

DELIVERY MANAGEMENT SERVICES, INC.
EMPLOYEE MANUAL

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- I. **INTRODUCTION**. This handbook has been formulated to assure that all employees of the Delivery Management Services, Inc. ("DMS") are informed and familiar with the personnel policies and procedures of the Company. Please study this handbook and keep it for your use as a reference. Since no one handbook can answer all of the questions an employee may have, DMS encourages you to contact your supervisor or the Office Manager if you have additional questions or want further clarification of these policies and procedures which are effective as of May 15, 2010.

DMS strives to be an excellent logistics company. We keep our vehicles clean and maintained for the best performance. We also believe that our employees are a big part of our success. Our employees represent DMS in the way that they look and interact with our customers. Also, our drivers are always conscious of safety procedures and regulations while operating a company vehicle. We encourage our employees to give us ideas to make us more efficient and successful in the future by offering a suggestion box. The following policies were written to maintain a positive, comfortable work environment where our employees can thrive and be a part of the continued growth of our company.

- II. **SCOPE**. This policy extends to all features of the Company's vehicles, electronic communications systems, networking equipment, connections to the Internet, and all telephone communication used by employees currently or in the future. All employees of DMS are subject to this policy and are expected to read, understand, and comply fully with its provisions.

III. **STANDARDS**

A. **Attire**

1. **Drivers** - uniforms must be worn at all times for any positions that require them. If an employee does not report to work in uniform he/she will be sent home and/or receive a warning.
2. **Office** – Office attire is casual, but neat. Radical departure from conventional dress or grooming is not permitted. Dress that results in distraction of other employees or disruption of work, as determined by your supervisor will not be permitted.

- B. **Personal Mail and Telephone Calls** - Employees of DMS are not to use the email system to send or receive personal email. When you answer the telephone, you represent DMS. Please give your name and title and always respond to callers in a manner that is pleasant, courteous and helpful.

- C. **Conduct** - The goal of DMS is to be an outstanding transportation company with the best customer service and fleet of vehicles. To accomplish this goal, it is necessary that DMS establish certain rules. As a condition of employment, you are required to abide by these rules. It may not be possible to identify every standard and rule applicable to the operation of business. Employees are therefore encouraged to utilize sound judgment whenever using company equipment. In order to offer employees some guidance, the following principles and standards should be clearly understood and followed:

1. The company's policy against harassment, including sexual harassment, extends to the use of vehicles, computers, the Internet, and telephones. In keeping with that policy, employees should not use any company equipment in a manner that would violate that policy.
 2. The company's anti-discrimination policies extend to the use company equipment. Any employee who uses any equipment in any manner that violates the company's anti-discrimination policies or commitment to equal employment opportunity will therefore be subject to disciplinary action, including the possibility of immediate termination.
 3. Employees may not use any company equipment for a purpose that is found to constitute, in the company's sole and absolute discretion, a commercial use that is not for the direct and immediate benefit of the company or that is competitive to the interests of the company
 4. Employees may not use any company equipment in a manner that violates the trademark, copyright, or license rights of any other person, entity or organization.
- D. **Company Code of Ethics** - DMS requires that all of its business be conducted with the highest legal and ethical standards. The purpose of this policy is to set forth basic principles and guidelines to direct employees in the proper conduct of the business and personal affairs as representatives of DMS. The following standards are expected to be maintained by all employees, regardless of their position:
1. Assure that all actions and behaviors promote the favorable image of the company, its management and its officers.
 2. Avoid potential conflict of interest and personal gain or any appearance of a conflict or impropriety.
 3. Promote the integrity, reputation, administration and operations of all the affairs of the company and avoid any conduct, whether on or off duty, that could cause embarrassment or disrepute to the company.
 4. Like all other organizations, DMS has established certain minimum standards of conduct that promote efficiency, productivity and cooperation among employees. For this reason, it may be helpful to identify some examples of conduct that are impermissible and that may lead to disciplinary action up to and including immediate termination. Although it is not possible to provide an exhaustive list of all types of impermissible conduct or performance, the following are some examples:
 - (a) Committing acts of dishonesty including falsification of, or making a material omission of forms, records, or reports.
 - (b) Disclosure of trade secrets or confidential information about DMS, its employees, or its customers and/or clients.
 - (c) Working for a competitor, or establishing a competing business.
 - (d) Engaging in altercations or any type of harassment, whether verbal, non-verbal or physical.

