

REACH AIR MEDICAL SERVICES **SUBSTANCE ABUSE POLICY FOR APPLICANTS APPLYING** **FOR SAFETY-SENSITIVE POSITIONS**

(FOR TESTING TO BE CONDUCTED IN CALIFORNIA [excluding the City of San Francisco],
OREGON AND TEXAS).

1.0 STATEMENT OF PURPOSE

- 1.1 REACH Air Medical Services (“Company”), is firmly committed to ensuring a safe, healthy, productive and efficient work environment for our employees, as well as our clients and to the public in general. The Company has a vital interest in ensuring a safe, healthy and efficient working environment and in preventing accidents and injuries resulting from the misuse of alcohol or drugs. The unlawful or improper presence or use of drugs or alcohol in the workplace presents a danger to everyone. For these reasons, the Company has established the following substance abuse policy for applicants applying for safety-sensitive positions. As provided below, pre-employment drug testing is an integral part of our substance abuse policy for such applicants. Applicants who are hired will be subject to post-hire drug and alcohol testing, in accordance with the Company’s substance abuse policy for employees, which is set forth in a separate document.
- 1.2 This policy applies to applicants applying for safety-sensitive position in non-FAA-regulated positions, including any applicant for any such position who was formerly employed by the Company (unless prohibited by law).
- 1.3 Questions regarding the meaning or application of this policy should be directed to the Company’s Human Resources Department.
- 1.4 **This policy is not a contract of employment. If an applicant fails to comply with this policy, the applicant will be ineligible for employment.**

2.0 REQUIRED PRE-EMPLOYMENT DRUG TESTING OF APPLICANTS APPLYING FOR SAFETY-SENSITIVE POSITIONS.

All applicants applying for safety-sensitive positions to whom the Company has given a conditional offer of employment are required to submit to a pre-employment drug test and must receive a negative result as a condition of employment. For purposes of this policy, “safety-sensitive positions” include members of the medical crew; communications center personnel engaged in communications with flight personnel, medical crew, transportation and other health care professionals; ground ambulance drivers; airport support ground; transport driver non-emergency; and, employees driving Company vehicles on a regular basis during the work day.

3.0 CONSEQUENCES FOR POLICY VIOLATIONS

- 3.1 Positive Test Results: Any covered applicant who receives a verified positive drug test result will be ineligible for employment with the Company. The Company's decision shall be based only on the results of the drug test or a refusal to test.
- 3.2 Refusal To Submit: Any covered applicant who refuses to submit to a test will be ineligible for employment with the Company. The following conduct will be considered as refusing to submit to a test:
- a. refusing or failing to appear for a substance abuse test within a specified time, as determined by the Company, after being directed to do so by the Company;
 - b. failing to sign an authorization form permitting the release of the drug test result to the Company;
 - c. failing to remain at the testing site until the testing process is complete;
 - d. failing to provide a urine, saliva or hair specimen when directed by the Company and as permitted by applicable law, or failing to attempt to do so;
 - e. failing to provide a sufficient amount of urine when directed, without an adequate medical explanation;
 - f. failing or declining to take a second drug test that the Company or collector has directed to be taken;
 - g. failing to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the Company as part of the "shy bladder" procedures;
 - h. adulterating or substituting a specimen, or attempting to adulterate or substitute a specimen;
 - i. in the case of a directly observed or monitored collection in a drug test, failing to permit the observation or monitoring of the provision of a urine specimen (unless prohibited by law); and,
 - j. failing to cooperate with any part of the testing process, such as by delaying the collection, testing or verification process or otherwise engaging in conduct that clearly obstructs or manipulates, or attempts to obstruct or manipulate, the testing process.

- 3.3 Consumption of Food or Food-Products Containing Hemp: The consumption of food and food-products containing hemp may cause an applicant to test positive. A test result that is positive as a result of an applicant's consumption of food or food-products containing or made from hemp or hemp products will be reported as a positive test.

4.0 NOTIFICATION OF TEST RESULTS, CONFIDENTIALITY, TESTING EXPENSES AND COMPENSATION FOR TESTS.

- 4.1 Applicants will be provided with a copy of their test results if they test positive or if otherwise required by law.
- 4.2 The Company will maintain records of its substance abuse program in a secure location with controlled access. These records are confidential and will not be disclosed, except in accordance with applicable law.
- 4.3 The Company will pay for all drug or alcohol tests required by the Company, which includes a confirmation drug test performed on an applicant's primary urine or hair specimen. Unless state law otherwise requires, applicants must pay for confirmatory re-testing of their original specimen, but will be reimbursed if the test result is negative.

