



DRUG-FREE WORKPLACE AND SUBSTANCE ABUSE POLICY

Summary

This document outlines Kelly Services' ("Kelly") policy regarding illegal drug use and alcohol misuse and drug and alcohol screenings in the United States for regular employees and temporary employees/candidates who have received a conditional offer of employment with Kelly.

Refer to **Appendix A: Drug/Alcohol Screening Matrix** of this document for city- and state-specific screening requirements (as applicable).

Definitions

Alcohol means the intoxicating agent in beverage alcohol or any low molecular weight alcohols such as ethyl, methyl, or isopropyl alcohol. The term includes beer, wine, spirits, and medications such as cough syrup that contain alcohol.

Alcohol screening is a test performed on a specimen to determine the presence of alcohol at a concentration of .04 or more.

Illegal drugs mean all controlled substances, controlled substance analogues, cannabinoids (including cannabidiol (CBD) and CBD products that contain unlawful amounts of THC), marijuana extracts, synthetic drugs, designer drugs, and other substances that are not being used or possessed under the supervision of a licensed health care professional or that are not being used in accordance with the licensed health care professional's prescription or whose use or possession is otherwise unlawful under the federal Controlled Substances Act. (Controlled substances are listed in Schedules I-V of 21 U.S.C. § 812 and 21 C.F.R. Part 1308.)

Inhalants mean volatile solvents, aerosols, gases, and nitrites, such as paint thinners or removers, dry-cleaning fluids, correction fluids, felt-tip marker fluids, gasoline, lighter fluid, butane lighters, glue, spray paints, hair or deodorant sprays, ether, chloroform, nitrous oxide, room odorizer, or other similar substances that are inhaled intentionally to produce a psychoactive or mind-altering effect.

Drug screening is a test performed on a specimen to determine the presence of certain illegal drugs in specific concentrations that are equal to or exceed the cutoff levels established by Kelly and its service agents and are verified by a Medical Review Officer.

Individual refers to both employees and candidates who have received a conditional offer of employment with Kelly.

Medical Review Officer or **MRO** is a licensed physician who has knowledge, training, and clinical experience regarding substance abuse disorders and who will, among other things, review individuals' positive drug test results and evaluate any medical explanations for such results.

Refuse to cooperate means refusing to take a drug or alcohol test, not promptly proceeding directly to a collection or testing site when told to do so, failing to remain at a collection or testing site until the collection or testing process is complete, attempting to provide or providing an adulterated or substituted specimen, failing to provide sufficient specimens, failing to sign testing and other required forms, and any other conduct that disrupts or interferes with the collection and testing process.

Under the influence means to test positive for drugs or alcohol or an individual's actions, appearance, speech, or body odors that reasonably cause Kelly to conclude that the individual is impaired because of illegal drug use or alcohol or inhalant misuse.

Policy

Kelly is committed to ensuring the safety and health of its employees and maintaining a reputation for providing quality services. As a government contractor, Kelly complies with the federal Drug-Free Workplace Act of 1988 and similar state and local laws, and requires all of its employees to comply as well.

Individuals who use illegal drugs or inhalants and misuse alcohol may have a number of work-related problems such as increased accidents and injuries, excessive absenteeism and tardiness, lower productivity, missed deadlines, and poor work quality. Equally important, the use of illegal drugs or inhalants and alcohol misuse can also result in a number of personal health and behavioral problems.

Information about the dangers of drug abuse, inhalant use, or alcohol misuse, sources of help for drug, inhalants and alcohol problems, including Kelly's Employee Assistance Program (EAP), this policy, and the consequences that may result from violations of this policy, is available from individuals' Kelly Representative.

Whenever individuals are working, operating Kelly's or its customers' vehicles, machinery, or equipment, present on Kelly's or its customers' premises, or present in any other location performing services for Kelly, they are prohibited from:

- using, possessing, buying, selling, manufacturing, distributing, dispensing, or transferring illegal drugs or drug paraphernalia;
- being under the influence of illegal drugs, alcohol, or inhalants;
- possessing or consuming alcohol; and
- using inhalants.

