



SES DRUG-FREE WORKPLACE POLICY

It is the intention of the SES group of companies (“SES group” or the “Company”) to maintain a Drug Free Workplace in accordance with workers’ compensation provisions. SES group recognizes that an employee’s health affects personal job performance as well as the performance and job safety of other employees. This policy was created to maintain a safe and healthy work environment for all employees and to provide for the health, safety and courtesy of the public and our clients and customers. To the extent this policy is inconsistent with any changes that are made to the referenced statutes, rules or subsequent court decisions, SES group will follow the current legal requirements.

It is a condition of employment for employees to refrain from the abuse, illegal use or misuse of drugs, including prescription or non-prescription medications, controlled substances, or any illegal drugs, or being under the influence of any such drugs, including alcohol, on the job. Possession of any illegal drugs is also prohibited at all places at which employees are providing services. All employees must report to work in appropriate mental and physical condition without any illegal drugs, controlled substances (except for medication prescribed for and being properly used by the employee) or detectable levels of alcohol in their bodies. A drug testing program has been implemented in accordance with the above requirements.

SCOPE

This policy applies to all employees of SES group as well as any applicants being considered for employment with SES group. This policy will be made available to all employees and job applicants to review during regular business hours.

TYPES OF TESTING

SES group conducts the following types of drug testing:

1. Reasonable Suspicion. All employees must submit to a drug test when requested by SES group based on a belief that an employee is using or has used drugs in violation of SES group policy, drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:
 - (a) Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
 - (b) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 - (c) A report of drug use, provided by a reliable and credible source.
 - (d) Evidence that an individual has tampered with a drug test during employment with SES group.
 - (e) Information that an employee has caused, contributed to, or been involved in an accident while at work.
 - (f) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on SES group premises or while operating SES group vehicle, machinery, or equipment.
2. Routine Fitness for Duty. An employee must submit to a test for drugs if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of SES group’s established policy or that is scheduled for all members of an employment classification or group.



3. Follow-up. If an employee in the course of employment enters an employee assistance program for drug-related problems, or an alcohol/drug rehabilitation program, the employee must submit to a drug test as a follow-up to such program (unless the employee voluntarily entered the program), on a quarterly, semi-annual, or annual basis for two years after completion of the program. Advance notice of a follow-up testing date will not be given to the employee to be tested.
4. Random Testing. Based on the nature of the work performed by SES group, certain SES group employees will be subjected to random drug testing in order to comply with the requirements for certain jobs SES group performs work on. These tests will be unannounced and may be given at any time. When the requirements of a certain job SES group performs work on require random testing, each employee performing work on that job will have an equal chance to be selected each time a random test is performed.

REFUSAL TO TEST/CONFIRMED POSITIVE TESTS

1. Refusal to Test. If an employee refuses to submit to a test for drugs or alcohol, he/she forfeits his/her eligibility for all medical and indemnity benefits and may be terminated from employment, or otherwise disciplined by SES group.
2. Injury. If an employee is injured in the course and scope of his or her employment, and has a positive confirmation of a drug at a level described below, such an injured employee may forfeit his or her eligibility for medical and indemnity benefits under the Workers' Compensation Act upon exhaustion of the procedures provided in the Section of this policy titled "EXPLANATIONS/CHALLENGES TO DRUG TEST RESULTS," and may be terminated from employment.
3. Employee Assistance. If an employee has a positive, confirmed drug test required by SES group for Reasonable Suspicion, Routine Fitness for Duty, Random Testing, or Follow-up testing, the employee will be considered to be in violation of this policy. SES group may request or require the employee to seek help or rehabilitation from an employee assistance program or a community resource. A list of the names, addresses and telephone numbers of some employee assistance programs and local alcohol and drug rehabilitation programs is on Attachment "A" to this policy. An employee who has a confirmed positive drug test will be disciplined up to and including termination from employment. DISCUSSION POINT: INFORMATION FOR ATTACHMENT A IS TO BE INCLUDED BY COMPANY. DO YOU HAVE THIS? IF NOT, WE CAN DISCUSS.

CONFIDENTIALITY

All information, interviews, reports, statement memoranda, and drug test results, written or otherwise, received by SES group or produced through the drug testing program are confidential communications, and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with applicable state statutes and rules or in determining compensability under Florida Statute, Chapter 440.

Employers, laboratories, medical review officers, employee assistance programs, drug and alcohol rehabilitation programs, and their agents who receive or have access to information concerning drug test results must keep all information confidential. Release of such information under any other circumstance shall be solely pursuant to a written consent form signed voluntarily by the person tested, unless such release is compelled by a hearing officer or a court of competent jurisdiction pursuant to an appeal taken under chapter 440, or unless deemed appropriate by a professional or occupational licensing board in a related disciplinary proceeding. The consent form must contain, at a minimum:



- (a) The name of the person who is authorized to obtain the information.
- (b) The purpose of the disclosure.
- (c) The precise information to be disclosed.
- (d) The duration of the consent.
- (e) The signature of the person authorizing release of the information.

Information on drug test results is not to be released or used in any criminal proceeding against the employee or job applicant except as permitted under the Florida Drug Free Workplace provisions in Chapter 440 of Florida Statutes and the implementing rules and interpretations.

Nothing shall be construed to prohibit SES group, an agent of SES group, or a laboratory conducting a drug test from having access to employee drug test information when consulting legal counsel in connection with actions brought under or related to state statute or rule or when information is relevant to its defense in a civil or administrative matter.

EXPLANATIONS/CHALLENGES TO DRUG TEST RESULTS

Within five (5) working days after receipt of a positive confirmed test result from the Medical Review Officer, SES group will inform the employee of the positive test results, the consequences of such results, and the options available to the employee/applicant, including the right to file an administrative or legal challenge.

SES group will provide to the employee or upon request, a copy of the test results.

Within five (5) working days after receiving notice of a positive confirmed test result, the employee will be allowed to submit information to SES group explaining or contesting the test results. During the period following the positive confirmed test, the employee will be suspended without pay. Following a positive test result, information will be provided to the employee on the length of the suspension and subsequent termination, if applicable. If an employee's explanation or challenge of the positive test results is unsatisfactory to SES group, a written explanation as to why the employee's explanation is unsatisfactory, along with the report of the test results, will be provided by SES group to the employee. All such documentation will be kept confidential by SES group and will be retained by SES group for at least one (1) year.

1. Documentation Based on Reasonable Suspicion. After testing based on reasonable suspicion, SES group will promptly detail in writing the circumstances which formed the basis of the determination that reasonable suspicion existed to warrant the testing. A copy of this documentation will be given to the employee upon request. The original documentation will be kept confidentially by SES group and retained for at least one (1) year.
2. Additional Rights and Responsibilities of Employees and Applicants. During the 180-day period after written notification of a positive test result, the employee who has provided the specimen will be permitted by SES group to have a portion of the specimen retested, at the employee's expense. Such retesting is to be done as specified in the applicable Workers' Compensation Statute and Rules.

It is the responsibility of the applicant or employee to notify the laboratory of any administrative or civil actions brought pursuant to Chapter 440, Florida Statutes, Drug Free Workplace requirements.

Employees and job applicants have the right to consult the testing laboratory for technical information regarding prescription and non-prescription medication.