



## **DRUG & ALCOHOL POLICY**

Structure Scan Inc.

Issue Date: January 1, 2016

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## PURPOSE OF THE DRUG & ALCOHOL POLICY

### The drug and alcohol policy is established:

- // To provide a safe and healthy workplace for all employees and those whose safety may be affected by the conduct of employees.
- // To ensure that all employees are treated fairly and with respect.
- // To comply with any applicable collective agreements.
- // To ensure compliance with applicable human rights legislation, privacy legislation, occupational health and safety legislation and other applicable laws.

**Structure Scan Inc.** is committed to creating a safe, healthy, and reliable workplace for employees, contractors, clients, and the general public.

The inappropriate use of drugs and alcohol can have serious adverse effects on the well-being of these groups. Building awareness of potential risks associated with drug and alcohol use helps us provide an environment that adheres to our company values.

Structure Scan expects all of its employees to report to work in good mental and physical condition, without being under the influence of drugs or alcohol. This policy is in effect for all employees and contractors conducting Company business, working on Company premises or at worksites, and operating Company vehicles and equipment.

## IMPORTANCE OF THE DRUG & ALCOHOL POLICY

- Builds awareness of how drug and alcohol use adversely affects the ability of a person to work in a safe manner. Structure Scan employees may work with equipment and materials on a work site that pose a threat to their safety and the safety of their co-workers if not handled with care and attention.
- Provide comprehensive responses for supervisors, managers, and owners when an employee's conduct jeopardizes the safety of the workplace.
- By implementing and adhering to this policy, Structure Scan promotes:

- // the safety and dignity of our employees.
- // the welfare of our employees and their families.
- // the best interests of the Company, customers, and the public.

## **ROLES AND RESPONSIBILITIES**

**The successful implementation of this Drug and Alcohol policy is the shared responsibility of management, supervisors, and workers.**

### **Management must:**

- // Provide a safe workplace.
- // Provide prevention programs that emphasize awareness, education, and training with respect to the use of drugs and alcohol.
- // Foster open communication between management, supervisors and workers.
- // Make any reasonable inquiries with regard to a worker's potential drug or alcohol dependency or use and provide supervisory training in that respect.
- // Ensure effective employee assistance services are available to workers.
- // Assist workers in obtaining confidential assessment, counseling, referral, and rehabilitation services.
- // Actively support and encourage rehabilitation activities and re-employment opportunities where applicable.
- // Provide supervisory training and awareness in addressing the use of drugs and alcohol in the workplace.
- // Provide supervisory training and awareness in regards to the protection of personal information of an employee or prospective employee.
- // Ensure that all employees understand the existence of and content of the drug and alcohol policy during new employee company orientation.
- // Ensure the consistent application of the content of the drug and alcohol policy.
- // Ensure that the alcohol and drug testing is performed according to the standards set out in the drug and alcohol policy.
- // Ensure the safeguarding of the worker's private and confidential information and limit disclosure to necessary situations.

### **Supervisors/Superintendents must:**

- // Be knowledgeable about the Company's drug and alcohol policy rules and procedures and ensure their consistent application.
- // Be knowledgeable about alcohol and drugs, and be able to recognize the signs and symptoms of alcohol and drug use.
- // Foster open communication between management, supervisors and workers.
- // Make any reasonable inquiries in regards to a worker's potential drug or alcohol dependency or use.
- // Comply with work standards and perform their work-related activities in an effective and safe manner.
- // Take action on performance deviations.
- // Take action on reported or suspected drug or alcohol use by workers.
- // Be knowledgeable about the Company's privacy rules and procedures with regard to safeguarding the personal information of employees or prospective employees.
- // Ensure the respect of the dignity and privacy of the employee or prospective employee that may be the subject of this drug and alcohol policy.

### **Workers must:**

- // Have an understanding of the drug and alcohol policy.
- // Take responsibility to ensure their own safety and the safety of others.
- // Ensure they comply with work standards as part of their commitment to perform work activities in a safe manner.
- // Comply with the work rules and follow appropriate treatment if deemed necessary.
- // Use medications responsibly, be aware of potential side effects, and notify a supervisor of any potential unsafe side effect where applicable.
- // Foster open communication with management and supervisors.
- // Disclose a relevant drug or alcohol dependency or use to a supervisor or management and engage in and cooperate with the Company's accommodation process, where applicable.