Individuals should report to work fit for duty and free of any adverse effects of illegal drugs, alcohol, or inhalants.

This policy does not prohibit individuals from the lawful possession and use of over-the-counter and prescribed medications. Individuals have the responsibility to consult with their doctors or other licensed medical practitioners about the effect of over-the-counter and prescribed medications on their ability to perform their specific job duties in an effective and safe manner, and to promptly disclose any work restrictions to their Kelly Representative. Individuals should not, however, disclose underlying medical conditions, impairments, or disabilities to their Kelly Representative unless specifically directed to do so by their doctors or other licensed medical practitioners.

Marijuana is an illegal drug under federal law and this policy. The use of marijuana will not be considered a legitimate medical explanation by Kelly and its MRO for a positive drug test result for marijuana, except to the extent required by applicable law. In addition, Kelly will not accommodate individuals' use of medical marijuana, except to the extent required by applicable law.

Kelly will report to law enforcement authorities illegal drug-related activities, such as the sale of illegal drugs, that occur on Kelly's or its customers' premises, and will cooperate in any criminal investigation of such activities. Individuals who are convicted of, plead guilty to (including a plea of nolo contendere or no contest), or are sentenced for a crime involving illegal drugs in the workplace must report the conviction, plea, or sentence to their Kelly Representative within five (5) days after such conviction, plea, or sentence. If an individual who is convicted of, pleads guilty to, or is sentenced for a crime involving illegal drugs in the workplace performs work directly relating to Kelly's contracts or grants with a state or the federal government, Kelly will report such conviction, plea, or sentence to the appropriate agency within ten (10) days after it receives notice.

Testing

At the request of Kelly's customers, Kelly may, as a condition of an assignment, request its employees or candidates to submit to its customers' drug and alcohol screening requirements. Except where precluded by applicable law, Kelly also may conduct the following types of tests:

- Pre-assignment
- Reasonable cause
- Post-accident
- Random
- Periodic

Screening Procedures

Summary of Alcohol Screening Procedures

Except where prohibited by applicable state law, Kelly will follow the general collection and alcohol screening procedures set forth below:

Individuals subject to alcohol testing will be required to sign a written consent form in which they consent to and authorize testing.

Individuals shall be sent or directed to report to a Kelly-designated collection site where they shall be required to verify their identity and cooperate in the site's normal specimen collection procedures.

The collection and testing will be conducted, in private, by a trained technician who will use approved testing devices and testing forms. Chain of custody procedures shall be maintained from collection to the time specimens may be discarded to ensure proper identification, labeling, recordkeeping, handling, and testing of specimens.

A screening test will be conducted first. If the individual's screen test result is less than .02, the individual will have passed the test.

If the individual's measured alcohol concentration is .02 or more, the individual shall be required to take a confirmation test. The results of the confirmation test, not the screen test, are determinative. If the individual's confirmation test result is less than .04, the individual will have passed the test. If the individual's confirmation test result is .04 or more, the individual will have tested positive for alcohol.

The technician will notify Kelly of the individual's test results in a confidential manner.

Summary of Laboratory-Based Drug Screening Procedures

Except where prohibited by applicable state law, Kelly will follow the general collection and drug screening procedures set forth below:

Individuals subject to drug testing will be required to sign a written consent form in which they consent to and authorize testing.

Individuals shall be required to verify their identity and otherwise cooperate in Kelly's normal specimen collection procedures.

Specimens shall be collected, in private, by a trained person who will use approved collection and testing devices and custody and control forms. Chain of custody procedures shall be maintained from collection to the time specimens may be discarded to ensure proper identification, labeling, recordkeeping, handling, and testing of specimens.

Collected specimens shall be tested for drugs as may be dictated by the circumstances in accordance with the requirements of Kelly's contracts with its customers and applicable law. If the screen test is negative, the individual has passed the drug test. If the screen test is positive, the individual's specimen shall undergo confirmatory testing in a certified laboratory. The laboratory will analyze the individual's specimen using gas chromatography/mass spectrometry. The laboratory will send the test results to the Medical Review Officer (MRO).

