13630 50TH WAY NORTH • CLEARWATER, FLORIDA 33760

OFFICE (727) 527-1300 • FAX (727) 499-9890 • www.gatordredging.com

Dear Applicant,

This Company, together with thousands of other firms throughout Florida, has elected to become a Drug Free Workplace in compliance with Florida Statutes, Chapter 440 Workers' Compensation, Section 440.001-.102, Chapter 443 Unemployment Compensation and Chapter 59A-24 Drug Free Workplace Standards. We did not elect to become a Drug-Free Workplace because we believe we have a problem with drug or alcohol abuse among our current employees. In fact, our primary motivation is to continue providing all employees with the safest, healthiest and most productive work environment possible.

Company drug and alcohol abuse policies, together with other information which must be provided to current employees and job applicants are contained in the enclosed DRUG-FREE WORKPLACE POLICY. Carefully read this information. If anything is unclear, you may contact the undersigned or, if you prefer, you may call our program administrators, Alcohol & Substance Abuse Prevention Programs at (800) 329-6334 for clarification. After you have read and understood the DRUG-FREE WORKPLACE POLICY, please sign the Drug Free Workplace Acknowledgement and return to the company's Human Resource Representative for placement in your personnel file.

Under Florida Rules, all job applicants must take and pass a urine drug test as a condition of employment. Current employees at the time of program implementation are exempt from testing for any reason for at least 60 days, after which all employees will be subject to reasonable suspicion testing for conditions such as observed abnormal conduct or erratic behavior, exhibiting signs and symptoms of drug and/or alcohol abuse, or being involved in or contributing to an accident while at work. In addition, testing is required to follow-up treatment programs and concurrent with any periodically scheduled routine medical examinations. Random testing is also authorized.

Another important component of the Drug-Free Workplace Program is education on the subjects of drug abuse and alcohol misuse through education, the NON-abusing majority of employees may be discouraged from ever starting to abuse drugs or alcohol and, hopefully, they'll also encourage their abusing coworkers to quit or get help.

If help with drug or alcohol abuse is needed, the Company has resources to assist employees with appropriate referrals to local professional services and even self-help groups structured to facilitate recovery.

The purpose of Drug-Free Workplace Programs is not to catch abusers, but rather to stop or prevent abuse. Through deterrence, education and assistance, together with active cooperation of our valued employees, we expect to continue to attract and retain a quality workforce, free of the mutually destructive problems associated with workplace drug and alcohol abuse.

Sincerely,

Christy L. Vanderpool

Christy L. Vanderpool

Enclosures:
Policy Statement, Drug-Free Workplace Policy, What All Employees Should Know

GATOR DREDGING
DRUG-FREE WORKPLACE POLICY
ACKNOWLEDGEMENT

GENERAL INFORMATION

We are an equal opportunity employer. We adhere to a policy of making employment decisions without regard to race, color, sex, religion, national origin, age, disability, handicap, marital status or any other basis protected by law. The opportunity for employment will be based solely upon your qualifications and ability to perform the job for which you are being considered. We also reasonably accommodate individuals with disabilities, handicaps, and bona fide religious beliefs.

We comply with the Americans With Disabilities Act of 1990. During the interview process, you may be asked questions concerning your ability to perform job-related functions. You may also be required to complete a post-job offer medical history questionnaire and/or undergo a medical examination. Upon request, all entering employees in the same job category will be required to complete the same medical questionnaire and/or examination. All medical information will be kept in confidential files.

We also maintain a Drug-Free Workplace in accordance with all applicable State and Federal regulations, copies of which, together with the employer's Drug-Free Workplace Policy are available for inspection at all reasonable times by applicants or employees upon request.

PLEASE READ AND SIGN STATEMENTS BELOW

1) I understand that, if hired, I will be placed in a probationary status. I further understand that if I am terminated for unsatisfactory work performance within this probationary period, the employer may seek to deny any unemployment benefits I might attempt to obtain as a result of my termination. _____ (Initial)

2) I understand that as a condition of my employment, I must take and pass a pre employment urine and/or blood test at authorized threshold levels for any or all of the drugs or alcohol listed by the employer's Drug-Free Workplace Policy, a copy of which I may request for review prior to testing. _____ (Initial)

3) I further understand, subject to confidentiality constraints and rights of appeal granted by State and Federal law, if the results of my pre employment drug and/or alcohol tests are POSITIVE (indicating substance abuse) and are received by the employer prior to or within the probationary employment period, notwithstanding any other disciplinary provisions contained in the employer's Drug-Free Workplace Policy statement, I will be terminated for cause and the employer may seek to deny any unemployment benefits I might attempt to obtain. _____ (Initial)

