DARDEN DRUG TESTING POLICY
(U.S. Ex-CT, HI, IA, ME, MN, OK, RI, VT)

DRUG TESTING POLICY FOR DARDEN EXEMPT AND NON-EXEMPT RSC AND RESTAURANT MANAGEMENT

I. Notice to All Applicants

Each applicant, upon being notified by the Company of a conditional offer of employment, and prior to submitting to drug testing, shall be provided an electronic or written copy of the Company’s drug testing policy and must acknowledge, in writing, that they have received a copy of the policy.

II. External MIT Candidates

External applicants for the Manager-in-Training (MIT) Program, Management positions and other similar supervisory positions, among other requirements, must take a drug test no later than 48 hours after receiving a conditional offer of employment. External applicants must be notified that a “negative” drug test result is mandatory. Applicants receiving a “positive” drug test result must submit to a confirmatory test within 48 hours. If the initial “positive” result is confirmed by the confirmatory test, the offer of employment will be withdrawn. Additionally, the applicant receiving a confirmed positive result will not be considered for any position with the Company for a period of six (6) months. In the event an external applicant subsequently applies for and is offered another position within the Company, the applicant must begin the testing process anew.

If an external applicant notifies the Company of a medical condition that affected the applicant’s result or that the drug test result was related to a required medication or a disability, upon receiving proper documentation supporting the applicants claim, the Company will review the applicant’s information with the Medical Review Officer (MRO) for a determination.

III. Internal Promote/MIT Candidates

Internal applicants for the MIT Program, management positions and other similar supervisory positions, among other requirements, must take a drug test no later than 48 hours after receiving a conditional offer of promotion. Internal applicants must be notified that a “negative” drug test result is mandatory. If an applicant receives a “positive” drug test result the applicant must submit to a
confirmatory test within 48 hours. If the initial “positive” result is confirmed by the confirmatory test, the offer of promotion will be withdrawn.

Additionally, internal applicants receiving a confirmatory positive result will be immediately placed on unpaid personal leave of absence and must enter a Company-approved rehabilitation program within 30 days of receiving the confirmatory positive test result and must successfully complete the rehabilitation program within six (6) months of the confirmatory positive test result. Internal applicants receiving a confirmatory positive result who do not enter, progress through, and successfully complete the Company-approved rehabilitation program within the time requirements referenced above will be terminated. Upon completion of the rehabilitation program and receipt of a negative result on a subsequent drug screen conducted at the Company’s direction, the internal applicant may return to the original position of employment held previous to the drug test, if available, or, at the Company’s sole discretion, to a similar position, if available. Thereafter, the internal applicant will not be considered for any management position for a period of six (6) months from the confirmatory positive and then only with a negative result on a subsequent drug screen conducted at the Company’s direction. Any internal applicant who tests positive on a confirmatory drug test after successful completion of a rehabilitation program as required in this paragraph will be terminated.

If an internal applicant notifies the Company of a medical condition that affected the applicants results or that the drug test result was related to a required medication or a disability, upon receiving proper documentation supporting the applicants claim, the Company will review the applicant’s information with the Medical Review Officer (MRO) for a determination.

IV. Darden RSC Internal Promotions and Exempt Field Salaried Restaurant Management Transfer Candidates

RSC internal promotes and salaried field restaurant management transfers are not required to take a drug test (drug test completed at initial time of hire).

V. External RSC Candidates (including Darden non-exempt restaurant field transfers and Spherion employees)

External applicants for exempt and non-exempt RSC positions must take a drug test no later than 3 business days after receiving a conditional offer of employment. External applicants must be notified that a “negative” drug test result is mandatory. Applicants receiving a “positive” drug test result must submit to a confirmatory test within 48 hours. If the initial “positive” result is confirmed by the confirmatory test, the offer of employment will be withdrawn. Additionally, the applicant receiving a confirmed positive result will not be considered for any position with the Company for a period of six (6) months. In the event an external applicant subsequently applies for and is offered another position within the Company, the applicant must begin the testing process anew.
If an external applicant notifies the Company of a medical condition that affected the applicant’s result or that the drug test result was related to a required medication or a disability, upon receiving proper documentation supporting the applicant’s claim, the Company will review the applicant’s information with the Medical Review Officer (MRO) for a determination.

VI. Confidentiality

All documents, reports, statements, drug test results and other information produced or obtained as a result of a drug test conducted pursuant to this policy shall be confidential. No portion of the information obtained shall be released without the written consent of the applicant whose information is sought, unless the production of such information is compelled under federal, state or local law.
If an external applicant notifies the Company of a medical condition that affected the applicant’s result or that the drug test result was related to a required medication or a disability, upon receiving proper documentation supporting the applicants claim, the Company will review the applicant’s information with the Medical Review Officer (MRO) to determine legitimacy and to consider the requirements of applicable laws, such as the Americans With Disabilities Act (“ADA”) and Title VII of the Civil Rights Act.

VII. External Office and Director Candidates

Due to the competitive nature and time constraints associated with extending Director and Office level offers, in the process of extending offers to Director and Officer level candidates, if the candidate communicates a willingness to take a drug test but is unable to do so within the 3 business day requirement, because of scheduling conflicts, travel obligations or other extraordinary factors i.e. being out of the country, the Director of Talent Acquisition will review the circumstances with the VP of Talent Acquisition to determine a specific but reasonable extension of time, beyond the 3 business day requirement. The candidate then must take a drug screen by the time extension deadline, or the offer will be rescinded.