

MAS MEDICAL STAFFING DRUG AND ALCOHOL TESTING POLICY

All applicants for employment/employees are subject to drug and/or alcohol testing if required by a client of MAS Medical Staffing.

If administered, an applicant/employee must pass the drug and/or alcohol test. If an applicant does not pass the drug and/or alcohol test the pre-employment process will be terminated. If an employee does not pass the drug and/or alcohol test the employee will be terminated.

I understand that I have the right to refuse to take a drug or alcohol test. I also understand that if I refuse to take a drug or alcohol test or if evidence of the use of illegal drugs or alcohol is discovered, either through testing or other means, my employment or the pre-employment process may be terminated.

I hereby acknowledge that I have been informed of, have received a copy of, and understand the MAS Medical Staffing Drug and Alcohol Abuse Policy.

Signature

Date

Name (please print)

DRUG AND ALCOHOL ABUSE POLICY

1. POLICY

MAS Medical Staffing has a vital interest in maintaining a safe, healthy, and efficient working environment. Being under the influence of a drug or alcohol on the job poses serious safety and health risks to the user and to all those who work with the user. The use, sale, purchase, transfer, or possession of an illegal drug in the workplace, and the use, possession, or being under the influence of alcohol also poses unacceptable risks for safe, healthy, and efficient operations.

MAS Medical Staffing has the right and obligation to maintain a safe, healthy, and efficient workplace for all of its employees, and to protect the organization's property, information, equipment, operations and reputation.

MAS Medical Staffing recognizes its obligations to its member companies/clients for the provision of services that are free of the influence of illegal drugs and alcohol, and will endeavor through this policy to provide drug-and alcohol-free services.

MAS Medical Staffing further expresses its intent through this policy to comply with federal and state rules, regulations or laws that relate to the maintenance of a workplace free from illegal drugs and alcohol.

As a condition of employment, all employees are required to abide by the terms of this policy and to notify MAS Medical Staffing management of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

2. PURPOSE

This policy outlines the goals and objectives of MAS Medical Staffing drug and alcohol testing program and provides guidance to supervisors and employees concerning their responsibilities for carrying out the program.

3. SCOPE

This policy applies to all departments, all employees and all job applicants. The term employee includes full time, part time, contracted, temporary, and per diem employees.

4. DEFINITIONS

Alcohol means any beverage that contains ethyl alcohol (ethanol), including but not limited to beer, wine and distilled spirits.

Company premises or company facilities means all property of MAS Medical Staffing and its member companies/clients including, but not limited to, the offices, facilities and surrounding areas including owned or leased property, parking lots, and storage areas. The term also includes MAS Medical Staffing/member companies/clients -owned or -leased vehicles and equipment wherever located.

Contraband means any article, the possession of which on MAS Medical Staffing/member companies/clients premises or while on MAS Medical Staffing business, causes an employee to be in violation of MAS Medical Staffing work rule or law. Contraband includes illegal drugs and alcoholic beverages, drug paraphernalia, lethal weapons, firearms, explosives, incendiaries, stolen property, counterfeit money, untaxed whiskey, and pornographic materials.

Drug testing means the scientific analysis of urine of the human body for the purpose of detecting a drug or alcohol.

Illegal drug means any drug which is not legally obtainable; any drug which is legally obtainable but has not been legally obtained; any prescribed drug not legally obtained; any prescribed drug not being used for the prescribed purpose; any over-the-counter drug being used at a dosage level other than recommended by the manufacturer or being used for a purpose other than intended by the manufacturer; and any drug being used for a purpose not in accordance with bonafide medical therapy. Examples of illegal drugs are cannabis substances, such as marijuana and hashish, cocaine, heroin, methamphetamine, phencyclidine (PCP), and so-called designer drugs and look-alike drugs.

Legal drug means any prescribed drug or over-the-counter drug that has been legally obtained and is being used for the purpose for which prescribed or manufactured.

