

**SUBJECT:** DRUG-FREE SAFETY POLICY

**ORGANIZATION:** CW Ohio, Inc.

**DATE:** July 1, 2010

**REVISION DATE:**

**PURPOSE:** CW Ohio is committed to protecting the safety, health and well-being of all employees and other individuals in our workplace. All of us understand that we have an obligation to both our fellow employees and our customers to perform to the best of our ability. We recognize that alcohol and drug abuse pose a significant threat to our goals by impairing an employee's ability to perform his/her job and to produce the quality products and services CW Ohio's customers have come to expect. Additionally, an employee who is under the influence of alcohol or drugs may be a danger to him/herself and others. We have established a drug-free safety program that balances our respect for individuals with the need to maintain an alcohol and drug-free environment.

**SCOPE:** Any individual who conducts business for CW Ohio, is applying for a position or is conducting business on CW Ohio's property is covered by our drug-free safety policy. This policy includes, but is not limited to, executive management, managers, supervisors, full-time employees, part-time employees, and applicants. The Company's drug-free safety policy is intended to apply whenever anyone is representing or conducting business for the organization. Therefore, this policy applies during all working hours and while on CW Ohio property.

**DRUG AND ALCOHOL PROHIBITIONS:** Being under the influence, possessing, consuming, and buying, selling or trading intoxicating beverages, illegal drugs, or other controlled substances, is prohibited on Company premises.

Any employee who is under a doctor's care and for medical reasons is required to possess and consume prescription drugs must inform his or her supervisor, or a corporate executive of CW Ohio, if preferred, before reporting to his or her work station. Additionally, when a machine operator is taking a non-prescription drug which cautions against use while operating machinery, he or she should also report this to his/her immediate supervisor, or a corporate executive of CW Ohio, if preferred. Under all circumstances, where the employee's job involves the operation of equipment and the drug presents a potential impairment, the employee must submit a physician's certificate certifying that the use of the drug will not impair the operator's ability to safely operate machinery or equipment without posing significant risk of substantial harm to the employee or to others.

The illegal or unauthorized use of prescription drugs is prohibited. It is a violation of our drug-free safety policy to intentionally misuse and/or abuse prescription medications. Appropriate disciplinary action will be taken if job performance deterioration and/or other accidents occur.

**DRUG  
TESTING:**

To ensure the accuracy and fairness of our testing program, all testing will be performed by a laboratory which is certified by the Department of Health and Human Services and follows the Substance Abuse and Mental Health Services Administration guidelines.

All confirmed positive drug test results will be reviewed by a Medical Review Officer (MRO). All employees testing positive will be given the opportunity, at their request, to discuss with the MRO and/or CW Ohio HR Manager any legitimate explanation for the positive test result. If the MRO determines that there are no legitimate explanations for the confirmed positive test result, a second test will be performed. A second test to verify a positive result will be done only if the employee assumes the entire cost.

All drug-testing information will be maintained in separate confidential records.

The specific drugs for which tests are conducted include, but are not limited to: opiates, amphetamines, cocaine, phencyclidine (PCP), barbituates, benzodiazepines, methadone, propoxyphene, cannabinoids (THC), ecstasy (MDMA), heroin (6MAM), and alcohol.

Testing for the presence of the metabolites of drugs will be conducted by the analysis of urine.

Testing for the presence of alcohol will be conducted by analysis of breath. A test result with an alcohol concentration of .04 or greater will be considered a positive test. If the screening test is positive, a confirmation test will be conducted within twenty (20) minutes of the screening test. The confirmation result is the final result upon which any further action, including discipline, under the Company's policy shall be based.

If an employee or applicant fails to provide or claims that he or she is unable to provide a sufficient amount of breath sample to permit a valid breath test because of a medical condition, the Company will require the employee to be evaluated by a physician. If the physician determines that the employee's alleged medical condition does not preclude the employee from providing an adequate breath sample, the employee will be considered to have refused to submit to the alcohol test and terminated immediately. In such cases, the employee will be ineligible for re-employment.

**REQUIRED TESTS:**

Pre-Employment Testing

All applicants seeking employment, to whom the Company has extended a conditional offer of employment, will be required to successfully complete drug testing in accordance with CW Ohio's Pre-Employment Physical Examination and Drug Testing Policy.

Post-Accident Testing

Whenever an employee is involved in an unplanned, unexpected or unintended event that occurs on the employer's property during the course of the employer's business, or during working hours, or that involves employer-supplied motor vehicles or motor vehicles used in conducting the employer's business, or within the scope of employment, and results in a fatality of anyone involved in the accident, bodily injury requiring off-site medical attention, lost work time, damage to company property, or damage to another employee's property or person, the employee must submit to post-accident drug and alcohol tests. Testing will occur as soon as possible after a Company representative has been notified of the injury.

CW Ohio may, at its discretion, elect not to order post-accident drug and alcohol testing if all of the following conditions apply:

- The injury was not serious even though off-site medical attention was required;
- The nature of the injury is common to the employee's job function;
- There was no violation of work rules;
- There was no reasonable suspicion indicated by the accident investigation.

Reasonable Suspicion Testing

An employee will be required to submit to suspicion drug and alcohol tests when a trained manager or supervisor believes the employee has violated the drug and/or alcohol prohibitions contained in this policy.

Return-to-Work/Follow-up Testing

An employee who voluntarily has self-identified him/herself as having a drug or alcohol problem and sought assistance through the Company's substance abuse program or who has tested positive and has been referred to a substance abuse program, will be required to participate in return-to-work and follow-up testing. After successfully completing the employee-assistance or rehabilitation program, the employee must receive a negative drug test result before returning to work. In addition, that employee will be required to submit to periodic follow-up testing. Follow-up testing will be a series of random, unannounced tests, the number and frequency (a minimum of 4 in the first year) determined by the Company after consultation with the appropriate counselors. The return-to-work test will serve as the first follow-up test.

