

LYMAN-RICHEY CORPORATION
SUBSTANCE ABUSE AND NON-DOT TESTING POLICY
Effective February 1, 2019

Lyman-Richey Corporation, a CRH Company, is committed to providing a safe, healthy and productive workplace that is free from alcohol and unlawful drugs as classified under local, state or federal laws, including marijuana, while employees are working on the employer's premises (either on or off duty) and while operating employer-provided vehicles.

In furtherance of this commitment, the Company maintains a policy in which job applicants and current employees may be requested or required to submit to drug and alcohol testing in certain situations. This policy is intended to comply with applicable laws regarding drug and alcohol testing and privacy rights.

The unlawful manufacture, distribution, dispensing, possession, use, sale, or purchase of illegal drugs or contraband or testing positive for alcohol or unauthorized substances at any time is prohibited. Being under the influence of drugs, alcohol or other unauthorized substances during working hours, while on Company property or job sites, while on Company business of any kind or while operating equipment, machinery, or vehicles owned or leased by the Company is prohibited. Unauthorized use of substances includes prescription drugs not current, not taken in the manner prescribed, or use of prescription drugs not properly prescribed to the employee.

Drugs are defined as any drug listed or classified by the US Drug Enforcement Administration as a Schedule I drug or its metabolites or alcohol.

The use of marijuana for recreational and medical purposes is unlawful under federal law. The Company is a federal contractor and, as such, is required to follow federal law regarding marijuana use.

Required Testing

Company employees are subject to the following types of substance testing under this policy:

- Pre-employment drug testing (non-DOT employees only)
- Reasonable suspicion drug and/or alcohol testing (non-DOT employees only)
- Post-accident drug and alcohol testing where: (1) there is a reasonable possibility that drug or alcohol use may have been a contributing factor to the reported injury or accident in that the employee took or failed to take a particular action or step that may have contributed to the injury or accident, and the injury or accident resulted in medical treatment beyond first aid; or (2) the company determines, in its sole discretion, that the employee violated safety precautions or standards, including accidents which resulted in property damage of a monetary value. All employee injuries will be treated prior to any testing being performed. Drug testing in this section will be applied in a neutral manner to ensure a safe work environment, and will not be undertaken to retaliate against employees for reporting

workplace injuries. (non-DOT employees and DOT employees who do not meet the requirements to be tested under DOT regulations following the accident)

- Unannounced drug testing (random) conducted on a neutral selection basis with all non-DOT employees having an equal chance of being selected. (non-DOT employees only)
- Job Specific/Job Required: On projects where it is the requirement of the Owner, Contractor or Subsidiary of the Contractor, employees will be tested according to the applicable contract requirements. (non-DOT and DOT employees). This includes the potential for testing beyond a 5-panel drug screen.
- Follow-Up: Any employee who has been referred by the Company for chemical dependency treatment or evaluation or is participating on their own accord in a chemical dependency treatment program under an employee benefit plan, may be requested or required to undergo unannounced drug and/or alcohol testing during the chemical dependency treatment or evaluation period, and for up to one (1) year following completion of any prescribed chemical dependency treatment program. (non-DOT employees and DOT employees who do not meet the requirements to be tested under DOT regulations to return to work)

DOT Regulated Positions: All employees covered by the U.S. Department of Transportation Drug and Alcohol Testing Regulations will also be subject to a separate DOT Drug and Alcohol Testing Policy. This Non-DOT policy will only apply to DOT employees if the circumstance does not qualify for testing under DOT requirements.

Collection and Testing Procedures

Drug and alcohol testing will be conducted in compliance with federal and state law.

Any testing required by the Company of its employees will occur during, or immediately before or after, the employee's regular work period. All testing is considered work time and the employee will be compensated as such. The actual costs for the initial drug and/or alcohol testing will be paid by the Company.

The Company shall use the services of an accredited, certified, or licensed testing laboratory. Employees and applicants will be required to present reliable identification to the person collecting their drug or alcohol sample. The employee/applicant will be required to provide a urine sample in a location that affords individual privacy. Absent a reasonable suspicion that the test subject will alter or substitute a urine specimen, the medical personnel will not directly observe the collection of the urine specimen.

