



Workers' Compensation & Post Incident Drug Testing Policy

Department: Human Resources

Effective Date: 04/2026

Last Updated: 04/2026

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Purpose

At WhiteWater Express Car Wash ("Company"), we recognize that workplace injuries must be managed promptly, fairly, and in compliance with applicable laws to support the well-being of our team members and maintain a safe work environment.

The purpose of this policy is to establish a consistent process for reporting workplace injuries, administering workers' compensation benefits, and conducting post-incident drug and alcohol testing when appropriate. This policy supports compliance with state workers' compensation laws and ensures workplace incidents are managed consistently across all Company locations.

Drug and alcohol testing may be conducted when there is a reasonable basis to believe that substance use may have contributed to a workplace incident. Federal guidance allows such testing as part of a legitimate workplace safety program provided it is not used to discourage injury reporting.

Scope

This policy applies to all team members working at company locations in:

- Texas
- Louisiana
- Oklahoma
- Ohio
- Kentucky
- Michigan
- South Carolina

State Law Applicability

Because the Company operates in multiple states, workers' compensation laws governing injury reporting, medical treatment, and claim administration may vary by jurisdiction.

The Company maintains a State Workers' Compensation Law Addendum (Appendix A) that summarizes key legal provisions for each state in which the Company operates.

Where a provision in this policy conflicts with applicable state law, state law will control.

Managers and Human Resources representatives should refer to Appendix A – State Workers' Compensation Addendum for state-specific requirements.

Definitions

Workers' Compensation: A state-mandated insurance program that provides medical benefits and wage replacement to team members who suffer a work-related injury or illness arising out of and in the course of employment.



Work-Related Injury or Illness: Any injury, illness, or medical condition that occurs during the course and scope of employment or as a direct result of performing job duties.

This includes injuries occurring:

- On company property
- While performing assigned work tasks
- While operating company equipment
- While traveling for company business

Incident: An unplanned event that results in injury, illness, property damage, or has the potential to cause injury (near miss).

Near Miss: An event that did not result in injury or damage but had the potential to do so. Near misses must be reported and investigated to prevent future incidents.

Post-Incident Drug and Alcohol Testing: Drug and/or alcohol testing conducted following a workplace incident to determine whether substance use may have contributed to the event.

Testing may be required when:

- Medical treatment or First Aid is required
- Near-miss incidents
- Property damage occurs
- A serious safety violation occurs
- Reasonable suspicion exists

Reasonable Suspicion: A belief based on specific, objective observations that a team member may be under the influence of drugs or alcohol. Observations may include:

- Slurred speech
- Impaired coordination
- Erratic behavior
- Odor of alcohol or drugs
- Observable impairment

Medical Treatment: Treatment provided by a licensed medical professional beyond basic first aid.

Examples include:

- Sutures or stitches
- Prescription medication
- Immobilization devices
- Diagnostic imaging (X-rays, CT scans, etc.)

First Aid: Minor treatment that does not require medical care beyond basic first aid supplies.

Examples include:

- Cleaning minor wounds
- Bandaging small cuts
- Applying ice packs
- Removing splinters

Designated Medical Provider: A clinic or occupational health provider approved by the company or workers' compensation carrier for treatment of work-related injuries.



Ambulance Transport: Emergency medical transportation provided by licensed emergency medical services when a team member requires immediate medical care or cannot safely be transported by other means.

Refusal to Test: Failure to submit to a required drug or alcohol test, including:

- Declining the test
- Leaving the testing facility
- Tampering with the sample
- Failing to cooperate with testing procedures

Return-to-Work / Bona Fide Offer of Employment: A written offer of modified or alternate duty that accommodates medical restrictions and complies with workers' compensation regulations where applicable.

Incident Investigation: A structured review process used to determine the root cause of a workplace incident and identify corrective actions to prevent recurrence.

Roles & Responsibilities

Team Members

Team members are responsible for maintaining a safe work environment and promptly reporting workplace incidents.

Responsibilities include:

- Immediately reporting any workplace injury, illness, or near miss to their supervisor or manager.
- Cooperating with medical treatment and return-to-work requirements.
- Participating in incident investigations when requested.
- Complying with post-incident drug and alcohol testing requirements when applicable.
- Following all safety policies and procedures.