If an individual has a confirmed positive, adulterated, substituted, or invalid drug test result, the MRO will contact the individual by telephone at the numbers listed on the custody and control form. Individuals should promptly cooperate with the MRO. Individuals will have the opportunity to disclose any over-the-counter or prescribed medications that they are using or have recently used, or any other information, medical or otherwise, that they think may be relevant to the testing.

The MRO shall advise Kelly if an individual has received a positive or negative test result, refused to cooperate, if a specimen is dilute, or if a test should be canceled. If the MRO determines that there is a legitimate medical explanation for a positive, adulterated, or substituted test result, the MRO will report a negative test result to Kelly. Invalid test results will be canceled and, depending on the circumstances, may subject an individual to additional testing.

Summary of Instant Oral Swab Drug Screening Procedures

Except where prohibited by applicable state law, Kelly will follow the general collection and drug screening procedures set forth below:

Individuals subject to drug testing will be required to sign a written consent form in which they consent to and authorize testing.

Individuals shall be required to verify their identity and otherwise cooperate in Kelly's normal specimen collection procedures.

Specimens shall be collected, in private, by a trained person who will use approved collection and testing devices and custody and control forms. Appropriate procedures shall be maintained from collection to the time specimens may be discarded to ensure proper identification, labeling, recordkeeping, handling, and testing of specimens.

Collected specimens shall be tested for drugs as may be dictated by the circumstances in accordance with the requirements of Kelly's contracts with its customers and applicable law. If the screen test is negative, the individual has passed the drug test. If the screen test is not negative or inconclusive, the individual subject to drug testing will be required to take a confirmatory urine test following the laboratory based drug screening procedures outlined in this policy.

Consequences

Individuals who fail to appear for a pre-assignment drug test will be permitted to reapply for employment and submit to another pre-assignment drug test.

Individuals who otherwise refuse to cooperate in a drug and/or alcohol test will be denied employment, removed from an assignment, or terminated.

Individuals who test positive for drugs and/or alcohol or who otherwise violate this policy will be subject to appropriate disciplinary action including, but not limited to, denial of employment, removal from an assignment, or termination of employment. Depending on the circumstances, an individual's return to work, reinstatement, and/or continued employment may be conditioned on the individual's successful participation in and completion of any and all evaluations, counseling, treatment, and rehabilitation programs, passing of return-to-duty and follow-up tests, and/or other appropriate conditions as determined by Kelly.

Kelly may take disciplinary and/or other appropriate action when an individual engages in any conduct or is involved in any crime (including being charged with a crime, except where prohibited by applicable law) that could adversely affect or be detrimental to Kelly's operations, interests, or reputation.

Individuals who are denied employment or whose employment is terminated may become eligible for rehire under certain conditions. The individuals must provide a negative drug test result for, at minimum, the same drug panel for which there was a positive result. The results must come from a certified laboratory and must be obtained by the individual at the individual's own expense. Individuals may then be considered for future assignments for which they are qualified. Those individuals also will be subject to any applicable pre-assignment drug testing required for the relevant assignment in addition to the test obtained the individual.

Confidentiality

Information and records relating to test results and other medical information shall be kept confidential and maintained in files separate from employees' personnel files. Such records and information may be disclosed to individuals, any third party designated in writing by an individual, Kelly's customers, the MRO, the EAP, a substance abuse professional, physician, or other health care provider responsible for determining an individual's ability to effectively and safely perform his/her job and/or the individual's successful participation in and/or completion of any and all evaluations, counseling, treatment, and rehabilitation programs, to and among Kelly's employees on a need to know basis, where relevant to Kelly's defense in a grievance, arbitration, administrative proceeding, lawsuit, or other legal proceeding, or as required or otherwise permitted by law.

Getting Help with a Substance Abuse Problem

To get help with a substance abuse problem, contact the National Center for Substance Abuse Treatment at 1-800-662-HELP (1-800-662-4357) or drughelp.org.

An EAP is available to employees. Visit **myKelly.us** for more information.

