

SBE Builders

5305 Laguna Court, Discovery Bay, CA. 94514 (925) 634-6022

SBE BUILDERS POLICY PACKET

SBE BUILDERS incorporates the following policies:

SECTION I.	CODE OF SAFET PRACTICE
SECTION II.	INJURY AND ILLNESS PREVENTION PROGRAM
SECTION III.	DRUG FREE WORKPLACE POLICY

All employees are to READ/KEEP all three sections prior to employment. All employees **MUST SIGN** all documents attached to the Employment Application Packet. Additionally, each employee **MUST** provide a Valid Social Security Number and Valid Identification/Drivers License. Return the Employment Application packet to Sim Ayer. If you need help, please don't hesitate to ask Sim Ayers for help.

SBE BUILDERS

5305 Laguna Court, Discovery Bay, CA 94514 (925) 634-6022

SECTION I CODE OF SAFE WORK PRACTICES

JOBSITE(S): ALL LOCATIONS

ALL SBE EMPLOYEES MUST READ AND SIGN THIS DOCUMENT

1. All employees are expected to work in a safe manner by not taking chances with their own safety or the safety of others. The following minimum safety rules apply to all employees and contracted employees:

Report Immediately:

- Any unsafe conditions
- Any unsafe act or non-act
- Defective or damaged equipment
- Foreign material on floor (remove if possible)
- Hazardous life safety or fire safety condition

2. Lifting. All lifting of materials, equipment, or supplies shall be done with the assistance from fellow staff or the use of mechanical device when the items are heavy, awkward, or cannot be controlled by the single employee. All lifting techniques shall be in accordance with established guideline and practices.

Employees may lift only ½ of their own body weight or a maximum of 70 pounds, whichever is LESS. Any item heavier must be lifted with assistance or mechanical devices. Items that have a combined weight that equals more than the calculated figures above, even with assistance, must be approved for manual lifting, in advance, by a supervisor.

3. Walk, do not run.
4. Obey all smoking regulations, policies or procedures.
5. All electrical equipment, whether owned by staff or the company, must be proper working order.
6. Open flames are prohibited except where authorized.
7. All equipment, services or supplies that are defective or damaged shall be removed from use and reported for repair/replacement pursuant to established procedures. Temporary repairs are not to be made by unauthorized employees.
8. Clear paths for exit must be maintained. All obstructions must be cleared or signs placed to indicate a hazard.
9. Sanitation control procedures must be followed.
10. Personal Protective clothing and/or equipment shall be worn or used as required.

11. All injuries to employees, visitors, or the general public, no matter how slight, shall be reported immediately pursuant to established procedures.
12. All signs, directions or instructions having to do with safe work practices shall be followed.
13. Seat belts shall be worn by all employees and other occupants when operating any company vehicle.
14. There shall be NO horseplay or practical jokes.
15. When in doubt: ASK.
16. Take SERIOUS emergencies to the closest Hospital Emergency Room. NON-LIFE THREATENING injuries show be taken to the closest Kaiser Oc- Health Facility or call SBE Builders.
17. No drugs or alcohol may be consumed on the job site .

ADDITIONAL HAZARDS SPECIFIC TO THIS JOBSITE, IF APPLICABLE ARE LISTED BELOW AND ON THE BACK OF THIS PAGE.

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SECTION II INJURY AND ILLNESS PREVENTION PROGRAM

I. SUPPORT STATEMENT

It is the intention of SBE Builders to provide our employees and visitors with a safe and healthy place to work and visit. To this end, we have pledged ourselves to a Safety Program that will maintain the environment we desire and will always be sensitive to changing condition requirements and hazards in the work place.

It is the policy of the company to:

1. Avoid accidents and their attendant pain, suffering, loss of time, and impairment of earning power for both the company and the employee;
2. Maintain neat, clean, safe, attractive, and healthy working conditions; and
3. Comply with Federal, State, and Local requirements pertaining to accident prevention, fire prevention, and environmental concerns.

