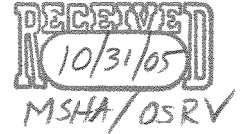


**ROGERS GROUP, INC. and AFFILIATES**  
**SUBSTANCE ABUSE POLICY & PROCEDURES**  
**Updated October 2005**



**I. POLICY STATEMENT**

**A. Objective**

1. To create a work force free from substance abuse, a safe and healthy work environment and protection of the general public.
2. To maximize attendance, productivity and quality work.
3. To comply with the contractual obligations of customers, the regulatory requirements of federal and state agencies (such as D.O.D., D.O.T., D.O.E.) and to satisfy the requirements of drug abuse legislation such as the Drug Free Workplace Act of 1988.
4. To protect Company and employee property.
5. To protect the reputation of the Company within the community.

**B. Illegal drugs and alcohol impairment** -- Rogers Group, Incorporated and its affiliates (the "Company") are committed to providing a safe and healthy working environment which includes a work force free of illegal drugs and alcohol impairment and their negative influence on our work environment. The possession, sale, or use of illegal drugs or being impaired by alcohol, or the use of unauthorized alcoholic beverages on or in Company property, or at Company sponsored events is prohibited! This policy applies to all employees, and to others as defined in this policy, during working hours or on or in Company property and at Company sponsored events at any time. This policy also prohibits the possession of drug paraphernalia or unauthorized alcoholic beverages on or in Company property or at Company sponsored events.

**C. Prescription Drugs** -- Prescription drugs may be taken only under the direction of and personal prescription by a physician. It is the responsibility of the employee to discuss with the prescribing physician and understand the potential side effects of medication. Any potential impairment of the safe and efficient performance of assigned duties caused by the medication **must be discussed with supervision prior to beginning work.**

**D. Employee Assistance Programs** -- **Employees having a drug or alcohol problem are strongly encouraged to seek assistance through the Employee Assistance Program (EAP).** Eligibility for the EAP is governed by the EAP Policy. This program provides professional and confidential counseling to address personal problems such as substance abuse.

An employee who self identifies as a substance abuser to his or her supervisor will be referred to the EAP and required to complete the prescribed program. The employee will also be tested, and if testing positive, be required to remain off work without pay until testing negative. The employee must test negative within the time periods specified below or be disciplined per Section II.E. of this policy. The employee must also comply with the re-employment requirements of Section II.G of this policy.

The specified time periods (total elapsed time from first EAP contact) allowed for EAP counseling before an employee must test negative are as follows:

1. Marijuana -- six (6) calendar weeks.
2. All other illegal drugs -- two (2) calendar weeks.
3. Alcohol -- twenty-four (24) hours.

An employee who is voluntarily and confidentially complying with an EAP directed program for substance abuse prior to testing but has not self identified, if testing positive, will be disciplined per Section II.E. of this policy.

## II. PROCEDURE

### A. Applicable Parties and Definition of Company Property

1. This policy applies to all full-time, part-time, commissioned, probationary, casual, temporary or contract employees.
2. This policy further applies to applicants for employment, subcontractors performing work for the Company, and visitors on Company property.
3. This policy is in effect and will be enforced on all Company property or any other properties or job sites under control of the Company including Company sponsored events.

B. Enforcement: The Company will enforce this policy through testing for illegal drug use and/or alcohol impairment and through searches.

### C. Testing

1. For any questions prior to sending an employee for testing, the supervisor shall contact Connie Edwards (615-780-5710) in the Human Resources Department for the latest procedures and test site coordination. Only testing facilities approved by the Company and proper chain of custody procedures will be used.
2. Testing for illegal drugs will be by urine sample analysis at standards that are attached as Appendix A. The test levels for alcohol impairment are:
  - a. A blood alcohol level of 0.08%.
  - b. A QED saliva alcohol level of 0.08% requires an immediate blood alcohol or breath test.

3. Employees are subject to testing for illegal drugs and/or alcohol impairment in the following situations:
  - a. As a condition of employment. Every new employee must be tested prior to beginning work; but may, after testing, begin urgent work while waiting for test results.
  - b. Prior to returning from temporary, seasonal layoff .
  - c. Following an injury incident as defined in the Rogers Group, Inc. Safety Policy
  - d. When an employee's supervisor has suspicion that the employee is using or under the influence of drugs or alcohol.
  - e. At any time for a period of twelve (12) months following counseling or rehabilitation for a substance abuse problem
  - f. Prior to return to work following a medical related absence of 120 calendar days or more.
  - g. Company physicals.
  - h. Testing specified by law (such as D.O.T., Police, etc.) or contractual obligation (such as D.O.D. or D.O.E.). This Substance Abuse Policy and Procedures may also be applied and acted upon in conjunction with any test required by law, or contractual obligation. Unless contractual standards are more stringent, Company standards will apply for this policy.
  - i. Testing of employees at any time.
  - j. Any "at fault" damage to a company fleet vehicle that will require repair or replacement of the damaged area or part.
  - k. Property damage incidents where safety precautions or rules were violated.
4. Resignation after the announcement of a substance abuse test, or resignation after being tested for substance abuse, will preclude re-hire consideration for a period of sixty (60) calendar days. Re-hires under this section will be subject to testing at anytime for a period of twelve (12) months after re-hire.
5. Part-time, probationary, casual, temporary, contract employees, subcontractors, vendors, and visitors, on Company property or on a Company work site, that are contemplated to be on duty for the Company for a period of two continuous weeks or more, or following an injury incident (Section II.C.3.c.), or are required by law or contract, are subject to testing for illegal drugs and/or alcohol

impairment. Management should notify all such companies or persons by contract, purchase order or in writing of this policy including disciplinary action.