Appendix A: Drug/Alcohol Screening Matrix

In addition to Kelly's Drug-Free Workplace and Substance Abuse Policy, the following city and states have unique drug and alcohol testing requirements. Refer to the table below for details specific to your work location.

| Location | Drug and Alcohol Testing Rights and Requirements |
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| <p>California</p> <p>Note: See San Francisco, CA call-out below.</p> | <p>Employees are subject to post-accident drug and/or alcohol testing only if Kelly reasonably believes they may have caused a work-related accident that results in a fatality or an injury to a person who requires immediate off-site medical treatment or damage to Kelly vehicles, machinery, equipment, or other property that exceeds \$5,000.</p> <p>Employees are subject to random drug and/or alcohol testing only if they hold safety-sensitive positions.</p> |
| <p>Boulder, Colorado</p> | <p>Employees will be provided with a copy of the Boulder ordinance.</p> <p>Candidates and employees have the right to refuse to undergo drug or alcohol testing, but will be subject to the Consequences described in this Policy.</p> <p>At the request of Kelly customers, Kelly may, as a condition of an order, request its employees or candidates to submit to its customers' drug screening requirements, which may include pre-employment screening, screening due to reasonable suspicion that an employee is under the influence of drugs or alcohol on the job or if an employee's performance is adversely affected by the use of drugs or alcohol, or if an employee has agreed to the test as a part of an employee assistance program after a finding or admission of prior drug or alcohol abuse.</p> <p>Candidates are subject to pre-employment drug testing only if: (1) Kelly includes notice of such testing in its application for employment, or if no application is required, in all advertisements soliciting applicants; (2) all candidates are personally informed of the testing during their first formal interview; and (3) the testing is required of Colorado residents who are the single finalist for a position or of out-of-state resident finalists for the position who come to Colorado for an interview (if the testing is required of all finalists).</p> <p>Employees are subject to post-accident drug and/or alcohol testing only if Kelly has reasonable suspicion that an employee is under the influence of drugs or alcohol or his/her performance is currently adversely affected by the use of drugs or alcohol.</p> <p>No one shall be directly observed as they provide urine specimens.</p> <p>Candidates and employees have the right to obtain, immediately upon request, a copy of all records maintained of their initial positive confirmatory results. Candidates and employees have the right to submit written information explaining any such results.</p> <p>Candidates and employees, upon request and at their expense, may have an untested portion of their original specimen tested by a laboratory certified by the Substance Abuse and Mental Health Services Administration, subject to the same chain-of-custody assurances provided for in the original testing.</p> <p>Test results may not be disclosed to anyone except the candidate or employee or a third party designated by the candidate or employee, Kelly's employees on a need-to-know basis, or as required by law.</p> <p>The drugs we may test for in this jurisdiction include: Amphetamines, Barbiturates, Benzodiazepines, Cocaine, Marijuana (THC), Methadone, Methaqualone, Opiates, Phencyclidine (PCP), Propoxyphene, Oxycodone, and Ecstasy.</p> |