- (e) Actual or threatened violence against co-workers, visitors, or any other persons who are on our premises or have contact with employees in the course of their duties.
- (f) Insubordination, including improper conduct toward a manager, or refusal to perform assigned tasks.
- (g) Theft, abuse, destruction, waste, or unauthorized use/possession of DMS property, facilities, equipment or materials.
- (h) Possessing or bringing firearms or other dangerous weapons on DMS property.
- (i) Unauthorized possession, use or sale of illegal substances on DMS property, or reporting for work under the influence of alcohol or illegal drugs.
- (j) Violating safety or health regulations or engaging in conduct that creates a safety or health hazard.
- (k) Excessive absenteeism or tardiness.
- (l) Misconduct.
- (m) Unsatisfactory performance.

IV. POLICIES

- A. **Sexual Harassment** - No member of the DMS community shall engage in sexual harassment, which includes but is not limited to: verbal or non-verbal conduct with an inappropriate focus on gender or sexual history, characteristics, or preferences that is intimidating, demeaning, hostile, or offensive; unwelcome verbal or physical advances; attempts to subject a person to unwanted sexual attention or to coerce a person into a sexual relationship; or retaliation for a refusal to comply with sexual demands. Any employee who believes that he or she is, or has been, the subject of sexual harassment, or is aware of such conduct should report such conduct immediately as outlined below. It is unlawful to retaliate against an employee for filing a complaint of sexual harassment. DMS personnel are expected to avoid or to recuse themselves from any situation which requires them to evaluate an employee with whom they have a relationship which could make their evaluations suspect because such behavior may constitute an abuse or misuse of power, station, rank or influence. A violation of the sexual harassment policy can lead to disciplinary action, up to and including termination. A complaint relating to sexual harassment may be filed with the Office Manager or your supervisor. The complaint must be filed within 180 days of the most recent act. A thorough investigation will be conducted and appropriate action taken.
- B. **Work Place Violence** - A goal of DMS is to provide employees with a safe work environment. Threats, threatening behavior, acts of violence, or any related conduct which disrupts the work environment, or interferes with DMS's ability to provide quality services will not be tolerated. Any employee who makes threats, exhibits threatening behavior, or engages in violent acts on DMS premises will be subject to disciplinary action, up to and including termination. Employees are responsible for notifying their supervisor of any threats which are witnessed, or received, or any behavior they have witnessed which is regarded as threatening or violent, when the behavior is job related

or might occur on DMS premises. Questions relating to this policy may be referred to your supervisor.

- C. **Personnel Record** - The information contained in your personnel record is confidential and the contents of your file will be made known only to you and your supervisor and other appropriate persons within the company who must have access to that information to make appropriate decisions. Further, access to your personnel record may be made to other agencies, entities or individuals as required by federal or state laws and regulations and/or court orders and/or subpoenas. The information contained within your personnel record is used, for example, in evaluating your work performance, considering you for a wage increase. You may review your personnel file at any time during regular business hours in the main office. An employee may receive, upon written request, a copy of his/her personnel file at the expense of the employee.
- D. **Equal Employment Opportunity and Affirmative Action** – DMS is an Equal Employment Opportunity/Affirmative Action Employer. The policy of DMS is to affirm and dedicate itself to a primary principle of affirmative action and non-discrimination. To this end, Equal Employment Opportunity/Affirmative Action is a policy required in actions of recruitment, employment, transfers, promotions, compensation, benefits, and other terms and conditions of employment. DMS does not discriminate on the basis of race, sex, religion, color, national origin, age, disability, disabled veteran or Vietnam Era veteran status. It is the intent of DMS, consistent with this policy of Equal Employment Opportunity/Affirmative Action, to be fair and impartial in all of its relations with employees and to recognize and respect the individual. DMS will afford each and every employee impartial treatment and a fair opportunity for advancement without prejudice in the organization as the employee's ability and performance warrant and as vacancies occur. All administrative, management and supervisory personnel provide leadership in support of this policy.
- E. **Smoking Policy** – DMS has a smoking policy, which prohibits smoking in company vehicles, except in designated outdoor areas.
- F. **Workers Compensation** – DMS furnishes workers' compensation insurance coverage at its expense. Workers' compensation insurance is intended to provide medical care and pay for lost time resulting from injuries on the job and those illnesses caused by work. Wage benefits such as hospitalization become effective following a waiting period. If an employee is injured on the job, the employee must report the injury to a manager or the Office Manager in order for the proper reports to be filled out. DMS or its insurance carrier may not be liable for the payment of workers' compensation benefits for any injury which arises out of an employee's voluntary participation in any off-duty recreational, social, or athletic activity which is not a part of the employee's work-related duties. In order for employees to see their own physician for a workers' compensation claim, an employee must have placed a note in his/her employment file prior to any filing a claim.

