presence of alcohol, drugs, and/or other controlled substances.
- I give my permission to the designated The FootBridge Companies employee, and the designated physician, laboratory, hospital, clinic or medical professional, to release the results of these tests to The FootBridge Companies, and I hereby release such designated institution or person from any claims, causes of action, and/or liability whatsoever arising from the release of this information, including, but not limited to, breach of the physician/patient privilege.

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Employee Name (please print)

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Employee Signature

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Date