

Substance Abuse Policy

PURPOSE

The purpose of this policy is to achieve a drug-free work force and to provide a workplace that is free from the illegal manufacture, distribution, dispensation, possession, sale, and/or use of illegal drugs and influence of alcohol.

SCOPE

This document describes the current policy and practice of Condor Corporation and will be interpreted, administered, and amended by Condor Corporation within its sole discretion. This procedure is not intended to and does not confer legal rights or impose legal obligations. This policy covers all applicants, rehires, and current employees (including temporary employees).

Definitions

A. The term **illegal drug** refers to drugs and controlled substances of which the possession or use of is unlawful pursuant to the laws of any Federal, State, and local laws and regulations in the United States. Drugs and controlled substances that are not legally obtainable, or that are legally obtainable but have not been legally obtained, are considered to be illegal drugs. Examples include, but are not limited to, amphetamines, barbiturates, benzodiazepine, cannabinoids, cocaine, methadone, methaqualone, opiates, phencyclidine, and propoxyphene.

B. The term **controlled substance** abuse includes prescribed drugs not being used for prescribed purposes or in a prescribed manner.

C. The term **alcohol abuse** includes being under the influence of alcohol during work hours or use by a minor at any time.

D. The term **Company** includes Condor Corporation and all property owned or managed by a member of the Riley family or Condor Corporation.

Policy Objectives

Condor Corporation has instituted the drug/alcohol testing program to minimize the risk of accidents and casualties in our operation. We believe that the implementation of such a program will discourage substance abuse and reduce absenteeism, accidents, health care costs and other drug/alcohol related problems. We also believe this program will enhance the safety and health of our employees by fostering the early identification and referral for treatment of workers with substance abuse problems.

The Condor Corporation drug/alcohol testing program is incorporated in an overall substance abuse policy that is designed to create a drug-free and an alcohol-free workplace. It also contains procedures designed to recognize and respect the dignity and privacy of all of our employees.

SECTION I. PROHIBITIONS

Condor Corporation policy prohibits the following:

- (1) Use, possession, manufacture, distribution, dispensation, or sale of illegal drugs whether on or off Company premises and whether during working hours or non-working hours
- (2) Controlled substance abuse whether on or off Company premises and whether during working hours or non-working hours
- (3) Storing any illegal drug on Company premises or within Company property
- (4) Being under the influence of an illegal drug or engaging in controlled substance abuse on Company premises, while engaged in Company business, while in Company-supplied vehicles, or during working hours
- (5) Testing positive for illegal drugs or controlled substances including prescribed medicine, without a legal basis for use
- (6) Switching or adulterating any urine sample submitted for testing, or submitting a false sample for testing
- (7) Personal use, or non-business related possession, sale, or distribution of alcohol, or being under the influence of alcohol on Company premises during work hours or in Company-supplied vehicles, whether during working hours or non-working hours
- (8) Refusing to consent to testing when required by a Company Official
- (9) Being indicted or convicted under any criminal drug statute for a violation occurring in the workplace or outside the workplace
- (10) Failing to notify the Company of any incident or conviction under any criminal drug statute within 24 hours of the event

SECTION II. REQUIRED TESTING

1. Post-offer (pre-employment) testing

Any applicant considered for employment will be required to submit to a pre-employment physical and screening for illegal drugs and controlled substances. Condor Corporation will test all applicants, whether new employees or rehires. Condor Corporation requires that every newly hired and rehired employee be free of illegal drug use and controlled substance abuse. Each offer of employment shall be conditioned upon the successful completion of a test for illegal drugs and controlled substances as prescribed by the Company.

Any applicant who tests positive in the pre-employment drug test shall be rejected unless the applicant adequately establishes a legal basis for the use of the drug or controlled substance with respect to which the applicant tested positive. Condor Corporation will, in its sole discretion, determine (and may at any time change) the requirements and frequency of employee testing.

2. Probable suspicion/reasonable cause testing

Condor Corporation will require a drug and/or alcohol test for an employee when there is “probable suspicion” that the employee cannot safely perform his or her job and could potentially be under the influence of a prohibited drug and/or alcohol in violation of this policy. If possible, at least two (2) trained supervisors or company representatives should witness the probable suspicion circumstance. One witness is acceptable.

Any employee who refuses testing will be considered as admitting guilt, insubordinate, and will be disciplined as a “positive” result, subject to appropriate disciplinary measures up to and including termination.

Testing:

The employee signing this Substance Abuse Policy agrees to the release of test results to the Condor Corporation Human Resource Department and authorizes the disclosure of the results by the Human Resource Department to the employee’s supervisor, higher management, and other persons.

The employee will not be allowed to drive and will be escorted to the clinic by a supervisor or company official. If the employee refuses to cooperate at any time and attempts to operate his/her own vehicle, the Company will take appropriate efforts to discourage him/her from doing so, up to and including contacting local enforcement officials.

Results:

Pending Condor Corporation’s receipt of the employee’s drug and/or alcohol test results, the employee will be suspended without pay. If the test results are negative, the employee will be reinstated with no loss of time.

Condor Corporation, prior to taking any action, will give all employees who test positive the opportunity to explain in writing the test results. Failure of any employee to adequately establish a legal basis for the use of any drug or controlled substance with respect to which the employee tests positive shall constitute a violation of this policy.

Condor Corporation officers, employees, agents, and representatives may use such information in connection with Company business and disclose it, when required, to government agencies and to others upon valid legal requests, legal proceedings, and other situations to protect the interests of and otherwise in accordance with policies on employee data.

Condor Corporation will establish and maintain any and all additional testing programs and requirements that may be necessary or appropriate to comply with applicable rules and regulations of all government agencies.

3. Post work-accident testing

Any employee involved in a reportable accident will be required to submit to a drug/alcohol test. Non-compliance with these terms will be considered an admission of guilt and disciplined as a “positive” test result. Any employee failing or refusing to provide a drug/alcohol sample or who has a verified positive or adulterated test result after being involved in an accident will be subject to appropriate disciplinary measures, up to and including termination.

Failure to inform supervisor(s) of reportable accidents immediately are also subject to appropriate disciplinary measures, up to and including termination.

SECTION III. ASSISTANCE IN OVERCOMING ILLEGAL DRUG USE OR SUBSTANCE ABUSE

Early recognition and treatment of illegal drug use or controlled substance abuse is important for successful rehabilitation, return to productive work, and reduced personal, family, and social disruption. Condor Corporation encourages the earliest possible diagnosis and treatment for illegal drug use or controlled substance abuse.

Condor Corporation supports sound treatment efforts. Condor Corporation will not, however, assist employees in overcoming illegal drug use or controlled substance abuse. The decision to seek diagnosis and accept treatment for illegal drug use or controlled substance abuse is the individual employee's responsibility.

Should an employee be terminated due to a positive test result and before an employee can be reinstated to his/her job, he or she must first complete a substance abuse program, receive a verified "negative" substance test, and must reapply for a position with Condor Corporation.