G. **Work Authorization** – DMS is committed to full compliance with the federal employment laws. These laws require that all individuals satisfy an employment verification procedure before they are permitted to work. This procedure has been established by law and requires that every individual provide satisfactory evidence of his identity and legal authorization to work in the United States no later than three business days after s/he begins work. Accordingly, all new hires must go through this procedure. Failure to provide the appropriate documentation within the three-day time frame will result in immediate termination. When documentation is provided, employment will be reactivated.

V. **SAFETY** - Every employee is responsible for safety in the workplace. To achieve our goal of providing a safe work environment, employees should immediately report any unsafe or hazardous condition directly to the Office Manager and/or their supervisor. Every effort will be made to remedy problems as quickly as possible. An injury and illness prevention program is available to employees.

A. In case of an accident at work involving personal injury, employees should notify their supervisor immediately. Failure to report accidents can result in a violation of legal requirements and can lead to difficulties in processing insurance and benefits claims. If an employee is injured on the job, he or she may be entitled to Workers' Compensation benefits.

VI. **EMPLOYMENT**

A. **Employment Status:**

1. **Full-Time Employees** - Full-time employees are defined as those employees who are hired to work on a regular basis for 40 or more hours a week. They are eligible for all employer-sponsored benefits within the eligibility requirements for each benefit.
2. **Part-Time Employees** - Part-time employees are defined as those employees who are hired to work on a regular basis for less than 40 hours a week. Part Time employees must work 30 or more hours per week to be eligible for any DMS sponsored benefits.

B. **Probationary Period** - As a new employee, you are becoming acquainted with DMS. Your supervisor will advise you of the specific practices within your job description as to work schedules and the nature of your work. For the first month you will be on probationary status. All former employees rehired by DMS must also serve the probationary period. During this time, you will have an opportunity to familiarize yourself with DMS. At the end of your probationary period, your supervisor will evaluate your work, and, if your work and performance in your position and for DMS is satisfactory, you will have satisfactorily completed the probationary period. While you are in your probationary period, you may be terminated at any time for any reason or for no reason.

C. **Outside Employment** - You may work at another job outside DMS, provided that your outside employment does not interfere with the performance of your job at DMS; does not violate DMS regulations or policy, the State Ethics Laws or any other state or federal laws or regulations; does not bring discredit upon DMS; and does not serve as a conflict of interest with your employment with the DMS.

D. **Resignation** - If you wish to resign, you are expected to provide at least 10 working days advance written notice to your supervisor.

E. **Voluntary Resignation without Proper Notice** - An employee will be considered to have voluntarily resigned without proper notice when the employee fails to report to work for three (3) consecutive scheduled work days without proper notification or when, at least two weeks prior to the completion of an approved leave of absence, an employee fails to notify the supervisor of the intent to return to work.

F. **Eligibility**

1. All drivers must have a valid driver's license and be insurable by the Company's automobile insurance carrier. Any changes in the status of your driver's license (revocation, suspension, DUI, etc.) must be reported immediately to your supervisor.
2. All CDL drivers must have a medical card and all other required DOT documentation. Any changes in the status of this documentation must be reported immediately to your supervisor.

VII. **PAYROLL** - Paychecks are distributed each week on Friday.

- A. DMS offers direct deposit. Please ask your supervisor if you are interested in this program.
- B. Reporting Changes - Please report any changes in your status such as name, address, telephone number, marital status, number of dependents, etc., to your supervisor. A form will need to be submitted immediately. For income tax purposes, should you need to change the number of dependents you originally listed on your W-4 Form, it will be necessary for you to obtain a new W-4 Form from your supervisor.

