Robert W Sheckles, Inc.
Discipline Documentation Form

Employee Information

Name of Employee:_____

Employee's Job Title: _____

Incident Information

Date/Time of Incident:_____

Location of Incident:_____

Description of Incident:_____
_____
_____
_____

Witnesses to Incident:_____

Was this incident in violation of a company policy? **Yes** **No**

If yes, specify which policy and how the incident violated it. _____
_____
_____

Action Taken

What action will be taken against the employee?_____
_____
_____

Has the impropriety of the employee's actions been explained to the employee? **Yes** **No**

Did the employee offer any explanation for the conduct? If so, what was it? _____
_____
_____
_____

Signature of person preparing report:_____

Date: _____

Substance Abuse Policy For Robert W. Sheckles, Inc.

Purpose:

It is the policy of Robert W. Sheckles, Inc. to maintain a drug free workplace. Robert W. Sheckles, Inc. values its employees and recognizes the need to provide a safe and healthy work environment. Employees who abuse drugs or alcohol in the workplace pose a serious safety and health hazard to themselves, their co-workers, and third parties. In addition, drug or alcohol abuse leads to absenteeism, product loss and significantly interferes with and impedes the company's productivity.

Robert W. Sheckles, Inc. intends to maintain a safe, healthful, and efficient work environment for all of its employees, therefore; the following policy on drug and alcohol abuse will be followed by our drivers of commercial motor vehicles, employees performing safety-sensitive-functions and all other employees alike.

Policy:

Robert W. Sheckles, Inc.'s drivers of commercial motor vehicles and our employees who perform safety-sensitive-functions are subject to this policy pursuant to regulations promulgated by the Department of Transportation (DOT). All other Robert W. Sheckles, Inc. employees are subject to this policy as a condition of continued employment. At any time Robert W. Sheckles, Inc. may unilaterally, at its discretion, amend, supplement, modify, or change any part of this policy, but will always remain in compliance with the regulations promulgated by the DOT for its drivers and safety-sensitive employees. This policy does not represent an expressed or implied contract, and it does not affect your status as an "at will" employee.

Definitions:

"Alcohol" means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol.

"Illegal Drug" means any drug

- which is not legally obtainable,
- which is legally obtainable but has not been legally obtained,
- which is a controlled substance

The term includes prescribed drugs not legally obtained and prescribed drugs not being used for prescribed purposes.

"Safety Sensitive Functions" means:

- waiting at a terminal, facility, or other property to be dispatched unless you've been relieved from duty by the company.
- performing pre-trip inspections or servicing the motor vehicle
- driving the motor vehicle
- in the vehicle, except when resting in the sleeper berth
- loading or unloading the vehicle, supervising the loading or unloading, giving receipts for the load, or remaining in readiness to operate the motor vehicle
- repairing, getting help, or staying with a disabled vehicle.

Prohibited Conduct:

- No employee shall report for duty or remain on duty while having an alcohol concentration of .04 or greater.
- No employee is permitted to perform work duties within four hours after using alcohol.
- Any employee who refuses to submit to any drug or alcohol testing pursuant to regulations promulgated by the DOT or as a condition of continued employment will not be permitted to continue to work.
- No employee will report for work or remain at work when the employee uses any controlled substance, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee's ability to safely work or operate a commercial motor vehicle. The employee will notify the employer of any therapeutic drug use.
- Any employee involved in any of the following activities at any time during the hours between the beginning and the end of the employee's work day, whether or not on company business, premises, or property, is in violation of company policy and subject to disciplinary action:
    - bringing illegal drugs onto company premises or property, including company owned or leased vehicles or a Robert W. Sheckles, Inc. customer's premises
    - having possession of or being under the influence of illegal drugs including alcohol
    - using, consuming, transforming, distributing or attempting to distribute, manufacturing, or dispensing illegal drugs.

Drug & Alcohol Testing:

The drug and alcohol testing will be performed at a qualified collection site. The collection site will take necessary steps to follow DOT guidelines for specimen collection. The test shall be conducted in a professional and sanitary manner with due regard for the individual's privacy, dignity, and confidentiality. A secure, written Chain-of-Custody process will be followed.

