

1.0 PURPOSE AND SCOPE OF POLICY

The Alcohol and Drug Policy is established to prevent injuries and provide a safe workplace for all workers engaged in Canadian Plains work activities, as well as protect the environment and the safety of all individuals that may be affected by those activities. Recognizing the safety-sensitive nature of our work and that Alcohol and Drugs can have an adverse effect on the health and safety of our workers, clients, service providers, the public and the environment. Canadian Plains Limited Partnership, its subsidiaries and affiliates ("Canadian Plains") will do everything reasonable and practicable to avoid and control the risks associated with Alcohol and Drug use in our workplace.

The primary goal of this Policy is to establish an effective program to educate, support and motivate our employees and other individuals engaged in Canadian Plains work activities to refrain from using Alcohol or Drugs in a manner which adversely affects their ability to work in a safe, competent, and productive manner. This Policy also aims to achieve this goal in a manner that treats individuals engaged in Canadian Plains work activities fairly and with respect.

Canadian Plains recognizes addiction to Alcohol and Drugs can be an illness and is committed to assisting its employees to overcome their addiction, where applicable via a Return to Work (RTW) program.

This Policy outlines Canadian Plains' Alcohol and Drug standards and expectations, Worker Assistance Program, testing requirements and enforcement measures.

Through this Policy, Canadian Plains is committed to:

- a. Strongly encouraging and assisting individuals to proactively obtain counseling, support, and/or treatment, if necessary, to overcome any Alcohol or Drug problems and comply with this Policy,
- b. Responding to Policy violations in a manner that strongly deters future violations, and
- c. Safeguarding the welfare of its employees, contractors, clients, communities we work in, and the general public.

This Policy is based upon the guidelines adopted by the Canadian Model for Providing a Safe Workplace, a best practice guide from the Construction Owners Association of Alberta and Energy Safety Canada. This Policy supports Canadian Plains' Health, Safety and Environment Policy and is only one facet of an overall approach to risk mitigation and safety.

This Policy applies to all Canadian Plains employees and anyone else working on behalf of Canadian Plains. All contractors engaged by Canadian Plains must adopt and enforce this Policy with their employees or, in the alternative, implement and enforce their own alcohol and drug policy which meets or exceeds the standards of this Policy. This Policy includes special requirements applying to the safety-sensitive aspects of Canadian Plains' operations.

All individuals working on a worksite controlled by Canadian Plains or conducting business on behalf of Canadian Plains must comply with this Policy. All visitors must also comply with this Policy as a condition of gaining access to any worksite controlled by Canadian Plains as communicated prior to the visit or during the site orientation.

APPROVED:



Stephen Smith

Chief Executive Officer

2.0 DEFINITIONS

In this Policy:

1. **After Hours Call Out** - refers to the occurrence of an abnormal operating event requiring the attendance by a Worker outside of a normal shift or work hours. An abnormal operating event could be an equipment failure, a spill, or other emergency call.
2. **Alcohol** - means the intoxicating agent in beverage Alcohol, ethyl Alcohol or other low molecular weight alcohols such as methyl or isopropyl alcohol. It includes beer, wine, distilled spirits, and medications such as cough syrup that contain alcohol.
3. **Company** - means Canadian Plains and its subsidiaries. Where this Policy is adopted and applied by a Contractor engaged by Canadian Plains, "Company" shall be deemed to refer to or include the contractor as appropriate.
4. **Company Property** - means any land, building, work, or part thereof owned, leased or occupied by the Company and any Company Vehicle.
5. **Company Vehicle** - means any motor vehicle, piece of equipment, or other means of transportation (collectively "vehicle"), owned, leased, rented, or used by the Company and any private vehicle used in the course of Work.
6. **Company Worksite** - means any place where the Company conducts business, including, without limitation, Company Property and any worksite where the Company has been contracted to perform services. This includes vehicles, camps and lodgings.
7. **Contractor** - means any Independent Service Provider (ISP), contractor, subcontractor, or other business entity that has been engaged to perform Work.
8. **Direct Employee Representative (DER)** - means Manager, Human Resources, or designated alternate. The primary contact with the Third Party Administrator.
9. **Drug or Substance** - means any drug, substance, chemical, or agent, including Alcohol, Illicit Drugs, or Medications, the use of which has the potential to change or adversely affect the way a person thinks, feels, or acts.
10. **Drug Paraphernalia** - means any equipment, product, or material intended or designed for use in manufacturing, compounding, converting, concealing, processing, preparing, or introducing an Illicit Drug or Alcohol into the human body. This also refers to any product or device that may be used to attempt to mask, tamper with, or adulterate an Alcohol and Drug testing sample.
11. **Fitness for Work or Fit for Work** - means being able to safely and competently perform Work without any physical or mental limitations due to the use or after-effects of a Drug.
12. **Illicit Drug** – means the misuse of any drug, substance, chemical, or agent resulting in impairment.
13. **Incident** - means an unplanned incident or chain of incidents that has, or could have, resulted in injury, illness, damage to assets, the environment, or Company reputation.
14. **Incident Classifications**
 - a. **Catastrophic Severity** - incident means a permanent or total disability that could result in multiple lost time injuries or fatality or other events related to Assets, Environment, or Reputation referred to in the Risk Assessment Matrix in Section 2-Hazard Identification, Assessment and Control in the Canadian Plains HSEMS.
 - b. **Serious Severity** - incident without limitation, includes any injury or health effect resulting in lost time injury or illness or other events related to Assets, Environment, or Reputation referred to in the Risk Assessment Matrix in Section 2-Hazard Identification, Assessment and Control in the Canadian Plains HSEMS.
 - c. **Significant Severity** - incident means an injury or health effect resulting in medical aid or other