Safety is no accident. It requires a commitment to safety-consciousness from every employee, on all levels of expertise, experience, and authority. Ours is a hazardous industry. We all have a duty to be responsible for our own safety, the safety of our fellow-workers, and the general public.

Any violation of the safety standards, or any act of omission that jeopardizes your own safety or the safety of other, will be considered a serious matter and dealt with according to company policy and procedures.

All employees are encouraged to participate in the on-going safety effort by contributing ideas and suggestions through the recognized channels.

I, personally will be the appointed company Safety Officer to lead the overall safety program, provide safety guidance and resources, and take action when a condition exists that poses an immediate threat to life, damage of equipment, the facilities or the environment.

Thank you, in advance, for your cooperation and concern.

Sim E. Ayers, Jr., Owner

SECTION II INJURY AND ILLNESS PREVENTION PROGRAM

II. DEFINITIONS

A. EMPLOYEE ACCIDENT

An accident is the unplanned result of an unplanned occurrence.

An accident is a physical happening to an employee.

-A bruised elbow from bumping a wall is an accident.

-A reaction to a substance being used is an accident.

In each case, other people need to know.

B. REPORTABLE ACCIDENT

All employee accidents or exposures are reportable as accidents.

C. INCIDENTS

Incidents are NOT accidents. Incidents are any happening inconsistent with the company's routine operation and NOT involving injury or illness to an employee. Incidents are to be reported to your department manager or supervisor.

-A visitor who falls is an incident.

-A contractor who gets hurt while working on our equipment is an incident.

III. REPORTING PROCEDURES

A. TIMELINESS OF REPORTING

All accidents shall be reported immediately, but no later than the end of the employee's shift and **BEFORE** the employee leaves the job site premises.

Minor accidents, not requiring immediate medical attention, shall also be reported to the job site foreman, at your earliest convenience, but no later than the end of the shift and **BEFORE** you leave the job site premises.

This section will be strictly enforced. Failure to comply may result in disciplinary action, up to and including termination.

B. REPORTING OF ACCIDENT

Employees shall report all accidents to their immediate supervisor. If the supervisor is not available, report to another supervisor or to the office. **Do not go directly to a medical treatment facility without first notifying your supervisor unless there is a serious, life threatening emergency. Employees must go to the company assigned medical treatment facility.** Other regulations may apply.

SECTION II INJURY AND ILLNESS PREVENTION PROGRAM

C. ACCIDENT REPORT FORMS

The company uses a variety of forms, including the Employee's Claim for Workers Compensation Benefits (DWC-1). This form is used to report all employee accidents or exposures, whether or not medial treatment is performed. Information on this form tells you of your rights under the Workers' Compensation system and helps the safety officer analyze accident trends. You must complete this form and return it to the office within 24 hours.

IV. RESPONSIBILITIES FOR REPORTING ACCIDENTS

A. EMPLOYEE'S RESPONSIBILITY

Injured employees shall:

1. Report the injury to your supervisor.
2. Make sure an Employee's Claim For Workers' Compensation Benefits Form DWC-1 is completed. Employees will receive assistance from their supervisor in completing this form.
3. Make sure the supervisor receives the completed form and all other documents and information given by the attending physician or other treatment person, if any.
4. Assist the supervisor in completing any additional forms.
5. Cooperate with the company and the insurance company regarding the processing of the claim, if any.

B. SUPERVISORS' RESPONSIBILITY

Supervisors shall:

1. Determine if first aid or medial treatment is indicated. If needed, authorize medical treatment and arrange for transportation. Do not let the employee drive themselves to the doctor if the injury may affect their driving ability. If the employee asks to be treated OR THERE IS ANY DOUBT, treatment should be authorized. See section V for refusal of treatment.
2. Immediately issue the employee the Employee's claim for Workers Compensation Benefits form (DWC-1). Assist him/her in completing the form. Make sure they sign the form. If medical treatment is not indicated, at this time, write "No Medical Treatment" on the form. Give the employee the GREEN copy of the completed form. The remaining copies go to the office.
3. Complete the "Supervisor's Accident Investigation Report" within 8 hours of the time the injury was reported, **for injuries requiring time off for more than the day of the accident.** It is recommended an Accident Investigation Report be completed for all back, shoulder, or arm strains, even if there is no time off at this time. Complete the entire form using information supplied by witnesses, the employee, or investigation. Incomplete forms will be returned to the supervisor and will delay the process. This can result in financial penalties to the company. Turn in the form to the SAFETY OFFICER.