Managers / Supervisors: are responsible for responding appropriately to workplace incidents and ensuring that reporting procedures are followed.

Responsibilities include:

- Ensuring injured team members receive appropriate medical attention.
- Securing the incident scene when necessary to prevent further injury.
- Arranging transportation to the designated medical provider when medical treatment is required.
- Requesting post-incident drug and alcohol testing when applicable.
- Completing the required incident report within 24 hours.
- Collecting and submitting supporting documentation, including photos, video, and witness statements.
- Notifying Human Resources immediately following any workplace incident.
- Assisting with incident investigations and corrective actions.

Area Directors: provide oversight to ensure incidents are managed consistently and in accordance with company policy.

Responsibilities include:

- Ensuring managers follow incident reporting and medical treatment procedures.



- Supporting incident investigations and corrective actions.
- Escalating significant incidents to Human Resources and executive leadership when necessary.
- Reinforcing safety expectations across locations.

Human Resources: responsible for the administration of workers' compensation claims and ensuring compliance with applicable laws and company policies.

Responsibilities include:

- Reporting workplace injuries to the workers' compensation insurance carrier.
- Coordinating with medical providers and the insurance carrier regarding treatment and claim management.
- Managing post-incident drug and alcohol testing processes when required.
- Reviewing medical documentation and work restrictions.
- Coordinating return-to-work or modified duty arrangements when appropriate.
- Maintaining confidential records related to workers' compensation claims and medical information.
- Providing guidance to managers regarding incident reporting and workers' compensation procedures.

Safety / Loss Prevention: responsible for identifying root causes and implementing preventive measures following workplace incidents.

Responsibilities include:

- Assisting with incident investigations.
- Identifying safety hazards and recommending corrective actions.
- Monitoring trends in workplace injuries and incidents.
- Supporting safety training and compliance efforts.

Procedure

Injury Reporting Requirements

Team members must report all workplace injuries or illnesses immediately to their supervisor or manager, regardless of severity.

Managers and Area Directors are responsible for ensuring:

1. the Team member receives appropriate medical attention.
2. The incident area is secured, if necessary.
3. An incident report is completed
4. Human Resources is notified immediately following any workplace incident involving a team member, regardless of the severity of the injury and whether or not the team member receives medical attention. Failure to promptly report an injury may affect eligibility for workers' compensation benefits depending on state requirements.

Team members must report workplace injuries immediately. State law may impose additional reporting deadlines. Refer to Appendix A – State Workers' Compensation Addendum for state-specific reporting timelines.

Medical Treatment

Team members injured at work will be directed to an approved occupational health provider whenever possible.

If the injury is life-threatening or requires urgent care:



- Emergency services (911) will be contacted.
- The team member may be transported to the nearest emergency facility.

Medical treatment must follow company procedures and applicable state workers' compensation laws. Refer to Appendix A – State Workers' Compensation Addendum for state-specific requirements regarding physician selection and treatment direction.

Post-Incident Drug and Alcohol Testing

The company may require drug and/or alcohol testing when:

- A workplace accident or injury, regardless of medical treatment
- Property damage occurs
- A near-miss incident occurs
- A safety rule violation may have contributed to an incident
- Reasonable suspicion exists

Testing must be applied consistently and only when it is reasonable to believe substance use could have contributed to the incident.

Post-incident drug and alcohol testing will be conducted in accordance with company policy and applicable state law. Certain states may have additional requirements regarding testing procedures or claim determinations. See Appendix A – State Workers' Compensation Addendum.

Testing Timeframes

When post-incident testing is required:

- Alcohol testing should occur as soon as possible, typically within 8 hours.
- Drug testing should occur within 32 hours where feasible.

Ambulance Transport Situations

If a team member is transported by ambulance or emergency medical services:

1. The team member's health and safety take priority over testing.
2. Drug and alcohol testing should be requested at the treating medical facility whenever possible.
3. If testing cannot be conducted due to emergency medical treatment:
 - HR will coordinate testing as soon as medically feasible.
4. If medical providers decline testing due to treatment protocols, the company will document the circumstances and determine whether testing can occur later.