- events related to Assets, Environment or Reputation referred to in the Risk Assessment Matrix in Section 2-Hazard Identification, Assessment and Control in the Canadian Plains HSEMS.
- d. **Negligible Severity** - incident means an injury or health effect resulting in first aid or other events related to Assets, Environment or Reputation referred to in the Risk Assessment Matrix in Section 2-Hazard Identification, Assessment and Control in the Canadian Plains HSEMS.
15. **Inconclusive** - means that analysis of the collected sample/specimen for alcohol and drug testing was not conclusive and additional action or testing is required.
16. **On Call** - refers to an assigned or scheduled time period during which a Worker is directed to remain available and in a state of readiness to be called in to perform any Work.
17. **Medical Aid** - means an injury or illness that involves neither lost workdays nor modified workdays but which requires treatment by a medical professional. Section 10.1 of the Canadian Plains HSEMS provides a list of medical aid examples.
18. **Medical Review Officer** - means a licensed physician who has knowledge, training, and clinical experience regarding Substance use disorders and who will, among other things, review Drug test results and evaluate any medical explanations for positive results.
19. **Medication** - means medicine obtained legally, either over-the-counter or through a prescription from a treating physician.
20. **Negative Test Result** - means a negative screen from a POCT or a report from the Medical Review Officer on a lab-based confirmation that an individual who provided a specimen for Alcohol or Drug testing did not have an Alcohol or Drug concentration equal to, or in excess of, the limits set out in this Policy.
21. **Positive Test Result** - means that analysis of the collected sample/specimen for Alcohol and Drug testing:
- a. Revealed the presence of an Alcohol concentration that is equal to or exceeds 0.04 grams of alcohol per 210 litres of breath, or the corresponding concentration for saliva; or
 - b. Revealed the presence of a Drug concentration that is equal to or exceeds the confirmation concentration levels set out in this Policy [see Work Rules & Standards, s. 2(d)(ii)] and that result was verified by a Medical Review Officer.
22. **Post-Incident** – Means following an incident (with severity greater/potential negligible) to which alcohol and drug use may be a contributing factor.
23. **Reasonable Cause** - without limitation, may include any of the following:
- a. Discovery of Illicit Drugs, Drug Paraphernalia in the vicinity of the Worker, the area where the Worker worked, or on Company Property to which the Worker has access;
 - b. A credible basis to suspect that Illicit Drugs or Drug Paraphernalia are on Company Property to which the Worker has access;
 - c. Odour of Alcohol or Drugs emanating from the Worker;
 - d. Observation of credible eyewitness information or physical and behavioural signs that the Worker is not Fit for Work. Such physical and behavioural signs include, but are not limited to erratic, atypical, suspicious, or unusual behaviour by the Worker such as: difficulty in maintaining normal balance and coordination, illogical or unrelated responses to questions or instructions, slurred or deliberate speech, belligerent/violent/insubordinate behaviour, unexplained failure to follow safety rules or procedures, pattern absenteeism, etc.;
24. **Safety-Sensitive Position (SSP)** - means a position the Company determines involves the performance of Work that could result in Serious Injury, death to a person, significant damage to property or the environment. This includes positions that require the worker to operate a vehicle, equipment, or perform work on a worksite or shop. Workers who are required to temporarily relieve in a Safety-Sensitive Position or who directly supervise a Safety-Sensitive Position are deemed to also hold a Safety-Sensitive Position.