5.0 DRUG TESTING PROCEDURES

The Company's drug testing procedures comply with applicable state and local laws. The Company's testing procedures ensure the integrity, confidentiality and reliability of the testing process, safeguard the validity of the test results and ensure that test results are attributed to the correct individual. The procedures also minimize the impact upon the privacy and dignity of applicants undergoing such tests. In general, drug testing will be conducted via urine testing, but saliva testing and/or hair testing may be utilized in accordance with applicable laws. The Company has established a chain of custody procedure for all specimen collections and testing that will verify the identity of each specimen and test result.

5.1 Laboratories.

In general, drug tests will be administered at outside collection facilities and analyzed by laboratories which are certified by the U.S. Department of Health and Human Services ("DHHS-certified laboratory"), or are otherwise required or permitted by applicable state and local laws.

5.2 On-site saliva testing (where permitted by law).

In certain circumstances, (particularly in connection with applicants for medical crew positions), the Company may conduct drug testing through the use of on-site saliva testing

kits that are FDA-approved, where permitted by applicable law. If the on-site test yields a negative result, there will be no further testing. If the on-site test yields a positive test result, the specimen will be shipped to an outside laboratory for confirmation testing. Alternatively, the applicant may be directed to submit to further testing at an outside collection facility/laboratory. Applicants must agree to submit to testing at an outside collection facility/laboratory or they will be deemed to have refused to submit to a test.

5.3 Drugs to be tested for.

Unless otherwise prohibited by law, the Company will test for the following drugs: amphetamines, barbiturates, benzodiazepines, cocaine, marijuana, methadone, methaqualone, opiates, phencyclidine (PCP), propoxyphene, and their metabolites.

5.4 Confirmation and review of drug test results.

All positive drug test results will be confirmed by gas chromatography and mass spectrometry ("GC/MS"). All confirmed positive drug test results will be reviewed by a medical review officer ("MRO") to determine whether there is any legitimate explanation for the positive test result. This review may include a medical interview, review of the applicant's medical history, or review of any other relevant biomedical factors and all medical records made available by the applicant.

An applicant's use of prescription and over-the-counter medications may result in a positive test result. Applicants will be given the opportunity to discuss with the MRO any legitimate explanation for the positive test result. Applicants may provide any information which may be considered relevant to the test, including identification of prescription or nonprescription drugs currently or recently used, or other relevant medical information. If the MRO determines that there is a legitimate medical explanation for the confirmed positive test result, the MRO will report the test result as negative. If the MRO determines that there is no legitimate explanation for the confirmed positive test result, the result will be verified by the MRO as a confirmed positive test.

If an applicant is applying for a safety-sensitive position and provides information to the MRO that he is using prescription or over-the-counter medications that may adversely impact his ability to perform his job duties safely, the MRO will report this information to the Program Administrator. The Program Administrator will then evaluate whether the use of the medication does, in fact, adversely impact the applicant's ability to perform his proposed job duties safely, and if so, whether any reasonable accommodation can be made.

If an applicant refuses or fails to make himself/herself available to speak with the MRO, the MRO may verify a test as positive without having communicated directly with the tested individual. If the MRO reports to the Company that a negative drug test was dilute, the applicant will be directed to take another test immediately. If the applicant refuses to take a

second test, this constitutes a refusal to test.

5.5 Right to have “confirmatory re-test” after positive test result:

Applicants who test positive may request a confirmatory re-test of their original urine specimen, at their own expense, in a different DHHS-certified laboratory (or other laboratory required or permitted under state law) selected by the Company. This request must be made by the applicant within 72 hours of being notified by the MRO of a verified positive test result, unless otherwise required by law.

5.6 Inability to provide adequate amount of urine.

Applicants must provide at least 45 milliliters of urine for a drug test. If the applicant is unable to provide such a quantity of urine, then the individual will be instructed to drink a set amount of fluids and, after a set period of time, again directed to provide a complete specimen. If the applicant refuses to drink the fluids as directed, or refuses to provide a new urine specimen, this will constitute a refusal to submit to a test. Under such circumstances an applicant will be ineligible for employment with the Company.

If an applicant has not provided a sufficient specimen within a certain time period after the first unsuccessful attempt to provide the specimen, the Company will direct the applicant to submit to saliva or blood testing, where permitted by law. If the applicant refuses, the applicant will be considered to have refused to test.

5.7 Adulterated or Substituted urine specimens.

Procedures for collecting specimens allow an individual privacy unless there is a reason to believe that a particular individual may adulterate or substitute the specimen. In such cases, a specimen may be obtained under the direct observation of a collection site person of the same gender as the applicant, unless prohibited by law.