

# JEN Mechanical's

## **DRUG POLICY AND TESTING PROGRAM**

JEN Mechanical, Inc. has a strong commitment to provide a safe work place for their employees. As a result of that commitment, we require that all employees who are under the regulation of the State of Illinois absolutely are drug free; therefore, the use of illegal drugs is prohibited, and our company has implemented the required types of drug testing defined in the Federal Motor Carrier Safety Regulations, which are in effect as of the date of this policy enactment. These will be followed together with any amendments thereto that occur in the future and any such amendments will be a part of this policy without further notice and become effective as required. The Company's goal is to establish and maintain a work environment free from the adverse effects of drug use.

### **Persons Subject to Drug Testing**

- All applicants under the Federal Motor Carrier Regulations.
- Commercial Motor Vehicle Drivers scheduled for mandatory physical examinations.
- Any Commercial Motor Vehicle Driver who, if in the judgment of the management, is under the influence of drugs while at work or whose job performance is being adversely affected by the possible abuse of drugs.
- Any employee (equipment operator, laborer, cement finisher, carpenter, etc.) who, if in the judgment of the management, is under the influence of drugs while at work or whose job performance is being adversely affected by the possible abuse of drugs.

### **Frequency of Testing**

- Prior to employment for all applicants under the Federal Motor Carrier Regulations.
- At the time of mandatory physical examination, or at such time as in the opinion of the medical officer, such a test is needed.

### **Drug Testing**

- Any Commercial Motor Vehicle Driver who performs work for the company on and after December 21, 1990, consents to testing as outlined in this policy.
- An employee required to participate in drug testing must complete a consent form provided by the medical officer.

- Nothing in this policy authorizes the use of physical force in order to make an employee submit to drug testing.
- New employees who voluntarily terminate their employment with the company within thirty (30) calendar days of their start date will have the cost of the Pre-Employment Drug Test withheld from their final paycheck.

JEN Mechanical, Inc. will insure the confidentiality of the individual drug testing results in accordance with the Drug Testing Regulations. Pursuant to the regulations, our company has named a collection site, a NIDA certified laboratory, and a medical review officer. Those certifications are on file in our company drug test file.

### **Testing Procedures**

- A. Employees who require testing will be sent to an independent medical facility which follows a strict chain of custody procedure.
- B. The drug testing will be by urine sample. Prior to the urine test the employee will be requested to provide information concerning all drugs or medications used within the previous thirty (30) days.
- C. A positive result from the first drug test of the sample will be followed by a second sample to confirm the presence of drugs.
- D. Details of the test procedure will be reviewed with the employee prior to testing.

### **Refusal to Cooperate**

An employee who refuses to cooperate in an investigation or in providing a urine sample, as specified in this policy, will be subject to discipline up to and including discharge.

JEN Mechanical, Inc. will classify the refusals to be tested as a positive result. Any employee who tests positive or refuses to be tested is medically unqualified to operate a commercial motor vehicle. Our medical review officer will attempt to discuss positive findings with the tested individual prior to notifying Georgewitz Contracting Company of the results.

### **Violation of Written Policy**

An employee's positive result to a drug test will require that the employee be referred to the company's Employee Assistance Program. Failure to complete the Employee Assistance Program will result in discharge.

Positive results to a second drug, even if the employee cooperated with the Employee Assistance Program, will result in discharge.

### **Drug Free Awareness Program**

- 1) The Company will establish a drug free awareness program to inform employees about:
- 2) The dangers of drug abuse in the work place.
- 3) The Company's policy regarding the maintaining a drug free work place.
- 4) Any available Employee Assistance Programs, available to all employees at the start of their seventh month of employment, for drug counseling rehabilitation.
- 5) The penalties that may be imposed upon employees for drug abuse violations.

### **Substances Covered by the Testing Program**

The Company's Testing Program will determine the presence of the following substances in the body: Cannabinoids, Cocaine, Opiates, Amphetamines and PCP.

### **Consent**

Compliance with the Company's Drug Testing Policy and Testing Program is a condition of employment. All applicants for employment and employees subject to the Testing Program will be required to sign a consent form that waives any rights concerning confidentiality and acknowledge that the results of these tests will be discussed with appropriate members of management. Because the consent form is part of the Company's Testing Program, its completion is also a condition of employment. Applicants for employment who refuse to sign the consent form will not be considered further for employment. Employees who refuse to sign the consent form will be subject to discharge.

### **Changes or Modifications**

The Company reserves the right to change the provisions of this Policy and Testing Program at any time in the future.