

## **EMPLOYEE ACKNOWLEDGEMENT**

I have received, read and understand this employee handbook. I understand my employment is terminable at-will by the company, with or without cause, and with or without notice.

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EMPLOYEE SIGNATURE

DATE

## CONFIDENTIAL INFORMATION

The relationship between a doctor and his patients is a very personal one and is strictly confidential, both ethically and legally. An employee may acquire certain facts relative to patients coming into the office in due course of his or her employment. All such information, whether of a medical or a business nature, is to be considered as strictly confidential and personal. Under no circumstance are the business or medical affairs of our patients, or policies and procedures of the office, to be discussed with any outside party.

Information about patients, their illnesses, or their personal lives must be kept completely confidential. When talking with a patient about any matter, try to do it in such a way that other patients waiting in the office will not overhear. Case histories, confidential papers, and even appointment schedules should be kept where passing patients will not see them. It is improper for you to reveal information concerning a patient even to another member of the patient's family.

I have read the above information and I recognize that failure to maintain such confidentiality may be grounds for disciplinary action up to and including termination of my employment.

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EMPLOYEE SIGNATURE

DATE

NOTE: A signed copy of this page is kept in your employee file.

## TRAVEL ACKNOWLEDGEMENT

I understand that traveling to other Marion Eye Center offices is an integral part of my job description. I do agree to travel when required.

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EMPLOYEE SIGNATURE

DATE

NOTE: A signed copy of this page is kept in your employee file.

# NON REGULATED

## Marion Eye Centers Work Place Substance Abuse and Alcohol Misuse Drug and Alcohol Testing Procedures Company Policy

**NOTICE OF TESTING:** Marion Eye Center has a zero (0) tolerance policy.

This procedure will act as notice of Drug and Alcohol Testing.

These Procedures are effective May 1, 2007

Employees: Each employee will receive and sign for a copy of this Drug and Alcohol Testing Procedure Policy.

### INTENT

Marion Eye Centers is dedicated to providing safe and dependable transportation services to our Customers. Employees are our most valuable resource and it is our goal to provide a healthy, satisfying working environment. In meeting these goals, it is our intent to:

1. Assure that employees are not impaired in their ability to perform assigned duties in a safe, productive manner.
2. Create a workplace environment free from adverse effects of drug abuse and alcohol misuse.
3. Prohibit the unlawful manufacture, distribution, possession or use of controlled substances.
4. To encourage employees to seek professional assistance anytime problems, including alcohol or drug dependency affects their ability to perform their assigned duties.

## **PURPOSE OF EMPLOYEE DRUG AND ALCOHOL TESTING**

This policy provides a uniform procedure concerning testing of employees or applicants for employment to detect individuals having drugs or alcohol in their system. The purpose of such testing is to provide, in the interest of the safety of employees, passengers, and the general public a safe work environment. Marion Eye Centers is committed to providing a safe workplace for its employees that is free of the affects of substance abuse. The use of any drug, including alcohol, can interfere with the safe and efficient functioning of personnel: therefore, drug or alcohol abuse is a matter of concern and will be dealt with in an appropriate manner.

Marion Eye Centers expects employees to report for work in condition to perform their duties. On-the-job involvement with drugs and/or alcohol is a violation of Marion Eye Centers' policy. Marion Eye Centers also recognizes that employee off-the-job involvement with drugs and alcohol can have an impact on the workplace and our ability to accomplish the goal of a safe, effective, drug and alcohol free workplace.

## **APPLICABILITY**

These procedures apply to all employees, part-time employees and contract employees, when they are on the property. They also apply to off-site lunch breaks or when an employee is scheduled to return to work.

