

REDSTONE CONSTRUCTION

A WORKPLACE ACCIDENT AND INJURY REDUCTION (AWAIR) PROGRAM

Redstone Construction LLC will establish an accident and injury reduction program that promotes a safe working environment. We will conduct a review of this program at least annually and document how procedures set forth are met. The following program will describe our goals and objectives.

Managers, supervisors and employees responsibilities:

Managers:

1. Assign a safety director, or officer.
2. Develop a safety committee.
3. Hold regular safety meetings.
4. Allocate sufficient resources for a safe workplace.
5. Set safe examples and participate in safety activities.
6. Document safety meetings.

Supervisors:

1. Have a positive safety attitude and set a safe example.
2. Understand and communicate Company policies and procedures.
3. Show recognition for good work habits and discipline for violation of safety rules.
4. Talk safety with employees.
5. Participate in safety training.
6. Conduct regular jobsite inspections.
7. Initiate procedures and/or equipment to lessen risk.
8. Make prompt investigations and reports of accidents.

Employees:

1. Participate in safety inspections.
2. Attend safety training.
3. Make safety suggestions.
4. Follow safety rules and procedures.
5. Take care of equipment and tools.
6. Report all unsafe equipment and tools to supervisor.
7. Report all accidents and INJURIES immediately.

The AWAIR program will reinforce Redstone Construction's established safety policy. Management will continually monitor the program and make any adjustments necessary. Safety program evaluation will be reviewed annually by the safety officer, safety committee, and management. Areas to be evaluated are:

1. Jobsite safety training.
2. Jobsite procedures.
3. Accident investigation.
4. Record keeping and reporting.
5. Reductions in accidents and worker's compensation claims.

Redstone Construction will identify, analyze and control workplace hazards by:

1. Workplace surveys and inspections.

2. OSHA 300 logs.
3. Employee suggestions.
4. Providing proper personal protective equipment.
5. Analyzing and reviewing job procedures.

Redstone Construction will communicate our safety plan, policies and procedures to all employees by:

1. Distribution with W-4 forms of our safety policy and AWAIR program.
2. Training sessions.
3. Safety meetings (tool box, etc.)
4. Posters.
5. Monthly safety pamphlets.

Redstone Construction will investigate workplace accidents and corrective action will be implemented by:

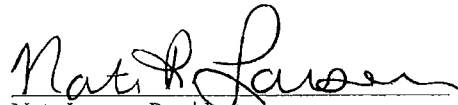
Accident reports filled out by the supervisor showing what happened, what was the cause, what Preventive action is being taken to prevent similar accidents.

These completed reports will be reviewed at our regularly scheduled safety meetings.

Redstone Construction Company's safe work practices will be enforced.

Safety violations that are found to be "Non Willful" will be dealt with by verbal warning and if needed, additional training.

"Willful" violations of policies or procedures may be grounds for dismissal. Each case will be reviewed by the immediate supervisor and if necessary, management.


Nate Larson, President

REDSTONE CONSTRUCTION

RIGHT-TO-KNOW/HAZARD COMMUNICATION PROGRAM

INTRODUCTION:

Redstone Construction LLC is firmly committed to providing all of its employees with a safe and healthy work environment. It is a matter of company policy to provide our employees with information about hazardous chemicals on the worksite through our hazard communications program, which includes container labeling, Material Safety Data Sheets (MSDSs) and employee information/training.

Aaron Larson will have the overall responsibility for coordinating the hazard communication program for Redstone Construction LLC. He will make our written communication available, upon request, to employees, their designated representatives, the Assistant Secretary of Labor for Occupational Safety and Health and the Director of the National Institute for Occupational Safety and Health.

LIST OF HAZAROUS CHEMICALS:

Aaron Larson will compile a list of all hazardous chemicals that will be used on the worksite by reviewing container labels and Material Safety Data Sheets. The list will be updated as necessary. It will be kept at Redstone Construction LLC office in Mora, Minnesota.

LABELING:

It is the policy of this Company to ensure that each container of hazardous chemicals on a jobsite is properly labeled. The labels will list:

- The contents of the container
- Appropriate hazard warnings; and
- The name and address of the manufacturer, importer or other responsible party.

To further ensure that employees are aware of the chemicals hazards of materials used in their work areas, it is our policy to label all secondary containers. Secondary containers will be labeled with either an extra copy of the manufacturer's label, or with a sign or generic label that lists the container's contents and appropriate hazard warnings.