4) I understand and agree that all policies, procedures, whether written, published or orally communicated by the employer may be modified, amended, or deleted by the employer with or without notice to me of such change(s); that the employer's policies and procedures are not intended to be a contract of employment nor do they give me a right of continued employment; and if hired, my employment may be terminated at my option or at the option of my employer with or without prior notice to either party. I also agree there are no other written or oral arrangements, agreements, or understandings regarding the terms of my employment and that any amendments or exceptions to this statement must be in writing and signed by a person(s) duly authorized by the employer. _____ (Initial)

5) I certify that all information given to the employer by me in the form of an employment application, résumé, or related papers, or answers given by me during oral interviews, are true and correct. I understand the employer may conduct a thorough investigation of my past work and personal history. I authorize the giving and receiving of any such information requested by the employer in the course of such investigation and hereby release from liability all persons who provide such information to the employer. I understand that falsification or any derogatory information discovered as a result of investigation may subject me to immediate dismissal for cause and the employer may seek to deny unemployment benefits as a result of my termination. _____ (Initial)

_____	_____	_____
Applicant Printed Name	Date	Applicant Signature
_____	_____	_____
Witness Printed Name	Date	Witness Signature

Nothing in this Drug-Free Workplace Policy is intended to prohibit your use of prescribed use of legally obtained medications, many containing otherwise illegal substances. Because of potentially impairing side effects which could endanger you, your coworkers, or the public, upon being prescribed such medications, you are encouraged to call the Medical Review Officer at (800) 329-6334, particularly if you are performing safety-sensitive duties. The Medical Review Officer, without disclosing medication names or their purpose, may ask your employer to temporarily reassign you to less dangerous duties until treatment is completed. If you don't know the contents or impairing effects of prescribed medications, a partial listing of potentially impairing drugs by brand, common, as well as chemical names is appended to this Drug-Free Workplace Policy for your reference. Employees may also call the Medical Review Officer or testing laboratory for information.

To discourage employee use and/or distribution of illegal drugs or alcoholic beverages in the workplace, upon reasonable suspicion, searches for alcohol, drugs or paraphernalia may be conducted of employer-owned property or work sites of area(s) accessible to employees, including, but not limited to vehicles, equipment, tool boxes, lockers, desks, etc.. Discovered illegal items will be referred to law enforcement for disposition.

Alcohol misuse and drug abuse are serious personal concerns for many individuals. If you are unable to cope with such problems, you are encouraged to immediately seek confidential, professional help through community-based treatment providers. Your employer maintains an employee assistance plan described by Appendix E to this Drug-Free Workplace Policy which may help you to identify resources available to you for assistance with drug or alcohol problems.

To encourage employees to come forward before their problems could cause accidents or otherwise negatively impact the workplace, your employer will grant a one-time exemption from the Disciplinary Policy if, prior to being notified your selection for drug or alcohol testing for any reason, you have voluntarily sought and are progressing satisfactorily in treatment or counseling for drug or alcohol problems through providers preapproved by management. Although no disciplinary consequences will result if you voluntarily initiate counseling or treatment, you may be assigned to less safety-sensitive duties until you have been released for unrestricted return-to-duty by a qualified substance abuse professional.

If you have any questions or concerns regarding the Drug-Free Workplace Program, you are encouraged to contact a member of management or, alternatively, your employer's administrators may be called on a confidential basis for answers to any questions including provisions of applicable state and Federal regulations. Your employer's administrator is:

Alcohol & Substance Abuse Prevention Programs, Inc. (ASAP Programs)
For assistance, call (800) 329-6334.

ACKNOWLEDGMENT By signing below, you are acknowledging having received and understood the provisions of this Drug-Free Workplace Policy together with the following appended documents which, by reference, are incorporated herein;

Appendix A - Employer Disciplinary Policy

Appendix B - Common Drugs or Medications Which May Alter or Affect Drug Test Results

Appendix C - Employer Definition of Accidents

Appendix D - Employee Rights of Appeal

Appendix E - Employee Assistance Plan

This acknowledgment also authorizes all health care providers to release prescription drug information requested by the Medical Review Officer to verify prescription use following a positive controlled substances lab finding. "Patient prescription drug information" includes data about you that is conveyed by or on behalf of a practitioner in ordering a prescription drug or device before being dispensed and that identifies the undersigned as the recipient of the prescription drug or device. The term also includes any data concerning the dispensing of a drug or device that identifies the undersigned as having been the recipient of a prescription drug or device, whether this data is held by a practitioner, pharmacy, or another entity. You understand that you can revoke this consent at any time except to the extent that anyone has already relied on this consent. If not previously revoked, this consent will expire on the date you are no longer employed.

