

1.1 DRUG AND ALCOHOL USE

In a commitment to safeguard the health of our employees and to provide a safe working environment for everyone, we have established this Drug-free Workplace Policy for Gulfshore Insurance. This policy is implemented pursuant to the drug-free workplace program requirements stated in Florida Statutes §440.102 and the drug-free workplace standards of the Florida Agency for Health Care Administration. Under this policy, it is a condition of employment for employees to refrain from reporting to work or working with the presence of drugs or alcohol in his or her body. The essential parts of this policy are:

1. Gulfshore Insurance prohibits the illegal use, possession, sale, manufacture, or distribution, of drugs, alcohol, or other controlled substances on its property. It is also against Gulfshore Insurance's policy to report to work or to work under the influence of drugs or alcohol. Any employee who is taking any prescription drug which impairs safety, performance, or any motor functions must advise his or her supervisor before reporting to work under such medication.
2. Drug Testing of Applicants:
 - a. Applicants who receive an offer of employment will be tested for the presence of drugs as a pre-condition to employment.
 - b. Such applicants will be asked to sign the Consent to Pre-Employment Testing Form. If an applicant refuses, he or she will be ineligible for employment.
 - c. If an applicant's test is confirmed positive, the applicant will be ineligible for employment.
3. Testing of Employees:
 - a. Reasonable Suspicion Testing: Employees will be tested when there is a reasonable suspicion that an employee is using or has used drugs or alcohol in violation of this policy. Grounds for such testing may include but are not limited to the following:
 - observable phenomena while at work, such as direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol;
 - abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
 - a report of drug or alcohol use in violation of this policy, provided by a reliable and credible source;
 - evidence that an individual has tampered with a drug and/or alcohol test;
 - information that an employee has caused, contributed to, or been involved in an accident while at work; and
 - evidence that an employee has used, possessed, sold, solicited, or transferred drugs or alcohol while working or while on Gulfshore Insurance's premises or while operating Gulfshore Insurance's vehicle, machinery, or equipment.
 - b. Follow-up Testing: All employees who have been determined to have used drugs (including where an employee enters an employee assistance program for drug related problems or a drug rehabilitation program) and are permitted by Gulfshore Insurance to return to work will be subject to unannounced follow-up drug tests at least once per year for two years. Employees may also be asked to submit to follow-

- up alcohol testing as permitted by law.
- c. Random Testing: Employees may be required to submit to random drug tests.
 - d. Additional Testing: Additional testing may also be conducted as required or permitted by applicable state or federal laws, rules, or regulations.
4. Alcohol and Drug Use Prohibitions:
 - a. The use, sale, purchase, possession, distribution, or dispensing of drugs or alcohol on duty or on Gulfshore Insurance property is cause for immediate discharge.
 - b. It is against Gulfshore Insurance's policy to report to work or work under the influence of alcohol or drugs. This includes prescription drugs which induce an unsafe mental or physical state. Employees who violate this policy are subject to discipline up to and including discharge.
 - c. For the purpose of this policy, an individual is presumed to be under the influence of alcohol or drugs if a confirmed alcohol or drug test is positive.
 - d. Gulfshore Insurance may suspend employees without pay under this policy pending the results of a drug test or investigation.
 5. All information, interviews, reports, statement memoranda and drug test results, written or otherwise, received by Gulfshore Insurance as part of this drug testing program are confidential communications. Unless authorized by state laws, rules or regulations, Gulfshore Insurance will not release such information without a written consent form signed voluntarily by the person tested.
 6. A Drug Use Information Form, which is a confidential report, may be filled out by job applicants and employees both before and after being drug tested. This form permits individuals to provide to the Medical Review Officer (MRO) a list of all prescription and non-prescription drugs they are currently using or have used in the last month, as well as any other information they consider relevant to the test.
 7. Attached in Appendix B is a list of the most common medications by brand name or common name and chemical name which may alter or affect a drug test.
 8. Any applicant who refuses to submit to the pre-employment drug test will be ineligible for hire.
 9. Any employee who refuses to submit to a drug test may be terminated from employment or otherwise disciplined by Gulfshore Insurance. An injured employee who refuses to submit to a drug test, or has a positive confirmation test, in addition to the above, may forfeit his eligibility for all workers' compensation medical indemnity benefits.
 10. A list of names, addresses, and telephone numbers of employee assistance programs and local drug rehabilitation programs will be provided to employees and applicants along with this policy. This information will be provided to any person upon request.
 11. A job applicant or employee who receives a positive confirmed drug test result may contest or explain the result to the Medical Review Officer (MRO) within 5 working days after receiving written notification of the positive test result. If your explanation or challenge is unsatisfactory to the MRO, the MRO shall report a positive test result to Gulfshore Insurance. You may contest the test results pursuant to the law or rules adopted by the Agency for Health Care Administration.
 12. Within 5 working days after receipt of a positive confirmed test result from the MRO, Gulfshore Insurance will inform an employee or job applicant in writing of such positive test result, the consequences of such results, and the options available to the employee

