DRUG & ALCOHOL POLICY

NON-DOT & DOT POLICIES

2023

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GENERAL POLICY STATEMENTS APPLICABLE TO ALL JB ASSOCIATES

PURPOSE. The Federal Motor Carrier Safety Administration ("FMCSA") and the U.S. Department of Transportation ("DOT") have established mandatory drug and alcohol testing requirements for drivers of commercial motor vehicles to help prevent accidents and injuries resulting from the use of illegal drugs and misuse of alcohol. Equally important, JB Group, Inc. ("JB" or the "Company") values the health and safety of its associates, customers, and the public. Therefore, in accordance with applicable law and our own Company values, it is the policy of JB to maintain a workplace free from the use and abuse of illegal drugs and alcohol. JB will require that all associates and applicants participate in, consent to, and comply with the terms of this Policy as a condition of employment and continued employment. If questions arise regarding this Policy, please direct them to JB's Designated Employer Representative ("DER") Amy Stay, Director of Human Resources 763-497 9535 or Amy.Stay@jbgroup.com.

NON-DISCRIMINATION. In accordance with the requirements of the Americans with Disabilities Act, JB does not discriminate against associates or applicants who are qualified individuals with a disability who are not currently engaged in the use of illegal drugs, and who do not otherwise violate the provisions of this Policy, including but not limited to individuals who: 1) have successfully completed or who are currently participating in a supervised rehabilitation program and are no longer engaging in such use; or 2) have otherwise been rehabilitated successfully and are no longer engaging in such use.

INSPECTIONS. JB reserves the right to inspect JB vehicles, Company premises and property (including offices, desks, lockers, and other repositories), and personal effects (such as lunch boxes/bags, purses, gym bags, backpacks, handbags, briefcases, packages, or coats) at any time with or without notice. **Associates should have no expectation of privacy concerning any property they bring on Company premises**. Areas and items subject to search and inspection include, but are not limited to desks, lockers, backpacks, purses, packages, toolboxes, lunch boxes, offices, work areas, parking areas, and Company or privately owned vehicles (including trunks and glove or storage compartments). Any material either illegal or in violation of Company policy may be confiscated.

RESERVATION OF RIGHTS. JB reserves the right to interpret and administer this Policy, and at any time and at its sole discretion, amend or change this Policy, in whole or in part, with or without notice. This Policy automatically incorporates any changes to DOT or FMCSA regulations (49 CFR, Parts 40 and 382) or related regulations or statutes that govern the use of drugs and alcohol by associates who hold a Commercial Driver's License ("CDL") and drive a commercial motor vehicle ("CMV") as well as any changes to applicable state law. Should there be any conflict between this Policy and DOT or FMCSA regulations and/or state law, the applicable federal or state law shall prevail. This Policy is not an express or implied contract of employment or offer for a contract of employment, nor is it to be interpreted as such. Additionally, this Policy does not in any way affect or change the status of any at-will associate.

Drug and Alcohol Testing Policy for Non-DOT Applicants and Associates

PURPOSE. The Company is committed to maintaining a work environment that is free from the use or abuse of alcohol, cannabis, and/or drugs to protect the health, safety, and well-being of our customers and associates. The Company has therefore established this Drug and Alcohol Testing Policy for Non-DOT Applicants and Associates ("Non-DOT Policy").

COVERAGE. This Non-DOT Policy is applicable to all applicants and associates of the Company (including FMCSA-regulated drivers to the extent they are not performing work covered by or required to undergo a DOT-regulated test pursuant to, the Company's Drug and Alcohol Testing Policy for FMCSA-Regulated Drivers).

NON-DISCRIMINATION. In accordance with Minnesota's Medical Cannabis and other applicable laws, the Company does not discriminate against associates or applicants based on their status as a patient enrolled in the medical cannabis registry program or based on a positive test result for cannabis or metabolites unless the patient used, possessed, or was impaired by medical cannabis on the Company's premises or during working hours.

PROHIBITIONS/RULES OF CONDUCT

All associates of the Company are strictly prohibited from engaging in the following conduct:

1. Using, possessing, transferring, and/or selling alcohol, cannabis, and/or drugs while working, while on any premises owned or operated by the Company, customer job sites, or while operating any Company vehicle, machinery, or equipment. "Drug" or "drugs" means a controlled substance whose use or possession is regulated or prohibited by federal, state, or local law, but does not include marijuana, tetrahydrocannabinols, cannabis flower, cannabis products, lower-potency hemp edibles, and hemp-derived consumer products, as defined by Minnesota state law. Drug or drugs also includes prescription medication that is used in a manner inconsistent with the prescription or for which the individual does not have a valid prescription, and over-the-counter drugs used for a purpose other than as intended by the manufacturer.[1]

2. Reporting for work and working anywhere on behalf of the Company under the influence of alcohol, cannabis, and/or drugs.

3. Substituting, adulterating, or otherwise tampering with any specimen or sample collected under this Non-DOT Policy, or attempting to do so.