MATERIAL SAFETY DATA SHEETS:

Copies of Material Safety Data Sheets for all hazardous chemicals to which employees may be exposed are kept by the job site superintendent and are readily accessible to employees in the work area during each work shift.

EMPLOYEE TRAINING:

Employees are to attend a training session on hazardous chemicals in their work area at the time of their initial work assignment. The training session will cover the following:

- An overview of the hazard communication requirements.
- A review of the chemicals present in their workplace operations.
- The location and availability of our written hazard communications program list of hazardous Chemicals and Material Safety Data Sheets.
- Methods and observation techniques that may be used to detect the presence or release of hazardous chemicals in the work area.

The physical hazards of the chemicals in the work area.
The health hazards of the chemicals in the work area, including signs and symptoms of exposure and any medical condition known to be aggravated by exposure to the chemical.
How to lessen or prevent exposure to hazardous workplace chemicals by using good work practices, personal protective equipment, etc.
Emergency procedures to follow if employees are exposed to hazardous chemicals.
An explanation of our hazard communication program, including how to read labels and Material Safety Data Sheets to obtain appropriate hazard information.

When a new type of product is introduced into a work area or the chemical composition of a product change, Aaron Larson will review the above items as they are related to the new chemicals.

NON-ROUTINE TASKS:

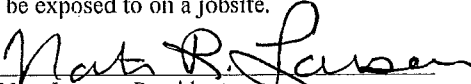
Periodically employees are required to perform non-routine tasks. Prior to starting on such projects, each affected employee will be informed by the job site superintendent about the hazards to which they may be exposed and appropriate protective and safety measures.

INFORMING OTHER EMPLOYERS:

To ensure that the employees of other contractors have access to information on the hazardous chemicals at a jobsite, it is the responsibility of the job site superintendent to provide the other contractors the following information:

Where the MSDSs are available.
The name and location of the hazardous chemicals to which their employees may be exposed and any appropriate measures required to minimize the exposure; and
An explanation of the labeling system used at the jobsite.

Each contractor bringing chemicals onto a jobsite must provide us with the appropriate hazard information on those substances to which our own employees may be exposed to on a jobsite.


Nate Larson, President

REDSTONE CONSTRUCTION

FLEET SAFETY PROGRAM

I. POLICY STATEMENT

This fleet safety program establishes guidelines and procedures to be followed to protect the safety of employees operating any motor vehicle on company business. Protecting our employee drivers, their passengers, and the general public is of the highest priority to the company.

The commitment of management and employees is critical to the success of this program. Clear communication of and strict adherence to the program's guidelines and procedures are essential.

DEFINITIONS: (See Appendix A for additional definitions.)

COMPANY VEHICLE: A motor vehicle owned by or leased to the company, including a temporary replacement vehicle.

MOTOR VEHICLE: "Company Vehicle" or any other motor vehicle while being operated on company business.

DRIVER: Any employee assigned a "Company Vehicle" or who operates a "Motor Vehicle" on company business.

II. PROGRAM GOALS

The primary goal of our fleet safety program is to maintain a high level of safety awareness and foster responsible driving behavior.

"Driver" safety awareness and responsible driving behavior will significantly decrease the frequency of "Motor Vehicle" accidents and reduce the severity of personal injuries and property damage.

"Drivers as defined in this program must follow the requirements outlined in this program. Violations of this program may result in disciplinary action up to and including suspension of driving privileges or dismissal.

III. PROGRAM RESPONSIBILITIES

Everyone shares in the responsibility to make the fleet safety program a success. To avoid confusion or misunderstanding, specific program responsibilities are outlined as follows:

A. Drivers. "Drivers" are required to:

1. Read, understand and follow the requirements contained in this program.
2. Participate in company-sponsored activities or programs designed to improve driver safety.
3. Maintain a valid driver's license and adhere to license restrictions.

B. Safety Coordinator. The Safety Coordinator will:

1. Serve as a technical resource ensuring the continuous development and maintenance of the fleet safety program.
2. Help evaluate "High Risk Drivers" and advise management on instituting any additional driving restrictions/limitations.
3. Evaluate and approve driver training curriculum.
4. Provide driver training resources.
5. Revise and disseminate changes to the fleet safety program.
6. Issue periodic reports for management review and action.
7. Obtain and review "Motor Vehicle Reports" (MVR) and accident information to ensure that "High Risk Drivers" are identified and brought to the attention of management.
8. Assist in the evaluation of program effectiveness through detailed loss analysis.

