

UNCONTROLLED

Title: Drug and Alcohol Abuse Testing and Rehabilitation

1.0 Purpose and Scope

Waupaca Foundry, Inc. ("Company") values its employees and recognizes their need for a safe and healthy work environment. Waupaca Foundry, Inc. also recognizes that employees abusing drugs (including alcohol) are less productive and are often a risk to the safety, security, and productivity of our Company.

In addition, the Company has an obligation to its clients to provide high quality products and to ensure client satisfaction. Substance abuse by Company employees could result in serious mistakes in judgment and thereby compromise the high quality of our services and our clients' trust.

The Company consequently has established this Substance Abuse Testing and Assistance Program ("Program") to:

Ensure a safe healthful working environment for all employees

Reduce substance abuse-related injuries and property damage

Improve, if not ensure, productivity and product quality

Reduce substance abuse-related absenteeism and tardiness

Refer employees with substance abuse problems to appropriate care and assistance

Deter individuals from bringing, possessing, using, distributing or having in their systems alcohol or other drugs on Company time or premises

Help the Company maintain its position of leadership in the Foundry industry.

The Company has committed substantial resources to make this Program effective for every employee, whether regular or temporary. **It is designed to offer, before providing for discipline, counseling and rehabilitation assistance to those who have substance abuse problems and seek help, which they are encouraged to do.** Substance abusers who do not take advantage of the help available will be subject to discipline, up to and including discharge, if they violate this Program's terms.

Those employees needing help who receive it and make necessary changes in their conduct may continue to be a part of the Company. Those who do not change their conduct, cannot and will not be tolerated. The safety and livelihood of too many others depend on having a drug-free place of work.

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2.0 Definitions

“Alcohol”: Ethanol, Isopropanol, or Methanol.

“Applicant”: Any individual tentatively selected for employment with Waupaca Foundry, Inc.

“C.D.L.”: This acronym stands for Commercial Drivers License.

“Chain of Custody”: Procedures to account for the integrity of each urine and/or blood specimen by tracking its handling and storage from the point of specimen collection to final disposition.

“Collection Site”: A place where individuals present themselves for the purpose of providing body fluids to be analyzed for specified controlled substances or alcohol.

“Contractor”: The term contractor includes individuals, entities, and employees of contractors who perform work for the benefit of Waupaca Foundry, Inc. pursuant to a purchase order or other contract. This also includes employees and companies hired as sub-contractors, by the contractor.

“DHHS”: This acronym stands for Department of Health and Human Services.

“DOT”: This acronym stands for Department of Transportation.

“Employee Assistance Program (EAP)”: A program that offers assessment, short-term counseling, and referral services to employees for a wide range of drug, alcohol, and mental health problems, and monitors the progress of employees while in treatment.

“Medical Review Officer (MRO)”: The Medical Review Officer is responsible for receiving laboratory results. The MRO is a licensed physician with knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate all positive test results together with an individual’s medical history and any other relevant biomedical information.

“NIDA”: Acronym for the National Institute on Drug Abuse.

“Unannounced Testing”: A system of drug testing imposed without individualized suspicion that a particular individual is using illegal drugs.

“Safety Sensitive”: Any job position determined by the company to be accompanied by such risk, by the nature of the work involved, that even a momentary lapse of attention could have serious consequences to the safety of the employee, coworkers, customers, the company, or the general public.

“SAMHSA”: This acronym stands for Substance Abuse and Mental Health Services Administration.

“Synthetic Cannabis”: A herbal and chemical product which mimics the effects of cannabis, including cannabicyclohexanol, JWH-018, JWH-073, and HU-210 and is commonly referred to as “Spice” or “K2”.

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3.0 Employee Assistance Program (EAP)

It is the responsibility of an employee with a drug and/or alcohol problem to seek and complete treatment.

Waupaca Foundry, Inc. also has a concern for employees whose family members may be in need of treatment, as their behavior could adversely affect the well being of that employee, the family, and the organization.

Employees are encouraged to seek evaluation and treatment via LifeMatters®, the Employee Assistance Program (EAP). Use of EAP services is confidential and will not jeopardize employment or advancement. LifeMatters can be reached at 1-800-634-6433, 24 hours per day and may be utilized by employees, spouses or significant others, dependants and others living in an employee's home.

The purposes and practices of the Company's disciplinary rules and the EAP are **distinctly separate** in their applications. However, use of the EAP will not protect an employee from disciplinary action for unacceptable job performance, or rule violations.