4. Refusing to submit to a drug test as requested by the Company or its designee, or otherwise refusing to cooperate with the terms of this Non-DOT Policy. A refusal to test includes, but is not limited to, conduct that obstructs the testing process, failing to sign

[1] However, as set forth in Minnesota's Recreational Marijuana and other applicable laws, the Company does not permit or accommodate cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment, sale, or transfer while an employee is working or while an employee is on the Company's premises or operating its vehicle, machinery, or equipment.

necessary paperwork, failing to report to the collection site at the appointed time, and failing to provide an adequate sample.

5. Failing to consent to, participate in, and abide by the terms and recommendations of any evaluation, treatment, or rehabilitation program to which the Company makes a referral, including but not limited to, failure to follow recommendations, if any, regarding behavior modification and abstinence as well as any failure to be available for any prescribed continuing or follow-up sessions.

6. Refusing to cooperate with a search or inspection on Company premises.

TESTING REQUIRED

The Company reserves the right, within the limits of federal and state laws, to examine and test for the presence of drugs. Under the conditions of this Non-DOT Policy, applicants or associates may be asked to submit to urine, saliva, and/or blood testing for drugs. The Company may test for drugs under the following circumstances:

A. PRE-EMPLOYMENT/PRE-PLACEMENT. The Company makes all offers of employment for associates working in safety-sensitive positions subject to and conditioned on the applicant's: (1) consent to taking a drug test; and (2) a negative test result. Applicants will be required to voluntarily submit to drug testing and sign the Drug and Alcohol Policy Acknowledgment of Receipt and Consent to Testing form on the last page of this book.

B. RANDOM TESTING. All associates working in "safety-sensitive" positions shall be subject to random testing for drugs. Associates shall be randomly selected for unannounced random testing using a process that provides that all associates in safety-sensitive positions are equally likely to be selected. Safety-sensitive positions include associates in the following departments: Production, Warehouse, Garage, Transportation (Drivers), Maintenance, Inventory Control, and Food Safety/Quality Assurance.

C. FOLLOW-UP TESTING. All associates referred by the Company for substance abuse treatment or evaluation will be required to sign a Return-to-Work Agreement and be subject to unannounced follow-up testing. Specifically, all referred associates will be subject to unannounced follow-up testing for the use of drugs provided such testing is job-related and consistent with business necessity. Follow-up testing applies during the evaluation or treatment period and for up to two (2) years following the completion of any prescribed treatment program. Follow-up testing may include a return-to-duty test on which the associate must provide a negative test result before returning to his/her job duties.

TESTING PROCEDURES

A. NOTICE OF TEST. Before requesting or requiring a drug test, the Company will provide the associate or applicant with a Drug Testing Policy Acknowledgment of Receipt and Consent to Testing Form on which the associate or applicant can acknowledge that he or she has seen the Company's Non-DOT Policy.

B. TEST REFUSAL. An associate or applicant has the right to refuse testing. However, a refusal will be treated as a failure to comply with the Company's Non-DOT Policy and may result

in a withdrawal of a job offer or disciplinary action up to and including termination of employment.

C. SAMPLE COLLECTION. Sample collection and testing for the presence of drugs will be performed in accordance with applicable state and/or local requirements. Sample collection will be performed under sanitary conditions with due regard for the privacy of the individual from whom the sample is obtained and, in a manner reasonably calculated to preclude contamination or substitution of the sample. Sample containers are labeled and a written record of the chain-of-custody of the sample is maintained from the time of collection to final disposition.

D. NOTICE OF NEGATIVE TEST RESULTS. Within three (3) working days after receipt of a negative test result from the testing laboratory, the Company will inform an applicant or associate, in writing, of: (1) the negative test result on the initial screening test or the confirmatory test; and (2) the right to request and receive a copy of the test result report.

E. CONFIRMATORY TESTS. If an initial screening test is positive, samples will be sent to a laboratory certified / licensed in accordance with state law for a confirmatory test using a more sensitive testing process such as Gas Chromatography/Mass Spectrometry ("GC/MS") or an equivalent scientifically accepted method of equal or greater accuracy.

F. NOTICE OF POSITIVE TEST RESULTS. Within three (3) working days after receipt of a confirmed positive test result from the testing laboratory, the Company will inform an applicant or associate, in writing, of: (1) the positive test result on the confirmatory test; (2) the right to request and receive a copy of the test result report; (3) the right to explain the positive result (described below in "Explaining Positive Test Results"); and (4) the right to request a confirmatory retest of the original sample, at his or her own expense.

G. EXPLAINING POSITIVE TEST RESULTS. Within three (3) working days after notice of a positive drug test result on a confirmatory test, the associate or applicant may submit information to the Company to explain the positive result. Additionally, after a positive test result, the Company can request the associate or applicant indicate any over-the-counter or prescription medication he or she is currently taking, or has recently taken, as well as any other information relevant to the reliability of, or explanation for, a positive test result.

H. CONFIRMATORY RETEST. An associate or job applicant may request a confirmatory retest of the original sample, at his or her own expense. Within five (5) working days of receiving notice of the confirmatory results, the associate or applicant must make this request and notify the Company, in writing, of the intention to obtain a confirmatory retest.

