

DEERE & COMPANY U.S. DRUG AND ALCOHOL-FREE WORKPLACE



JOHN DEERE

Policy

Deere & Company (“Deere”) is committed to maintaining a work environment that is free from the influence of both illegal drugs and alcohol. This commitment is designed to help protect the health, safety and wellbeing of our employees, visitors, customers, applicants for employment, temporary/contingent workers, and the like. In support of this effort, Deere has adopted this Drug and Alcohol-Free Workplace Policy (the “Policy”) which applies to all U.S. non-DOT full-time, part-time, hourly, salaried, temporary and contingent¹ workers at all Deere locations, including managers and supervisors (hereinafter collectively “Covered Persons”). Facets of this program may also extend to contractors and other persons conducting work on behalf of the company. Because substance abuse at or away from work can seriously endanger the safety of employees and others and render it impossible to supply top-quality products and service, Deere has also implemented a formal Employee Assistance Program to help employees in this capacity.

Deere will enforce this Policy in a manner that is consistent with applicable federal, state and local law. Nothing in this policy expands the scope of testing beyond past practice at any unit. The intent of this policy is to ensure drug tests are administered in a manner that protects the rights of employees and the Company.

This Policy is effective February 1, 2020 and supersedes any prior policy as well as other written or oral statements or representations by Deere that are inconsistent with this Policy.

Please note: this Policy in no way guarantees employment for a certain period of time or otherwise alters an at-will employment relationship with Deere.

Definitions:

For purposes of this Policy, the following capitalized words and terms mean:

1. **Illegal Drug** - means any drug or controlled substance that is not legally obtainable under both applicable state and federal law without a valid prescription, including but not limited to amphetamines, barbiturates, benzodiazepines, cocaine, designer drugs, hallucinogens, marijuana, methaqualone, opioids (opiates, such as heroin, codeine, morphine, and semi-synthetic/synthetic opioids, such as hydrocodone, hydromorphone, oxycodone, oxymorphone, and methadone), phencyclidine (PCP),

propoxyphene, and/or any substances and/or materials that are prohibited by federal or applicable state regulations.²

2. **Premises or Property** – means buildings, parking lots, vehicles owned or leased by Deere or used for Deere purposes, work facilities and plants, warehouses, equipment, or land used by Deere or its customers or suppliers.
3. **Unauthorized Substances** – means over-the-counter or prescription drugs used, possessed, purchased, obtained, transferred, dispensed, trafficked, sold or distributed in violation of this Policy. See “Prohibitions” number 4 (A) – (D) below. Unauthorized substances also includes substances that cause drug-like effects, but which may not necessarily be illegal under applicable laws, used for a purpose other than their intended purpose, e.g. specifically includes the inhalation of intoxicating substance (e.g. nitrous oxide, glue, cleaning products) and used in an unsafe manner or quantity so as to impair the employee’s ability to safely and adequately perform his/her job responsibilities.

Prohibitions:

Covered Persons are prohibited from engaging in the conduct outlined in this section:

1. Covered Persons are prohibited from reporting to work, being on Deere Premises or Property, or performing work (on or off Deere’s Premises or Property) while under the influence of alcohol, Illegal Drugs³ and/or Unauthorized Substances.
2. Covered Persons are prohibited from applying for employment, reporting to work, being on Deere Premises or Property, or performing work (on or off Deere Premises or Property) with alcohol in his/her system sufficient to yield a positive alcohol test result⁴ and/or with Illegal Drugs (and/or drug metabolites) in his/her system which meets or exceeds nationally accepted standards for determining detectable levels of controlled substances as adopted by the federal Substance Abuse and Mental Health Services Administration or applicable state law.
3. Covered Persons are prohibited from using, possessing, purchasing, selling, manufacturing, transferring, dispensing, trafficking, or distributing (or attempting to use, possess, purchase, transfer, dispense, traffic or distribute) alcohol, Illegal Drugs and/or Unauthorized Substances, including related paraphernalia, in any amount, in any manner or at any time, on Deere Premises or Property, or while performing work (on or off Deere Premises or Property).
4. Covered Persons are prohibited from using, possessing, purchasing, transferring, dispensing, trafficking, or distributing (or attempting to use, possess, purchase, transfer, dispense, traffic or distribute) over-the-

counter, or prescription drugs on Deere Premises or Property or while performing work, as set forth below. Specifically, Covered Persons are prohibited from using, possessing, purchasing, transferring, dispensing, trafficking, or distributing (or attempting to use, possess, purchase, transfer, dispense, traffic or distribute):