or applicant. Gulfshore Insurance will provide to the employee or applicant, upon request, a copy of the test results.

13. Within 5 working days after receiving notice of a positive confirmed test result, an employee or job applicant may submit information to Gulfshore Insurance explaining or contesting the test result and explaining why the result does not constitute a violation of this policy. If the explanation or challenge of the positive test result is unsatisfactory to Gulfshore Insurance, a written explanation as to why the explanation is unsatisfactory, along with the report of positive result, will be provided by Gulfshore Insurance to the employee or applicant; and all such documentation will be kept confidential by Gulfshore Insurance and will be retained by Gulfshore Insurance for at least 1 year.
14. During the 180-day period after written notification of a positive test result, the employee or job applicant who has provided the specimen will be permitted to have a portion of the specimen retested, at the employee's or applicant's expense, at another laboratory, licensed and approved by the Florida Agency for Health Care Administration, chosen by the employee or applicant.
15. Gulfshore Insurance will pay the cost of all drug tests, initial and confirmation, which Gulfshore Insurance requires of employees. An employee or applicant shall pay the costs of any additional drug tests not required by Gulfshore Insurance.
16. Gulfshore Insurance will not discharge, discipline, or discriminate against an employee solely upon the employee's voluntarily seeking treatment, while under the employ of Gulfshore Insurance, for a drug-related problem if the employee has not previously tested positive for drug use, entered an employee assistance program for drug-related problems, or entered a drug rehabilitation program. Gulfshore Insurance may select the employee assistance program or drug rehabilitation program if Gulfshore Insurance pays the cost of the employee's participation in the program.
17. If drug testing is conducted based on reasonable suspicion, Gulfshore Insurance will promptly detail in writing the circumstances which formed the basis of the determination that reasonable suspicion existed to warrant the testing. A copy of this documentation will be given to the employee upon request and the original documentation will be kept confidential by Gulfshore Insurance and retained for at least 1 year.
18. If an initial drug test is negative, Gulfshore Insurance may in its sole discretion seek a confirmation test.
19. A job applicant or employee has the responsibility of notifying the drug-testing laboratory of any administrative or civil action brought pursuant to § 440.102, Florida Statutes. The lab will maintain the sample until the case or administrative appeal is settled.
20. The following is a list of all substances (described by brand name, common name and/or chemical name) for which Gulfshore Insurance may test:
 - Alcohol (booze, drink, distilled spirits, wine, malt beverages, beer, intoxicating liquors, alcoholic beverages, etc.)
 - Amphetamines (speed, uppers, ups, black beauties, pep pills, copilots, hearts)