- // Encourage peers or co-workers to seek help when there is a potential breach of the drug and alcohol policy and report to a supervisor if he/she is aware of any other worker impaired at the worksite.

## **WORK STANDARDS**

- // No worker shall distribute, possess, or consume illegal drugs at any Company workplace.
- // No worker shall distribute, possess, or consume alcohol at any Company workplace, unless approved by Senior Management as described below.
- // Possession and use of alcohol on Company premises for social functions, or when it relates to Company business, is permitted only when approved by Senior Management and they will ensure that the use does not contravene the intent of this drug and alcohol policy.
- // No worker shall report to work or be at work under the influence of alcohol or drugs.
- // No worker shall test positive for alcohol or drugs at concentrations specified in Table 3.1 of this policy.
- // No worker shall misuse prescription or non-prescription drugs while at work. If a worker is taking a prescription or non-prescription drug for which there are potential side effects which may put the worker or others at risk, they have an obligation to report it to their supervisor.

## **DRUG AND ALCOHOL WORK RULES**

### **1) A worker shall not:**

- 1.1 Be in possession of, use, or offer for sale alcohol, drugs, or drug paraphernalia (i.e. bongs, water pipes etc.) on Company or client sites (including but not limited to, any Company assets, including vehicles, camps, buildings, trailers, etc.). Any illegal substances or suspected illegal substances found on Company property will be turned over to the police for possible criminal investigation.
- 1.2 Use, possess, or offer for sale any product or device that may be used to attempt to tamper with any sample for a drug and alcohol test while on Company property or at a Company workplace.

1.3 Report to work or work with an alcohol level equal to or greater than 0.020 grams per 210 liters of breath, or with a drug level equal to, or greater than the concentrations set out in Table 3.1 of this policy.

**Table 3.1**

<b>Substance Tested</b>	<b>Urine Screening (ng/mL)</b>	<b>Urine Confirmation (ng/mL)</b>	<b>Oral Fluid Screening (ng/mL)</b>	<b>Oral Fluid Confirmation (ng/mL)</b>
Cannabinoids	50	15	4	2
Cocaine	150	100	20	8
Opiates	2000	2000	40	40
PCP	25	25	10	10
Amphetamines	500	250	50	25
Methamphetamine	500	250	50	25
Methadone	300	200	60	60
MDMA (Ecstasy)	500	250	50	25
Propoxyphene	300	300	N/A	N/A
Barbiturates	300	200	10	10
Benzodiazepines	300	50	N/A	N/A
Oxycodone	100	100	N/A	N/A
<b>Breath Alcohol Testing</b>	<b>g/L of breath</b>			
Alcohol	0.040/210			

\* Testing concentrations are derived from SAMHSA guidelines for testing federal employees, and may be adjusted from time to time without being updated in this policy as SAMHSA adjusts their testing limits.

1.4 Perform the duties of their position while under the influence of alcohol.

1.5 Report for duty, or remain on duty when using any drug, except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee's ability to safely work at the job site.

1.6 Misuse prescription medications or over-the-counter medications in such a manner as to render themselves unfit to safely perform their work. Even if a

prescription medication or over the counter drug is properly used, employees are required to notify their supervisor that they are taking any medications or substances that may impact their job performance. The employee must be aware of any side effects that could impact his/her performance and must consult with a physician, nurse or pharmacist where necessary.

- 1.7 Refuse to submit to a required alcohol or drug test, including a post-accident, reasonable suspicion, random, pre-access, return-to-duty, or follow-up drug or alcohol test. An employee who refuses to submit to a required test, tampers or attempts to tamper with a test sample or obstructs the testing process will be considered to have had a positive test result.

- 1.8 Tamper with a sample for a drug or alcohol test.

