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DRUG FREE WORKPLACE PROGRAM

DAY Consultants, Inc.'s Drug Free Workplace Program is an integral part of the company's commitment to promote the health of our employees, safeguard the work environment and provide our clients with the highest quality service possible. DAY Consultants' implementation of the Drug Free Workplace Program defines the company's position on the use or abuse of alcohol, drugs or other controlled substances by its employees. It is known that substance abuse while on the job or away from the job, can seriously endanger the safety of the work environment and interfere with job performance. DAY Consultants, Inc. has established this program to screen out users and remove abusers of alcohol, drugs or other controlled substances. The Company may require applicants for employment to be tested for substance abuse before being assigned on a temporary employment position. Although many states have various laws on testing, drug testing performed for pre-employment purposes pursuant to consent is legal in all the fifty states.

This program sets out guidelines to be used by the Company in attempting to control the problems caused by drug and alcohol abuse in the work place as such. It is not a contract and its terms are not to be considered contractually binding by anyone. The intent of the policy is to provide clear guidelines and consistent procedures for handling pre-employment screening and any incidents of employees' use of alcohol, drugs or controlled substances that affect job performance while under contract through DAY Consultants, Inc.

Drug Free Workplace Program's Policy

I. Definition of Drug and Alcohol Use

- a. "Controlled Substances" mean any illegal drug or substance that has a high potential for abuse and has no generally accepted medical use in the USA.
- b. "Illegal Drugs" include controlled substances as well as legal drugs that are not prescribed by a physician to the employee.
- c. "Legal Drugs" include prescription drugs used under a physician's supervision, as well as over-the counter medications.
- d. The use, sale or possession of illegal drugs while on the job or on company property is strictly prohibited.

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- e. Criminal activity involving drugs while off the job and off company premises is prohibited because of the effect it can have on an employee's performance and the reputation of DAY Consultants, Inc. If an employee is convicted for violation of a criminal drug statute, the employee will automatically be terminated.
- f. For the purpose of this policy, an applicant/employee will be deemed to have engaged in prohibited use of drugs or alcohol if a urinalysis, blood testing, or other generally accepted testing procedure reveals detectable levels of illegal drugs or alcohol in the applicant/employee's system.
- g. The use of legal prescribed drugs for the applicant/employee by a physician is not prohibited. Applicants/Employees are required to make such use known to the Company if the use of such drugs could adversely affect job performance. The applicant/employee is required to provide that information to the Company's designated drug testing site or to arrange for his physician to provide the information.

II. Testing Procedures

As part of DAY Consultants' Drug Free Workplace Program policy, the Company will engage in screening may include urinalysis for pre-employment and random testing which will continue as a follow-up to our commitment for a drug free work environment. All laboratories administering the testing are federal and/or state certified. Proper identification of the applicant/employee will be required before testing begins. The test forms that document the results will be distributed to the employer, the employee and the laboratory technician.

a. Drug Testing Procedures

1. Urine samples will be sealed, labeled and documented in accordance with the procedures of the certified testing laboratory. Labeling, storage and transportation of samples shall be performed in order to exclude erroneous identification, sample contamination or sample adulteration.
2. Specimens will be tested for at least the following five substances: marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

b. Alcohol Testing Procedures

1. Alcohol testing will be performed using an evidential breath test to measure the alcohol concentration level in a volume of breath.

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2. Alcohol testing will be conducted by trained alcohol breath technicians who have completed a course of instructions as prescribed by the Federal Government.
3. The test will consist of a screening test (initial test) to determine the alcohol concentration in a breath sample. If the initial test shows an alcohol concentration level at or greater than the legal limit, a second confirmation test will be performed.

III. Violations of the Alcohol and Drug Policy

- a. An applicant/employee is in violation if found in possession, sale or consumption of any alcoholic beverage or illegal drug on company premises or in company vehicles.
- b. An applicant/employee is in violation if found in possession, sale or consumption of alcoholic beverages or illegal drugs off of the work premises immediately prior to reporting to work, or at anytime thereafter, until leaving the company at the end of the employee's scheduled hours, including overtime and meal periods.
- c. Employees found with an alcohol concentration at or greater than the legal limit, the applicant/employee is in violation.

Pre-Employment Testing: Once an applicant has been informed of DAY Consultants' Drug Free Workplace Program and pre-employment testing procedures, the Company may require the applicant who has been extended "a conditional offer of employment" to successfully pass a drug test. This means that the Company has determined that the applicant, other than meeting the drug test and any other medical information required, is qualified to work for DAY Consultants, Inc. Approved applicant must complete, sign and date a Chemical Screening Consent and Release Form before testing. Applicant who refuses to sign a consent form is considered to have not met the requirements for the job and will no longer be considered for employment.

After testing, the Applicant's test results will be transmitted directly to the company official who will keep it strictly confidential. If an applicant's test is positive, he/she will not be considered for employment and will be so informed that he/she has failed to meet the Company's drug free environmental requirements.

Random Testing: To ensure our commitment to enforce a drug free work environment, the Company may randomly select an employee for drug testing. Employees selected for random testing will be contacted by a DAY Consultant official who will issue instructions on where to go for testing. An employee waiting on pending test results may be placed on a probationary status and be sent home without pay during the time required for a specimen to be evaluated. All results will be kept confidential. A designated company official will inform the employee of the test results.

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Any employee found in violation of the Drug Free Workplace Program policy will be referred to a drug/alcohol treatment center at employee expense. The employee will only be permitted to return to their assignment upon proven completion of a rehabilitation program and a negative drug/alcohol test result. However, DAY Consultants cannot guarantee that the position will be held or that it will still be available.

DAY Consultants, Inc. expects its employees to share in our commitment to enforce the Drug Free Workplace Program policy, which in turn, will help maintain employees' health, safeguard the work environment and provide our clients with the highest quality service possible. Thank you for being a part of our mission.

DAY CONSULTANTS, INC. – DRUG FREE WORKPLACE PROGRAM
EMPLOYEE ACKNOWLEDGEMENT

I _____, have received DAY Consultants, Inc. Drug Free Workplace Program handout. I understand that DAY Consultant, Inc. requires all of their employment applicants to take a pre-employment drug-screening test. I understand that this Drug Free Workplace Program policy information does not constitute an offer of employment or a contract of employment. I understand that as an employee of DAY Consultants, Inc., I may be asked to take random drug/alcohol screening tests. I understand that if employed by DAY Consultants, Inc., my employment will be at-will, that I have a right to terminate the employment at any time for any reason, and the Company has a similar right. I understand that no Company policy, practice or statement by any Company representative shall limit or alter this at-will relationship. I understand that the rules, regulations, policies and procedures of DAY Consultants, Inc. are advisory by nature and may be changed by the Company at any time without notice and are not a contract for employment and should not be relied upon as such.

Name Printed

Signature

Date

Initial: _____