The urine specimen will be analyzed by a SAMSHA-certified professional laboratory for the following substances:

- Cocaine
- Amphetamines
- Opiates
- Cannabinoids (Marijuana)
- Phencyclidine (PCP)

Any positive result will be reviewed by a Medical Review Officer (MRO) prior to the result being communicated to the Company. This meets DOT guidelines and ensures that positive results are not due to prescription drugs or other factors which the MRO feels justifies the presence of controlled substances.

Pursuant to regulations promulgated by the DOT for our employees who perform safety sensitive functions, and pursuant to Robert W. Sheckles, Inc. legal right and prerogative to test any employee for drug and or alcohol abuse the following testing within the limits of federal and state laws will be initiated:

Pre Employment or Post Offer Testing (drug testing only) – FOR DOT EMPLOYEES ONLY

All driver applicants for employment must submit to a urine drug test, except those drivers the company can verify have participated in a DOT controlled substances testing program within the previous 30 days; and were tested for controlled substances within the past 6 months; or participated in a random DOT controlled substance testing program for the previous 12 months from the date of application; and have no record of DOT drug violations during the previous six months. The driver applicant must sign an authorization for the previous employer to release those records.

All employees, who move from a non-safety-sensitive position to a safety sensitive position within Robert W. Sheckles, Inc. will be drug tested.

All other offers of employment will be made subject to the results of a urine drug test. Applicants will be required to voluntarily submit to a urinalysis test and sign a consent agreement that will release Robert W. Sheckles, Inc. from liability. The company will not discriminate against applicants for employment because of past drug abuse. It is current abuse of drugs, which prevents employees from properly performing their jobs.

Post Accident Testing

All DOT regulated drivers will submit for drug and alcohol testing following an accident if:

1. the accident involves the loss of human life
2. the accident results in a moving traffic citation and any bodily injury results in immediate medical treatment away from the scene of the accident
3. the accident results in a moving traffic citation and there is disabling damage to any motor vehicle requiring tow away.

You must submit to drug and alcohol testing as soon as possible following an accident. You must make every effort to get your alcohol test completed within two hours after the accident. If that is not possible, you must continue to try for up to eight hours.

You must make every effort to get your urine collection for a drug test completed within 32 hours after the accident.

If you are unable to complete the alcohol test or urine collection within these time limits, you should stop trying and notify Robert W. Sheckles, Inc.

All other employees will submit for drug and alcohol testing following an accident if:

1. injury treatment is required away from the workplace
2. property damage occurs in excess of $500.00
3. the accident investigation shows someone other than the injured employee caused the accident.

In the event an employee is so seriously injured that the employee cannot provide a urine or breath alcohol sample, then the employee must provide the necessary authorization for the company to obtain hospital reports or other documents that would indicate whether there were controlled substances/alcohol in the employee's system.

Random Testing – for DOT EMPLOYEES ONLY

All employees performing safety-sensitive-functions will be subject to unannounced random drug/alcohol testing. The company or its agents will periodically select drivers at random for testing. 50 % of the average number of safety-sensitive positions will be selected for random drug testing each year and 10% of the average number of safety-sensitive positions will be selected for random breath alcohol testing each year. A company official will notify a safety-sensitive employee when their name has be

selected for urine drug test/breath alcohol test and instruct them to report immediately to a collection site. All safety-sensitive employee's names will be placed in the random pool each time a selection is done.

All non safety-sensitive employees are subject to random, unannounced drug and alcohol tests at any time the company deems necessary to ensure a Drug Free Workplace. This will always remain a separate selection pool from the safety-sensitive employees and is not subject to the regulations promulgated by the DOT.

Reasonable Suspicion Testing

All employees will be subject to reasonable suspicion testing. Your supervisor or designated Robert W. Sheckles, Inc. official may ask you to submit to a drug and/or alcohol test if your conduct or appearance indicates evidence of drug or alcohol use. Anyone who would make the decision to test you will be trained in detecting drug and alcohol misuse.

