



STREETER
ASSOCIATES

SHARP MINDS. SUPERIOR CONSTRUCTION.



DRUG ALCOHOL AWARENESS PROGRAM and POLICY

TAB 16



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DRUG & ALCOHOL AWARENESS PROGRAM AND POLICY

I. NOTICE TO ALL EMPLOYEES, CONTRACTORS, VENDORS AND SUPPLIERS

EMPLOYEE ASSISTANCE PROGRAM

Streeter Associates, Inc. recognizes that chemical dependency and other medical- behavioral conditions are highly complex problems, which under most circumstances, can be successfully treated. Streeter Associates, Inc. offers confidential assistance with these types of problems for all of its employees through its Employee Assistance Program. Furthermore, it is the responsibility of all managers and supervisors to follow procedures assuring that no employee with problems outlined above will incur jeopardy to job security by reason of requesting help from this program. The confidential nature of these records for employees requesting help with personal problems will be preserved in the same manner as all other confidential records.

It is also our hope that those employees of our contractor companies with illnesses outlined above will request assistance from their employers before these problems pose a threat to the safety and health of any person working on our premises. Furthermore, it is the responsibility of all contractor management that they help to insure the safety of all those working on our property or job sites by both encouraging their employees to seek confidential help from these disorders and by enforcing existing policies and procedures where and when the use of alcohol and unauthorized drugs and substances are prohibited.

Streeter Associates, Inc. also has a vital interest in maintaining a safe, healthful and efficient working environment for our employees, customers, suppliers, contractors, visitors and the general public. The following policy was designed to meet that end.

II. SUBSTANCE ABUSE PROGRAM OBJECTIVES

- A. To provide employees with access to confidential counseling and/or rehabilitation programs.
- B. To assist in maintaining a safe and healthful working environment for our employees, our customers, visitors, vendors, suppliers, other contractors and member of the general public.
- C. To prevent accidental injuries to person and to protect the property of Streeter Associates, Inc., employees, our customers, the general public and to prevent the occurrence of incidents, the consequences of which may drastically affect the safety and the future of company facility operations.



- D. To comply with the contractual obligations of our customers, a particular federal agency (D.O.T., D.O.D.), I.C.C. or to meet the requirements of enacted federal and state drug abuse laws such as the Drug-Free Workplace Act of 1988.
- E. To minimize absenteeism, tardiness, improve productivity and to ensure quality workmanship.
- F. To protect the reputation of Streeter Associates, Inc. and employees within the community, industry at large and among our customers.

III. COMPANY PREMISES (OR PROPERTY) DEFINED

For the purpose of this Policy, the term “company premises” as used herein includes all Streeter Associates, Inc. (herein known as the Company) property, offices, facilities, land, docks, vessels, buildings, structures, fixtures, installations, automobiles, aircraft, trucks and all other vehicles and equipment, whether owned, leased or used. This Policy also includes all customer properties, areas under the Company’s control, any other work locations or mode of transportation to and from those locations during working time and while in the course and scope of company employment, pay status or on company business during regular work hours.

IV. POLICY APPLICATION

This policy will apply to all regular full-time, part-time, commissioned, probationary, casual or contract employees and to employment applicants of the Company. This Policy also applies to all company contractors, subcontractors, suppliers, visitors, vendors and invitees. Compliance with this Policy will be required as a condition of employment or continued employment with the Company.

This Policy may also become effective as needed to comply with the contractual obligations of certain customers or government agencies in order to perform work on their property or project. Additionally, these same contractual obligations and agreements may also include substance abuse testing of the Company’s contractor/subcontractor personnel as well.

V. COMPANY POLICY STATEMENT

This is to notify all company employees, applicants, employees of other companies, suppliers and visitors that the use, abuse, presence in the body or reporting to work under the influence, bringing onto company property, illegal manufacture distribution,



possession, transfer, storage, concealment, transportation, promotion or sale of the following illegal and unauthorized drugs, substances, alcoholic beverages, or drug-related paraphernalia by employees and others is strictly prohibited from all of the above- mentioned company premises, or while on company business and/or during working time:

(NOTE) Federal law requires that as a “condition of employment on a government contract job” that employees must abide by this policy statement and report to the employer and criminal drug conviction for a criminal violation occurring in the workplace within five days of the conviction.)