Team members are expected to cooperate with testing once medically stable.

Refusal to Submit to Testing

Refusal to submit to a required drug or alcohol test may result in:

- Disciplinary action up to and including termination
- Possible denial or reduction of workers' compensation benefits where permitted by law

Positive Test Results

If a confirmed positive test result occurs:

- The incident will be reviewed to determine whether impairment contributed to the injury.
- Workers' compensation benefits may be denied or reduced where state law permits an intoxication defense.
- Disciplinary action may occur up to and including termination.

Confidentiality



All medical records, drug testing results, and workers' compensation records will be treated as confidential and maintained separately from personnel files and shared only with individuals who have a legitimate business need, such as Human Resources, the workers' compensation carrier, or medical providers.

Policy Acknowledgment

All team members must acknowledge receipt of this policy as part of the company's workplace safety program.

Disclaimer:

This policy is intended to provide general guidance and does not create a contract, express or implied. The Company reserves the right to modify, suspend, or discontinue this policy at any time, with or without notice. Where state or local law differs from this policy, the Company will follow the requirements of the applicable jurisdiction.



Appendix A

Workers' Compensation State Law Addendum

This addendum summarizes key workers' compensation provisions applicable to team members working in the states where the company operates.

State workers' compensation laws govern claim eligibility, medical treatment direction, and intoxication defenses. Where state law differs from company policy, state law will control.

Team members should report all injuries immediately in accordance with the Company's Incident Reporting Policy.

Texas

Program Type

Texas allows employers to operate as either subscribers or non-subscribers to the workers' compensation system. The Company participates in workers' compensation coverage.

Medical Treatment Direction

Team members may be required to seek treatment through the designated workers' compensation medical network or approved providers.

Drug & Alcohol Testing

Post-incident drug and alcohol testing is permitted. If a team member is intoxicated at the time of the injury, workers' compensation benefits may be denied.

Special Program

The company participates in the WorkWell occupational health network, which coordinates treatment through designated clinics.

Louisiana

Medical Treatment Direction

Team members may choose their treating physician; however, the employer or carrier may direct initial treatment.

Drug & Alcohol Testing

Employers may conduct post-incident drug testing. Positive drug tests may be used as evidence that intoxication contributed to the injury.

Claim Reporting

Injuries should be reported immediately but no later than 30 days after the incident.

Oklahoma

Medical Treatment Direction

The employer or workers' compensation carrier may designate the initial treating physician.

Drug-Free Workplace Programs

Employers participating in a Drug-Free Workplace Program may receive workers' compensation premium discounts.

Drug & Alcohol Testing

Post-incident drug testing is permitted and may impact claim eligibility if intoxication contributed to the injury.



Ohio

Program Structure

Ohio operates a state-funded workers' compensation system administered through the Ohio Bureau of Workers' Compensation.

Medical Treatment

Team members may seek treatment from providers certified by the Ohio Bureau of Workers' Compensation.

Drug Testing

Post-incident drug testing is permitted and may affect claim determination when impairment is a contributing factor.

Drug-Free Safety Program

Employers may participate in safety programs that offer premium reductions.

Kentucky

Medical Treatment Direction

Team members may select a physician from the approved workers' compensation network.

Drug Testing

Positive drug or alcohol tests may impact workers' compensation eligibility if intoxication contributed to the injury.

Reporting Requirement

Team members must report workplace injuries as soon as practicable.

Michigan

Medical Treatment Direction

Employers may direct medical treatment for the first 28 days following the injury. After that period, team members may choose their own physician with notice to the employer.

Drug Testing

Post-incident drug testing is permitted and may be used as evidence in workers' compensation claim determinations.

South Carolina

Medical Treatment Direction

Employers and workers' compensation carriers have the right to designate the treating physician.

Drug Testing

Post-incident drug testing is permitted. Positive results may be considered when determining eligibility for benefits.

Reporting Requirement

Team members should report injuries immediately but must report within 90 days to preserve claim eligibility.