



NEW HIRE FIT FOR DUTY POLICY

Workplace safety has long been a top priority at NOOTER. Our craft workers perform safety-sensitive functions in high-risk environments, such as oil refineries, chemical plants, and power plants. Performing these safety-sensitive functions requires balance, alertness, clear vision, unimpaired judgment, and the ability to make sound and appropriate decisions. Our projects typically include working at heights on elevated platforms, working in extreme weather conditions (hot and cold), and working in confined spaces, working with or in proximity to heavy machinery and equipment and working around toxic materials. Your job may include operating or using equipment or tools that require strict attention to safety and detail, as well as focused concentration.

NOOTER wants to ensure that our workers are fit for duty and that we are taking appropriate steps to protect our workers, their co-workers and our customer's property from the potential risks posed by the use of prescription medications while performing this safety-sensitive work. Prohibiting the improper use or abuse of prescription medications in the workplace is one goal of this Policy. In addition, there are prescription medications that even when taken at the proper dosage levels in accordance with the doctor's instructions, may affect the employee's ability to perform the essential functions of that employee's job in a safe manner.

The phrase, "safety-sensitive functions" refers to any elements of an employee's essential job functions that may have an impact upon the safety of the employee, his/her co-workers, or owner property. Given the nature of NOOTER's business, we believe that all of our site craft positions require the employee to perform safety-sensitive functions. This includes supervisory and managerial employees who regularly work at our job sites.

After being referred by their hiring hall but prior to commencing productive work, all NOOTER craft employees shall disclose all legally prescribed medications, as well as non-prescription medications, that he/she is currently taking on NOOTER's Medical Profile Questionnaire. The employee shall also disclose any medical condition(s) that may impact his/her ability to safely perform the essential functions of his/her position on that same Medical Profile Questionnaire.

This Policy is not intended to prohibit the *appropriate* use of legally prescribed medications or non-prescription medications. We are only requiring that employees report such medications on the Medical Profile Questionnaire so that any question concerning the use of such medications while on the job can be reviewed before the employee begins performing safety-sensitive functions.

A "legally prescribed medication" means medication for which the individual has a prescription or other written approval from a physician for the use of the medication in the course of medical treatment. The prescription or written approval must include the patient's name, the name of the substance, the appropriate quantity/amount to be taken, and the period of authorization.

Compliance with this Policy is a condition of employment for all new hires into craft positions. Failure to comply with the Policy -- such as failing to provide the required prescription medication information, as well as completion of the Medical Profile Questionnaire, will result in the employee being sent back to his/her hiring hall and not being permitted to work for NOOTER.

In the interest of safety, NOOTER asks that all employees notify the Safety Department if, after commencing work, they begin taking a medication or are diagnosed with a medical condition that might make the employee a danger to himself/herself or others in performing the essential functions of his/her job.

Each employee of NOOTER is also required to participate in and to comply with our Drug and Alcohol Policy. One aspect of the Drug and Alcohol Policy is to submit for drug and alcohol screening in various circumstances, including post-accident, random or when reasonable suspicion exists. If the employee tests positive for a prescription medication which the employee has failed to disclose in accordance with this Policy, the employee will be subject to discipline, up to and including discharge.

DISCLAIMER: The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by that law. To comply with this law, we are asking that you not provide any genetic information when responding to requests for medical information, such as on the Medical Profile Questionnaire. Genetic information, as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or is receiving genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assisted reproductive services.

Print Employee Name

Employee Signature

Date