## **PROHIBITED SUBSTANCES**

"Prohibited substances" addressed by these procedures include the following:

### **Illegally Used Controlled Substances or Drugs**

Any illegal drug or substance identified in Schedules I through V Section 202 of the Controlled Substance Act (21 U.S.C. 812). This includes, but is not limited to: Marijuana, amphetamines, opiates, phencyclidine (PCP), and cocaine, as well as any drug not approved for medical use by the U.S. Drug Enforcement Administration or the U.S. Food and Drug Administration. Illegal use includes the use of any illegal drug, misuse of legally prescribed drugs, and use of illegally obtained prescription drugs.

### **Legal Drugs**

Employees who are taking prescription or non-prescription lawful drugs that may affect the performance of their job duties must report such usage to their immediate supervisor before beginning their work day. Such drugs used on the job may be determined to be allowable drugs if the medical review officer has determined that the use of the drug is consistent with safe performance of the employee's duties and the drug is being used at the prescribed dosage.

### **Alcohol**

The use of beverages containing alcohol or substances including any medication, mouthwash, food, candy, or any other substance such that alcohol is present in the body while performing Marion Eye Centers' business is prohibited.

## **PROHIBITED BEHAVIOR**

- Employees shall not report for duty or remain on duty while having an alcohol concentration of .001 or greater.
- Employees shall not possess alcohol while on duty or operating a commercial motor vehicle.
- The use of alcohol while performing job functions.
- Performing functions within four hours of having used alcohol
- The use of alcohol by employees within eight hours before undergoing a post-accident alcohol test.
- Reporting for duty, remaining on duty, after having tested positive for a controlled substance.
- Using, manufacturing, distributing, dispensing or possessing controlled substances.
- Refusal by an employee to submit immediately to a chemical or alcohol test (reasonable suspicion, post-accident, and random) when requested.

*All employees are required to notify Marion Eye Centers of any criminal drug statute conviction for a violation occurring within five days after the conviction. Failure to comply with this provision shall result in disciplinary action, up to and including termination.*

Marion Eye Centers is dedicated to assuring fair and equitable application of the Drug and Alcohol Testing procedures. Therefore, supervisors and managers are directed to use and apply all aspects of this procedure in an unbiased and impartial manner.

## **SUBSTANCES TO BE INCLUDED IN TESTING**

Alcohol (Ethanol), amphetamines, cannabinoids (marijuana), cocaine, opiates, phencyclidine (PCP), and their metabolites will be included. Because Marion Eye Centers is concerned about the abuse of prescribed and over-the counter medications as well as illegal drugs and alcohol, the above list may be expanded to include yet to be developed substances, changes in Marion Eye Centers policy, or changes to Federal laws and regulations.

## **DRUG TESTING PROCEDURES**

Marion Eye Centers shall identify and select only qualified services to perform the urinalysis testing described by these procedures.

## **CIRCUMSTANCES OF DRUG AND ALCOHOL TESTING**

There are ten drug and alcohol screenings situations utilized by Marion Eye Centers.

1. Pre-Employment Testing: All applicants shall undergo urine drug testing immediately following the offer to employment. Receipt of a negative drug test is required prior to employment.
2. Post-Accident Testing: Conducted after accidents if there is loss of life, injury requiring medical treatment. A post-accident drug test must be completed within 32 hours of the time of accident.
3. Reasonable Cause Testing: All employees may be subject to fitness for evaluation and urine and /or breathe alcohol testing when where there are reasons to believe that drug or alcohol use is adversely affection job performance. A reasonable suspicion referral for testing will be made on the basis of documented objective facts and circumstances which are consistent with the affects of short term substance abuse.
  - A. Physical signs and symptoms consistent with substance use.
  - B. Evidence of manufacture, distribution, dispensing, possession, or use of controlled substances, drugs, alcohol, or other prohibited substances.
  - C. Occurrence of a serious or potentially serious accident that may have been caused by a prohibited substance abuse or alcohol misuse.
  - D. Fights (to mean physical contact), assaults, and flagrant disregard or violations of established safety security or other operating procedures.
4. Random Testing: Conducted on employees on a random, unannounced basis just before, during, or just after performance of their assigned duties. Each year, at least 10% of all employees will tested for alcohol and at least 10% will be tested for drugs. All employees will be placed in a random selection pool at all times. Random testing will be conducted in accordance with established procedures in CFR 49 Part 40 (Workplace Drug and Alcohol Testing)
5. Return-to Duty Testing: Employees who have previously refused to take a drug and / or alcohol test, or failed such a test, shall be tested for prohibited drug or alcohol use before they return to duty. Workman's compensation or injury leave require a return-to-duty test.



