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## **MPT ALCOHOL AND SUBSTANCE ABUSE POLICY**

In 1988, Congress passed the “Drug-Free Workplace Act” it became effective March 18, 1989. In response to the legal requirements for an alcohol and drug free workplace, and our company’s concern and obligation for the health and safety of our workforce, Zero Below Trucking Corporation is instituting the following Workplace Statement.

This statement certifies our company’s policy and intent to provide and maintain an alcohol and drug free environment for our employees who are our most valuable resource, prohibiting the possession, use, consumption distribution or sale of alcohol and/or controlled/illegal substance in the workplace.

In addition, our policy will provide information to all employees on the danger of workplace alcohol/drug use. The policy will also provide sanctions that employees will face for violations of the Zero Below Trucking Corporation Alcohol/Drug Free Workplace Policy.

Finally, this policy contains an acknowledgment and consent that must be dated, signed and witnessed by each employee who receives a copy of our policy.

Our Alcohol/Drug-Free Workplace Statement specifically requires Zero Below Trucking Corp to notify each employee that as a condition of employment, each employee must:

- Comply with our company’s Alcohol/Drug-Free Workplace Policy
- Notify Zero Below Trucking Corporation of any conviction for an alcohol/drug related offense committed in the workplace, within five (5) days of the conviction



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## ALCOHOL AND SUBSTANCE ABUSE POLICY

### I. PURPOSE

Zero Below Trucking Corporation (the “Company”) is concerned and recognizes a responsibility to provide a safe, healthy, and productive work environment for all employees. This Policy is designed to help accomplish that goal by eliminating drug and alcohol abuse among our employees.

Employees who use illegal drugs or abuse other controlled substances or alcohol tend to be less productive, less reliable, less cautious, and prone to greater absenteeism resulting in the potential for increased cost, delay and risk in our Company’s business. Ultimately, they threaten our competitiveness. We believe our employees have the right to work with persons free from the effects of alcohol and drugs. This Policy is designed to help accomplish that goal by eliminating alcohol and drug abuse among our employees. We regret any inconvenience that may be caused to employees who do not abuse alcohol or drugs. We believe, however, that the benefits to be derived from this Policy in terms of enhanced safety, productivity, and quality of the workplace will more than make up for any inconvenience to the rest of us. We seek the understanding and cooperation of all employees in implementing this Policy to make our Company a safe and enjoyable place to work.

### II. CONDITIONAL JOB OFFER SCREENING

The Company will utilize conditional job offer screening practices to prevent hiring or rehiring (a) individuals who use illegal drugs or (b) individuals whose use of legal drugs or alcohol indicates a risk of unsatisfactory or unsafe job performance.

### III. USE, POSSESSION, OR SALE OF DRUGS OR ALCOHOL

#### A. ALCOHOL

The possession, consumption, purchase or sale of alcohol on Company premises is prohibited. Furthermore, no employee shall be under the influence of alcohol while performing Company business off Company premises if such use or influence in the opinion of the Company may affect the safety of the employee, co-workers or members of the public, the employee’s job performance, or the safe or efficient operation of the Company. Any exception to this Policy for special situations (e.g., Christmas parties) must be approved in advance by the President and conducted in accordance with any limitations which accompany approval. In addition, persons whose positions with the Company require driving Company equipment or vehicles as a part of their work may be removed from such positions if found to have been driving under the influence of alcohol whether on duty or off.

#### B. LEGAL DRUGS

The use of illegal drugs may affect the safety of the employee or co-workers or members of the public, the employee’s job performance, or the safe or efficient operation of the Company facility. “Legal Drug” includes prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured. Therefore, any employee who is taking any legal drug which might impair safety, performance, or any motor functions must advise his/her supervisor



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before reporting to work under such medication. If the Company determines that such does not use does not pose any safety or product quality risk, the employee will be permitted to work. A letter of certification from his/her physician must be provided upon request for the employee's personnel file.

C. **ILLEGAL DRUGS**

The use, purchase, sale, transfer, possession, being under the influence, or the presence in one's system of a detectable amount of an illegal drug by any employee is prohibited where the employee is on Company premises or is performing Company business, or where such activity away from the Company premises or business affects the employee's suitability for continued employment or may harm the reputation of the Company and its employees. It also includes marijuana, amphetamines, cocaine, opiates, phencyclidine, barbiturates, benzodiazepines, methadone and propoxyphene.

IV. **DRUG AND ALCOHOL SCREENING**

A. A urinalysis, or other drug/alcohol screening may be conducted:

1. To all applicants to whom a job offer has been made.
2. Post-accident or if probable cause is suspected.
3. When there is reason to believe that an employee may be using drugs or may be under the influence of drugs or alcohol.
4. As part of periodic follow-up testing if the employee is found to have breached these policies but has been permitted to remain employed.
5. Whenever an employee is working in a job classification which has been designated by the Company as a "safety risk classification".

B. An employee's cooperation with such a test is required as a condition of employment. The employee's refusal to cooperate with such a request and provide a specimen may be grounds for termination where there is any reason to believe that the employee has violated this Policy and the employee's refusal to cooperate prevents a medical determination of his/her condition. Employees who produce a "diluted" urine specimen will be given only one (1) additional opportunity to submit one (1) additional specimen at the employee's cost. This specimen must be given by the employee at the Company's designated collection facility according to established Company protocol for urine collection and tested by the Company's designated NIDA approved laboratory at the employee's cost. Further, this additional specimen must be collected within eight (8) hours from the time the employee is notified of the "diluted" specimen. Failure to produce a negative urine test result or to comply with all the tenants of this document and the established Company procedures for its implementation will constitute noncompliance with this Policy.



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V. **SEARCHES**

- A. Routine searches of Company property may be conducted at times unannounced, this includes, but is not limited to, lockers, storage areas, jobsite trailers, Company vehicles and rooms normally used to store employee's personal property.
- B. Should the Company suspect that an employee has sold, purchased, used or possessed alcohol, drugs or drug paraphernalia on Company premises, the Company may inspect the employee's personal effects (lunch boxes, toolboxes) or automobile on Company property.

VI. **VIOLATIONS OF POLICY**

- a. Any violation of this Policy may be grounds for termination. However, in some circumstances and at the sole discretion of the Company, a lesser penalty may be selected.
- b. If the employee has not engaged in misconduct, unsafe conduct or poor job performance, but is found to have alcohol or drugs in his/her system, the employee may be placed on an unpaid medical leave (maximum one month) until he/she presents reliable medical evidence that he/she has overcome any substance use problem, and he/she shall be reinstated to his/her former position if he/she consents in writing to occasional testing on request over the next 12 months to be certain that he/she has not resumed usage of drugs or alcohol in violation of this Policy. If such subsequent usage is detected, the employee will be terminated.

VII. **SELF-IDENTIFICATION TO COMPANY MANAGEMENT/SUPERVISION**

Employees who take the initiative of advising their supervisor or manager that they have a medical problem with regard to alcohol or drug use, who have not engaged in misconduct or repeated poor performance at work, and who demonstrate a commitment to take the necessary remedial action, will be provided a medical leave of absence for such purpose.

VIII. **RESERVATION OF RIGHTS**

The Company reserves the right to change, rescind or depart from this Policy in whole or in part. Nothing in this Policy alters an employee's status. The Company hopes each employment relationship will be a happy and enduring one. Nevertheless, employees remain free to rescind their employment at any time with or without cause.