Safety-Sensitive Positions are designated by the Company on the basis of a risk-based analysis performed in accordance with the guidelines set out in the Alcohol and Drug Policy Model of the Canadian Upstream Petroleum Industry. Workers will be given notice when their position is designated as being a Safety-Sensitive Position. Those positions designated as SSP will be reviewed periodically to ensure they are accurate.

25. **Substance** - means a Drug (as defined above).

26. **Substance Abuse Professional (SAP)** - means a licensed specialist such as a physician, social worker, psychologist, or counselor with training, clinical experience and knowledge in the diagnosis and treatment of disorders relating to Substance abuse and the safety implications of Substance use and abuse.

27. **Third-Party Administrator (TPA)** - means an independent external service engaged by Canadian Plains to provide and coordinate the specimen collection, laboratory testing and Medical Review Officer services required in accordance with this Policy. TPA to maintain the confidentiality of employees' private result information and secure data storage compliance.

28. **Worker** - means any individual employed by the Company, whether in a full-time, part-time, or casual position, seasonal, contract, interim, summer students and includes office and managerial staff. It also means any individual employed or otherwise engaged by a Contractor to perform Work. In the case of Workers engaged through a Contractor, reference in this policy to "Company" shall be deemed to refer to or include the Contractor as appropriate.

29. **Work** - means, without limitation, all activities undertaken in the course of the Company's business operations, including break periods while at a Company Worksite, training, and activities (travel, camp and company sponsored events) relating to the administration of this Policy.

3.1 RESPONSIBILITIES

Following is a summary of the responsibilities under this Policy. The list of responsibilities below is not intended to be exhaustive.

3.2 Senior Management Responsibilities

Senior Management is responsible to:

- Follow, adhere, and participate according to the Policy.
- Approve and communicate expectations under the Company Alcohol and Drug policy.
- Outline and communicate the guidelines to manage and deal with Substance abuse.
- On behalf of the organization through the executive committee, determine what positions within Canadian Plains are deemed Safety-Sensitive based on a risk assessment that considers the potential hazard sources, hazards, and risks associated with each position.
- Make the designated Safety-Sensitive Positions known to the HSE and Human Resources Department and the managers and supervisors who are responsible for ensuring the Workers in these positions are aware that they are in Safety-Sensitive Positions.
- Ensure that no Worker who exhibits outward signs of impairment by Alcohol, Drugs, or Medication is directed to or allowed to perform a Safety-Sensitive function.
- As part of the Alcohol and Drug Policy, set the parameters for testing workers for the inappropriate use of Alcohol and/or Drugs.
- Ensure that training is provided for all levels within the organization, including Alcohol and Drug testing process for designated individuals, and Alcohol and Drug Policy awareness for all Workers.
- Ensure that the Company has a support system (Worker Assistance Program) in place to meet the requirements set out in this policy, but also meet the needs of the Worker.

3.3 Line Management Responsibilities

Line Management is responsible to:

- Follow, adhere, and participate according to the Policy.
- Understand and implement this Alcohol and Drug Policy and the associated procedures for training, testing, and monitoring compliance.
- Ensure that workers complete the training required by Canadian Plains regarding the Alcohol and Drug Policy.
- Recognize the positions in their organization that have been identified as being Safety-Sensitive as defined in this Policy and ensure the Workers in these positions are aware that they are in Safety-Sensitive Positions.
- Be knowledgeable with respect to the misuse of Alcohol and/or Drugs and be able to recognize its effect on individuals.
- Be observant for outward indications that a Worker may be impaired at a Company Worksite or may have a Substance use disorder, and respond to these situations in accordance with this Policy.
- Ensure that no Worker who exhibits outward signs of impairment by Alcohol, Drugs, or Medication is directed to or allowed to perform a Safety-Sensitive function.
- Act on and investigate suspected or reported situations of Policy violations by Workers.
- Follow the proper testing procedure and advise senior management and site supervision of test results.
- Implement corrective and/or disciplinary action, if necessary.

