

**Hall-Taylor
Construction Company,
Inc.**

**Substance Abuse
Program**

SUBSTANCE ABUSE POLICY

1. STATEMENT OF POLICY

Hall-Taylor Construction Co., Inc, hereinafter referred to as “HTCC”, is committed to the highest standards of safety, integrity, and professionalism in its work and cannot condone substance abuse by its employees. The nature of HTCC’s work mandates behavior that inspires the highest degree of confidence by its clients and the public. The use of illegal drugs and abuse of other controlled substances, on or off duty, is inconsistent with law abiding behavior, a threat to the safety of others and has a detrimental effect on job performance and quality. This substance abuse policy, hereinafter referred to as the “Policy,” is intended to create and maintain a workplace free of drug and alcohol abuse.

Under this Policy, the use of illegal drugs is prohibited, whether taken on or off of the job. The same is true for legal drugs which are not taken in accordance with a doctor’s prescription. An employee reporting to work with drugs in their systems, without appropriate prescriptions will be considered to be in violation of the Policy and subject to the discipline described herein. The use of alcohol on the job or the reporting to work under the influence of alcohol likewise is a violation of this Policy. As described in the Policy Hall-Taylor will test all of its employees for the presence of controlled substances to ensure compliance with this Policy. Violators are subject suspension and discharge.

The possession or sale of controlled substances on the job, including alcohol, is prohibited under this Policy. Hall-Taylor’s employees are subject to searches and investigations to secure compliance with this aspect of the Policy. Violators will be discharged,

It is not Hall-Taylor’s intent to harass or to interfere unduly with the personal lives of its employees. Hopefully, with everyone’s cooperation, this Policy will be regarded as an effective means to address substance abuse on the job and provide a better and safer working environment for all.

2. RULES REGARDING EMPLOYEES

Employees will be subject to the discipline described in this policy for:

- A. The use or possession of alcohol on premises, except at approved social functions;
- B. The on-premises use (except for the proper use of prescribed drugs⁰, manufacture distribution, dispensing, possession, sale, or purchase of any controlled drug or the abuse of any drug:
- C. The failure to report to Hall-Taylor, within five (5) days, any drug related conviction, including a “Guilty” or “no contendere” plea;
- D. The conviction (including a “Guilty” or “no contendere” plea) of any criminal drug offense;

- E. The failure or refusal to cooperate with any aspect of this Policy including the refusal to sign forms consenting to drug testing, the refusal to provide a urine or blood sample for testing, or the refusal to cooperate in any other way with a drug test;
- F. Reporting to work with the presence of controlled substances without a prescription, in the system as shown by a positive test for alcohol or unauthorized drugs. Employees should understand that a positive drug test is not a necessary prerequisite to discipline if this Policy or any other Hall-Taylor work rule has been violated.

Employees include all executive, managerial, administrative, clerical, marketing, shop, technical, and craft workers, whether skilled, semiskilled, or unskilled.

3. RULES REGARDING APPLICANTS

Applicants for employment at Hall-Taylor are expected to be free from any controlled substances upon reporting for work. Each applicant, upon being hired by Hall-Taylor, will be subject to all aspects of this Policy, including its random testing provisions. If a new employee is hired after a jobsite-wide random test the new hire is subject to a random test at any time regardless of when the entire jobsite again may be tested.

New employees should advise their supervisors upon hiring of any prescription medications to be used in the workplace. The employee should advise the name and dosage of the medication and the name of the prescribing doctor. The same is true for prescriptions following hire. The supervisor should be advised of any warnings or precautions the employee receives from the doctor or other sources. The supervisor also should be advised of the medication's current effect on the employee as well as any previous effects experienced by the employee. A form will be available for the purposes.

4. GROUNDS FOR DRUG & ALCOHOL TESTING

A. All employees are subject to an unannounced random drug test at least one time each year. These random tests, where possible, will be applied at the same time to all personnel at all levels of the workforce, including all supervisory and clerical workers, at a given jobsite or other location of employment.