- (A) prescription drugs that are not prescribed to the Covered Person and/or prescribed on an invalid or non-current prescription;
 - (B) prescription drugs that are prescribed to the Covered Person at non-therapeutic levels or used in a manner or quantity other than as set forth in the prescription;
 - (C) over-the-counter drugs in a manner or quantity other than set forth in the directions; or
 - (D) over-the-counter or prescription drugs in an unsafe manner.
5. Covered persons are expected to submit to drug testing as outlined in this Policy. Refusal to cooperate during testing or collection, without a valid medical basis, could lead to discipline, up to and including termination. Covered Persons are prohibited from providing an altered, adulterated, diluted or substituted drug or alcohol test sample or specimen. Covered Persons are prohibited from using a device or substance to interfere or attempt to interfere with a drug or alcohol test.

Marijuana: Note that it is Deere's intention to comply with all applicable federal, state, and local laws. Where state and federal law differ, Deere will comply with federal law, except where otherwise provided. Even if an individual's use of marijuana may otherwise be permissible under state law, the use or possession of marijuana or being under the influence or impaired by marijuana on Deere Premises or Property or while on Deere business is strictly prohibited. Deere will not discriminate against Covered Persons based on their status as a patient enrolled in a medical cannabis registry program provided by the law of their state of residence. Further Deere will not discriminate against patients in a cannabis registry program who test positive for cannabis components or metabolites unless the Covered Person used, possessed, or was impaired by cannabis on Deere Premises or Property during working hours.

Alcohol Use at Deere Events: Alcohol is served at certain Deere -sponsored events and/or business-related activities. At those events, alcohol consumption by Covered Persons (in moderation) does not violate the terms of this Policy so long as the Covered Person exercises good judgment and so long as the Covered Person acts in a lawful, safe, professional and responsible manner at all times.

Appropriate Use of Prescription Medication

Covered Persons' proper and legal use of over-the-counter medication or medication that has been prescribed by a physician for that Covered Person is not prohibited by

this Policy. It is each Covered Person's responsibility to check with a physician or other licensed medical provider regarding whether the use of any medication may adversely affect performance or safety at work. If Covered Person or their physician reasonably believe that the use of medication may adversely affect Covered Person's performance or safety at work, Covered Person should immediately notify Human Resources or Labor Relations at the unit. Deere does not unlawfully discriminate against employees or applicants on the basis of disability. Covered Persons who seek a reasonable accommodation due to an underlying disability should submit those requests to Human Resources/Labor Relations at his/her unit.

A Covered Person who is using or tests positive for a prescription drug for which he/she has a valid prescription, but which drug use may pose a direct threat to the employee or others in the workplace (or which otherwise adversely affects the employee's job performance), may be subject to further assessment. In such cases, Deere will conduct an individualized assessment of the individual's ability to perform the essential functions of the job in question while utilizing such drug without posing a direct threat to the health or safety of the employee or others in the workplace, before taking any further action related to the employee's employment.

Non-Discrimination

In accordance with the Americans with Disabilities Act and state anti-discrimination laws, Deere does not discriminate against any Covered Person who is a qualified individual with a disability, who is not currently using Illegal Drugs and who has either successfully completed a rehabilitation program, or who may be currently participating in a supervised rehabilitation program and is no longer using Illegal Drugs. A current disability of any kind, however, does not entitle an employee and/or job applicant to violate any provisions of this policy.

Drug and Alcohol Testing Procedures

Testing:

Deere will perform drug and alcohol⁵ testing on Covered Persons in a manner consistent with applicable law.⁶ Deere may test for the presence of some or all of the substances defined above as Illegal Drugs and/or alcohol.⁷ The following are the types of testing that Deere may employ:

1. **Pre-Employment/Post-Offer Testing:** Individuals extended a conditional offer of employment may, as a prerequisite to their employment with Deere, be required to submit to a drug test. Pre-Employment/Post-Offer Testing is only undertaken of the single finalist for the position at issue
2. **Reasonable Suspicion/For Cause Testing:** Covered Persons will be drug/alcohol tested when there is a reasonable belief based on specific facts and rational inferences drawn from those facts that a Covered Person

is engaged in the inappropriate or illegal use of drugs/alcohol and/or has violated this Policy (where permitted by applicable law).⁸ Such specific facts and reasonable inferences would include, but are not limited to, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of a Covered Person. Such persons will not be allowed to drive themselves to a clinic for drug/alcohol testing, or return to work until the results of the drug/alcohol test become available to Deere.

