



SUBSTANCE ABUSE POLICY

The welfare and success of GulfWestern, the “Company” depends on the physical and psychological health of all its employees. While the Company is committed to maintaining a safe and productive workplace, it is the responsibility of both the Company and the employees to create and maintain a safe, healthful and efficient working environment. Therefore, for the protection of its clients, employees, property, and the general public, the Company has adopted this Substance Abuse Policy

PURPOSE AND SCOPE

Purpose: The purpose of this Policy is to maintain a safe, healthful and efficient working environment by eliminating any abuse of legal and illegal drugs, alcohol and inhalants on the Company premises or at any time while on company business, and requiring all employees of the Company to be free from the effects of legal and illegal drugs, alcohol and inhalants while on the Company premises or at any time while on Company business.

Scope: This Policy applies to all employees of this Company: (a) at all times while on the Company premises, (b) during the course and scope of their employment regardless of location and (c) during any Company-sponsored activities.

DISCIPLINARY ACTION AND PROHIBITED CONTACT

Disciplinary Action: Any employee’s failure to comply with any part of this policy will result in disciplinary action up to and including termination of employment.

Prohibited Conduct: Any employee will be subject to the above measures of disciplinary action for any of the following:

- a) The manufacture, distribution, possession, use or sale of alcohol, inhalants, unauthorized or illegal drugs or the misuse of any legal or prescription drugs on Company premises, while on Company business, or during any Company-sponsored activities.
- b) Being under the influence of any substance described (a) above which impairs judgment, performance or behavior while on Company premises, while on Company business, or during Company sponsored activities.
- c) Conviction under any criminal statute for the possession, use or sale of drugs or alcohol or any related activity.
- d) Refusing to submit to a medical evaluation, including drug or alcohol testing as provided for in Section 3 of this policy.

- e) Generating test results which indicate any drug, alcohol or other substance abuse.

TESTING

Definition: For the purpose of this policy, “drug” is defined as any alcoholic beverage, illegal inhalant, and illegal drug or other substance, the use, possession, manufacture, distribution or dispensation of which is prohibited by any state or federal law or regulation and any drug substance obtained by prescription, over-the-counter or otherwise.

APPLICABILITY OF DRUG TESTING:

All persons apply for a position with the Company may be required to submit to a drug test as a condition of employment. All current and future employees must submit to a drug test upon the request of the Company under the following:

1. When special safety consideration attendant to obtain jobs indicated that such testing presents a reasonable means to assure a safe working environment.
2. When the employee either sustains an injury in the course and scope of employment or contributes to or causes another employee to sustain an injury in the course and scope of employment.
3. When the employee causes, indirectly or directly, damage to the Company’s property or to the property of another.
4. When the employee contributes or causes injury to any third party while the employee is in the course and scope of employment.
5. When the employee is convicted under any criminal drug statute for a violation occurring during the course and scope of employment. If such a conviction occurs, it is the employee’s responsibility to notify the Company within five (5) days of the conviction. This requirement includes any finding of guilt, guilty plea of no contest or imposition of sentence or any other penalty whatsoever by any court of competent jurisdiction or otherwise in connection with any state or federal criminal statute involving the manufacture, distribution, dispensation, use or possession of any controlled substance or drug, including alcohol.
6. When the Company, in its sole discretion, determines that it is in the Company’s best interest to conduct such a drug test.

MISCELLANEOUS PROVISIONS:

Cooperation with Law Enforcement: In addition, any illegal drug or other substance obtained by the Company from any employee may be turned over to a law enforcement agency and may result in criminal prosecution.

Reporting: Each employee is responsible for promptly reporting to the appropriate Company officers any use of prescribed medication which may affect the employee's judgment, performance, or behavior.

Other Procedures: The Company will establish such other procedures as it finds necessary to effectively enforce this policy. This may include a requirement that employees cooperate in personal or facility searches when there is reason to believe drugs or alcohol are present, when their performance is impaired or when their behavior is erratic. Refusing to cooperate with these procedures may be cause for disciplinary action provided in Section 2.

Medical Facility: The Company shall not be responsible for, and makes no representations or warranties on behalf of the laboratory or medical facility conducting the drug test.

I acknowledge that I have read and understand the "Company's" Substance Abuse Policy.

Signature of Individual

Date

Print Name of Individual