IV. AUTHORIZATION OF DRIVING PRIVILEGES

The Safety Coordinator will not assign or allow the use of a "Motor Vehicle", if:

1. The "Driver" does not have a valid operator's license issued by their state of residence; or if
2. The "Driver" possesses licenses from more than one state, or if
3. The "Driver's" license is suspended or revoked for any reason.

In addition, a "Driver" will be subject to termination if his/her license is revoked, unless a suitable replacement non-driving job in the company is available; or the employee may be subject to other disciplinary action if his/her license is only temporarily suspended.

V. AUTHORIZED VEHICLE USE

A. Personal Use of "Company Vehicle"

A "Company Vehicle", when not used for business purposes, may be driven for personal use **AT THE DISCRETION OF Stephen Johnson. However, personal use is limited to the assigned "Driver".**

The privilege of driving a "Company Vehicle" for personal use is subject to change by the company at any time.

Under NO circumstances will drug or alcohol consumption be tolerated in a company vehicle. Nor is it acceptable to visit bars, taverns, pubs, or similar locations while in a company vehicle.

B. Unauthorized Use of "Company Vehicles"

If a "Driver" allows an unauthorized individual to drive a "Company Vehicle", disciplinary action may be taken, up to and including suspension of driving privileges or dismissal of the "Driver".

If the unauthorized use results in an accident, in addition to whatever disciplinary action may be taken, the responsible employee may be required to make restitution for the physical damages to the "Company Vehicles".

C. "Non-Company Vehicles" Used for Business

Employees who drive "Non-Company Vehicles" while conducting business for the company are subject to all the provisions and standards of this program.

Additional responsibilities include:

1. Maintaining automobile liability insurance limits of at least \$100,000 per person, \$300,000 per accident, and \$25,000 property damages; but in no case less than the minimum required by law for the state in which the driver resides.
2. Maintaining current state vehicle inspection if the state requires one.
3. Maintaining their "Non-Company Vehicle" in safe operating condition.

USE OF A MOTORCYCLE FOR COMPANY BUSINESS IS PROHIBITED

VI. DRIVER MVR CHECKS

A. Initial MVR Checks

1. EMPLOYEE APPLICANTS:

If an employee applicant is to be a "Driver", the Safety Coordinator will obtain a MVR for evaluation.

Also, each employee-applicant should be informed in writing by the Safety Coordinator that employment requiring driving activities is conditional upon receipt of a satisfactory MVR; that is, an MVR not meeting the definition of a "HIGH RISK DRIVER".

EVERY ATTEMPT SHOULD BE MADE TO SECURE AND EVALUATE A MVR ON EACH NEW "DRIVER" BEFORE DRIVING PRIVILEGES ARE GRANTED.

2. EXISTING EMPLOYEES:

If an existing employee is changing from a non-driving position to a position requiring driving on company business, a MVR will be obtained and evaluated prior to granting a change in job status.

B. Periodic MVR Checks

The Safety Coordinator will obtain MVR's every year for all existing "Drivers".

In addition, the Company maintains the right to conduct periodic and random review of MVR's at its discretion.

VII. DRIVING RECORD CLASSIFICATION SYSTEM

A "Driver" will be classified as a "High Risk Driver" if the MVR check so indicates, or if it is otherwise determined, that the driver has one or more of the following violations within the last 5 years:

1. Conviction of an alcohol and/or drug related driving offense.
2. Refusal to submit to a Blood Alcohol Content (BAC) test.
3. Conviction of speeding in excess of 25 MPH.
4. Criminal convictions (e.g., felony, negligent homicide, manslaughter, hit and run, etc.)

Other violations incurred in the last 3 years:

1. Any combination of three or more moving violations, "At Fault Accidents", or "Preventable Accidents".
2. Driving with a suspension, revocation or administrative restriction.
3. Leaving the scene of an accident as defined by state laws.
4. Reckless driving.

