



**MARATHON
DRUG AND ALCOHOL POLICY EMPLOYEE GUIDE
For Employees in Minnesota**

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INTRODUCTION

Policy # 10002 – Drugs and Alcohol applies to Marathon Petroleum Company LP, Marathon Petroleum Service Company, Marathon Petroleum Logistics Services LLC, Marathon Refining Logistics Services LLC, and any subsidiary or affiliated organization which expressly adopts it (the “Company”). It is the Company’s belief that the misuse of drugs, alcohol, or any substance having a physiological, psychological, or biochemical effect impairs employee health, employee performance and creates unsafe working conditions. The Company is committed to maintaining a productive, safe and healthy work environment free of Unauthorized Drugs and Unauthorized Alcohol use.

In order to achieve this purpose and administer Policy # 10002 – Drugs and Alcohol, the Company has adopted and implemented this Drug and Alcohol Policy Employee Guide. For Minnesota sites or employees working in Minnesota, the Drug and Alcohol Policy Employee Guide is modified as set forth herein (Policy # 10002 – Drugs and Alcohol, the Drug and Alcohol Employee Guide, and this Drug and Alcohol Employee Guide for employees in Minnesota are, together, the “Policy” for Minnesota sites or employees working in Minnesota). All provisions of the Drug and Alcohol Employee Guide are in effect, unless and except as modified below.

Additionally, the Company has in effect, and enforces, drug and alcohol plans and programs as required by the U.S. Department of Transportation (D.O.T.) and U.S. Coast Guard for positions regulated by the D.O.T./U.S. Coast Guard. The D.O.T. plans and U.S. Coast Guard program supplement the Policy and govern over any conflicting provisions of the Policy for covered employees.

PART I - DRUG POLICY

The manufacture, use, consumption, possession, distribution, dispensation, purchase, or sale of Unauthorized Drugs by Company employees while on Company Premises or while engaged in Company business is prohibited.

Subject to the limited exceptions set forth in the Policy relating to products containing Tetrahydrocannabinol (“THC”), an employee reporting for work or working with Unauthorized Drugs in their body or who has a positive drug test is in violation of the Policy. This also includes, but is not limited to, the operation of a Company owned or leased vehicle.

PART II - POLICY ON ALCOHOL & PRODUCTS CONTAINING THC

The manufacture, use, consumption, possession, distribution, dispensation, purchase or sale of THC or products containing THC on Company Premises or while engaged in Company business is strictly prohibited. The consumption or possession of Alcohol in unsealed or opened containers on Company Premises is also prohibited, except in limited circumstances where specifically authorized by the President, the applicable Organizational Vice President or a manager or supervisor designated by either such officer, hereinafter individually referred to as “Designated Management” (for example, alcohol is generally permitted in restaurants operated on Company Premises, in special dining rooms, on Company aircraft, in specific areas designated for recreational and social use, and in lodging furnished or paid for by the Company, etc.).

Any employee reporting for work or working with a Prohibited Blood Alcohol Content or while Under the Influence of THC or any product containing THC is in violation of the Policy. This also includes, but is not limited to, the operation of a Company owned or leased vehicle.

In its discretion Designated Management may prohibit the possession of all Alcohol on Company premises at designated locations.

PART III - POLICY APPLICATION

All domestic locations will implement the Company's Policy and adopt or maintain any additional administrative procedures or work rules which are necessary to administer the Policy at any particular location. Any such administrative procedures or work rules must be reviewed by the Marathon Petroleum Company LP Chief Human Resources Officer ("CHRO") or the CHRO's designee, who will coordinate the approval of the Law Organization and Health Services.

All Company employees are required to comply with the Policy.

In addition, contractors will be required to certify in writing that their employees and/or subcontractors: (1) shall not be allowed to manufacture, use, consume, possess, distribute, dispense, purchase, sell or be Under the Influence of Alcohol or Unauthorized Drugs (including, without limitation, THC or products containing THC) while on Company Premises; and (2) are subject to a policy and Laboratory Testing provisions which are at least substantially equal to the Company Policy in all respects. Any exceptions to the Policy, other than those identified for "Management" under the Policy, must be approved by the Company's President or the President's designee.