Testing Procedures:

Drug or alcohol test samples/specimens (typically breath⁹ in the case of alcohol and typically urine, oral fluid, or hair in the case of drugs¹⁰) will be collected in private by a certified collector approved by Deere.¹¹ The collector will maintain appropriate chain of custody procedures and documentation.¹² All reasonable attempts will be made to protect the privacy of individuals providing drug/alcohol samples/specimens and sample collection shall be conducted in accordance with applicable federal, state, or local law.¹³

Immediately after Deere determines that a Covered Person shall be tested, a Deere representative will direct or escort the Covered Person to a collection site or certified collector to facilitate the collection of the appropriate specimen.¹⁴

Deere will pay the full cost of any testing it has requested or required of a Covered Person, with employees being reimbursed for the reasonable cost of any transportation to and from the designated collection facility. (Job applicants will not be reimbursed for the cost of transportation to and from the designated collection facility.) Time spent complying with testing required by Deere under this policy is considered work time for purposes of compensation and benefits.

Testing Results:

A Covered Person shall not be deemed to be positive on a drug or alcohol test until the Covered Person's sample/specimen has been subject to confirmatory testing, the confirmatory test will be by gas chromatography mass spectrometry where required by applicable law or by another comparably reliable analytical method.^{15,16} Confirmatory testing will be conducted by a laboratory certified in accordance with applicable federal, state, or local law.

A drug test will be considered positive when the screening levels established by the testing laboratory are exceeded.¹⁷ Information regarding the screening cutoff levels for various drugs will be made available upon request.

Positive test results (or results determined to be adulterated, diluted or substituted) will be communicated to Deere's Medical Review Officer ("MRO"). On receipt of

positive test results (or results determined to be adulterated, diluted or substituted), the MRO will inform the Covered Person of the positive test results and discuss the results with the Covered Person.¹⁸ In this discussion, the MRO will provide the Covered Person with an opportunity, in confidence, to provide a medical explanation for the result (including the opportunity to identify prescription and non-prescription drug use), the opportunity to contest/rebut the positive test result, and/or the opportunity to provide any information the Covered Person feels is relevant.¹⁹ After speaking with the Covered Person, the MRO will report the results to Deere as appropriate. Deere will then make a determination regarding the appropriate response to the positive test results, which may include discipline up to and including termination of employment.^{20,21}

The results of any and all drug or alcohol tests will be maintained in secure (locked), confidential medical files, separate from personnel files. Deere will not release any information regarding the test results outside of Deere without the written consent of the individual tested, except as otherwise authorized or required by law. Covered Persons may obtain copies of all information and records relating to the Covered Persons' testing.²²

Covered Persons are hereby on notice that a positive test result for Illegal Drugs or alcohol could result in an employee being denied, or receiving reduced unemployment benefits or workers' compensation benefits, or both.

Education and Training

To help employees and supervisors better understand the nature of the substance abuse problem and how it affects the workplace, as well as the terms and conditions of this policy, Deere makes available educational materials and training sessions on an as-needed basis.

Employee Assistance Program

Deere provides its employees with access to an Employee Assistance Program ("EAP") that can offer assistance for substance use. Specifically, the EAP can provide confidential information concerning the dangers of substance abuse and to help in obtaining counseling, treatment, and/or rehabilitation for drug or alcohol abuse. Note that, unless required by law, Deere does not pay for drug/alcohol treatment and/or counseling services.²³ Please refer to your medical provider for any benefits that may be offered for treatment and/or counseling services. EAP eligibility information and EAP contact information can be obtained from Deere Human Resources/Labor Relations.

Note that a Covered Person's first request for assistance from EAP *before* drug or alcohol testing required under this Policy will not itself be used as the basis for disciplinary action. A Covered Person's request for assistance from EAP *after* drug

or alcohol testing will not be a defense to the imposition of disciplinary action where a violation of this Policy has already occurred.²⁴

Notification of Policy

Deere will notify Covered Persons of this Policy by: (a) statements in recruiting ads; (b) notices posted at hiring locations; (c) notices in online career pages; (d) distributing this Policy; and (e) making copies of this Policy available for inspection by Covered Persons during regular business hours.²⁵

Acknowledgment and Consent

Any Covered Person subject to testing under this Policy will be asked to sign a form acknowledging the procedures governing testing and consenting to (1) the test for the purpose of determining the presence of alcohol or drugs, and (2) the release to Deere of medical information regarding the test results. See Appendix C. Refusal to sign the agreement and consent form, or to submit to the drug test, will result in the revocation of an applicant's job offer, or will subject an employee to discipline up to and including termination.