## **2) A supervisor shall not:**

- 2.1 Allow an employee to perform the duties of their position if they have a confirmed alcohol level equal to or greater than 0.040 grams per 210 liters of breath, or with a drug level equal to or greater than the concentrations for the drugs set out in Table 3.1 of this policy.
- 2.2 Permit an employee to perform or continue to perform their duties if they have actual knowledge the employee is using alcohol or have reasonable cause to believe the employee is impaired while performing the duties of their position.
- 2.3 Permit an employee to perform or continue to perform the duties of their position if they have actual knowledge the employee is on a drug (except when the use is pursuant to the instructions of a licensed medical practitioner who has advised the employee that the substance will not adversely affect the employee's ability to safely work at the job site) or have reasonable cause to believe the employee is impaired.
- 2.4 Permit an employee who refuses to submit to a post-accident, reasonable suspicion, return-to-duty, or a follow-up drug test to perform or continue to perform the duties of their position.



# IMPLEMENTATION OF THE DRUG AND ALCOHOL WORK RULES

## 1) Education

1.1 Structure Scan is committed to informing employees of the existence of this drug and alcohol policy and to taking such other steps as are reasonable to inform its employees of the safety risks associated with the use of drugs and alcohol. Structure Scan will also educate employees about the Employee Assistance Program (EAP).

1.2 The likelihood that an employee will comply with the Drug and Alcohol Work Rules is increased if he/she knows the safety risks associated with the use of drugs and alcohol and the assistance available under our EAP program.

## 2) Self Help

2.1 This drug and alcohol policy encourages employees who believe that they may require the help provided by Substance Abuse Experts (SAEs) and the Employee Assistance Program (EAP) to voluntarily request that help. An employee requesting help will not be disciplined unless he/she has failed to comply with the Drug and Alcohol Work Rules. In any event, each matter will be fully investigated prior to any disciplinary measures.

2.2 An employee who believes that he/she may be unable to comply with the Drug and Alcohol Work Rules should seek help by:

2.2.1 contacting the EAP provider, Manitoba Blue Cross (MBC) at 1-800-590-5553 (Help Line), or

2.2.2 contacting management, Tony Brunette at Structure Scan, at (204) 795-1014 or

2.2.3 informing a family member or friend and asking for assistance in contacting the EAP provider, AHS, or Tony Brunette, or

- 2.2.4 informing a co-worker, a supervisor, or representative of the Company of his/her wish to contact the EAP, AHS or the Human Resources Coordinator.

**In response to an employee's request for help, a supervisor, superintendent or manager must:**

- // Inform the employee of the assistance available under the EAP.
- // Encourage the employee to utilize the EAP services.
- // Inform the employee that if he/she fails to utilize the EAP services, the Company may insist that the employee submit to any or all of the following:
  - a medical assessment conducted by a physician
  - a drug or alcohol test as set out in Collections of Specimens and Analysis
  - an assessment conducted by an SAE

and that his /her failure to do so may result in the termination of his/ her employment.

- // An employee who receives assistance from the EAP program on account of his or her use of drugs and alcohol must comply with the terms and conditions of any program as a condition of his/her continued employment.
- // All employees, including those that are enrolled in an EAP program or other counseling or treatment program, must comply with the Drug and Alcohol Work Rules.

## **TESTING OPTIONS - FOR APPLICABLE SAFETY-SENSITIVE POSITIONS**

### **Pre-Employment Testing**

#### **1) Post-Offer Pre-Employment**

- // If the employee has a positive test result, a representative of the Company must make inquiries in regards to the extent of the prospective employee's drug usage to determine if he/she is a recreational user versus where there is a drug or alcohol dependency. Depending on the outcome of the Company's

investigation/assessment, the Company may revoke its offer of employment or canvas accommodative measures on the part of the Company.

## **2) Pre-Access**

- // An employee may be required to submit to a drug and/or alcohol test to gain access to a site as required by the owner or prime contractor of the site.