SECTION II INJURY AND ILLNESS PREVENTION PROGRAM

V. MEDICAL TREATMENT

Medical treatment for workers' injuries is a serious matter. It is proven that simple treatment, given immediately, can save pain, suffering, money and possibly life-long complications. The management urges each injured employee to accept appropriate treatment for injuries and exposures. The refusal of medical treatment is documented on the employee's form, the accident investigation form and signed by the employee. If medical treatment is refused or given contrary to accepted practices, the management will seek all legal support to refuse future claims for treatment and/or indemnity.

An employee may not refuse to report the accident, complete the required forms or cooperate with supervisors, the company or the insurance company regarding the accident. An injured or exposed employee may not refuse to be admitted for treatment through the medical treatment system. Refusal of system may be made only after the employee is admitted through the medical treatment system and in response to the physician's recommendations.

Medical treatment, referrals and follow-ups for injuries received while at work are administered by the medical treatment facility, the company, and the insurance company. Failure of the employee to meet scheduled follow-up or referral appointments may have a detrimental effect on the treatment of the injury and may lead to the refusal of the claim.

Medical expenses for injuries received at work, and portions of the employee's salary are paid by workers' compensation coverage. Neither exact coverage amounts nor automatic coverage should be assumed. Contact the office for assistance.

VI. RETURN TO WORK

Employees who have been off work due to injury or illness sustained at work must submit a doctor's release indicating their physical ability to return to assigned duties. The doctor's release should specifically state the illness or injury for which they are releasing the employee.

- A. Employees who are returning to work during business hours on Monday through Friday, shall contact the job site foreman PRIOR to going back to work and present the doctor's release.
- B. If the foreman is not available PRIOR to going back to work, contact the office PRIOR to going back to work and present the doctor's release.

Supervisors that receive doctor's releases shall assure they are consistent with the injury, sign the document and send it to the office.

SBE BUILDERS MAY NOT PERMIT A RETURNING EMPLOYEE TO GO BACK TO WORK WITHOUT A RELEASE FORM FROM THE TREATING PHYSICIAN.

SECTION II INJURY AND ILLNESS PREVENTION PROGRAM

VII. HAZARD EVALUATION

The company shall institute a method of physical and procedural hazard assessment inspections of the workplace for the purpose of identifying and evaluating workplace hazards.

- A. Physical safety inspections of the job sites shall be made on a regular basis. Inspections shall be documented
- B. Verified unsafe and/or unhealthy condition shall be corrected in a timely Manner based on the severity of the hazard.
- C. Evaluations shall be made of every job task that has serious injury potential. The Company will develop written job task safety policies to cover the safe manner in which to perform these tasks. All employees subject to these job tasks shall be trained on the safe work procedures before being assigned. This training will be documented.

VIII. SAFETY SUGGESTIONS

An Employee Safety Suggestion Program has been established to encourage employees from all areas to make suggestions to management on methods of improving the safety in the work place. This includes, but is not limited to, the reporting of unsafe conditions, unsafe actions by employees or non-employees, process changes, or programs designed to reduce hazards.

Safety suggestions should be submitted to the Safety Officer or a supervisor. Supervisors shall forward all employee safety suggestions to the Safety Officer.

Verified safety suggestions will be reviewed by the Safety Officer. Communications will be maintained with all employees who submit verified safety suggestions.

