



**MARATHON
DRUG AND ALCOHOL POLICY EMPLOYEE GUIDE
For Employees in California**

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TABLE OF CONTENTS

INTRODUCTION	4
PART I - DRUG POLICY	4
PART II - POLICY ON ALCOHOL & PRODUCTS CONTAINING THC	4
PART III - POLICY APPLICATION	5
A. CURRENT PROCEDURES	5
B. UNIONIZED FACILITIES.....	5
PART IV - DEFINITIONS	6
1. COMPANY	6
2. UNAUTHORIZED DRUGS.....	6
3. AUTHORIZED SUBSTANCES.....	6
4. COMPANY PREMISES.....	6
5. ALCOHOL	6
6. UNDER THE INFLUENCE OF ALCOHOL OR PRODUCTS CONTAINING THC	6
7. PROHIBITED BLOOD ALCOHOL CONTENT	7
8. CONTRABAND	7
9. LABORATORY TESTING	7
10. PERSONAL SEARCH.....	7
11. RETURN TO WORK AGREEMENT	7
12. SAFETY-SENSITIVE POSITION	7
13. SUBSTANCE ABUSE.....	7
PART V - POLICY ADMINISTRATION	7
A. EMPLOYEE EDUCATION.....	7
B. EMPLOYEE NOTIFICATION	8
C. MEDICATION/SUBSTANCE REPORTING	8
D. EMPLOYEE INITIATED REHABILITATION.....	8
PART VI - SEARCHES	8
A. PERSONAL SEARCHES.....	8
B. PERIODIC WORK AREA SEARCHES.....	9
PART VII - LABORATORY TESTING	9
A. PRE-EMPLOYMENT TESTING	9
B. REASONABLE SUSPICION TESTING	9
C. RANDOM TESTING	9

D. POST INCIDENT TESTING.....	9
E. RETURN TO WORK TESTING	10
F. AVIATION DEPARTMENT TESTING.....	10
G. GOVERNMENT REQUIRED TESTING.....	10
PART VIII - POLICY ENFORCEMENT	10
A. CRIMINAL OFFENSES.....	10
B. DISCIPLINE.....	10
C. RETURN TO WORK AGREEMENTS	11
D. CONFIDENTIALITY	11
E. CONTRACTORS AND THEIR EMPLOYEES AND ALL OTHER VISITORS ON COMPANY PREMISES.....	12
PART IX – MISCELLANEOUS	12
The Company reserves the right to interpret, change, amend, modify, or terminate the Policy at any time, with or without notice.	12

INTRODUCTION

Policy # 10002 – Drugs and Alcohol applies to Marathon Petroleum Company LP, Marathon Petroleum Service Company, Marathon Petroleum Logistics Services LLC, Marathon Refining Logistics Services LLC, and any subsidiary or affiliated organization which expressly adopts it (the “Company”). It is the Company’s belief that the misuse of drugs, alcohol, or any substance having a physiological, psychological, or biochemical effect impairs employee health, employee performance and creates unsafe working conditions. The Company is committed to maintaining a productive, safe and healthy work environment free of Unauthorized Drug and Unauthorized Alcohol use.

In order to achieve this purpose and administer Policy # 10002 – Drugs and Alcohol, the Company has adopted and implemented this Drug and Alcohol Policy Employee Guide. For California sites or employees working in California, the Drug and Alcohol Policy Employee Guide is modified as set forth herein (Policy # 10002 – Drugs and Alcohol, the Drug and Alcohol Employee Guide, and this Drug and Alcohol Employee Guide for Employees in California are, together, the “Policy” for California sites or employees working in California). All provisions of the Drug and Alcohol Employee Guide are in effect, unless and except as modified below.

Additionally, the Company has in effect, and enforces, drug and alcohol plans and programs as required by the U.S. Department of Transportation (D.O.T.) and U.S. Coast Guard for positions regulated by the D.O.T./U.S. Coast Guard. The D.O.T. plans and U.S. Coast Guard program supplement the Policy and govern over any conflicting provisions of the Policy for covered employees.