## **Employment Testing in Situations Involving Reasonable Cause, Incidents or Near Misses, or Post-Treatment**

Drug and alcohol testing is performed during the term of employment in the following situations:

### **1) Reasonable Cause**

Where there is reasonable cause to believe the employee may be impaired, testing will be requested. Reasonable cause may arise in the following circumstances:

#### **A) Possession of Drugs and/or Alcohol**

A supervisor, superintendent, manager or an owner who has reasonable grounds to believe an employee may not be in compliance with the Drug and Alcohol Work Rules, must request:

- // the employee to confirm that he/she is in compliance with the Drug and Alcohol Work Rules, or
- // the assistance of appropriate authorities to confirm that employee's compliance with the Drug and Alcohol Work Rules, or
- // ask a representative of the Company or the owner to provide the employee with a reason for the test request.

#### **B) Observation of Employee Conduct**

- // A supervisor, superintendent, or manager of an employee must request a drug and/or alcohol test under the Collections of Specimens and Analysis section of

this policy if they have reasonable grounds to believe that an employee is or may be unable to work in a safe manner due to the use of drugs and/or alcohol.

- // A supervisor, superintendent, or manager of an employee must provide to the employee the reason for the request.
- // Any supervisor, superintendent, or manager requesting a reasonable suspicion test must be trained in determining reasonable suspicion.

## **2) Incidents and Near Misses**

- // A supervisor, superintendent, or manager of an employee may request a drug and/or alcohol test if the supervisor, superintendent or manager has reasonable grounds to believe that an employee was involved in any Incident or Near Miss where there is reasonable cause to suspect impairment on the job.
- // The drug and/or alcohol test serves as an objective measure of the employer's subjective view of the employee's actions, behavior or physical characteristics (i.e. glassy eyes, imprecise eye movements, bloodshot or red eyes, droopy eyelids, odor of alcohol or drugs, slurred speech, dilated pupils, impaired gait, face abnormally flushed, face abnormally pale, unusual body movements, unusually loud and/or argumentative, deterioration in job performance, change in speech patterns, neglect of personal appearance etc.)
  - A supervisor, superintendent, or manager of an employee must provide to the employee the reason for the request.
- // A supervisor, superintendent, or manager must make a request for testing immediately following an incident or near miss, unless it is not practicable or reasonable to do so until a later time. Tests must be completed within the following time limits:
  - Urine drug test within 32 hours following the incident.
  - Oral fluid drug test within 8 hours following the incident.
  - Alcohol test within 8 hours following the incident.
- // A supervisor, superintendent, or manager of an employee need not request the employee to submit to a drug and/or alcohol test if the supervisor,

superintendent, or manager concludes that there is objective evidence to believe that incident was a result of mechanical failure or environmental factors.

### **3) Returning to Work after Assessment/Treatment**

**A) Return to Duty** – Before an employee returns to work after an assessment by an SAE, he/she must successfully pass a drug and/or alcohol test.

**Follow-up Testing** – As part of the Structure Scan accommodation and rehabilitation efforts, and when an SAE identifies the need, an employee will be required to submit to follow-up drug and/or alcohol testing. The SAE will determine the frequency of testing and the time period involved.

## **COLLECTION OF SPECIMENS AND ANALYSIS**

Drug and alcohol testing is conducted to determine if drugs listed in Table 3.1 (or their metabolites) are present in a specimen, or if alcohol is present in a specimen provided by the employee. The procedure is as follows:

- // Employees will be asked to provide a sample at a designated collection site, or representatives from the collection agency may visit the worksite to collect samples and perform screening tests.
- // The designated collection agency will collect and process urine specimens or saliva specimens for further drug screening and confirmation, as required. Alcohol testing will be provided by an approved Evidential Breath Testing device and alcohol breath tests will be performed by an approved Breath Alcohol Technician.
- // The laboratory selected by the designated collection agency meets guidelines and standards of the Department of Health and Human Services, which is the certifying agency for forensic urine drug testing laboratories in Canada and the United States. Laboratory testing processes follow the U.S. Department of Health and Human Services guidelines.

- // Following proper chain of custody, an accredited laboratory will perform the required testing procedure to confirm screening results, with confirmed test results forwarded to a Medical Review Officer (MRO).

## **DRUG AND ALCOHOL TESTING RESULTS**

Drug and alcohol test results can be negative, non-negative, positive, tampered, invalid or inconclusive.