4.0 General Provisions

Except as otherwise provided in this Program, the Company prohibits the use, and/or possession of alcohol, Synthetic Cannabis and other drugs (hereafter collectively referred to as "drugs", unless otherwise noted) by anyone while on Company premises and/or working on Company time, off its premises.

The Company also prohibits employees from reporting to work under the influence of a drug or having in their systems (even if because of use off Company premises and time) any drug in excess of (1) the appropriate concentration level established by the U.S. Department of Health and Human Services ("DHHS") or the U.S. Department of Transportation ("DOT") (in the case of alcohol) or (2), in the case of a substance for which neither of those agencies has established such a level, the appropriate concentration level accepted as reasonable by the medical community.

The use and possession of legally-prescribed drugs is permitted on the Company's premises and time provided the drug is contained in the original prescription container and has been prescribed by a medical practitioner for the current use of the person in possession of the drug. Possession of lawfully acquired over-the-counter drugs also is permitted, but use of any such drug must be consistent with the manufacturer's instructions. (Example: Operation of vehicle or machinery warning)

An employee may bring to work and take an over-the-counter drug during work hours only if the drug is used for its intended purposes and in accordance with package directions and any supplemental directions of the employee's physician.

An employee must notify the Health Services Department whenever he or she is using a prescription or over-the-counter drug that potentially may affect safety or work-performance. In making this determination, the employee should rely on the warnings or cautions that are received with the particular lawful drug.

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The Company does not seek information on all drugs that an individual may be taking. Only those where there is an indication the drug may affect performance, or there is a caution that one should not engage in certain activities which are part of the employee's job duties.

The Company reserves the right to take appropriate action (including relieving an employee from work) if the use of the drug is impairing or is deemed likely to impair the employee's faculties or work performance.

Abuse of legally prescribed drugs will not be tolerated, and will be dealt with in the same manner as the use of illegal drugs.

Alcoholic beverages are permitted on the Company's premises and time only when in sealed and unopened containers or when otherwise authorized by the President.

Synthetic Cannabis is not permitted on the Company's premises.

It is our intent that an employee whose faculties appear to be impaired during work hours will not be allowed to work, regardless of the cause. **An employee who is impaired during work hours due to the effects of the use of alcohol or illegal use of controlled substance (including the abuse of a legal drug) or possession of Synthetic Cannabis or controlled substance on Company premises is subject to discipline including termination, even for the first offense.**

In order to enforce, and to monitor compliance with this Program, the Company has contracted with one or more clinics and testing laboratories to collect and to test urine, breath and blood samples for the presence of drugs, as explained below.

The Company also may have testing conducted in accordance with the requirements of applicable law, even if not specifically mentioned in this Program and even if different from the testing provided for, in this Program. In addition, the Company reserves the right to interpret the terms of this Program, and to make appropriate exceptions in the Program's application, in its sole discretion.

5.0 Contractors

Contractors who will be working on Company property will be required to subject their employees, who are assigned Company work, to the prohibition and pre-employment testing provisions of this Program.

6.0 Types of Testing to be Conducted

6.1 Pre-Employment Substance Abuse Screening

All applicants who have received a conditional offer of employment will be drug tested. Hiring will be contingent on a negative test result, which has been reviewed by a MRO (Medical Review Officer). Refusal to hire will be based on a confirmed non-negative specimen, which has been reviewed by the MRO. The prospective employee will not be permitted to begin work and the offer of employment is not effective until a negative test result is received.

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An applicant with a positive test result will be declined a final offer of employment. Applicants with a positive test result will not be reconsidered for employment, for a minimum of 2 years.

Reasonable suspicion testing

Any employee noted by supervisory personnel to have a reasonable suspicion the employee is in violation of this Program will be required to undergo a drug test. A reasonable suspicion is one based upon observable and articulable conduct, appearance or work performance of the employee identified, including but not limited to:

- Observations made at work, such as direct observation of drug use or the physical symptoms of being impaired to drug use.
- Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
- Evidence that an individual has tampered with any drug test during the individual's employment.
- Evidence that an employee has manufactured, sold, distributed, solicited, possessed, used or transferred a drug while working, or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

Whenever feasible, an employee required to submit to reasonable suspicion testing will be observed by more than one supervisory or management employee who will be encouraged to fill out a Reasonable Suspicion Checklist (Sample attached – page 8). An employee to be tested based upon reasonable suspicion will be suspended from work pending the Company's receipt of notice of the test results.

Workplace Accident Testing

All employees that are involved in a workplace accident resulting in an OSHA Recordable Injury will be subject to drug testing immediately following the incident, or when knowledge of the incident is obtained.