PART I - DRUG POLICY

The manufacture, use, consumption, possession, distribution, dispensation, purchase, or sale of Unauthorized Drugs by Company employees while on Company Premises or while engaged in Company business is prohibited.

Subject to the limited exceptions set forth in the Policy relating to products containing Tetrahydrocannabinol (“THC”), an employee reporting for work or working with Unauthorized Drugs in their body or who has a positive drug screen is in violation of the Policy. This also includes, but is not limited to, the operation of a Company owned or leased vehicle.

PART II - POLICY ON ALCOHOL & PRODUCTS CONTAINING THC

The manufacture, use, consumption, possession, distribution, dispensation, purchase or sale of THC or products containing THC on Company Premises or while engaged in Company business is strictly prohibited. The consumption or possession of Alcohol in unsealed or opened containers on Company Premises is prohibited, except in limited circumstances where specifically authorized by the President, the applicable Organizational Vice President or a manager or supervisor designated by either such officer, hereinafter individually referred to as “Designated Management” (for example, alcohol is generally permitted in restaurants operated on Company Premises, in special dining rooms, on Company aircraft, in specific areas designated for recreational and social use, and in lodging furnished or paid for by the Company, etc.).

Any employee reporting for work or working with a Prohibited Blood Alcohol Content or while under the Influence of THC or any product containing THC is in violation of the Policy. This also includes, but is not limited to, the operation of a Company owned or leased vehicle.

In its discretion Designated Management may prohibit the possession of all Alcohol on Company premises at designated locations.

PART III - POLICY APPLICATION

All domestic locations will implement the Company's Policy and adopt or maintain any additional administrative procedures or work rules which are necessary to administer the Policy at any particular location. Any such administrative procedures or work rules must be reviewed by the Marathon Petroleum Company LP Chief Human Resources Officer ("CHRO") or the CHRO's designee, who will coordinate the approval of the Law Organization and Health Services.

All Company employees are required to comply with the Policy.

In addition, contractors will be required to certify in writing that their employees and/or subcontractors: (1) shall not be allowed to manufacture, use, consume, possess, distribute, dispense, purchase, sell or be Under the Influence of Alcohol or Unauthorized Drugs (including, without limitation, THC or products containing THC) while on Company Premises; and (2) are subject to a policy and Laboratory Testing provisions which are at least substantially equal to the Company Policy in all respects. Any exceptions to the Policy, other than those identified for "Management" under the Policy, must be approved by the Company's President or the President's designee.

Additionally, all employees determined by the Company to be covered by the Department of Transportation and/or the U.S. Coast Guard Drug and Alcohol Testing Regulations will be subject to provisions outlined in the D.O.T. plans and U.S. Coast Guard program. These plans and program include provisions necessary to comply with D.O.T. Regulations 49 CFR Parts 40, 199, 382, 46 CFR Parts 16 and 95 and 33 CFR Part 95. Copies of the pertinent Marathon Petroleum Company LP D.O.T. plans and U.S. Coast Guard program are available through Human Resources. Subcontractors covered by Department of Transportation/U.S. Coast Guard Drug and Alcohol Testing Regulations must demonstrate participation in a bona fide drug and alcohol testing program.

A. CURRENT PROCEDURES

Certain locations of the company have established work rules or programs concerning drug and alcohol use. These rules need not be modified with the adoption of the Policy provided they are consistent with the provisions of the Policy and approved by the CHRO or the CHRO's designee, in conjunction with Law and Health Services.

B. UNIONIZED FACILITIES

In locations where workers are represented by unions, it may be necessary to negotiate the Policy with the Union prior to implementation. Assistance from the Vice President, Labor & Employee Relations, and Law should be obtained to determine whether and to what extent collective bargaining is required.

PART IV - DEFINITIONS

1. COMPANY

“Company” shall mean Marathon Petroleum Company LP, Marathon Petroleum Service Company, Marathon Petroleum Logistics Services LLC, Marathon Refining Logistics Services LLC, and any subsidiary or affiliated organization which expressly adopts the Policy.