Within three (3) working days of receiving the individual's notice to retest, the Company will notify the original testing laboratory that the associate or applicant has requested that the lab conduct a confirmatory retest or arrange for transfer of the sample to the laboratory selected by the individual to perform the confirmatory retest, provided that the laboratory selected must be licensed in accordance with Minnesota Statute § 181.953. If the confirmatory retest does not

confirm the original positive test, the Company cannot take any adverse personnel action based on the original test.

I. DILUTE TEST RESULTS. A positive dilute drug test will be considered to be a positive test. A negative dilute drug test (or the report of an invalid specimen) will result in the individual being required to immediately take another test, with minimum advance notice.

CONSEQUENCES OF POLICY VIOLATIONS

A. APPLICANTS. In the event that an applicant's confirmatory test is positive for the presence of drugs, the applicant refuses to undergo testing (including submitting an adulterated or substituted sample), or the applicant engages in any of the prohibited conduct outlined in this Non-DOT Policy, the conditional offer of employment made to the applicant may be withdrawn.

B. ASSOCIATES. Associates who engage in any of the prohibited conduct outlined in this Non-DOT Policy are subject to discipline, up to and including termination, at the Company's sole discretion. Subject to the terms set forth in this Non-DOT Policy, while the discipline imposed will depend on the circumstances and the Company reserves the right to determine, in its discretion, the discipline imposed, ordinarily certain offenses will result in immediate termination (e.g., refusal to submit to testing, possession, sale, or use of drugs, cannabis, and/or alcohol on Company premises or during working time).

The Company may temporarily suspend an associate subject to drug testing pending the outcome of the confirmatory test (and, if requested, a confirmatory retest) where the Company believes it is necessary to protect the health or safety of the associate, co-associates, or the public. All positive initial screening tests will be verified by a confirmatory test before discipline is imposed or a conditional job offer is withdrawn.

1. First Positive Test Result on Confirmatory Test: An associate will not be discharged based on a first-time positive result on a confirmatory test for drugs required by the Company unless he or she has been given the opportunity to participate in a drug or alcohol counseling or rehabilitation program (at the associate's cost) and has refused to participate or has failed to successfully complete the counseling program.

2. Subsequent Positive Result on Confirmatory Test: An associate who receives a positive result on a confirmatory test for drugs requested or required by the Company, and who has previously received a positive result on a confirmatory test for drugs requested or required by the Company, may be discharged.

C. VOLUNTARY DISCLOSURE. JB encourages all associates who need assistance in dealing with alcohol, cannabis, or drug abuse dependency problems to seek counseling through the various private and public agencies that are available, including JB's Employee Assistance Program. Associates are encouraged to voluntarily disclose substance abuse issues related to the abuse of alcohol, cannabis, and/or drugs *before* being confronted, tested, or otherwise involved in drug, cannabis, and/or alcohol related discipline or proceedings. The Company will comply with any applicable medical leave laws, disability discrimination laws, or applicable leave policy in the event leave is requested. Associates who voluntarily disclose the use of alcohol, cannabis, and/or drugs before being confronted, tested, or otherwise involved in

drug, cannabis, and/or alcohol related discipline or proceedings, will not be discriminated against because of this disclosure, nor will the information which is disclosed be used as the sole basis for discipline.

D. CONFIDENTIALITY. The fact that an associate has been required to take a drug test, the result of the test, and information acquired in the testing process, shall be treated in a manner consistent with the Company's treatment of other private and confidential information concerning associates. Voluntary disclosure by an associate of the substance abuse issues before being confronted, tested, or otherwise involved in drug, cannabis, and/or alcohol-related discipline or proceedings, will also be treated in a manner consistent with the Company's treatment of other private and confidential information concerning associates. This information will not be communicated by the Company to individuals inside or outside of the Company without the associate's consent except to those who need to know this information to perform their job functions, and as permitted or required by law or regulation.

DRUG AND ALCOHOL TESTING POLICY
FOR FMCSA-REGULATED DRIVERS

PURPOSE. The Federal Motor Carrier Safety Administration ("FMCSA") and the U.S. Department of Transportation ("DOT") have established mandatory drug and alcohol testing requirements for drivers holding Commercial Drivers Licenses ("CDLs") who operate commercial motor vehicles ("CMVs") as defined below to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances. JB established the following policy and procedures for its FMCSA-regulated Drivers in accordance with applicable federal regulations (49 CFR Parts 40 and 382). JB Drivers must abide by these FMCSA requirements and the Company's Drug & Alcohol Testing Policy for FMCSA-Regulated Drivers ("DOT Policy") as a condition of employment and to be in compliance with Federal law.

COVERED DRIVERS. This Policy applies to all JB Drivers who are required to hold a CDL and who operate a CMV that meets one or more of the following criteria:

- has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or
- has a gross vehicle weight rating of 26,001 or more pounds; or
- is designed to transport 16 or more passengers, including the driver; or
- is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 CFR part 172, subpart F).

