

**STATEMENT OF POLICIES**

**Debco Construction**

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**www.debcousa.com**

**This is for you to KEEP ..**

**The following statements reflect the position of Debco Construction on Equal Employment Opportunity, Sexual Harassment and Communications. Please retain these policies for your own records.**

EQUAL EMPLOYMENT OPPORTUNITY POLICY

It is the policy of this Company to assure that applicants are employed, and that employees are treated during their employment, without regard to their race, religion, sex, color, national origin, age, marital status or disability. Such action shall include: employment upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship, pre-apprenticeship, and on-the-job training.

Debco Construction will make reasonable accommodations for the known physical or mental disabilities of an otherwise qualified applicant for employment or employee, unless undue hardship would result. Any applicant or employee who requires accommodation in order to perform the essential functions of a job should follow the instructions in the Open Door Policy. The applicant or employee should advise the Company what accommodations he or she believes are needed in order to perform the job. Debco Construction will determine possible accommodations, if any. If accommodation is reasonable and will not impose undue hardship upon the Company, the Company will make the accommodation.

If you believe that you have been subjected to any form of unlawful discrimination, report the facts of the incident or incidents, names of the individuals involved, and the names of any witnesses as advised in the above Open Door Policy. Debco Construction will promptly and thoroughly investigate all claims of discrimination and insure that appropriate action will be taken. Any employee found to have engaged in any form of unlawful discrimination would be subject to disciplinary action up to and including termination. Debco Construction will also take action to deter any future discrimination. Due to privacy laws, the Company’s determination and related Company action will not be communicated to the reporting employee.

No action will be taken against any employee in any manner for reporting or opposing any form of unlawful discrimination harassment.

If you feel that you have been discriminated against contact one of the following:

1. Linda Applington (208) 476-3617 x202

2. Orofino Job Service (208) 476-5506

**SEXUAL HARASSMENT POLICY**

Sexual harassment of any employee, whether unwelcome sexual advances, requests for sexual favors or other mental or physical conduct of a sexual nature is prohibited. Anyone engaging in such conduct is subject to disciplinary action up to and including discharge. Anyone who believes he or she is being subjected to sexual harassment or who has witnessed such conduct must immediately notify one of the corporate officers of the company. If one of the corporate officers is involved, the employee does not need to contact that individual first but may proceed directly to another officer. In all cases a **confidential** investigation will be conducted and there will be no retaliation against victims or witnesses for notifying the Company about such conduct.

**COMMUNICATIONS POLICY**

Debco Construction welcomes communications between you and the officers. Your suggestions and concerns are important to us. We encourage the expression of your ideas and opinions. The only way we can answer your questions or try to solve your problems and concerns is for you to tell us about them.

When you have work-related suggestions or concerns, please feel free to talk with Lonnie Simpson or Shannon Simpson.

## SAFETY POLICY

We are committed to have a safety program that allows all employees to place safety as their number one priority and provide a safe working environment. At Debco Construction, safety is a (BCOE) Basic Condition of Employment and a violation is subject to corrective action up to and including termination of employment. All Debco employees are expected to:

* Comply with existing safety program and accident/incident reporting requirements.
* Be aware of existing safety requirements and policies for employees.
* Be continually engaged in auditing and improving safety practices and conditions in their respective work areas.
* React to unsafe acts and conditions. At risk behaviors are to be identified, eliminated and/or corrected and safe behaviors are to be recognized.
* Promote an active safety process that is responsive and allows each employee an opportunity to participate in and to positively impact the process.

**DRUG FREE WORKPLACE POLICY**

## Policy Statement

**Debco Construction** has a responsibility to its employees and to the public at large to see that its employees are both drug and alcohol free while on duty. This responsibility comes in light of studies showing that employees who are under the influence of drugs or alcohol while at work are more likely to cause accidents and injuries to themselves and to co-workers, as well as to the public at large. Therefore, **Debco Construction** (hereafter referred to as “the company”) is implementing this Drug and Alcohol Free Workplace Policy, including within its provisions those regulations contained within the Department of Transportation (DOT) Controlled Substances and Alcohol Use and Testing, as contained in 49 CFR Part 382 and Part 40.

**INTRODUCTORY PROVISIONS**

 **Implementation Schedule**

This policy will become effective **January 20, 2011**, and will apply to all prospective and current employees of this company, including those employees who operate commercial vehicles for this company (hereafter referred to as “drivers”).

 **Questions Regarding This Policy**

The company designates the Director of Human Resources, Melina Johnson as the person responsible for answering employee’s questions relating to the provisions of this policy. A copy of this policy will be made available to all employees.

