

**AIM NATIONAL LEASE
CONSENT & RELEASE FORM FOR EMPLOYEES AND APPLICANTS**

I, _____ (employee or applicant name), as an employee/applicant of Aim National Lease, (hereafter the "Company"), acknowledge that the Company's policy requires me to submit to drug testing and/or alcohol testing based on the requirements of this policy.

I understand that the purpose of this program is to promote safety by deterring the abuse of over-the-counter drugs, prescription drugs, illicit controlled drugs, or alcohol as this use might adversely impact safety in the workplace.

I hereby freely and voluntarily consent to the requests for split-specimen urine samples and/or alcohol tests and agree to participate in all aspects of the testing program as described herein. I further understand that additional 'Consents' will not be required of me as a continuing employee under this policy.

I hereby and herewith release the Company, its employees, agents and contractors from any and all liability whatsoever arising from these requests for testing, from the actual testing procedures, and from decisions made concerning my application for employment or resultant discipline based upon drug and/or alcohol test results.

I further acknowledge that the Company has provided me with an opportunity to ask questions related to its drug and alcohol testing program and that all my inquiries have been addressed.

Employee/Applicant Name (Print): _____

Employee/Applicant Signature: _____ Date: _____

Witness Signature: _____ Date: _____

ACKNOWLEDGMENT OF RECEIPT

OF

DRUG FREE WORKPLACE POLICY

September 2003

Dear employee and prospective employee of: **Aim National Lease**

In order to assure proper operation, every business has to maintain certain rules of conduct. We have made every effort to establish rules that are clear, fair and will be followed consistently by all individuals of this Company.

The attached Policy concerns the effects of drugs in the workplace. Please review it carefully, and we will address any and all of your questions regarding its contents.

We will collect this signed cover sheet that acknowledges your receipt of and agreement to comply with the provisions contained in our **Drug Free Workplace Policy**. Although this document contains our latest substance abuse policies and rules, it may be necessary, from time to time, to make changes to best serve the needs of our organization. Any changes that become necessary will be communicated in writing.

I acknowledge that I have received a copy of the Drug Free Workplace Policy of Aim National Lease. I further understand that it is my obligation to read and comply with the rules and provisions contained within the Policy.

Employee's Printed Name

Employee's Signature

Date

Witness

Date

DRUG - FREE WORKPLACE POLICY
OF
AIM NATIONAL LEASE

We are committed to programs that promote safety in the workplace and employee health and well being. In compliance with Ohio Bureau of Workers Compensation recommendations, we are implementing this Drug Free Workplace Program. Your personal protection, the protection of other employees, and the public safety are very important to all of us. The prohibited use of drugs and alcohol is against Company policy as outlined herein. These policy provisions have been established to cover those instances where employees do not acknowledge, report, and seek help in resolving their drug problems; or where they engage in prohibited conduct while on Company business or premises. The Company will pay all testing costs associated with this program except for re-tests and return-to-duty and follow-up tests required after a positive result.

I. STATEMENT OF POLICY

Aim National Lease, (hereinafter referred to as the “Company”) will not condone and will not tolerate any of the following workplace related behaviors by its employees:

- a. The use of illegal drugs;
- b. The use of alcohol;
- c. The sale, purchase, manufacture, transfer, use or possession of any illicit drugs, or prescription drugs obtained without a prescription; or
- d. The employee’s presence at work under the influence of any drug (legal or illegal) or alcohol to the extent that job performance or safety may be affected.

The purpose of this policy is to promote safety. Any employee or applicant whose position requires testing for specific drugs or alcohol, based on established thresholds, under any law, regulation, or policy; who violates this **Drug Free Workplace Policy** (hereinafter referred to as the ‘Policy’), may be subject to discipline, up to and including termination of employment. The implementation of discipline or of sanctions shall be at the sole discretion of the Company in compliance with applicable discipline policy or law. (Refer to Company Discipline Policy). Employees whose jobs are subject to any special law or regulation may be subject to additional requirements for substance testing. The Company assumes no responsibility for actions of its employees relative to substance use.