This includes, but is not limited to: full-time or part-time, regularly employed drivers; casual, intermittent, or occasional drivers; or drivers who operate a commercial motor vehicle at the direction of or with the consent of JB.

EMPLOYER REPRESENTATIVE. JB's FMCSA-regulated drug and alcohol testing program will be supervised directly by JB's Designated Employer Representative ("DER"), Amy Stay, Director of Human Resources. Question about this testing program and Policy should be directed to the DER at Amy.Stay@jbgroup.com or 763-497-9535.

SAFETY-SENSITIVE FUNCTIONS. "Safety-sensitive function" means all time, from the time a Driver begins to work or is required to be in readiness to work, until the time he or she is relieved from work and all responsibility for performing work. As defined by federal regulation, times during which drivers are considered to be performing a safety-sensitive function, and therefore subject to this Policy and drug or alcohol testing requirements, include: (1) all time at an employer or shipper plant/location, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the Driver has been relieved from duty by the employer; (2) all time inspecting equipment as required by 49 CFR Sections 392.7 or 392.8 or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time; (3) all time spent at the driving controls of a commercial motor vehicle at any time; (4) all time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth (a berth conforming to the requirements of Section 393.76); (5) all time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending

a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and (6) all time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

PROHIBITIONS / RULES OF CONDUCT

A. FMCSA PROHIBITED CONDUCT. FMCSA regulations provide that a Driver shall not:

1. Report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater.

2. Use alcohol, including medications containing alcohol, while performing safety-sensitive functions.

3. Perform safety-sensitive functions within four (4) hours after using alcohol, including the use of medications that contain alcohol.

4. Use of alcohol for eight (8) hours following an accident, or until the Driver has undergone a post-accident test, whichever occurs first.

5. Refuse to submit to a pre-employment, post-accident, random, reasonable suspicion, or follow-up drug and/or alcohol test. A refusal to test includes failure to appear for a drug or alcohol test within a reasonable time frame; failure to remain at the collection/testing site until the collection/testing process is complete; refusal to provide a specimen for a required test; failure to provide a directly observed or monitored collection when required; failure to provide a sufficient amount of specimen for testing without a medical explanation; failure to take a second test when required by the collector or this employer; failure to undergo a medical examination following a failure to provide a sufficient specimen; refusal to sign Step 2 of the Alcohol Testing Form; failure to cooperate with the collection/testing process (including refusing to empty pockets at the collection site or behaving in a confrontational way that disrupts the collection process); report by the MRO (Medical Review Officer) as having a verified adulterated or substituted test result; for an observed collection, failure to follow the observer's instructions to raise their clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if you they have any type of prosthetic or other device that could be used to interfere with the collection process; possess or wear a prosthetic or other device that could be used to interfere with the collection process; or admit to the collector or MRO that you they adulterated or substituted the specimen.

6. Report for duty or remain on duty requiring the performance of safety-sensitive functions when he or she uses any controlled substances, except when the use of any non-Schedule I drug or substance that is identified in the other Schedules in 21 CFR part 1308 is pursuant to the instructions of a licensed medical practitioner who has advised the Driver that the substance does not adversely affect the Driver's ability to safely operate a commercial motor vehicle.

7. Report for duty, remain on duty, or perform safety-sensitive functions if he or she tests positive for controlled substances.

If a Driver engages in any FMCSA prohibited conduct, the Driver is not qualified to drive a CMV under FMCSA regulations, and he or she must be immediately removed from all safety-sensitive functions including driving. Thereafter, the Driver must undergo, and successfully complete the DOT Required Return-to-Duty Process before being permitted to return to performing safety-sensitive functions.

Under FMCSA regulations, a Driver who is found to have an alcohol concentration of 0.02 or greater, but less than 0.04, may not operate or continue to operate a CMV or perform other safety-sensitive functions for at least a twenty-four (24) hour period.

B. COMPANY PROHIBITED CONDUCT. Under its own independent authority, JB prohibits the following conduct by Drivers:

1. Consumption, use, or possession of alcohol while on duty.

2. Testing positive for alcohol while on duty (an alcohol concentration of 0.04 or greater).

3. Tampering with a drug or alcohol test in any manner (adulterated or substituted sample) or otherwise interfering with the testing process.

4. The manufacture, possession, use, sale, distribution, receipt, purchase, or transportation of illegal drugs.

5. Use or abuse of any drug or alcohol that adversely affects job performance and/or fitness for duty.

6. Refusal to submit to a required drug or alcohol test, or refusal to submit to required tests within the mandated time frame.

7. Having a drug test result that is positive for an illegal drug. ***Note: In accordance with Federal standards, a Driver's purported use of marijuana for medical purposes (even if pursuant to state "medical marijuana" laws) or use of hemp or marijuana-related products does not constitute a legitimate medical explanation for a positive test result, and these are insufficient grounds for the MRO to verify a drug test result as negative.***

8. Engaging in any FMCSA prohibited conduct as described above in Section A.

9. Violation of JB's Drug and Alcohol Testing Policy for Non-DOT Associates.

JB reserves the right to take disciplinary action, up to and including termination, for violation of Company policies, procedures, or other rules related to drugs and alcohol.