Reservation of Rights

Deere reserves the right to administer and interpret this Policy, and to change or rescind the policy in whole or in part as required by changes to the applicable state and federal laws or regulations.

Questions

Covered Persons shall direct any questions about this Policy to Human Resources/Labor Relations.

¹ Any testing of contingent employees will be administered through and in accordance with the policies of that contingent worker's employing agency.

² In Iowa, Illegal Drug means any drug or controlled substance included in schedule I, II, III, IV or V of the federal Controlled Substances Act.

³ Montana employees are hereby notified that the manufacture, distribution, possession, or use of a controlled substance (other than pursuant to a valid prescription or otherwise authorized by law) is illegal under state and federal law, and is subject to various criminal sanctions, including fines of up to \$250,000 and prison sentences of up to life in prison and in some cases there are mandatory prison sentences.

⁴ In Iowa and Montana, a breath alcohol test result must indicate a concentration of greater than 0.04 to be considered positive, and greater than 0.02 in Idaho.

⁵ Deere will only perform alcohol testing in Oregon on a reasonable suspicion/for cause basis.

⁶ In Arizona, all compensated employees including officers, directors and supervisors are covered by this testing policy. In Montana, only applicants and employees in hazardous environments (including working in proximity to construction equipment or industrial machinery, or working in

proximity to flammable materials, explosives, or toxic chemicals), security positions, or positions which involve driving a motor vehicle, will be tested.

⁷ In Montana, Deere intends to test for the following controlled substances: amphetamines, barbiturates, benzodiazepines, cocaine, designer drugs, hallucinogens, inhalants, heroin, marijuana, methadone, methaqualone, narcotics, opiates, phencyclidine (PCP), propoxyphene, and/or any substances and/or materials that are prohibited by federal or applicable state regulations.

⁸ In Alaska, the individual making the reasonable suspicion determination must be trained to recognize drug use and alcohol misuse. In Rhode Island, Covered Persons will be subject to Reasonable Suspicion/For-Cause Testing if Deere has reasonable grounds—based on the specific aspects of the employee’s job performance and specific contemporaneous documented observations concerning the employee’s appearance, behavior, or speech—to believe that the employee may be under the influence of a controlled substance that may be impairing his or her ability to perform his or her job.

⁹ Breath tests are not allowed for Maryland employees, and are not allowed for Oregon employees without consent unless Deere has reasonable grounds to believe that the employee is under the influence of alcohol and the breathalyzer is administered by a third party.

¹⁰ In Connecticut, all drug testing will utilize urine as a testing sample. Blood testing will not be used in Vermont. If breath testing is used in Iowa, it must be done according to DOT specifications. In Maryland, hair testing is permitted for pre-employment drug testing only.

¹¹ In North Carolina, Covered Persons will receive written notice of their rights under the state’s testing law at the time the individual provides any sample.

¹² In Nebraska, all samples obtained, not including breath test samples, and chain of custody records shall be retained no less than 180 days.

¹³ In Colorado, a sufficient specimen will be collected to perform two tests, and the one untested specimen shall be maintained until a negative test is obtained, or, in case of a positive result, for a period of not less than one year following the date on which the specimen is collected. No portion of any specimen will be tested for pregnancy, and except for pre-employment physicals, no portion of any specimen will be examined for evidence of any other medical condition, other than for the presence of alcohol or drugs. The collection, storage, and transportation of the specimen shall be accomplished in tamper-proof containers. Chain of custody documentation shall be used to identify how the specimen was handled, stored and tested at all times. In Boulder, Colorado, a Covered Person may, at his or her own expense, contract with a laboratory meeting the National Institute of Drug Abuse standards to have a second confirmatory test performed on an untested portion of the original specimen, subject to the same chain of custody assurances provided for in the original test. Boulder, Colorado Covered Persons have the right to obtain, immediately upon request to Deere’s Human Resources Department, a copy of all records maintained of his or her initial positive confirmatory test results, and to submit written information explaining any such results.

¹⁴ Boulder, Colorado Covered Persons have the right to refuse to undergo drug or alcohol testing. However, refusal to undergo drug or alcohol testing as set forth in this Policy, could result in discipline up to and including termination. Applicants for employment who refuse to undergo drug and alcohol testing as set forth in this policy, will be ineligible for hire.

