

 Human Resource Policy	Subject: Drug & Alcohol Policy	Revised: 04 / 2024
	Effective Date: Jun 2010	Page: 1 of 6

DRUG & ALCOHOL POLICY

I. PURPOSE

It is the policy of **do it outdoors media**, LLC (“the Company”) that its Drivers be free of substance and alcohol abuse. Consequently, the use of illegal drugs by Drivers is prohibited. Further, Drivers shall not use alcohol or engage in “prohibited conduct” as defined below. The overall goal of this policy is to ensure a drug- and alcohol-free environment and to reduce accidents, injuries and fatalities.

II. DEFINITIONS

Company Premises – Includes, but is not limited to, all buildings, offices, facilities, grounds, parking lots, places and vehicles owned, leased or managed by Company or on any site on which the Company is conducting business.

Controlled Substances – The terms “drugs” and controlled substances” are interchangeable and have the same meaning. Testing is done only for the following controlled substances: marijuana (THC), cocaine, opiates, phencyclidine (PCP), amphetamines (including methamphetamines), and synthetic opioids (hydrocodone, hydromorphone, oxymorphone, oxycodone).

Designated Employer Representative (DER) – An employee authorized by the Company to 1) make required decisions in the testing and evaluation processes and 2) receives test results and other communications for the employer.

Driver – Any person who operates a do it outdoors media MAV. This includes, but is not limited to, Regular Drivers, Part-time fill-in Drivers, any member of the Operations Team that acts in the capacity of Driver, any Field Manager (sub-contractor or employee) or anyone in Field Marketing (dio or diom) who operates a MAV.

HHS – United States Department of Health and Human Services

Medical Review Officer (MRO) – A licensed physician responsible for receiving laboratory results generated by an employer’s controlled substances testing program, who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s confirmed positive test results together with his or her medical history and any other relevant biomedical information.

Mobile Advertising Vehicle (MAV) – Any mobile advertising vehicle owned or leased by do it outdoors media or dio including, but not limited to, mobile billboards, utility vehicles, food trucks, buses, and glass trucks.

SAMHSA – An agency of the United States Department of Health and Human Services (HHS) also known as the Substance Abuse and Mental Health Services Administration (SAMHSA).

III. SCOPE

Participation in the Drug & Alcohol Policy Program is a requirement of each Driver, and therefore, is a condition of employment or sub-contract work.

Non-Discrimination

In accordance with the Americans with disabilities act (ADA) and state law, the company does not discriminate against any qualified individuals with a disability who are not currently using illegal drugs and who have either successfully completed rehabilitation or who may be currently participating in a supervised rehabilitation program and are no longer using illegal drugs. Individuals who are currently using illegal drugs are not protected under the ADA. A current disability of any kind, however, does not entitle an employee and/or job applicant to violate any provisions of this policy.

Education & training

To help employees and supervisors better understand the nature of the substance abuse problem and how it affects the workplace, as well as the terms and conditions of this policy, the company makes available educational materials and training sessions on an as-needed basis. Please inquire with the company's designated employer representative listed in Section XIII for more information.

IV. PROHIBITED CONDUCT

The following shall be considered "prohibited conduct" for purposes of this policy:

- ✓ Whenever Drivers are working, are operating any Company vehicle, or are present on Company premises, they are prohibited from using, possessing, buying, selling, manufacturing or dispensing an illegal drug (to include possession of drug paraphernalia).
- ✓ In addition, Drivers are prohibited from the unauthorized use of prescription drugs, the use of any legally obtained drug (prescriptions or over-the-counter medications) when such use adversely affects the Driver's job performance or safety, or any combination thereof, on company premises.
- ✓ No Driver shall report for duty or remain on duty while having any alcohol concentration above .02.
- ✓ No Driver shall be on duty or operate a Company vehicle while the Driver possesses alcohol.
- ✓ No Driver shall use alcohol while performing any work for the Company.
- ✓ No Driver shall drive a Company vehicle within four (4) hours after using alcohol.
- ✓ No Driver required to take a post-accident alcohol test shall use alcohol for eight (8) hours following the accident or until s/he undergoes a post-accident alcohol test, whichever occurs first.
- ✓ No Driver shall refuse to submit to a post-accident, random, return-to-duty, or follow-up alcohol or drug test.
- ✓ No Driver shall report for duty or remain on duty when the Driver uses any controlled substance, except when use is pursuant to the instructions of a physician who has advised the Driver that the substance does not adversely affect the Driver's ability to operate a Company vehicle.
- ✓ No Driver shall be under the influence of marijuana whether legal, illegal, medical or recreational while working, operating any Company vehicle or while present on Company premises. Under the influence of marijuana is defined by a positive drug test for marijuana.