TESTING REQUIRED

FMCSA regulations require that Drivers undergo drug and alcohol testing in the following circumstances, and Drivers must submit to such testing as a condition of employment with the company.

A. PRE-EMPLOYMENT/PRE-PLACEMENT. All Driver applicants (including new hires and current associates subsequently assigned, transferred, or otherwise permitted to operate a CMV) are required to undergo a drug test before performing safety-sensitive functions for JB for the first time. JB will not allow a Driver applicant to perform a safety-sensitive function unless and until the Company has received a verified negative test result for the individual and the Driver applicant has provided the required information/authorization regarding his or her prior DOT drug and alcohol testing history. In the event of a verified positive drug test, the conditional job offer will be immediately withdrawn, and the Driver applicant is disqualified from performing safety-sensitive functions for JB or any other DOT-regulated employer unless and until he or she successfully completes the DOT Required Return-to-Duty Process.

B. POST-ACCIDENT. If a Driver is involved in an accident with a CMV that results in (1) a fatality; **OR** (2) the need for medical treatment away from the scene **and** our Driver receives a citation for a moving violation; **OR** (3) disabling damage to a vehicle requiring towing away from the scene **and** our Driver receives a citation for a moving violation, then drug and alcohol testing is required. A Driver subject to post-accident testing shall remain readily available for such testing and all testing should occur as soon as possible (subject to the need to obtain necessary medical attention or assistance in responding to the accident) or the Driver may be considered to have refused to submit to testing. In any event, alcohol testing should be completed within two (2) hours of the accident (after eight (8) hours there will be no more attempts to conduct an alcohol test) and drug testing should be completed within thirty-two (32) hours of the accident. If testing cannot be conducted within the prescribed time period (2 hours for alcohol and 32 hours for drugs), the reasons the test was not conducted must be documented. In the event a traffic citation is not issued within the prescribed time periods and no DOT post-accident test is performed, the Company reserves the right, as recognized by the DOT, to require a non-DOT post-accident test pursuant to JB's Drug & Alcohol Testing Policy for Non-DOT Associates based on its independent authority and discretion.

C. RANDOM TESTING. A certain percentage of Drivers as determined by FMCSA must be randomly selected and required to undergo drug and alcohol testing each year. Selections for random testing are done via a scientifically valid method that provides that each Driver will have an equal chance of being selected each time that selections are made. Random tests will be unannounced and spread at reasonable intervals throughout the year. When advised by management that a Driver has been selected to take a random test, he/she must proceed **immediately** to the testing facility to complete the required tests. Random tests for alcohol will be scheduled to occur just prior to, during, or just after performing safety-sensitive functions. Each Driver selected for random testing must be tested during the selection period. If a Driver selected for random testing is on vacation, temporary layoff, medical leave, or otherwise not at work, the Driver will be referred for a random test upon his or her return to work during the same selection period (before the Company's next random draw).

D. REASONABLE SUSPICION. JB will require a Driver submit to drug and/or alcohol testing when the Company has reasonable suspicion to believe that the Driver has used drugs

and/or alcohol in violation of FMCSA regulations (i.e., engaged in FMCSA prohibited conduct). A determination of reasonable suspicion will be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odor of the Driver that indicate drug and/or alcohol use or the chronic and withdrawal effects from these substances. Such associate conduct leading to a reasonable suspicion determination must be witnessed and documented by a supervisor or company official trained in compliance with FMCSA regulations. Approval to test a Driver based on reasonable suspicion must be obtained from the DER or JB's DOT Compliance Specialist prior to sending the Driver for testing. Additionally, documentation of the observations leading to the reasonable suspicion must be prepared and signed by the supervisor or company official who made the observations within twenty-four (24) hours of the observed behavior or before the results of the drug or alcohol test are released, whichever is earlier.

Observations of, and testing for reasonable suspicion based on, alcohol misuse may only occur just prior to, during, or just after the Driver's performance of safety-sensitive functions. A Driver who is suspected of alcohol misuse must be immediately withdrawn from safety-sensitive functions and cannot return to such functions until (1) an alcohol test is performed, and the result is less than 0.02; or (2) twenty-four (24) hours have passed following the reasonable suspicion determination (once reasonable suspicion determination made, JB must remove Driver from safety-sensitive functions prior to performance of alcohol test).

E. RETURN-TO-DUTY. A Driver who has been removed from his or her safety-sensitive function for engaging in FMCSA prohibited conduct as described above (e.g., a positive drug or alcohol test, a refusal to test, etc.) must provide a negative drug and/or alcohol test before being allowed to return to a safety-sensitive function. This return-to-duty test must be completed after an initial and follow-up evaluation by a Substance Abuse Professional ("SAP"), after the SAP's determination that the Driver has successfully complied with prescribed education and/or treatment, and before resuming performance of a safety-sensitive function. The result of the alcohol test must be less than 0.02. The return-to-duty test is not limited to a specific substance (i.e., the particular substance for which the driver previously tested positive).

