

# DRUG AND ALCOHOL POLICY

## PURPOSE

The purpose of this policy is to define Company expectations in regards to drug and alcohol use and outline the standards and support measures used to establish and maintain a workplace that is free of drug and alcohol abuse. [REDACTED] (hereafter called the "Company") is committed to a safe work environment that is free from the impairing effects of drugs and alcohol. A workplace free of such impairment is a bona fide occupational requirement for all employees in safety sensitive positions. In accordance with guidelines from the Human Rights Commission, the Company recognizes that testing will occur where there is a bona fide risk that impairment affects safety.

## SCOPE

This policy applies to all employees working for the Company in Canada. Contractors, consultants, vendors and visitors are expected to abide by applicable sections of this policy.

## POLICY STATEMENT

The Company is committed to providing a safe work environment for all employees and has the right to expect employees to be fit to perform their duties safely and free from impairment when they report to work to the Company's work sites or customers' property. Employees must notify their supervisor immediately if they are unable to perform their duties safely and professionally. Company work sites include all Company vehicles whether leased or rented for Company business, Company facilities and their contents, and Company parking lots and property.

## Employee Responsibilities

1. Report to work fit to perform their duties. Must be free of the use or after-effects of any substance, whether intentional or unintentional, that may impair their ability to perform work safely. This includes all emergency or unscheduled work as well as regularly scheduled shifts. The employee is responsible to decline work if they are under the influence of any substance that may impair their ability to perform work safely.
2. Ensure the use of any prescription or non-prescription medication will not impact their ability to perform their work duties safely and notify the Occupational Health Nurse to determine if a work restriction is required. The Company reserves the right to have its own physician determine if a medication impacts ability to perform job duties safely, in which case the Company will restrict work activity as per medical recommendations.
3. Refrain from the use, possession, distribution, manufacture, transportation, offering or sale of alcohol, illicit drugs or related paraphernalia while on Company business or property.
4. Seek treatment and rehabilitative resources through the Company's Employee Family Assistance Program if substance use affects their ability to perform their job.
5. Participate in the Company's modified work program once a substance use concern has been identified and an employee has successfully attended a rehabilitation program.
6. Cooperate with any investigation that may be required due to a potential policy violation and with all testing procedures as outlined in this policy and procedure. Employees should refrain from the use of alcohol and drugs or any other substance post accident/incident pending potential testing or investigation as per Company policy.

7. Advise management and Human Resources if a driver's license has been suspended when driving is a job requirement.
8. Comply with a customer's Drug and Alcohol Policy while performing work on behalf of the Company on a customer's property. The Company will endeavor to inform employees of specific customer requirements whenever possible; however, employees are expected to work in accordance with the Company's Drug and Alcohol Policy.

### **Non-Compliance**

1. Human Resources and management will confidentially investigate incidents of non-compliance. Non-compliance includes the refusal to comply with drug and alcohol testing procedures as stated in the Company's policy and procedures.
2. Testing will be done in accordance with Substance Abuse and Mental Health Services Administration (SAMHSA) guidelines, which is the recognized standard for testing. A copy of SAMHSA guidelines is available from the Occupational Health Nurse.
3. Employees will be suspended without pay during the time required to obtain laboratory confirmation of test results. If the confirmed results show the employee is in compliance with the Company policy, pay will be reimbursed for the suspension time.
4. Non-compliance, even for a first offense, will result in disciplinary action, including, but not limited to: referral to a Substance Abuse Professional for assessment, rehabilitation, modified work placement, written warning, suspension or termination.

### **Drug and Alcohol Testing**

1. Post Accident/Post Incident/Near Miss Testing: Will be required of all employees who are employed in positions that are considered safety-related. Testing will be done following all accidents, incidents or near misses that are considered a recordable incident or have the potential to be a recordable incident. This includes all serious safety violations. Testing will be required following all incidents involving the operation of company vehicles, cranes and heavy equipment, whether they are recordable or non-recordable incidents. This also includes any vehicle that is operated under a Company car allowance and is involved in a vehicle accident during business activities. Vehicle accidents include animal strikes, vehicle collisions and vehicle damage. Testing is not required when a vehicle is parked legally and not in operation at the time of the incident.
2. Reasonable Cause Testing: Includes, but is not limited to the following: odour of drugs or alcohol on the employee; employee admits to the use of a substance while at work or admits to being impaired due to substance use while at work; drugs "including paraphernalia" or alcohol are found in the employee's possession; employee's appearance or behavior suggests the employee is under the influence of a substance or participating in activities related to substance use; excessive absenteeism, lateness or repeated errors in work performance.
3. Pre-access Testing: May be required to comply with a customer's Drug and Alcohol Policy prior to access to the customer's property. This may include testing as stated in the Company policy or other testing such as random testing if required by the customer's policy.
4. Return to Work Testing: Will be required for all employees who have attended treatment or a substance-related rehabilitation program. Prior to return to work the employee will be required to successfully pass a drug and/or alcohol test. Employees will be required to participate in follow-up

testing as recommended by the Substance Abuse Professional or in accordance with Company policy.