PRINT EMPLOYEE NAME	DATE	EMPLOYEE SIGNATURE

DRUG-FREE WORKPLACE POLICY
State of Florida

Water Front Property Service, LLC DBA Gator Dredging endeavors to provide a safe, healthful and productive work environment for its employees by supporting maintenance of a Drug Free Workplace as defined by Florida Statutes, Chapter 440 Workers' Compensation, Section 440.101 - .102, Chapter 443 Unemployment Compensation, and Chapter 59A-24 Drug-Free Workplace Standards, copies of which will be maintained for inspection by employees and job applicants at all reasonable times.

This Policy prohibits the use, sale, distribution, manufacture or possession of alcohol, drugs or related paraphernalia or being under the influence of alcohol and/or drugs to the extent of possible impairment, defined as having bodily concentrations exceeding the threshold levels for alcohol or drugs or their metabolites listed below, while on the employer's premises or work sites or anytime while operating vehicles, machinery, or equipment for the employer, whether resulting from use on or off the job, unless prescribed by a licensed physician:

Amphetamines	1,000 ng/mL	Methadone	300 ng/mL
Barbiturates	300 ng/mL	Methaqualone	300 ng/mL
Benzodiazepines	300 ng/mL	Opiates (Heroin, Morphine, Codeine)	2,000 ng/mL
Benzoylecogine (Cocaine)	300 ng/mL	Phencyclidine (PCP)	25 ng/mL
Cannabinoids (Marijuana)	50 ng/mL	Propoxyphene	300 ng/mL
	Ethanol (Alcohol)	0.04 g%	

To facilitate enforcement of this Drug-Free Workplace Policy, all applicants are required to take and pass a drug test. Current employees may be exempt from being tested for at least sixty (60) days following the initial implementation date of the employer's drug-free workplace program. This delay is to provide adequate time for any illegal drugs, which may have been ingested by employees prior to being given notice of their prohibition, to be excreted before becoming subject for testing. This 60-day notice period *does not apply* if this Drug-Free Workplace Policy represents a continuation or replacement of a preexisting program also qualified under the Florida Drug-Free Workplace Act, or if the employer had a drug testing program in place prior to July 1, 1990.

Thereafter, present employees must be tested for drugs and/or alcohol under reasonable suspicion conditions, including post-accident as defined by Appendix C to this Policy. Florida rules also require follow-up testing for a two year period following completion of treatment or counseling for drug or alcohol abuse and testing with scheduled fitness-for-duty exams. Random testing is also authorized. Refusal to submit to testing, upon request, for any of the reasons authorized by this Drug-Free Workplace Policy shall subject an employee to the same disciplinary consequences as a positive test result which may include termination for cause and denial of Unemployment Compensation and Workers' Compensation medical and indemnity benefits.

Specimens will be analyzed only by laboratories licensed and approved by the State of Florida, Agency for Health Care Administration (AHCA) utilizing qualified sites and employing collectors trained to follow authorized collection protocols and properly maintain legal specimen chain-of-custody. All positive screening test results will be confirmed by gas chromatography/mass spectrometry (GC/MS) prior to reporting final results to the Medical Review Officer.

An experienced Medical Review Officer (MRO) will review all negative and confirmed positive lab reports. Although MROs are legally agents of the employer, their primary responsibility is to be certain that employees are not falsely accused of *illegal* drug use. Your employer's MROs are licensed physicians, Certified by the American Association of Medical Review Officers (AAMRO). Positive results are only reported to employers after the MRO is certain that personal prescriptions or other legal substances do not account for a positive laboratory finding. Investigations may include, as appropriate, telephone or personal contact with the employee and any prescribing physicians or pharmacies identified.

All information, including interviews, reports, statements, memoranda, and drug or alcohol test results, written or otherwise, received by the employer, laboratories, Medical Review Officer, Employee Assistance Programs, drug and alcohol rehabilitation providers, and their agents who receive or have access to information concerning drug test results originating from testing performed in conjunction with this Policy, is to be treated as confidential communications. Such information may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings unless release, including consultation with legal counsel, is required to defend related civil or administrative matters such as determining compensability under Chapter 440, Florida Statutes, or unless such release is compelled by a hearing officer or court of competent jurisdiction pursuant to an appeal taken under this section, or unless deemed appropriate by a professional or occupational licensing board in a related disciplinary proceeding. Release of such confidential information under any circumstances other than as set forth herein above, must be pursuant to a written consent form signed voluntarily by the person tested. Information on drug test results will not be released for use in any criminal proceeding against any employee or job applicant and if released contrary to this section, the information will be inadmissible as evidence in any such criminal proceeding.