Other violations incurred in last 12 months:

1. Any combination of two or more moving violations, "At Fault Accidents", or "Preventable Accidents".

VIII. MANAGEMENT CONTROLS FOR HIGH RISK DRIVERS

A. Option 1: Probation

The District Manager must do all of the following:

1. Place the "High Risk Driver" on probation (ending two years from the date of the most recent violation);
2. Obtain a MVR from the Corporate Risk Manager every six months for the duration of the probationary period;
3. Notify the Corporate Risk Manager of any additional violations while the employee is on probation;
4. Immediately suspend driving privileges if any single repeat violation or an additional violation occurs while on probation as described in Section VII – OR if any terms of probation are violated. Notify the Corporate Risk Manager immediately;
5. Confer with the Corporate Risk Manager on any stipulations, operating limitations, or other conditions (for consistency between Districts), such as:
 - a. Loss of all "Company Vehicle" driving privileges;
 - b. Loss of "Company Vehicle" driving privileges between work and home;
 - c. Loss of personal use privileges (if applicable – see Section V. A.);
 - d. Referral of the "Driver" to the Employee Assistance Program;
 - e. Transfer of the "Driver" to a non-driving position; or
 - f. Additional driver training.
6. The terms of the probation are to be made to the employee in writing. The employee will be required by signature to signify that he/she has been informed of the probation terms and duration. The signed terms of probation should be kept in the employee's file.
7. If the probationary period has been served and if reinstatement of driving privileges is warranted, the District Manager should notify the Corporate Risk Manager.

B. Option Two: Suspension of Driving Privileges

The District Manager must suspend all company driving privileges. The "High Risk Driver" will NOT be authorized to drive a motor vehicle at any time on company business.

This action may result in the District Manager either transferring the employee to a non-driving position, if such a position exists, or the employee may be subject to dismissal procedures.

The employee may reapply for company driving privileges after one year of suspension. Application should be made to the District Manager. If approved, the employee's driving status will change from suspension to probation. However, reinstatement of driving privileges by the District Manager does not constitute an offer by the company for any "Driver" position. Normal job posting procedures will still have to be followed.

IX. ACCIDENT REPORTING

A. Accident Reporting

1. A "Driver" is required to notify his/her immediate supervisor of any "Accident" as soon as is practical.
2. In addition, supervisors are responsible for reporting "Serious Accidents" to the Safety Coordinator.

3. Company Vehicles – The “Driver” should call the company’s automobile insurance carrier as outlined in the Accident Reporting Kit supplied with the vehicle;
4. Non-Company Vehicles – The “Driver” should call his/her personal automobile insurance carrier;
5. Daily Rental Vehicles – The “Driver” should notify the rental company.

B. Accident Reporting Kits

Every “Company Vehicle” is required to have an *Accident Reporting Kit* in the glove box. This kit should be used by the driver to record accident facts as soon after the accident as is reasonably feasible.

The “Driver” should give the completed *Accident Reporting Kit* to their immediate supervisor.

The supervisor should make a copy of the completed kit (for use by the supervisor during his/her accident investigation) and then mail the original to the company’s insurance carrier per the instructions in the kit.

C. Accident Investigation

1. Completing the Accident Investigation Report Form

The immediate supervisor of the “Driver” is responsible for completing the *Accident Investigation Report* (See Appendix C) for all “Accidents”.

This report should be completed as soon after the accident as is reasonably feasible.

To complete the report, the supervisor should:

- a. observe the accident scene and damaged vehicle(s);
- b. obtain a copy of the police report, if available;
- c. review the completed *Accident Reporting Kit* obtained from the “Driver”; and
- d. interview the “Driver”.

X. TRAINING

1. Periodic safe driver training will be held by company.
2. All employees on probation are required to attend a defensive driver training class.

XI. SAFETY REGULATIONS

A. Vehicle Safety Belts

The “Driver” and ALL OCCUPANTS are required to wear safety belts when operating or riding in a “Motor Vehicle”. The “Driver” is responsible to ensure all passengers are wearing their safety belts.

B. Impaired Driving

A “Driver” may not operate a “Motor Vehicle” at any time, when his/her ability is impaired, affected, or influenced by alcohol, illegal drugs, medication, illness, fatigue or injury.

C. Traffic Laws

All "Drivers" are required to abide by all federal, state, and local motor vehicle regulations, laws and ordinances.

D. Vehicle Condition

Each "Driver" is responsible for ensuring that the "Motor Vehicle" is maintained in safe driving condition. At least daily, a walk-around safety inspection by the "Driver" is required.

E. Headlights On Requirement

"Drivers" are required to drive with vehicle headlights on at all times.

F. Backing Procedures

Back in upon arrival – Pull out forward upon departure. When this is not possible you must walk around your vehicle prior to backing.