## **ALCOHOL TESTING PROCEDURES**

Alcohol testing will only be conducted using evidential breath testing devices in accordance with 49 CFR Part 654. Breath testing will be coordinated by supervisory personnel. The breath tests will be conducted at a site that optimizes confidentiality.

If there is concern about an individual's ability to function safely, the individual will be provided transportation to their home after completion of the testing. Supervisors will always transport employees to the test site.

1. Screening Test: The initial test shall be done using an EBT in accordance with 49 CFR Part 654. If the initial test results are less than 0% alcohol concentration, the results are negative and will be reported by the BAT as such. If the initial test results are .001 or greater, a second or confirmatory test must be conducted.
2. Confirmation Test: The Confirmatory test must be conducted on the same EBT as the initial test. Before the confirmatory test may be given, a minimum of 15 minutes and maximum of 20 minutes must have passed since the initial test was performed. During this period, the employee should avoid any actions that could increase mouth alcohol. The 15-20 minute wait period is to ensure that the presence of residual mouth alcohol does not artificially raise the test results.

Only the results of the confirmatory test shall be reported, irrespective of the results on the initial test. If the results of the initial and confirmatory tests are not identical, the confirmation test result is deemed to be the final test result. If the results of the confirmatory test is less than 0% alcohol concentration, a negative result shall be reported by the BAT.

## **SUBSTANCES TO BE INCLUDED IN TESTING**

Alcohol (Ethanol), amphetamines, cannabinoids (marijuana), cocaine, phencyclidine (PCP), and their metabolites will be included. Because Marion Eye Centers is concerned about the abuse of prescribed and over-the-counter medications as well as illegal drugs and alcohol, the above list may be expanded to include not yet to be developed substances and changes in Substance Abuse Policy.

## **DRUG TESTING PROCEDURES**

Marion Eye Centers shall identify and select only qualified services to perform the urinalysis testing described by these procedures.

## **ALCOHOL TESTING PROCEDURES**

Breath Alcohol Testing will only be conducted using evidential breath testing devices. Certified Breath Alcohol Technicians will only be utilized.

## **POSITIVE TEST/REFUSAL TO TEST**

A positive test is a violation of Marion Eye Centers' Policy. The designated employee, who refuses to submit to a drug or alcohol test, will be considered positive and will be considered to have failed the test(s). Failure to comply with the request for drug/alcohol testing will be just cause for termination. If a positive test for drugs is reported by the medical review officer, it is understood that the screening test was positive and second confirmatory test, based on a different scientific principle was also positive. Failing the drug test may result in immediate termination from employment.

## **BEHAVIOR THAT CONSTITUTES A REFUSAL TO SUBMIT TO A TEST**

1. Refusal to take test.
2. Inability to provide sufficient quantities of breath or urine to be tested without a valid medical explanation.
3. Tampering with or attempting to adulterate the specimen or collection procedure.
4. Not reporting to the collection site in allotted time.
5. Leaving the scene of an accident without a valid reason before the test has been completed.

I have read and understand the Workplace Drug and Alcohol Testing Policy for Marion Eye Centers. I understand that if I have any questions concerning this policy or the procedures I am to contact.

Supervisor's Name: \_\_\_\_\_

Employee's Name: \_\_\_\_\_

Date: \_\_\_/\_\_\_/\_\_\_

Employee Signature: \_\_\_\_\_

# **MARION EYE CENTRS INTERNET/E-MAIL USE POLICY**

Date Issued: July 31, 2003

Date Revised: Revision 1, November 6, 2003

## **INTRODUCTION**

Marion Eye Centers provides its users with Internet access and electronic communications services as required for the performance and fulfillment of job responsibilities.