¹⁵ In Idaho, all positive initial tests will be confirmed utilizing a chromatographic technique, such as gas chromatography-mass spectrometry, or another comparable reliable analytic method. Positive alcohol tests resulting from an initial screen saliva test must be confirmed using a different testing methodology demonstrating a higher degree of reliability. A positive test for

alcohol resulting from the use of a breath test must include a confirmatory breath test conducted no earlier than fifteen (15) minutes after the initial test, or the use of any other confirmatory test meant to demonstrate a higher degree of reliability. In Nebraska, a positive test for alcohol must be confirmed by either (1) a gas chromatography with flame ionization detector (or similar device) in a certified laboratory or (2) performed by a breath-testing-device operator with a valid permit using an authorized breath-testing device. Screening, testing, and confirmation procedures for all Covered Persons subject to North Carolina law will comply with the requirements of the U.S. Department of Health and Human Services, 59 Federal Register No. 110, pages 29908 through 29931 (June 9, 1994), the requirements of the College of American Pathologists' (CAP) Forensic Urine Drug Test Inspection Checklist, and/or alternative procedures that meet the requirements of North Carolina's CSERA. Further, confirmation testing for all Covered Persons subject to North Carolina law will be done by the use of gas chromatography with mass spectrometry or an equivalent scientifically accepted method. In Oregon, confirmatory tests will be done at a licensed clinical laboratory or equivalent out-of-state facility that meets or exceeds Oregon's state testing standards. In Rhode Island, all positive initial tests will be confirmed by a federally certified laboratory by means of gas chromatography/mass spectrometry or technology recognized as being at least as scientifically accurate. San Francisco, California Covered Persons will have the opportunity to have a sample re-tested at a state-licensed, independent laboratory. In Utah, before a test of a sample may be considered a failed test, a confirmation test must be conducted by: (i) by gas chromatography, gas chromatography-mass spectroscopy, or other comparably reliable analytical method; and (ii) if the sample used for a test is a urine sample, by a laboratory that is certified by the United States Department of Health and Human Services under the National Laboratory Certification Program.

¹⁶ In Alaska a Covered Person has the right to have a confirmatory drug test reviewed by a licensed physician or doctor of osteopathy. In Montana, employees may request an additional test of the split sample. Further, employees must be provided the opportunity to rebut or explain positive test results, and no adverse action may be taken if the employee presents a reasonable explanation or medical opinion. In Nebraska, immediately following confirmation of any positive alcohol test, an employee may request further confirmation by a blood sample test if the employee voluntarily submits a blood sample to a qualified medical personnel.

¹⁷ In Idaho, a Covered Person who has a positive test result may request that the same sample be retested by a mutually agreed upon laboratory. A request for retest must be made within seven (7) working days from the date of the first confirmed positive test notification and will be at the Covered Person's expense. The Covered Person requesting the retest is responsible for the cost of that retest. If the retest results in a negative test outcome, Deere will reimburse the cost of the retest, compensate the Covered Person for his or her time if suspended without pay, or if terminated solely because of the positive test, the Covered Person will be reinstated with back pay. In North Carolina, a Covered Person has the right to retest a confirmed positive sample at the same or another approved laboratory during the time which the sample is required to be retained under North Carolina law. The Covered Person must request the release of the sample in writing specifying to which approved laboratory the sample is to be sent. The Covered Person incurs all reasonable expenses for chain of custody procedures, shipping, and retesting of positive samples related to this request. In Rhode Island, Covered Persons have the right to have the sample tested or evaluated by an independent testing facility at Deere expense. Covered Persons in West Virginia have a right to request that a split sample be tested at another laboratory at the Covered Person's expense.

In Maryland, Deere will notify Covered Persons in person or by certified mail if they test positive for drug or alcohol, including in the notice (1) a copy of the laboratory's report of the results; (2) a copy or written summary of this policy; (3) written notice of Deere's intent to take disciplinary action, terminate employment or make any other change to the conditions of employment as a result of the confirmed positive test result; and (4) a statement or copy of the state Health Department's regulations permitting applicants and employee's to request independent testing of

the same sample to verify the result. This notice will be sent within the latter of 30 days from the date of the test or seven days from the date Deere receives a confirmed positive test.