| Location | Drug and Alcohol Testing Rights and Requirements |
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| Connecticut | <p>Employees are subject to post-accident drug testing only if Kelly has reasonable suspicion that an employee is under the influence of drugs or alcohol.</p> <p>Employees are subject to random drug testing only if: (1) the testing is authorized by law; (2) the employee serves in a position designated as high-risk or safety-sensitive by the Labor Commissioner; or (3) the testing is conducted as part of an EAP sponsored or authorized by Kelly in which the employee voluntarily participates.</p> <p>Employees are subject to return-to-duty and follow-up drug testing only if such testing is part of an employee assistance or other treatment program in which an employee voluntarily participates.</p> <p>No one shall be directly observed as they provide urine specimens.</p> <p>Candidates will be provided with copies of their positive drug test results.</p> |
| Hawaii | <p>Specimens for testing are limited to urine and blood.</p> <p>On-site testing shall be administered only for initial screening purposes.</p> <p>Pursuant to Kelly's Drug-Free Workplace and Substance Abuse Policy, if you are subject to a drug screening test then the following substances and/or their metabolites will specifically be tested for: Amphetamines, Cocaine, Marijuana, Opiates, Phencyclidine, Barbiturates, Benzodiazepines, Methaqualone, Methadone, Propoxyphene, Oxycodone, Ecstasy, and Alcohol.</p> <p>Information concerning substance abuse tests are confidential and will not be released to anyone without the informed written consent of the individual tested, except that a positive test result shall be disclosed to the individual, Kelly, a third party, the laboratory, or the decision maker in a grievance, lawsuit, or other proceeding initiated by the individual and arising from a positive test result.</p> <p>The drugs we may test for in this jurisdiction include: Amphetamines, Barbiturates, Benzodiazepines, Cocaine, Marijuana (THC), Methadone, Methaqualone, Opiates, Phencyclidine (PCP), Propoxyphene, Oxycodone, and Ecstasy.</p> |
| Iowa | <p>Employees are subject to post-accident drug and/or alcohol testing only if Kelly reasonably believes they may have caused a work-related accident that results in a reportable injury to a person under Iowa's occupational safety and health statute, or damage to property or equipment that is estimated at the time of the accident to exceed \$1,000.</p> <p>Specimens for testing are limited to hair, urine, breath, blood, and saliva. Blood may only be used when an employee is involved in a work-related accident and the test is administered by or at the direction of a person providing care or treatment to the employee, and not at the suggestion or request of Kelly.</p> <p>Specimens for drug testing of employees will be split at the time of collection in the presence of the individual from whom the specimen is collected.</p> <p>After Kelly receives a report of a candidate's positive drug test result, Kelly will notify the candidate in writing of the test result, the name and address of the MRO who made the report, and the candidate's right to request any records relating to his/her drug test. The candidate has the right to request in writing, within fifteen (15) days from the date Kelly mails written notice of the candidate's positive drug test result to him/her, any records relating to his/her drug test.</p> <p>Following a drug or alcohol test, but prior to receipt of the final results of the drug or alcohol test, Kelly may suspend an employee with or without pay, pending the outcome of the test. Kelly will reinstate an employee who has been suspended, with back pay and interest on such amount at eighteen percent per annum compounded annually, if applicable, if the result of the test is not a confirmed positive drug or alcohol test that</p> |

| Location | Drug and Alcohol Testing Rights and Requirements |
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| | <p>indicates a violation of the Kelly's written Drug-Free Workplace and Substance Abuse Policy.</p> <p>After Kelly receives a report of an employee's confirmed positive drug or alcohol test result, Kelly will notify the employee in writing by certified mail, return receipt requested, of the test result and the employee's right, at his/her expense, to request a confirmatory test of his/her split specimen at an approved laboratory of the employee's choice.</p> <p>If the employee, either in person or by certified mail, requests a confirmatory test of his/her split specimen, identifies an approved laboratory, and pays the fee for such test within seven (7) working days from the date Kelly mails the written notice, the confirmatory test will be conducted.</p> <p>If the result of the second confirmatory test does not confirm the result of the initial confirmatory test, the initial confirmatory test result shall not be considered a positive test result and Kelly will reimburse the employee for the fee of the test</p> <p>Employees who are notified of their confirmed positive drug or alcohol test results have the right, upon written request, to have access to any records relating to the tests.</p> <p>The first time an employee with at least 12 months service (during the prior 18 months) tests positive for alcohol, he/she will be offered an opportunity to enroll in an approved rehabilitation, treatment, or counseling program. Continued employment will be conditioned on successful completion of the program. Program costs shall be apportioned between the employee and Kelly in accordance with the terms of Kelly's benefit plans. Kelly will not take adverse employment action against employees who comply with the rehabilitation requirements and successfully complete rehabilitation.</p> <p>All drug and alcohol testing notices required by Iowa law shall also be provided to the parent of the individual, if the individual tested is a minor.</p> <p>Any action taken against a candidate or employee shall be based only on the results of their drug and/or alcohol tests (and not on other medical information obtained by Kelly during the testing process).</p> <p>The drugs we may test for in this jurisdiction include: Amphetamines, Barbiturates, Benzodiazepines, Cocaine, Marijuana (THC), Methadone, Methaqualone, Opiates, Phencyclidine (PCP), Propoxyphene, Oxycodone, and Ecstasy.</p> |
| Louisiana | <p>Specimens for drug testing are limited to urine, blood, saliva, and hair.</p> <p>On-site drug testing devices certified by the FDA may be used for initial screening tests only.</p> <p>Within seven (7) working days following notice of a positive confirmatory drug test result, an employee may request, in writing, access to records relating to his/her test result.</p> |
| Maryland | <p>On-site screening tests approved by the FDA are permitted only for pre-employment purposes.</p> <p>Hair specimens may be used for pre-employment testing only.</p> <p>Blood, saliva, and urine specimens may be used for all types of tests.</p> <p>After Kelly receives notice of a candidate's or employee's confirmed positive drug or alcohol test results, Kelly will provide the candidate or employee, either in person or by certified mail within thirty (30) days from the date of the test, with: (1) a copy of the test results; (2) a copy of Kelly's Drug-Free Workplace and Substance Abuse Policy; (3) notice of the candidate's or employee's right to request a retest of his/her original specimen(s), at his/her expense, by a certified laboratory; and, if applicable, (4) notice of Kelly's intent to take disciplinary action, change the employee's conditions of continued employment, or terminate the employee's employment.</p> |