- Assess the need for modified work duties or accommodation of Worker disabilities, if necessary.
- Protect the confidentiality of all test results.

3.4 Supervisors Responsibilities

Supervisors are responsible to:

- Follow, adhere, and participate according to the Policy.
- Reinforce workplace safety by maintaining a high level of awareness among their Workers of the safety risks to themselves and others that arise from the use of Alcohol and Drugs.
- Ensure Workers are not under the influence of Alcohol or Drugs while traveling to/from or on the Company Worksite.
- Be observant for outward indications that a Worker may be impaired at a Company Worksite or may have a substance use disorder and respond to these situations in accordance with this Policy.
- Act on and investigate suspected or reported situations of Policy violations by Workers.
- Be knowledgeable with respect to the misuse of Alcohol and/or Drugs and be able to recognize their effect on individuals, including the signs and symptoms
- Ensure that no Worker who exhibits outward signs of impairment by Alcohol, Drugs, or Medication is directed to or allowed to perform a Safety-Sensitive function or non-safety-sensitive functions.
- Ensure suspected Worker(s) are removed from the site and safely transported to and from the testing site as well as home or temporary residence.
- Inform line management of the circumstances that determined the need for testing.
- Advise Worker(s) that they will be required to test for Alcohol and/or Drugs as per Canadian Plains procedures.
- Follow proper testing procedure and advise line and/or senior management of testing status.
- Implement corrective and/or disciplinary action, if necessary.
- Ensure that all test result information is protected to ensure the confidentiality of the information.
- Follow the RTW Program.

3.5 Workers Responsibilities

Workers are responsible to:

- Follow, adhere, and participate according to the Policy.
- Understand and comply with this Alcohol and Drug Policy as part of their obligation to safely perform their work.
- Participate in any training relating to the Policy.
- Report Fit for Work to Company Worksites.
- Co-operate with investigations and testing requirements under this Policy.
- Seek advice and follow appropriate treatment if they have a current or emerging Alcohol or drug issue, and follow and successfully complete recommended monitoring programs after attending treatment.
- Use Medications responsibly, be aware of potential side effects, and notify their supervisor of any potential unsafe side effects. Be responsible for getting a Fitness for Work letter from the prescribing treating physician to Human Resources, and when appropriate, Operations.
- Co-operate and adhere to RTW contracts and with any Work modification related to safety concerns.
- As appropriate, encourage co-workers, contractors, etc. to access assistance before an Alcohol or

Drug problem impacts performance or safety.

3.6 Human Resources Department Responsibilities

Human Resources Department is responsible to:

- In matters concerning Policy violations, the Company's response, the assessment and treatment of Substance use disorders and RTW conditions, the Manager, Human Resources (or designated alternate) is responsible for communications with the Worker, the Worker's Supervisor, the Medical Review Officer, and the Substance Use Disorder Professional.
- The Manager, Human Resources (or designated alternate) is responsible for receiving and handling test results.
- The Human Resources Department may provide information to Workers concerning Alcohol and Drug misuse, and provide referral to Canadian Plains' Worker Assistance Program, but shall not provide counseling.
- The Human Resources Department is responsible for controlling all communication and records concerning test results, RTW Contracts, investigations, third-party requests, and Company response to breaches of this Policy in a confidential manner and in compliance with privacy legislation. Information shall be disclosed to management only on a need-to-know basis.
- Communicate with Medical Review Officer and Substance Abuse Professional services required under this Policy, and ensure supervisors and managers are appropriately trained in the use of these services.