The Company will appoint a Designated Employer Representative (DER) for the **Drug-Free Workplace Program**. This individual may authorize other employees to receive drug and alcohol test results. All communications regarding the program must be done through the

identified individual(s). Confidentiality will be maintained with no information being made available to anyone without a legitimate need to know.

Affected individuals (referred to as ‘employees’ throughout this policy) include: all regular, full-time, part-time, or temporary employees; all officers and managers; all sub-contractors, while performing work for the Company, on or off of Company premises; and individuals seeking employment, where applicable.

All employees will be provided with a copy of the Company’s *Drug Free Workplace Policy*, the *Acknowledgement of Receipt*, and the *Consent and Release Form*. A Company representative will address the employee’s questions and concerns regarding the Policy and the Consent, and obtain the employee’s signature on both the *Acknowledgement of Receipt* and the *Consent and Release* forms.

II. FREQUENCIES AND PATTERNS UNDER WHICH AN EMPLOYEE MAY BE TESTED

General expectations of all drug and alcohol testing situations include: reporting at the designated testing location upon notification (within 2 hours if an off-site collection facility is used), providing the required specimen(s) within 2 hours, and full compliance with this policy and the procedures utilized by collections personnel and facilities.

All employees are responsible for obtaining and providing a ‘Fitness for Duty’ release to the Company, prior to performing their regular job duties, if they are placed on any medication that may impair their normal mental or motor functioning. The employee must ask the provider to clarify and provide documentation of any restrictions regarding safety in performing their regular duties. It is not necessary to report the name of the medication or the condition being treated, only the safety issues regarding the use of the medication in the workplace. The Company may consult with the employee’s care provider to determine if reassignment is indicated, and will attempt to make reasonable accommodation, but will provide a medical leave of absence in those cases where accommodation is not possible until the employee can be declared fit for duty.

In all cases where employee safety may be an issue or where a presumed or confirmed positive result is suspected or obtained, the Company will provide or secure transportation to the testing location and/or to the employee’s home. In all situations under this policy where the employee is determined to be ‘under the influence’ of drugs or alcohol, the employee will not be permitted to drive. Any attempt by the individual to drive will be reported to law enforcement for the protection of the individual and the public.

An employee’s violation of this Policy will not ordinarily be reported to any law enforcement agency with the exception that all reasonable and necessary measures will be taken to assure the safety and security of all employees and the Company. Law enforcement may be called only as required by a regulatory body or criminal statute, or in conjunction with a referral for criminal prosecution.

A. Post-Offer, Pre-Employment or New Hire Drug Testing

Effective immediately upon implementation of this Policy, all applicants are subject to a mandatory post-offer, pre-employment or new hire drug test conducted by a Company approved contractor. The company may require a result of this test prior to the employee performing any services for the company, or will require the test prior to the end of the probationary period (not to exceed 90 days). The Company will decline to extend an offer of regular employment to any applicant with a verified positive test result to any illicit drug, or any refusal to test, and this applicant may not reapply for employment with the Company for a period of six months.

B. Random Drug Testing

This Company has contracted with a collection contractor to perform the periodic selections of employees from the employment pool to be tested. The non-Company testing entity will ensure that all employees have an equal statistical likelihood of being selected for this mandatory random testing. When Ohio BWC Level 2 is obtained by this Company, the random drug testing percentage will be at least ten percent (10%) of the average number of employees annually. When Level 3 is obtained, the drug testing percentage will be increased to at least twenty-five percent (25%) of the average number of employees annually.

In order to implement random drug testing, the Company will provide employee identification information to the contractor for use in the random selection database. The contractor will, in turn, furnish the Company with a list of individuals to be tested at the beginning of each selection period.