| Location | Drug and Alcohol Testing Rights and Requirements |
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| | <p>Candidates and employees who have positive results may request, at their expense, that an independent test be performed on their original specimens by notifying Kelly and the laboratory of their challenge to the confirmed test results and requesting the laboratory to submit a sufficient portion of their original specimens to a different certified laboratory chosen by the candidate or employee.</p> |
| Massachusetts | <p>Employees are subject to random drug and/or alcohol testing only if they hold safety-sensitive positions.</p> |
| Minnesota | <p>Employees shall not be subject to on-site testing.</p> <p>Candidates and employees have the right to refuse to undergo drug or alcohol testing, but will be subject to the Consequences described in this Policy.</p> <p>An employee who tests positive may not be discharged for a first positive drug or alcohol test result unless Kelly 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, Kelly may temporarily suspend or transfer an employee pending the outcome of any confirmatory test or retest, if Kelly believes that it is necessary to protect the health of the employee, co-workers, or the public. If the confirmatory test is negative, Kelly will reinstate the employee with back pay.</p> <p>Within three (3) working days of receiving test results from the laboratory, Kelly will inform the candidate or employee in writing of the test results and the right to obtain a copy of the results.</p> <p>If a candidate or employee has a positive initial screen test result, Kelly will provide the candidate or employee with written notice of his/her right to explain the test result.</p> <p>If a candidate or employee has a positive confirmatory test result, Kelly will inform the candidate 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.</p> <p>Within three (3) working days following notice of a positive confirmatory test result, a candidate or employee may submit any additional information to Kelly to explain the test result. Within five (5) working days following notice of a positive confirmatory test result, a candidate or employee also may notify Kelly in writing of his/her intention to obtain a confirmatory retest by the original laboratory or another certified, accredited, and/or licensed laboratory. Kelly then has three (3) working days to notify the laboratory of the request.</p> |
| Montana | <p>Employees are subject to post-accident drug and/or alcohol testing only if Kelly 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.</p> <p>Specimens for testing are limited to urine, breath, and saliva.</p> <p>On-site testing shall be limited to initial screening 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.</p> <p>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.</p> <p>Kelly uses the standard cut-off levels recommended by the Department of Health and Human Services (for 5 panel drugs) and the standard cut-off levels recommended by the DHHS-certified laboratory (all other substances).</p> |