Additionally, all employees determined by the Company to be covered by the Department of Transportation and/or the U.S. Coast Guard Drug and Alcohol Testing Regulations will be subject to provisions outlined in the D.O.T. plans and U.S. Coast Guard program. These plans and program include provisions necessary to comply with D.O.T. Regulations 49 CFR Parts 40, 199, 382, 46 CFR Parts 16 and 95 and 33 CFR Part 95. Copies of the pertinent Marathon Petroleum Company LP D.O.T. plans and U.S. Coast Guard program are available through Human Resources. Subcontractors covered by Department of Transportation/U. S. Coast Guard Drug and Alcohol Testing Regulations must demonstrate participation in a bona fide drug and alcohol testing program.

A. CURRENT PROCEDURES

Certain locations of the Company have established work rules or programs concerning drug and alcohol use. These rules need not be modified with the adoption of the Policy provided they are consistent with the provisions of the Policy and approved by the CHRO or the CHRO's designee, in conjunction with Law and Health Services.

B. UNIONIZED FACILITIES

In locations where workers are represented by unions, it may be necessary to negotiate the Policy with the Union prior to implementation. Assistance from the Vice President, Labor & Employee Relations and Law should be obtained to determine whether and to what extent collective bargaining is required.

PART IV - DEFINITIONS

1. COMPANY

"Company" shall mean Marathon Petroleum Company LP, Marathon Petroleum Service Company, Marathon Petroleum Logistics Services LLC, Marathon Refining Logistics Services LLC, and any subsidiary or affiliated organization which expressly adopts the Policy.

2. UNAUTHORIZED DRUGS

For the purpose of the Policy, the term "Unauthorized Drugs" shall mean any substance, other than an Authorized Substance, which is, or has the effect on the human body of being, a narcotic, depressant, stimulant, or hallucinogen, their precursors, derivatives or analogues, and includes, but is not limited to, those substances scheduled as controlled substances pursuant to the Federal Controlled

Substances Act, inhalants, “designer drugs,” “look-a-likes,” and any other illegal drugs under either state or federal law.

For the avoidance of doubt, THC and products containing THC remain “Unauthorized Drugs” under the Policy unless obtained, possessed, and consumed lawfully and, further, possessed or consumed by the employee in a manner that does not violate the “Policy on Alcohol & Products Containing THC” set forth above.

3. AUTHORIZED SUBSTANCES

Substances having a physiological, psychological, or biochemical effect which are lawfully prescribed to an employee, or which are available without a prescription, which are lawfully obtained by an employee and which the employee possesses and uses in the appropriate manner, in the dosages and for the purposes for which the substances were prescribed or manufactured, are considered “Authorized Substances” for the purposes of the Policy. In the case of products containing alcohol or THC, such products are excluded from this definition to the extent their possession or consumption places an employee in violation of the “Policy on Alcohol & Products Containing THC” set forth above.

4. COMPANY PREMISES

“Company Premises” includes, but is not limited to, Company owned, rented, used, or leased property, including lodging furnished or paid for by the Company; Company worksite locations, offices, and/or parking lots; or Company owned, leased or rented vehicles, aircraft, vessels or equipment.

5. ALCOHOL

“Alcohol” includes, but is not limited to, distilled spirits, liquor, beer, wine, malt liquor or any other intoxicants used for beverage purposes.

6. UNDER THE INFLUENCE OF ALCOHOL OR PRODUCTS CONTAINING THC

“Under the Influence” shall mean that an individual is affected by Alcohol or marijuana (or any other product containing THC) in any detectable manner. Evidence of being Under the Influence may be established by a professional or lay person’s opinion, a physiological test/analysis, or a biochemical test/analysis. An “Under the Influence” determination is not limited to, nor must it consist of evidence of impairment of physical or mental ability or misconduct. An employee whose blood alcohol content is found to be equivalent to or greater than the governmentally recognized level for being under the influence shall be presumed to be Under the Influence of Alcohol.

