

**TRI-GEN INC.
d/b/a GENERAL DRILLING, INC.**

DRUG AND ALCOHOL POLICY

Tri-Gen, Inc. d/b/a General Drilling, Inc., ("GDI"), has a vital interest in maintaining a safe and productive work environment for its employees. We recognize the need to protect not only company personnel, equipment and operations but also that of our customers while we are working at their properties. We recognize the need for company personnel to be free from the risks which result from operating equipment while under the influence of drugs or alcohol. Further, we recognize the need to protect even those employees who might endanger themselves through the abuse of alcohol or drugs. Being under the influence of a drug or alcohol on the job may pose serious safety and health risks not only to the user but to all those who work with the user. The possession, use or sale of an illegal drug or alcohol in the workplace may also pose unacceptable risks for safe, healthful and efficient operations.

GDI recognizes that its own health and future are dependent upon the physical and psychological health of its employees. With those basic objectives in mind, GDI has established the following policy with regard to the use, possession or sale of alcohol or drugs.

| |
|-------------------------|
| Policy Statement |
|-------------------------|

1. PRE-EMPLOYMENT SCREENING

GDI will maintain pre-employment screening practices designed to prevent hiring individuals who use illegal drugs or individuals whose use of legal drugs or alcohol indicates a potential for impaired or unsafe job performance.

2. ON-THE-JOB USE, POSSESSION OR SALE OF DRUGS OR ALCOHOL

A. Alcohol

Being under the influence¹ of alcohol by any employee while performing GDI business is prohibited to the extent that such use or influence may affect the safety of co-workers, customers or members of the public, the employee's job performance, or the safe and efficient operations of GDI. Except as permitted by GDI Management, consumption of alcohol while on GDI's premises is prohibited.

B. Legal Drugs²

Except as provided below, the use or being under the influence of any legally obtained drug by any employee while performing GDI business or while in a GDI vehicle is prohibited to the extent such use or influence may affect the safety of co-workers, customers, or members of the public, the employees' job performance, or the safe or efficient operation of GDI. An employee may continue to work, even though under the influence of a legal drug, if Management has determined that the employee does not pose a threat to the employee's own safety or the safety of co-workers and customers and that the employee's job performance is not significantly affected by the legal drug. Otherwise the employee may be required to take a leave of absence or comply with other appropriate action determined by Management.

C. Illegal Drugs³

The use, sale purchase, transfer or possession of an illegal drug by any employee while performing GDI business or while in a GDI vehicle is prohibited. **The presence in any detectable amount of any illegal drug in an employee while performing GDI business or while in a GDI vehicle is prohibited.**

3. DRUG AND ALCOHOL SCREENING

All Drug and Alcohol Screening Tests will be conducted in accordance with established D.O.T guidelines as defined in the current Federal Motor Carrier Safety Regulations Pocketbook. **An employee's consent to submit to such tests is required as a condition of employment.**

A. All Employees

In addition to pre-employment drug screening all employees will now be subject to:

- **Random Drug Tests** All employees will be subject to random drug tests. In order to comply with D.O.T percentage requirements, employees holding a Commercial Drivers License will be in a separate random testing pool from non-CDL employees.
- **Post Accident Drug Tests** Any employee involved in an accident involving a GDI vehicle in which there is bodily injury to any party requiring medical treatment away from the scene of the accident and/or there is property damage exceeding \$1,000.00 is required to go to the nearest hospital or clinic to obtain a drug and alcohol test within three hours post accident.
- **Suspicion** GDI may also require a blood test, urinalysis, or other drug/alcohol screening of any employee suspected of using or being under the influence of a drug or alcohol or where circumstances or workplace conditions justify it.

B. Employees with Commercial Drivers Licenses

In addition to the tests described in **3. A.**, all employees holding Commercial Drivers Licenses will be subject to drug screening tests in conjunction with bi-annual D.O.T. physical examinations.

4. POSITIVE TEST RESULTS

Test results showing any of the following characteristics will be considered "positive" and will subject the employee to disciplinary action:

- a. Urine screen showing a forensically acceptable positive quantum of proof of amphetamines, cocaine, barbiturates benzodiazepines, or any other controlled substance.
- b. Gas chromatography/mass spectrometry urine screen confirming an initial immunochemical assay of one hundred (100) or more nanograms cross reactive cannabinoids/mL (marijuana).
- c. Blood/alcohol concentration equal to or above the level of 0.02 GM/DL.
- d. Failure or refusal to take a drug or alcohol screen will be considered a "positive" test result.

5. DISCIPLINARY ACTION

GDI will take disciplinary action based on "positive" test results as follows:

- a. A positive test result for illegal drugs will result in immediate dismissal from employment.
- b. A positive test for blood/alcohol may result in a 30 day suspension in employment without pay. Any employee who requests treatment will be referred to a treatment facility. The cost of the care unit or treatment facility will be paid according to the current provisions of the group insurance policy, provided the care unit or treatment facility is among those approved by the insurance carrier.
- c. Upon completion of the 30 day suspension the employee will be required to test "negative" before returning to work.

- d. A "positive" result on this return testing will result in immediate dismissal.
- e. An employee receiving a substance suspension may be required to submit to random testing at any time during the 6 month period following the employee's return to work. If the employee tests "positive" on any of the random testing described herein, the employee will be immediately terminated. If the employee tests "positive" on any other of the previously described substance abuse screening tests during the 24 month period following a substance suspension, the employee will be immediately terminated.

6. EMPLOYEES' REPORTING REQUIREMENTS - LEGAL DRUGS

An employee's use of a legal drug can pose a significant risk to the safety of the employee or others. Employees who feel or have been informed that the use of a legal drug may present a safety risk are to report such drug use to Management.

7. EMPLOYEE ASSISTANCE PROGRAM

GDI maintains an Employee Assistance Program ("EAP") which provides help to employees who suffer from alcohol or drug abuse and other personal/emotional problems. The cost of professional assistance will be paid according to the provisions of GDI's group health insurance policy. **It is the responsibility of each employee to seek assistance from the Employee Assistance Program before alcohol and drug problems lead to disciplinary action, which can include termination.** Once a violation of this Policy occurs, subsequently using the EAP 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 prior assistance from the EAP will not be used as the basis for disciplinary action and will not be used against the employee in any disciplinary proceeding. On the other hand, using the EAP will not be a defense to the imposition of disciplinary action where facts proving a violation of this Policy are obtained outside the EAP.

GDI RESERVES THE RIGHT TO CHANGE OR MODIFY THE PROVISIONS OF THIS POLICY AT ANY TIME IN THE FUTURE.

I HAVE READ AND UNDERSTAND THE TERMS AND CONDITIONS OF THE ABOVE DRUG AND ALCOHOL POLICY.

EMPLOYEE

DATE

1. "Under the influence" means, for the purposes of this Policy, that the employee is affected by a drug or alcohol or the combination of a drug and alcohol in any detectable manner. The symptoms of influence are not confined to those consistent with misbehavior, not to obvious impairment or physical or mental ability such as slurred speech or difficulty in maintaining balance. A determination of influence can be established by a professional opinion, a scientifically valid test, and, in some cases such as alcohol, by a lay person's opinion.

2. "Legal Drug" includes prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured.

3. "Illegal Drug" means: any drug (a) which is not legally obtainable or (b) which is legally obtainable but has not been legally obtained. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for prescribed purposes. It also includes marijuana.