If a Driver engages in prohibited conduct, the Driver is not qualified to drive a Company vehicle and shall be immediately removed from service.

V. TESTING FOR CONTROLLED SUBSTANCES

The Company has implemented three circumstances for drug and alcohol testing:

1. Pre-employment (drug testing only)
2. Post-accident testing
3. Random testing

Pre-Employment Testing

All applicants must pass a drug test before beginning work or receiving an offer of employment that includes operating a MAV. Refusal to submit to testing will result in disqualification of further employment consideration.

Post-Accident Testing

Drivers must submit to drug and alcohol testing any time s/he is involved in an accident while driving a MAV Unit where:

1. There is a loss of human life, **or**
2. There is a nonfatal accident resulting in the Driver receiving a citation under State or local law for a moving traffic violation arising from the accident, **and**
 - a. There is bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the accident scene; **or**
 - b. Any vehicle involved incurs disabling damage as a result of the accident, resulting in the vehicle being towed away.

Following any accident, the Driver must contact the Company as soon as possible. The Company will find the closest qualified drug testing site and provide testing instructions to the Driver.

Any time a post-accident drug or alcohol test is required, it must be performed as soon as possible following the accident. If no alcohol test can be made within eight (8) hours, attempts to perform an alcohol test shall cease. If no urine collection can be obtained for purposes of post-accident drug testing within thirty-two (32) hours, attempts to make such collection shall cease.

In the event that federal, state, or local officials conduct breath or blood tests for the use of alcohol and/or urine/oral tests for the use of controlled substances following an accident, these tests may meet the requirements of this section, provided the tests conform to applicable federal, state, or local requirements. The Company may request testing documentation from such agencies, and may ask the Driver to sign a release allowing the Company to obtain such test results.

In the event a Driver is so seriously injured that the Driver cannot provide a sample of urine, breath, or saliva at the time of the accident, the Driver may provide necessary authorization for the Company to obtain hospital records or other documents that would indicate the presence of controlled substances or alcohol in the Driver's system at the time of the accident.

Random Testing

The Company conducts random drug and alcohol testing. The Company will submit all Drivers' names to a random selection system. The random selection system provides an equal chance for each Driver to be selected each time random selection occurs. Random selections will be reasonably spread throughout the year. The Company will drug test, at a minimum, 50 percent

of the average number of driver positions in each calendar year. The Company will select, at a minimum, 10 percent of the average number of driver positions in each calendar year for random alcohol testing. Random selection, by its very nature, may result in Drivers being selected in successive selections or more than once a calendar year. Alternatively, some Drivers may not be selected in a calendar year.

If a Driver is selected at random, for either drug or alcohol testing, a member of the Operations Management Team will notify the Driver. Once notified, every action the Driver takes must lead to a collection. If the Driver engages in conduct that does not lead to a collection as soon as possible after notification, such conduct may be considered a refusal to test.

In the event that a Driver's name is chosen who is not currently driving (is temporarily laid-off due to lack of work), the name will be set aside until the Driver is scheduled to return to work, providing s/he will be returning prior to the next selection. One day prior to the start of the campaign, the Driver will be notified that s/he is to report to a medical center for testing. In the event that the likelihood is that Driver will not be returning prior to the next selection, another Driver's name will be selected.

VI. REFUSAL TO TEST

A Driver who refuses to submit to the types of drug and alcohol tests as required by the Company will be grounds for termination of employment. A refusal to test is defined to be conduct that would obstruct the proper administration of a test. Examples include obstructing the collection or testing process; submitting an altered, adulterated, or substitute sample; failing to show up for a scheduled test; refusing to complete the requested drug testing forms; or failing to promptly provide specimen(s) for testing when directed to do so, without a valid medical basis for the failure. Refusing to sign step 2 of the alcohol form is considered a refusal to test. A delay in providing a urine, breath or saliva specimen could be considered a refusal. If a Driver cannot provide sufficient quantity of urine or breath, s/he will be evaluated by a physician of the Company's choice. If the physician cannot find a legitimate medical explanation for the inability to provide a specimen (either breath or urine), it will be considered a refusal to test.