IX. SAFETY OFFICER

The Safety Officer will recommend, coordinate and document the development and implementation of programs and the acquisition or repair of equipment that will reduce the risk of accidents to staff and the general public.

Appropriate records shall be maintained that document the overall safety program, training, meetings, investigations, and review of the program.

Investigation of causes of accidents, illnesses, exposures, near misses, or reported hazardous conditions or work practices shall be made. Documentation of investigation, recommendation and disposition of each investigation shall be maintained by the Safety Officer.

SECTION II INJURY AND ILLNESS PREVENTION PROGRAM

X. GENERAL SAFETY RULES

A. All employees are expected to work in a safe manner by not taking chances with their own safety or the safety of others. The following minimum safety rules apply to all employees and contracted employees:

1. No employee may work at any job assignment that has specific and/or unusual safety hazards until the employee has received documented training in the safe performance of that job task.
2. Report immediately
 - a. Any unsafe conditions
 - b. Any unsafe act or non-act
 - c. Defective or damaged equipment
 - d. Foreign material on floor (remove if possible)
 - e. Hazardous life safety or fire safety condition
3. Lifting. All lifting, pushing or pulling of materials, equipment, or supplies shall be done with the assistance from fellow employees or the use of mechanical devices when the items are heavy, awkward, or cannot be controlled by the single employee. All lifting techniques shall be in accordance with established guidelines and practices. Employees may lift only $\frac{1}{2}$ of their own body weight or a maximum of 70 pounds, whichever is LESS. Any item heavier must be lifted with assistance or mechanical devices. Items that have a combined weight that equals more than the calculated figures above, even with assistance, must be approved by a supervisor, in advance. **An employee may exceed the above standard ONLY after receiving documented training on specific job functions.**
4. Walk, do not run. Check safety mirrors in corners, use handrails on stairs and ramps and open doors slowly.
5. Obey all smoking regulations, policies or procedures. Employees and visitors may smoke in designated smoking areas only.
6. All electrical equipment, whether owned by employees or the company, must be checked by maintenance, the department manager or his designee, prior to use.
7. All equipment, services or supplies that are defective or damaged shall be removed from use and reported for repair/replacement pursuant to established procedures. Temporary repairs are not to be made by unauthorized employees.
8. All foreign material shall be removed from the floor. Clear paths for exit must be maintained. All obstructions must be cleared or signs placed to indicate a hazard.
9. Sanitation control procedures must be followed by all employees.
10. All employees are responsible for maintaining current training in the storage, use, protection require, and disposal of all hazardous materials and wastes. Use and disposal of these materials must be in accordance with the manufacture's instructions and established department/company procedure.

SECTION II INJURY AND ILLNESS PREVENTION PROGRAM

11. All employees must wear appropriate personal protective equipment when performing any job task where such equipment is indicated, required, or directed.

Information on what items and/or type to be worn can be found on labels of substances, Material Safety Data Sheets, Job Task Safety Policies, by specific instruction, or other safety rules and regulations.

Protective clothing and/or equipment shall be worn as required and in accordance with the manufacturer's instructions. Protective safeguards shall be of proper type and fit for the exposure and of such design, strength and quality as to eliminate, preclude or mitigate the hazard. Employee owned personal protective clothing or equipment must comply with the standards and regulations prescribed by the company and the National Institute of Safety and Health (NIOSH).

12. All injuries to employees, visitors, or the general public, no matter how slight, shall be reported immediately pursuant to established procedures.
13. All employees are responsible for being familiar with the Company's Fire Plan and Disaster Plan.
14. All signs, directions or instructions having to do with safe work practices shall be followed.
15. Seat belts shall be worn by all employees and other occupants when operating any company or personal vehicle while on company business.
16. The use of ladders must be in accordance with the established safety rules and within the manufacturer's recommendations. "Walking" your ladder is strictly prohibited.
17. There shall be NO horseplay or practical jokes.
18. When in doubt: ASK.

