

## *Drug-Free Workplace / Workforce*

### *1.0 Policy*

As a government contractor, we are affected by legislative and regulatory decisions. On October 21, 1988, Congress passed the Drug-Free Workplace Act of 1988. The Act requires government contractors and grant recipients to effect a Drug-Free Workplace, Workforce (DFWW) policy effective February 18, 1989.

Our objective is to ensure that all ULTRA TECH facilities maintain a drug-free and alcohol-free workforce and workplace, and to comply with applicable federal, agency (DOD), and state laws. To this end, the unlawful manufacture, distribution, dispensing, possession or use of controlled substances by employees on ULTRA TECH property or assigned premises is strictly prohibited. Failure to comply with this policy will result in disciplinary action, up to and including discharge.

### *2.0 Scope*

All employees.

### *3.0 Guidelines*

ULTRA TECH has a vital interest in maintaining a safe, healthful, and efficient workplace for its employees. The presence of drugs and alcohol in the workplace and the influence of these substances on employees during working hours pose serious safety and health risks to the user and to all those persons who work with the user. Alcohol and drug use in the workplace constitutes an unacceptable risk for safe, healthful, and efficient operations. Moreover, our status as a federal contractor mandates that we provide a drug-free workplace.

While recognizing that employees are responsible for making their own life-style choices, Ultra Tech sees no reason to accept even small risks that on-the-job or off-the-job drug or alcohol use by employees might cause, or contribute to, accidents or other safety or performance problems. Recognizing that any measurable amount of an illegal drug in a person's body can put that person under the influence of the drug to some degree, even if the impairment is not readily apparent to the layman, the Company's policy regarding drugs strives for, and requires, a "drug-free" workforce and workplace.

With these basic objectives in mind, Ultra Tech has established the following policy regarding substance abuse.

#### *3.1 Alcohol and Drug-Free Workplace*

a. It is the strict policy of Ultra Tech that the unlawful manufacture, distribution, dispensation, possession, or use of illegal drugs (also known as controlled substances) is

prohibited in the workplace. For the purpose of this policy, a controlled substance/illegal drug includes such substances as marijuana, cocaine, heroin, PCP, amphetamines, barbiturates, and other substances as specified in 21 U.S.C. Section 812, Schedules I through V of Section 202. Ultra Tech will make a copy of the schedule of controlled substances available for review upon request. It is also the strict policy of Ultra Tech that the possession, or use of alcohol is prohibited in the workplace. For the purpose of this policy, the workplace includes all Ultra Tech facilities and property, vehicles used in the course of work, and any location at which an Ultra Tech employee is performing work for the Company.

b. Violations of paragraph 3.1.a. above will result in serious discipline, up to and including immediate discharge. In some instances, where warranted by the circumstances, and in the sole discretion of Ultra Tech, violators may, in lieu of discipline and at their own cost be required to participate in, and satisfactorily complete, a drug or alcohol abuse assistance or rehabilitation program, approved for such purposes by the appropriate federal, state or local health agency.

c. Employees are required to notify Ultra Tech immediately, and in no event more than five calendar days, after a conviction for a violation of any criminal drug or alcohol statute, which occurred in or on the workplace. Violation of this notification requirement is grounds for immediate discharge.

d. Employees are prohibited from reporting to work under the influence of alcohol or a controlled substance, unless they possess a valid prescription. Violation of this policy may result in immediate discharge. Where an employee is taking valid physician prescribed medication that might impair the employee's performance, Ultra Tech may require the employee to take sick leave, vacation leave, or LWOP until he/she is no longer taking the medication or it is determined that the employee is fit for duty.

e. The policies stated in paragraph 3.1 a. are a condition of employment with Ultra Tech. All employees are required to indicate their agreement to abide by the foregoing policies by signing a statement to that effect.

### *3.2 Drug-Free Awareness Program*

a. Ultra Tech maintains an on-going drug-free awareness program to educate employees about the dangers of workplace drug abuse. The program consists of presentations on this subject, in conjunction with written material. Participation in this program is mandatory and is a condition of employment for all employees, including supervisors and management.

b. The drug-free awareness program includes a thorough review of Ultra Tech's substance abuse policy and penalties for violations. Employees should review the policy carefully prior to the program, and raise any question they may have concerning clarification of the policy at this time.

### *3.3 Definitions*

Definitions that apply to this policy include:

**Controlled Substance** - A drug/drug compound listed in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. 812).

**Conviction** - A finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both by any judicial body charged with the responsibility of determining violations of the federal or state criminal drug statutes.

**Criminal Drug Statute** - A Federal or nonfederal criminal statute involving the manufacture, distribution, dispensing, possession, or use of any controlled substance.

**Drug-Free Workforce** - Employees who do not use illegal drugs (controlled substances).

**Drug-Free Workplace** - A site for the performance of work done in connection with a government contract at which employees of the contractor (ULTRA TECH) are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance.

**Drug Abuse** - See Substance Abuse.

**Drug Trafficking** - Buying, selling, distributing, dispensing and dealing in illegal drugs.

**Substance Abuse** - Although certain substances on the Controlled Substance Act (CSA) list are sometimes prescribed for medicinal use under carefully controlled conditions, all other uses of these substances is illegal and is classified as "substance abuse" or "drug abuse."

### *4.0 Responsibility*

Executives, managers, and supervisors are responsible for ensuring that his procedure is carried out in their respective areas of authority and responsibility.

Each employee is responsible for his/her own adherence to the provisions of this policy.