Prior to backing turn down radio and open window.

Whenever possible back in on driver's side NOT passenger side.

LOOK to the rear, sides and front – in addition to using your mirrors.

Begin backing immediately after looking to ensure that nothing changes around you.

Back SLOWLY!!!

G. Cellular Phone Use

Calls should only be received or placed only after the driver has pulled off the road and out of traffic, preferably in a parking lot or other safe location.

H. Additional Safety Rules

"Drivers" may not:

1. pick-up hitchhikers;
2. accept payment for carrying passengers or materials (this does not apply to company endorsed car pools);
3. use any radar detector, laser detector, or similar devices;
4. push or pull another vehicle, or tow a trailer without authorization;
5. transport flammable liquids and gases unless a DOT or UL approved container is utilized, and only then in limited quantities and only when necessary;
6. use ignition or burning flares. The preferred method is the use of reflective triangles; or
7. assist disabled motorists or accident victims beyond the level of their medical training: EMT, CPR, Basic First-Aid, etc. If a driver is not qualified to provide the above service, he/she must restrict his/her assistance to calling the proper authorities.

GLOSSARY OF TERMS

ACCIDENT: Any incident involving a "Motor Vehicle" that results in bodily injury or property damage.

DRIVER: An employee assigned a "Company Vehicle" or who operates a "Motor Vehicle".

AT FAULT ACCIDENT: An "Accident" where the "Driver" received a moving violation ticket issued by a police officer.

COMPANY VEHICLE: A motor vehicle owned by or leased to the company, including a temporary replacement vehicle.

HIGH RISK DRIVER: Any driver on probation or whose driving history meets the criteria outlined in Section VII - "Identification of High Risk Drivers."

MOTOR VEHICLE: A "Company Vehicle"; or any other motor vehicle while being operated on company business.

MOTOR VEHICLE RECORD (MVR): A document supplied by the appropriate State Department of Motor Vehicles providing information on motor vehicle violations and license status of a specific driver.

NON-COMPANY VEHICLE: Any motor vehicle used on company business not provided by the company, including privately owned, leased, or rented vehicles. This definition does not include motorcycles.

PREVENTABLE ACCIDENT: Any "Accident" where the "Driver" could have avoided the accident.

SERIOUS ACCIDENT: Any "Accident" where there is a fatality, or an injury requiring the transportation of the injured party from the accident site to a medical treatment facility.

SUPERVISOR'S ACCIDENT INVESTIGATION REPORT

Motor Vehicle

(Please Print - use back of form as needed for additional information)

Driver's Name:		Accident Date:
Safety Belts Used? Driver: <input type="checkbox"/> Yes <input type="checkbox"/> No Passengers: <input type="checkbox"/> Yes <input type="checkbox"/> No		
Did You: <input type="checkbox"/> Yes <input type="checkbox"/> No View accident scene? <input type="checkbox"/> Yes <input type="checkbox"/> No Observe damaged vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No Interview witnesses? <input type="checkbox"/> Yes <input type="checkbox"/> No Obtain the police report?	<input type="checkbox"/> Yes <input type="checkbox"/> No Review the driver's completed accident report? <input type="checkbox"/> Yes <input type="checkbox"/> No Review the "Guide to Accident Preventability"?	
Preventable* Accident? (*see back of form)		Non Preventable* Accident?
<input type="checkbox"/> Backing <input type="checkbox"/> Turning <input type="checkbox"/> Parking <input type="checkbox"/> Passing <input type="checkbox"/> Following distance <input type="checkbox"/> Diverted attention <input type="checkbox"/> Misjudging clearance <input type="checkbox"/> Driving under influence of drugs and/or alcohol		<input type="checkbox"/> Speed too fast for conditions <input type="checkbox"/> Failure to signal intentions <input type="checkbox"/> Disregard of traffic signal <input type="checkbox"/> Assuming right of way <input type="checkbox"/> Driving in wrong lane <input type="checkbox"/> Starting and stopping <input type="checkbox"/> Failure to maintain vehicle
<input type="checkbox"/> Hit by other car <input type="checkbox"/> Hit while legally parked <input type="checkbox"/> Hit in rear <input type="checkbox"/> Struck by debris <input type="checkbox"/> Vandalism <input type="checkbox"/> Windshield <input type="checkbox"/> Stolen while locked <input type="checkbox"/> Fire <input type="checkbox"/> While being towed by tow truck		
Incident Description	Describe clearly and in detail how the accident occurred (What, Where, When, Who, and How)	
Analysis	What act, failure to act and/or conditions contributed most directly to this accident? What are the root or fundamental causes of the accident?	
Controls	What action have you taken or recommended to prevent a reoccurrence by this driver or other district drivers?	
Investigated By:		Date:

Routing: District Manager
 District File

Attachments: Police Report
 Driver's Accident Report

Appendix C

(Back of form)

Definition of An Accident

Any incident involving a "Motor Vehicle" as defined in our fleet safety program that results in bodily injury or property damage.