- A. ILLEGAL DRUGS (including the presence of any confirmed detectable amounts in the employee/person while working regardless of when or where the substance entered their system) such as, but not limited to, (dope, hash or hashish), cocaine (coke, rock, crack or base), LSD (acid), PCP (angel dust, crystal), MDMA (ecstasy), heroin (smack, black tar), opium (morphine, white stuff, tar, black stuff), and any other unauthorized drugs and abnormal or dangerous substances which may affect an employee’s/person’s mood, responses, motor functions or alter or affect a person’s perception, performance, judgment, reactions or senses while working.

- B. DESIGNER AND SYNTHETIC DRUGS such as, but not limited to, china white, synthetic heroin, MDA, Adam, Eve, Love Drug and any other drugs that are made in clandestine laboratories where the chemists alter the molecular structure of both legal and illegal drugs to create a drug that is not explicitly banned by federal law.

- C. UNAUTHORIZED (OR PROHIBITED) DRUGS such as, but not limited to, non-prescription inhalants, stimulants and amphetamines (methamphetamine, speed, uppers, crack, UPS, butyl nitrate, push, locker room, look-alikes, act-alikes) or any other tablets, capsules and powders containing controlled over-the-counter ingredients whose physical appearance mimics various prescription drug products which contain popular substances of abuse and are regulated under the provisions of the Controlled Substances Act of 1970. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for prescribed purposes.

- D. UNAUTHORIZED ALCOHOLIC OR INTOXICATING BEVERAGES – Beer, wine, liquor. An employee or others whose alcohol blood level is at or over the legal limit during working time is in violation of this Substance Abuse Policy. The moderate use of alcohol at authorized company functions is not prohibited by this Policy.



Additionally, any employee, applicant, contractor employee or invitee will be denied consideration of employment or access to any of the company's premises if there is a reasonable suspicion or belief to suspect that the individual shows signs of possible intoxication, using or under the influence of drugs or alcohol.

E. PREScription DRUG ABUSE – (Legally controlled substances).

Abuse of a prescribed controlled substance or use of a controlled drug not prescribed for the employee or applicant is prohibited.

Employees and others covered by this policy may maintain on company premises prescription drugs and “over-the-counter” medications provided:

1. The prescription drugs are prescribed by an authorized medical practitioner for current use (within the past 12 months) of the person in possession and the medicine is in its original container and in the employee's name.
2. Employees must not consume prescribed drugs more often than as prescribed by the employee's physician and they must not allow any other person to consume the prescribed drug.
3. The drugs, both prescription and over-the-counter, are limited to one day's supply and must be kept in the original container.
4. Any employee who has been informed that the medication could cause adverse side effects while working or where medication indicates such warning, must inform their supervisor prior to using such substances on the job.

The use of drugs/medicine prescribed by a licensed physician for the individual employee is permitted provided that it will not affect work performance. However, the Company at all times reserves the right to have a licensed physician determine if use of a prescription drug or medication by an employee produces effects which may increase the risk of injury to the employee or others while working. If such a finding is made, the Company may check with the employee's doctor (with permission) to see if other medications are available which would not impair the employee's ability to work safely. If appropriate substitute medicine is not available, the Company may have to limit or suspend the work activity of the employee during the period that the physician advises that the employee's ability to perform his job safely may be adversely affected by the consumption of such medication.

- F. DRUG-RELATED PARAPHERNALIA – A partial definition of drug-related paraphernalia as used in this section of the Policy is any unauthorized material or equipment or item used or designed for use in testing, packaging, storing, injecting,



ingesting, inhaling or otherwise introducing into the human body a controlled dangerous substance.