C. Post-Accident Testing

An accident, for the purposes of this policy, may include, but is not limited to: an unplanned, unexpected, or unintended event that occurs during the employee's workday and in relation to the company's business. In addition to personnel, it may involve personal or business property/equipment or vehicles used in the performance of the employee's job.

Post-accident drug and alcohol testing will be required for individuals who may have caused or contributed to an 'on-the-job' accident meeting any of the following criteria:

- (i) An employee is involved in an employment-related accident that causes bodily injury requiring off-site medical treatment of the employee or another person;
- (ii) A fatality results from the accident;
- (iii) An employee is involved in an employment related accident that results in significant property damage, exceeding \$1000; or
- (iv) An employee is involved in an employment related vehicular accident that results in damage that exceeds \$1000, or results in a citation being issued.

Specimen collection is to occur as soon as possible after a need has been determined, and any necessary medical attention has been rendered, in accordance with C.(i) through C.(iv) above. Every reasonable effort shall be made to assure that the total elapsed time before a drug

specimen has been collected does not exceed thirty-two (32) hours. Alcohol testing will be performed within two (2) hours whenever possible, but within eight (8) hours of the employment-related incident, or not performed, but documentation of the reason for non-testing is required. All employees expressly grant unto the Designated Employer Representative, access to any and all medical information that may be relevant in conducting a complete and thorough investigation of the employment-related accident, to include but not limited to, a full medical report from the examining physician(s) or other healthcare providers.

The refusal by the employee to allow the collection of required specimens or attempts to block the release of the results of any substance abuse tests taken, may be considered and managed the same as a positive test. A refusal to test or resulting disciplinary action will not impact an employee's ability to file a Worker's Compensation claim. Employees are specifically required to timely file a *First Report of Injury* (FROI) with the company for any injury related to their employment in compliance with the on-the-job injury policy.

D. Reasonable Suspicion Testing

Reasonable suspicion testing will be performed when Company management and/or supervision determines that an employee may be under the influence of an unacceptable substance (i.e., drugs and/or alcohol). The suspicions must be documented in writing within 24 hours of the event or prior to the release of the test findings, and will be provided to the Medical Review Officer (MRO) for consideration when reviewing the test results. Mandatory reasonable suspicion testing may be based upon, among other things:

- (i) Observable phenomena which may include but are not limited to: direct observation of drug or alcohol use or possession; the physical symptoms of being under the influence of a drug or alcohol; the odor of alcohol or other prohibited substances;
- (ii) Abnormal patterns of conduct or erratic behavior which may include deteriorating job performance, absenteeism, tardiness, recurrent accidents, repeated violations of established safety or work rules, etc., which are not attributable to other known factors;
- (iii) Conviction of or plea (including no contest or *nolo contendere*) to a drug-related offense, or an employee's identification as the focus of a criminal investigation into illegal drug possession, manufacture, use, or trafficking while on Company business or premises. The employee is responsible for notification of the Company, within five (5) working days, of any drug-related conviction or plea.
- (iv) Newly discovered evidence that the employee has tampered with a previous drug or alcohol test.

Although reasonable suspicion testing does not require certainty, mere "hunches" are not sufficient to meet this standard. To prevent this, all supervisors will be trained in the recognition of drug and alcohol related signs and symptoms, and testing may only be requested by at least one trained supervisor with the concurrence of a second individual (preferably a second trained supervisor).

The first priority of the Company is to remove the employee suspected of being under the influence of a controlled substance, or alcohol, from the work environment. This shall be done to prevent the employee from causing harm to himself/herself, other individuals in the workplace, or anyone else. A trained supervisor will instruct the employee under suspicion to accompany him/her to a private area that is removed from the individual employee's co-workers. Any employee removed from the job under reasonable suspicion will be paid for lost time if the results are negative. Positive test results will be handled as identified elsewhere in this policy under discipline or as part of a personal or negotiated contract.