5. DOT Testing: Any drivers for the Company who qualify under the US Department of Transportation (DOT) guidelines will be required to follow additional drug and alcohol testing in accordance with DOT Regulations.

#### **Drug and Alcohol Testing Guidelines**

1. The Company has retained the services of a contractor that is recognized as a leader in the area of workplace drug and alcohol testing.
2. All drug and alcohol test results are considered confidential and will be released only to the Occupational Health Nurse or the Designated Employer Representative.
3. The testing agency will notify managers directly only of an employee's compliance to the Company policy if the employee is indeed compliant. The Occupational Health Nurse will release only compliant or non-compliant information to Human Resources and management in all other cases.
4. All testing including collection and analysis will comply with SAMHSA guidelines and standards.
5. A certified laboratory and Medical Review Officer will verify all non-negative test results.
6. Failure to adhere to drug and alcohol testing procedures when required as outlined in this policy and SAMHSA guidelines will be viewed as non-compliance and will result in disciplinary action. Any employee who adulterates the test procedure may be subject to immediate dismissal.

#### **Alcohol Use for Company Business**

1. Alcohol may be used on a limited basis for Company business and specific functions with the approval of senior management. Only alcohol supplied by the Company is permitted at the function and employees must not bring other alcohol onto the premises.
2. Use of alcohol for social functions shall not be in excess and shall not lead to a violation of this policy. The Company will provide taxi services for employees or guests at approved Company functions when required. The Company does not endorse any operation of a motor vehicle if the person is over the impaired alcohol limit of 0.04 mg/ml.
3. Employees may occasionally use alcohol while performing their job duties in a social business setting off Company premises. Employees are expected to remain fit to undertake business activities in such circumstances, and must not operate Company vehicles or equipment while impaired.

#### **Contractors, Consultants, Vendors and Visitors**

1. Contractors, consultants, vendors and other third parties working on Company property or providing service to the Company are expected to comply with their own Company Drug and Alcohol policy as long as it meets or exceeds the requirements of this policy. Those who are not in compliance will be denied access to Company property and may have their business relationship suspended or terminated.
2. Visitors may be denied access to Company property and may have their visitor privileges suspended or terminated if drug or alcohol use is identified.

## **PROCESS**

### **General Drug and Alcohol Testing Process**

1. All employees must undergo testing if required as soon as possible after being requested by a Company supervisor or manager.
2. Testing may include breath, saliva or urine samples. All testing will be done with respect and confidentiality.
3. Confidentiality of test results will be maintained by the Occupational Health Nurse or Designated Employee Representative and only compliant/non-compliant information will be released to management and Human Resources.
4. See attached testing process flow chart.

### **Specific Test Process**

1. Post-Accident/Post Incident/Near Miss Testing – See attached testing process flow chart.
2. Reasonable Cause Testing - Human Resources and management will investigate circumstances and determine if drug and alcohol testing is required. Documentation of the reasons for testing is required as per Reasonable Cause Testing process.
3. Return to Work Testing -
  - a. The Occupational Health Nurse will maintain contact with the Substance Abuse Professional and maintain confidentiality of employee information.
  - b. Employees must successfully complete a treatment or rehabilitation program prior to returning to work.
  - c. Employees must provide a negative drug and/or alcohol test prior to returning to work.
  - d. Employees must participate in follow-up testing as recommended by a Substance Abuse Professional or in accordance with the Company policy.
4. Pre-access Testing –
  - a. Testing will be completed as required by a customer's Drug and Alcohol Policy.
  - b. Customers may occasionally require testing or perform searches for illicit materials. Enerflex supervisors will endeavor to inform employees whenever possible of specific requirements of customers; however, regardless of this notification, employees will be expected to comply with the conditions set out by the customer.
5. DOT Testing – Required only for employees who qualify under DOT guidelines.

## **Definitions**

<b>Addiction/substance use/substance abuse disorder</b>	Physical, psychological or emotional dependence on a substance. The use of any substance in a manner that may tend to incapacitate, impair or influence an individual, or the use of any substance in a manner that deviates from the medical or legal norms or from Company rules, policies or expectations. Includes the misuse of substances that are legally permitted.
<b>Alcohol screening levels (National Institute of Health, US Government)</b>	An alcohol concentration level that is equal to or exceeds 20 milligrams per 100 milliliters of blood or 0.02 breath alcohol level or comparable urine or saliva levels.