| Location | Drug and Alcohol Testing Rights and Requirements |
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| | <p>All information, interviews, reports, statements, memoranda, and test results are confidential and may not be disclosed to anyone except the tested individual, Kelly's designated representative, in connection with any administrative or legal claim arising out of Kelly's implementation of its Drug-Free Workplace and Substance Abuse Policy, in response to inquiries relating to a workplace accident that Kelly 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 otherwise required by law.</p> <p>Kelly shall provide candidates and employees with copies of their test results.</p> <p>An employee has the right to request Kelly to obtain a confirmatory test of his/her split specimen at a laboratory of the employee's choice.</p> <p>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.</p> <p>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.</p> <p>Information obtained through testing that is unrelated to an individual's use of a controlled substance or alcohol will be held in strict confidence by the MRO and will not be released to Kelly.</p> <p>The drugs we may test for in this jurisdiction include: Amphetamines, Barbiturates, Benzodiazepines, Cocaine, Marijuana (THC), Methadone, Methaqualone, Opiates, Phencyclidine (PCP), Propoxyphene, Oxycodone, and Ecstasy.</p> |
| Nebraska | <p>When Kelly uses approved evidential breath testing devices for alcohol screen tests, employees whose screen tests are positive shall have the right to voluntarily provide a blood specimen for their confirmation tests.</p> <p>All blood and urine specimens that that test positive for drugs and alcohol shall be stored for a period of at least 180 days to allow employees to request retests of such specimens.</p> |
| New Jersey | <p>Employees are subject to random drug and/or alcohol testing only if they hold safety-sensitive positions.</p> |
| New York | <p>Candidates who test positive for Marijuana (THC) will not be negatively impacted in the pre-employment process. This restriction does not apply for certain safety-sensitive positions.</p> |
| North Carolina | <p>Specimens for testing are limited to urine, blood, hair, and saliva.</p> <p>On-site testing shall be administered only for pre-employment purposes.</p> <p>Candidates and employees who receive confirmed positive drug test results shall have ninety (90) days from notice of their test results to request, in writing, a retest of their specimens. Candidates and employees shall be responsible for all reasonable expenses in connection with the retesting, including chain of custody and shipping expenses.</p> |
| Oklahoma | <p>Any drug or alcohol testing shall be deemed work time for purposes of compensation and benefits.</p> <p>If a candidate or employee requests a confirmation test within twenty-four (24) hours of receiving a positive test result, the candidate or employee shall pay all costs of the confirmation test, unless the confirmation test reverses the result of the challenged test. If the result of the challenged test is reversed, Kelly shall reimburse the individual for the costs of the confirmation test.</p> |

| Location | Drug and Alcohol Testing Rights and Requirements |
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| | <p>Applicants and employees shall have the right to obtain copies of all information and records related to their drug and alcohol tests.</p> |
| Oregon | <p>Employees are subject to alcohol testing through the administration of a breathalyzer test only if they consent to the testing or if Kelly has reasonable suspicion to believe that they are under the influence of alcohol.</p> <p>On-site testing devices must be approved by the FDA, and all positive test results must be confirmed by a licensed clinical laboratory.</p> |
| Puerto Rico | <p>Employees shall not be subject to on-site testing.</p> <p>All candidates are subject to pre-employment drug testing only as part of a general physical examination.</p> <p>Employees shall be subject to reasonable suspicion drug and/or alcohol testing within twenty-four (24) hours of the reasonable suspicion determination.</p> <p>Employees may be required to submit to a maximum of two (2) tests per year, unless they test positive or are participating in a counseling, treatment, or rehabilitation program.</p> <p>No one shall be directly observed as they provide urine specimens, unless they have provided an adulterated specimen.</p> <p>If an employee tests positive for drugs, Kelly will inform the employee in writing of his/her right to explain the test result and his/her right to a confirmatory retest.</p> <p>If the test conducted by Kelly is positive, and the confirmatory retest made at the request of the employee is negative, Kelly may suggest three (3) laboratories, of which the employee must choose one (1), for a third test. The result of the third test is binding.</p> <p>The first time an employee tests positive for drugs, Kelly will allow and require the employee to be evaluated by a substance abuse professional and to attend an appropriate rehabilitation program. If the employee fails to participate in and successfully complete the program, he/she will be terminated.</p> <p>The production, distribution, possession, or illegal use of controlled substances is a crime under the laws of Puerto Rico and the United States of America, and can result in imprisonment, fines, and other penalties.</p> |
| Rhode Island | <p>Employees are subject to post-accident drug testing only if Kelly has reasonable suspicion that an employee's use of drugs is impairing his/her ability to perform his/her job.</p> <p>Employees shall not be subject to random drug testing unless such testing is required by federal law.</p> <p>Employees whose first confirmatory drug test is positive will be referred to a substance abuse professional and may be required to submit to additional testing. Evidence of any continued use of controlled substances during or after treatment may result in termination of employment. Employees who refuse to participate in the treatment program may be terminated.</p> <p>No one shall be observed as they provide specimens.</p> <p>Employees who have positive test results shall have the opportunity to have their specimens retested by an independent laboratory, and shall have a reasonable opportunity to rebut or explain their results.</p> <p>Test results shall be kept confidential, and positive test results may only be disclosed by Kelly to employees who have a job-related need to know or to defend against any legal action brought by an employee against Kelly.</p> |