VIII. **DISCIPLINARY ISSUES**

- A. DMS supervisors are authorized to give warnings for any issue that they deem requires such an action, such as insubordination, customer satisfaction, etc. Below are some of the issues that will require disciplinary action such as warning, loss of incentive and or termination:
 1. **No call/no show.** If you are going to miss a day's work, you must call in to your supervisor as soon as possible.
 2. **Calling out.** Please call within a sufficient amount of time to find a replacement, except when an emergency arises, please give at least 4 hours of notice.
 3. **Accident.** If fault is determined to be yours and DMS or its insurance carrier has to pay for repairs to DMS or other vehicles and/or property, disciplinary action will

be taken. For minor accidents, a second incident within a twelve (12) month period is grounds for termination. For a major accident, termination may be immediate.

4. **Communication.** Any accidents and/or maintenance issues with a company vehicle and any traffic issues or loading delays that will affect any customer delivery or your schedule must be reported immediately to your supervisor.
5. **Reckless Driving.** This includes damages to packages inside a company vehicle or loads shifting inside a company vehicle, while said vehicle is in your possession. Also, any reports from customers or other drivers of reckless driving.
6. **Documentation.** If the necessary daily paperwork is not completed and/or falsified in anyway, employee will be subject to disciplinary action.
7. **Conflict Resolution.** Employees are encouraged to maintain a pleasant work environment and do their best to avoid conflicts with other employees when possible. In the event of a conflict that cannot be easily resolved, employees must bring the issue to their supervisor immediately.
8. **General Driving Rules:**
 - (a) Using a company vehicle for personal use or going home while on-route is not allowed. All mileage will be monitored.
 - (b) Only DMS employees are allowed to drive or ride as a passenger inside a company vehicle.
 - (c) Failure to obey all traffic laws and speed limits; failure to wear seat belts at all times, failure to maintain a safe speed for road, traffic, and weather conditions.
 - (d) Alcohol or illegal drugs will **not** be allowed in a DMS vehicle at any time. No driver who has been drinking alcoholic beverages or is under the influence of drugs will be allowed to drive a DMS vehicle.
 - (e) Vehicles must be properly maintained and kept clean at all times.
 - (f) Any employee who misuses a Company vehicle or is no longer insurable by the Company's insurance carrier may be subject to termination.
 - (g) Keys to vehicles must be turned in nightly. Keys should not be hidden or taken home for ANY reason.

IX. LEAVE OF ABSENCE

- A. **Family and Medical Leave** - If you are an eligible employee, you may take leave from your job for a limited period of time to address certain family responsibilities as defined below or for your own serious health condition.
 1. Family/medical leave is for the birth or adoption of a child, an employee's own serious illness, or for the care of a seriously ill child, spouse, or parent. Eligible employees may take an unpaid leave of absence of up to 120 calendar days per year, inclusive of paid vacation.
 2. DMS will grant an employee unpaid leave for up to 120 calendar days, with appropriate medical certification, during the calendar year provided the procedures in this policy are followed and leave is requested for any of the following reasons:
 - (a) To care for a "family member" of the employee if that individual has a serious health condition.
 - (b) Your serious health condition that renders you unable to perform your essential job functions; or

(c) The birth or adoption of a child, or the foster care placement of a child.

3. This policy and the Family Medical Leave Act are only intended to cover serious health conditions - generally those which involve three or more day's incapacity from work or school, or chronic, long term, or incurable conditions. If you wish to take leave to care for family members with non-serious health conditions you are not eligible for family/medical leave. You are limited to a maximum of 120 calendar days per year inclusive of paid sick leave and vacation for family/medical leave for any of these purposes. If the leave is for birth, adoption, or foster care placement, the leave must be completed within 12 months of the date of birth or placement for adoption or foster care.

B. **Administrative Leave** - You may, with prior supervisory approval, take administrative leave without pay and be excused for:

1. Death in Family - If you suffer a loss in your family, you will be granted administrative leave up to a maximum of three eight-hour working days.
2. Emergency Closing
3. Voting
4. Jury Duty
5. Witness Summons
6. Personal Disaster

C. **Military** - Employees who enter any branch of the Armed Forces of the United States, the National Guard and/or Reserves, will be granted leaves of absence in accordance with federal and state laws governing such leaves.