### Random

A company-wide random drug and alcohol testing program is in effect. CW Ohio reserves the right to determine how many employees will be tested and how often tests will be conducted. At a minimum, 15% of the average yearly workforce will be tested each year.

Employees selected for a random drug and alcohol test will be notified in writing to report to State Road Occupational Medical Facility in Ashtabula. Testing will occur during regular work hours except for 3<sup>rd</sup> shift employees who will be paid to report for testing after work. Whenever possible, employees will be driven to the testing facility by the Safety Coordinator or a member of supervision/management. In the event this is not possible, employees will be reimbursed mileage for driving their personal vehicle.

**CONSEQUENCES FOR VIOLATIONS OR REFUSAL TO SUBMIT TO TESTS:** One of the goals of our drug-free safety program is to encourage employees to voluntarily seek help with alcohol and/or drug problems. If, however, an individual violates the policy, the consequences are serious.

In the case of applicants, if he or she violates the drug-free safety policy, the offer of employment can be withdrawn. The applicant may not reapply.

Any employee who tests positive will be immediately removed from duty. If it is the employee's first offense, he/she will be referred to a substance abuse professional for assessment and recommendations, required to successfully complete recommended rehabilitation including continuing care, required to pass a return-to-duty test and sign a return-to-work agreement, subject to ongoing, unannounced, follow-up testing for at least one year. CW Ohio will pay any and all fees incurred to perform the professional assessment after the 1<sup>st</sup> positive test. It is the employee's responsibility to pay for any recommended treatment services, above and beyond any health insurance coverage. If the employee tests positive a second time or violates the return-to-work agreement, he/she will be terminated.

An employee's refusal to complete the drug and alcohol testing forms or to provide a specimen, or an adequate amount of specimen, or otherwise failure to cooperate with the testing process in any way that prevents the completion of the test, will constitute a refusal to submit to the test and the employee will be terminated as a result.

An employee found to have altered or substituted a specimen will be terminated. An applicant engaging in such conduct will be ineligible for reemployment with the Company.

If an employee violates the policy, he or she will be subjected to progressive disciplinary action and may be required to enter rehabilitation. An employee who is required to enter rehabilitation and fails to successfully complete it and/or repeatedly violates the policy will be terminated from employment. Nothing in this policy prohibits the employee from being disciplined or discharged for other violations and/or performance problems.

**RETURN-TO-  
WORK  
AGREEMENTS:**

Following a violation of the drug-free safety policy, an employee may be offered an opportunity to participate in rehabilitation. In such cases the employee must sign and abide by the terms set forth in a return-to-work agreement as a condition of continued employment.

**ASSISTANCE:**

CW Ohio recognizes that alcohol and drug abuse and addiction are treatable medical problems. We also realize that early intervention and support improve the success of rehabilitation. Consistent with its policy of non-discrimination, CW Ohio will endeavor to make a reasonable accommodation to assist recovering addicts or alcoholics and those having a medical history reflecting treatment for substance abuse problems. To support our employees, our drug-free safety policy:

- Encourages employees to seek help if they are concerned they may have a drug and/or alcohol problem.
- Encourages employees to utilize the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.
- Ensures the availability of a current list of qualified community professionals. The list is available in Human Resources.
- Offers all employees assistance with alcohol and drug problems.
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems. Disability leaves may also be arranged to permit employees to receive treatment.

If an employee freely admits to and requests assistance for a substance abuse problem, he/she cannot be terminated based on this admission. An employee may avail him/herself of a company-referred substance abuse program on only one occasion.

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

**CONFIDENTI-  
ALITY:**

All information received by the Company through the drug-free safety program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

**SHARED  
RESPONSIBILITY:**

A safe and productive drug-free workplace is achieved through cooperation and shared responsibility. Both employees and management have important roles to play.

All employees are required to not report to work or be subject to duty while their ability to perform job duties is impaired due to on- or off-duty use of alcohol or other drugs.

In addition, employees are encouraged to:

- Be concerned about working in a safe environment.
- Support fellow workers in seeking help.
- Use the resources provided through Human Resources to assist with drug/alcohol problems.
- Report dangerous behavior to their supervisor.

It is the supervisor's responsibility to:

- Inform employees of the drug-free safety policy.
- Observe employee performance.
- Investigate reports of dangerous practices.
- Document negative changes and problems in performance.
- Counsel employees as to expected performance improvement.
- Refer employees to Human Resources for assistance with drug/alcohol problems.
- Clearly state consequences of policy violations.

The Human Resources Department will administer and enforce the drug-free safety policy, including:

- Provide initial accident analysis training to all Supervisors and Managers.
- Complete an annual safety review within 30 days of the start of each program year (currently July 1).
- Complete an online BWC accident report within 30 days of each approved claim.

**COMMUNI-  
CATION:**

Communicating our drug-free safety policy to both supervisors and employees is critical to our success. To ensure all employees are aware of their role in supporting our drug-free safety program:

- All employees will receive a written copy of the policy.
- The policy will be reviewed in orientation sessions with new employees.
- The policy and assistance programs will be reviewed at safety meetings.
- Employee education about the dangers of alcohol and drug use and the availability of assistance will be provided to all employees annually.
- Every supervisor will receive training annually to help him/her recognize and manage employees with alcohol and other drug problems.

We encourage any employee to contact us if you suspect a problem exists in the workplace. We are committed to providing substance abuse education for all supervisors and employees by certified trainers and educators. We are prepared to provide counseling and to help any employee locate outside assistance if appropriate. The goal of a workplace free of substance abuse is a worthy one which we all seek to attain for the benefit of ourselves, our families, and our customers.