- G. UNAUTHORIZED POSSESSION OF FIREARMS, WEAPONS, OR EXPLOSIVE (INCENDIARY) MATERIALS – A partial definition of weapons would include brass knuckles, illegal knives and other dangerous instruments. No personal firearms are allowed on company property (loaded or unloaded).
- H. THEFT/STOLEN PROPERTY – Theft, conversion, misappropriation or unauthorized removal, possession or use of company property, including but not limited to, supplies, materials, facilities, tools, equipment, documents and proprietary information, or of any items or property of other employees or visitors is prohibited.

VI. POLICY ENFORCEMENT ACTIVITY

- A. SUBSTANCE ABUSE TESTING, MEDICAL EXAMINATIONS AND FITNESS FOR DUTY PHYSICAL

The Company also reserves the right, in certain circumstances, to require employees to submit to medical or physical examinations or tests at any time as a condition of employment or continued employment, including but not necessarily limited to urine drug tests, breathalyzer, blood test or other examinations to determine the use of any illegal or unauthorized drugs or substances prohibited in this Policy or to prove the employee's satisfactory fitness for duty. These unannounced tests may be utilized under the following circumstances:

- B. SEARCHES AND INSPECTIONS

In order to accomplish the objectives of this Policy, the Company reserves the right, at all times while entering, departing or on the premises, properties, and work areas described above or when circumstances warrant or when reasonable suspicion or cause exists, to have properly authorized supervisors or search personnel (including drug detection dogs) conduct unannounced reasonable searches and inspections of company facilities, properties, as well as employees' and other persons' effects (such as, but not limited to, lockers, baggage, briefcases, boxes, bags, parcels, lunchboxes, food/beverage containers, desks, tool boxes, clothing and vehicles) for the purpose of determining if such employees or other persons are in possession, use, transportation or concealment of any of the prohibited items and substances of this Policy.

Searches may be initiated without prior notice and conducted at times and locations as deemed appropriate by the Company. At NO TIME will employees or others be touched nor will any clothing be removed during these searches and inspections.



Searches (including urine sampling or dug screening) and inspections by authorized company personnel may be conducted from time to time without prior announcement. Urine samples may be collected, sealed, and witnessed by professional collection

Specialists in the presence of company supervisors and transported to an approved (licensed) laboratory for actual testing. Additionally, any required blood collection shall be performed by either an outside health care facility or practitioner designated by the Company. All first-test urine drug positives will be confirmed by a second test on that same sample using an alternative (specificity) type methodology.

All searches, inspections and urine sampling will be performed with concern for each employees or person's personal privacy, dignity and confidentiality. The results of any program testing will be considered a confidential record disseminated strictly on need-to-know basis or as may be legally required. Illegal substances, drugs, stolen property and other prohibited items discovered through these searches and inspections may result in the proper law enforcement authorities being advised in this regard.

VII. NOTICE OF DISCIPLINARY ACTION FOR POLICY VIOLATIONS

The Company may require employees and others to participate in such urinalysis, blood test or search activity in order to assist us in providing a safe, healthful and productive working environment. **NO** employee or person search, urine drug test, blood test or inspection will be conducted without written consent. However, failure to comply with the provisions of this Policy shall be grounds for constructive disciplinary action up to but not limited to, written reprimands, suspensions or discharge from employment. In certain situations, discharge may occur even for a first-offense violation, except as otherwise provided in this Policy.

EMPLOYEES WHO EITHER REFUSE TO SUBMIT TO A REASONABLE SEARCH, INSPECTION, URINE DRUG SCREEN, BLOOD TEST OR ARE FOUND TO BE IN POSSESSION OF ILLEGAL DRUGS, OR ARE CAUGHT TAMPERING WITH OR VIOLATING THE INTEGRITY OF ANYONE'S URINE OR BLOOD SAMPLE WILL BE SUBJECT TO DISCHARGE.

Any employee found in possession, use, under the influence of, or transporting any unauthorized drugs, alcohol, or other substances and items in violation of this Policy will be subject to disciplinary action anywhere from a written reprimand to a suspension and up to an including discharge of employment, depending on the surrounding circumstances and seriousness of the offense. Preliminary findings of a policy violation may require that the employee be placed on suspension pending a review of all relevant facts concerning the policy violation.