DISCIPLINARY POLICY
(Possible second chance)

Disciplinary consequences for violating the employer's Drug-Free Workplace Policy may include termination of employment and denial of Unemployment Compensation, if applicable. If you are injured and are later confirmed positive for drug or alcohol abuse based upon reasonable suspicion post-accident testing, you may also lose medical, indemnity, and disability benefits. In addition, if you are subject to Federal or State regulation, such as Federal or State Department of Transportation rules, you may also forfeit licenses or other privileges as prescribed by law.

Following confirmed drug or alcohol abuse and admission of use or exhaustion of appeal rights, *you may be retained at the employer's discretion if all of the following criteria are satisfied*:

1) you have been employed by the employer for at least ninety (90) days prior to infraction of the employer's Drug-Free Workplace Policy,

2) you were not engaged in the sale of drugs to others or engaged in any other criminal activity, such as theft, coincident with said drug and/or alcohol abuse,

3) it is your first offense while in the employ of the employer,

4) work is available to which you can be assigned at an appropriate pay scale, *which in the sole judgment of management*, does not, by virtue of your confirmed drug and/or alcohol abuse, endanger the safety of coworkers or the general public, or pose an unreasonable security risk to employer's property, or require additional supervision to assure required standards of productivity or work quality, at least until such time as you have been proven by subsequent testing to no longer be abusing drugs or misusing alcohol, and

5) *at your own expense* (unless employer-provided insurance, if any, covers costs), counseling and/or treatment satisfactory to management must be completed.

If you refuse drug or alcohol testing for any reason permitted under Federal or State law and authorized by the employer's Drug-Free Workplace Policy, you will be considered the same as having failed a drug or alcohol test and be disciplined accordingly, including termination or refusal to hire. A refusal to test may include verbalized refusal, deliberating disrupting the collection process, or physical or analytical evidence of an attempt to adulterate, dilute, or substitute the specimen.

COMMON DRUGS OR MEDICATIONS WHICH MAY ALTER OR AFFECT DRUG TEST RESULTS

(Described by brand, common, and chemical names)

NOTICE TO EMPLOYEES: This list is for reference. It is not intended to be a complete listing nor should it be viewed as authoritative. You may call the Medical Review Officer if you don't know medication contents, physical effects, or have technical questions regarding prescription or non-prescription medications. Your employer's Drug-Free Workplace policy does NOT prohibit the use of any legally obtained prescriptions, many containing otherwise illegal substances[1]. However, because of possible safety risks to employees, coworkers, or the public, employees performing dangerous jobs using medications, including certain over-the-counter preparations which could cause impairment, are encouraged to call a Medical Review Officer or a staff member at **(800) 329-6334.**

If appropriate, the Medical Review Officer, without disclosing medication names or their purpose, may request that the employer temporarily reassign affected employees to less dangerous duties until treatment is completed.

Drug/Class (Type)	Drug and/or Metabolite Tested (Generic - Trade Names)
Amphetamines (stimulant)	Amphetamine, Methamphetamine (Amphetamine-Biphetamine ®, Benzedrine ®, Bexedrine ®, Declobese ®, Obetrol ®, Dextroamphetamine-Dexedrine ®, Dexapex ®, Ionamine ®, Fastin ®, Methamphetamine- Desoxyn ®, Methampex ®)
Barbiturates (sedative)	Secobarbital, Pentobarbital, Butabarbital, Talbutal, etc. (Amobarbital-Tuinal ®, Aprobarbital-Alurate ®, Butabarbital -Butisol ®, Butalbital-Fiorinal ®, Fioricet ®, Pentobarbital-Nembutal ®, Phenobarbital-Luminal ®, Secobarbital-Tuinal ®, Seconal ®, Talbutal-Lotusate ®, Amytal ®, Esgic ®, Mebaral ®, Phrenilin ®, Triad ®, etc.)
Benzodiazepines (anti-anxiety, depressive)	Oxazepam, Diazepam, Temazepam, Clorazepate, etc. (Alprazolam-Xanax ®, Chlordiazepoxide-Librium ®, Clonazepam, Azene ®, Clorazepate-Tranxene ®, Diazepam-Valium ®, Flurazepam-Dalmane ®, Halazepam-Paxipam ®, Lorazepam-Ativan ®, Nitrazepam, Oxazepam-Serax ®, Prazepam-Centrax ®, Temazepam-Restoril ®, Triazolam-Halcion ®, etc.)
Cannabinoids (depressant/hallucinogen)	11-NOR-/-Tetrahydrocannibinol-Carboxylic Acid and other THC Metabolites (Marijuana, Hashish, Cannibis, Dronabinol (THC)-Marinol ®)
Cocaine (Stimulant)	Benzoylecogine (Coke, Crack-cocaine hydrochloride, Cocaine HCl topical solution (Roxanne)
Methadone (narcotic/analgesic)	p-Hydroxy-methadone, 1-Alpha, d-Beta and 1-Beta-acetylmethadol (Methadone hydrochloride - Dolophine® Hydrochloride)
Methaqualone (sedative/hypnotic)	Not legal by prescription (Quaaludes, ludes, sopors, sopes, quads)
Opiates (narcotic/analgesic)	Morphine, Codeine, Morphine-3-Glucuronide (Codeine-Tylenol III ® and many other prepartions with codeine including Paregoric ®, Parepectolin ®, Donnagel PG ®, Robitussin AC ®, Guiatuss AC ®, Novahistine ® Heroin, - diacetylmorphine, Hydrocodone-numerous preparations, Hydromorphone-Dilaudid ®, Levorphanol-Levo-Dromoran ®, Morphine, Oxycodone-Percodan ®, Percocet ®, Oxymorphone-Numorphan ®, etc.)
Phencyclidine (PCP) (depressant/hallicinogen)	Not legal by prescription (PCP, Angel Dust)
Propoxyphene (narcotic/analgesic)	Propoxyphene Hydrochloride (Darvon N ®, Darvocet ®, Dolene ®, PC-CAP ®, PP-CAP ®, Propxyphene Napsylate ®)
Ethanol (sedative/depressant)	Alcohol (contained in all liquid preparations as ethyl alcohol (ethanol); (Read label for alcohol content. Examples: Vicks Nyquil ® - 25%, Comtrex ® - 20%, Listerine ® - 26.9%, Contac ® Severe Cold Formula/Night Strength - 25%)

