

Drug-Free Workplace Policy

I. PURPOSE AND GOAL

Silver Star Industries, Inc. (“Silver Star”) believes in providing a safe workplace for all of its employees. Silver Star does not condone or tolerate employee created risk related to controlled substances including:

- Sale, purchase, transfer or possession of any prohibited substance.
- Use of any prohibited substance during normal working hours and/or on Silver Star property.
- Arrival or return to work under the influence of any prohibited substance affecting job performance.

II. COVERED EMPLOYEES AND APPLICABILITY

Any individual who conducts business for Silver Star, applies for a position or conducts business on Silver Star's property is covered under the Drug-Free Workplace Policy (the “Policy”). The Policy includes, but is not limited to managers, supervisors, full-time employees, part-time employees, interns and applicants.

The Policy is intended to apply whenever anyone is representing or conducting business for Silver Star. Therefore, the Policy applies during all working hours, whenever conducting business or representing Silver Star, while on Silver Star property and at Silver Star-sponsored events.

III. PROHIBITED BEHAVIOR

It is a violation of the Policy to possess, sell, trade, and/or offer for sale alcohol, illegal drugs or intoxicants at work. It is a violation of the Policy to use alcohol or any drug during work, or to arrive at or return to work under the influence of alcohol at or above .02 BAC or under the influence of any drug affecting job performance.

It is a violation of the Policy to use marijuana, in any form, at work, even if the employee has authorization for medical marijuana use. It is a violation of the Policy to arrive at or return to work under the influence of marijuana affecting performance. Marijuana intoxication affecting performance will be judged by trained supervisors relying on known visible and behavioral symptoms.

It is a violation of the Policy to misuse and/or abuse prescription medications. Prescription and over-the-counter drugs are not prohibited when taken in standard dosage and/or according to a physician's prescription. Any employee taking prescribed or over-the-counter medications must consult the prescribing physician and/or pharmacist to ascertain whether the medication may interfere with safe performance of his/her job. If the use of a medication could compromise the safety of the employee, fellow employees or the public, it is the employee's responsibility to notify a supervisor and take protective measures to avoid creating an unsafe workplace.

IV. CONFIDENTIALITY

Employee records related to drug test results or referrals under the Policy will be kept strictly confidential and separate from the general personnel files.

V. ASSISTANCE

Resources for employee assistance with a drug or alcohol problem are available through the Human Resource Department. **Seeking assistance for a substance abuse problem will not jeopardize an employee's job; problems with performance, attendance or behavior may. Conversations related to seeking assistance will be kept confidential.**

Treatment for alcoholism and/or other drug use disorders may be covered by the insurance. However, ultimate financial responsibility for recommended treatment belongs to the employee.

VI. DRUG TESTING

- 1) All personnel administering the Policy will be fully trained in the Policy procedures.
- 2) Tests will be processed through a certified laboratory and all positive test results will be reviewed by a Medical Review Officer (MRO) to ensure accuracy. An employee who tests positive will be given the opportunity to explain findings to the MRO prior to issuing a positive test result to Silver Star.
- 3) Silver Star may test an employee in any of the following situations:
 - a) **Random Test** – Silver Star will periodically test a random selection of employees.
 - b) **Reasonable Suspicion Test** - Silver Star may test upon reasonable suspicion of a Policy violation.
 - c) **Pre-employment Test** - As part of the Silver Star's employment procedures, applicants may be required to undergo a post-offer, pre-employment drug test.
 - d) **Post-Accident Test** – Silver Star may test any employee in an accident involving:
 - i. injury to self or others;
 - ii. vehicle damage over \$250;
 - iii. damage to property over \$250;
 - iv. and/or fatality.

VII. POSITIVE TEST RESULT

Any employee who tests positive for a prohibited level of any prohibited substance will be immediately removed from duty and be subject to Policy consequences. The employee may be referred to a substance abuse professional for assessment and recommendations. Additionally, the employee may be subject to ongoing, unannounced, follow-up testing for a period of time recommended by the Substance Abuse Professional.

An employee will be subject to the same consequences of a positive test if he or she refuses the test, adulterates or dilutes the specimen, substitutes the specimen with another person's or sends an imposter, will not sign the required forms or refuses to cooperate in the testing process.

VIII. CONSEQUENCES

If an employee violates the Policy, he or she will be subject to progressive disciplinary action, up to and including termination. An employee may be required to enter rehabilitation as a condition of continued employment. Nothing in the Policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems. The offer of employment may be withdrawn from an applicant who violates the Policy and/or fails a pre-employment drug test. The applicant may reapply after six months, but must pass a pre-employment drug test.