XI. POLICY TRAINING AND COMMUNICATION

- A. The company shall train all employees on the requirements and contents of this policy when:
 1. The policy becomes effective.
 2. To all new employees.
 3. To all employees given a new job assignment.
 4. Whenever new substances, processes, procedures, or equipment are introduced that present a new hazard, and
 5. Whenever the company receives notification of a new or previously unrecognized hazard.
- B. Additionally, each manager shall ensure that each employee:
 1. Receives a copy of this and all other applicable safety policies and procedures:
 2. Signs a waiver that the employee has been instructed on this policy, has had an opportunity to ask questions, understands the policy and agrees to follow it;
 3. Is instructed on all applicable safety procedures for the job tasks assigned.
 4. Receives bi-weekly safety education/communication.
- C. The above training shall be documented.

SECTION II
INJURY AND ILLNESS PREVENTION PROGRAM

XII. POLICY COMPLIANCE

Compliance with the provisions of this policy, its amendments, addenda, additions, or updates is required. Acceptance of this policy is a condition of employment.

Nothing in this policy is intended to require any employee to engage in any act that may cause injury to themselves or others.

Failure to comply with these provisions may result in disciplinary actions(s), up to and including termination.

Employees who commit "Gross safety negligence" as defined as; "Any act committed by an employee that could cause great bodily harm or death to themselves or another person", shall be subject to immediate termination.

Policy approved by:

_____ Date: _____
Sim E Ayers Jr., Owner

SBE BUILDERS

5305 Laguna Court, Discovery Bay, CA 94514 (925) 634-6022

SECTION III DRUG FREE WORKPLACE POLICY

I. PURPOSE STATEMENT

The illegal use of drugs is a national problem that seriously affects every American. Drug abuse not only affects individual users and their families, it also presents new dangers for the workplace.

The Federal and state Governments, and businesses nation-wide have urged all business and labor to take a leadership role in a nation-wide effort to reduce the illegal use of drugs. Surveys have clearly indicated a full 70% of all drug users are employed.

Our company has always been committed to providing a safe work environment. Illegal drug use jeopardizes this commitment, and undermines the capability of the company to produce quality products and services.

To address this problem, the company has developed a policy regarding the illegal use of drugs that we believe best serves the interests of all employees. The policy was designed with two basic objectives in mind:

1. Employees deserve a work environment that is free from the effects of drugs and the problems associated with their use,
2. The company has a responsibility to maintain a safe and healthy workplace.

Our policy formally and clearly states that the illegal use of drugs will not be tolerated.

II. POLICY STATEMENT

The company has established the following policy:

It is a violation of this policy for any employee to possess, sell, trade, or offer for sale any controlled substance or otherwise engage in the illegal use of controlled or non-controlled substances on the premises.

It is a violation of company policy for any employee to report to work under the influence of, or impaired by, any legal or illegal drug, alcoholic beverage, or controlled substance.

It is a violation of company policy for any employee to use legally obtained drugs or substances in an illegal manner. (Nothing in the policy precludes the appropriate and legal use of prescription medication to the extent its use does not affect the safety of the employee or other persons.)

Any violation of this policy is a serious matter. Violators are subject to disciplinary actions, up to and including immediate termination, and possible involvement of the appropriate law enforcement authorities.

Employees and supervisors of the company have a moral obligation to report all observed violations of this policy.

SECTION III DRUG FREE WORKPLACE POLICY

III. DEFINITIONS

1. On Premises

On company property, including the parking lot.
At any company job site.
Driving or riding as a passenger in a company vehicle or a private vehicle conveyance for which the company has authorized reimbursement.

2. Drug or Controlled Substance

Any substance or medication that will modify one or more of the normal body functions when administered to or by an individual. Examples are: coordination, reflexes, vision, mental capacity or judgment, strength, gait, etc.

3. Impaired

Being under the influence of any substance such that the employee's normal body function(s) are modified.

4. Prescription Medication

Prescription medication that has been lawfully prescribed by a physician, to the employee. Does not include medication lawfully prescribed to another person and taken by the employee.