Drivers who leave the scene of an accident without justifiable explanation prior to submission to drug and alcohol testing will also be considered to have refused to test and will automatically be subject to termination.

VII. COLLECTION AND TESTING PROCEDURES

Drug testing will be performed through urinalysis or oral fluid testing (in accordance with state and federal laws). Testing will test for the presence of drugs and/or metabolites of the following controlled substances: 1) marijuana, 2) cocaine, 3) opiates including synthetic opioids (hydrocodone, hydromorphone, oxycodone), 4) amphetamines, and 5) phencyclidine (PCP).

The testing procedure starts with the collection of a urine or oral fluids specimen. All testing will be conducted by a licensed independent medical laboratory with HHS - SAMHSA certification. Testing will be conducted on a sample provided by the Driver to the testing laboratory under procedures established by the laboratory to insure privacy of the Driver, while protecting against tampering/alteration of the test results.

Drivers will be considered to be engaged at work for the time spent in taking any post-accident or random drug tests, and will be compensated for such time at their regular rate of pay.

Company will pay for the cost of the testing. The testing lab will retain samples in accordance with State law, so that a Driver may request a retest of the sample at his/her own expense if the Driver disagrees with the test result.

Negative Dilute Results

If the MRO informs the Company that a negative test was dilute, the Company will accept the result as is – Negative.

Positive Results

All laboratory results will be reported by the laboratory to a Medical Review Officer (MRO). Negative test results shall be reported by the MRO to the Company. Before reporting a positive test result to the Company, the MRO will attempt to contact the Driver to discuss the test result. If the MRO is unable to contact the Driver directly, the MRO will contact the Designated Employer Representative (DER), who shall, in turn, contact the Driver and direct the Driver to contact the MRO. Upon being so directed, the Driver shall contact the MRO immediately or, if after the MRO's business hours and the MRO is unavailable, at the start of the MRO's next business day. In the MRO's sole discretion, a determination will be made as to whether a result is positive or negative. If, after failing to contact the MRO after 5 days, or if the Driver cannot be contacted at all within 30 days, the MRO may verify the test as positive. After any positive verification the Driver may petition the MRO to reopen the case for reconsideration.

If the MRO is attempting to contact an employee to discuss a drug test result and the employee does not contact the MRO immediately after notification from the Designated Employer Representative (DER); the employee will be suspended from employment without pay until such time at the final MRO review and verified result is received by the DER.

An individual with positive test results may also ask the MRO to have their split specimen sent to another federally certified laboratory to be tested at the applicants or Driver's own expense. Such requests must be made within 72 hours of notice of a positive test result. If the second facility fails to find any evidence of drug use in the split specimen, the Driver or applicant will be treated as passing the test.

VIII. CONFIDENTIALITY

Information from an applicant's or a Driver's drug and alcohol tests shall be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed to managers on a need-to-know basis and may also be disclosed where relevant to a claim or other legal proceeding initiated by or on behalf of a Driver or applicant. Any individual who has submitted to drug testing in compliance with this policy is entitled to receive the results of such testing upon timely written request.

IX. ALCOHOL TESTS

The Company will perform alcohol testing using a device that is on the National Highway Traffic Safety Administration's (NHTSA) Conforming Products List (CPL). This may be a breath testing device or a saliva-based testing device, and may be provided through a vendor or agent. The device will be operated by a technician who is certified and trained on the specific device s/he will be operating. The Driver shall report

to the alcohol testing site as notified by the Company. The Driver shall follow all instructions given by the alcohol technician.

Any initial test indicating a blood alcohol concentration (BAC) of .02 or greater will be confirmed on an evidential breath testing device (EBT) operated by a breath alcohol technician (BAT). The confirmation test will be performed no sooner than 15 minutes and no later than 30 minutes following the completion of the initial test. In the event the confirmation test indicates a BAC of .02 to .02999, the Driver shall be removed from duty for 24 hours or until his/her next scheduled on-duty time, whichever is longer. Drivers with tests indicating a BAC of .04 or greater are considered to have engaged in prohibited conduct, which may result in disciplinary action up to and including termination. All alcohol tests shall be performed just prior to, during, or just after duty.

