

VMware Drug-free Workplace Policy (United States)

Policy No.: H-1

Revision Date: February 1, 2020

In compliance with the federal Drug-Free Workplace Act and similar state statutes or ordinances, VMware, VMware has adopted this Drug-Free Workplace policy to provide a safe and productive working environment for its employees.

Prohibited Activities

Employees are prohibited from manufacturing, distributing, dispensing, possessing, using, or being under the influence of illegal drugs, inhalants, or controlled substances in the workplace. Any employee who violates this policy will be subject to disciplinary action, which could include termination of employment. Employees who encounter drug-related activities at work are expected to report such incidents to a VMware manager or through the ETICA hotline.

Nothing in this policy is meant to prohibit the appropriate use of over-the-counter medication or other medication that can legally be prescribed under applicable law, to the extent that it does not impair an employee's job performance or safety or the safety of others.

Employee Assistance

Employees concerned about substance use and rehabilitation are strongly encouraged to contact their physician, their medical plan, or VMware's Employee Assistance Program (EAP) Services, which can refer employees to appropriate resources (community or private agencies) that provide complete, confidential substance abuse counseling. Many of VMware's medical insurance plans provide coverage for substance abuse programs. Go to the *Benefits, Time Off, Life Events* website on the *My Rewards* page for additional information or for the EAP, via the CONCERN website: www.concern-eap.com.

However, participation in a rehabilitation program will not prevent the Company from taking action with respect to drug-related activities that affect the workplace, nor will it relieve an employee of the responsibility to perform job duties.

Drug Screening

VMware does not conduct new-hire or random drug testing. However, drug screening may be required where deemed necessary or appropriate, such as upon reasonable suspicion of violation of this policy and screening required by law. VMware will conduct drug screenings to comply with customer/vendor contractual requirements, as consented-to by the employee. Employees subject to this requirement whose specimen screen positive will be subject to disciplinary action, which may include termination of employment.

Drug-Free Workplace Act Reporting Requirements

In accordance with the provisions of the Federal Drug-Free Workplace Act and similar state statutes or ordinances, employees whose work involves supplies or services for the United States or other government entities in the United States are expressly advised that continued employment is conditioned upon adherence to this policy. In addition, *employees working on government contracts* are also required to notify VMware's Employment Law Group (ELG@vmware.com) of any *conviction* of a criminal drug statute for a violation *occurring in the workplace* no later than *five days after the conviction*.