Definition of a Preventable Accident

Any "Accident" where the employee could have avoided the accident.

REDSTONE CONSTRUCTION

DRUG AND ALCOHOL TESTING POLICY

The Company recognizes that safety problems are created when employees use or abuse illegal drugs and/or alcohol. This is not only true in the workplace but on the Nation's highways as well. The Company is concerned about providing a safe workplace for its employees with the goal of attaining and maintaining a drug and alcohol free workplace. Therefore the Company has established the following policy on drugs and alcohol with provisions for drug and alcohol testing as required by the Federal Highway Administration.

POLICY

All employees are expected to report for duty free from the effects of illegal drugs and/or alcohol.

The use, possession, sale, distribution, transportation, being under the influence of illegal drugs or alcohol while on Company property, operating Company equipment or vehicles or while on duty or performing assigned job duties is strictly prohibited and will not be tolerated.

DISCIPLINE

Any person found to be in violation of this policy is subject to discipline up to and including termination of employment.

An employee who receives a confirmed positive test report for illegal drugs and/or a confirmed alcohol test report showing a concentration of 0.04 or above is subject to discipline up to and including termination of employment.

An employee who receives a confirmed breath alcohol test result of 0.02 or greater but less than 0.04 will not be allowed to operate Company vehicles for a minimum of 24 hours of receiving that result. An employee who receives a second confirmed alcohol test report of a concentration of 0.02 or above within two years will be subject to discipline up to and including termination of employment.

FEDERAL HIGHWAY ADMINISTRATION DRUG/ALCOHOL TESTING PROVISIONS

In accordance with Federal Highway Administration drug and alcohol testing regulations, the Company has implemented a drug and alcohol testing program effective January 1, 1996.

The Company recognizes the concerns of employees in the area of drug testing in the workplace. In order to guard against inaccurate test results, the testing will be conducted in accordance with very strict procedures as required by Federal Highway Administration and U.S. Department of Transportation drug testing regulations. All drug test results that are initially positive will be confirmed by a second test of the original urine sample. Any confirmed positive drug test result will be reviewed by the Company medical review officer to verify a positive or negative finding.

Alcohol testing will be conducted according to Federal Highway Administration and U.S. Department of Transportation alcohol testing regulations. All saliva and / or breath alcohol tests that are initially positive will be confirmed by a breath alcohol test. Alcohol tests will be performed only on testing equipment approved by the U.S. Department of Transportation.

PERSONS SUBJECT TO TESTING

All employees whose job duties include operating Company trucks that:

1. Have a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000; or
2. Have a gross vehicle weight rating of 26,001 pounds or more; or
3. Is designed to transport 16 or more passengers, including the driver; or
4. Is of any size and is used in the transportation of materials where the vehicle is required to be placarded under the under the Hazardous Materials Regulations 49 CFR part 172, subpart F.

All applicants, including persons currently employed by the Company, applying for a position where job duties include operating the vehicles described above will be required to take a drug test if a job offer is made. The job is contingent upon a negative drug test report.

CIRCUMSTANCES UNDER WHICH DRUG and/or /ALCOHOL TESTS MAY BE REQUIRED

DURING THE APPLICATION PROCESS. All job applicants, including persons currently employed Company applying for a job where duties include operating Company vehicles described above are required to take a drug test if a job offer is made. The job offer is contingent upon a negative drug test report.

REASONABLE SUSPICION. A drug/alcohol test may be required if the Company has a reasonable suspicion that a person subject to the drug/alcohol testing provisions of this policy is under the influence of an illegal drug(s) and or alcohol.

POST ACCIDENT - FATAL. In the event an employee, while operating a Company vehicle described above is involved in an accident resulting a fatality, the employee is required to submit to a drug and alcohol test.