3.7 The Health, Safety & Environment Department Responsibilities

The Health, Safety & Environment Department is responsible to:

- Provide Canadian Plains with the industry standards upon which this Policy is based and the procedures for Policy compliance.
- Develop appropriate training programs that will promote awareness of and confirm knowledge and understanding of the Alcohol and Drug Policy.
- Selecting and engaging the Third-Party Service Provider used for Drug and Alcohol testing of Workers, and ensuring supervisors and managers are appropriately trained in the use of this service.
- Monitor post-incident testing to determine the occurrence of Alcohol or Drugs as the immediate or basic cause of events and report to the Senior Management or HSE Committees on trends and corrective action plans.
- With key Stakeholders, such as Human Resources, will periodically lead reviews on this policy for effectiveness as well as test the policy to changing internal and external factors such as, but not limited to new legislation.

4.0 WORK RULES AND STANDARDS

It is Canadian Plains’ policy that all Company Worksites will be free from Alcohol and Drugs, and that all Workers on these sites will also be free from the impairment effects of Alcohol and Drugs. The only exception is the service of Alcohol at Company sanctioned social functions as described below under Standard 5.

In particular, Workers must adhere to the following Standards.

1. Workers must:
 - a. Report Fit for Work and remain Fit for Work for the duration of their Work shift;
 - b. Be Fit for Work while On Call and refuse any Work assignment if they have reason to believe they may not be Fit for Work (refer to Standard 3 below);
 - c. Report to their supervisor any use of medications that may affect their Fitness for Work;
 - d. Work safely and report physical and behavioural signs that any worker is not Fit for Work to their supervisor (refer to definition of “Reasonable Cause”);
 - e. Report to their supervisor all Incidents, even if they do not result in Serious Injury or Significant Damage;
 - f. In cases of “after-hours call-out” workers must report fit for work or communicate inability to respond to ensure compliance with this policy;
 - g. Cooperate with requests made under this Policy;
 - h. Cooperate with the site access requirements of the Company’s customers in order to access customer’s worksites; and
 - i. Where applicable, obtain assistance before violations of this Policy occur.
2. When on a Company Worksite or while engaged in Work, Workers are strictly prohibited from:
 - a. Using, possessing, distributing, purchasing, storing, transporting, or selling Illicit Drugs or Drug Paraphernalia;
 - b. Using, possessing, distributing, purchasing, storing, transporting, or selling Alcohol, unless specifically authorized to do so for a legitimate business purpose (refer to 4.5);
 - c. Attempting to tamper with or tampering with any Alcohol or Drug test or sample;
 - d. Reporting for or performing Work while not Fit for Work or while having:
 - i. Alcohol present in their body in an amount equal to or in excess 0.04ml per 210 litres of breath or the corresponding concentration for saliva;
 - ii. Drugs present in their body in an amount equal to or in excess of the levels in the following charts.

Alcohol:

Alcohol	Screening level	Confirmation level
Alcohol	0.04 grams per 210 litres of breath	0.04 grams per 210 litres of breath

Note: Caution results of 0.02 to 0.0399 grams per 210 liters of breath may prevent access to, or result in removal from, certain worksites, depending on the policy of the site owner.

Drugs:

Urine Drug Concentration Limits		
Drugs or Classes of Drugs	Screening level	Confirmation level
<u>Marijuana metabolites:</u> Delta-9 tetrahydrocannabinol- 9-carboxyli acid (THC)	50 ng/ml	15 ng/ml
<u>Cocaine metabolites:</u>	150 ng/ml	100 ng/ml
<u>Opioids:</u> Codeine Morphine Hydrocodone Hydromorphone Oxycodone Oxymorphone	2,000 ng/ml 2,000 ng/ml 300 ng/ml 300 ng/ml 100 ng/ml 100 ng/ml	2,000 ng/ml 2,000 ng/ml 100 ng/ml 100 ng/ml 100 ng/ml 100 ng/ml
6-acetylmorphine (6-AM)	10 ng/ml	10 ng/ml (1)
Phencyclidine (PCP)	25 ng/ml	25 ng/ml
<u>Amphetamines:</u> (i) Amphetamine (ii) Methamphetamine <u>MDMA</u> MDMA MDA MDERA	500 ng/ml 500 ng/ml	250 ng/ml 250 ng/ml (2) 250 ng/ml 250 ng/ml 250 ng/ml

