



Drug and Alcohol Misuse Policy Statement

Left Hand Excavating 2.0 LLC and the Drug Abuse/Alcohol Misuse Policy Statement are committed to providing a safe, healthy and productive work environment for all employees free from the effects of substance abuse. The abuse of alcohol, drugs and controlled substances impairs employee judgment, resulting in increased safety risks, injuries, and faulty decision making.

That commitment is jeopardized when any Left Hand Excavating 2.0 LLC employee misuses alcohol, marijuana, or uses illegal drugs. Therefore, the following alcohol and marijuana misuse/drug abuse policy applies to all personnel employed by Left Hand Excavating 2.0 LLC, both DOT regulated and non-DOT. This is a company policy, not a DOT policy. All employees must read and acknowledge this policy as a condition of employment with this company.

1. It is a violation of company policy for any employee to possess, sell, trade, or offer for sale illegal drugs. It is a violation also, for any employee to report to work under the influence of drugs or while having illegal drugs present in any of his/her body fluids.
2. It is also a violation of this policy for any employee to report to work under the influence of prescription drugs that have been used illegally, or in an amount or manner other than prescribed by a physician.
3. All prescription drugs that have been legally prescribed, but which might have an effect on job performance or safety are to be reported to a supervisor. The employee may be reassigned to other duties or taken off duty for the duration of the prescription as determined necessary by the employer. Legally prescribed medications which the employee's physician has advised will not affect performance are excluded from this policy.
4. It is a violation of policy to report to duty or to remain on duty at any time under the influence of alcohol or marijuana or with any detectable amount of prohibited drugs in the employee's system.

Also, employees are not permitted to consume or possess alcohol on their persons, or on any company worksites. This prohibition includes company owned vehicles, or personal vehicles being used for company business or parked on company property or during work hours.

5. All job applicants at Left Hand Excavating 2.0 LLC will undergo testing for the presence of illegal drugs as a condition of employment. Any applicant with a positive test will be denied employment. This company will not discriminate against applicants for employment because of past history of drug abuse.
6. Therefore, individuals who have failed a pre-employment test may initiate another inquiry with the company after a period of no less than six (6) months, if they have completed a treatment program, but they must present themselves drug free.
7. Left Hand Excavating 2.0 LLC has adopted testing procedures to identify individuals using illegal drugs on or off the job or who come to work under the influence. It shall be a condition of employment for all employees to submit to drug testing and/or breath alcohol testing under the following circumstances:
 - (a.) When the employer has reasonable suspicion to believe that an employee is under the influence of drugs or alcohol.
 - (b.) When employees are injured, or when damage to company property occurs. Also, when any on-the-job accident occurs. An employee who is involved in an accident must immediately report the accident to his or her supervisor.
 - (c.) As part of a follow-up program to treatment for drug or alcohol abuse.
 - (d.) When randomly chosen from a pool of employees.
8. Refusal to submit to testing when requested by the company, adulterating or attempting to adulterate specimens, failing to provide a specimen without explanation from a physician, refusing to sign chain of custody forms, substituting or diluting specimens, or otherwise failing to cooperate with the testing procedures will have the exact same consequences as a positive test.
9. The costs of reasonable suspicions, pre-employment and random tests will be borne by Left Hand Excavating 2.0 LLC. The employee will be responsible for all costs of return to duty status and follow-up testing. Also, if an employee chooses to have a secondary specimen tested through a government certified laboratory, the "split specimen", he/she is responsible for all lab costs. However, if the results on the second test are different from the first, the employer will reimburse these costs to the employee.
10. Employees having reasonable suspicion and post-accident tests performed must arrange to be driven to and from the collection site (or to have collection personnel come to them). Any employee with a positive breath alcohol test agrees to arrange transportation from the testing site, and that he/she will not operate a vehicle until his/her breath alcohol content is lower than .02 or 24 hours have elapsed. Any employee with a positive breath alcohol content may be removed from duty and will be subject to disciplinary action.

11. If the company elects to allow an employee to return to work following a positive test result, it is mandatory that the employee must first pass a drug test and subsequently submit to a program of unannounced testing for a period of not more than twelve (12 months) from the date of return to duty. Follow up testing will be at the expense of the employee. Violation of this policy will result in disciplinary action, up to and including termination. In the event of termination, as a result of violation of this policy all employee benefits will also be immediately terminated.

Any employee disciplined for a drug or alcohol related occurrence will be strongly urged to seek medical help. However, the employee may be considered for employment in the future if treatment is completed and he/she presents themselves drug/alcohol free.

As a condition of employment, employees must abide by the terms of the policy and must notify their supervisors in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.

12. Adherence to this policy does not guarantee continued or future employment with Left Hand Excavating 2.0 LLC. Employment may be terminated for reasons other than failure to follow this policy. Employment is at-will and subject to termination by Left Hand Excavating 2.0 LLC or the employee at any time, with or without notice and with our without cause.

13. Left Hand Excavating 2.0 LLC reserves the right to amend, interpret, or modify this basic policy ^{as} necessary to accomplish our company goals as defined above.

I have read and acknowledge the above policy.

Employee Name

Date