**Possession, Use, or Distribution of Illegal Drugs**

The possession, use, purchase, sale, or distribution of illegal drugs (meaning those drugs for which there is no generally accepted medical use; i.e. marijuana, cocaine, methamphetamine, PCP, Spice) or drug paraphernalia by an employee in a company vehicle, at a job site, on company property, or during work hours, is strictly prohibited. Any employee violating this prohibition will be terminated.

The company also has a prohibition against employee use of illegal drugs off the worksite. An employee's off the job use, manufacture, purchase, possession, sale, or distribution of illegal drugs, or drug paraphernalia that results in criminal charges being brought against the employee will result in the employee being requested to submit to drug testing and may result in the employee being suspended from work without pay. Any employee convicted of a criminal drug statute will be terminated from employment.

**Employee’s Use of Alcohol**

The company is committed to ensuring that employees are not at work while under the influence of alcohol. Therefore, employees are not to consume alcohol within four (4) hours of reporting to work. Employees are also not to report to work or remain at work while under the influence of alcohol, meaning their having a blood alcohol concentration (BAC) greater than .02. Employees are prohibited from using or possessing alcohol while on duty.

## Self-Referral

Employees who feel they may be drug or alcohol dependent and who identify themselves as such will be encouraged to seek treatment for that dependency. The company will provide informational assistance in locating professional substance abuse counseling to any employee who requests it.

Employees who undergo drug or alcohol rehabilitation will do so at their own expense (with the exception of those expenses covered by the company insurance program), on their own time, or during a non‑paid leave of absence approved by the company. Arrangements may be made to allow an employee to use accrued vacation or sick leave during any such leave of absence.

Employees who successfully complete a recommended course of treatment may return to work after taking and passing a drug and/or alcohol test. Any employee returning to work after such treatment will be expected to comply with all aspects of this Drug Free Workplace Policy. A request for rehabilitation may not be made in order to avoid the consequence of a positive drug result or to avoid taking a drug test when requested to do so under the terms of this policy.

**DRUG OR ALCOHOL TESTING REQUIRED OF EMPLOYEES**

 **Pre-Employment Testing**

All prospective employees, including those who have been separated from employment with Debco via a lay off or otherwise for sixty (60) days or more, will be tested for illegal drugs prior to their being offered employment and/or reinstated as an employee.

All prospective drivers must provide consent for Debco Construction to conduct a pre-employment query of the Drug and Alcohol Clearinghouse to obtain information about whether the prospective employee has any drug or alcohol reported violations. The company will conduct a full query and the prospective employee must give electronic consent. In the event the Clearinghouse reports a violation and no return-to-duty test result, the prospective employee will not be offered employment. Any driver who is found to have previously tested positive for illegal drugs or alcohol and who is hired by the company must show that he/she has been evaluated by a Substance Abuse Professional and was found to be not drug or alcohol dependent. It will be the company's responsibility to ensure that any required follow-up tests of such drivers are conducted as required by DOT regulations.

**Continued Employment Testing**

As a condition for continued employment, all employees will be tested for illegal drugs annually as well as being required to test (1) post-accident, (2) when randomly selected, and (3) when reasonable cause exists.

The time spent testing will be compensated by Debco at the employee’s normal hourly rate.

Specimen collection procedures / test result notification is set forth below.

**Post-Accident Testing**

Any driver operating a company-owned commercial vehicle that is involved in a DOT reportable accident will be tested for both illegal drugs and alcohol as soon as practicable. A reportable accident means an accident that results in a fatality, or where someone involved requires medical treatment away from the scene, or where one of the vehicles is towed, **and** where a citation is issued to the driver in connection with the accident. Alcohol testing will be administered within two (2) hours of the accident where possible, but in no case later than eight (8) hours. Drug testing will be administered within 32 hours of the accident.

Any non-driver employee who is involved in a work-related accident will be tested for the use of illegal drugs and may be tested for alcohol as soon as practicable after the accident. Examples of accidents that will require a non-driver employee to take a post-accident test include, but are not limited to, situations where:

 1. An employee causes a fatality or bodily injury to another person and where the injured person requires medical treatment away from the accident; or,

 2. an employee injures himself, resulting in that employee filing a worker's compensation claim with lost time likely exceeding one working day; or,

1. an employee causes damage to property owned by the company, or by a third party, that may reasonably be estimated to exceed $500.

Any employee required to be tested under this section must remain readily available for such testing and may not consume alcohol within eight (8) hours of the accident or until he/she has been tested for alcohol. Any employee involved in an accident requiring a drug and alcohol test must notify the company contact of the accident as quickly as possible and comply with those instructions given him/her regarding the taking of a drug and alcohol test. If it is determined that an employee's accident was definitely caused by the actions of another and that there were no unsafe acts on the part of the injured employee, the company reserves the right to waive post-accident testing.