Return-To-Duty Testing

If you occupy a safety-sensitive position and have a positive drug test, refuse to submit to a drug test, or engage in prohibited conduct as outlined in this policy, you will be removed from safety-sensitive functions. In order to become re-qualified to work in a safety-sensitive-function, you must be evaluated by a substance abuse professional (SAP). Following that evaluation and completion of any treatment the SAP recommends, you must take another drug test and have a negative result. The SAP has the authority to request you to take both drug and alcohol return-to-duty tests.

If you occupy a safety-sensitive position and have a confirmed alcohol test this is .04 or greater, refuse to submit to an alcohol test, or engage in prohibited conduct as outlined in this policy, you will be removed from safety-sensitive functions. In order to become re-qualified to work in a safety-sensitive-function, you must be evaluated by a substance abuse professional (SAP). Following that evaluation and completion of any treatment the SAP recommends, you must take another alcohol test with a result below .02 in order to return to duty. The SAP has the authority to request you to take both drug and alcohol return-to-duty tests.

The cost of the SAP evaluation and the completion of any recommended treatment are the financial responsibility of the employee. The company will pay for the costs of the return-to-duty tests.

All other employees will not be subject to return to duty testing.

Follow-Up Testing

If you hold a safety-sensitive position and you had to take a return-to-duty test, you will also be subject to follow-up testing for up to five years. This will be determined by the SAP, who prescribes the test schedule. At a minimum, there will be six follow-up tests in the first 12 months following your return to duty. These tests are in addition to any random, post-accident or other required tests. You will not be told ahead of time when follow-up testing is scheduled, but alcohol testing will only be conducted just before, during, or after your performance of safety-sensitive functions. To remain a qualified employee under FHWA regulations, you are required to complete the follow-up testing schedule regardless of whether or not you change employers.

All other employees who test positive on a drug/alcohol test are subject to follow-up testing for up to five years at the discretion of Robert W. Sheckles, Inc. as a condition of continued employment. This practice will be followed in lieu of return-to-work testing. Additionally, the employee will be provided with a list of drug and alcohol rehabilitation professionals. It is the employee's responsibility to seek assistance before drug or alcohol abuse leads to disciplinary action. Any costs for rehabilitation are the employee's responsibility.

Penalties:

First Offense: It is the policy of Robert W. Sheckles, Inc. that any employee:

- o testing positive on a drug test will receive two days off without pay.
- o testing .04 or above on a breath alcohol test will receive two days off without pay.

Second Offense: Termination

Consent:
As a condition of continued employment, all employees must sign a consent form.

ROBERT W. SHECKLES, INC.

HAZARD COMMUNICATION WRITTEN PROGRAM - EMPLOYEE INFORMATION

YOU HAVE THE RIGHT TO KNOW ABOUT HAZARDOUS SUBSTANCES IN YOUR WORKPLACE

Many people today worry about chemical materials – at home and at work. They want to know if there is any risk – any hazard. Employees want to know about the possible hazards of chemical materials they are working with and how to use them safely.

The Hazard Communication Program was developed to meet this need. Robert W. Sheckles, Inc. is firmly committed to providing all of its employees with a safe and healthy work environment. It is a matter of Company policy to provide our employees with information about hazardous chemicals on the work site through our hazard communication program; which includes, container labeling, Material Safety Data Sheets (MSDS) and employee information training. The objectives of this program are to better control chemical materials, to promote safe and healthy work practices, and to develop our employee's ability to recognize potential chemical hazards.

IT'S THE LAW!

The United States "Occupational Safety and Health Act"* and the "Access to Information About Hazardous and Toxic Substances Act"** give employees in the state of Maryland a way to learn about chemical hazards in the workplace and how to work safely with these materials. These laws require all employers to inventory and list all hazardous and toxic substances used in the workplace; and to train the employees on how to get information about these hazardous substances and the safe use of these materials. These laws have hard-to-remember names and are commonly referred to as "The Right To Know Laws".