7. PROHIBITED BLOOD ALCOHOL CONTENT

“Prohibited Blood Alcohol Content” means an employee whose blood alcohol content is determined during work hours to be equivalent to or greater than .04 percent. Any employee with a Prohibited Blood Alcohol Content will be in violation of the Policy.

8. CONTRABAND

“Contraband” for purposes of the Policy shall mean drug paraphernalia.

9. LABORATORY TESTING

“Laboratory Testing” includes, but is not limited to, a physiological test/analysis, or a biochemical test/analysis, including urinalysis, blood and/or hair analysis.

10. PERSONAL SEARCH

“Personal Search” includes a search of employees’ personal property located on Company Premises, including, but not limited to, their personal effects, lockers, baggage, desks, lunch boxes, containers,

purses, billfolds, parcels; private vehicles if on Company Premises; living quarters, if furnished or paid for by the Company; any Company property assigned to employees; and a limited search of the person.

11. RETURN TO WORK AGREEMENT

“Return to Work Agreement” means an agreement which specifies the conditions with which an employee must comply in order to return to and maintain employment.

12. SAFETY-SENSITIVE POSITION

“Safety-Sensitive Position” means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person. This includes a position which requires that the employee perform the duties which are related to the safe operation or security of a facility or a piece of equipment and which, if not performed properly, could result in a serious safety risk or environmental hazard to employees, or the general public. All employees who have the direct responsibility of supervising employees who perform such duties are considered as occupying a safety-sensitive position. Each major operating unit shall establish and maintain a current list of Safety-Sensitive Positions.

13. SUBSTANCE ABUSE

“Substance Abuse” means unauthorized drug use and alcohol, or other legally controlled substance use in violation of the Policy.

14. CONFIRMATORY TEST

“Confirmatory Test” means a second drug or alcohol test that uses a method of analysis that is reliable for providing specific data as to the drugs, alcohol, or their metabolites detected in an initial screening testing test and that meets with the requirements of applicable state law and/or regulations. All initial screening tests positive for a drug or alcohol undergo confirmatory testing.

15. INITIAL SCREENING TEST

“Initial Screening Test” a drug or alcohol test that uses a method of analysis that is capable of providing data as to general classes of drugs, alcohol, or their metabolites and that meets the requirements of applicable state law and/or regulations.

16. REASONABLE SUSPICION

“Reasonable Suspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

17. RETEST

“Retest” means a drug or alcohol test requested by a job applicant or employee after receipt of a positive drug or alcohol test result, as confirmed by both an initial screening and confirmatory Laboratory Testing, in violation of Policy. For purposes of this Policy, a retest will consist of testing the previously submitted sample of blood, hair, or urine, unless there is an insufficient amount of sample remaining for a retest, in which case a second collection will be made within 10 days of the original collection.

PART V - POLICY ADMINISTRATION

The CHRO has overall responsibility for the administration of the Policy, in consultation with Law and Health Services.

A. EMPLOYEE EDUCATION

Employee education sessions are to be conducted on a periodic basis. These education sessions will be coordinated by local Human Resources with assistance from the CHRO or the CHRO's designee. All employees should be made aware of the problems associated with drug and alcohol use, rehabilitation services that are available, and the requirements of the Policy.

Additionally, supervisors will be trained to recognize the signs and symptoms of drug and alcohol use and the procedures to follow in the enforcement of the Policy.

B. EMPLOYEE NOTIFICATION

Employees will be notified by the Company of the conduct expected of them pursuant to the Policy as well as the provisions for the enforcement of the Policy.

Upon adoption of a new drug and alcohol policy or substantive modification of this Policy, a notice to employees will be posted in an appropriate and conspicuous location on the Company's premises and copies will be made available on the Company's intranet portal with all other employment policies.