E. Follow-up Testing

Effective immediately upon implementation of this policy, certain employees will be subject to follow-up testing prior to being permitted to return to work. Those employees who have previously tested positive for prohibited substances will be subject to no-notice follow-up testing at any time for a period not exceeding one (1) year from the date of return to work. A minimum of four (4) follow-up tests will be required within the first year following the negative return-to-duty test. A positive result on any of these follow-up tests may result in the employee being immediately terminated from the Company for cause.

Other employees that may be subject to this mandatory testing include those individuals who have self-reported a drug abuse problem, received substance abuse treatment and are released to return to work; and those who have been off work for a medical condition or leave of absence for more than thirty days. It may also be required for individuals who have been temporarily reassigned, for safety reasons, to return to their regular positions.

III. THE CONTROLLED SUBSTANCES TESTING PARAMETERS

	<i>Drug Class</i>	<i>Screening Test Level</i>	<i>Confirmation Test Level</i>	<i>Confirmation Method</i>
(i)	Amphetamines	1000 ng/mL	500 ng/mL	GC/MS
(ii)	Cocaine metabolites	300 ng/mL	150 ng/mL	GC/MS
(iii)	Marijuana metabolites	50 ng/mL	15 ng/mL	GC/MS
(iv)	Opiates	2000 ng/mL	2000 ng/mL	GC/MS
(v)	Phencyclidine	25 ng/mL	25 ng/mL	GC/MS

These detection thresholds have been established by the *Department of Health and Human Services*, (DHHS) for each of the drug groups listed above. These detection thresholds will be used uniformly in the interpretation of all drug screens/drug confirmations, whether for a post-offer, pre-employment or new-hire examination; random examination; post-accident examination; reasonable suspicion examination; or follow-up examination. A negative screening test, EMIT or other form of immunoassay, is considered a negative test. Only DHHS certified laboratories may be utilized for drug confirmations.

Alcohol testing will be conducted by the contractor utilizing only certified equipment and/or testing methods and personnel. Breath alcohol concentrations below 0.020 Gm/210L are negative. An alcohol concentration exceeding 0.02 Gm/210L on the screening test will require a breath alcohol confirmation test utilizing Evidential Breath Testing (EBT) equipment. A breath

alcohol confirmation equal to between 0.020 and 0.039 Gm/210L will require that the individual be suspended without pay for at least twenty-four hours from the time of the original test, and be subject to additional disciplinary action, up to and including termination. An alcohol confirmation result equal to or greater than 0.04 Gm/210L will be considered a verified positive result and will be dealt with the same as a verified positive drug test. In the event of an accident where an employee has a 'whole blood' alcohol drawn at a medical treatment facility, a result equal to or greater than 0.04 gm% shall be considered to be a verified positive result. Note: Alcohol concentrations expressed in different terms that have equivalent meaning are acceptable alternatives.

The Company also expressly reserves the right to add or delete substances on the list set forth in this Section III. These changes may be made if, in the Company's discretion, they become warranted by the changing nature of abused substances; or if mandated by changes in existing Federal, State, or local regulations or legislation.

IV. SPECIMEN COLLECTION PROCEDURE

The drug and alcohol testing for the Company shall be done only by trained collection personnel who meet quality assurance and chain-of-custody standards for urine collection procedures, alcohol testing and strict confidentiality requirements.

Any individual subject to testing under this Policy shall be permitted to provide urine specimens in private, but subject to controls designed to minimize any invalidity in the testing process such as alteration or substitution of the specimen provided. In the event that the collector feels the collection process has been compromised, a witnessed void will be conducted utilizing a same gender witness. Alcohol testing will likewise be done in an area that affords the individual privacy. In all cases, there will only be one individual tested at a time.