- Cannabinoids (marijuana, hashish, hash, hash oil, pot, joint, roach, spleaf, grass, weed, reefer)
 - Cocaine (coke, blow, nose candy, snow, flake, crack)
 - Phencyclidine (PCP, angel dust, hog)
 - Methaqualone (quaaludes, ludes, sopors)
 - Opiates (opium, morphine, heroin, dover's powder, paregoric, parepectolin)
 - Barbiturates (Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, downers, barb, blue devils, red devils, yellow jacket, yellows)
 - Benzodiazophines (Ativan, Azene, Klonopin, Dalmane, Diozepam, Halcion, Librium, Poxipam, Restoril, Serax, Transene, Vallium, Vertron, Xanax)
 - Methadone (Dolophine, Metadose)
 - Propoxyphene (Darvocet, Darvon N, Dolene)
 - Metabolites of any substances listed above.
21. Testing Procedures – All drug testing will be conducted in accordance with procedures set forth by Florida law and by a laboratory that is licensed by the State of Florida, Agency for Health Care Administration. The testing will be conducted with appropriate chain of custody procedures in place to ensure accuracy and continuity in specimen collection, handling, transfer and storage.
 22. Job applicants and employees have the right to confidentially consult the MRO for technical information regarding prescription and non-prescription medication.
 23. As a precaution to ensure drugs and alcohol do not enter the workplace in violation of this policy, Gulfshore Insurance reserves the right to search all vehicles, containers, lockers, desks or other items on our property. Searches will be based on reasonable suspicion and will be conducted in the presence of the employee (if possible) and will be conducted with discretion and respect for the employee. Failure to consent to a search or display requested items under this policy, will be grounds for discipline, up to and including discharge.
 24. Details of this policy may be obtained from the Human Resource Department.
 25. The contents of these drug and alcohol guidelines are presented as statements of Gulfshore Insurance's current policy and may be changed and updated by Gulfshore Insurance. These guidelines are not intended to create a contract between Gulfshore Insurance and any employee. Nothing in these guidelines binds Gulfshore Insurance to a specific or definite period of employment or to any specific policies, procedures, actions, rules, or terms and conditions of employment.
 26. Employees, as a condition of employment, are required to abide by these guidelines.

APPENDIX B.

OVER THE COUNTER AND PRESCRIPTION DRUGS THAT COULD ALTER OR AFFECT THE OUTCOME OF A DRUG TEST

Alcohol:

All liquid medications containing ethyl alcohol (ethanol). Read the label for alcohol content. As an example, Vick's Nyquil is 25% (50 proof) ethyl alcohol, Comtrex is 20% (40 proof), Contact Severe Cold Formula Night Strength is 25% (50 proof) and Listerine is 26.9% (54 proof).

Amphetamines:

Obertrol, Biphedamine, Desoxyn, Dexedrine, Didrex, Ionamine, Fastine.

Cannabinoids (marijuana):

Marinol (Dronabinol, THC)

Cocaine:

Cocaine HCl topical solution (Roxanne)

Opiate:

Paregoric, Parepectolin, Donnagel PG, Morphine, Tylenol with Codeine, Emprin with Codeine, APAP with Codeine, Aspirin with Codeine, Robitussin AC, Guiatuss AC, Novahistine DH, Novahistine Expectorant, Dilaudid (hydromorphone), M-S Contin and Roxanol (morphine sulfate), Percodan, Vicodin, Tussi-organidin, etc.

Barbiturates:

Phenobarbital, Tuinal, Amytal, Nembutal, Seconal, Lotusate, Fiorinal, Fioricet, Esgic, Butisol, Mebral, Butabarbital, Butalbital, Phrenilin, Triad, etc.

Benzodiazepines:

Ativan, Azene, Clonopin, Dalmane, Diazepam, Librium, Xanax, Serax, Tranxene, Valium, Verstran, Halcion, Paxipam, Restoril, Centrax.

Methadone:

Dolophine, Methadose

Propoxyphene:

Darvocet, Darvon N, Dolene, etc.

Due to the large number of obscure brand names and constant marketing of new products, this list is not intended to be all inclusive. If you are being given this list as preparation for a drug or alcohol test, it is imperative for you to bring a picture ID with you to the collection site, a Release of Confidential Information Form, and to report to the testing technician any prescribed or over-the-counter medications you have taken during the past thirty days.