Copies of this Policy will also be made available in the human resources office upon request.

All employees will be reminded of the Policy during subsequent education sessions. New employees will be notified of the provisions of the Policy during their orientation sessions.

C. MEDICATION/SUBSTANCE REPORTING

It is an employee's responsibility to notify Health Services or their refinery nurse in writing when they are taking any prescription or nonprescription medicine or substance which may impair their judgment or performance or otherwise adversely affect the normal functions of their mental faculties or physical abilities.

D. EMPLOYEE INITIATED REHABILITATION

Employees with a drug or alcohol problem are encouraged to volunteer for rehabilitation assistance before their problem leads to a situation which could jeopardize their employment. Employees who volunteer for such rehabilitation either through referral from the Employee Assistance Program or through other means, before they have performance problems or prior to the Company notifying the employee that he or she must report for a drug and/or alcohol test will not be subject to discipline based on their voluntary request for rehabilitation, but may be required to submit to an evaluation/rehabilitation program specified by the Company before returning to work.

In addition, employees who receive a positive drug or alcohol test result in violation of this Policy will have one opportunity to attend a rehabilitation program, during which discipline will be held in abeyance in accordance with Part VIII, Section B. Any employee who enters into a rehabilitation program following a positive drug or alcohol test will be required to provide documentation of successful completion of the rehabilitation program.

Rehabilitation referral assistance is available through the Employee Assistance Program, Human Resources, or Health Services to any employee who feels the need for assistance in dealing with a drug or alcohol problem.

Employees returning to work following participation in voluntary and/or Company mandated rehabilitation may be required to sign a Return-to-Work Agreement as detailed under Policy Enforcement – Return to Work Agreements, Part VIII C.

PART VI - SEARCHES

In enforcing the Policy, searches of employees and their property on Company Premises and work area searches are authorized in accordance with the Policy.

An employee who refuses, when requested, to cooperate with a search or to sign an appropriate consent form shall be deemed to be in violation of the Policy.

A. PERSONAL SEARCHES

Without limitation, the Company reserves the right to conduct unannounced Personal Searches.

Entry upon the Company's Premises by employees, visitors or contractors will be deemed to constitute consent by such persons to Personal Searches pursuant to the Policy.

B. PERIODIC WORK AREA SEARCHES

Searches of work areas and other Company Premises may be conducted without limitation and whenever Designated Management determines such searches are necessary or desirable. When practical, the CHRO or the CHRO's designee will be contacted prior to a search. Searches (which may include use of specially trained dogs) will be performed only by individuals authorized by Designated Management.

If because of a periodic work area search, Unauthorized Drugs, Alcohol or Contraband are discovered in a common area and its ownership or control cannot be determined, employees reasonably considered to have access to such area may be required to submit to a Personal Search. The decision as to which employees to search, if any, shall be determined by the supervisor of the employees involved in consultation with local Human Resources, the CHRO or the CHRO's designee.

PART VII - LABORATORY TESTING

Laboratory Testing (including, but not limited to drug tests, alcohol tests, etc.) may be used to detect or confirm violations of the Company's Policy.

Tests to be performed and the facilities performing the tests shall be approved by the CHRO or the CHRO's designee, in conjunction with Health Services. All laboratories used for Laboratory Testing for Unauthorized Drugs and alcohol must be certified, licensed, or accredited in accordance with Minnesota law. Laboratories will be required to retain all positive samples for six (6) months.

Company representatives authorized by Management will coordinate sample collection and submission procedures.

A. DRUG & ALCOHOL TESTING PROCESS

All drug and alcohol tests undergo a two-step process: an initial screening test and, if positive, a confirmatory test. An employee or job applicant will be notified in writing of the result of any drug or alcohol test result within three (3) working days of receipt of the result from the testing laboratory. This written notice will also include a description of the individual's right to explain any positive test result to a medical review officer and the individual's right to request a retest of the sample at the individual's expense. Additionally, employees will be notified of their right to have access to information in their personnel file relating to the positive result and other information acquired in the testing process.