Users must understand that this access is for the increasing productivity and not for non-business activities. Users must also understand that any connection to the internet offers an opportunity for non-authorized users to view or access corporate information. Therefore, it is important that all connections be secure, controlled, and monitored.

Users must understand that the network provided by Marion Eye Centers has a limited bandwidth and excessive internet or e-mail traffic will impact the operation of the entire business by placing a drain upon the resources available to the network.

To this end, users in Marion Eye Centers should have no expectation of privacy while using company-owned or company-leased equipment. Information passing through or stored on company equipment can and will be monitored. Users should also understand that Marion Eye Centers maintains the right to monitor and review internet use and e-mail communications sent or received by users as necessary.

## **PERMITTED USE**

The internet connection and e-mail system of Marion Eye Centers is only for business use. Users must understand that e-mail is privilege, not a right, provided by Marion Eye Centers to facilitate in the daily operation of the business.

Users may send and receive e-mail attachments that do not exceed 2 MB in size, provided that all attachments are scanned before they are opened by Marion Eye Centers chosen antivirus software. The software used for the Virtual Private Network (VPN) provided by Marion Eye Centers will perform this scanning automatically. If the user notices that the VPN is not opening, they must not conduct any e-mail or internet access until it is restored to operation.

If a user receives personal e-mail, Marion Eye Centers requests that it not be read in the office, and that any personal e-mail you receive be forwarded to a non-business account to be viewed at your leisure at home.

## **PROHIBITED USE**

Users will not use any electronic equipment provided by Marion Eye Centers on breaks, lunchtime, or after hours for any non-business electronic communications or to access the internet.

Users shall not use Marion Eye Centers internet or e-mail services to view, download, save, receive, or send material related to or including:

- Offensive content of any kind, including pornographic material.
- Promoting discrimination on the basis of race, gender, national origin, age, marital status, sexual orientation, religion, or disability.
- Threatening or violent behavior
- Illegal activities
- Commercial messages
- Personal information regarding patients or their condition, other than as absolutely necessary to perform their job. All communications regarding patient information must comply with HIPPA requirements.
- Messages of a religious, political, or racial nature
- Gambling, including the state lottery or other gaming activities.
- Sports, entertainment, and job information and/or sites.
- Personal Financial gain.
- Forwarding e-mail chain letters
- Spamming e-mail accounts from Marion Eye Centers e-mail services or company machines.
- Material protected under copyright laws.
- Sending business-sensitive information by e-mail or over the internet.
- Dispersing corporate data to Marion Eye Centers customers or clients without authorization.
- Opening files received from the internet without performing a virus scan.
- Tampering with your company handle in order to misrepresent yourself and the company to others.

## **RESPONSIBILITIES**

Marion Eye Centers users are responsible for:

- Honoring acceptable use policies of networks accessed through Marion Eye Centers internet and e-mail services.
- Abiding by existing federal, state, and local telecommunications and networking laws and regulations.
- Following copyright laws regarding protected commercial software or intellectual property.
- Minimizing unnecessary network traffic that may interfere with the ability of others to make effective use Marion Eye Centers network resources.
- Not overloading networks with excessive data or wasting Marion Eye Centers other technical resources.

## **VIOLATIONS**

Violations will be reviewed on a case-by-case basis. If it is determined that a user has violated one or more of the above use regulations, that user will receive a reprimand from his or her supervisor and his or her future use will be closely monitored. If a gross violation has occurred, management will take immediate action. Such action may result in losing internet and/or e-mail privileges, severe reprimand, or termination of employment at Marion Eye Centers.

Your signature indicates that you have read Marion Eye Centers internet and e-mail use policy. Your signature does not mean that you agree with each and every provision of the policy. However, it does indicate that you will abide by the regulations set forth in the above policy.

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EMPLOYEE SIGNATURE

DATE