- // A negative test result means the employee is in compliance. A non-negative test result means the employee may not be in compliance and the specimen is sent to an accredited lab for confirmation of results. A positive test result means non-compliance. A tampered test result means non-compliance. An invalid or inconclusive test result cannot be relied upon to determine compliance or non-compliance. All test results will be provided in a confidential email to the Human Resources Coordinator, other Senior Management Representative, and may be shared with a representative of the union relevant to the employee, with a link to SureWire and test results. These test results may be shared with the union the employee belongs to and any other relevant representative of the employee.
- // If the employee's sample produced a negative test result, the employee has complied with Rule 1 of the Drug and Alcohol Work Rules. The Designated Employer Representative (DER) must notify the employee of the negative test result, and that no other steps under this drug and alcohol policy will be taken. It may be appropriate to pursue procedures under other policies or take other steps, including a medical assessment, in order to assist the employee to perform at a satisfactory level.
- // If the employee's sample produced a positive test result, the employee failed to comply with Rule 1 of the Drug and Alcohol Work Rules. Unless the medical review officer has determined that there is a legitimate medical explanation for the positive test result, a Fitness-to-Work assessment may be conducted.

- // If the employee's sample has been tampered with, the employee failed to comply with Drug and Alcohol Work Rule 1.8

## **NON COMPLIANCE OF DRUG AND ALCOHOL WORK RULES**

Structure Scan may discipline, or terminate for cause, the employment of an employee who fails to comply with the Drug and Alcohol Work Rules. The appropriate consequence depends on the facts of the case, including the nature of violation, the existence of prior violations, the response to prior corrective programs, and the seriousness of the violation.

- // An applicant who has a positive test result in a pre-employment test and where the Company reasonably believes the applicant to be a Recreational User, will not be hired, as a negative test result is a condition of employment. In this respect, a positive test result will not affect future applications, and an applicant may reapply after 90 days. The Company will canvass accommodative measures where the applicant has a medically supported drug or alcohol dependency.
- // Employees with a non-negative test result on a drug screening test will be removed from their duties until results of the drug test can be confirmed by an accredited lab and reviewed by an MRO.
- // If the confirmation test indicates the presence of controlled substances the results shall be reviewed by the MRO. The MRO will then contact the employee. The employee has 72 hours from official notification to request the split specimen be analyzed by a different certified lab. The employee is responsible for the costs of the split specimen test. If and when the split specimen analysis fails to confirm the presence of controlled substances, the employee shall be considered not to have violated this policy.

- // Employees with a confirmed positive test results for drugs will be placed on a leave of absence and referred to an SAE, either at AHS or through the EAP, as determined by management. The SAE shall make an initial assessment of the employee and make appropriate recommendations. The employee shall, through the SAE, provide to the Company a confidential report of the SAE's initial assessment and recommendations. This report may be shared with supervisor, superintendents, and the employee's union or other employee representative. This initial assessment is to be completed as soon as possible, and the report shall be delivered to the Company within two days of completion. Failure by the employee to attend the assessment or follow the course of corrective or rehabilitative action shall be cause for and will result in termination of employment.
- // Employees with a confirmed alcohol concentration of 0.02 to 0.039 will be removed from duty immediately and will not be allowed to return to work until the following shift, a minimum of 12 hours. The employee may be subject to corrective discipline action depending on the Company's assessment of the situation.
- // Employees with a confirmed alcohol concentration of 0.040 or higher will be placed on a leave of absence and referred to an SAE, either at AHS or through the EAP, as determined by management. The SAE shall make an initial assessment of the employee and make appropriate recommendations. The employee shall, through the SAE, provide to the Company a confidential report of the SAE's initial assessment and recommendations. This initial assessment is to be completed as soon as possible, and the report shall be delivered to the Company within two days of completion. This report may be shared with supervisor, superintendents, and the employee's union or other employee representative. Failure by the employee to attend the assessment or follow the course of corrective or rehabilitative action shall be cause for and result in termination of employment.
- // Where an employee has a drug or alcohol dependency and engages in misconduct not connected to the employee's drug or alcohol dependency, then



that conduct will be considered voluntary and blame worthy (culpable) and can be cause for and result in termination of employment.

- // Where an employee is impaired, the Company will take all reasonable steps to ensure that the employee does not drive home from the worksite premises.