Involvement by an employee in a work-related incident resulting in \$1,000 or more in property damage (estimated or actual) or injury to any person requiring more than first aid will, in and of itself, constitute grounds for reasonable suspicion.

Unannounced

All employees, including members of management and administration, will be subject to selection for unannounced drug testing at any time. The selection process will be conducted using "Random Ware Software" in order to protect the process integrity, and all employees will have an equal chance of being selected on each occasion.

Post-counseling/rehabilitation testing

Any employee who returns to work after having tested positive, will be subject to drug testing at any time for any reason (in addition to the unannounced testing described above) for a period of three years following his or her return to work from counseling or rehabilitation.

An employee who has tested positive for drugs, and has been removed from their job duties must submit to and furnish a negative test prior to returning to their job duties.

7.0 Sample Collection and Testing

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7.1 Consent and Release

Prior to sample collection, an employee identified for testing will be required to sign a consent and a release form authorizing and agreeing to collection and testing of a sample, or samples, of his/her urine, blood or breath. Any form chosen by the Company, its clinic(s) or its laboratory(ies) may be used.

7.2 Sample collection

Urine, blood and breath samples will be collected by the Company's Health Services Department or designated clinic(s) and/or hospitals, which will follow chain-of-custody procedures and procedures that protect employee confidentiality and privacy and protect the collected sample(s) from adulteration, substitution and misidentification.

7.3 Sample testing

All urine and blood sample testing will be conducted by a laboratory certified by the U.S. Department of Health and Human Services ("DHHS"), and all initial positive urine and blood test results will be confirmed by a second, reliable testing method.

8.0 **Medical Review Officer**

No test result will be reported to the Company as positive until the Company's medical review officer ("MRO") has confirmed that the result reflects a violation of this Program. The MRO will be a physician chosen by the Company and may contact any tested employee for information the MRO deems necessary to determine the employee's test result was or was not positive. The MRO also may order a retest of the employee's original sample(s) or split sample.

8.1 Reinstatement, Assistance and Discipline

After reasonable suspicion or unannounced testing

In the event an employee's reasonable suspicion test result returns negative while he or she is on suspension pending the Company's receipt of notice of the result, the employee will be immediately reinstated and paid any wages (Holiday Rate) and benefits that would have been paid had the employee's work hours not been interrupted by the test and/or suspension. However, if the suspension was in part or in whole for misconduct, whether associated with the circumstances that led to the initial testing or not, the employee will not be made whole for, or reinstated during, any part of the suspension that was for the misconduct.

In the event an employee's reasonable suspicion or unannounced drug test result returns positive, the employee may be offered assistance through the Employee Assistance Program as described in the company's Rehabilitation Contract. The EAP may recommend ongoing counseling or rehabilitation. The cost of such counseling and/or rehabilitation will be the employee's, but may be covered in full or in part under the Company's health insurance program. The employee nevertheless may be disciplined, up to and including discharge, for any misconduct related to, or any damage or injury caused by, his or her substance abuse in accordance with the Company's discipline policy.

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In the event the employee has been terminated for such conduct, no referral to counseling or rehabilitation need be made.

In the event an employee who has been referred refuses to accept a referral to the Employee Assistance Program, or to undergo counseling or any recommended rehabilitation or after-care, or fails to cooperate with a counselor or rehabilitation provider in any way, he or she shall be subject to discipline, up to and including termination.

After post-counseling/rehabilitation testing

An employee who has returned to work after having tested positive and who tests positive again under any provision of this Program will be terminated.

Upon refusal to sign/cooperate

An employee who refuses to execute a consent and release form, who attempts to adulterate or to substitute a sample or otherwise to interfere with the sample collection or testing processes, or who refuses to cooperate with the Company's MRO or to provide the MRO with information he or she requests will be treated as having tested positive and as having been insubordinate.

9.0 Confidentiality

The Company and its clinic(s)/laboratory(ies) will keep confidential, to the extent reasonable and feasible, all test results and test-related information.

10.0 Forms

HSF 4-0050.WMTE	Quick Check Collection
HSF 4-0072.WMTE	Reasonable Suspicion Checklist
HSF 4-0073.WMTE	Hiring Offer and Consent to test
HSF 4-0074.WMTE	Rehabilitation Contract
HSF 4-0075.WMTE	Employee Consent to Test
HSF 4-0119.WMTE	Drug Testing Monthly Log
HSF 4-0289	Acknowledgement of Receipt of Policy