5. Alcohol

The intoxicating agent or drug in fermented or distilled liquors. Includes, liquors wines, malt products, and beer: whether commercial or non-commercial.

6. Substance Screening-Initial Test

Any employee required to submit to a substance screening test shall travel directly to the testing station and is not permitted to make any stops (traffic laws excluded) in route to the testing station. The first substance screening test will be by way of a urine sample. If the employee can not provide a urine sample within a reasonable time frame (not to exceed one hour), a blood sample will be taken.

7. Substance Screening-subsequent Test

If the initial substance screening test is positive, the employee may be asked to provide a second test for the purpose of confirming or disproving the initial test. The second confirmation assay will be performed by way of a blood sample.

8. Qualified Laboratory

The initial test will be analyzed by a contracted laboratory that meets or exceeds the NIDA's (National Institute of Drug Abuse) Standards for Certification of Laboratories Engaged in Urine Drug Testing, and in NIDA's Monograph 73 entitled, "Urine Testing for Drugs of Abuse".

9. Confirmation Assays

Should the initial test show positive result, a second confirmation assay analysis shall be performed using a method of testing which differs from the first initial test. The contracted laboratory will have pre-existing methodology for confirmation assays.

10. Employee

Refers to any hourly, salaried or contracted employee, on company premises as described above, while on paid duty or not.

SECTION III DRUG FREE WORKPLACE POLICY

11. Refusal

Refusal to submit to the initial or subsequent test, specimen, or to complete the consent form, will constitute a presumption of being under the influence, and the employee may be subject to immediate termination.

Circumventing this policy by not reporting injuries, not following the injury reporting procedures as outlined in company policies, or by any other devious or fraudulent method, is unacceptable, will constitute a presumption of being under the influence, and will be subject to immediate termination.

12. Positive Results

All reasonable efforts shall be taken to preclude false positive tests. Subsequent tests for Confirmation Assays may be performed as outlined above.

The company may take disciplinary action, up to and including termination, based on a positive test result confirmed:

A. If the test result shows a forensically acceptable positive quantum of proof of cocaine, heroin, PCP, LSD, barbiturates, amphetamines, or any other controlled substance (excluding marijuana).

B. Marijuana.

If the test results from urine confirm the initial immunochemical quantization of thirty (30) or more nanograms cross-reactive cannabinoids/ml.

If the test results from blood confirm the contents of at least 2 and up to 5 nanograms THC/ml and at least 10 nanograms THC metabolites/ml.

If the test results from blood confirm the contents of at least 5 or more nanograms THC/ml regardless of the THC metabolite concentration.

If the test results from blood confirm the contents of 20 or more nanograms THC metabolites/ml, regardless of THC concentration.

Note: This methodology precludes all possibility of false positive test results for marijuana by way of passive inhalation.

C. If the test results show a blood/alcohol concentration equal to or above 0.02 percent by weight for those employees over 21 years of age. Employees under 21 years of age may not show any positive quantum.

Any employee who is convicted of driving under the influence of alcohol and/or drugs while driving a company vehicle or a private vehicle conveyance for which the company has authorized reimbursement.

The laboratory shall report significant presence of all prescription and nonprescription medication. The company may require proof of lawful prescription. Non-significant presence of prescription medication is not cause for disciplinary action. The significance of reported levels will be addressed by the company Medical Officer (contracted physician).

SECTION III DRUG FREE WORKPLACE POLICY

13. Confidentiality

Laboratory results will be held in the strictest confidentiality. Communications of the results will be strictly on the “need to know” basis.

Laboratory reports or test results shall appear in an employee’s medical file, NOT their personnel file. The personnel file will indicate such information in contained elsewhere.

14. Rehabilitation

The company is under no obligation to contribute to, approve, grant by way of negotiation, or provide any medical rehabilitation/drug abuse treatment program.

Any Employee Assistance Program (EAP) for which the company may subscribe, may be available to an employee prior to the circumstance by which the employee is included in this Drug Free Workplace Policy.

