

Drug Free Workplace Policy

NOTE: This policy extends to, and shall be complied with, by all current and future employees of Sunset Automotive Group. The policy has been designed to conform with the drug-free workplace program requirements set forth in Section 440.102, Florida Statutes, and Rule 38F-9 of the Department of Labor and Employment Security, Division of Workers' Compensation.

- A. Sunset Automotive Group maintains a firm commitment to provide a safe and healthy work environment for its employees and quality services to its clients. The success of this commitment depends largely upon the physical and psychological health of our employees. Sunset Automotive Group recognizes that substance abuse has an adverse impact on employee health and impairs our ability to maintain a safe environment free from the effects of alcohol and illegal drugs. Sunset Automotive Group and its employees, working together, can establish and maintain a work environment free from the effects of alcohol and illegal drugs.
- B. Reporting to work or performing work for the Company while impaired by illegal drugs or alcohol is prohibited and is cause for immediate termination of employment. For the purpose of this policy, an employee is presumed to be under the influence of drugs or alcohol if a urine or blood test shows a forensically acceptable positive quantum of proof of drug or alcohol use.
- C. Employees are responsible for promptly reporting to their respective supervisor the use of prescribed medication, which may affect judgment, performance or behavior, and any temporary job task limitations recommended by the treating physician.
- D. The illegal use, possession, dispensation, distribution, manufacture or sale of a controlled substance or alcohol by an employee at the work site, during work hours, or while the employee is on duty, official Company business or stand-by duty is prohibited. Employees found in violation of this prohibition will be subject to termination. To ensure illegal drugs and alcohol do not enter or affect the workplace, the Company reserves the right to search all vehicles, containers, lockers, or other items on the Company's property in furtherance of this policy. Individuals may be requested to display personal property for visual inspection upon Sunset Automotive Group request. Searches will be conducted only when the Company has reason to believe that the employee has violated the Company's Substance Abuse Policy.
- E. Employees are required to notify their immediate supervisor within five (5) days of any criminal drug statute conviction where such conviction was due to an occurrence at the worksite, during work hours, or while on duty, official business or stand-by duty. Failure to report a drug or alcohol related conviction involving the workplace within five (5) days will result in disciplinary action, up to and including termination.
- F. Drugs for which Sunset Automotive Group shall test: All drug tests routinely conducted for prospective and/or current employees shall screen for the presence of:
 - Cannabinoids Marinol, Dronabinol, THC
 - Cocaine, HCl Topical Solution
 - Amphetamines Obetrol, Biphphetamine, Desoxyn, Dexedrine, Didrex
 - Opiates Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guaiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid, M-S Contin and Roxanol, Percodan, Vicodin

- Phencyclidine

However, the Company reserves the right, at its discretion, to screen for additional substances including, but not limited to the following:

- Methaqualone
- Barbiturates Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butabital, Phrenilin, Triad
- Benzodiazepines Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.
- Methadone Dolophine, Methadose
- Propoxyphene Darvocet, Darvocet N, Dolene
- Alcohol, all Liquid medications containing ethyl alcohol such as Vick's Nyquil, Comtrex, Contact Severe Cold Formula Night Strength, Listerine

All testing will be conducted utilizing the threshold levels prescribed by the State of Florida. All drug testing required by the Company will be performed by medical personnel, clinics or laboratories qualified to do the necessary work and the cost of such testing or related physical examination will be paid by Sunset Automotive Group.

G. When testing will be required: Testing will be required under the following circumstances:

1. **Job applicant testing:** pre-employment drug testing will be conducted on all applicants considered final candidates for a position. Any applicant failing the drug test or refusing to submit to the drug test will be disqualified for further consideration of employment with Sunset Automotive Group
2. **Post-accident testing:** Sunset Automotive Group shall require any employee involved in a work-related accident to submit to drug testing. A work-related accident is defined as a personal injury sustained in connection with one's job duties or an accident involving the operation of a Company or customer vehicle which sustains more than \$100.00 in damage to the vehicle. Employees must submit to testing promptly. Any employee involved in an accident that test positive for the presence of controlled substances or alcohol or fails to submit to the drug screen will be terminated immediately. Refusal to test and/or testing positive will disqualify an employee from Workers' Compensation benefits.
3. **Reasonable suspicion testing:** If an employee reports to work in a condition giving a supervisor reasonable cause to suspect the influence of drugs or alcohol, the employee will be required to submit to a blood and/or urine examination. Reasonable Cause testing will be based upon specific objective and articulate facts. Such facts and inferences may be based upon, but not limited to the following:
 - Observable phenomena while at work, such as direct observation of drug use or of the physical symptoms or manifestations of being under the influence of a drug.
 - Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance.
 - Report of drug use, provided by a reliable and credible source, which has been independently corroborated.
 - Evidence that an individual has tampered with a drug test during his employment with the Company.
 - Information that an employee has caused, contributed to or been involved in an accident at work.
 - Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.