*OSHA 1910.1200 Subpart Z: Hazard Communication
OSHA 1926.59 Subpart D: Hazard Communication
**Maryland Occupational Safety and Health Law, Article 89, Annotated Code of Maryland, Subtitle 4 Access

GENERAL INDUCTION

Robert W. Sheckles, Inc. is complying with these "Right To Know" laws in the following manner:

- The company has inventoried all materials commonly used by our employees and has listed them for general jobsites - The Chemical Information List. A copy of the list for your general jobsites is kept on each jobsite in the designated central location and a copy is kept by our safety director in the main office. Lists of chemicals used by other employers on your jobsite are also available to you. Check with your supervisor or the Safety Director for access to those lists.
- Material Safety Data Sheets for materials used on a particular jobsite are kept with the Chemical Information list in the central location designated by the general contractor and/or in company vehicles on site, and in the main office. If you need to review a Material Safety Data Sheet, please see your supervisor or the Safety Director to arrange for a time for your "right to know."
- The products we purchase are labeled in accordance with the "Right to Know" laws.
- The Company provides all employees with initial hazard communication training during the New Employee Training Program. On-the-job training about more specific hazards is given by your foreman on a need to know basis when these hazards are introduced into your general jobsite before you are exposed to them.

EMPLOYEE RIGHTS:

All employees have the right by law to:

- See the Chemical Information List and Material Safety data Sheets for your jobsites within one day of your request.
- Be provided with one free copy of the Chemical Information list and the corresponding Material Safety Data Sheet of the substance that you are working with.
- Be trained on the hazards of the chemicals in your workplace, the appropriate equipment and methods to use to protect yourself, and emergency procedures.
- Refuse to work with a specific hazardous material if you are denied access to information about that material.

HOW IT WORKS FOR YOU

The hazard communication program was developed for all employees. However, the situation is different on each jobsite and in each office building. Therefore, the program is tailored to meet you needs – and the needs of other workers around you.

EMPLOYEE RESPONSIBILITIES:

Your "Right To Know" program takes teamwork. The company requires you to do your part to work with your fellow co-workers to keep your workplace safe and to protect your own health.

- Know where to get information about the hazardous substances in your workplace.
- Learn to read and understand labels and Material Safety Data Sheets.
- Learn to identify hazards before you start a job.
- Don't be afraid to ask questions.
- Keep your work area clean.
- Use protective clothing and the personal protective equipment supplied by the Company.
- Don't smoke, eat, or drink around hazardous substances.
- Learn emergency procedures listed on the Material Safety Data Sheets and those for your jobsite.
- Follow the Company's procedures for clean up and disposal of hazardous substances.
- Practice safe work habits at all times.

HAZARD COMMUNICATION WRITTEN PROGRAM

INTRODUCTION

Robert W. Sheckles, Inc. is firmly committed to providing all of its employees with a safe and healthy work environment. It is a matter of Company policy to provide our employees with information about hazardous chemicals on the work site through our hazard communication program, which includes container labeling, Material Safety Data Sheets (MSDS) and employee information/training.

The Safety Director will have the overall responsibility for coordinating the hazard communication program for Robert W. Sheckles, Inc. The Safety Director will make our written hazard communication program available, upon request, to employees or the Assistant Secretary of Labor for Occupational Safety and Health or any outside concern with a "Right to Know."

LIST OF HAZARDOUS CHEMICALS

As an on-going process, the foreman and Safety Director will compile a list of all hazardous chemicals that will be used on the work site by reviewing container labels and Material Safety Data Sheets before such chemicals are used. The list, updated periodically, will be kept at the corporate headquarters and placed in alphabetical order according to the common or chemical name. It shall identify a hazardous rating(s) and the work area(s) used/stored in for each chemical. Copies of this list shall be retained for forty years at the office of Robert W. Sheckles, Inc and submitted every two years to the Maryland Department of the Environment.

LABELING

It is the policy of this company to ensure that each container of hazardous chemicals on a jobsite is properly labeled. The labels will list:

- The name by which the chemical material is known on your jobsite
- Appropriate hazard warnings which tell the main health risks from an overexposure to the chemical material
- The name and address of the manufacturer, importer, or other responsible party
- If the contents must be handled with special care (P.P.E.)