V. REVIEW AND REPORTING OF TEST RESULTS

To ensure that every employee who is subjected to drug and alcohol testing by the Company is treated in a fair and impartial manner, the Company has retained the services of a Medical Review Officer (herein "MRO"). The MRO is a medical doctor or a doctor of osteopathic medicine with knowledge of substance abuse disorders and is duly licensed to practice medicine.

All drug test results will be reported to the MRO prior to their issuance to the Company. Each drug tested for will be listed along with the results of the testing. The Company will receive a summary report, which will indicate that the employee has passed or failed the drug test. Alcohol testing provides immediate results that will be reported to the Company and the MRO.

VI. EMPLOYEE'S RIGHTS

In the event that an employee tests positive for any drugs or alcohol as prohibited herein, the employee may be given an opportunity to explain the findings to the MRO prior to the issuance of a positive report to the Company. Accordingly, upon receipt of a positive finding, the MRO may contact, or attempt to contact, the employee. If contact is made by the MRO, the employee will be informed of the positive finding and given an opportunity to rebut, or explain the findings. The MRO can request information on recent medical history and on medications taken within the last thirty (30) days by the employee. In the event that the MRO finds support in the explanation offered by the employee, they may be asked to provide documentary evidence to support their claim (i.e. names of treating physicians, pharmacies where prescriptions have been filled, prescription copies, etc.). A failure on the part of the employee to provide the requested information will result in the issuance of a verified positive result by the MRO. In those cases where appropriate information is provided to the MRO, a negative report will be issued to the Company.

If the employee fails to contact the MRO within five (5) days of having been instructed to do so, the MRO will issue a positive report to the Company. Since no contact was possible with the employee, no medical explanation can be provided and the employee shall forego the right to offer a defense to the findings.

An employee that tests positive for any drug as prohibited herein, has the right to have a retest done on the original split-specimen. This retest may be authorized by the MRO only with the employee's written request received within three days of their notification of a positive result. The employee is responsible for the prepaid expense at the provider's current rate, and the testing must be performed by a DHHS certified laboratory. If the test result is negative, the employee will be reimbursed. Re-testing will not delay the report of the positive result to the Company and the result of the retest will also be released to the Company.

An employee (excluding employment applicants) may self-report a problem with drugs and/or alcohol, at any time prior to notification of required testing, and seek assistance in resolving the problem without jeopardizing their standing with the Company. If the employee has been selected for testing under any condition of this policy and notified of the requirement, said testing will be required even with the employee's self-report. The employee may, at his/her option and expense, request in writing a leave of absence to participate in a medically recognized drug rehabilitation program. Any recommendations from a SAP arising from this program must be communicated with the Company and incorporated into any return-to-work agreement.

VII. POSITIVE DRUG AND ALCOHOL TEST RESULTS

The following are basic requirements for individuals that have had a verified positive drug and/or alcohol test result. Additional requirements may be added depending on the circumstances. Required return to duty and follow-up testing is at employee's expense.

- Must be evaluated by a Substance Abuse Professional (SAP), at own expense
- Must comply with all treatment recommendations
- Must provide a negative return-to-duty test before returning to the job

- Must comply with random follow-up testing requirements, at least four (4) tests in the first year after returning to work
- Remain subject to Company discipline policy and/or contracted agreements which may result in termination of employment if violated

Refusal to comply with the mandatory testing requirements as identified herein, failure to provide the required valid specimen(s), or adulteration or substitution of the specimen(s) will be considered a refusal to test and will be interpreted the same as a positive test. Any such refusal subjects the individual to the full range of discipline, up to and including termination of employment or cancellation of an offer of employment.

Employees who are found to have a confirmed positive drug or alcohol test, with no acceptable medical explanation provided to the MRO, may be immediately suspended without pay or compensation, or terminated for cause. The use of products containing hemp oil in any form that may lead to a positive marijuana (THC) result is prohibited and will not be considered a justifiable positive. The use of other mind altering drugs, including 'designer drugs' is prohibited even if they are not listed in this policy.

