



GENERAL ALCOHOL & DRUG TESTING POLICY

AirCorps Aviation is dedicated to providing employees with a workplace that is free of drugs and alcohol. This Alcohol & Drug Testing Policy ("General Alcohol & Drug Policy") applies to all applicants and employees.

Prohibited Use of Alcohol and Drugs

To ensure a safe and productive work environment while on working time, while on AirCorps Aviation's premises, and/or while conducting AirCorps Aviation business, all employees are prohibited from:

- Unlawfully manufacturing, distributing, dispensing, possessing, or using alcohol or illegal drugs
- Misusing or abusing prescribed or over the counter drugs ("legal drugs");
- Having present in your body, during working hours or while working on AirCorps Aviation business, detectable levels of alcohol, illegal drugs, or that evidence the misuse or abuse of legal drugs; and
- Violating any federal or state law relating to drugs or alcohol.

An employee who is under the influence of or impaired by alcohol or drugs should not report for duty or remain on duty.

Who is Subject to Testing under this Policy

Applicants. All applicants who have been conditionally offered employment must undergo drug testing in accordance with the Testing Procedures outlined in this General Alcohol & Drug Policy.

Covered Employees.

This General Alcohol & Drug Policy applies to all employees of AirCorps Aviation.

Safety Sensitive Employees are those employees who work in a position in which impairment caused by drug or alcohol usage would threaten the health or safety of any person. An employee is considered to be performing a safety-sensitive function during any period in which he or she is actually performing, ready to perform, or immediately available to perform such functions.

Circumstances under which a Covered Employee May Be Tested

Post-Accident

- As soon as practicable following an accident, each Covered Employee who has sustained a personal injury at work will be subject to testing.
- As soon as practicable following an accident, each Covered Employee who either contributed to the accident or cannot be discounted as a contributing factor to the accident will be subject to testing. By way of example, each Covered Employee who has caused another employee to sustain a personal injury, caused a work-related accident, or was operating or helping to

operate machinery, equipment, or vehicles involved in a work-related accident will be subject to testing.

- A Covered Employee who is subject to post-accident testing will remain readily available for testing at the request of AirCorps Aviation. Covered Employees who fail to remain readily available for testing may be deemed by AirCorps Aviation to have refused to submit to testing.
- Attempts to conduct post-accident alcohol testing will cease 8 hours after the accident, even if no alcohol test has been conducted.

Reasonable Suspicion

- A Covered Employee must submit to a test if AirCorps Aviation has determined that reasonable suspicion exists that the employee has violated AirCorps Aviation's Policy regarding the Prohibited Use of Alcohol and Drugs.
- This determination must be made by an AirCorps Aviation supervisor, based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the employee.
- Even if a test cannot be administered, AirCorps Aviation has the right to suspend the employee from duty if the employee's behavioral, speech, or performance indicates the employee is violating this General Alcohol & Drug Policy
- Even if a test cannot be administered, AirCorps Aviation will not permit any employee who is under the influence of or impaired by alcohol or drugs, as shown by behavioral, speech, or performance indicators of misuse, to report for duty or remain on duty requiring performance in a safety-sensitive function until a test can be administered and the result is below 0.02 or until the commencement of the employee's next duty period if at least 8 hours has elapsed.
- A supervisor who identifies an employee for reasonable suspicion cannot conduct the alcohol test as the breath alcohol technician for that employee.

Random Testing of Safety Sensitive Employees

- Safety Sensitive Employees will be selected for random testing through a scientifically valid method. Random tests will be spaced throughout the year and will be unannounced
- Safety Sensitive Employees notified of selection for random testing must proceed immediately to the testing site.
- Random tests may be conducted while a Safety Sensitive Employee is performing in a safety-sensitive position, just before the employee is to perform in a safety-sensitive position, or just after the employee has ceased performing in a safety-sensitive position.

What Constitutes Refusing to Submit to a Required Drug or Alcohol Test

A Covered Employee is considered to have refused to take a drug and/or alcohol test if he or she fails to appear for, or fail to cooperate with, any part of the testing process. Below are examples of what constitutes refusing to submit to a test.

1. Fails to appear for any test (except a pre-employment test) within a reasonable time, as determined by AirCorps Aviation, after being directed to do so by AirCorps Aviation;

2. Fails to remain at the testing site until the testing process is complete; provided, that an employee who leaves the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
3. Fails to provide an adequate amount of saliva or breath for any alcohol test required by this part; provided, that an employee who does not provide an adequate amount of breath or saliva because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
4. Fails to provide a sufficient breath specimen, and the physician has determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
5. Fails to undergo a medical examination or evaluation, as directed by AirCorps Aviation as part of an insufficient breath procedure; or
6. Fails to sign any required certification.

