

**THERMAL CONCEPTS, INC.**  
**DRUG-FREE WORKPLACE POLICY (SHORT FORM)**

In a commitment to safeguard the health of our employees and to provide a safe working environment for everyone, THERMAL CONCEPTS, INC. has established a Drug-Free Workplace Policy. This policy is implemented pursuant to the Drug-Free Workplace program requirements under Florida Statute 440.102 and the rules of the Department of Labor and Employment Security (WC38F-9.001/13), Division of Workers' Compensation and the Omnibus Transportation Employee Testing Act of 1991 and the U.S. DOT/FHWA rules published 2/15/94. The essential parts of this policy are:

1. **THERMAL CONCEPTS, INC.** prohibits the illegal use, possession, sale, manufacture, or distribution of drugs or other controlled substances on its property and/or while on duty. It is also against THERMAL CONCEPTS, INC.'s policy to report for work and/or to work under the influence of alcohol and/or other drugs. As a condition of their employment, the employee will abide by the terms of the statement and will notify their employer of any conviction of, or plea of guilty or nolo contendere to, any violation of Chapter 893 or of any controlled substance law of the United States of any state, for a violation occurring in the workplace no later than five (5) days after such conviction.
2. **PRE-HIRE JOB APPLICANT SCREENING:** Thermal Concepts, Inc. will conduct pre-hire drug tests designed to prevent the hiring of individuals who use illegal drugs or misuse alcohol or prescription medications. If a job applicant refuses to submit to the required drug/alcohol test, have a positive confirmed test, tampers with or adulterates the screening specimen, he/she will be ineligible for immediate employment and ineligible to reapply for employment for a minimum of twelve (12) months. The job applicant will not be eligible for employment until notification from the Medical Review Officer (MRO) confirms a negative (-) test result. The Human Resources Administrator will notify the Division Manager of eligibility.
3. **TESTING OF EMPLOYEES:**
  - A. **Reasonable-Suspicion Testing:** Employees will be tested if there is a reasonable-suspicion that an employee is using, has used, or is under the influence of alcohol and/or drugs.
  - B. **Post Accident Testing:** All employees involved in a work-related accident, which requires medical treatment beyond first aid, must submit to a post-accident drug screen after seeking any necessary medical treatment. A post-accident alcohol test may apply. The employee must report to the designated collection site for testing if the drug and/or alcohol collection is not performed following treatment. If an employee causes or contributes to the cause of a work-related accident, and/or causes property and/or vehicular damage, he/she may be required to submit to a drug screen.
  - C. **Random Testing:** Employees performing functions identified as *Safety-Sensitive* are subject to random testing. Upon notification that random testing is required, the employee MUST for testing on an immediate basis.
  - D. **Follow-up Testing:** If an employee enters the Drug-Free Workplace follow-up program of the Employee Assistance Program for drug and/or alcohol related problems after taking a drug and/or alcohol test, the employee must submit to the drug and/or alcohol testing required, and in accordance with state and/or federal laws, rules or regulations, for a period no less than two (2) years. Follow-up testing will be at the expense of the employee.
  - E. **Additional Testing:** Additional testing may be also conducted by THERMAL CONCEPTS, INC. as required by applicable state and/or federal laws, rules or regulations or as deemed necessary by the company.
4. **DISCIPLINARY ACTION:**
  - A. In the case of a first-time violation of company policy, including a positive drug and/or alcohol test result, and a tampered with or adulterated specimen (without evidence of the use, sale, possession, distribution, dispensation, or purchase of drugs on company property or while on duty), the employee will be subject to discipline up to and including discharge.
  - B. The company may suspend employees without pay pending the results of a reasonable-suspicion drug and/or alcohol test.
  - C. Any employee using, selling, purchasing, holding or distributing illegal drugs on duty and/or on company property will be discharged.
4. All information, interviews, reports, statement memoranda and drug test results, written or otherwise, received by the company as part of this drug testing program are confidential communications. Unless authorized by state laws, rules, or regulations, the company will not release such information without written consent voluntarily given by the person tested.
5. Prior to testing, the job applicant and employees will be given a list of the most common medications by brand name or common name and chemical name which may alter or affect a drug test.
6. **Any employee who refused to submit to a drug and/or alcohol test automatically forfeits his/her eligibility for all workers' compensation medical and indemnity benefits, and will be discharged.**
7. The company's Employee Assistance Program (EAP) provider is prepared to provide assistance to all employees and their dependents.
8. A job applicant or employee who receives notice of a confirmed positive drug test, a tampered with or adulterated specimen may contest or explain the reason to the Medical Review Officer with five (5) days after receiving written notification. If the job applicant or employee's explanation is unsatisfactory to the Medical Review Officer, the job applicant or employee may contest the results. It is then the job of the job applicant or employee's responsibility to notify the drug-testing laboratory, within 180 days, of an administrative or legal action. The lab will maintain the sample until the case or administrative appeal is settled.
9. Job applicants or employees have the right to consult the Medical Review Officer for technical information regarding any medications.
10. To ensure that drugs and/or alcohol do not enter or affect the workplace, the company reserves the right to search all containers, lockers, or other items on company property in furtherance of this policy. Individuals may be requested to display personal property for visual inspection upon the company's request. Failure to consent to search and display for visual inspection will be grounds for disciplinary action. Searches of employee's property will take place only in the employee's presence. All searches under this policy will occur with the utmost discretion and consideration of the employee involved.
11. As a condition of employment any employee arrested for a drug related crime must notify an officer of the company within five (5) days.

