



Drug-Free & Alcohol-Free Workplace Policy

Anyone who applies for a position with TempStaff is covered by our Drug-Free & Alcohol-Free Workplace Policy. This policy applies to anyone representing or conducting business for TempStaff. Therefore, this policy applies during all working hours, whenever an individual is conducting business or representing the company, and while an individual is on call, on company property, and at company-sponsored events.

It is a violation of this policy to use, sell, possess, trade and/or offer to sell alcohol, illegal drugs or intoxicants. In accordance with the federal Drug-Free Workplace Act, individuals convicted of a criminal drug violation, including misdemeanors, occurring on company property or company time must notify TempStaff within 5 calendar days of the conviction. This includes any findings of guilt, pleas of “no contest” and impositions of fines, jail sentences or other penalties. TempStaff will take appropriate action within 30 days of notification.

1. You are hereby advised that TempStaff has implemented a drug and alcohol policy and conducts a testing program, pursuant to Sections 71-7-1, et.al., of the Mississippi Code of 1972, Ann. (hereinafter referred to as “the Act”), and you are hereby advised of the existence of said Act.
2. All information, interviews, reports, statements, memoranda and test results, written or otherwise, received by TempStaff through its drug and alcohol testing program are confidential communications and may not be used or received in evidence, obtained in discovery, or disclosed in any public or private proceedings, except in accordance with the Act and these regulations. Any information obtained by TempStaff pursuant to the Act and these regulations shall be the property of the employer. TempStaff shall not release to any person other than the employee or job applicant, or employer medical, supervisory or other personnel, as designated by TempStaff on a need to know basis, information related to drug and alcohol test results unless: (a) The employee or job applicant has expressly, in writing, granted permission for TempStaff to release such information; it is necessary to introduce a positive confirmed test result into an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding, or the information must be disclosed to a federal or state agency or other unit of the state or United States government as required under law, regulation or order, or in accordance with compliance requirements of a state or federal government contract, or disclosed to a drug abuse rehabilitation program for the purpose of evaluation or treatment of an employee; or there is a risk to public health or safety that can be minimized or prevented by the release of such information; provided, however, that unless such risk is immediate, a court order permitting the release shall be obtained prior to the release of the information. The confidentiality provisions provided for by the Act shall not apply to other parts of an employee’s or job applicant’s personnel or medical files. If an employee refuses to sign a written consent form for release of information to persons as permitted in the Act, TempStaff shall not be barred from discharging or disciplining the employee.
3. An employee or job applicant to be tested shall be given (1) a medication disclosure form to permit the employee or job applicant to disclose any nonprescription or prescription medications that have been taken within forty-five (45) days prior to being tested, and (2) a statement that the form shall be submitted directly to the employer’s designated Medical Review Officer, ensuring that no person or entity has access to the information disclosed on the form other than the Medical Review Officer.

Testing

Employees and/or applicants for employment with TempStaff are subject to drug and alcohol under the following circumstances:

- **Pre-employment Testing:** Applicants are required to take and pass a drug and/or alcohol test before he or she may officially be hired by TempStaff. Applicants who refuse to submit to testing will not be considered for employment.

- **Periodic Unannounced and Random Testing:** Employees may periodically be required to submit a specimen for an unannounced drug and/or alcohol test. Employees will be given short notice of the test and will be told when the testing will occur. This may be for employees selected by shift, by department or by any other method chosen by TempStaff, including random selection.
- **Reasonable Suspicion Testing:** If there is suspicion that an employee is under the influence of drugs and/or alcohol while on company property or time, the employee will be required to take a drug and/or alcohol test. Reasonable suspicion will be based on observable instances or actions such as, but not limited to, the following: dangerous conduct, hostile interpersonal relations, possession of drug paraphernalia, or physical symptoms (including bloodshot eyes, slurred speech and vomiting).
- **Post-accident Testing:** Every employee who is directly involved in, or whose actions contributed to, an accident on the job must submit to a drug and/or alcohol test as soon as possible after the incident occurs. Accidents include all Occupational Health and Safety Administration (OSHA) recordable incidents, actions or omissions that result in near-miss accidents and accidents involving injury requiring first aid or off-site medical attention. Accidents also include property damage caused by human error. The TempStaff Risk and Safety Manager and our workers' compensation carrier will be notified of post-accident testing results.

In the event a Client Company requests a TempStaff employee to submit to a drug and/or alcohol test, that Client Company is authorized to release those results to TempStaff. If an employee refuses to submit to the drug and/or alcohol test, TempStaff may request the employee to drug and/or alcohol test in accordance with the Reasonable Suspicion clause.

Disciplinary Action

Employees who are confirmed positive for drugs and/or alcohol will be subject to disciplinary action, up to and including termination, and will not be allowed to return to work until the employee, at his/her own expense, has successfully completed an assessment and/or treatment for drug and/or alcohol abuse or has received certification from a qualified medical professional that he or she is free from drug and/or alcohol use.

Refusal to take a drug and/or alcohol test is considered a positive test result, which subjects the employee to disciplinary action, up to and including termination. Refusal to submit to testing includes, but is not limited to, failure to provide an adequate specimen for a drug and/or alcohol test without a valid medical explanation and/or tampering with, adulterating or diluting a specimen.

Use of Prescription Medications

Nothing in this policy prohibits the appropriate use of prescription medication as legally prescribed by a licensed physician. If an employee is taking prescription medication with potential side effects that may infringe on the safety of the employee or others, he or she must notify TempStaff. Failure to do so may result in disciplinary action, up to and including termination.

Confidentiality

Results of all drug and/or alcohol testing will be kept separate from employee personnel files and treated as confidential information. No results, whether positive or negative, will be shared with anyone outside of the employee's direct supervisory chain of command, except in accordance with the Act, as specified above.

Client Companies of TempStaff may require confirmation of drug/alcohol test results. Additionally, TempStaff may disclose the results of a drug and/or alcohol test to decision-makers in a lawsuit, grievance or other proceeding initiated by or on behalf of the employee. In the event of termination, state unemployment authorities may also be notified of the results.