Consequences of Refusing to Submit to a Required Drug or Alcohol Test

A Covered Employee who refuses to submit to a drug or alcohol test or who receives a verified adulterated or substituted drug or alcohol test result must be immediately removed from performing safety-sensitive functions. Any employee who refuses to submit to a drug or alcohol test requested in accordance with this Policy or applicable law will be subject to disciplinary action, up to and including termination.

Consequences of a Verified Positive Drug Test

Any employee who has engaged in prohibited alcohol or drug use will be subject to disciplinary action, up to and including termination as allowed by law.

A Safety Sensitive Employee who receives one (1) verified positive drug test result (whether as a result of a random testing or other testing under this Policy) will be immediately removed from safety-sensitive duties. Further, the employee will be subject to disciplinary action, up to and including termination. A Safety Sensitive Employee who has a positive drug test cannot return to the performance of safety-sensitive functions until and unless the employee successfully completes a return-to-duty process as assigned.

A Safety Sensitive Employee who receives a second verified positive drug test will be immediately removed from performing safety-sensitive functions and will be permanently prohibited from performing that safety-sensitive function for AirCorps Aviation.

Unless otherwise allowed by law, AirCorps Aviation will not discharge an employee for a first-time positive test without offering counseling or rehabilitation. However, an employee who refuses treatment or does not complete the program successfully may be terminated. Employees who have a positive drug test may request a confirmatory retest within five days, and are entitled to a copy of the test results report.

Return to Duty Testing

Prior to returning a Covered Employee to duty following a verified positive drug test, AirCorps Aviation may require that the employee receives an evaluation by a Substance Abuse Professional (SAP)

meeting the requirements of any applicable regulations, and that the employee successfully complies with the SAP's evaluation recommendations before the employee returns to duty.

AirCorps Aviation may require that other employees with a verified positive test receive an evaluation by a SAP and that the employee successfully complies with the SAP's evaluation recommendations before the employee returns to duty.

Follow Up Testing

Each employee who has been identified by a Substance Abuse Professional as needing assistance in resolving a problem with alcohol or drug misuse will be subject to follow-up testing as a condition of their continued employment. Employees may be required to undergo testing (without prior notice) during the evaluation or treatment period, and for a period of up to two years following completion of any prescribed chemical dependency program or alcohol dependency program. All Safety Sensitive Employees who have returned to duty performing a safety-sensitive function will be subject to follow-up testing. Follow-up tests will be unannounced.

Confidentiality and Recordkeeping

All employee alcohol and drug test records are considered confidential. For the purpose of this policy/procedure, confidential recordkeeping is defined as records maintained in a secure manner, under lock and key or other limited access to ensure such information is accessible only by designated employees.

Employee alcohol and controlled substance test records will only be released in the following situations:

- To the active employee, upon their request;
- Upon written consent by the employee authorizing the release to a specified individual;
- Upon request of a DOT agency with regulatory authority over AirCorps Aviation;
- Upon request of federal, state, or local officials with regulatory authority over AirCorps Aviation;
- Upon request of the United States Secretary of Transportation;
- Upon request by the National Transportation Safety Board (NTSB) as part of an accident investigation;
- In a lawsuit, grievance, or other proceeding when legally applicable;
- Upon request by subsequent employers upon receipt of a written request by an employee;

Community Service Hotline. If you have any personal problems or questions concerning drug abuse and want to confide in an employee assistance professional, you are encouraged to contact:

Name: Marian Bogenreif, Substance Abuse Professional Telephone: 218-736-5009

For more information on our policy regarding alcohol and drugs and our testing policy, or if you have questions regarding these policies, contact Ruth Gerlofs, Business Coordinator, at 218-444-4478.

ACKNOWLEDGEMENT OF GENERAL ALCOHOL & DRUG TESTING POLICY

I have on this day received the General Alcohol & Drug Policy. I acknowledge that I have read and understand the General Alcohol & Drug Policy, and I agree that I will abide by the policies, rules, and requirements contained in the General Alcohol & Drug Policy.

I understand that my employment with AirCorps Aviation is on an at-will basis, meaning that my employment relationship with AirCorps Aviation may be terminated by me or by AirCorps Aviation at any time, with or without cause or advance notice. I understand that my at-will status cannot be altered unless by a written document signed by the General Manager of AirCorps Aviation.

I understand that if I am hired as an employee of AirCorps Aviation, my acceptance and agreement to follow the policies outlined in the General Alcohol & Drug Policy is a condition of my employment.

I understand that if I have any questions about the interpretation or application of any policies contained in the Handbook, I should direct these questions to Ruth Gerlofs, Business Coordinator, at 218-444-4478.

Signature

Date

Name Printed