<b>Alcohol screening levels</b> [REDACTED]	The company recognizes the alcohol limit for impairment to be 0.04 mg/ml despite the Canadian legal limit being 0.08 mg/ml.
<b>Adulterate</b>	Intentionally engaging in any conduct that clearly obstructs the testing process.
<b>Designated Employer Representative</b>	Person designated within the Company to receive the confidential drug and alcohol test results from the Breath Alcohol Technician, MRO or contract testing company; responsible for ensuring no unauthorized disclosure of results.
<b>Drugs</b>	Substances, chemicals or agents other than food used to change the way the body or mind functions.
<b>Drug testing</b>	Procedures used to identify substances such as marijuana, cocaine, opiates, phencyclidine and amphetamines and others as identified by SAMHSA guidelines.
<b>Drug testing guidelines</b>	Standards used for forensic urine drug testing by certified laboratories in Canada and the United States; collection and testing processes follow SAMHSA guidelines.
<b>Impairment</b>	Alteration of mind, mood, behavior, emotions, reasoning, performance or physical functioning.
<b>Incident</b>	An occurrence or event that may or may not seem to be of minor importance that could lead to more serious consequences. Relevant to this policy, an incident is an event that has or might have caused personal injury or property damage.
<b>Medical Review Officer (MRO)</b>	A licensed physician responsible for receiving laboratory test results, who has knowledge of substance abuse disorders and appropriate medical training to interpret and evaluate individual confirmed positive test results together with medical history and any other relevant bio-medical information.
<b>Possession</b>	To have either in or on the person, or in personal effects.
<b>Recordable work injury or illness</b>	Includes all work-related deaths, days away from work, transfers to another job, medical treatment beyond first aid treatment, loss of consciousness or diagnosis of a significant injury or illness.
<b>Safety sensitive position</b>	A position or function where safety is a bona fide occupational requirement of the job, meaning incapacity due to alcohol or drug impairment could result in direct and significant risk of injury to the employee, other employees, contractors, customers, the general public or the environment; includes position or functions where there is limited or no supervision; includes employees who rotate through safety sensitive positions; includes the operation of motor vehicles, and working on or accessing the shop floor, warehouses, field sites and yards.
<b>SAMHSA</b>	Substance Abuse and Mental Health Services Administration (US Department of Health and Human Services), which is the certifying agency for forensic urine drug testing.

**Substance Abuse  
Professional**

A licensed professional that has knowledge of and clinical experience in the diagnosis and treatment of alcohol, drugs and related disorders.

**Drug Screening Cut-off Levels (all levels in ng/mL) – as per SAMHSA guidelines**

<b>Drug or Metabolite</b>	<b>Screening Level</b>	<b>Confirmation Level</b>
<b>Amphetamines</b>		
Amphetamine	1000	500
Methamphetamine		500 (NOTE 1)
Cocaine metabolites (Benzoyllecgonine)	300	150
Marijuana metabolites	50	15
<b>Opiate Metabolites</b>	2000	
Codeine		2000
Morphine		2000
6-acetylmorphine		10 (NOTE 2)
Phencyclidine (PCP)	25	25

NOTE 1: Specimen must also contain amphetamine at a concentration of greater than or equal to 200 ng/mL

NOTE 2: Test for 6-AM in the specimen, conduct this test only when specimen contains morphine at a concentration greater or equal to 2000 ng/mL

## EMPLOYEE ACKNOWLEDGMENT AND CONSENT

## APPENDIX A

I, \_\_\_\_\_, [Name of employee Please Print Clearly] \_\_\_\_\_, HEREBY ACKNOWLEDGE HAVING RECEIVED

AND REVIEWED A COPY OF THE "DRUG AND ALCOHOL POLICY" ISSUED BY \_\_\_\_\_

I UNDERSTAND ALL OF THE TERMS AND CONDITIONS OF THE ABOVE POLICY. I FREELY AND VOLUNTARILY AGREE THAT THE TERMS AND CONDITIONS OF THE ABOVE POLICY SHALL BE INCLUDED IN THE TERMS AND CONDITIONS OF MY EMPLOYMENT OR WORK RELATIONSHIP WITH THE COMPANY. I FURTHER AGREE THAT THE RESULTS OF ANY SUBSTANCE TEST AND THE INTERPRETATION OF THOSE RESULTS MAY BE DISCLOSED TO THE MEDICAL SERVICES AND TO THE COMPANY'S DESIGNATED REPRESENTATIVE.

\_\_\_\_\_  
EMPLOYEE SIGNATURE

\_\_\_\_\_  
DATE {mm/dd/yyyy}

Record Retention  
Original-Confidential Personnel File