Alcohol screening will be conducted using devices that appear on the National Highway Traffic Safety Administration's Conforming Products List. Breath alcohol screening will be conducted by certified breath alcohol technicians. All positive breath alcohol screenings will be confirmed with a second confirmation screening. Alcohol testing and confirmation testing will be conducted in accordance with applicable law.

Specimens will be tested at the detection levels established by the Company in accordance with state and/or federal law. Reliable chain-of-custody procedures will be followed to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The chain of custody procedures shall meet the criteria as outlined by law, if applicable.

The Company will rely only on positive test results that have been confirmed by the method or methods of analysis established by governing law.

The sample will be tested for the following drugs unless specified by job specific contract requirements:

Amphetamines/Methamphetamine/MDMA

Cannabinoids (Marijuana)

Cocaine

Opiates (Codeine, Morphine, Heroin, Oxycodone, Hydrocodone, Hydromorphone)

Phencyclidine (PCP)

Drug testing of employees will utilize the split specimen collection procedure under which an employee will have his/her urine specimen sealed in two separate containers with both containers being sent to the laboratory for testing. If an employee's first specimen screening result is positive, the first specimen will be tested again for confirmation.

Both prospective and current employees with a confirmed positive test for illegal drugs will be offered the opportunity to personally discuss the test result with the MRO or his/her representative. The MRO will follow up on such information as he/she deems appropriate. If the employee cannot be located, the MRO, or his/her representative, may request that the Company arrange for the employee to contact the MRO as soon as possible to discuss the results of the positive test. The MRO will communicate a positive result to the Company without discussing the result with the employee if the employee expressly declines the opportunity to discuss the results of the test, or if the employee is instructed by the Company to contact the MRO yet fails to do so within a timely manner. If the MRO finds no reason to doubt the validity of the confirmed positive test, that result as well as the identity of the illegal drug, will be conveyed to the Company contact.

Suspension Pending Receipt of Test Results

The Company may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test where it is reasonably necessary to protect the health and safety of the employee, his or her coworkers or the public. An employee who has been suspended without pay will be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

Consequences

Any applicant who has a confirmed positive test will not be hired. Any current employee who has a confirmed positive test will be terminated from employment with the Company. Any applicant or employee who refuses to cooperate in a drug test, as discussed below, will be considered to have committed misconduct and will have their employment terminated.

An employee/applicant is considered as testing positive for alcohol when their BAC is .04 or above. Employees that test between .02 and .039 BAC will not be allowed to return to work for twenty-four (24) hours from the time of the test. Such employees may also be required to retest before they return to work. Employees who twice tests between .02 and .039 BAC within a twenty-four (24) month time period will be considered to have committed misconduct and will have their employment terminated.

Employees are subject to disciplinary action, up to and including termination, for other activities prohibited by this policy, including, but not limited to, possessing, selling, or buying drugs in the workplace, involvement with illegal drugs or contraband or other controlled substances, or involvement with alcohol or unauthorized substances in a way that would discredit the Company even if such activities are committed during non-working hours, as allowed by law.

Refusal to Test

An applicant or employee may not refuse to take a drug and/or alcohol test when requested to do so, consistent with the terms of this policy. An individual will be considered as refusing to test if he/she:

1. refuses to take a test when so requested;
2. fails to provide an adequate breath, saliva, or urine sample without a valid medical explanation;
3. tampers with or attempt to adulterate the specimen;
4. interferes with the collection procedure;
5. does not immediately report to the collection site;
6. fails to remain at the collection site until the collection process is complete;
7. has a test result reported by an MRO as adulterated or substituted; or
8. leaves the scene of an accident without a valid reason before the tests have been conducted.

Submission of an Adulterated or Diluted Specimen

An adulterated specimen is a urine specimen that the collection technician finds to be out of temperature or is otherwise not a true specimen, or where the testing laboratory finds the specimen to contain a substance that is either not urine or is not the donor's urine. If the collection

technician or the testing laboratory determines that an employee or applicant has submitted an adulterated specimen, the test will be considered positive.

Individuals are advised to avoid drinking large quantities of water (no more than 40 fl oz or 5 cups of water) prior to submitting their specimen for testing as it may result in their specimen being diluted. If it is determined by the collection technician or the testing laboratory that an employee or applicant's specimen is diluted, they will be required to provide a second specimen for testing. If the individual is directed to take another test and declines to do so, the individual has refused the test for purpose of this part.