F. FOLLOW-UP TESTING. A driver who has engaged in FMCSA prohibited conduct must be evaluated by a SAP and follow the prescribed rehabilitation/treatment program. A Driver who returns to duty after complying with the recommendation(s) of the SAP and providing a negative result(s) on the return-to-duty test, is subject to unannounced, follow-up drug and/or alcohol testing as determined by the SAP. Follow-up testing may be scheduled for a period up to sixty (60) months, and must consist of at least six (6) unannounced follow-up tests in the first twelve (12) months following the Driver's return to safety-sensitive functions. Follow-up testing for alcohol will only be conducted just before, during, or just after a Driver performs a safety-sensitive function.

TESTING PROCEDURES

All testing will be conducted as specified in the DOT's "Procedures for Transportation Workplace Drug and Alcohol Testing Programs," as amended. The DOT collection and testing procedures are designed to protect the Driver and the integrity of the testing process, safeguard the validity of the test results, and ensure that the test results are attributed to the correct Driver. The following is a summary of the DOT collection and testing procedures; additional information may be found at 49 CFR Part 40.

A. ALCOHOL TESTING PROCEDURES:

1. Alcohol testing is done at locations determined by the Company in a private setting. The trained testing technician will ask Drivers to verify their identity, and a DOT Alcohol Testing Form ("ATF") will be completed.

2. All alcohol tests will be performed using a breath or saliva testing device approved by the federal government. A screening test will be done first. The technician will show the result displayed on the screening device to the Driver. If the reading is less than 0.02, the Driver has passed the alcohol test and the result will be recorded on the ATF.

3. If the screening test result is 0.02 or greater, a confirmation breath test, using a federally approved evidential breath-testing device ("EBT"), will be performed after at least a 15-minute waiting period. The Driver will be shown the printed and displayed results of the EBT confirmation test, and the result will be recorded on the ATF.

4. A confirmation test result under 0.02 means the Driver has passed. A confirmation alcohol concentration level of 0.02 or higher will result in the Driver's removal from safety-sensitive functions. The DOT prohibits any Driver whose confirmation test registers 0.02 or greater but less than 0.04 from performing or from continuing to perform a safety-sensitive function until the Driver's next regularly-scheduled duty period, but for no less than twenty-four (24) hours. If the confirmation level is 0.04 or more, or if the Driver refuses to cooperate, the Driver is in violation of DOT alcohol regulations and subject to the Consequences for Policy Violations and the DOT Required Return-to-Duty Process described below.

B. DRUG TESTING PROCEDURES: DOT drug tests will test for Controlled Substances. Controlled Substance has the meaning assigned by 21 USC §802 and includes all substances listed on Schedules I through V as they may be revised from time to time (21 CFR §1308). The following controlled substances shall be tested for as required by the Department of Transportation (49 CFR Part 40) and this policy:

(a) Marijuana metabolites

(b) Cocaine metabolites

(c) Amphetamines

(d) Opioids

(e) Phencyclidine (PCP)

Detection levels requiring a determination of a positive result shall be in accordance with the guidelines adopted by the FMCSA in accordance with the recommendations established by the 49 CFR Part 40.

1. Drivers subject to drug testing will be directed to provide a urine specimen at a Company designated collection site. The trained collection site person ("Collector") will ask Drivers to verify their identity, and a Custody and Control Form ("CCF") will be completed in accordance with DOT chain-of-custody requirements.

2. Drivers will be given a collection container and allowed to provide a urine specimen in private unless an observed collection is required or authorized under DOT testing procedures. If the Driver does not provide a sufficient amount of urine for testing (at least 45 ml), the Collector will discard the specimen, tell the Driver to drink additional fluids, wait up to three (3) hours and try again to provide a specimen. If the Driver refuses to drink the fluids or provide another specimen, the Collector shall notify the Company's DER of the Driver's refusal to cooperate, and this will be deemed a refusal to test.

3. If the Driver provides a sufficient amount of urine for testing, it will be inspected by the Collector and its temperature will be measured. If there is a reason to believe an altered or substituted specimen has been provided, the DER will be notified and a second, observed specimen collection will be required. Collected specimens will be poured into two containers (i.e., a split-specimen collection), and then sealed and labeled in the Driver's presence. Both specimen containers will be sent to a federally-certified laboratory for testing.

4. Upon receipt by the testing laboratory, a review of the CCF and the specimen containers will be conducted. If the specimens appear to be in order, the lab will run an initial screening test on the primary specimen. If the screening test is negative, the lab will report the result as negative and the Driver has passed the drug test. If the screening test is positive, the lab will conduct a confirmation test and analyze the specimen using Gas Chromatography/Mass Spectrometry ("GC/MS"). The laboratory sends all test results to a Medical Review Officer ("MRO") for review.