Reasonable belief means a belief based on objective facts sufficient to lead a prudent person to conclude that a particular employee is unable to satisfactorily perform his or her job duties due to drug or alcohol impairment. Such inability to perform may include, but not be limited to, decreases in the quality or quantity of the employee's productivity, judgment, reasoning, concentration and psychomotor control, and marked changes in behavior. Accidents, deviations from safe working practices, and erratic conduct indicative of impairment are examples of "reasonable belief" situations.

Under the influence means a condition in which a person is affected by a drug or by alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty in maintaining balance. A determination of being under the influence can be established by a professional opinion, a scientifically valid test, such as urinalysis or blood analysis, and in some cases by the opinion of a layperson.

5. PROHIBITED ACTIVITIES

Illegal Drugs and Alcohol

a. The use, sale, purchase, transfer, or possession of an illegal drug or of alcohol by any employee while on MAS Medical Staffing/member companies/clients premises or while performing MAS Medical Staffing/member companies/clients business is prohibited.

6. DISCIPLINE

Any employee who possesses, distributes, sells, attempts to sell, or transfers illegal drugs on MAS Medical Staffing/member companies/clients premises or while on MAS Medical Staffing/member companies/clients business will be discharged.

Any employee who is found to be in possession of or under the influence of alcohol in violation of this policy will be subject to discipline up to and including discharge.

Any employee who is found to be in possession of contraband in violation of this policy will be subject to discipline up to and including discharge.

Any employee who is found through drug or alcohol testing to have in his or her body a detectable amount of an illegal drug or of alcohol will be subject to discipline up to and including discharge.

7. DRUG AND ALCOHOL TESTING OF JOB APPLICANTS

All applicants for employment are subject to drug and/or alcohol testing.

An applicant must pass the drug and/or alcohol test to be considered for employment.

An applicant will be notified of MAS Medical Staffing drug and alcohol testing policy prior to being tested; will be informed in writing of his or her right to refuse to undergo such testing; and will be informed that the consequence of refusal is termination of the pre-employment process.

An applicant will be provided written notice of this policy, and by signature will be required to acknowledge receipt and understanding of the policy.

If an applicant refuses to take a drug or alcohol test, or if evidence of the use of illegal drugs or alcohol by an applicant is discovered, either through testing or other means, the pre-employment process will be terminated.

8. DRUG AND ALCOHOL TESTING OF EMPLOYEES

MAS Medical Staffing will notify employees of this policy by:

- a. Providing to each employee a copy of the policy, and obtaining a written acknowledgement from each employee that the policy has been received and read.
- b. Announcing the policy in various written communications and making presentations at employee meetings.

MAS Medical Staffing may perform drug or alcohol testing:

- a. Of any employee who manifests "reasonable belief" behavior.
- b. Of any employee who is involved in an accident that results or could result in the filing of a Workers' Compensation claim.
- c. On a random basis of any employee.
- d. Of any employee who is subject to drug or alcohol testing pursuant to federal or state rules, regulations or laws.

An employee's consent to submit to drug or alcohol testing is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including discharge, for a first refusal or any subsequent refusal.

An employee who is tested in a "reasonable belief" situation may be suspended pending receipt of written tests results and whatever inquiries may be required.

9. APPEAL OF A DRUG OR ALCOHOL TEST RESULT

An applicant or employee whose drug or alcohol test reported positive will be offered the opportunity of a meeting to offer an explanation. The purpose of the meeting will be to determine if there is any reason that a positive finding could have resulted from some cause other than drug or alcohol use. MAS Medical Staffing will judge whether an offered explanation merits further inquiry.

An employee whose drug or alcohol test is reported positive will be offered the opportunity to:

- a. Independently test, at the employee's expense, the remaining portion of the urine specimen that yielded the positive result;
- b. Obtain the written test result and submit it to an independent medical review at the employee's expense.

During the period of an appeal and any resulting inquiries, the pre-employment selection process for an applicant will be placed on hold, and the employment status of an employee may be suspended.

10. CONFIDENTIALITY

All information relating to drug or alcohol testing or the identification of persons as users of drugs and alcohol will be protected by MAS Medical Staffing as confidential unless otherwise required by law, overriding public health and safety concerns, or authorized in writing by the persons in question.