



SUBSTANCE ABUSE PROGRAM

AME CONSTRUCTORS, INC.

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AME CONSTRUCTORS, INC. SUBSTANCE ABUSE PROGRAM

I. Purpose

AME Constructors, Inc. (“Company”) is committed to ensuring a drug free workplace for all of our employees. AME Constructors believes that the work environment is safer and more productive without the presence of illegal or inappropriate drugs / substances in the body and / or on company / client property.

Employees have a right to work in a drug free environment and to work with others who are free from the effects of drugs and alcohol. Employees who abuse drugs and alcohol are a danger to themselves and to other employees.

In an effort to create a safe and healthy workplace, AME Constructors has implemented a Substance Abuse Policy and Prevention Program.

II. Program Application

This program will apply to all regular full-time, part-time, casual or contract employees and to the applicants of the Company. The Company will require compliance with this program as a condition of employment, for qualified applicants and for continued employment of Company employees.

This program may also be applied or modified to meet specific requirements of a particular job site or to comply with the contractual obligations of certain clients in order to perform work on the property or project.

AME Constructors, Inc. reserves the right, at all times, to have authorized personnel conduct periodic examinations of its employees for the purpose of detecting the use of unauthorized drugs or alcohol. Any person who refuses to submit to a screening or testing as described in this policy, or who is found using, possessing or distributing any of the substances named herein, is subject to immediate discharge.

III. Definitions

To aid in understanding and administering this policy, the following definitions apply:

“Employee” – means all hourly and salaried employees of AME Constructors, Inc., including those not covered by a collective bargaining agreement, while in the course and scope of Company employment.

“Company Property” – “Company Premises” – includes all property owned, leased, used or under the control of AME Constructors, Inc., including the jobsite of a customer.

“Detectable Levels”, “Identifiable Trace Quantities” – the measurable presence of illegal or prohibited drug or substance found in the body fluids at levels of detection above the lowest cut-off levels as established by the analytical methods used by the testing laboratory.

“Illegal / Unauthorized Drug” – means any drug (1) which is not legally obtainable or (2) which is legally obtainable but has not been legally obtained, such as prescription drugs not being used for prescribed purposes.

“Legal Drug” – includes prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they have been prescribed or manufactured.

“Alcohol” – means any distilled or fermented beverage containing ethyl alcohol including beer and wine.

“Under the Influence” – being unable to perform work in a safe and productive manner, being in a physical or mental condition which creates a risk to the safety and well-being of the individual, other employees, the public, or Company Property, and / or having any laboratory evidence of the presence of drugs or alcohol.

“Possession”– means actual care, custody, control or immediate access.

“Safety / Environmentally Sensitive (S/ES)”

Requires the exercise of independent action and results in direct and irreversible effects and creates substantial risk of serious injury to fellow employees or the general public or significant damage to property or the environment.

IV. Prohibited items and Practices

- A. Using, possessing, (or being under the influence of any of the following items or substances on Company Property including the presence of detectable levels or identifiable trace quantities) by employees is prohibited.
 1. Illegal or unauthorized drugs including mood or mind-altering substances which will in any way affect the safety, workability, alertness, coordination, judgement, or response of an employee.
 2. Alcoholic Beverages
 3. Prescription Drugs – except under the following conditions:
 - a. The prescription medication has been prescribed by an authorized medical practitioner within the past 12 months for current use by the employee in possession and is in the employee’s name.

- b. Employees shall inform their supervisor prior to using prescribed drugs.
 - c. The Company at all times reserves the right to determine if a prescription drug or medication produces hazardous effects and may restrict the use of any such drug or medication accordingly on Company property. This may also include any restricting the employee's work activity or presence on Company property.
- B. It is a violation of this policy for employees to report to work, to perform work, or to enter into any Company property while being in a condition unfit for work due to effects, symptoms or side effects of alcohol and / or illegal or unauthorized drugs.
- C. Violation of Company policy governing alcohol / drugs will be considered a critical performance problem and may subject the employee to immediate discharge from employment. Preliminary findings of a policy violation may require that the employee be suspended pending the results of a Company investigation.
- D. A supervisor having good reason to believe that an employee is in violation of this policy should confer with another management representative (if possible) and take appropriate action.
- E. If an employee appears to be under the influence of alcohol or drugs, he or she is to be accompanied by the supervisor, or an employee designated by the supervisor to the current drug testing facility.
- F. It is the responsibility of all employees, supervisors, foremen, and managers to report any known or suspected situation, including possible violations of this policy, which may affect the safety of the employees or others.