If the reasonable cause test results reveal the employee has such substances in his/her system, the employee will be subject to termination.

4. **Follow-up testing:** Follow-up drug testing. --If the employee in the course of employment enters a voluntary drug rehabilitation program, the employer may require follow-up testing. Advance notice of a follow-up testing date must not be given to the employee to be tested.

H. Procedures to confidentially report use of medication: Employees and job applicants will be afforded the opportunity to confidentially report the use of prescription or nonprescription medications, both before and after being tested. The information provided shall be reviewed by the Company's Medical Review Officer in interpreting any positive confirmed results. A form will be provided for this purpose and shall provide notice of the most common medications by brand name or common name, as applicable, as well as by chemical name, which may alter or affect a drug test.

I. Medical review of test results: Laboratory results, of all testing provided under the Company's Substance Abuse Program, shall be received and reviewed by a Medical Review Officer (MRO). The MRO shall contact all individuals who test positive to discuss testing results and to inquire about possible prescriptive and/or over-the-counter medications, which could have caused a positive test result. After thorough review of all information relevant to the test result, the MRO shall confidentially report confirmed test results to a designated management official of Sunset Automotive Group.

J. Notification of and right to contest a positive confirmed drug test: An employee or job applicant, who receives a positive confirmed test result, may submit information to Sunset Automotive Group offering further explanation or contesting the confirmed test result within five (5) working days after receipt of written notification of a positive test result. Sunset Automotive Group within fifteen (15) days of receipt of this additional information; shall respond in writing to the tested individual regarding its assessment of the information provided and final determination. In the event an employee/applicant undertakes a legal challenge to a drug test result, the tested individual is responsible for notifying the testing laboratory to ensure that the test specimen is retained by the laboratory until the litigation is finalized. An employee or job applicant may also request a retest of the original specimen within one hundred and eighty days (180) of notice of the positive test result by another qualified laboratory, selected by the employee or job applicant. The employee or job applicant requesting the retest shall be responsible for all fees associated with the retesting request.

K. Confidentiality: All information, interviews, reports, statements, memoranda, and drug test results, written or otherwise received by Sunset Automotive Group through its drug testing program, are confidential communications. Unless authorized by state or federal laws, rules or regulations, the Company will not release such information without a written consent form signed voluntarily by the individual tested.

L. Employee assistance programs, rehabilitation programs and follow-up testing: Employees are encouraged to voluntarily seek rehabilitative treatment. It is the responsibility of each employee to seek assistance before substance abuse problems lead to disciplinary action. Once a violation of this policy occurs, subsequently seeking treatment on a voluntary basis will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action. The employee's decision to seek assistance prior to a known violation of this policy will not be used as the basis for disciplinary action and will not be used against the employee in any disciplinary proceeding. Payment of all treatment services shall be the responsibility of the employee. Such employees may be granted leave with a conditional return to work depending on a successful completion of the agreed upon appropriate treatment regimen and availability of a job position. Such employees shall be subject to unannounced follow-up substance abuse testing. If follow-up drug or alcohol testing reveals substance abuse, the

employee will be terminated from employment. Employees may seek aid for drug or alcohol abuse from the following examples of local employee assistance programs and drug rehabilitation programs:

Centerstone Addiction Center
2020 26th Avenue East
Bradenton, FL 34208
941-782-4150

Bayside Center for Behavioral Health
1650 S. Osprey Ave.
Sarasota, FL 34239
941-917-7760

First Step Alcoholics Anonymous
1726 18th Street 1748 Independence Blvd # B2
Sarasota, FL 34234 Sarasota, FL 34234
941-366-5333 941- 951-6810 (24 Hr. Hotline)

Sunset Automotive Group does not recommend or endorse any of the above programs. The list is provided solely for your information.

M. Employee / Applicant with a Positive Test:

1. If an applicant fails the pre-employment drug test, the employment offer will be withdrawn. They may re-apply for employment after 6 months.
2. If an active employee tests positive, their employment will be terminated. They may apply for available openings after 6 months.
3. In either case, if an individual is employed after previously testing positive on a drug test administered by the Sunset organization, they will be subject to periodic unannounced testing for up to 2years.
4. If an individual is hired after previously failing a drug test and tests positive on a periodic unannounced test, they will be terminated and will not be eligible for rehire.

This policy supersedes any information provided to applicants and/or employees, either written or oral pertaining to substance abuse. Sunset Automotive Group reserves the right to amend the provisions of this policy and testing program at any time based upon its needs in the conduct of its business or to ensure compliance with state and federal requirements. Such modifications or amendments shall immediately become applicable to all employees and compliance shall continue to be a condition of employment. This policy is intended for informational purposes only. Neither it, Company practices nor other communications create an employment contract.