If you are drug tested for any reason and are concerned that medications you are taking may produce a positive test result, it is NOT necessary for you to report this to your employer or the Collector administering the drug test. However, it will expedite the Medical Review Officer's verification process to clear your result as negative if prescription records are readily available when (and if) you are later called and asked to provide an explanation. Information requested by the Medical Review Officer may include the date a prescription was provided, dosage, intended purpose, and the name and phone number of all relevant prescribing physicians and/or pharmacies. A signed medical release may also be required if one has not been previously provided.

[1] EXCEPTIONS: If you are subject to certain State and Federal regulations, such as the Department of Transportation, you are restricted from performing safety sensitive functions when using any controlled substance unless prescribed by a physician *who has advised you that the substance does not adversely affect your ability to perform safety-sensitive functions (including operating a motor vehicle safely).* You may also be restricted from using alcohol-containing substances of any kind, including medications, 4 to 8 hours (depending upon the regulating DOT agency) before performing safety-sensitive functions.

EMPLOYER DEFINITION OF ACCIDENTS

Reasonable suspicion drug and/or alcohol testing is required whenever your employer has a sincere belief that you may be using or have abused drugs or misused alcohol in violation of this Drug-Free Workplace Policy. Your employer's decision to order reasonable suspicion testing will be drawn from specific objective and articulable facts and reasonable inferences based on those facts in light of practical experience.

Because historically drugs and/or alcohol are involved in such a high percentage of all accidents, one of the accepted definitions of reasonable suspicion simply states the following:

"...reasonable suspicion (probable cause) testing may be based upon evidence that an employee has caused, or contributed to an accident while at work."

Without a clear definition of "accidents" however, some employees may not be tested when indicated and others may be tested inconsistently and often inappropriately. In order to develop a fair, reasonable, and consistent policy for ordering post-accident testing, your employer has elected to specifically define "accidents" as incidents occurring at work, including off-premises work sites (other than as a passenger being transported en route), that meets any of the following additional conditions.

- ❑ Anyone involved in the accident was injured or killed.
- ☑ A medical or liability claim was (or could later be) filed by anyone involved.
- ❑ The employee was charged by law enforcement in the accident with a moving violation.
- ❑ Any vehicle involved in the accident had to be towed from the scene for repairs.
- ❑ Estimated property damage exceeding $_____ resulted from the accident.
- ❑ Lost work time (other than for drug testing) resulted from the accident.
- ❑ An employee or other person's failure to utilize prescribed personal protective equipment or follow prescribed safety rules contributed to the accident.
- ❑ The accident, even though not resulting in injuries or significant property damage, could be characterized as potentially serious. Examples include accidents resulting from the blatantly unsafe operation of dangerous machinery, motor vehicles or industrial tools. Other examples include accidents attributable to employee carelessness or negligence, or accidents which could have exposed others to secondary harm such as through release of flammables, toxic or corrosive chemicals, biohazardous materials, etc.
- ❑ Other: _____
  _____
  _____
  _____
  _____

Because post-accident testing is, by definition, based upon the reasonable suspicion that an employee may be using or has used drugs or alcohol, to preclude the possibility of accidents attributable to your possible impairment which might occur en route, whenever possible you will be driven to the collection site rather than being permitted to drive yourself.

