

COMPANY DRUG, ALCOHOL AND CONTRABAND POLICY

FOR

ALFRED PALMA, L.L.C.

GENERAL CONTRACTORS & CIVIL ENGINEERS

ALFRED PALMA, L.L.C.
GENERAL CONTRACTORS & CIVIL ENGINEERS
PO Box 1565, Lake Charles, LA 70602
422 7th Street, Lake Charles LA 70601
(337) 436-0830 (337) 436-2530 – Fax

COMPANY DRUG, ALCOHOL AND CONTRABAND PROGRAM

I. PURPOSE OF THIS PROGRAM

The purpose of the Anti-Drug, Alcohol and Contraband Program is to assist us in providing a safe and healthy working environment for our employees; to comply with Local, State and Federal workplace regulations; and to protect the property of the Company and that of the Client/Owner.

This Anti-Drug, Alcohol and Contraband Program will be made available for inspection by job applicants or employees during regular business hours at the main office or at the job site trailer.

II. STATEMENT OF THIS PROGRAM

Being at work, or reporting for work, with and detectable quantity of a prohibited and/or unauthorized drug in any employee's system is strictly prohibited and will not be tolerated.

The possessions, concealment, transportation, promotion or sale of the following items of substance by any employee of Alfred Palma, L.L.C., or by any employees of a subcontractor of Alfred Palma, L.L.C., is also strictly prohibited on all company premises, whether before, during or after work hours:

1. Illegal drugs, controlled substances (including trace amounts), look-alike drugs, designer drugs or any other substance which may have the effect on the human body being a narcotic, depressant, stimulant, hallucinogen or cannabin (herein called "drugs").
2. Alcoholic beverages
3. Firearms, ammunition, weapons and explosives.
4. Unauthorized items:
 - a. Any stolen property
 - b. Unauthorized prescription drugs.
 - c. Drug Paraphernalia.

The term "Company Premises" includes all locations at which work is performed by Alfred Palma, L.L.C., its employees or Subcontractors, or which are assigned to Alfred Palma, L.L.C., for its use by a client or another contractor, including parking lots and storage areas. It also includes automobiles, trucks and all other vehicles and equipment whether company owned or leased regardless of location.

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III. USE OF PRESCRIPTION DRUGS

Employees on any company premises who are using prescription drugs under a doctor's orders must notify supervisor prior to beginning work of the identity and dosage of such prescription drugs.

Alfred Palma, LLC at all times reserves the right to have its company physician determine if a prescription drug or medication produces hazardous affects and further reserves the right to restrict its use on company premises or restrict the employee's work activity (as suggested by the physician).

IV. TYPES OF DRUG SCREEN

Alfred Palma, LLC reserves the right to utilize a comprehensive drug and alcohol screen by urinalysis or other approved medical testing procedure to help in the control of detection of drug and alcohol usage. The drug test program includes the following types of tests:

1. Pre-Employment/Pre-Access Testing

Prior to being hired or start of work at certain job site locations, an individual will be required to pass a comprehensive drug screen by urinalysis. Individual must sign a consent form allowing Contractor to release the Client/Owner the results of any drug test, should such a requirement exist.

2. Post-Accident Testing

Immediately following, or as soon as possible after any even which results in an OSHA recordable injury, a D.O.T. reportable incident, damage to Client's/Owner's or contractor owned property, or injury to any fellow employee. Drug testing will be performed on those employees whose actions contributed to the accident or cannot be completely discounted as having contributed to the incident. Testing may include a drug screen by urinalysis and/or blood alcohol testing. Similarly, these tests may be required following the incident which, had proceeded, would have a potential for personnel injuries, extensive property damaged serious liability claims.

3. Reasonable Cause Testing

Employee will be substance tested when there is a reasonable cause to believe that employee is using a prohibited substance. The decision to test will be based on observable specific, contemporaneous physical, behavioral, or performance indicators associated with such use. The decision to require reasonable cause testing will be made by either two contractor supervisors or one contractor supervisor and one Client/Owner Representative. The Contractor and/or Owner shall have the right to deny such employee to the site pending receipt of the test results.

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4. Random Testing

Alfred Palma, LLC will utilize a random testing program for selection of on site employees by the use of random number tables. These tests will be scheduled so as to annually be equal to the one half the numbers of employees working on site.