Oral Fluids Drug Concentration Limits		
Drugs or Classes of Drugs	Screening level	Confirmation level
<u>Marijuana metabolites:</u> Delta-9 tetrahydrocannabinol- 9-carboxyli acid (THC)	4 ng/ml	2 ng/ml
<u>Cocaine metabolites:</u>	20 ng/ml	8 ng/ml
<u>Opiate metabolites:</u> Codeine Morphine Hydrocodone Hydromorphone Oxycodone Oxymorphone	40 ng/ml	40 ng/ml 40 ng/ml 40 ng/ml 40 ng/ml 40 ng/ml 40 ng/ml
6-acetylmorphine (6-AM)		4 ng/ml
Phencyclidine (PCP)	10 ng/ml	10 ng/ml
<u>Amphetamines:</u> (i) Amphetamine (ii) Methamphetamine <u>MDMA</u> MDMA MDA MDERA	50 ng/ml	50 ng/ml 50 ng/ml 50 ng/ml 50 ng/ml 50 ng/ml

- a. Misusing Medications that interfere with, or have the potential of interfering with their Fitness for Work (refer to standard #4 below).
 - b. Possessing prescription Medications without a legally obtained prescription, or distributing, purchasing, using, or selling Medications.
 - c. Note. Additional substances may be included in the testing protocol, including (but not limited) to fentanyl, methadone, proxyphene, barbiturates, benzodiazepines, where required for access by the site owner.
3. Workers must refrain from the use of Alcohol or Illicit Drugs while On Call. Workers must refrain from

using Medication that may render them not Fit for Work while On Call or, in the alternative, make arrangements in advance for alternate On Call coverage. Workers who are scheduled or contacted to report for Work must not accept a Work assignment if they have reason to believe they may not be Fit for Work. Workers contacted to report in such circumstances must advise the person contacting them that they are refusing to Work because they believe they may not be Fit for Work. Such refusals will not be subject to disciplinary action

4. This Policy does not prohibit Workers from the lawful possession of Medications. Workers have the responsibility, however, to consult with their doctors or other licensed medical practitioners about the effect of Medications on their ability to perform their specific job duties in a safe manner and to promptly disclose any Work restrictions to their supervisors. It is the responsibility of every Worker when on a Company Worksite to ensure that all Medications are safely stored, taken only as prescribed or indicated on the package, and are unlikely to impair their Fitness for Work. Workers must immediately report any possible impact of Medication use on their ability to perform Work safely. This Policy permits the possession or use of Medication at a Company Worksite under the following conditions:
 - a. The prescription for any Medication used or possessed by a Worker must be in the name of such Worker;
 - b. The Worker must be using the Medication for its intended purpose only and in the manner directed by a physician, pharmacist, or the manufacturer of the Medication;
 - c. The Worker must have notified his or her supervisor or manager before starting Work of any possible impact of the Medication on the safe performance of the Worker's duties and any related Work restrictions; and
 - d. Use of the Medication does not compromise the Worker's Fitness for Work.
 - e. Worker cannot share, sell, etc. to anyone else.
5. Workers may possess and consume Alcohol provided by the Company at authorized Company functions or in certain legitimate business settings such as approved Company or client social events. At all such times, however, Workers are expected to act responsibly and to drink moderately. When the Company hosts a function where Alcohol is served, company management will take measures to prevent the over-indulgence of Alcohol, provide alternate means of transportation for persons who have consumed Alcohol, and report to the police any obviously impaired person who refuses alternate transportation and chooses to drive a motor vehicle.
6. Policy violations for a refusal to cooperate in Alcohol and Drug testing include:
 - a. Failing to provide an adequate specimen or sample without a valid medical explanation;
 - b. Failing to submit to a test when requested to do so;
 - c. Consuming Alcohol or Drugs before a test can be administered after an Incident or while under investigation for Fitness for Work concerns; and
 - d. Engaging in any conduct that obstructs the testing process.

Violations will be considered a Positive Test Result and will be managed according to this Policy.

