

DRUG-FREE AND ALCOHOL-FREE WORKPLACE

Pomptonian Food Service (“Pomptonian” or the “Company”) expects all of our employees to obey laws governing the use of drugs and alcohol. Pomptonian prohibits illegal or unauthorized use, purchase, transfer, sale, distribution, manufacture or possession of any “Controlled Substance” on Pomptonian’s premises, in areas near or adjacent to Pomptonian’s premises, at any school or other location where a Pomptonian employee is assigned to work or in areas near or adjacent to such school or other work location, and at any time while performing work for Pomptonian or while conducting business on Pomptonian’s behalf. Pomptonian also prohibits any employee from reporting for work and/or working while under the influence of any Controlled Substance(s).

For purposes of this policy, “Controlled Substance” is defined to include any chemical substance that produces a physical, mental, emotional, or behavioral change in the user, including but not limited to alcoholic beverages, marijuana and other illegally-obtained drugs, narcotics, depressants, stimulants, hallucinogens, inhalants, intoxicants, prescription medications that a licensed physician did not prescribe for the individual taking them, prescription or over-the-counter medications taken in excess of the prescribed or manufacturer’s recommended quantity or frequency, other illegal substances, drug paraphernalia, or any combination thereof.

For purposes of this Policy, “drug paraphernalia” is defined to mean equipment, a product, or material that is used or intended for use in concealing or consuming a Controlled Substance, or otherwise introducing a Controlled Substance into the human body.

In general, the lawful use or possession of prescription medications consistent with a physician’s prescription, or the use of over-the-counter medications taken consistent with the manufacturer’s restrictions, is not considered a violation of this policy. Employees lawfully taking any medication must be mindful of the potential side effects of that medication, such as drowsiness, slowing of reflexes, or impaired sight, hearing, or coordination, and should not attempt to perform their job duties if performing those duties while taking such medication would create a risk to the health or safety of the employee or other persons, or a risk of damage to Pomptonian or any of its customers’ property or operations.

If an employee requires some accommodation or modification to his/her work while undergoing doctor prescribed medical treatment with any drug that may impair his/her ability to perform his/her job safely, the employee should contact his/her immediate supervisor or the Director of Operations and provide medical documentation of the need for such accommodation. Although an employee’s lawful use of medication generally is a private matter, in the event of a medical or other emergency, emergency response personnel may ask employees to disclose whether they are taking any medications and the potential interactions and side effects of those medications.

Pomptonian reserves the right to require any employee or contractor to submit to a screening exam for Controlled Substances, where the Company has reasonable individualized suspicion that the individual is using or under the influence of a Controlled Substance while working. Pomptonian will provide or pay the cost to transport the employee to the testing facility and will pay the cost of such testing. Pomptonian also reserves the right to conduct random searches of any area or portion of its premises or the premises of a customer (with the customer's approval), in order to ensure compliance with this policy.

Employees, who violate this policy, including employees whose screening exam produces a positive result, generally will be subject to disciplinary action which may include termination of employment. Pomptonian considers an employee's refusal to submit to a screening examination as serious an infraction as if the employee achieved a positive test result through screening.

In addition, any employee who violates this policy by engaging in illegal conduct may be subject to criminal sanctions by the appropriate law enforcement authorities. As an on-going condition of employment, employees are required to comply with this policy and to notify Pomptonian, in writing, within five (5) days of being convicted of violating any criminal drug statute.