5. The MRO is a trained doctor retained by the Company to review/verify test results and evaluate any explanation a Driver may have for a non-negative drug test result. If a test result is confirmed positive, adulterated, substituted, or invalid, the Driver will be given an opportunity to discuss the test result with the MRO to determine whether there is a legitimate medical explanation for the result, in which case it will be reported to the Company as a negative. Additionally, the MRO will inform the Driver of his or her right to have the split-specimen tested by another federally-certified lab, and the process to do so. A Driver's request to have the split-specimen test performed must be provided to the MRO within 72 hours of notice of a positive, adulterated, or substituted drug test result. If requested, the split-specimen test will be conducted on the secondary container of the **original** specimen at the Driver's expense.

6. A positive dilute drug test will be considered a positive test. A negative dilute drug test (or the report of an invalid specimen) will result in the Driver being required to immediately take another test, with minimum advance notice.

7. After verifying the test results, the MRO will report the test results to the Company's DER in a confidential manner. The DOT prohibits any Driver who has a verified positive, adulterated, or substituted drug test result, from performing or from continuing to perform a safety-sensitive function until he/she has satisfied the DOT Required Return-to-Duty Process as described below.

NOTE: Medications prescribed for someone other than the Driver, will be considered unlawfully used under any circumstance. The DOT also indicates that a Driver's purported use of marijuana for medical purposes (even if pursuant to state "medical marijuana" laws) or use of hemp or marijuana-related products does not constitute a legitimate medical explanation for a positive test result, and these are insufficient grounds for the MRO to verify the test result as negative.

C. FMCSA CLEARINGHOUSE REQUIREMENTS

As part of the continuing efforts to promote safe roadways and to ensure only qualified CDL drivers are performing safety-sensitive duties, FMCSA created a database for querying and reporting CDL drivers' compliance with 49 CFR Part 382, including CDL drivers' drug and alcohol testing violations and other pertinent information. Employers are required to query the database on an annual (or more frequent basis) for each current CDL driver and as part of the pre-employment screening process for each driver applicant. In addition, employers are required to report driver specific Part 382 drug and alcohol violations to the Clearinghouse.

1. **Clearinghouse Queries and Driver Consent.** The Company shall conduct a query of the Clearinghouse for each driver applicant before hiring into a CDL position. Driver consent is required for the query. Each driver applicant must register in the Clearinghouse and execute the FMCSA Clearinghouse electronic specific consent. If a driver applicant refuses consent, The Company cannot hire the driver. When the query results in the driver being qualified under Part 382, the employer may hire the driver. If the query results in the driver being unqualified under Part 382, the employer cannot hire the driver unless all applicable driver qualification requirements are met.

   In addition, The Company shall query the Clearinghouse at least annually on each driver employed. Driver consent is required. Each driver shall sign a general consent form provided by The Company. The general consent form may be used for multiple Clearinghouse queries and can extend for the tenure of the driver's employment. If the driver refuses consent for the query, the driver will be removed from driving duty and cannot resume driving duty until the query is conducted. If the query results in notice that drug and alcohol violation information exist in the Clearinghouse for the driver, The Company must conduct a full query of the driver's record in the Clearinghouse after obtaining a specific FMCSA Clearinghouse consent executed by the driver via the Clearinghouse.

2. **Clearinghouse Reporting Requirements.** The Company must report Part 382 drug and alcohol testing information to the Clearinghouse using driver specific identification data including driver name, CDL license number and State of issuance, and driver date of birth. No driver consent is required for such reporting.

The Company must report the following Part 382 drug alcohol testing and violation information to the Clearinghouse within 3 business days of obtaining the information:

- Alcohol confirmation test with a concentration of 0.04 or higher.
- Refusal to test (alcohol) as specified in 49 CFR 40.261.
- Refusal to test (drug) not requiring a determination by the MRO as specified in 49 CFR 40.191.
- Actual knowledge, as defined in 49 CFR 382.107, that a driver has used alcohol on duty, used alcohol within four hours of coming on duty, used alcohol prior to post-accident testing, or has used a controlled substance.
- Negative return-to-duty test results (drug and/or alcohol testing, as applicable).
- Completion of follow-up testing requirements.

The Company's Medical Review Officer (MRO) must report the following Part 382 violations to the Clearinghouse within 2 business days:

- Verified positive, adulterated, or substituted drug test results.
- Refusal to test (drug) requiring a determination by the MRO as specified in 49 CFR 40.191.

The Substance Abuse Professional (SAP) must report within one business day:

- Successful completion of treatment and/or education and the determination of eligibility for return-to-duty testing to the Clearinghouse.

3. **Driver Access to Clearinghouse.** A driver must register in the Clearinghouse in order to access to his/her Clearinghouse records, and in order to provide specific consent for the pre-employment full query by any prospective employer. The driver may receive notices and communication from the FMCSA clearinghouse via US mail, or designated electronic means (email/text, etc.). Any driver or authorized representative of the driver may submit a petition to the FMCSA contesting the accuracy of information in the Clearinghouse, using the procedures specified in §382.717.

Note: If an employer uses a C/TPA to comply with the employer reporting responsibilities, the employer remains responsible for ensuring that the C/TPA is compliant for such reporting.