**Random Testing**

All employees will be subject to random drug and alcohol testing. Random testing selections will be unscheduled and will be made by a scientifically valid method of selection where every employee is equally subject to being tested. Driver name pools will be segregated from non-driver name pools. Random testing for alcohol will take place prior to, during, or immediately following an employee's duty time.

**Reasonable Cause Testing**

The company will require an employee to be tested for alcohol and/or illegal drugs if the employee's physical appearance or pattern of behavior gives company officials reason to believe the employee may be impaired. The basis of suspicion may be a specific, contemporaneous event or conduct evidencing impairment observed over a period of time.

#### SPECIMEN COLLECTION PROCEDURES/TEST RESULT NOTIFICATION

**Submission of an Adulterated or Diluted Specime**n

If the collection monitor determines that an employee has submitted an adulterated or diluted specimen, that specimen will be discarded and a second specimen will be requested. It will be the second specimen that will then be tested. If the request for a second specimen is refused the collector will inform the company of the employee's refusal to submit an acceptable specimen. Such refusal will result in either a prospective employee not being offered employment or a current employee being terminated with the company.

**Drug / Alcohol Specimen Collection Procedures**

All testing for drugs will be done by the testing of an employee's urine specimen. All drug testing of drivers will utilize the split specimen collection procedure. Under that procedure, a driver will have his/her urine specimen sealed in two separate containers with both containers being sent to a SAMHSA certified laboratory for testing.

If a driver's first specimen tests positive that driver may request within three (3) days of the positive notification that the other specimen be tested at a second SAMHSA laboratory. This second test will be done at the driver's expense, unless the second test comes back negative. During the time the second specimen is being tested, that driver will be suspended without pay.

Any non-driver employee whose specimen screens positive for the presence of illegal drugs will have their positive test confirmed by the Gas Chromatography/Mass Spectrometry (GC/MS) confirmation method. Any non-driver employee who tests positive for illegal drugs may request the same specimen be retested at their expense. This request must be conveyed to the company within forty-eight hours(48) of the employee being notified of the positive test result. During the time the second test is being conducted, the employee will be suspended without pay. Any employee whose test comes back negative after a retest of the same specimen or of their split specimen will be paid for the cost of that test as well as for the time during which they were suspended.

Any employee who is given an alcohol test will be given an initial test and, if they test at or above .02 BAC, a confirmation test will be performed no sooner than 15 minutes after the first test. The confirmation alcohol test will be done by the use of a breath testing device.

### Refusal

An employee may not refuse to take a drug or alcohol test when requested to do so consistent with the terms of this policy. Such a refusal will be considered equivalent to testing positive. An employee will be considered as refusing to test if they:

1. expressly refuse to take a test when so requested;
2. fail to provide an adequate breath, saliva, or urine sample without a valid explanation; or,

 3) engage in conduct that clearly obstructs the testing process.

##### Notification of Test Results

All drug test results will be forwarded to the company through Minert & Associates, Inc., as the representative of the Medical Review Officer (MRO). Before the company is informed that a prospective or current driver has tested positive for illegal drugs, the driver will be offered an opportunity to personally discuss the positive drug test with the MRO. The MRO will follow up on such information as is deemed appropriate.

If the MRO finds no reason to doubt the validity of the positive test, that result will be conveyed to the company contact as well as the identity of the drug. If the driver cannot be located, the MRO, or his representative, may request that the company arrange for the driver 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 driver if the driver expressly declines the opportunity to discuss the results of the test, or if the driver is instructed by the company to contact the MRO yet fails to do so within five (5) days of that notification.

Any non-driver employee who tests positive will be given the opportunity to discuss that result with the staff of **Minert & Associates, Inc.**, prior to the company taking disciplinary action. In talking with any such individual, the staff of **Minert & Associates, Inc.** will follow up on all information deemed necessary to resolve the employee’s positive drug test. If it is determined that a prescription drug was the cause of the positive test the employees test will be reported out as negative

 **Effect of Testing Positive for Drugs or Alcohol**

Any prospective employee who tests positive for the presence of illegal drugs will not be hired. Any current employee who tests positive for the presence of illegal drugs or alcohol will be subject to disciplinary action up to and including termination of employment.

Any employee who tests positive for illegal drugs or alcohol and is allowed to continue to drive for this company must first consult with a Substance Abuse Professional (SAP) to determine if he/she is drug/alcohol dependent. If it is determined that he/she is not drug/alcohol dependent he/she may return to work after he/she takes and passes a drug/alcohol test at his/her expense. Thereafter, that employee will be subject to at least six (6) unannounced random drug or alcohol tests during the ensuing twelve (12) months.

An employee is considered as testing positive for alcohol when their on BAC is .04 or above. If any employee tests between .02 and .039 BAC that employee will not be allowed to return to work for 24 hours from the time of the test. Any employee who twice tests between .02 and .039 BAC will be treated as having tested positive for alcohol.