EMPLOYEE RIGHTS OF APPEAL

In the event you are notified by the Medical Review Officer (MRO) that you have failed a required drug test, you are entitled to certain rights of appeal including the right challenge the laboratory findings. A copy of the following Letter of Notification detailing the appeals process will be provided to you upon request should you wish to exercise your right to appeal.

LETTER OF NOTIFICATION

Positive confirmed lab result - Verified by Medical Review Officer
State of Florida

POSITIVE RESULTS INDICATE PROHIBITED DRUG(S) WERE DETECTED ABOVE THRESHOLDS SET BY A YOUR EMPLOYER'S DRUG-FREE WORKPLACE POLICY.

EMPLOYEE RIGHTS OF APPEAL

Within 5 working days after receiving notice of an MRO-verified POSITIVE drug or alcohol test result, you may provide your employer or the Medical Review Officer with a written challenge, explanation, or detail of any extenuating circumstances regarding results which could impact on possible disciplinary consequences. At any time you wish to provide additional information explaining the presence of drug(s), such as having used a previously undisclosed prescription or over-the-counter medication which could affect test results, you may call the Medical Review Officer.

If your employer and/or the Medical Review Officer disagree with your position and you wish to initiate a challenge, any rights under applicable collective bargaining agreements may be exercised, and an appeal for final disposition may be filed with the regulating Federal agency (if applicable), a court of competent jurisdiction, or an appropriate State adjudicator if claims for Workers' Compensation or Unemployment Compensation are involved.

You also have the right to challenge the laboratory test results. If you wish to undertake an administrative or legal challenge to the test result, you must notify the laboratory (through the Medical Review Officer) within a 180-day period following your receipt of written notification of the positive test result. Every specimen that produces a positive, confirmed test result must be preserved by the licensed or certified laboratory that conducted the confirmation test for a period of at least 210 days after the result of the test was mailed or otherwise delivered to the Medical Review Officer. It is your responsibility to notify the laboratory to retain the sample until the case or administrative appeal is settled. To contact the Medical Review Officer, call: **(800) 329-6334.**

You are permitted by the employer to have a portion of the *original* specimen retested, at your expense, by another laboratory, licensed and approved by the Agency for Health Care Administration. The first laboratory that performed the test for the employer is responsible for the transfer of a portion of the specimen to be retested, and for maintaining the integrity of the chain of custody during such transfer. ***All costs for splitting the original specimen sample, transportation, testing, verifying, and reporting are your responsibility, unless otherwise agreed by your employer.*** The second laboratory must test the split sample at equal or greater sensitivity for the drug(s) reported by the first laboratory.

DISCIPLINARY POLICY

For your protection and that of your co-workers and the general public, if you have tested POSITIVE for drug abuse or alcohol misuse, whether or not you have elected to challenge the test results, you must immediately be removed from safety-sensitive positions until you are cleared by the Medical Review Officer based on a successful challenge to the original POSITIVE test results or until released for return-to-duty by a substance abuse professional.

Following exhaustion of the appeals process, disciplinary consequences for refusing to test or a positive drug or alcohol test result may subject you to disciplinary consequences detailed in your Company's Drug-Free Workplace Policy. Florida law permits employers to deny or terminate employment *for cause*, which could result in loss of Unemployment Compensation. Moreover, if the abuse was detected by post-accident reasonable suspicion testing and injuries requiring medical treatment resulted, Workers' Compensation benefits could also be denied.

EMPLOYEE ASSISTANCE PLAN

LOCAL DRUG REHABILITATION PROGRAMS

Looking for help for with personal drug or alcohol problems? First, confide your problem to a Human Resources person or senior level manager at your place of employment. If they are unable to help, then contact local qualified treatment providers. Although you may be personally responsible for all charges, many offer their services on a "sliding fee" scale or on credit terms if you are employed.

For current listings of local drug rehabilitation providers, refer to your local Yellow Pages™ under headings such as:

1. Alcohol Abuse & Addiction, Information & Treatment
2. Counselors - Human Relations
3. Drug Abuse & Addiction, Information & Treatment

Refer to the "white pages" for free or nominal cost help with drug or alcohol problems through local Chapters of:

1. Alcoholics Anonymous (AA)

Nationwide AA chapters may also be located through AA's web site at http://www.alcoholics-anonymous.org .

2. Narcotics Anonymous (NA)

Nationwide NA chapters may also be located by calling (818) 773-9999 or by selecting your state/geographical location on NA's internet web site at http://www.na.org/links-toc.htm

To obtain free general information on drug abuse and/or alcohol misuse contact:

1. The National Institute on Drug Abuse:
http://www.nida.nih.gov/DrugAbuse.html

2. SAMHSA's National Clearinghouse for Alcohol and Drug Information:
http://www.health.org/

3. The Alcohol & Drug Information Clearinghouse:
http://www.prevlink.org/

4. Drug Enforcement Administration. Call (202) 307-7936 to request contact information for DEA's Demand Reduction Coordinator in your geographic area.