CONSEQUENCES OF POLICY VIOLATION

A. DOT REQUIRED REMOVAL AND RETURN-TO-DUTY PROCESS A Driver who engages in FMCSA prohibited conduct as described above is in violation of this DOT Policy and subject to the following consequences.

1. Removal From Safety-Sensitive Functions: A Driver shall not perform, nor be permitted to perform, a safety-sensitive function, including driving a CMV, if the Driver engages in FMCSA prohibited conduct or violates the drug and/or alcohol rule of another DOT agency. A JB Driver who violates an FMCSA or DOT drug and alcohol regulation will be advised by the Company of the resources available in evaluating and resolving drug and/or alcohol problems,

including the names, addresses, and telephone numbers of SAPs and counseling and treatment programs.

2. DOT Required Return-to-Duty Process: A JB driver who violates an FMCSA or DOT drug and alcohol regulation cannot again perform any safety-sensitive duties for the Company or any DOT-regulated employer until and unless the individual has completed the SAP evaluation, referral, and education/treatment process. For purposes of this Policy, a DOT drug and alcohol regulation violation includes a verified positive DOT drug test; a DOT alcohol test with a result indicating an alcohol concentration of .04 or greater; a refusal to test (including by adulterating or substituting a urine specimen); or any other violation of the prohibition on the use of alcohol or drugs under a DOT agency regulation.

   Before a Driver who has violated an FMCSA or DOT drug and alcohol regulation can return to a safety-sensitive position, he or she must:

   a. Meet with a SAP for an initial evaluation; and

   b. Properly follow all SAP evaluation recommendations for assistance and referrals, to an education and/or treatment program (the individual will be solely responsible for any costs incurred for the SAP and/or treatment, unless such costs are covered by his or her benefit plan); and

   c. Meet with the SAP for a follow-up evaluation to determine whether the individual has successfully complied with the SAP's education and/or treatment recommendations; and

   d. Take and provide a negative return-to-duty drug and/or alcohol test; and

   e. Be subject to follow-up testing as determined by the SAP for up to sixty (60) months, to include a minimum of six (6) follow-up tests in the first twelve (12) months after the return-to-duty test with an alcohol concentration of less than 0.02 and a negative drug test. The SAP may terminate the requirement for the follow-up testing at any time after the first six (6) tests have been administered, if the SAP determines that such testing is no longer necessary.

B. DISCIPLINARY ACTION Based on its independent authority, JB reserves the right to take disciplinary action, up to and including termination, against a Driver for violation of this Policy or any other Company policies, procedures or rules related to drugs and alcohol. The Company, at its sole discretion, will determine the type of disciplinary action to be imposed depending on various factors (type of violation, length of service, etc.). Any of the following violations will result in the immediate termination of employment with JB:

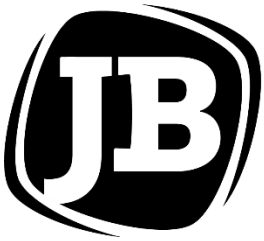
1. Driver is found to have alcohol concentration greater than the state's legal limit.

2. Driver is found to have illegal substances (cocaine, marijuana, etc.) in his or her system.

3. Driver refuses to submit to a required drug or alcohol test (including sample adulteration or substitution).

C. EDUCATION REQUIREMENTS The Company has available information, education and training regarding problems associated with drug and alcohol abuse in the workplace and otherwise. The Company's educational and training materials include information on the effects of alcohol and controlled substances use on an individual's health, work and personal life, signs and symptoms of an alcohol or controlled substances problem (the Driver's or a coworker's), and available methods for intervening when an alcohol or controlled substances problem is suspected, including confrontation, referral to any associate assistance program, and/or referral to management. Additional materials may be requested and answers to questions about the materials may be obtained by contacting the company's DER. All supervisors of FMCSA-regulated Drivers will be required to receive training about the signs and symptoms of alcohol and controlled substances impairment and the steps to follow when impairment is detected. The Company will provide this training.

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Our Service
YOUR SUCCESS®

J & B Group, Inc.
Drug and Alcohol Policy
ACKNOWLEDGEMENT of receipt and CONSENT TO TESTING

I acknowledge that I have been provided a copy of the J & B Group, Inc. Drug and Alcohol Policy (Non-DOT & DOT Policies), and that I have read and understand the terms and conditions of the Policy that are applicable to me. I understand that applicant and associate testing is a condition of my hire and/or continued employment by the Company, and I agree to comply with the terms and conditions of the Policy. I understand that if I am concerned about my use of alcohol and/or controlled substances, I can and should seek assistance from the Company's EAP or from any assistance program in my community. I further understand that my failure to comply with the terms and conditions of the Policy may lead to disciplinary action being taken against me, which may include termination.

I consent to submit to drug and/or alcohol testing as outlined in the Company's Non-DOT and DOT policies above.

Date: _____

_____
Name of Associate/Job Applicant (Print)

_____
Signature of Associate/Job Applicant

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