D. Searches

All persons, property and areas on Company property are subject to search. This includes an individual entering or leaving Company property and all areas, equipment, personal work space and storage facilities including but not limited to desks, lunch and tool boxes, lockers, storage bins, brief cases, bags, purses, etc. All vehicles entering, operating or parked on Company property are subject to search. Company vehicles are always subject to search regardless of where they are located.

E. Disciplinary Action

1. A positive test result for illegal drugs or alcohol impairment according to testing levels defined in this policy, or for refusal to follow applicable provisions of this policy, if a first time offense after the first 180 days of employment, will result in a fifteen (15) day suspension without pay. If prior to the first 180 days of employment the employee will be terminated, and if in otherwise good standing, allowed to reapply after sixty (60) days.
2. The following situations will result in immediate discharge:
  - a. Possession, use or sale of illegal drugs or possession of drug paraphernalia or possession, use or sale of unauthorized alcohol on or in Company property or at Company sponsored events.
  - b. Refusal to submit to testing for illegal drugs or alcohol impairment, or to submit to a search of the workplace or company property; and/or refusal to submit to testing or searches as requested by regulating authorities i.e. police agencies, DOT, DOE, etc.
  - c. Second offense after rehire/retention resulting from applicable provisions of this policy.
  - d. A new employee testing positive as part of the employment process will not be hired but may reapply after a sixty (60) day waiting period.
3. Discipline for the misuse of prescription drugs may include immediate discharge. Discipline for altering the urine sample given may also result in immediate discharge under the Safety and/or Discipline Policies. Employees disciplined but retained for employment, will be subject to substance abuse testing at any time for a period of (12) months.
4. Non-employees violating this policy will be denied further access to Company property for a period of sixty (60) calendar days.

5. Employees violating other company policies/rules, while also violating this Substance Abuse Policy, may be subject to more severe discipline than outlined in this Policy.
- F. Drug-Free Workplace Act Requirement: Employees must, as a condition of employment, abide by the terms of this policy and the above act, and report any conviction under a criminal drug statute for violations occurring in the workplace. A report of a conviction must be made to local supervision within five (5) days of the conviction.
- G. Re-employment: An employee who was disciplined or discharged for a first offense under this policy, and is retained or rehired, will be required to complete a substance abuse counseling program through the EAP. The employee will be required to sign a release authorizing the company to consult with the EAP provider to verify required program participation and completion. Employees will receive written notification of this, and other, return to work requirements. The initial face to face meeting with a Substance Abuse Counselor must occur within ten (10) days of receipt of the letter. Should the counselor not release the employee to return to work at the end of the suspension period, the additional time off will continue to be without pay. The employee must test negative and will be subject to testing at any time for substance abuse with a minimum of six (6) times in the first twelve (12) months from rehire date. Failure to meet any of these requirements will result in termination.
- H. Future employment: Any employee who tests positive a second time for either illegal drugs or alcohol impairment, is permanently barred from future employment. This provision also applies to any employee who has twice refused to be tested.
- I. Authorization of alcoholic beverages: A Company Officer, Vice President or higher, or Strategic Business Unit Manager may authorize the use of alcoholic beverages on Company property or at a Company sponsored event.

### III. RESPONSIBILITY

The administration and enforcement of this policy is the responsibility of **every supervisor**. The Safety and Environmental Services and the Human Resources Departments will provide process, monitoring, reporting and other assistance. To maintain the confidentiality of records, only these departments will maintain testing, counseling or rehabilitation records in locked files separate from the personnel files. Information will be disseminated to others only on a need-to-know basis or to defend the Company from challenges as legally required.

#### IV. CHANGES TO OR TERMINATION OF POLICY

This policy may be changed or terminated at any time at the discretion of the Chief Executive Officer of the Rogers Group, Inc. and its affiliated companies, without notice to any employee.

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Bill Carpenter, Vice President  
Human Resources and Safety

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Date

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Jerry Geraghty, President & CEO

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Date

# Appendix A to Rogers Group Substance Abuse Policy & Procedures

## ROGERS GROUP, INC. LOW-TOLERANCE DRUG TESTING STANDARDS

### IF OUR TESTING MISSES DRUG USE, OUR PROGRAM IS NOT WORKING.

High tolerance testing methods identify “problem” individuals who have chronic or heavy drug use habits. However, these methods often miss detecting up to 80% of drug use (casual, recreational, experimental). For those who hold to the philosophy that any and all drug use is a “problem”, Low-Tolerance Drug Testing does a significantly better job of detecting drug use.

In addition to screening and confirming at lower levels, Low-Tolerance methods test for a wider range of drugs and are less affected by most sample adulteration techniques attempted by drug users to get around testing.

### Testing Levels

<i>Screening Thresholds (ng/mL)</i>	<u>Tolerance</u>
Amphetamines/Methamphetamines	300
Cannabinoids (marijuana)	20
Cocaine	100
Opiates	200
PCP	20
Barbiturates	200
Benzodiazepines	200

<i>GC/MS Confirmation Thresholds (ng/mL)</i>	
Amphetamines/Methamphetamines	100
Cannabinoids (marijuana)	5
Cocaine	50
Opiates	100
PCP	10
Barbiturates	100
Benzodiazepines	100

### ***Organizations with a philosophy of Low-Tolerance for drug use:***

- Professional and amateur athletics
- High profile or safety sensitive companies
- Courts, parole and probation offices
- Police and fire departments
- The military
- Treatment centers
- Concerned parents

*Low-Tolerance methods are fully forensic and court acceptable.*