For other local rehabilitation programs offering assistance to employers and/or employees with drug and alcohol as well as many other types of problems, you may also refer to the "white pages" for the phone number of your local United Way agencies.

Many locales also publish a "Quick Guide to Community Resources" through organizations such as the United Way or Boards of County Commissioners and may also operate County Information Lines to disseminate names, addresses and phone numbers of local community resources.

If you are unable to obtain needed information or services, please contact Alcohol & Substance Abuse Prevention Programs, your Drug-Free Workplace Program Administrators at (800) 329-6334.

WHAT ALL EMPLOYEES SHOULD KNOW ABOUT OUR DRUG-FREE WORKPLACE

Since 1991, various Federal agencies, including the Department of Defense, Department of Energy, Nuclear Regulatory Commission, National Aeronautics and Space Administration, and the Department of Transportation (which regulates commercial drivers, transit, railroad, aviation, marine, and pipeline industries), have required compliance with strict rules regarding workplace prevention and testing for drug abuse and alcohol misuse.

Many States have also introduced drug-free workplace strategies similar to Federal programs. Some States offer incentives to participating employers who agree to follow specific protocols intended to effectively reduce workplace drug abuse and alcohol misuse while assuring specimen integrity and balancing employee privacy and confidentiality rights.

Your employer, together with millions of others nationwide, has elected to implement a Drug-Free Workplace Program complying with State and, to the extent applicable, Federal requirements.

WHY DO EMPLOYERS BECOME DRUG-FREE WORKPLACES?

The Substance Abuse and Mental Health Services Administration (SAMHSA) reports an average of 1 in 7 of all U. S. workers are affected by drug or alcohol dependency. In cities actively promoting drug-free workplaces, as many as 1 out of 4 applicants to companies ***not*** presently drug testing abuse drugs or alcohol in the workplace. The resulting cost to taxpayers and employers is estimated at over $100 billion annually! Most employers don't become drug-free workplaces because they believe they currently have an employee drug problem. They do so to maintain the high quality and productivity of their current workforce and assure long-term competitiveness.

WHY SHOULD I CARE IF SOMEBODY ELSE DOES DRUGS?

For one thing, your personal safety is at risk. Statistics show drug and alcohol impaired workers are involved in 3.6 times more accidents than their coworkers and often, unimpaired coworkers or other innocent victims are also injured or killed. For another thing, you and your coworkers are directly subsidizing drug and/or alcohol abusers with your added workload and even job security if you ignore the problem. According to SAMHSA studies, in comparison with other workers, drug or alcohol impaired abusers:

- are 25% less productive on drugs, 35% on alcohol.
- are absent from the job up to 16 times more often with 2.5 times more absences of 8 or more days.
- file 5 times more workers' compensation claims.
- use 3 times more sick benefits.
- steal 4 times more often from employers and coworkers.

Who do you think pays these costs?

You do...because lost productivity and higher costs inevitably translate into lower profits out of which all employee wages and benefits must be paid. Also, if competitively priced products and/or services cannot be provided because costs are inflated by drug and alcohol related expenses, the company's survival and your job could be at stake.

WHAT IS THE OBJECT OF DRUG TESTING?

Here comes a surprise! The object of drug testing is *NOT* to catch people! Testing, combined with appropriately severe disciplinary policies, is the most effective deterrent to continuing workplace abuse because the possibility of being caught and being denied or losing a job are powerful incentives to quit. Employers would much prefer to stop abuse than have to fire an employee. After all, the employee's replacement could have the same or worse problems and it costs money to hire and train a new employee. This is why your employer's Drug-Free Workplace Program places equal emphasis on employee education, supervisory training, and access to either a confidential, professionally staffed, Employee Assistance Program or has developed an Employee Assistance Plan for employees needing help to quit. (See next page)

HOW IS DRUG TESTING CONDUCTED?

Participating employers may only use specified laboratories using chain-of-custody documentation and collection protocols which impose strict standards of accuracy and care from the point of collection through lab analysis and interpretation and reporting of results. This assures that test specimens are correctly identified, accurately analyzed and reported by the lab.

