

MINNESOTA ADDENDUM

As this addendum explains, the Company will administer its Drug and Alcohol Policy in accordance with Minnesota law. Specifically, the Company will ensure that:

- Employees shall not be subject to on-site testing;
- Applicants and employees have the right to refuse to undergo drug or alcohol testing, but those applicants who refuse to undergo testing will not be hired by the Company and those employees who refuse to undergo testing will be terminated;
- Employees are subject to return-to-duty and follow-up drug and/or alcohol testing if they have been referred by the Company for chemical dependency treatment or evaluation or are participating in a treatment program under an employee benefit plan, during the evaluation or treatment period and for a period of up to two (2) years following completion of any treatment program;
- An employee who tests positive may not be discharged for a first positive drug or alcohol test result unless the Company has given the employee an opportunity to participate in a rehabilitation program (at the employee's expense or pursuant to an employee benefit plan), and the employee refuses to participate in the program or fails to successfully complete it. However, the Company may temporarily suspend or transfer an employee pending the outcome of any confirmatory test or retest, if the Company believes that it is necessary to protect the health of the employee, co-workers, or the public. If the confirmatory test is negative, the Company will reinstate the employee with back pay;
- Within three (3) working days of receiving test results from the laboratory, the Company will inform the applicant or employee in writing of the test results and the right to obtain a copy of the results;
- If an applicant or employee has a positive initial screen test result, the Company will provide the applicant or employee with written notice of his/her right to explain the test result;
- If an applicant or employee has a positive confirmatory test result, the Company will inform the applicant or employee in writing of his/her right to explain the test result, his/her right to a confirmatory retest, and the consequences of the test result; and

- Within three (3) working days following notice of a positive confirmatory test result, an applicant or employee may submit any additional information to the Company to explain the test result. Within five (5) working days following notice of a positive confirmatory test result, an applicant or employee also may notify the Company in writing of his/her intention to obtain a confirmatory retest by the original laboratory or another certified, accredited, and/or licensed laboratory. The Company then has three (3) working days to notify the laboratory of the request.