X. **VACATION AND HOLIDAY TIME**

A. **Vacation** - If you are a regular employee and are scheduled to work 40 hours or more each week, you will receive one (1) week/40 hours of vacation benefits (1) year from your initial date of employment. If you are a regular employee and work less than 40 hours per week or are a temporary employee, you are not eligible to accrue vacation benefits. You must use the vacation time available within the year; vacation time does not rollover.

B. **Holidays** – DMS's operation observes the following holiday schedule.

New Year's Day	January 1 st	Open
Memorial Day	Last Monday in May	Open
Independence Day	July 4 th	Open

Labor Day	1 st Monday in September	Open
Thanksgiving Day	4 th Thursday in November	Open
Christmas Day	December 25 th	Open

XI. WAGE INCREASES, INCENTIVES AND PERFORMANCE EVALUATIONS

- A. **Pay increases** – wage and salary increases are based on merit, productivity, quality of work, attendance, punctuality, business/economic conditions, work ethic, and other factors. Each are normally based upon employee evaluations in accordance with the Annual Performance Evaluation schedule. However, DMS cannot guarantee that each employee's performance evaluation will result in a pay increase.

- B. **Performance Evaluation Program** – DMS has established a performance evaluation program. The purpose of the performance evaluation is to:
 1. Enable the employee and manager to discuss the employee's performance based on responsibilities and objectives as well as performance factors;
 2. Provide an opportunity for the employee to participate in defining objectives and identifying actions he/she can take to increase overall performance; and
 3. Clarify and communicate the relationship between the employee's performance and pay.

Performance evaluations are normally conducted on an annual basis, typically occurring on or around the employee's date of hire. Employees do not need to wait for a performance evaluation to discuss issues or problems. Immediate concerns should always be brought to the attention of the employee's supervisor on a day-to-day basis.

- C. **Incentive Program**
 1. This program allows for additional pay each day based on an employee's individual contribution and ability to complete his/her tasks within the timeframe provided by DMS. Each employee should discuss their individual incentive program with their supervisor upon hire.
 2. Employees also have an opportunity to earn additional incentive. Sales materials are available to all employees to distribute and any new sales lead that results in work for DMS will earn a \$50 incentive bonus.

- XII. **CUSTOMER SERVICE** - DMS prides itself on customer service and prompt delivery. Indeed, our customers do business with us based on performance and our history of reliability. DMS expects all employees to assume diligent responsibility for their attendance and promptness. Continued dependability, quality and pride of service are factors over which each individual employee has a great deal of influence. If you cannot perform your duties on time, or if you produce substandard work, then we will pay the price by losing the confidence of the customer. Quality service will be key to the continued growth and success of DMS.

XIII. IDENTIFICATION CARDS, NAME TAGS AND PARKING PERMITS

- A. As an employee of DMS, you may be provided with a badge for authorization to be at a location. If you lose your badge, please report the loss immediately to your supervisor. Your badge(s) must be turned in upon leaving your employment with DMS.

XIV. STATEMENT OF ALCOHOL/DRUG TESTING POLICY

- A. The safety and well being of our drivers, employees and the general public requires that our drivers perform their duties free from the effects of alcohol and/or drugs. A drug free workplace is especially important to the transportation industry. A driver who uses or abuses alcohol and or drugs is a hazard to this company, the general public, other employees and him/herself.
- B. In order to ensure the safe transportation and provide for an efficient and drug-free workplace while complying with the Federal Motor Carrier Safety Regulations. Delivery Management Services has adopted this policy.
- C. PROGRAM ADMINISTRATOR - Elizabeth Viau has been designated by this company as the Alcohol/Drug Testing Program Administrator. In this function she will be responsible to answer any questions from the drivers, administrators, or the public in general.
- D. The program administrator will handle all information on all tests of covered drivers as confidential. The program administrator may provide such information as necessary to the supervisor to enable him/her to take proper disciplinary action as warranted. The program administrator may also release test information to this company's Substance Abuse Professional to use to evaluate and recommend appropriate follow-up.
- E. DRIVERS SUBJECT TO TESTING - All drivers who must have a Commercial Drivers License to perform their duties, which are considered as safety-sensitive, will be subject to the alcohol and or drug testing as outlined in this policy and required by Title 49 Code of Federal Regulations part 382.
- F. DRIVER COMPLIANCE WITH REGULATIONS - All drivers subject to alcohol and drug testing must be in compliance with the regulations and this policy at all times while in a working status for this company. This will include all time spent driving a commercial vehicle as well as time spent performing safety-sensitive functions or just before or just after performing safety-sensitive functions.
- G. Safety-Sensitive Function means all time from the time a driver begins to work or is required to be in readiness to work until the time he/she is relieved from work and all responsibility for performing work. Safety-sensitive function shall include:
 - 1. All time at an employer or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the employer.
 - 2. All time inspecting equipment as required by section 392.7 and 392.8 of 49CFR otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time.