2. UNAUTHORIZED DRUGS

For the purpose of the Policy, the term “Unauthorized Drugs” shall mean any substance, other than an Authorized Substance, which is, or has the effect on the human body of being, a narcotic, depressant, stimulant, hallucinogen, their precursors, derivatives or analogues, and includes, but is not limited to, those substances scheduled as controlled substances pursuant to the Federal Controlled Substances Act, inhalants, “designer drugs,” “look-a-likes,” and any other illegal drugs under either state or federal law.

For the avoidance of doubt, THC and products containing THC remain “Unauthorized Drugs” under the Policy unless consumed lawfully and, further, is possessed and consumed by the employee in a manner that does not violate the “Policy on Alcohol & Products Containing THC” set forth above.

3. AUTHORIZED SUBSTANCES

Substances having a physiological, psychological or biochemical effect which are lawfully prescribed to an employee, or which are available without a prescription, which are lawfully obtained by an employee and which the employee possesses and uses in the appropriate manner, in the dosages and for the purposes for which the substances were prescribed or manufactured, are considered “Authorized Substances” for the purposes of the Policy. In the case of products containing alcohol or THC, such products are excluded from this definition to the extent their possession or consumption places an employee in violation of the “Policy on Alcohol & Products Containing THC” set forth above.

4. COMPANY PREMISES

“Company Premises” includes, but is not limited to, Company owned, rented, used or leased property, including lodging furnished or paid for by the Company; Company worksite locations, offices, and/or parking lots; or Company owned, leased or rented vehicles, aircraft, vessels or equipment.

5. ALCOHOL

“Alcohol” includes, but is not limited to, distilled spirits, liquor, beer, wine, malt liquor or any other intoxicants used for beverage purposes.

6. UNDER THE INFLUENCE OF ALCOHOL OR PRODUCTS CONTAINING THC

“Under the Influence” shall mean that an individual is affected by Alcohol or marijuana (or any other product containing THC) in any detectable manner. Evidence of being under the influence may be established by a professional or lay person’s opinion, a physiological test/analysis, or a biochemical test/analysis. An “Under the Influence” determination is not limited to, nor must it consist of evidence of impairment of physical or mental ability or misconduct. An employee whose blood alcohol content is found to be equivalent to or greater than the governmentally recognized level for being under the influence shall be presumed to be Under the Influence of Alcohol.

7. PROHIBITED BLOOD ALCOHOL CONTENT

An employee whose blood alcohol content (BAC) is determined during work hours to be equivalent to or greater than .04 percent will be in violation of the Policy.

8. CONTRABAND

“Contraband” for purposes of the Policy shall mean drug paraphernalia.

9. LABORATORY TESTING

“Laboratory Testing” includes, but is not limited to, a physiological test/analysis, or a biochemical test/analysis, including urinalysis, breath, blood and/or hair analysis.

10. PERSONAL SEARCH

“Personal Search” includes a search of employees’ personal property located on Company Premises, including, but not limited to, their personal effects, lockers, baggage, desks, lunch boxes, containers, purses, billfolds, parcels; private vehicles if on Company Premises and living quarters, if furnished or paid for by the Company; and any Company property assigned to employees.

11. RETURN TO WORK AGREEMENT

Return to Work Agreement means an agreement which specifies the conditions with which an employee must comply in order to return to and maintain employment.

12. SAFETY-SENSITIVE POSITION

Safety-Sensitive Position means a position which requires that the employee perform the duties which are related to the safe operation or security of a facility or a piece of equipment and which, if not performed properly, could result in a serious safety risk or environmental hazard to employees, a facility, or the general public. All employees who have the direct responsibility of supervising employees who perform such duties are considered as occupying a safety-sensitive position. Each major operating unit shall establish and maintain a current list of Safety-Sensitive Positions.