## **RETURN TO WORK AFTER POSITIVE TEST**

- // An employee will not return to the duties of their position until he/she has been evaluated by an SAE, complied with recommended rehabilitation, and has a negative test result on a return-to-duty drug test and/or a breath alcohol concentration less than 0.02. The employee must provide a written report from the SAE verifying the required evaluation, recommendation, and rehabilitation, or providing a release document for the required information.
- // Follow-up testing to monitor a returning employee will be conducted more frequently for no less than one year and not less than six unannounced tests within that year, or longer, depending on the SAE's recommendations.

## **CONFIDENTIALITY AND PRIVACY**

The Company is dedicated to protecting the personal information of its employees and prospective employees. It is acknowledged that the personal information collected in relation to drug and alcohol testing is extremely sensitive and must be protected against unauthorized use, disclosure, access or modification. All drug and alcohol test results are confidential and are released to the DER.

All drug and alcohol medical information will be kept separate from the employee's normal employment files, and access will be limited to designated personnel only.

The Company representative may release relevant information to Company decision makers and union representatives as required. Confidential information from an SAE will be handled in a similar manner.

## CONTACT

For any inquiries or clarifications in regards to the drug and alcohol policy, matters are to be directed to:

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If you have any questions or concerns with regard to a privacy matter, you must speak to the designated privacy officer, whose contact information is as follows:

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**All information in the above mentioned document has been endorsed by senior management/owner:**

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Name:

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Signature:

## Worker's Acknowledgment Form

I, \_\_\_\_\_, hereby acknowledge receipt of the  
Structure Scan Drug and Alcohol Policy.

I acknowledge that I have read and understand the policy and procedures in the  
attached Drug and Alcohol Policy and agree to abide by the terms therein.

I understand that non-compliance with the Alcohol and Drug Policy can result in  
disciplinary action up to and including termination and suspension from re-hire.

\_\_\_\_\_  
Worker Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Date

\_\_\_\_\_  
Structure Scan  
Per:

## Supervisor's Acknowledgment Form

I, \_\_\_\_\_, hereby acknowledge receipt of the Structure Scan Drug and Alcohol Policy.

I acknowledge that I have read and understand the policy and procedures in the attached Drug and Alcohol Policy and agree to abide by the terms therein. I agree to enforce the standards contained therein as part of my job responsibilities and accountability as a supervisor.

I understand that a high standard of confidentiality is required when dealing with issues related to drug or alcohol use and drug or alcohol dependency and agree to maintain the confidentiality of all persons involved with the administration of the Drug and Alcohol Policy.

I agree to comply with the Alcohol and Drug Policy and understand that non-compliance can result in disciplinary action up to and including termination and suspension from re-hire.

\_\_\_\_\_  
Supervisor Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Senior Manager Signature

\_\_\_\_\_  
Print

\_\_\_\_\_  
Date

\_\_\_\_\_  
Structure Scan  
Per:

## APPENDIX A - DEFINITIONS

The following definitions apply in this drug and alcohol policy:

- **Alcohol:** Any substance that may be consumed and that has an alcoholic content in excess of 0.5 per cent by volume.
- **Chain of Custody:** The process of documenting the handling of a specimen from the time a donor gives the specimen to the collector up until the results are reported by the laboratory.
- **Company workplace:** Includes all real or personal property, facilities, land, buildings, equipment, containers, vehicles, vessels, boats, and aircraft owned, leased, or used by the Company in any location.
- **Drug Paraphernalia:** Includes any personal property which is associated with the use of any drug, substance, chemical, or agent, the possession of which is unlawful in Canada.
- **Drug or Alcohol Dependency:** A person who has a medically supported dependence or addiction to drugs or alcohol.
- **Drugs:** Includes any substance, chemical, or agent where the use or possession is unlawful in Canada or requires a personal prescription from a licensed treating physician. This includes any non-prescription medication lawfully sold in Canada and drug paraphernalia.
- **Employee:** Any person engaged in work on a work site where this policy applies.
- **Employee & Family Assistance Program (EAP):** Services designed to help employees and their families who are experiencing personal problems, such as alcohol and drug abuse.
- **Employer:** A person who controls and directs the activities of an employee under an express or implied contract of employment.
- **Incident:** An occurrence, circumstance, or condition that caused or had the potential to cause damage to person, property, reputation, security, or the environment.
- **Laboratory:** Meets the guidelines and standards of the Standards Council of Canada Laboratory Accreditation Program for Substances of Abuse and/or Mental Health Services Administration of the U.S. Department of Health and

Human Services. Gas chromatography/mass spectrometry is the only authorized confirmation method.

