

MONTANA ADDENDUM

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

- Only applicants for positions involving or employees engaged in the performance, supervision, or management of work in a hazardous work environment, security position, position affecting public safety, position in which driving a motor vehicle is necessary for any part of the individual's work duties, or fiduciary position are subject to drug and alcohol testing;
- Employees are subject to post-accident drug and/or alcohol testing only if the Company reasonably believes an employee's act or failure to act is a direct or proximate cause of a work-related accident that caused death, personal injury, or property damage in excess of \$1,500;
- Employees are subject to follow-up drug and/or alcohol testing, including a return-to-duty test, for one (1) year from the time the Company first requires a follow-up test;
- Specimens for testing are limited to urine, breath, and saliva;
- On-site testing shall be limited to initial screen tests, and may only be conducted if the specimen is split at the time of collection, chain of custody procedures as stringent as those in 49 C.F.R. Part 40 are followed from collection through final disposition of the specimen, and a positive screen is subject to confirmation testing using mass-spectrometry testing;
- The collection, transport, and confirmation testing of specimens shall be performed in accordance with federal Department of Transportation regulations, 49 C.F.R. Part 40, or similar stringent requirements;
- All information, interviews, reports, statements, memoranda, and test results are confidential and may not be disclosed to anyone except the tested individual, the Company's designated representative, in connection with any administrative or legal claim arising out of the Company's implementation of its Drug and Alcohol Policy, in response to inquiries relating to a workplace accident that the Company reasonably believes an employee may have caused or contributed to and which involves death, physical injury, or property damage in excess of \$1,500, or as required by law;

- Information obtained through testing that is unrelated to an individual's use of illegal drugs or alcohol will be held in strict confidence by the MRO and may not be released to the Company;
- The Company shall provide applicants and employees with copies of their test results;
- An employee has the right to request the Company to obtain a confirmatory test of his/her split specimen at a laboratory of the employee's choice;
- Employees who dispute their test results may appeal such results and any disciplinary action by submitting a written appeal letter to the Human Resources Department within five (5) business days following notice of their results. The Company will investigate the facts underlying and giving rise to the appeal and will notify the employee of its final decision in writing within ten (10) business days of its receipt of the appeal; and
- Employees are advised that the unlawful manufacture, distribution, possession, or use of a controlled substance can result in legal sanctions under local, state, and federal law, including imprisonment, fines and penalties.