

# L & M Underground, Inc

## Statement of Policy on Substance Abuse

It is the policy of L & M Underground, Inc. to insure a safe, healthy and efficient work place. Therefore, employee compliance with the following substance abuse policy is mandatory and is a condition of employment with L & M Underground, Inc.

### Prohibited Use

Employee's shall not bring, consume or otherwise use alcohol or a otherwise use a *Schedule 1 Drug As Defined By The Schedule Of Controlled Substances* as published by the *US Drug Enforcement Agency*; or any other substance such as amphetamine, narcotic or any other habit forming drug except as prescribed by a licensed physician.

Use of prescription drugs or "Over-The-Counter" pharmaceuticals must be reported to your supervisor or prior to reporting for work.

Schedule of drugs shall include but is not limited to the following; opiates, opium, derivatives, hallucinogenic substances, stimulants and depressants.

Employee's **shall not** consume alcohol while "ON DUTY" or 4 hours prior to reporting for "Duty" or with a blood alcohol level of .04 or above. Employee's shall not consume Schedule 1 drugs either while "On Duty Or Off Duty"

Employees who witness consumption of alcohol or drugs in the work areas or who suspect the impairment of another employee should report this information to their supervisor immediately. Impaired employees place themselves and those around them at risk, particularly when performing safety sensitive duties such as driving, operating equipment, working in roadways or jobsites where equipment is being moved or used, and digging around utilities.

### Impairment Prohibited

Employee's **shall not** report for work while impaired by alcohol, controlled substance or, while under the influence of a physicians prescribed drug or over the counter pharmaceutical that would impair motor senses; sense of sight; hearing; balance; reaction time; reflex; or judgment, where senses actually may be or may presumed to be affected.

### Possession Prohibited

Employee's **SHALL NOT** possess any quantity of alcohol or controlled substance as described herein while at the work place or on company property. The work place is defined as any location to which you are dispatched or assigned to engage in work or other company matters. The workplace includes all company vehicles and storage yards. Possess means to have under your control, access, personal vehicle or any area entrusted to your employment or control.

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#### Employee Substance Screening

To insure strict compliance with the L & M Underground, Inc. SUBSTANCE ABUSE POLICY, both existing and new applicants or hires may be subject to alcohol and/ or substance screening, under the circumstances described below.

Your signature on the acknowledgment at the end of this section confirms your agreement with the L & M Underground, Inc. Substance Abuse Policy and Employee Screening Program and indicates your consent to comply with requests for such screening as may be determined necessary by the Company. You are advised that is your right to refuse participation in the L & M Underground, Inc. policy and thereby terminate your employment relationship with the company. Such action shall be determined as a resignation from employment with the attendant consequences.

#### 1. APPLICANTS:

- Prior to receiving a position with L & M Underground, Inc., any applicant may be subject to a substance screening.

#### 2. EXISTING EMPLOYEE'S:

- The screening of existing employee's will be in accordance with the following circumstances:
  - a) **Reasonable Cause:** *When there exists reasonable evidence that an employee has reported to work or is working impaired as determined by the judgment of a supervisor. Refusal or failure to submit or report to such a screening shall be considered as a positive test result and be addressed with the attendant consequences.*
  - b) **Annual Testing:** *Employees may be required to submit to random annual testing. Refusal or failure to submit or report to such a screening shall be considered as a positive test result and be addressed with the attendant consequences.*
  - c) **Post Accident Testing:** *Following an accident or incident on the job or in the work place, an Employee may be required to submit to a substance screening. Refusal or failure to submit or report to such a screening shall be considered as a positive test result and be addressed with the attendant consequences.*
  - d) **Random Testing:** *As determined by L & M Underground, Inc., random screenings may be requested to insure compliance. Refusal or failure to submit or report to such a screening shall be considered as a positive test result and be addressed with the attendant consequences. **NOTE: Random testing may be determined by lot, or as performed by a third party safety & health or medical administrator.***

Test results will be reviewed to determine whether there is any indication of alcohol or substance present. The results are confidential. The L & M Underground, Inc. safety and health director, or designated third party medical review officer will be the sole custodians of individual test results. Based on the findings, an employment determination will be made. A violation of this policy, including a refusal to submit testing, will be grounds for termination.

**L & M Underground, Inc.**

**ACKNOWLEDGMENT**

**SUBSTANCE ABUSE PROGRAM**

**I Have Received A Copy Of And Personally Reviewed The L & M Underground, Inc. Substance Abuse Policy And The Substance Abuse Program. I Hereby Agree To And Comply With The Terms Of My Employment And The Conditions As Therein Described. I Understand My Compliance Is A Condition Of My Employment With L & M Underground, Inc.**

**Name:**

**Date:**     /     /

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**Signature:**

**Social Security #**