To further ensure that employees are aware of the chemical hazards of material used in their work areas, it is our policy to label all secondary containers. Secondary containers will be labeled with an extra copy of the manufacturer's label or with a sign or generic label that lists the container's contents and appropriate hazard warning on 55-gallon drums or greater quantities. Any directed use of smaller amounts under the direct control of an employee need not be labeled. This responsibility has been assigned to the jobsite superintendent.

MATERIAL SAFETY DATA SHEETS

Copies of Material Safety Data Sheets for all hazardous chemicals to which employees may be exposed are kept in the central location on the jobsite designated by the general contractor and/or in company vehicle on site, and a copy is maintained in the office of Robert W. Sheckles, Inc. and is readily accessible to employees during work shifts and during any emergency situation. The superintendents are responsible for obtaining, maintaining, and updating the Book of Material Safety Data Sheets if he/she purchases hazardous chemicals off-site without informing the Safety Director.

EMPLOYEE TRAINING

Employees are to attend a training session on hazardous chemicals at the Franklin St. office or receive training on the job before the time of their initial work assignment. The training session will cover the following:

- An overview of the hazard communication requirements
- A review of the chemicals present in their workplace operations
- The location and availability of our written hazard communication program, a list of hazardous chemicals and Material Safety Data Sheets
- Methods of observation techniques that may be used to detect the presence or release of hazardous chemicals in the work area
- The physical hazards of the chemicals in the work area
- The health hazards of the chemicals in the work area, including signs and symptoms of exposure and any medical condition known to be aggravated by exposure to the chemical
- How to lessen or prevent exposure to hazardous workplace chemicals by using good work practices, personal protective equipment, etc.
- An employee's acknowledgement signature sheet shall be maintained
- As a means of evaluating the program's effectiveness, tool box meetings will be conducted in the field by the Safety Director or job foreman to determine employees response to a given drill situation
- Emergency procedures to follow if employees are exposed to hazardous chemicals
- An explanation of our hazard communication program, including how to read labels and Material Data Sheets to obtain appropriate hazard information

When a new type of product is introduced into a work area or the chemical composition of a product changes, the Safety Director or job foreman will review the above items as they are related to the new chemicals and ensure safety and health by re-training the effected employee(s) site specific to the known hazard as this information becomes available from the chemical manufacturers, importers, and distributors.

NON-ROUTINE TASKS

Periodically employees are required to perform non-routine tasks. Before starting work on such projects, each affected employee will be informed by the foreman about hazards to which they may be exposed and appropriate protective and safety measures.

INFORMING OTHER EMPLOYEES

To ensure that the employees of other contractors have access to information on the hazardous chemicals at a jobsite, it is the responsibility of the foreman to provide the other contractors the following information:

- The name and location of the hazardous chemical to which their employees may be exposed and any appropriate measures required to minimize their exposure

- An explanation of the labeling system used at the jobsite

Each contractor bringing chemicals onto a jobsite must provide Robert W. Sheckles, Inc. with the appropriate hazard information on those substances, which our own employees may be exposed to on a jobsite.

HAZARDOUS MATERIALS ON CONSTRUCTION SITES

The "Right to Know" laws require that employees be trained about the nature of the hazardous materials they are working with and learn the precautions they must take when handling/using them. Since construction workers are exposed to an ever-changing environment, it is virtually impossible to train our employees to ever-possible chemical that could be brought onto a jobsite. Our company training is based upon the various groups of chemicals that have similar properties.

On our company jobsites, you will generally find four (4) types of hazardous materials:

Flammable and combustible materials
Irritants, dusts, fumes
Corrosives
Systemic poisons

Hazardous materials that you may work with on the jobsite could accidentally come in contact with parts of your body, such as your skin, eyes, and lungs. This contact could have small to profound effects upon your safety and health. You could unintentionally eat, inhale, or absorb a hazardous material through your skin and not even be aware of it. Robert W. Sheckles, Inc. wants you to be aware of the danger so that you can protect against it.

Inhalation is the most common way for a hazardous substance material to enter your body. The material may be in the form of a dust, gas, mist, or vapor. When you breathe these materials into your body, they collect in the nose and the lungs, but can be passed by the bloodstream throughout your body to all your organs.

