

DRUG POLICY AND BACKGROUND CHECKS

REGION: NORTH AMERICA

Drug Policy

It is essential that all employees be alert and fully possess their faculties when working in order to promote high standards of conduct, integrity, and efficiency, as well as to protect the safety of our workforce, our work place, and the public. Illegal drug use contributes to accidents on the job, unscheduled absences, poor job performance, and is a threat to the safety and health of our employees and clients. Consequently, WorkForce has instituted a zero-tolerance drug policy with the following goals:

- Assure a drug free staff to service our clients
- Reduce vehicle accidents and on-site accidents
- Maintain high staff morale for the benefit of staff and clients
- Reduce crime in the work place
- Reduce absenteeism and tardiness
- Increase staff effectiveness, productivity and reliability

Accordingly, WorkForce will not tolerate the use, possession, or distribution of any illegal drugs or controlled substances (“Prohibited Items”) not prescribed by a physician. Employees using, possessing, or distributing prohibited items on WorkForce property or while at work or who report to work with any detectable trace amount of Prohibited Items in their system will be subject to disciplinary action, up to and including discharge.

No Employee shall report to work after consuming any Prohibited Item or legal controlled substances that may make him/her unfit for full and reliable performance of job responsibilities.

Any Employee convicted of selling drugs, convicted of illegal drug usage or illegal possession may be terminated.

Drug Testing (for United States Based Employees and Applicants Only)

WorkForce recognizes the desire of many individuals to avoid drug tests. Nonetheless, WorkForce may perform drug testing on new job applicants and retains the right to test current employees to protect WorkForce and to ensure that valuable client information is protected, where allowed by law. This testing is required by some client contracts and WorkForce’s board of directors to protect company assets.

All job applicants shall be provided with written notice that a drug screening test (“Drug Test”) may be required as a condition of obtaining or continuing employment with WorkForce, Applicants may also be given a consent form to sign authorizing the pre-employment drug screening. Additionally, Workforce retains the right (as described below) to randomly and with little or no notice, perform Drug Tests on any

current employees as well. WorkForce will not hire an applicant who has a confirmed positive Drug Test result, refuses to take the pre-employment Drug Test, or refuses to execute a Drug Test consent form. Employees testing positive in a Drug Test will be offered the option of rehabilitation as described below.

For purposes of the Drug Test, “Illegal Drug” means drugs and controlled substances, the possession or use of which is unlawful under the laws of any country and Federal, State and local laws and regulations in the United States. Examples of Illegal Drugs include cocaine, heroin, marijuana (unless lawfully prescribed by a physician and lawfully used in the jurisdiction), and controlled substances such as amphetamine, methamphetamine, and barbiturates. Drugs and controlled substances that are not legally obtainable, or that are legally obtainable but have not been legally obtained, are also considered to be Illegal Drugs.

WorkForce will make every effort to keep the results of the Drug Test confidential. Only persons with an immediate need to know of the results will have access to them. In most cases, this means that test results will only be released to senior Management and the Human Resources staff involved in the hiring process.

“The state of Georgia has a law regarding drug-free workplace programs. See O.C.G.A. Title 34, Chapter 9, Article 11.”

Drug Testing (for Canadian Based Employees and Applicants Only)

WorkForce will provide an eligible Canadian applicant or new hire with the information needed to take a drug test at a lab located in Canada, nearest to their home address.

Drug Tests for Current Employees

WorkForce reserves the right to perform a Drug Test on its current employees in the following circumstances:

- (1) Post-Accident Testing. Any employee involved in a job-related accident or incident which results in a personal injury or causes property damage exceeding \$500, may be asked to undergo a Drug Test.

- (2) Reasonable Suspicion Testing. An employee who is reasonably suspected of using, having in their system, or being under the influence of an Illegal Drug (without prior permission from WorkForce) may be subject to a Drug Test. Reasonable suspicion will be based upon specific objective facts and reasonable inferences drawn from those facts in light of experience or training. Where the reasonable suspicion is based upon personal observation by a manager, the objective facts must be able to be articulated and may include a person’s appearance or behavior. The facts forming the basis for the reasonable suspicion shall be disclosed to the employee at the time that the demand for testing is made.

- (3) Random Testing. WorkForce may require testing of any employees on a random basis. The employees to be tested shall be selected at random by a third party. When an employee is selected for testing, he or she will be notified by the Human Resources Department in a reasonably discrete manner and sent to the designated collection site for the Drug Test. If the test is a confirmed positive

result, or the employee refuses to take the test, the employee may be removed from work and subject to termination. If an employee is random tested once in a calendar year and tests negative, that employee's name will be removed from the random testing pool for the next 12month period.

WorkForce also reserves the right to select employees in specific departments for drug testing at any time.

Qualified medical personnel will conduct all Drug Tests required or contemplated by this policy, which will include a confirmation test if the initial test is positive, and all tests will be conducted at WorkForce expense. The employee will be given a consent form to sign authorizing any drug screening.

The presence in the body of over-the-counter or prescribed drugs lawfully obtained with a prescription and taken in the appropriate manner will not be grounds for discipline, so long as the use of the drug does not impair the employee's judgment, ability or performance while at work.

Rehabilitation

An Employee who tests positive for illegal drugs may be granted an unpaid medical leave of absence consistent with the terms and conditions of WorkForce's leave of absence policy, or as otherwise provided under the law, to seek rehabilitation services related to drug use. If after rehabilitation WorkForce has a reasonable belief based on objective evidence that an employee's present ability to perform essential job functions will be impaired or that an employee will pose a direct threat, the Employee will not be permitted to return to work until certification is presented to WorkForce indicating that the Employee is capable of satisfactorily performing his/her essential job functions and can do so in a manner that does not impose a direct threat. Failure to cooperate with an agreed upon rehabilitation plan may result in discipline up to and including Employee termination. The Employee shall be responsible for all rehabilitation costs and fees unless the health insurance program provides coverage, if applicable.

Employees in a rehabilitation program who do not follow the prescribed preventive maintenance treatments by their drug or alcohol counselor and who engage in drug use in violation of this policy may be subject to discipline, including termination. Employees will have only one opportunity to go through a rehabilitation program.

Investigations, Background and Credit Checks

Consistent with the law, WorkForce may perform background and investigative checks of its applicants and employees. A written notice of and authorization for a background check will be given to applicants and employees prior to the check. Such investigative checks may involve credit (for positions where such an investigation is deemed applicable), criminal background, or other checks of the employee's background. Failure of an applicant or employee to provide consent may be subject to further discipline, including termination. The results of such background checks will not automatically lead to the disqualification or termination of an applicant or employee but, rather, WorkForce will review all qualifications and credentials of an applicant or employee before making an employment decision. Applicants and employees will be given the opportunity to address the results of investigative checks.