In Iowa, Deere will notify employees by certified mail if they test positive for drug or alcohol, including in the notice (1) the employee's right to request and obtain a confirmatory test of the second sample and the fee payable by the employee for the costs of this retest a copy of the laboratory's report of the results; (2) a copy or written summary of this policy; (3) written notice of Deere 's intent to take disciplinary action, terminate employment or make any other change to the conditions of employment as a result of the confirmed positive test result; and (4) a statement or copy of the state Health Department's regulations permitting applicants and employee's to request independent testing of the same sample to verify the result. This notice will be sent within the latter of 30 days from the date of the test or seven days from the date Deere receives a confirmed positive test.

¹⁸ In Alaska, within 48 hours of a positive confirmation test, the physician or osteopath reviewing the results will contact the Covered Person to discuss the results. In Maryland, Covered Person will be provided with the name and address of the testing laboratory upon request.

¹⁹ In Alaska, any Covered Person who desires an opportunity to explain a positive test result in a confidential setting may make that request in writing within 10 days after being notified of the positive test result and Deere will provide this opportunity within 72 hours of the request or before taking an adverse employment action. In Louisiana or Oklahoma, any Covered Person with a confirmed positive result, upon written request, shall have the right to access within seven working days to records relating to the Covered Person's drug test and any records relating to the results of any relevant certification, review, or suspension/revocation of certification proceedings. In Maryland, Covered Persons that test positive for alcohol or drug use can request independent testing to verify the result at their own expense.

²⁰ In Iowa, if a test is conducted, disciplinary action shall be based only on the results of the drug or alcohol test. Disciplinary action may include: (a) written reprimand; (b) suspension, with or without pay, for a specified period of time; (c) termination of employment; or (d) refusal to hire an applicant for employment. Deere may also consider requiring the Covered Person to enroll in a Deere -provided or approved rehabilitation, treatment or counseling program in circumstances as described below. If Deere receives a confirmed positive test for alcohol that exceeds .04% BAC and the Covered Person has been employed by Deere for at least 12 of the preceding 18 months and has not previously violated this policy and if the Covered Person agrees to participate in a rehabilitation program, Deere will require the Covered Person to enroll in a rehabilitation, treatment or counseling program that is provided or approved by Deere. Deere will not take any adverse action against the Covered Person if he/she complies with the requirements of rehabilitation and successfully completes the rehabilitation. The costs of the rehabilitation program shall be apportioned as follows: (a) The costs of rehabilitation shall be apportioned as provided under the employee benefit plan, if applicable. (b) If no employee benefit plan exists and the Iowa Covered Person has coverage for any portion of the costs of rehabilitation under any health care plan of his/her own, the costs of rehabilitation shall be apportioned as provided by the health care plan with any costs not covered by the plan apportioned equally between the Covered Person and Deere. However, Deere shall not be required to pay more than two thousand dollars toward the costs not covered by the Iowa Covered Person's health care plan. (c) If no employee benefit plan exists and the Covered Person does not have coverage for any portion of the costs of rehabilitation under any health care plan of his/her own, the costs of rehabilitation shall be apportioned equally between the Iowa Covered Person and Deere. However, Deere shall not be required to pay more than two thousand dollars towards the cost of rehabilitation under this subparagraph.

²¹ In Rhode Island, and Vermont a Covered Person will not be disciplined or discharged for the first confirmed positive test if the employee agrees to participate in, and successfully completes, a counseling or rehabilitation program (through Deere' Employee Assistance Program or other provider). If the employee does not agree to participate in a counseling or rehabilitation program,

Deere may terminate that employee. In Rhode Island and Vermont, Deere may suspend the employee for the period of time necessary to complete the drug or alcohol counseling or rehabilitation program, but in any event no longer than three (3) months. Deere may administer a drug test after the employee completes the Employee Assistance Program. If the employee tests positive in this instance, Deere may terminate the employee.

²² In Alaska, Covered Persons must submit a request in writing to Deere within six (6) months after the date of the test. Deere will provide written test results to the Covered Person within five (5) working days after receiving the Covered Person's written request. In Idaho, a Covered Person with a confirmed positive result will be given written notice of that test result, including the type of substance that triggered the positive result. In Louisiana, a Covered Person with a confirmed positive result may, upon his/her written request, have the right of access within seven working days to records relating to his drug tests and any records relating to the results of any relevant certification, review, or suspension/revocation-of-certification proceedings.

²³ In Iowa and Vermont, Deere may have to furnish some of the costs of treatment.

²⁴ See footnotes 29 and 21.

²⁵ In California, Boulder, Colorado, and Oklahoma notices will also be posted at Deere' premises. In Boulder, Colorado, applicants will be provided a copy of this Policy (and a copy of Boulder Revised Code, Chapter 12-3: Drug Testing) on their first formal interview.