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Brunel Energy, Inc.

Fit for Duty

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1. Purpose

- 1.1. Brunel Energy, Inc., hereinafter referred to as, the “Company,” has established a Fit for Duty program to ensure that the Company’s employees report for work fit for duty.
- 1.2. It is the goal of the company to provide a safe workplace for all employees. To accomplish this, we have adopted the following fitness for duty policy requirements.

2. Applicability

- 2.1. This policy applies to employees, subcontractors and/or visitor(s) of the Company. For the purposes of this policy, an employee shall be considered on the job whenever he/she is:
 - 2.1.1. On or in, any Company or client property, including parking areas; or
 - 2.1.2. On Company time even if off Company premises (including paid lunch, rest periods and periods of being on call).
- 2.2. As a condition of employment, Company employees are required to abide by additional governmental or customer policies and requirements that may be imposed at a worksite in addition to the requirements of these policies and procedures. Nothing set forth in this policy constitutes, construes, or interprets in any way as a contract of employment.

3. Definitions

- 3.1. **Fit for duty** means that an individual is in a physical, mental, and emotional state which enables the employee to perform the essential task of his or her work assignment in a manner which does not threaten the safety or health of oneself, co-workers, property, or the public at large.
- 3.2. **Pre-Employment testing physicals** should be included in the hiring process when strenuous job functions or different environments become a physical concern to ensure Employees are physically capable of performing their job function.
- 3.3. **Drug and alcohol screening** for pre-employment, post-accident, or random testing will be conducted per Company policy, host facility requirements and DOT guidelines as required.

4. Responsibilities

- 4.1. Manager(s) shall:
 - 4.1.1. Implement, support, and enforce the requirement of this procedure at their locations.
- 4.2. HSE Supervisor(s) shall:
 - 4.2.1. Verify that all employees are fit for duty prior to starting their assigned task.
 - 4.2.2. Monitor the employees in his/her work group throughout the workday.
- 4.3. Employee(s) shall:

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- 4.3.1. Have the responsibility to report to work fit for duty and ready to safely perform their assigned tasks.
- 4.3.2. Be responsible for notifying their supervisor if they are fatigued to the point of not being able to perform their duties safely.
- 4.4. Subcontractor(s)
 - 4.4.1. Have the responsibility to report to work fit for duty and ready to safely perform their assigned tasks.
 - 4.4.2. Be responsible for notifying their supervisor if they are fatigued to the point of not being able to perform their duties safely.

5. Requirements

- 5.1. Fit for Duty Examination - Confidentiality
 - 5.1.1. Medical Records and other related records are protected by state and federal confidentiality laws and the company policy. The medical record of fitness for duty examination will be maintained in the Corporate office. Employee medical records will not be released to unauthorized personnel without the employee's written consent or subpoena in accordance with state and federal laws.
- 5.2. Self-Referrals
 - 5.2.1. Employees are responsible for notifying their supervisor if they are fatigued to the point of not being able to perform their duties safely.
 - 5.2.2. Employees must be responsible for ensuring they are physically and mentally fit to perform their job functions safely.
 - 5.2.3. Employees must take responsibility for their own safety as well as not reporting to work in a condition so as to not endanger the safety of their fellow workers.
 - 5.2.4. Disciplinary action may occur for an employee reporting to work in a condition which could endanger their safety or the safety of any other person(s). See below for Management Referral in case there is a question about the employee's ability to work safely.
- 5.3. Management Referral
 - 5.3.1. Management personnel are responsible for monitoring the attendance, performance, and behavior of their employees.
 - 5.3.2. When an employee's performance and/or behavior appears to be unsafe, ineffective and/or inappropriate, it is every manager's responsibility to challenge the employee's behavior and the ability to function, remove the employee from the job, and refer the employee for a Fitness for Duty exam immediately and conduct appropriate follow up. Due to the safety issues involved, supervisors have a special responsibility to implement this policy in a consistent and fair manner.

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- 5.3.3. When any manager or supervisor observes an employee, who is not performing his/her job safely, appropriately, and effectively, or an odor of alcohol is present, or whose behavior is inappropriate, manager is to remove the employee from her/his duty immediately and continue the Fitness for Duty procedure. The employee will be referred to a medical provider for a fitness for duty exam.
- 5.3.4. The Fitness for duty evaluation may include testing for chemical (e.g. alcohol and drug) levels, referral for psychiatric evaluation or any other evaluation or follow-up deemed necessary.
- 5.3.5. The manager or designee must document the reasons for the fitness for duty request by recording the employee's behavior and noting the names of any witnesses who observed that behavior. Documentation must be submitted to the Corporate office by the next business day.
- 5.3.6. The employee is required to cooperate fully with the manager and medical personnel. The employee must sign consent forms for both the fitness examination and communication of its results in confidence to the Corporate office.
- 5.3.7. Refusal to cooperate will be considered insubordination and will be grounds for disciplinary action. The employee should be suspended pending investigation, which could result in termination.
- 5.3.8. Medical personnel will advise the Corporate office if the employee is fit or not fit for duty. The medical results of the fitness for duty exam will be communicated to the Corporate office.
- 5.3.9. If medical personnel determine that the employee is FIT FOR DUTY, the employee must contact the Corporate office on the next general business day and the manager in consultation with the Corporate office will determine discipline in situations where misconduct may have occurred.
- 5.3.10. If medical personnel determine that the employee is NOT FIT FOR DUTY:
 - 5.3.10.1. The manager makes every effort to arrange for safe transportation home for the employee.
 - 5.3.10.2. The employee must contact the Corporate office on the next general business day.
 - 5.3.10.3. The manager will determine discipline in situations where misconduct has occurred.

5.4. Subsequent Fitness for Duty Exams

- 5.4.1. Dependent upon the reason for the fitness exam, employees who violate this policy a second time may be subject to progressive discipline, up to and including termination of employment.

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6. Procedure

- 6.1. The following guidelines will be utilized to assist the employee in maintaining his/her fit for duty status:
 - 6.1.1. Pre-employment physicals shall be included in the hiring process as needed or per client requirements, and when changing into certain job functions and different environments.
 - 6.1.2. Drug and alcohol screening for pre-employment, post-accident or random testing will be conducted per Company and DOT guidelines as required.
 - 6.1.3. Employees must report to their immediate supervisor if they are taking any prescription or over-the-counter medications that could impair their ability to perform their job tasks safely.
 - 6.1.4. The employee's activities and behaviors will be monitored to determine if the employee should be removed from the work site if their ability to perform their duties safely is questioned.

7. Training

- 7.1. The Company will provide Fit-for-Duty policy training for all employees upon initial hire and annually thereafter.

8. Recordkeeping

- 8.1. The medical records of fitness for duty examinations will be maintained in the Corporate office.

9. Reference

- 9.1. 1910.1020 - Access to employee exposure and medical records.
- 9.2. OSHA Field Safety and Health Management System (SHMS) Manual - Chapter 2
- 9.3. OSHA 316201R 2014