V. Uniform Drug Testing / Screening

- A. The Company reserves the right to require employees to submit to urine drug tests or other examinations, to determine the use of any illegal or unauthorized drug or substance prohibited in this policy. Such tests will be utilized as follows:
 - 1. Applicants for employment or reemployment: Where required applicants for employment or reemployment will be tested for evidence of illegal drugs / controlled substances will result in mandatory rejection for employment or reemployment.
 - 2. Random: All employees of the Company will be subject to random testing. The random selection process is statistically designed to

test a percentage of the employees in a random pool. Due to the nature of random selection, no one may cause another specific individual to be “*randomly*” tested. Additionally, no one will know how frequently an individual will be tested.

3. Reasonable Cause: In cases which an employee is acting in an abnormal manner and a supervisor has reasonable cause to believe that the employee is under the influence of controlled substances, the Company may require the employee to undergo drug testing. Probable suspicion means suspicions based on behavior, speech or breath- odor of the employee. The supervisor must make a written statement of these observations within twenty-four (24) hours. Upon request, an employee will sign a consent form authorizing the clinic to draw a specimen of urine and release the results of the laboratory testing to his / her employer, but shall not be required to waive any claim or cause of action under the law. A refusal to provide the specimen will constitute presumption of intoxication and the employee will be subject to immediate discharge.

VI. Drug Testing Procedure / Protocol

A. Drug Tests / Screens

1. The Procedure for specimen collection is designed to assure the dignity and privacy of the employee while maintaining the integrity of the specimen and the preservation of “*Chain of Custody*”.
2. Urine sample collections will be conducted by approved Medical Professionals.
3. The sample collection will not be observed directly, although the collection laboratory will take necessary precautions to insure accurate identification of the sample.
4. No drug screen will be conducted without written consent. However, any employee who refuses to submit to drug screening or to sign required consent forms will be subject to immediate discharge from employment.
5. The initial test will be by Enzyme **Multiplied Immunoassay Technique (EMIT)**. If a question or positive result arises from the initial test, a confirmation test will be utilized before action can be taken against the employee.

6. The confirmatory test will be by **Gas Chromatography – Mass Spectrometry (GS / MS)**. The **GC / MS** will be conducted on the same sample as originally tested by the **EMIT** method.
7. Alcohol Testing will be performed and confirmed in accordance with established alcohol testing procedures.

B. Employee Notification / Termination

1. Results of urine drugs screens or other examinations will be held in strict confidence among the employee, Company, testing agency, client, and union referral hall.
 2. Employees will be notified as soon as possible of positive test results. Initial notification may come from an appropriate Company official. No notification will be made for negative test results.
 3. Employees shall have the right to review their test results and chain of custody forms.
 4. An employee with a positive test result shall be terminated immediately and prohibited from further consideration of employment:
 - a. For a minimum period of 1 year,
- OR**
- b. Terminated individual provides AME Constructors, Inc. with certification of completion or release from an approved rehabilitation or assistance program.

AND

In addition to a. or b. above, AME Constructors, Inc. must receive, as generated by an independent, certified testing laboratory, satisfactory evidence of negative test results to the limits established herein. In the event the employee is employed or re-employed by the Company, their status shall be termed probationary for one year following the initial Rehire date.

Probationary employees shall be subject to discretionary testing throughout the probationary period. Any positive test results during the probationary period will result in immediate discharge and prohibit from further employment with the Company for 24 months.

