



Drug and Alcohol Policy Summary

No Alcohol or Illegal Drugs allowed on Kirby Property

In order to maintain a safe and productive work environment for all employees, no alcohol, illegal drugs, or other prohibited substances are allowed on Kirby property. Further, employees are prohibited from reporting to work, or from working, under the influence of alcohol, illegal drugs or prohibited substances, or with detectable amounts of illegal drugs in their system, regardless of how, when, or where the substance entered the employee's system. The sale, promotion, or purchase of illegal drugs or prohibited substances on company premises is strictly prohibited.

No Use of Illegal Drugs. No Consumption of Alcohol During Work Hours

The use of illegal drugs and prohibited substances is strictly prohibited at all times. Marine vessel operations, shore staff and maintenance employees as well as diesel engine services employees are prohibited from consuming alcohol during working hours. Because we have a culturally diverse customer base and there are certain business entertainment and social events where alcohol is served during working hours and non-participation may be viewed by the customer as offensive, Kirby's Customer Service Employees* may modestly and responsibly participate. Under no circumstances should any employee of Kirby drive a vehicle while under the influence ("DUI") of illegal drugs, alcohol or prohibited substances.

Safety Responsibility

All employees must conduct themselves in a safe, professional and responsible manner at all times under this policy and Kirby's Safety Policy and Stop Work Responsibility Policy. Employees are charged with the obligation and responsibility to stop unsafe acts of any participant in connection with Kirby sponsored business functions and entertainment where alcohol is consumed irrespective of the time of the event (during working hours or otherwise). Further, all Customer Service Employees are responsible for ensuring they are informed of the alcohol policies of the Company's customers and act in accordance with the customer's business entertainment policies.

Any employee found in violation of these rules will be subject to immediate termination.

Drug and Alcohol Testing

In keeping with this policy and applicable federal regulations, and as a further precaution in our effort to protect our workplace from the presence of alcohol and drugs, employees may be required to take drug and alcohol tests upon request. These tests may be conducted randomly, or on the basis of reasonable suspicion. Employees and their property will be subject to search at any time while on company property. Entry onto company property and continued employment is specifically conditioned upon consent to such testing and searches. Any employee refusing to cooperate in any such testing or search will be subject to immediate termination. Employees may maintain on company premises prescription drugs and over-the-counter medication, provided any prescription drugs have been prescribed by a doctor for the person in possession of the drugs, the drugs are kept in their original container, and the use of the drugs will not impair the senses or reactions of the employee. For those employees in safety sensitive positions, U.S. Coast Guard licensed personnel or vessel trainees, any new prescriptions or changes in prescription medication must immediately be brought to the attention of the Medical Records Administrator.



Substance Abuse

Employees who feel they have a substance abuse problem are encouraged to seek rehabilitation. Any employee who voluntarily enters a bona fide drug or alcohol rehabilitation program will be given a leave of absence, in accordance with the company's personal leave of absence policy, in order to complete the program, and will not be subject to disciplinary action, provided he or she remains in strict compliance with the program, successfully completes the program and remains free of drugs or alcohol thereafter. This rehabilitation amnesty will only be given one time to any employee, and will not be available to any employee after he or she has notice that a drug or alcohol test is to be given, or after an event has occurred which could lead to testing.

*Customer Service Employees include employees who are in the commercial, sales and marketing function of the Company whose primary duties include entertainment of customers as approved by the respective employee's senior officer.

This is a summary of the Kirby Drug & Alcohol Policy. If there is a conflict between this summary and the Policy, the language in the Policy will apply. The Policy may be viewed on the My Kirby Employee Information Portal under HR Policies.