3. All time spent at the driving controls of a commercial motor vehicle in operation.
 4. All time, other than driving time, in or upon any commercial motor vehicle except time resting in a sleeper berth (a berth conforming to the requirements of section 393.76 of 49CFR).
 5. All time loading or unloading a commercial motor vehicle, supervising or assisting in the loading or unloading, attending a commercial motor vehicle being loaded or unloaded, remaining in readiness to operate the commercial motor vehicle, or in giving or receiving receipts for shipments loaded or unloaded.
 6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled commercial motor vehicle.
- H. SUBSTANCES TESTED FOR - The following substances will be tested to determine their presence;
1. Alcohol
 2. Marijuana
 3. Cocaine
 4. Amphetamines
 5. Phencyclidine (PCP)
 6. Opiates
- I. PROHIBITED CONDUCT - During the time that drivers are performing safety-sensitive functions, they shall not;
1. Report to and/or remain on duty with an alcohol concentration of 0.04 or greater.
 2. Possess any alcohol
 3. Use any alcohol
 4. Use any alcohol within four hours of going on duty
 5. Use any alcohol for eight hours after an accident which will require the driver to be tested for alcohol or until tested
 6. Refuse to submit to a required alcohol and or controlled substance test

7. Report to or remain on duty when using any controlled substance, except when used under a physician's orders AND the physician has informed the driver that the use will not effect the safe operation of a commercial motor vehicle
 8. Report to or remain on duty if he/she has tested positive for controlled substance
- J. TESTS REQUIRED - All drivers who are required to be tested for alcohol and or controlled substance use or misuse will be tested under the following circumstances:
1. PRE-EMPLOYMENT OR PRE-USE: All applicants for jobs requiring a commercial drivers license and or current employees transferring to a job which requires a commercial drivers license will be required to be tested for the use of controlled substances.
 2. RANDOM: All drivers are subject to and twenty-five (25) percent (unless the Federal Highway Administration announced another testing level) of all drivers will be selected to submit to unannounced random alcohol testing, which will be spread throughout the calendar year. Fifty (50) percent (unless the Federal Highway Administration announced another testing level) of all drivers will be selected to submit to unannounced controlled substance testing. The company has entered into a consortium pool including drivers from other companies and the 25 and 50 percent levels apply to the entire pool of drivers.
 3. POST ACCIDENT: Drivers will be alcohol and controlled substance tested in all accidents involving a fatality. If the accident is one where one or more vehicles were towed from the scene of the accident or involves somebody being injured to the degree that the injury must be treated immediately away from the scene of the accident then the commercial vehicle driver must also receive a summons for a "moving traffic violation" as a result of the accident before a test will be directed.
 4. REASONABLE SUSPICION: All drivers that exhibit signs and or symptoms of alcohol and or controlled substance use or misuse, which are observed by a trained company supervisor, while performing safety sensitive functions or just before or just after performing safety sensitive functions will be required to submit to an alcohol and or controlled substance test.
 5. RETURN TO WORK: A driver, who previously tested positive for alcohol and or controlled substance, must submit to a return to duty alcohol and or controlled substance test. The result must be negative to be enabled to return to duty.
 6. FOLLOW-UP: A driver who previously tested positive and has returned to duty must submit to at least six (6) alcohol and or controlled substance tests during the first 12 months after returning to work, if the Substance Abuse Professional determines that the driver has an alcohol or substance abuse problem. Follow-up tests will be unannounced and may continue for up to (60) months after returning to

work. Any follow-up tests will be at the direction of the Substance Abuse Professional.