IV. PROCEDURE

A. Post offer, Pre-placement Testing

Any and all offers of employment by the company MAY be made expressly conditional upon the applicant submitting to, and passing to the company’s sole satisfaction, a test for drug/controlled substances and alcohol.

B. Possession Prohibited

It is a violation of company policy for any employee to report to work under the influence of, or impaired by, any legal or illegal drug, alcoholic beverage or controlled substance.

It is further a violation of this policy for any employee to possess, sell, trade, use, or offer for sale any alcoholic beverage, except for those conditions or practices approved, in advance, by management.

C. Impairment Prohibited

It is a violation of company policy for any employee to report to work under the influence of, or impaired by, any legal or illegal drug, alcoholic beverage or controlled substance.

The lawful use of prescription medication is not prohibited by this policy if that use does not impair the employee or present any danger to the safety of the employee, other persons, or the property of the company.

The employee is required to notify the company, in advance of performing work, if the employee is taking prescription medication that may affect his/her safety, the safety of others, or the company’s property. The company may restrict work activities during the prescription duration; require the use of medical leave, or other leave of absence.

D. “FOR CAUSE” TESTING - * SBE BUILDERS

Any employee involved in either a job-related accident requiring medical treatment or job-related incident involving the apparent violation of a safety rule or standard, which resulted in medical treatment, serious injury, death to any person(s), or property damage over the company’s acceptable level of incidental damage, WILL be subject to substance screening within two (2) hours of accident.

SECTION III DRUG FREE WORKPLACE POLICY

E. MANAGEMENT RESPONSIBILITIES

1. Management will provide training and/or information to supervisors and employees regarding the various aspects of a Drug Free Workplace Policy.

Management will do everything possible to assure this policy is fair and equitable and does not violate employee's personal freedoms, including the rights of privacy.

2. Supervisors are responsible for observing and documenting unsatisfactory work or safety performance or behavior. Supervisors are not responsible for diagnosing or treating substance abuse problems. Care must be taken when counseling employees on sub-standard performance or behavior, not to infringe on the employees' rights or freedoms.

The clear, visual observation of possession, use, sale or transfer of any substance within this policy is not covered by rights of privacy and shall be immediately confronted and reported.

Supervisors, who have direct knowledge of a violation of this policy and do not report it, will be subject to disciplinary actions, up to and including termination.

Supervisors or any person(s) may act within the law to prevent willful destruction of evidence or the flight of the employee if criminal action will be pursued, Action(s) shall not be taken that causes an immediate threat to the health or safety of others. (Ref: California Penal Code Section 837).

F. COMPLIANCE

Compliance with the provisions of this policy, it's amendments, addenda, additions, or updates is required.

Acceptance of this policy is a condition of employment.

Failure to comply with these provisions may result in disciplinary action(s), up to and including immediate termination, and possible involvement of the appropriate law enforcement authorities.

Nothing in this policy is intended to contradict any Federal, State, or local law, rule, or statute.

Nothing in this policy is intended to require any employee to engage in any act that may cause injury to themselves or others.

By signing the attached page, the employee acknowledges receipt of this policy, has had opportunity to ask questions about the policy, certifies their understanding of the policy, and agrees to follow the provisions herein.

Policy approved by:

_____ Date: _____
Sim E. Ayers Jr., Owner

References:

- "An Employers Guide to dealing with Substance Abuse." U.S. Dept of Labor, 10/90
- "Employee Drug Screening." National Institute on Drug Abuse, PHD09/DHHS 88-1442
- "Strategic Planning for Workplace Drug Abuse Programs." NIDA, PHD03/DHHS 87-1538
- "Comprehensive Procedures for Drug Testing in the Workplace." NIDA, DHHS 91-1731
- "Drugs Don't Work in Your Workplace." President's Drug Advisory Council
- "Luck vs. Southern Pacific Transportation: (1990) 218 Cal. App. 3d 152