X. PENALTIES FOR VIOLATIONS

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to re-apply/re-test in the future.

Drivers who engage in a prohibited conduct as referenced in this policy may be subject to disciplinary action, up to and including immediate termination of employment. Such violations may also have legal consequences.

XI. FEDERAL AND STATE LAWS AND REGULATIONS

Nothing in this statement of policy shall be presumed to override, amend or change any requirements of State and/or Federal law. In the event any of the provisions of this policy conflict with applicable laws and regulations, such laws and regulations will be deemed to control.

XII. ADDITIONAL INFORMATION

This policy is not intended nor should it be construed as an employment contract between the Company and the Driver. This policy may be changed at any time at the sole discretion of the Company.

XIII. DRUG & ALCOHOL POLICY - INFORMATION AND REVISION SHEET

This Information and/or Revision Dated: March 9, 2020

Company Designated Employer Representative:	Susanne Jewell VP Human Resources 717.718.9580, extension 101 OR Clark LaGanke Operations Director C: 919.604.9399	
Company Location:	do it outdoors media, LLC 3111 Farmtrail Road York, PA 17406	
Your Drug Testing Laboratory is:	LabCorp 1904 Alexander Drive Research Triangle Park, NC 27709 Phone: 800-833-3984 Fax: 919-481-5421	Quest Diagnostics 10101 Renner Blvd. Lenexa, KS 66219 Phone: 866-697-8378 Fax: 877-222-3580
Your Third-Party Administrator (TPA) is:	National Drug Screening 844-276-6641	
Your Specimen Collection Coordinator:	National Drug Screening 844-276-6641	
Your MRO is:	Dr. David Nahin 9501 Northfield Blvd. Denver, CO 80238 Phone: 877-295-3381 Fax: 303-595-5263	

XIV. EMPLOYEE ASSISTANCE PROGRAM

See next page for our Employee Assistance Resource File - organizations and resources who provide confidential assistance to individuals who have, or know someone who has, a problem with alcohol or other drugs.

Employees may also speak with the Company Designated Employer Representative (DER) identified in **Section XIII** for Employee Assistance Program (EAP) information.

SUBSTANCE ABUSE INFORMATION AND TREATMENT RESOURCES

Substance Use Treatment Locator

Millions of Americans have a substance use disorder. Help is available. [FindTreatment.gov](https://www.findtreatment.gov).
1-800-662-4357

Partnership for Drug-Free-Kids

Get one-on-one help – TEXT 55753, 1-855-378-4373
<https://drugfree.org/>

Behavioral Health Treatment Services Locator

Find alcohol, drug, or mental health treatment facilities and programs around the country at findtreatment.samhsa.gov. 1-800-662-4357

Buprenorphine Practitioner & Treatment Program Locator

Find information on locating practitioners and treatment programs authorized to treat opioids, such as heroin or prescription pain relievers, at www.samhsa.gov/medication-assisted-treatment/practitioner-program-data/treatment-practitioner-locator.

Opioid Treatment Program Directory

Find treatment programs in your state that treat addiction and dependence on opioids, such as heroin or prescription pain relievers, at dpt2.samhsa.gov/treatment/.

SAMHSA's National Helpline

[**1-800-662-HELP \(4357\)**](tel:1-800-662-HELP(4357))

TTY: [**1-800-487-4889**](tel:1-800-487-4889)

Website: [**www.samhsa.gov/find-help/national-helpline**](https://www.samhsa.gov/find-help/national-helpline)

Also known as, the Treatment Referral Routing Service, this Helpline provides 24-hour free and confidential treatment referral and information about mental and/or substance use disorders, prevention, and recovery in English and Spanish.

Veteran's Crisis Line

[**1-800-273-TALK \(8255\)**](tel:1-800-273-TALK(8255))

TTY: [**1-800-799-4889**](tel:1-800-799-4889)

Website: [**www.veteranscrisisline.net**](https://www.veteranscrisisline.net)

Connects veterans in crisis (and their families and friends) with qualified, caring Department of Veterans Affairs responders through a confidential, toll-free hotline, online chat, or text.

Alcoholics Anonymous

[**www.aa.org**](https://www.aa.org)

12-step self-help support groups. Website provides information and location finder for AA meetings.

Narcotics Anonymous

[**www.na.org**](https://www.na.org)

12-step self-help support groups for substance abusers. Location finder for NA meetings