12. The consent of these drug and alcohol guidelines are presented as statements of THERMAL CONCEPTS, INC.'s current policy and may be changed and updated at any time. These guidelines are not intended to create a contract between THERMAL CONCEPTS, INC. and any employee. Nothing in these guidelines binds the company to a specific or definite period of employment or to any specific policies, procedures, actions, rules, or terms and conditions of employment. Details of this policy are available from the Human Resources Office.

## **THERMAL CONCEPTS, INC.**

### **DRUGS WHICH MAY ALTER OR AFFECT A DRUG TEST**

The following listed are the most common medications by brand name or common name, chemical name, and street names which may alter or affect a drug test. The company will test for all the listed drugs except alcohol, which WILL be tested for ONLY when a reasonable suspicion of alcohol misuse exists or when alcohol testing is required by federal regulations.

**ALCOHOL:** (booze, drink, beer, liquor, wine, moonshine)

All liquid medications containing ethyl alcohol (ethanol). Please read the label for alcohol content. As an example, Vick's Nyquil is 10% (20 proof) ethyl alcohol, Comtrex is 20% (40 proof) and Listerine is 26.9% (54 proof).

**AMPHETAMINES:** (bennies, black beauties, crystal, speed, uppers, crank)

Obetrol, Biphetamine, Desoxyn, Dexedrine, Direx.

**CANNABINOIDS:** (marijuana, hashish, maryjane, grass, reefer, pot, dope, etc.)

Marinol (Dronabinol, TEC).

**COCAINE:** (coke, crack, blow, nose candy, toot, snow)

Cocaine HCl topical solution (Roxanne).

**PHENCYCLIDINE:** (PCP, angel dust) Not legal by prescription.

**METHAQUALONE:** (ludes, Quaalude, optimil, parest) Not legal by prescription.

**OPIATES:** (heroine, horse, smack, powder)

Paregoric, Prepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Empirin with Codeine, APAP with Codeine, Aspirin with Codeine, Robittusin AC, Guitess AC, Novahistine DM, Expectorant, Dilaudid (Hydro morphine), M-S Contin and Roxanol (morphine and sulfate), Percodan, Vicodin, etc.

**BARBITURATES:** (barbs, rainbows, downers, golf balls, reds, blues)

Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebaral, Butabarbital, Butabital, Phrenilin, Triad, etc.

**BENZODIAZEPINES:** Atavan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.

**METHADONE:** Dolphin, Methadose

**PROPOXYPHENE:** Darvoset, Darvon N, Dolene, etc.

**CONFIDENTIALITY REPORT**

Thermal Concepts, Inc. provides this form to job applicants and/or employees to confidentially report the use of prescription or non-prescription medications to the Medical Review Officer both prior to and after the drug and/or alcohol test.

Over-the-counter and prescription medications could alter or affect the outcome of a drug test.

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This document is provided with *authorization slips* and Drug-Free Workplace Policy (Short Form) to all job applicants and/or employees requiring a drug and/or alcohol screening test.