VII. Testing Cut Off Levels

Urine samples shall be tested for the drugs listed below at the applicable cut off levels. An initial test shall be performed using **Enzyme Multiplied Immunoassay Technique (EMIT)**; where positive, a **Gas Chromatography / Mass Spectrometry Test (GC / MS)** will be performed. Tests will be considered positive where levels detection limits equal or exceed the following levels:

DRUG	EMIT	CG/MS
Amphetamines	300	200
Barbituates	300	100
Benzodiazapines	300	100
Cocaine Metabolites	300	150
Marijuana Metabolites	20	10
Methadone	300	100
Methaqualone	300	200
Opiates	300	300
Phencyclidine (PCP)	25	25
Propoxyphene	300	200
Breath Alcohol Content	.04	.04% BAC
Removal from the jobsite (BAC)	.0200-.0399	.0200.30399

VIII. Company Responsibility

- A. Managers and supervisors will provide leadership to encourage employees to demonstrate productive and acceptable behavior that is in compliance with all Company rules and standards of conduct. This includes the identification and attempted correction of an employee's work performance or behavior which is deteriorating or unsatisfactory.
- B. When requested by employees, AME Constructors shall assist in locating appropriate rehabilitation and assistance facilities.
- C. AME Constructors shall pay directly, laboratory and clinical expenses for employment, random and "for cause" test procedures.
- D. AME Constructors shall train and educate supervisors in the implementation of this program.

IX. Employee Responsibility

- A. Employees will work in a manner that does not jeopardize their own well-being or that of fellow employees. They will ensure that their conduct is safe, productive and in compliance with all established rules and standards of conduct.
- B. Employees participating in assessment, treatment and rehabilitation programs for substance abuse problems will be expected to meet all existing job performance standards and established work and conduct rules.
- C. The decision to seek professional assessment and treatment for substance abuse problems is the personal, voluntary responsibility of each employee.

Disciplinary Action Immediate Termination

Immediate termination can result from any infraction if it is viewed as severe in nature by our supervisors. Examples of this level of severity being:

- ***Under the influence of illegal drugs or alcohol while on the job.***
- Failure to follow fall protection rules.
- Intentionally deactivating a safety device.

Note: The level of severity of the infraction is determined by Company Management.

AME CONSTRUCTORS, INC.

ACKNOWLEDGMENT OF SUBSTANCE ABUSE POLICY

To assist in maintaining a work environment that is safe for employees, AME Constructors, Inc. ("Company") has established a Substance Abuse Policy.

It is understood that this Substance Abuse Policy will be implemented by such reasonable means may from time to time, be determined appropriate by the Company, including drug or alcohol testing or screening according to the guidelines explained in the Company's Substance Abuse Policy

Compliance with the policy, including participation in a testing program under this Policy is a condition of employment or continued employment. Employees who refuse to submit to testing or screening as required by this Company Policy or who are otherwise found in violation of this Policy will be subject to discharge from employment.

All employees should consider it their responsibility to assist the Company in the enforcement of this Policy by complying with its provisions and intent. Employees are strongly encouraged to notify appropriate Management Personnel of any known or suspected situation which may affect the safety of employees or the general public.

My Signature below acknowledges that I have read and understand the above and that I have been given a copy of the Company's Substance Abuse Policy to which I agree to comply and consent to any testing requirements set forth.

Employee Name (Print)

Employee Signature

Date

AME CONSTRUCTORS, INC.

**EMPLOYEE CONSENT TO TESTING IN ACCORDANCE
WITH SUBSTANCE ABUSE POLICY**

AME Constructors, Inc. ("Company") has a Substance Abuse Policy prohibiting the unlawful possession or use of illegal or unauthorized drugs and alcohol. Referenced Company Policy states that an employee will be required to submit to testing, including a urine drug screen in the following circumstances:

1. Pre-Employment or a condition of continued employment.
2. Under a random selection process consistent with the Substance Abuse Policy.
3. When an employee's supervisor has a reasonable suspicion that an employee shows signs of possible intoxication, having used or being under the influence of drugs or alcohol or other factors that would lead a prudent supervisor to suspect an employee's physical condition at work.
4. If the employee is involved in an occupational on-the-job injury or following a serious or potentially serious accident or incident in which safety precautions were violated, unsafe instructions were given, equipment or property was damaged or unusually careless acts were performed.

I acknowledge and understand the Company's Substance Abuse Policy and agree to submit to a substance abuse test at this time. I understand that complying with this policy is a condition of employment or continued employment that the testing agency may release the results of any test to the Company.

Employee Name (Print)

Witness Signature

Employee Signature

Date