An employee's suspension for a positive drug or alcohol test result is intended to permit time for the prohibited substance to clear from the employee's system and to allow the employee sufficient time to have a negative retest or complete a medically recognized rehabilitation program. The Company will permit only one (1) suspension for a positive result without medical explanation per employee. Another positive result without medical explanation will result in the employee's immediate termination for cause.

Generally, any release of information related to drug and alcohol testing and the results of that testing require the informed consent of the individual. In those cases where drug and alcohol testing results in the termination of an employee, all termination notices will list "misconduct" as the reason for termination. Termination shall be deemed "for cause". However, suspensions, leaves of absence, or terminations based on violations of this policy may require that this information be presented as evidence for the company in actions related to benefits payments without being considered a violation of confidentiality.

VIII. STORAGE AND RIGHT TO REVIEW TEST RESULTS

To protect the confidentiality of the employee, all records of drug and alcohol testing will be stored separate and apart from the employee's general personnel documents. Access to these records shall be limited to designated Company officials. The information contained in these files shall be utilized only to properly administer this Policy and to provide to auditing or certifying agencies for review as may be required. Those designated Company officials that shall have access to these records are charged with the responsibility of maintaining the confidentiality of these records. Any breach of confidentiality with regard to said records may be a terminable offense. Any employee tested under this Policy has the right to review and/or receive a copy of their test results.

IX. REHABILITATION

The Company will usually grant a one (1) time only unpaid leave of absence so that an employee can participate in a medically recognized rehabilitation program. The Company will assist the employee in obtaining information concerning providers of assistance services and will update this information as changes occur. The company will assist the employee in determining the coverage provided for these services by their insurance, as applicable. In those cases where an employee successfully completes a mandated rehabilitation program, the Company shall retain the right to perform no-notice follow-up drug or alcohol testing as recommended by the treating substance abuse professional and as agreed to in the employee's return-to-work agreement. Any refusal by the employee to undergo required follow-up drug or alcohol testing will result in their immediate termination for cause.

X. EDUCATION

The Company will provide education programs concerning drug and alcohol abuse that all employees will be required to attend. All training will be conducted by appropriately credentialed educators, and will cover program, policy and practice considerations of drug testing. In addition, as they become available, the Company will endeavor to provide educational materials to its employees.

All employees will take part in the two (2) hour initial training, prior to program implementation or within four weeks of hire on the policy, the disease model for alcohol and drugs, signs and symptoms of substance use/abuse, and the effects of commonly used drugs in the workplace. Additionally, all employees require two-hour annual refresher training.

All supervisors will receive an initial four hours of informational, problem recognition, policy administration, and skill building training, and will be included in the two-hour employee training. New supervisors will receive at least two (2) hours of initial training within six (6) weeks of promotion or hire into the position and prior to being involved in testing responsibilities. All supervisors will then receive two hours of supervisor refresher/update training and participate in the two-hour employee annual refresher training.

**AIM NATIONAL LEASE
REPORT OF SUSPECTED JOB-RELATED DRUG OR ALCOHOL USE**

The following individual is suspected of failing to comply with the Company's Drug Free Workplace Policy:

Employee Name: _____ Location: _____

List below any signs of impaired or unsafe performance or behaviors that have been observed: _____

If observable changes have occurred in the employee's performance, list these changes below: _____

List below any physical signs or symptoms of possible substance abuse that the employee has manifested:

Eyes: _____

Coordination: _____

Speech: _____

Other: _____

Other Observations: _____

Supervisor reporting suspicions: _____ Title: _____

Concurring Witness: _____ Position: _____

Date: _____ Time: _____ Shift: _____

Testing Requested: Yes No Employee Consent Yes No Date Tested: _____
Obtained: Yes No Alcohol Drugs

Comment [JB1]:

MRO Findings: _____

MRO Signature: _____ Date: _____

Follow-up Actions Taken: _____

Company Official's Signature: _____ Date: _____