| Location | Drug and Alcohol Testing Rights and Requirements |
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| San Francisco, California | <p>Employees shall not be subject to on-site testing.</p> <p>Employees are subject to “cause” or reasonable suspicion testing only if Kelly has reasonable grounds to believe that an employee’s faculties are impaired on the job and such impairment presents a clear and present danger to the physical safety of the employee, another employee, or the public.</p> <p>Post-accident and other types of testing of employees are prohibited unless “cause” exists.</p> |
| Vermont | <p>Individuals may be screened for the following substances: alcohol, amphetamines, cocaine, marijuana (THC), opiates, phencyclidine (PCP), barbiturates, benzodiazepines, methaqualone, methadone, propoxyphene, ecstasy, and oxycodone. Therapeutic levels of medically-prescribed drugs tested will not be reported.</p> <p>Employees shall not be subject to on-site testing.</p> <p>Candidates are subject to pre-employment drug testing only if: (1) the candidate has been given a conditional offer of employment; (2) the candidate has received written notice of Kelly’s testing procedures, the drugs to be tested, and that therapeutic levels of prescription drugs will not be reported.</p> <p>Employees are subject to post-accident drug and/or alcohol testing only if Kelly has probable cause to believe that they are using or are under the influence of drugs or alcohol on the job.</p> <p>Employees shall not be subject to random drug and/or alcohol testing unless such testing is required by federal law.</p> <p>An individual undergoing a urinalysis drug screening procedure may, at his/her own expense, request to have a blood sample drawn at the time a urine sample is provided to be preserved in such a way to allow for it to be tested later for the presence of drugs.</p> <p>The MRO shall provide candidates and employees with copies of their test results, which includes the name or other unique identifier of the person tested, the type of test(s) conducted, the results of each test, the detection levels for both the initial screen and confirmation tests, the name and address of the laboratory, and any other information provided by the laboratory concerning the candidate’s and employee’s tests.</p> <p>Over-the-counter medications and other substances may result in a positive test.</p> <p>Any positive sample will be preserved in a condition that will permit accurate retesting for a period of not less than ninety (90) days after the candidate or employee tested received the result.</p> <p>Candidates and employees who have a positive test result shall have an opportunity to have a portion of their specimen retested at an independent laboratory at their expense.</p> <p>The first time an employee tests positive for drugs or alcohol, he/she will be immediately removed from his/her job functions and must participate in and successfully complete a drug and/or alcohol rehabilitation program. Failure to participate in and successfully complete the drug and/or alcohol rehabilitation program will result in termination. In addition, an employee may be suspended for up to three (3) months so that he/she can complete the drug and/or alcohol rehabilitation program. Employees who subsequently test positive for drugs and/or alcohol, or who otherwise violate this policy, will be subject to appropriate disciplinary action up to and including termination of employment.</p> <p>Information about drug and alcohol test results must be kept confidential, and should be released to a third party only pursuant to a written consent form signed voluntarily by the person tested or where compelled by a court of competent jurisdiction in connection with an action brought under the drug testing statute.</p> <p>The drugs we may test for in this jurisdiction include: Amphetamines, Barbiturates, Benzodiazepines, Cocaine, Marijuana (THC), Methadone, Methaqualone, Opiates, Phencyclidine (PCP), Propoxyphene, Oxycodone, and Ecstasy.</p> |