- **Manager:** Includes team leaders and other persons in position of authority.
- **Medical Review Officer (MRO):** A licensed physician with knowledge of substance abuse disorders and the ability to evaluate an employee's positive test results. The MRO is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results. They must be accredited by any of the following four organizations, and have current competency hours: (1) American Association of Medical Review Officers (AAMRO); (2) Medical Review Officer Certification Council (MROCC); (3) American College of Occupational and Environmental Medicine (ACOEM); or (4) American Society of Addiction Medicine.
- **Near Miss:** Any event or action which under different circumstances could have resulted in injury or damage to people, equipment, or to the surrounding environment.
- **Negative Test Result:** A report from the designated collection agency, or from the Medical Review Officer (MRO) indicates an employee who provided a specimen for alcohol and drug testing did not have an alcohol and drug concentration level equal to or greater than the values in Table 3.1 of this policy.
- **Non-Negative Test Result:** A report from a designated collection agency screening test indicating an employee may have an alcohol or drug concentration equal to or greater than the values in Table 3.1 of this policy and that the specimen must be sent to an accredited lab for confirmation.
- **Positive Test Result:** A report from the medical review officer that the employee who provided a specimen for alcohol and drug testing did have an alcohol or drug concentration level equal to or greater than the values in Table 3.1 of this policy.
- **Reasonable Cause:** Includes information established by the direct observation of the employee's conduct or other indicators, such as the physical appearance of the employee, the smell associated with the use of alcohol or drugs on, or in the vicinity of, his or her person, his or her attendance record, circumstances surrounding an incident, or near miss and the presence of alcohol, drugs, or drug

paraphernalia in the vicinity of the employee or area where the employee worked.

- **Recreational User:** A person who uses drugs or alcohol but is not a dependent on, or addicted to drugs or alcohol.
- **Rehabilitation Program:** A program tailored to the needs of an individual that may include education, counseling, and residential care to assist a person to comply with the Drug and Alcohol Work Rules.
- **Safety Sensitive Position:** A position in which individuals have a key and direct role in the operation of a worksite and where performance under the influence of drugs and/or alcohol could result in:
  - An incident affecting the health or safety of employees, contractors, customers, the public, or the environment.
  - An inadequate response or failure to respond to an emergency or operational situation.
  - An incident or practice that could negatively impact the Company's financial position and/or goodwill in the communities where we operate.
  - Any employee designated as performing the duties associated with a SSP should be made aware that they are working in a SSP and that they must abide by the provisions of this policy accordingly.
- **Substance Abuse Expert (SAE):** A licensed physician; a licensed or certified social worker; a licensed or certified psychologist; a licensed or certified employee assistance expert; or an alcohol and drug abuse counselor. He/she has received training specific to an SAE roles and responsibilities, has knowledge of and clinical experience in the diagnosis and treatment of substance abuse-related disorders, and has an understanding of the safety implications of substance use and abuse. For the purposes of this policy a substance abuse expert is the same as a substance abuse professional.
- **Supervisor:** The person who directs the work of others and may include, team/crew leader, lead hand, superintendent, and manager.
- **Tamper:** To alter, meddle, interfere, or change.
- **Work:** Includes training and any other breaks from work while at a Company workplace.

## APPENDIX B - TESTING CONTINUUM

Testing Option	Method of Testing
Post-Offer/Pre-Employment	
Pre-Access	
Reasonable Cause	
Incidents and near Misses	
Return to Work	
Follow-up	

\* All non-negative test results must go to lab for GC/MS confirmation testing.

\*\* Could be just drug or alcohol testing or both as determined by Human Resources Department.