In addition, if the initial screening test and confirmatory test are both positive, an employee or job applicant may opt for a retest of the sample given at the employee's or job applicant's own expense. For all employees subject to alcohol testing, employees who receive a breath screening result of .020

BAC or greater will be required to provide a blood sample for Laboratory Testing, which will include an initial screening and confirmatory test of that sample and any possible retest that may be requested.

A request to retest a sample must be submitted to and received by the Company in writing within five (5) working days after the employee or job applicant received notice of the positive confirmatory test result. The retest must be performed by the laboratory used by the Company, or another laboratory certified, licensed, or accredited in accordance with Minnesota law. Within three (3) working days after receiving notice that the employee or job applicant wishes to have a retest conducted on the sample, the Company will notify the original testing laboratory of the request for a retest or arrange for transfer of the sample to the laboratory selected by the individual to perform the retest, provided that the laboratory selected must be certified, licensed, or accredited in accordance with Minnesota Law.

B. AUTHORIZED LABORATORY TESTING

Laboratory Testing is authorized under the following circumstances:

1. PRE-EMPLOYMENT TESTING

All applicants for employment will be required to submit to Laboratory Testing following their acceptance of a contingent job offer and prior to beginning work (drug tests only). (This includes safety-sensitive initial hires from subsidiary companies, if such companies did not conduct pre-employment testing.)

2. REASONABLE SUSPICION TESTING

Reasonable suspicion testing will be undertaken when local Management, in consultation with local Human Resources, the CHRO or the CHRO's designee has reason to believe the employee is in violation of the Policy. For example, Laboratory Testing may be conducted if an employee's performance, involvement in an accident, actions or appearance leads local Management to believe there may be a violation of the Policy. The foregoing examples are not meant to be exclusive; other circumstances may arise which would constitute reasonable suspicion to request Laboratory Testing.

3. RANDOM TESTING

All employees performing work in Safety-Sensitive Positions (as defined by Designated Management in consultation with the CHRO or the CHRO's designee and Law) at all Company locations are subject to random testing, with the exception of employees who are covered by a D.O.T. random testing program. Should an employee have insufficient hair to provide an adequate sample for a random test or a conclusive result is not obtained from the random sample, the Company, at its discretion, may allow that employee to take a urine test provided that, if medically possible, the employee must agree to submit an adequate hair sample for testing within the following 90 days.

Random Testing will be conducted at an annualized rate of 25% (this rate may be adjusted in the future).

4. RETURN TO WORK TESTING

Employees who return to work following rehabilitation, may be subject to Laboratory Testing as determined by Health Services and their Substance Abuse Professional (SAP), and as outlined in a Return to Work Agreement for a period of up to two (2) years after the date of successful completion of such rehabilitation program or, for employees in positions regulated by the D.O.T., for a longer period as determined by the Substance Abuse Professional under applicable law.

5. GOVERNMENT REQUIRED TESTING

Laboratory Testing will be conducted as required by the U.S. Department of Transportation or by other federal, state or local governmental agencies.

Additionally, laboratory testing may be conducted as required by other companies or entities for access to, and/or to perform work at their facilities.

PART VIII - POLICY ENFORCEMENT

Supervisors and management personnel must be alert to detect employee violations of the Policy. The actions or physical appearance of the employee, an employee's attendance record (this may not be the sole factor leading to testing, but may be considered a factor if there are other indicia giving rise to suspicion), unexplainable accidents, observed inability to perform work in a safe and productive manner, or Unauthorized Drugs, Alcohol, or Contraband found on Company Premises are examples of circumstances which may support a reasonable suspicion of a violation of the Policy. The Company expects supervisors and management personnel to enforce the Policy in all cases where a reasonable belief exists that a violation of the Policy may have occurred or is occurring.