B. All employees are subject to testing "for cause." "For cause" includes an employee's display of erratic behavior, decline in job performance, certain physical signs, actions, safety disregard, absenteeism, or any other reasonable basis for suspecting a violation of the Policy. Specific cases for reasonable cause may include, **but are not limited to:**

1. Work Patterns

- a. Inconsistency in quality of work.
- b. Poor judgment/more mistakes than usual and general carelessness
- c. Lapses in concentration
- d. Difficulty in recalling instructions.
- e. High/low periods of productivity
- f. Difficulty in remembering own mistakes.
- g. Difficulty in sorting out priority items from nonessential ones.

- h. Increased difficulty in handling complex situations.
- l. Using more time to complete work/missing deadlines.
- j. Increased personal phone calls.
- k. Taking needless risks..
- l. Disregard for safety of others
- m. Higher than average accident rates on the job.

2. Emotional Signs

- a. Appears to be depressed or extremely anxious all the time.
- b. Withdrawn or inappropriately talkative
- c. Emotional instability
- d. Complains about others
- e. Irritable
- f. Mood changes
- g. An exaggerated sense of self-importance
- h. Argumentative
- i. Suspiciousness
- j. Displays violent behavior
- k. Avoids talking with supervisors

3. Physical Signs

- a. Sleepiness, nodding
- b. Unsteady
- c. Blank stare
- d. Slurred speech
- e. Unusual untidiness
- f. Changes in appearance after breaks
- g. Wears sunglasses at inappropriate times
- h. Unusual effort to cover arms
- i. Weariness, exhaustion
- j. Excessive yawning

4. Absenteeism

- a. Frequent unreported absences, later explained as “emergencies”
- b. Requesting to leave work early for various reasons
- c. Increased absenteeism and tardiness, especially on Mondays, Fridays or before and after holidays
- d. Frequent use of unscheduled vacation time
- e. Unusual or questionable excuses for absences
- f. Unexplained disappearance from are of work with difficulty in locating employee
- g. Unusually high incidences of colds, flu, upset stomach, headaches, etc.
- h. Frequent trips to restroom, water fountain, etc.

5. Relationship with Others on the Job

- a. Overreaction to real or imagined criticism
- b. Borrowing money from fellow employees
- c. Persistent job transfer requests
- d. Avoiding or withdrawing from peers

- e. Complaints from co-workers
- f. Unauthorized meetings with employees in remote work areas
- g. Refusal to accept authority
- h. Complaints or difficulties at home, such as separation, divorce, and child discipline problems
- i. Frequent non-work related visits by strangers or employees from other work areas

6. Accidents

- a. All employees experiencing on-the-job injuries requiring medical attention by a doctor when caused by their action or lack of action
- b. Those injuring other employees
- c. Those involved in unsafe work practices
- d. Those damaging company or other property

5. TESTING PROCEDURES

- A. Employees will be required to complete HTCC's consent forms
- B. Employees will be required to fill in chain of custody forms provided by the testing laboratory.
- C. Employees must disclose all drugs, whether prescribed or not, which they have or are currently taking, on their chain of custody form.
- D. Employees tested on the jobsite will submit urine and/or blood samples to designated HTCC personnel or to employees from the testing facility. Employees wither will be required to submit such specimens in the presence of a witness or follow other such security measures to ensure the integrity of the sample.
- E. Employees tested away from the jobsite, such as at a clinic following an accident, will be required to follow these same procedures with the clinic's personnel
- F. Test results will be sent to our office in Tuscaloosa. The reports will be delivered to a selected contact person at the main office. The reports will then be opened by a Principal of the company. Positive test results will be discussed with the employee in a private setting and a confidential certified letter confirming the conversation will follow.

6. DISCIPLINE

An employee testing positive for an unauthorized controlled substance, as determined by the testing laboratory's testing thresholds after a confirmatory test, immediately will be suspended without pay. The suspension shall last for thirty (30) days. At the conclusion of the 30 day period, the employee may be reinstated, if he or she tests negative on a drug screen obtained by Hall-Taylor's testing laboratory. The cost of the second drug screen will be paid by the employee tested. Reinstatement under this provision does not change the employee's status as an employee-at-will subject to discharge at any time.

