ATLANTA'S PAINT DOCTOR

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ATLANTA'S PAINT DOCTOR - SUBSTANCE ABUSE POLICY STATEMENT

The Paint Doctor, Inc. dba Atlanta·s Paint Doctor is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any Atlanta·s Paint Doctor employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, under authority of Georgia Law (O.C.G.A. 34-9-410) Atlanta·s Paint Doctor has established the following policy:

1. It is a violation of company policy for any employee to use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.

2. It is a violation of company policy for any employee to report to work under the influence of or while possessing in his or her body, blood, or urine illegal drugs in any detectable amount.

3. It is a violation of company policy for any employee to report to work under the influence of, or impaired by alcohol.

4. It is a violation of company policy for any employee to use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. (However, nothing in this policy precludes the appropriate use of legally prescribed medications.)

5. Violations of this policy are subject to disciplinary action up to and including termination.

Copies of this policy are available in the Sharepoint: SC - DrugFree Workplace Policy, and can also be requested to customersupport@atlantaspaintdoctor.com.

6. EMPLOYEE ASSISTANCE

Atlanta·s Paint Doctor offers resource information on various means of employee assistance in our community, including but not limited to a list of names, addresses, and telephone numbers of employee assistance programs and local drug rehabilitation programs. Employees are encouraged to use this resource file, which can be accessed using the following link: SC - Substance Abuse Treatment Resource List.pdf. In addition, we will distribute this information to employees for their confidential use.

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7. GENERAL PROCEDURES

An employee reporting to work visibly impaired will be deemed unable to properly perform required duties and will not be allowed to work. If possible, the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status. Next, the supervisor, and/or a member of the HR Department or Safety Department, and/or other qualified supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the supervisor, the employee is considered impaired, the employee will be sent home or to a medical facility by taxi or other safe transportation alternative - depending on the determination of the observed impairment - and accompanied by the supervisor or another employee if necessary. A drug test may be in order. An impaired employee will not be allowed to drive. If an impaired employee insists on driving while under the influence, law enforcement will be notified.

If use of a drug may affect an employee's ability to perform ***the essential functions of*** his or her job, ***or pose a direct threat of harm***, the employee must notify their supervisor or Human Resources (HR) prior to reporting to work after using such drug. This information will be kept confidential. Failure to report the use of such drugs to a supervisor or HR may result in disciplinary action, up to and including termination

8. OPPORTUNITY TO CONTEST OR EXPLAIN TEST RESULTS

Employees and job applicants who have a positive confirmed test result may explain or contest the result to the company within five (5) working days after the company contacts the employee or job applicant and shows him/her the positive test result as it was received from the lab in writing. Refusal to submit to a drug test constitutes insubordination and will result in termination.

Applicants and employees are informed that current drug testing does not distinguish between a positive test result based on illegal use of marijuana and THC use with legal CBD use. As such, any employee who tests positive for THC, for any reason, is subject to disciplinary action, up to and including termination.

9. CONFIDENTIALITY

The confidentiality of any information received by the company through a substance abuse testing program shall be maintained, except as otherwise

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provided by law.

10. PRE-EMPLOYMENT DRUG TESTING

All job applicants at this company will undergo testing for the presence of illegal drugs as a condition of employment. Any applicant with a confirmed positive test result will be denied employment. Applicants will be required to submit voluntarily to a specimen test at a laboratory chosen by this company, and by signing a consent agreement will release this company from liability.

If the physician, Medical Review Officer (MRO), company official, or lab personnel has reasonable suspicion to believe that the job-applicant has tampered with the specimen, the applicant will not be considered for employment.

This company will not discriminate against applicants for employment because of a past history of drug abuse. It is the *current* abuse of drugs, preventing employees from performing their job properly, that this company will not tolerate.

Individuals who have failed a pre-employment test may initiate another inquiry with the company after a period of not shorter than six (6) months; but they must present themselves drug-free as demonstrated by urinalysis or other specimen test selected by this company.

11. EMPLOYEE TESTING

This company has adopted testing practices to identify employees who use illegal drugs on or off the job or who abuse alcohol on the job. It shall be a condition of employment for all employees to submit to substance abuse testing under the following circumstances:

A. When there is reasonable suspicion to believe that an employee is using illegal drugs or abusing alcohol. "Reasonable suspicion" is based on a belief that an employee is using or has used drugs or alcohol in violation of the company's 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, but not limited to, the following:

1. Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse;

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2. Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
3. A report of substance abuse provided by a reliable and credible source;
4. Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer;
5. Information that an employee has caused or contributed to an accident while at work; or
6. Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

B. When employees have caused or contributed to an on-the-job injury that resulted in a loss of worktime, which means any period of time during which an employee stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider.

C. As part of a follow-up program to treatment for drug abuse when an employee has *involuntarily* entered a rehabilitation program because of a positive confirmed test result. The frequency of such testing shall be a minimum of at least once a year for a two year period after completion of the rehabilitation program. Advance notice of testing shall not be given to the employee.

D. When a substance abuse test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of the company's established policy or that is scheduled routinely for all members of an employment classification or group.

E. Random testing is conducted without individualized suspicion of a violation of the company's substance abuse policy. Selection is made by neutral criteria so that all employees eligible for testing have an equal opportunity of being tested.

If the physician, MRO, company official, or lab personnel have reasonable suspicion to believe that the employee has tampered with the specimen, the employee is subject to disciplinary action up to and including termination.

Employees with a *confirmed* positive test result may, at their own option and expense, have a second confirmation test performed **on the *same* specimen**. An employee will not be allowed to submit another specimen for testing. The employee will be required to pay for any and all costs incurred by any additonal

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test(s).

If the physician, company official, MRO or lab personnel has reasonable suspicion to believe that the employee has tampered with the specimen, the employee is subject to disciplinary action up to and including termination.

12. ALCOHOL ABUSE

The consumption or possession of alcoholic beverages on this company's premises is prohibited. (Company sponsored activities which may include the serving of alcoholic beverages are not included in this provision.) An employee whose normal faculties are impaired due to the consumption of alcoholic beverages, or whose blood alcohol level tests positive while on duty/company business shall be guilty of misconduct, and shall be subject to discipline up to and including termination. Failure to submit to a required substance abuse test is misconduct and shall be subject to termination.

It is the responsibility of the company's supervisors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug or alcohol problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintain a safe work environment, and co-workers should encourage anyone who has a drug problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive, and drug-free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs, and the abuse of alcohol are incompatible with employment at Atlanta·s Paint Doctor. **The Atlanta·s Paint Doctor drug free workplace program is certified by the Georgia State Board of Workers' Compensation in accordance with Title 34, Chapter 9, Article 11 of the Official Code of Georgia Annotated.**