Example: Testing with 12 employees on site:
Test required = $(12/2)/6 = 1$

V. THE DRUG TESTING LABORATORY UTILIZED BY ALFRED PALMA, L.L.C. IS:

URGENT CARE/THE CLINIC
4320 Lake Street
Lake Charles, La 70605

BUSINESS HEALTH PARTNERS
Hwy. 108
Sulphur, La 70663

The Laboratory Will Test For:

Marijuana
Amphetamines
Methamphetamines
Cocaine
Opiates (Codeine/Morphine)
Phencyclidine
Barbiturates (PCP)
Benzodiazepines
Methadone
Methaqualone
Alcohol (if deemed necessary)

Alfred Palma, L.L.C. will maintain records for three years showing the following items:

- a. Employee test results – Positive/Negative
(NOTE: Failed test records will be retained 5 years)
- b. Records will include name, job function, age, prohibited drug used, and disposition.
- c. Individual employee test records for those who have passed the tests.
- d. Number of employees tested and type of test given (Retain for 5 years).

The Client/Owner, upon request, has the right to audit the Contractor's personnel records to verify that: (1) Tests are being conducted as required, (2) procedures for handling samples establish a change of custody which prevents tampering and switching of samples, (3) the laboratory being used for testing is approved by the Client/Owner and is conducting testing using a scientifically sound method.

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VI. PROCEDURE FOR POSITIVE DRUG SCREEN RESULTS

Alcohol blood test results will be considered positive when there is an alcohol concentration equal to or exceeding the intoxication level recognized by the State of Louisiana (currently 0.08).

Drug test results will be considered to be positive when the laboratory is able to certify the presence of a prohibited substance in an amount in excess of the test levels specified in the Department of Transportation regulations, 49 CFR 40 in the urine sample.

Any employee who fails the post-accident testing, the reasonable cause testing, or the random testing will be subject to the following:

- a. Immediate removal from job site to minimize danger to the individual or others, pending further action.
- b. Should the test come back positive for any illegal substance, his employment will be suspended without question for a period of 3 weeks. The employee will be allowed to return to work at the end of that period only upon a negative drug test at an employer approved testing locations at the employee's expense.
- c. Should the employee question the accuracy of the original test, a retest of the original urine sample may be performed at the employee's expense.
- d. A negative drug screen taken more than 24 hours after the initial drug screen will not negate the requirement for a 3 week suspension period.
- e. Employee's return to work (after the 3 week period) will be on a probationary status. Employee will be subject to schedule a random drug tests at the discretion of the employer or supervisor.
- f. Any future drug test found to be positive for illegal substance will result in immediate termination without recourse or appeal.

VII. EMPLOYEE EDUCATION PROGRAM

1. Supervisor Educations

Training for supervisors to provide an awareness of alcohol and drug use problem will be conducted annually for a minimum of one hour and will cover specific symptoms of possible drug use. This training is to educate the supervisor to recognize the symptoms in order to determine whether or not an employee is to be drug tested for "Reasonable Cause".

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2. Employee Education

Education of the on-site work force utilizing display and distribution of informational materials, community service “hot-line” numbers for assistance, and the Policy of Alfred Palma, L.L.C. regarding the use of drugs will be performed periodically as part of the job “toolbox safety meetings”.

VIII. SUBCONTRACTORS

All Subcontractors to Alfred Palma, L.L.C. will comply with this Anti-Drug and Alcohol and Contraband Policy and with the provisions of the Client’s/Owner’s controlled substance and drug abuse guidelines, if such requirements exist.

IX. SEARCHES AND INSPECTIONS

The Client/Owner and/or Alfred Palma, L.L.C. at their own discretion, may conduct searches and inspections of employees, other persons, vehicles, lunch boxes, tool boxes, personal effects, clothing for the purpose of determining if such employee or persons are in possession of, using, transportation, or concealing of any prohibited items and substances. Such searches and inspections may be conducted by supervisors or professional investigators; trained search dogs may be used.

X. REFUSAL TO SUBMIT TO DRUG SCREENING OR INSPECTIONS

An employee who refuses to submit to a urine drug screen, a blood alcohol test, a search or inspection will be immediately removed from all company premises for a period of 3 weeks. Employment with Alfred Palma, L.L.C. may be terminated pending an investigation by the employer. The employee will not be allowed to return to work without both a current negative drug screen at the employer’s testing location and the approval of Management of Alfred Palma, L.L.C.

COMPLIANCE WITH THIS PROGRAM IS A CONDITION OF EMPLOYMENT