It is also the responsibility of each employee to assure his or her own safety by enforcing compliance with the Policy with respect to his or her own conduct, as well as to encourage the appropriate conduct of all other employees.

A. CRIMINAL OFFENSES

An employee charged with, convicted or under investigation in connection with a drug-related or alcohol-related criminal offense may be subject to discipline up to and including discharge for the first offense and/or required to submit to drug testing and/or an evaluation/rehabilitation program. If the employee tests positive for drugs or fails to follow all recommendations arising out of the evaluation, including Unauthorized Drug or Alcohol use, the employee will be discharged.

An employee charged with, convicted or under investigation of a drug-related or alcohol-related criminal offense must report this information to his supervisor or local Human Resources immediately. The Company will notify the appropriate federal agency within ten days of any employee convicted of violating a criminal drug statute if the violation occurred in the workplace.

B. DISCIPLINE

Disciplinary measures will be taken against employees who violate the Policy.

Nothing contained in the Policy shall be construed as creating or constituting a contract with the employee (whether expressed or implied); nor shall it limit the Company's right to administer other disciplinary measures not specifically referenced herein.

Minnesota employees determined by the Company to be covered/regulated by D.O.T. or U.S. Coast Guard Drug and Alcohol Testing Regulations who test positive for a Controlled Substance as defined by 49 CFR part 40 or who have a blood alcohol content (BAC) to be equivalent to or greater than .04 and for whom the result was the first positive result on a drug or alcohol test will be discharged or, as an alternative to discharge, be offered rehabilitation and referred for assessment with a Substance Abuse Professional pursuant to the applicable D.O.T. plans or U.S. Coast Guard program. Such employee must follow the procedures in the applicable D.O.T. plans or Coast Guard program set forth for an employee assessed by an SAP in order to return work, and the employee will be discharged if the employee refuses or fails to follow these procedures, fails to complete or is non-compliant with any treatment recommended by the SAP, or has a second violation of the Policy or applicable D.O.T. plans or Coast Guard program.

Subject to the limited exception for the possession and consumption of Alcohol noted in the Policy on Alcohol & Products Containing THC set forth in Part II above, employees manufacturing, using, consuming, possessing, distributing, dispensing, purchasing, or selling Unauthorized Drugs or

Unauthorized Alcohol on Company Premises or while engaged in Company business are in violation of the Policy and will be discharged.

Employees who are determined to be “Under the Influence” of Alcohol or marijuana (or any other product containing THC) or who have a Prohibited Blood Alcohol Content while working will be discharged. Employees who test positive for Unauthorized Drugs will be discharged. Such discharge will be held in abeyance if the positive test is the employee’s first positive test, and pending the employee’s election to participate in, and successful completion of, a rehabilitation program, as described below. Job applicants who test positive on a confirmatory test for Unauthorized Drugs will have their offer withdrawn.

If a positive test for Unauthorized Drugs and/or Prohibited Blood Alcohol Content is an employee’s first violation of this Policy, the employee will have one opportunity to elect to attend a rehabilitation program in accordance with Part V, Section D of this Policy. If the employee successfully completes such rehabilitation program, no discipline for the first violation of this Policy will be imposed. If the employee chooses not to attend an employee-initiated rehabilitation program, fails to complete an employee-initiated rehabilitation program, or has a second violation of this Policy after successful completion of an employee-initiated rehabilitation program, the employee will be discharged.

Any rehabilitation program will be at the employee’s expense or pursuant to coverage under the employee’s insurance.

Even if a positive test result is the employee’s first positive test result, the Company reserves the right to temporarily suspend the employee with or without pay pending the outcome of any confirmatory testing and retesting, if applicable, if the Company believes that such action is reasonably necessary to protect the health or safety of the employee, coworkers, Company assets, or the public. An employee who has been suspended without pay will be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

An employee whose BAC screening is determined during work hours to be greater than .000 percent, but not more than .019 percent, will be sent home from work for the remainder of their scheduled workday.

