

## Drug and Alcohol Free Work Environment

MAPP Construction, LLC is committed to promoting and maintaining efficient operations and a safe, healthy and productive work environment for its employees. To further these goals, adopts this policy for a drug and alcohol free work environment. Compliance with this policy is a condition of employment as is unwilling to assume any risk created by the presence of drugs, alcohol and controlled substances in the workplace. Nothing in this policy is intended to create contractual or other legal obligations on the part of MAPP or such rights on the part of any employee. Both MAPP and each employee remain free to terminate his or her employment relationship at will.

### POLICY STATEMENT

#### A. Prohibition Against Presence of Alcohol, Drugs and Controlled Substances

To ensure a safe, productive work environment at all MAPP facilities, including MAPP work-sites and contractor facilities, and to safeguard MAPP property, MAPP strictly prohibits the use, sale, solicitation or transfer, manufacture or possession of alcohol, drugs, drug paraphernalia or controlled substances on any MAPP premises or work sites. MAPP vehicles, as well as private vehicles parked on MAPP's premises or work sites, are locations included within this prohibition. Additionally, MAPP strictly prohibits any person with any detectable amount of drugs, controlled substances, or alcohol present in his or her body from being on any MAPP's premises or work sites. MAPP further prohibits any employee from being on duty, whether on or off MAPP premises or work sites, with any detectable amount of drugs, controlled substances, or alcohol present in his or her body. Any employee found in violation of this policy is subject to immediate discharge. Any non-employee (including visitors, contractors, employees of contractors, etc.) found in violation of this policy, or suspected of having alcohol, drugs or controlled substances present in his or her body, may be refused entry on to or removed from MAPP's premises and denied future access. Furthermore, depending on the circumstances, other action, including notification of appropriate law enforcement agencies, may be taken against any violator of this policy.

This policy prohibits the use of illegal drugs as well as the abuse of legal drugs.

#### B. Legal Drugs

Employees are permitted to take at any time prescription medication as and in the manner prescribed by a physician, and nonprescription medication as needed and in accordance with manufacturer instructions, unless the physiological or psychological effects of the prescription or nonprescription medication as taken by the employee pose a direct threat to the health or safety of the employee taking the medication or any other person, including members of the public. In particular, any employee who is employed in a position that is designated as safety sensitive (generally, this means a position in which a momentary lapse of attention or impairment caused by a drug or alcohol use could threaten the health and safety of any person) and who is taking a drug or other medication, whether or not prescribed by a physician, which is known or advertised as possibly affecting or impairing judgment, coordination, or other senses, or which may adversely affect ability to perform work in a safe and productive manner, must notify his or her supervisor or other management official prior to starting work or entering MAPP's facilities or work sites. The supervisor or management official will decide if the employee can remain at work or on MAPP's premises or work site and what restrictions, if any, are deemed necessary or appropriate. Any employee violating this policy is subject to disciplinary action, up to and including discharge.

Employees are expected to seek a leave of absence for any such time during which they are unable to perform their job without posing a direct threat of harm to themselves and/or others or to seek from the Director of Human Resources an adjustment to their job or any other accommodations that might allow them to perform their job without posing a direct threat to themselves or others.

**C. Examinations**

MAPP may, as a prerequisite to employment, require all applicants for employment to submit to a urinalysis, saliva test, blood test, and/or other medical test for detecting drugs and/or alcohol. MAPP may also require any employee to submit to any such tests for drugs and/or alcohol in the following circumstances:

- (1) following any serious or potentially serious accident or injury, regardless of fault;
- (2) whenever required or requested by a customer of MAPP as a condition for entering the customer's premises or performing services for the customer;
- (3) whenever an employee is suspected of violating this policy;
- (4) as part of occasional follow-up testing if an employee is found to have breached these policies but has been permitted to remain employed; and
- (5) on a random selection basis and any other time deemed appropriate by the management of Metabolic, without prior announcement.

Employees will be required to sign a written consent to such examinations at the time of and as a condition of their initial employment, as well as at the time such examinations are conducted. Any employee who refuses to consent to a required examination may be discharged. The purpose of these examinations is to determine whether a person has any detectable amount of alcohol, drugs or controlled substances present in his or her body.

**D. Searches and Inspections**

MAPP may conduct searches and inspections of employees and their personal effects, lockers, lunch boxes, purses, baggage, vehicles, etc., located on MAPP's premises or work sites. The purpose of such searches and inspections under this policy is to determine whether any person is in possession of alcohol, drugs, or controlled substances. Entry onto MAPP's premises or work site constitutes consent to such searches or inspections. Employees will be required to sign a written consent to such searches and inspections at the time of and as a condition of their initial employment, as well as at the time such searches and/or inspections are conducted. Any employee who refuses to consent to a required search or inspection may be discharged. Any non-employee having business with MAPP or otherwise seeking access to MAPP's premises or work sites who refuses to submit to a search or is found in possession of alcohol, drugs or controlled substances may be removed and denied future access to MAPP's premises or work sites. Searches of such non-employees will be conducted only with the written consent of such persons. When appropriate, any items discovered through such searches or inspections may be taken into custody and may be turned over to the proper law enforcement authorities.

All examinations, searches and inspections will be performed with concern for each employee's personal privacy and confidentiality.