NO adverse action will be taken against any employee based on a confirmed positive testing result if a reasonable doubt exists as to either the accuracy of the result or the chain of custody of the sample.

VIII. DRUG AND ALCOHOL USE POLICY: RELATIONSHIP TO EMPLOYEE ASSISTANCE PROGRAM

It is the intent of this Policy to provide employees with the Company's viewpoint on behavioral-medical disorders, to encourage an enlightened viewpoint toward these disorders, and to provide guidelines for consistent handling throughout the workforce regarding alcohol and drug usage situations. Construction (or progressive) disciplinary measures may also be utilized to provide motivation for employees to seek assistance. However, it is the responsibility of each employee to seek help before alcohol and drug problems lead to disciplinary action up to and including discharge of employment. Once a violation of this Policy occurs, subsequently using the program on a voluntary basis will not be necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action.

The employee's decision to seek prior assistance from the program will not be used as the basis for disciplinary action and will not be used against the employee in any disciplinary proceeding. On the other hand, using the program will not be a defense to the imposition of disciplinary action where facts proving a violation of this Policy are obtained outside of the Employee Assistance Program.

Accordingly, the purposes and practices of this Policy and the Employee Assistance Program are not in conflict and are distinctly separate in this application. The key is to seek confidential help when you need it.

No employee's job will be placed in jeopardy nor will any employee be subject to disciplinary action for voluntarily requesting help due to substance abuse problems. However, if the affected employee's jobsite or work area has been shut down or the job (or contract) has been completed by the time the worker returns, they shall be offered the next available position that they are qualified for in another work area. All employees who have participated in the Company's Employee Assistance Program will still be expected to maintain satisfactory job performance.

Confidentiality in accordance with the Company's policies will be guaranteed in all aspects of the counseling program. When it becomes necessary for an employee to undergo appropriate medical treatment under the auspices of the Employee Assistance Program, absences will be handled in accordance with the Company's standard policies regarding disability, sick leave or leave of absence.



IX. IMPORTANT NOTICE

This Substance Abuse Program, neither as a whole nor any provision, guideline or procedure contained therein, is to be considered or interpreted as a binding contractual commitment on the part of the Company. Through this Policy/Program, the Company does not assume or offer to assume any obligations beyond those which may be imposed by applicable law. The Company further reserves the right to alter, amend or discontinue this Policy/Program or any procedure, guideline or provision contained therein, with or without notice, at its sole discretion. Failure to exercise any function in any particular way shall not be considered a waiver of its right to exercise such functions or preclude the Company from exercising that prerogative or function in some other way.

The Company realized that those employees, applicants and others with drug and alcohol abuse problems may make up only a fraction of the workforce. We regret any inconvenience that may be caused to the non-abusers by the problems of a few workers. We believe, however, that the benefits derived from the prevention of accidents, the greater safety of employees, our customers, visitors and the rehabilitation or discharge of those who, because of alcohol or drugs, are a potential danger to themselves and others, will more than make up for any inconvenience.

The Company earnestly solicits the understanding and cooperation of all employees in implementing this Policy.

Beginning April 1st, 2009, all Streeter Associates employees will be subject to comply with a company-wide drug and alcohol policy. This policy involves a **4** Panel drug test for: Pre-employment, Post-Accident, Random, Reasonable Suspicion, Return to duty, and Follow-up testing. Alcohol testing will be added to the following types of tests: *Random, Post Accident, Reasonable Cause, Return to Duty, Follow Up.*

Compliance with this policy is a condition of employment. The failure by an applicant or employee to cooperate fully by signing the consent form or by refusal to submit to any test or procedure under this policy in a timely manner will result in a refusal to hire or termination. The submission by an applicant or employee of a urine sample that is not his/her own or is intentionally adulterated will result in a refusal to hire or termination.

Upon request, a copy of this policy will be available for employees to review at our Elmira office location.