An employee whose BAC screening is determined during work hours to be equivalent to or greater than .020 percent will be required to complete Laboratory Testing as described in Part VII. A.

If the results of the Laboratory Testing determine a BAC of .020 percent but not more than .039 percent, the employee may be required to submit to an evaluation/rehabilitation program specified by the Company before returning to work.

Employees who refuse to sign a consent form, or refuse to consent to a search, and/or refuse to test, will be discharged. Employees involved in conduct or actions that are considered an effort to undermine the integrity of the testing program will be discharged without the opportunity to complete a rehabilitation program. This includes, but is not limited to, sample adulteration, failure to provide adequate specimen or breath, having hair removed/cut or otherwise altered after being notified of obligation to be tested (but before submitting to sample collection), giving inadequate or misleading required information, falsification of documents, late arrival at a testing facility or other similar types of activities.

C. RETURN TO WORK AGREEMENTS

Return to Work Agreements provide a substantial incentive for employees to remain drug and alcohol free. Therefore, before an employee who participates in a voluntary or Company mandated

rehabilitation program returns to work, the employee may be required to provide acceptable documentation of that employee's successful participation in such program and evidence demonstrating that the employee is not in violation of the Policy to Health Services. In addition, before returning to work, the employee may be required to sign a Return-to-Work Agreement requiring the employee to:

1. Remain compliant with their Return-to-Work Agreements.
2. Consent to unannounced drug and/or alcohol screening tests to be instituted whenever and as often as the Company deems necessary to verify and monitor compliance. Unless medically impossible to do so, maintain scalp hair length of at least ¾ inch" at all times.
3. Follow the recommendations and instructions of the rehabilitation counselor.
4. Sign necessary consent and release forms authorizing the rehabilitation counselor to advise the Company of all pertinent information.
5. Comply with any other terms outlined by the Company. Failure to comply with any of these terms will result in discharge.

D. CONFIDENTIALITY

The results of all Laboratory Testing, as well as records associated with the Company's Employee Assistance Program, are medical records and must be kept strictly confidential, unless it is authorized by state and federal laws and regulations. Unauthorized release of such information shall subject the employee who releases such information to disciplinary action, up to and including discharge.

E. CONTRACTORS AND THEIR EMPLOYEES AND ALL OTHER VISITORS ON COMPANY PREMISES

Contractors will be informed of the Company's Policy and will be expected to abide by a drug and alcohol policy at least substantially equal to the Company's Policy in all respects. Any person performing services for the Company will be subject to this requirement.

Any person found in violation will not be permitted to perform services for the Company nor be permitted access to Company Premises. In addition, contractors will be required to certify in writing that their employees and/or subcontractors: (1) shall not be allowed to manufacture, use, consume, possess, distribute, dispense, purchase, sell or be Under the Influence of Alcohol or Unauthorized Drugs (including, without limitation, THC or products containing THC) while on Company Premises; and (2) are subject to a policy and Laboratory Testing provisions which are at least substantially equal to the Company Policy in all respects.

In addition, the Company prohibits any person, including visitors, from using, possessing, distributing, purchasing or selling Unauthorized Drugs or Alcohol (except with appropriate approval) while on Company Premises. Moreover, the Company prohibits any person, including employees, contractors, and visitors, from being on Company Premises with prohibited levels of alcohol or Unauthorized Drugs in their system.

Any contractor, employee or visitor in violation of the Policy will be refused entry onto or prudently removed from the Company Premises and other actions, including notification of appropriate law enforcement agencies, may be taken.

PART IX – MISCELLANEOUS

Nothing in the Policy is to be interpreted as constituting a waiver or limitation of any kind of the Company's prerogative to take disciplinary measures at any time with respect to an employee, up to

and including termination. In addition, the Policy shall not constitute a contract or create any rights or expectations in any current or prospective employee or any third party.

The Company reserves the right to interpret, change, amend, modify, or terminate the Policy at any time, with or without notice.