## Conclusion

The terms of this drug free workplace policy are intended to produce a work environment where employees are free from the effects of drugs and/or alcohol. Employees should be aware that the provisions of this policy may be revised when necessary. The company anticipates that by implementing the provisions of this drug free workplace policy its employees will enjoy the benefits of working in a safer and more productive work environment.

Ascorp Inc dba Debco Construction

Director of Human Resources Contact

Melina Johnson

(208) 476-3617

melina@debcousa.com

HAZARD COMMUNICATIONS
WRITTEN PROGRAM

**I. GENERAL:**

The purpose of this instruction is to insure that Debco Construction is in compliance with the OSIIA Hazard Communication Standard (IICS) 89 CFR 1926.59.

The General Superintendent is the coordinator of the company program and has overall responsibility. The Project Supervisor has responsibility to ensure all employees are trained in this program and that the written program, Material Safety Data Sheets and list of hazardous chemicals are maintained at each job site.

In general, each employee of the company will be apprised of the substance of the Hazard Communication Standard, the hazardous properties of chemicals they work with, and measures to take to protect themselves from these chemicals.

**II. LIST OF HAZARDOUS CHEMICALS:**

The Project Supervisor will maintain a list of the hazardous chemicals used on the job site, and update the list as necessary. The hazardous chemicals list will be updated upon receipt of the hazardous chemicals at the job site. The list of hazardous chemicals is attached at the end of this program.

**III. MATERIAL SAFETY DATA SHEETS MSDS’s:**

The Project Supervisor will maintain a file of MSDS’s covering every substance on the list of hazardous chemicals. The MSDS will include all of the information required by the OSHA Hazard Communication Standard. MSDS’s will be readily available to all employees. The Project Supervisor is responsible for acquiring and updating, checking completeness and for arranging to provide the appropriate and necessary copies the job site. MSDS’s that meet the requirements of Hazard Communication Standards must be fully completed and received at the hob site either prior to, or at the time of receipt of the first shipment of any potentially hazardous chemical.

**IV. LABELS AND OTHER FORMS OF WARNINGS:**

The Project Supervisor is designated to ensure that all hazardous chemicals on the job site are properly labeled. Labels should list at least the chemical identity, appropriate hazard warnings, and the name and address of the manufacture, importer or other responsible party. The project supervisor will refer to the corresponding MSDS to verify label information. Small containers, into which materials are drained for use on the shift by the employee, do not require labeling. To meet the labeling requirements for other in--house containers, refer to the label supplied by the manufacture. Labels shall be checked on a regular basis and any illegible or missing shall be replaced.

**V. TRAINING AND INFORMATION:**

Each employee who works with or is potentially exposed to hazardous chemicals will receive initial training on the hazard Communication Standard and the safe use of those hazardous chemicals. Additional training will be provided for employees whenever a new hazard is introduced into their work areas. Hazardous chemical training is conducted by the Safety Officer or Project Supervisor.

Summary of the standards and the purpose and location of the written program.

* Hazardous chemicals properties including visual appearance and odor and methods that can be used to detect the presence of release of hazardous chemicals.
* Physical and health hazards associated with potential exposure to workplace chemicals.
* Procedures to protect against hazards, e.g. personal protective equipment, work practices, and emergency procedures.
* Hazardous chemical emergency procedures.
* Where MSDS’s are located, how to understand their content, and how employees may obtain and use appropriate hazard information.
* How to read labels and review MSDS’s to obtain appropriate hazard information.

A record of each training session, the material covered, the names of employees attending, and the trainer’s will be maintained on the job site and a copy sent to the company office.

**VI. OTHER JOB SITE EMPLOYERS:**

The Project Superintendent will advise other employers on the job site of any chemicals hazards which may be encountered in the normal course of their work on the job, the availability of MSDS’s, the labeling system used, and ally other precautionary measures that should be taken. Prior to commencing work the project superintendent will ascertain what chemical hazards created by other contractors may be encountered and will obtain knowledge of the locations of the MSDS‘s the labeling system used and precautionary measures that should be taken.

**VII. ADDITIONAL INFORMATION:**

Further information on this written program, the hazard communication standard, and applicable MSDS’s are available from Debco Construction.

**ACKNOWLEDGEMENT OF RECEIPT OF DEBCO CONSTRUCTION’S STATEMENT OF POLICIES**

I acknowledge that I have received a true copy of Debco Construction’s Statement of Policies. I further acknowledge that I have read the policies and understand them. I understand that the Policies apply to each and every individual working for Debco Construction (including those working in a temporary capacity) and to third parties doing business with Debco Construction such as suppliers, vendors, couriers, etc. I also understand that failure to comply with these policies may result in disciplinary action up to and including discharge from employment.

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Signature of Applicant/Employee Date

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Printed Name of Applicant/Employee