Upon arrival at the testing site, a trained collector designated by the laboratory and the employer will request positive identification. A multi-part chain-of-custody form will then be initiated which will identify your specimen by a unique number and record the names of anyone handling the sample. Carried articles (except money and valuables), including handbags, brief cases, jackets, hats, etc. must be left outside the rest room. Clothing pocket contents may also be inspected by the collector and any possible adulterants removed. You will then be asked to wash and dry your hands. Unless chemically neutral, all soap and other cleansers must be removed. Access to water will also be denied by bluing toilet bowl water and remotely turning off or taping water sources. Alternatively, a collector may stand outside the privacy stall. You will then be asked to provide a urine sample into a sterile specimen collection container(s). You will *not* be witnessed unless a same gender collector has reasonable suspicion, corroborated by a higher level supervisor, that you may have attempted to substitute, dilute, or adulterate a previous specimen.

After collection, you will be asked to watch while the collector records temperature and other observations, such as unusual odor or color, on the form. The specimen will then be sealed by a special security tape that cannot be removed without tearing it. This prevents any unauthorized persons from later removing the tape, tampering with the specimen, and replacing the tape. The unique specimen number will also be affixed. You will then be asked to initial the specimen to identify it as yours. Finally, you will be asked to verify that the chain-of-custody forms and specimen have been properly identified and that the specimen was sealed in your presence for transfer to the testing laboratory .

ARE FALSE POSITIVE LAB RESULTS POSSIBLE?

YES and NO. All urine specimens undergo a chemical screening test designed to detect even small traces of illegal substances. However, because of the test's very high sensitivity, substances chemically *resembling* illegal drugs could be misidentified if screening tests alone were permitted.

For this reason, your employer requires that all positive initial screening test specimens be confirmed by a virtually 100% accurate method called Gas Chromatography/Mass Spectrometry (GC/MS). Positive specimens must also be retained by the lab as long as a legal challenge is in process to permit reanalysis of positive specimens, if requested.

WON'T SOME MEDICATIONS TEST POSITIVE FOR DRUGS?

YES. This is why your employer will *not* be notified of a positive lab result until a Medical Review Officer (MRO) has sought prescription information from you which could account for a positive lab result. The verification process may include MRO contact with health care providers, physicians, or pharmacies you've identified to corroborate legal prescription use.

Your employer's MROs are licensed physicians with many years experience reviewing thousands of Federal and State drug test results and specially trained to identify and verify all possible *legally* prescribed medications or other substances which could react as positive for many drugs of abuse. They are also nationally certified by the American Association of Medical Review Officers, and qualified under Rule 702 of the Federal Rules of Evidence as experts. If a *legitimate* reason for a positive lab test finding is verified by the MRO, the final result will be reported to your employer as negative (no drugs present).

With your advance consent (Federally required), the MRO may ask your employer to temporarily assign you to less safety-sensitive duties, if it is felt that your use of certain legally prescribed medications could pose a danger to yourself, your coworkers, or the general public.

WHAT IS PROHIBITED IN A DRUG-FREE WORKPLACE?

Prohibitions include workplace use of illegal drugs or being under the influence of such drugs or alcohol, defined as exceeding the threshold levels shown below: (*Also required by 49 CFR Part 40, DOT Regulations)

Amphetamines	***1,000 ng/mL**	**Marijuana**	***50 ng/mL**	**Phencyclidine (PCP)**	***25 ng/mL**
Barbiturates	**300 ng/mL**	**Methadone**	**300 ng/mL**	**Propoxyphene**	**300 ng/mL**
Benzodiazepines	**300 ng/mL**	**Methaqualone**	**300 ng/mL**	**Alcohol**	**(state levels vary)**
Cocaine	***300 ng/mL**	**Opiates**	***2,000 ng/mL**	**Alcohol**	***.02 g% (restricted) - 0.04**

WHAT HAPPENS IF I GET CAUGHT DOING DRUGS?

If, based upon the results of confirmed drug tests corroborated by the Medical Review Officer, it is determined that you have abused drugs or alcohol, in addition to any possible regulatory penalties, disciplinary measures may include denial or termination of employment with forfeiture of unemployment compensation benefits. If injured and post-accident testing detects drugs or alcohol above listed threshold levels, all or part of Workers' Comp medical, indemnity and disability benefits may also be denied. Specific provisions, including your rights of appeal, are detailed by your employer's Drug-Free Workplace Policy.

CAN I GET HELP IF I'M ALREADY ON DRUGS?

YES. Your employer has either contracted to provide current employees with the services of a professionally staffed Employee Assistance Program (EAP) or has developed an Employee Assistance Plan to help you address your problems with drugs or alcohol through referral to local qualified treatment providers, many offering discounted fees to accommodate employees. If you seek such treatment prior to being notified of being selected for testing, an exemption from your employer's disciplinary provisions will be granted and, except to the extent reassignment to less dangerous duties may be required, it will not affect your job. Whatever you do, don't wait. Get help before it's too late!

ASAP™

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