Following the reinstatement of an employee returning to work after a drug-related suspension, that employee will be subject to unannounced random testing, up to one time each six months, for a

period of one year. A second positive test will result in immediate and permanent discharge. The cost of these subsequent tests will be paid by the employee tested.

Testing under this aspect of the Policy does not insulate the employee from testing pursuant to one of the Policy's other testing provisions.

Any employee who refuses to submit a urine or blood sample for testing under this Policy, or who refuses to execute the necessary paperwork, or who fails to disclose ingested drugs, or otherwise fails to cooperate with a drug test will be discharged.

7. CONFIDENTIALITY

Positive test results will not be communicated to any company employee other than those designated herein. Except when necessary in litigation involving Hall-Taylor Construction Company, or by order of a court of competent jurisdiction, results will not be communicated to any person outside of the company without the express written consent of the employee involved. Result reports will be maintained by the personnel office in a secured filing system separate from the employee's personnel file. Reports will be kept for four (4) years and then will be destroyed.

8. SEARCH PROCEDURES & DISCIPLINE

A. Searches will be conducted, with or without cause, to detect unauthorized substances, including alcohol or drug paraphernalia, at any time. These searches may or may not include the use of drug dogs. Subject to search are vehicles on the jobsite or company property, lunch pails, bags, purses, lockers, and other such containers.

Searches will be conducted only in the presence of two witnesses, one of whom must be from management above the foreman level. If the person to be searched is a female, one, and preferably both, witnesses should be female.

Searches will be conducted as privately as possible. Food items will not be touched. Employees will be asked to open their coats, remove hats, or lift pants legs to inspect boots. No one will be searched forcibly. Employees will be asked to empty pockets and turn them inside out. Employees shall not be touched or patted to determine pocket contents. If locks are cut in the search of desk, lockers, large tool boxes, etc., the person conducting the search should be prepared to replace them immediately after completing the search and give the key to the employee. Those who object to the searches or who refuse to cooperate will be told that submission to such a search is a condition of employment and that failure to cooperate will result in discharge. If an employee continues to refuse to cooperate, the search will be terminated, and the refusal reported to one of the General Superintendents or Principals.

Any contraband or prohibited items seized shall be described in writing and a receipt given to the employee. Seized items, along with a copy of the descriptive receipt, shall be turned over to one of the General Superintendents or Principals. Illegal items will be turned over to the appropriate law enforcement authorities.

B. Employees found with illegal substances, controlled substances without a prescription, alcohol, drug paraphernalia, or other such items in their possession, whether on their person or in a vehicle or container of any sort under their control, will be discharged.

EMPLOYEE CONSENT FORM

I, _____, do hereby give my consent to Hall-Taylor Construction Company, Inc (the Company), to collect a urine/blood sample from me on this date, and I further consent to the Company to forward the urine/blood sample to the testing laboratory for its performance of appropriate test thereon to identify the presence of drugs. I further give the laboratory my permission to release the results of such tests to the Company. I understand that the refusal to submit to testing or a positive test result will result in disciplinary action as described in the Company's Substance Abuse Policy.

Date Employee Signature

I currently am taking prescription medication.

Yes _____ No _____ If yes, fill out attached form.

The urine/blood sample which I have provided today was placed in a container(s) in my presence, was sealed and labeled in my presence, and was identified as Sample No. _____ in my presence.

Date Employee Signature

PRESCRIPTION DRUGS

To insure the safety of all personnel and equipment, the following information is required for prescription drug or drugs you now possess:

Employee Name _____

Name of Drug _____

Prescription No. _____

Date Prescribed _____

Length of time prescription will be taken _____

Does the drug produce any side effects?

Yes _____ No _____

If yes, Describe _____

Prescribing Physician's Name _____

City _____

Phone Number _____

I give my consent for the above physician to answer any questions about my use of the above drug.

Date

Employee