Confidentiality

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO should be kept confidential to the extent required by law and maintained in secure files separate from normal personnel files. Such records and information may be disclosed as allowed by law.

Inspections

The Company reserves the right to inspect all portions of its premises for drugs, alcohol or other contraband. All employees, contract employees, and visitors may be asked to cooperate in inspections of their persons, work areas and property that might conceal a drug, alcohol or other contraband. Employees who possess such contraband or refuse to cooperate in such inspections are subject to appropriate discipline up to, and including, discharge.

Crimes Involving Drugs

The Company prohibits all employees from manufacturing, distributing, dispensing, possessing or using an illegal drug in or on company premises or while conducting company business. Law enforcement personnel will be notified, as appropriate, when criminal activity is suspected.

The Company recognizes that employees' off-the-job involvement with drugs and alcohol may have an impact on the workplace. Therefore, the Company reserves the right to take appropriate disciplinary action for drug use, sale, or distribution while off company premises.

All employees who are convicted of, plead guilty to, or are sentenced for a crime involving an illegal drug are required to report the conviction, plea or sentence to HR within five days. Failure to comply with this reporting requirement will result in automatic discharge.

Reporting Medication Use

Employees should report to work fit for duty. This policy does not prohibit employees from the lawful use and possession of prescribed or over-the-counter medications; however, some of these drugs, even if used in a manner consistent with the prescribed or recommended dosage, can interfere with job performance and raise safety concerns. Employees of the Company, who: (1) work in safety-sensitive positions; (2) operate Company cars; (3) operate personal or rental vehicles on Company business; or (4) when applicable, positions that require an employee to be around heavy machinery, must advise Human Resources if they are taking prescription or over-the-counter medication that the employee and/or his/her doctor believes will prevent the employee from safely performing his/her job duties. When making this disclosure, employees are not required to disclose the name of the prescription medication or the reason why the prescription medication is being used. Failure to timely notify may result in disciplinary action up to, and including, termination.

Employees subject to the Department of Transportation regulations must comply with the disclosure requirements in the regulations. If you have any questions regarding the DOT disclosure requirements please see your supervisor.

Substance Abuse Awareness

Illegal drug use and alcohol misuse have many serious adverse health and safety consequences. Information about those consequences and sources of help for drug or alcohol problems is available from the HR department, which has been trained to make referrals and to assist employees with drug or alcohol problems.

Employee Assistance

Employees who suffer from an alcohol or other substance abuse problem, or who are currently using alcohol or other unauthorized substances in a manner that violates this policy, are urged to acknowledge the problem and seek assistance. They may do so by contacting the Employee Assistance Program at 800-841-5144. Records associated with substance abuse counseling or the Employee Assistance Program will be kept confidential, except to the extent disclosure is permitted or required by law. However, enrollment in a treatment program will not excuse a violation of this policy or any work rule.

If an employee advises the Company that he or she has initiated substance abuse counseling and/or treatment, and the employee has no associated performance problems or other suspected violations of this or other Company policies and the employee has not been informed of upcoming

testing, then the employee will not be terminated on the basis of the disclosure. However, the Company will require that the employee undergo a professional assessment with the Employee Assistance Program, successfully complete a rehabilitation program, and meet the requirements of a return-to-work agreement as conditions of continued employment including follow-up substance abuse testing. Follow-up testing will be conducted in accordance with the recommendations of the substance abuse counselor or designee and as allowed by law.

Once a drug test has been scheduled, unless otherwise required by the Family and Medical Leave Act or the Americans with Disabilities Act, the employee will have forfeited the opportunity to be granted a leave of absence for treatment, and possible discipline up to, and including, discharge will be enforced.

Independent Contractors/Personnel Agencies

All independent contractors who perform services for the Company are expected to be free from the influence of alcohol, illegal substances, or any other substances that could interfere with job performance or raise safety concerns while on Company premises, projects, or business. Any violation of this rule will be grounds for excluding a contractor, an employee of a contractor, or an individual furnished by a personnel agency from the Company's premises, business or projects.

State and Federal Laws and Regulations

To the extent that this policy is in conflict with state or federal law, the applicable state or federal law shall pre-empt this policy.

This policy does not in any way affect or change the status of any at-will employee. Nothing in this policy is a promise or guarantee or should be construed as a promise or guarantee that the Company will follow in any particular circumstances any particular disciplinary course of action or other course of action not mandated by applicable law.