POST ACCIDENT - NON FATAL. A post accident drug/alcohol test is required if an employee, while operating a Company vehicle described above, is involved in an accident that results in:

1. A vehicle or vehicles involved in the accident being towed from the accident scene; and/or a person or persons receiving immediate medical treatment away from the accident scene; and the employee receives a citation under State or local law for a moving traffic violation arising from the accident.

The employee must provide a urine sample for a drug test within 32 hours of the occurrence of the accident.

An alcohol test must be administered within 2 hours of the occurrence of the accident.

If an alcohol test can not be performed within 2 hours, the Company will continue to make attempts to perform an alcohol test within 8 hours of the time of the accident.

The employee must make himself/herself readily available for a drug/alcohol test or the employee will have been deemed to have refused to take a drug/alcohol test.

The employee must not consume any liquid containing alcohol for up to 8 hours following an accident or the employee has been tested, whichever occurs first. Violation of this provision will result in immediate termination of employment.

The Company may accept the results of a blood or breath test for the use of alcohol and a urine test for the use of controlled substances if such tests are conducted by Federal, State or local officials having independent authority for the test and the tests conform to applicable Federal, State or local requirements and the test results can be obtained by the Company.

RANDOM. Random drug/alcohol testing will be conducted in accordance with Federal Highway Administration drug testing regulations. The Company will randomly test for drugs, in a calendar year, at a number equal to or greater than 50% of job functions subject to testing. The tests will be spread throughout the year.

Random alcohol tests will be performed, during a calendar year, at a number equal to or greater than 25% of job functions subject to testing. The tests will be spread throughout the year.

RIGHT OF REFUSAL AND CONSEQUENCES OF SUCH REFUSAL

All persons subject to the drug/alcohol testing provisions of this policy have the right to refuse

to take a required drug/alcohol test.

Any applicant who refuses to take a drug test, after a job offer has been made, will not be considered for employment and the job offer will be immediately withdrawn.

Any employee subject to the drug/alcohol testing provisions of this policy who refuse to take a required drug/alcohol test is subject to discipline up to and including termination of employment.

Any person subject to the drug/alcohol testing provisions of this policy that alters or attempts to alter a urine sample or breath test, or substitutes or attempts to substitute a urine sample, will be considered to have refused to take the drug/alcohol test. In such case, the employee is subject to immediate termination of employment and any job offer made to an applicant will be immediately withdrawn.

EMPLOYEE / APPLICANT RIGHTS

All persons subject to the testing provisions of this policy who receive a confirmed positive drug test report have the right to request, at employee or applicant expense, a test of the split urine sample. Such request must be made to the Medical Review Officer within 72 hours of when the person has spoken to the Medical Review Officer regarding a confirmed positive drug test result.

If the test of the split urine sample is negative, no adverse action will be taken against the employee and an applicant will be considered for employment.

The Company will not discharge an employee who, for the first time, receives a confirmed positive test report for drugs or a confirmed positive alcohol test of 0.04 or above unless:

1. The employee refuses to meet with a qualified chemical use/abuse evaluator for the purpose of recommendations for an educational, counseling or treatment program for drug and/or alcohol use/misuse.
2. The employee refuses to participate and cooperate in an educational, counseling or treatment program as recommended by the evaluator or fails to successfully complete the program.
3. The employee receives a confirmed positive test report for drugs or an alcohol test result of a concentration of 0.02 or above upon completion of the program.

Costs of the evaluation and/or recommended educational, counseling or treatment program are at employee expense or pursuant to a health benefit plan.

Upon reinstatement the employee is subject to UNANNOUNCED FOLLOW UP

DRUG/ALCOHOL TESTING A MINIMUM OF SIX TIMES WITHIN THE FIRST 12 MONTHS after reinstatement. Additional follow up testing may be conducted for up to 60 months from the time of reinstatement.

The employee is also subject to all other required drug/alcohol tests. A positive test on any subsequent test will result in disciplinary action up to and including termination of employment.

CONFIDENTIALITY OF DRUG TEST RESULTS

All drug/alcohol test results are considered confidential information. Any information concerning an individual's drug/alcohol test results will not be released without the written permission of the individual except as provided for by regulation or law or as allowed as part of a formal proceeding such as a hearing or legal action.

OTHER APPEALS AVAILABLE

The Company has no other appeals available to the person who receives a confirmed positive drug/alcohol test result other than those shown in this policy.

POLICY MODIFICATION

The Company has the right to modify this policy as changes in regulation, law or Company conditions occur.