Ingestion of a hazardous material is the next most common method for a substance to enter your body. If you work with your hands and do not wash them before touching your mouth, putting a cigarette into your mouth, or eating/drinking, you have a good possibility of transferring the hazardous materials into your body. These materials can simply upset your mouth, throat, and gastrointestinal system or they can be absorbed into the blood stream and passed throughout your body.

Your skin is a living organ and is generally capable of keeping out foreign materials from entering your body. The skin will not allow water or solids to enter. However, there are chemicals that can pass through the skin and be absorbed immediately by the bloodstream.

FLAMMABLE AND COMBUSTIBLE MATERIALS

Most flammable and combustible materials on construction sites are liquids, such as kerosene and gasoline. These liquids present the major hazard of fire and explosion, as well as adverse health effects. There are many solid materials you may work with can have components that are flammable, such as: solvent based paints, mastic adhesives, pipe joint compounds, sealants, cleaning solvents, glues, and paint strippers. These solid materials must be treated in a similar manner to the liquid flammable and combustible materials: you must always keep these materials away from a source of ignition; such as welding, grinding or smoking, that may cause a fire and/or explosion.

Flammable materials, whether liquid or solid, must be used in only well ventilated areas that do not have a potential source of ignition. Spills of any flammable material should be cleaned up promptly. Flammable vapors can be particularly harmful. These vapors are invisible and usually heavier than air. They will accumulate close to the ground or floor level and can travel some distance from the source. If they are ignited by a source such as a flame or welding spark, they may flash back to the source of the vapor, causing major fire damage and personal injury.

CORROSIVES

Corrosives are chemicals that cause visible destruction to the living tissue at the site of contact. On a construction site, there are corrosives such as battery acid, lye, muriatic acid, some paint removers, and masonry-cleaning agents.

Personal protective equipment to protect the eyes and exposed skin from splashing or splattering are required around corrosive substances.

IRRITANTS, DUSTS, FUMES

Irritants are substances that are not corrosive, but cause a reversible inflammatory (swollen, red, itchy) effect on living tissue. Irritants are similar to corrosives in that they cause a problem to living tissue, but they are weaker in their effects. Irritants generally bother the skin, eyes, and lungs. As with corrosive substances, personal protective to protect the eyes and exposed skin from splashing or splattering are required when using or handling an irritant.

Dusts and fumes are generated from any number of activities taking place on a construction site, such as diesel engines, concrete and wood saws, grinding, mixing, and earth moving. The site of action of dusts, mists, and vapors is primarily in the lungs. Protection can be accomplished with proper respiratory protective equipment and/or adequate ventilation. The jobsite foreman or Safety Director should be notified if you still taste or feel the dust/mist/vapor in your mouth or lungs while you are wearing the respiratory protection. Eye protection may also be necessary when around this type of hazard.

SYSTEMIC POISONS

Systemic poisons are materials that can damage an organ system in you body (such as you liver, your heart, or kidneys). These materials can enter your body in any of three ways: inhalation, absorption, or ingestion. For example, years of breathing fine silica sand dust can cause silicosis, a disease of the lung; pesticides dissolved in the moisture on your skin that pass directly into the bloodstream can cause nerve damage.

All systemic poisons have something in common, no matter how they enter your body: they can cause permanent adverse effects upon your organs before you feel “sick”.

READING LABELS

Be sure to read all container labels. A container label tells you about a product’s hazards. It can’t provide all the material you need to know about a product, but is a good place to start (further information is available from the Material Safety Data Sheet). If a container doesn’t have a label, don’t use it. Immediately inform your supervisor of its presence.

By law, all manufacturers must label their products with the following information if there is a hazardous chemical in the product:

- The identity of the hazardous chemical(s)
- Appropriate hazard warnings

If you transfer any hazardous chemical into a portable container that will be used by more than one person, or on more than one shift, the portable container must be labeled as above.

CONCLUSION

Hazard Communication is an on-going process that extends into most, if not all jobs in the construction industry. For any written program to be effective, actions must follow the intended purpose. Employers are charged with the responsibility to implement the program, but ultimately, employees must protect themselves from the hazards using the contents as a guide to health and safety in the workplace. Comments are invited from concerned parties providing credible upgrading to existing standards.