13. SUBSTANCE ABUSE

Substance Abuse means unauthorized drug use and alcohol, or other legally controlled substance use in violation of the Policy.

PART V - POLICY ADMINISTRATION

The CHRO has overall responsibility for the administration of the Policy, in consultation with Law and Health Services.

A. EMPLOYEE EDUCATION

Employee education sessions are to be conducted on a periodic basis. These education sessions will be coordinated by local Human Resources with assistance from the CHRO or the CHRO’s designee.

All employees should be made aware of the problems associated with drug and alcohol use, rehabilitation services that are available, and the requirements of the Policy.

Additionally, supervisors will be trained to recognize the signs and symptoms of drug and alcohol use and the procedures to follow in the enforcement of the Policy.

B. EMPLOYEE NOTIFICATION

Employees will be notified by the Company of the conduct expected of them pursuant to the Policy as well as the provisions for the enforcement of the Policy.

All employees will be reminded of the Policy during subsequent education sessions. New employees will be notified of the provisions of the Policy during their orientation sessions.

C. MEDICATION/SUBSTANCE REPORTING

It is the responsibility to safety sensitive employees to notify Health Services or their worksite medical services department or medical services third party provider in writing when they are taking any prescription or nonprescription medicine or substance which may impair their judgment or performance or otherwise adversely affect the normal functions of their mental faculties or physical abilities.

D. EMPLOYEE INITIATED REHABILITATION

Employees with a drug or alcohol problem are encouraged to volunteer for rehabilitation assistance before their problem leads to a situation which could jeopardize their employment. Employees who volunteer for such rehabilitation either through referral from the Employee Assistance Program or through other means before they have performance problems or prior to the Company notifying the employee that he or she must report for a drug and/or alcohol test will not be subject to discipline based on their voluntary request for rehabilitation.

Rehabilitation referral assistance is available through the Employee Assistance Program, Human Resources, or Health Services to any employee who feels the need for assistance in dealing with a drug or alcohol problem.

Employees returning to work following participation in voluntary rehabilitation or mandatory referral following a criminal conviction may be required to sign Return to Work Agreements as detailed under Policy Enforcement – Return to Work Agreements, Part VIII C, below.

PART VI - SEARCHES

In enforcing the Policy, searches of employees and their property on Company Premises and work area searches are authorized in accordance with the Policy.

An employee who refuses, when requested, to cooperate with a search or to sign an appropriate consent form shall be deemed to be in violation of the Policy.

A. PERSONAL SEARCHES

Without limitation, the Company reserves the right to conduct unannounced Personal Searches.

Entry upon the Company's Premises by employees, visitors or contractors will be deemed to constitute consent by such persons to Personal Searches pursuant to the Policy.

B. PERIODIC WORK AREA SEARCHES

Searches of work areas and other Company Premises may be conducted without limitation and whenever Designated Management determines such searches are necessary or desirable. When practical, the CHRO or the CHRO's designee will be contacted prior to a search. Searches (which may include use of specially trained dogs) will be performed only by individuals authorized by Designated Management.

PART VII - LABORATORY TESTING

Laboratory Testing (including, but not limited to drug screens, alcohol tests, etc.) may be used to detect or confirm violations of the Company's Policy.

Tests to be performed and the facilities performing the tests shall be approved by the CHRO or the CHRO's designee, in conjunction with Health Services.

Company representatives authorized by Management will coordinate sample collection and submission procedures. Laboratory Testing is authorized under the following circumstances:

A. PRE-EMPLOYMENT TESTING

All applicants for employment will be required to submit to Laboratory Testing following their acceptance of a contingent job offer and prior to beginning work (drug screens only). (This includes safety sensitive initial hires from subsidiary companies, if such companies did not conduct pre-employment testing.)