K. TESTING PROCEDURES - This Company has contracted with Choicepoint to do the alcohol testing and collection of the urine specimen(s) for controlled substance testing.

1. Once a driver has been directed to submit to an alcohol and or controlled substance test, he/she will proceed immediately to the testing facility. Drivers must comply with the lawful request to the technician doing the alcohol and or controlled substance test.
2. The selected driver will be required to provide a urine specimen for controlled substance testing and or a breath or saliva sample for analysis of alcohol concentration.
3. The driver will be required to provide photo identification prior to testing. Privacy will be ensured at the facility by means of voiding in a private enclosure. A split sample will be procured and both samples will be sent to the lab.
4. Proper chain of custody procedures will be followed to ensure that the specimen submitted is indeed the specimen that belongs to the selected driver. The specimen will be sealed to prevent tampering during transport to the laboratory. Federal certified laboratories will be utilized for testing (drugs) and two separate methodologies will be performed to verify all specimens as positive prior to controlled substances reporting to the medical review officer (MRO).
5. The MRO is a licensed physician that reviews all tests results prior to reporting to the company. Should the specimen test positive, the MRO will contact the driver to discuss the test findings and afford the driver an opportunity to discuss his/her test results and any factors that could have attributed to the positive test. Should the driver question the test findings, the driver can request that the split sample be forwarded to another certified laboratory for re-analysis.
6. All test results are treated confidentially and no results will be released to outside parties without the drivers express consent or when required by law, rule or regulation or expressly authorized.
7. All testing for alcohol use or misuse will be conducted only by devices which have been approved by the National Highway Traffic Administration and conducted by trained Breath Alcohol Technicians (BAT'S) or trained Screening Test Technicians.

L. REQUIREMENT THAT DRIVERS MUST SUBMIT TO TESTS - All drivers who are required by Federal Motor Carrier Safety Regulations and this policy to be subjected to alcohol and or controlled substances tests must fulfill that requirement when so directed by the Alcohol/Drug Testing Program Administrator or trained supervisor.

Failure to comply with the regulations or this policy will be grounds for disciplinary action up to and including dismissal.

M. REFUSAL TO TEST - The following circumstances will be construed as refusing to submit to an alcohol and or controlled substance test:

1. Fails to give an adequate sample of breath for an alcohol test without a valid medical evaluation.
2. Fails to provide adequate urine sample for a controlled substance test without a genuine inability to provide a specimen, as determined by medical evaluation.
3. Engages in conduct that clearly obstructs the testing procedures.

N. DISCIPLINARY ACTION

1. Any driver who violates either the Federal Motor Carrier Safety Regulations or this policy may be subject to disciplinary action up to and including dismissal.
2. Any driver who tests positive for either alcohol and or controlled substance for the first time will be offered an opportunity for rehabilitation as required under law. This will not apply to job applicants or employees who are being tested under the pre-use provision of this policy.
3. Drivers who are found to have an alcohol concentration of 0.02 or greater but less than 0.04 will be taken out-of-duty for a minimum of 24 hours. It is this company's policy that such time out-of-duty will be without pay.

O. INFORMATION - This Company will provide each driver subject to the Federal Motor Carrier Safety Regulations a copy of this policy. In addition, this company will provide printed material which describes the effects of alcohol and or controlled substance use or abuse on the individual's health, work and personal life, as well as, information on the signs and symptoms of alcohol or controlled substances problem.

**RECEIPT FOR
DELIVERY MANAGEMENT SERVICES, INC.
EMPLOYEE HANDBOOK AND STATEMENT OF DRUG POLICY**

I, the undersigned, acknowledge receipt of the employee handbook and statement of drug policy for the employees of Delivery Management Services. I further understand that I am required to read and become familiar with all the provisions of these policies, and my supervisor will answer any questions concerning these policies. I understand that neither this handbook nor any provision of this handbook is or implies an employment contract or any other type of contract. I also understand that my employment is for an indefinite term. I have received a copy of the current set of these materials.

Printed Name:

Signature

Date

Please sign this receipt and return to your supervisor.