B. REASONABLE SUSPICION TESTING

Reasonable suspicion testing will be undertaken when local Management, in consultation with local Human Resources, the CHRO or the CHRO's designee has reason to believe the employee is in violation of the policy. For example, Laboratory Testing may be conducted in connection with a Search if Unauthorized Drugs, Alcohol or Contraband is found in an employee's locker or desk, if alcohol is on an employee's breath; or if an employee's performance, actions, or appearance leads local Management to believe there may be a violation of the Policy. Other circumstances may arise which would constitute reasonable suspicion to request Laboratory Testing.

C. RANDOM TESTING

All employees performing work in Safety Sensitive Positions (as defined by Designated Management in consultation with the CHRO or the CHRO's designee and Law) at all Company locations are subject to random testing, with the exception of employees who are covered by a D.O.T. random testing program. Employees who are not in Safety Sensitive Positions but who request unescorted access to the refinery may be granted such access if they voluntarily consent to participate in the Random Testing pool.

Random Testing will be conducted at an annualized rate of 25% unless otherwise provided by an applicable Collective Bargaining Agreement (this rate may be adjusted in the future).

D. POST INCIDENT TESTING

Post Incident testing may be conducted when a workplace accident or incident may have been caused by human error. Post Incident Testing may be conducted when local Management reasonably believes the employee's (or multiple employees') conduct may have contributed to the accident or incident.

E. RETURN TO WORK TESTING

Employees who return to work following voluntarily disclosed rehabilitation may be subject to Laboratory Testing as determined by Health Services and their Substance Abuse Professional (SAP), and as outlined in a Return to Work Agreement.

F. AVIATION DEPARTMENT TESTING

Employees in the Aviation Department as defined by Management will be subject to periodic unannounced testing at least once per year.

G. GOVERNMENT REQUIRED TESTING

Laboratory Testing will be conducted as required by the U.S. Department of Transportation or by other federal, state or local governmental agencies. Additionally, laboratory testing may be conducted as required by other companies or entities for access to, and/or to perform work at their facilities.

PART VIII - POLICY ENFORCEMENT

Supervisors and management personnel must be alert to detect employee violations of the Policy. The Company expects supervisors and management personnel to enforce the Policy in all cases where a reasonable belief exists that a violation of the Policy may have occurred or is occurring.

It is also the responsibility of each employee to assure his or her own safety by enforcing compliance with the Policy with respect to his or her own conduct, as well as to encourage the appropriate conduct of all other employees.

A. CRIMINAL OFFENSES

An employee whose job requires driving and who is convicted of a drug-related or alcohol-related criminal offense which impacts his or her ability to legally drive vehicles on behalf of the Company, either within or outside Company owned facilities, must report this information to his or her supervisor or local Human Resources immediately.

The Company will notify the appropriate federal agency, within ten days, of any employee convicted of violating a criminal drug statute if the violation occurred in the workplace.

B. DISCIPLINE

Disciplinary measures will be taken against employees who violate the Policy.

Nothing contained in the Policy shall be construed as creating or constituting a contract with the employee (whether expressed or implied); nor shall it limit the Company's right to administer other disciplinary measures not specifically referenced herein.

Employees determined by the Company to be covered/regulated by the U.S. Department of Transportation (D.O.T) or U.S. Coast Guard Drug and Alcohol Testing Regulations who test positive for Controlled Substances as defined by 49 CFR part 40 or who have a blood alcohol content (BAC) to be equivalent to or greater than .04 will be discharged.

Subject to the limited exception for the possession and consumption of Alcohol noted in the Policy on Alcohol & Products Containing THC set forth in Part II above, employees manufacturing, using, consuming, possessing, distributing, dispensing, purchasing, or selling Unauthorized Drugs or Alcohol on Company Premises or while engaged in Company business are in violation of the Policy and will be discharged.

Employees who test positive for Unauthorized Drugs will be discharged, subject to the limited exception that employees who test positive for THC will not be disciplined or discharged based on the presence of Non psychoactive cannabis metabolites reflected in a test.

Employees who are determined to be “Under the Influence” of Alcohol or marijuana (or any other product containing THC) or who have a Prohibited Blood Alcohol Content while working will be discharged.

An employee whose BAC is determined during work hours to be greater than .000 percent, but not more than .019 percent, will be sent home from work for the remainder of their scheduled workday.

An employee whose BAC is determined during work hours to be equivalent to or greater than .020 percent, but not more than .039 percent, will be sent home from work for the remainder of their scheduled workday and may be required to submit to an evaluation/rehabilitation program specified by the Company before returning to work.

Employees who refuse to sign a consent form or refuse to consent to a search and/or laboratory testing will be discharged. Employees involved in conduct or actions that are considered an effort to undermine the integrity of the testing program will be discharged. This includes, but is not limited to, sample adulteration, failure to provide adequate specimen or breath, having hair removed/cut or otherwise altered after being notified of obligation to be tested (but before submitting to sample collection), giving inadequate or misleading required information, falsification of documents, late arrival at a testing facility or other similar types of activities.

C. RETURN TO WORK AGREEMENTS

Return to Work Agreements provide a substantial incentive for employees to remain drug and alcohol free. Therefore, before an employee who participates in a rehabilitation program which the employee voluntarily disclosed to the Company returns to work, he or she may be required to provide acceptable documentation of that employee’s successful participation in such program. In addition, before returning to work, the employee may be required to enter into a written Return to Work Agreement, which may provide for the following, as appropriate:

1. Remain compliant with their Return-to-Work Agreements.
2. Consent to unannounced drug and/or alcohol screening tests to be instituted whenever and as often as the Company deems necessary to verify and monitor compliance. Unless medically impossible to do so, maintain scalp hair length of at least $\frac{3}{4}$ inch” at all times.
3. Follow the recommendations and instructions of the rehabilitation counselor.
4. Sign necessary consent and release forms authorizing the rehabilitation counselor to advise the Company of all pertinent information.
5. Comply with any other terms outlined by the Company. Failure to comply with any of these terms will result in discharge.

D. CONFIDENTIALITY

The results of all Laboratory Testing, as well as records associated with the Company’s Employee Assistance Program, are medical records and must be kept strictly confidential. Unauthorized release of such information shall subject the employee who releases such information to disciplinary action, up to and including discharge.

E. CONTRACTORS AND THEIR EMPLOYEES AND ALL OTHER VISITORS ON COMPANY PREMISES

Contractors will be informed of the Company's Policy and will be expected to abide by a drug and alcohol policy at least substantially equal to the Company's Policy in all respects. Any person performing services for the Company will be subject to this requirement. Any person found in violation will not be permitted to perform services for the Company nor be permitted access to Company Premises. In addition, contractors will be required to certify in writing that their employees and/or subcontractors: (1) shall not be allowed to manufacture, use, consume, possess, distribute, dispense, purchase, sell or be Under the Influence of Alcohol or Unauthorized Drugs (including, without limitation, THC or products containing THC) while on Company Premises; and (2) are subject to a policy and Laboratory Testing provisions which are at least substantially equal to the Company Policy in all respects.

Any time Policy procedures are undertaken which involve a contractor's employees, the contractor shall be informed and requested to participate.

In addition, the Company prohibits any person, including visitors, from using, possessing, distributing, purchasing or selling Unauthorized Drugs or Alcohol (except with appropriate approval) while on Company Premises. Moreover, the Company prohibits any person, including visitors, from being on Company Premises with prohibited levels of Alcohol or Unauthorized Drugs in their system.

Any contractor, employee or visitor in violation of the Policy will be refused entry onto or prudently removed from the Company Premises and other actions, including notification of appropriate law enforcement agencies, may be taken.

PART IX – MISCELLANEOUS

Nothing in the Policy is to be interpreted as constituting a waiver or limitation of any kind of the Company's prerogative to take disciplinary measures at any time with respect to an employee, up to and including termination. In addition, the Policy shall not constitute a contract or create any rights or expectations in any current or prospective employee or any third party.

The Company reserves the right to interpret, change, amend, modify, or terminate the Policy at any time, with or without notice.