7. If Workers elect not to comply with a legitimate request to complete a test according to this policy, they will be considered non-compliant with the policy. This shall be documented on form CF-S-59, Alcohol and Drug Policy Declaration of Refusal. Workers who believe they may have issues related to Alcohol or Drug use must obtain/request assistance before violating this Policy. Workers may seek assistance in confidence under the Company's Worker Assistance Program, and can obtain assistance in using this service from the Company's Human Resources Department.
8. If a worker is an Approved Driver as required in Section 21, Fleet Safety and Journey Management, workers are expected to notify their supervisor or manager immediately if they have been convicted or charged with an impaired driving-related offense or have received a suspension of their driver's license. Impaired driving includes, but is not limited to, testing over the legal limit, driving while impaired,

refusing to blow into a breathalyzer, or refusing to provide a sample for testing. A loss of license or suspension of license shall result in the Worker not being able to operate Company Vehicles until the suspension is complete and the Worker has no further restrictions on their driver's license. Failure to report the conviction, charge, or suspension to the Company as soon as reasonably possible is a violation of this Policy. It is also a violation of this Policy for a Worker, even if not engaged in Work, to operate any vehicle owned, leased, or rented by the Company while impaired by Alcohol or Drugs. For additional information, refer to HSEMS Section 21 Fleet Safety and Journey Management.

Any alcohol related charges issued while operating a company vehicle will result in a four-week unpaid suspension or immediate dismissal, depending on the circumstances. This decision will be at the discretion of the Appropriate Canadian Plains Vice President in consultation with the company President.

5.0 ALCOHOL AND DRUG TESTING

In order to ensure a safe work environment for all Workers, compliance with this Policy will, if necessary, be enforced through Drug and Alcohol testing. Testing will be conducted in the following situations:

5.1 Safety-Sensitive Position Qualification Testing

Applicants for Safety-Sensitive Positions and Workers transferring to a Safety-Sensitive Position from a position that was not subject to qualification testing will be subject to Alcohol and Drug testing. Any offer of employment or transfer for such a position is conditional upon the successful completion of an Alcohol and Drug test in accordance with this Policy. Applicants and candidates will be required to sign an acknowledgement and consent form before the Alcohol and Drug Test is conducted.

5.2 Reasonable Cause

Workers will be subject to Alcohol and Drug testing when, based on specific facts and inferences drawn from such facts, Reasonable Cause exists for suspecting that the Worker is not fit for Work when reporting for, engaged in Work, or may be unable to work in a safe manner.

The decision to test shall be made by a supervisor, with concurrence of a second person whenever possible (for example: another supervisor, manager, or human resources). The basis for the decision will be documented as soon as possible after action has taken place.

Testing shall be considered and carried out, where warranted, as soon as practical. Documentation must be completed to explain any delay in testing.

1. Immediately remove the employee from their safety-sensitive work.
2. Take the employee to a private location for a discussion.
3. Ensure that you have the appropriate people present.
4. Provide the employee with the following information:
 - a. Your observations – the employee should be provided with the reason for the test.
 - b. Advise on the company policy and your role in implementing policy.
5. To ensure the safety of the employee and others working in the vicinity, a company representative (or, in the case of a contractor's employee, a representative of the contractor) should transport the individual as soon as practical to the collection site.
6. Ensure you have documented your observations using the Reasonable Cause Observation Checklist CF-S-82.
7. The employee should not be returned to work until DER has received results and authorized return.

5.3 Random

All Workers in Safety-Sensitive Positions may be subject to random and unannounced Drug and Alcohol testing, on specific projects or for a specific purpose (i.e., RTW conditions). Testing will be unbiased and random, conducted through the use of appropriate random number means correlated to a worker identification number and utilizing a Third-Party Administration Program.

5.4 Post Incident

Workers will be subject to Alcohol and Drug testing when, based on specific facts and inferences drawn from such facts, Reasonable Cause exists to further investigate the possibility that Alcohol or Drug use by the Worker may have caused or contributed to an Incident that results in, or has the potential to result in, Serious Injury or death to a person or Significant Damage to property or the environment.

As a minimum, all incidents classified as significant, serious, or catastrophic as per Hazard Identification, Assessment and Control Section 2 Risk Assessment Matrix and those incidents classified as serious incidents as defined by provincial or regulatory authorities will require a post-incident test. Refer to Appendix A

If the supervisor or manager concludes that there is objective evidence to believe that the use of alcohol or drugs did not contribute to the cause of the incident, then he or she need not request that the employee submit to alcohol and drug testing. A decision not to test must be approved by the Company's business line Vice President or President. The basis for the decision will be documented as soon as possible.

Emergency response takes precedence over testing. Testing shall be considered and carried out, where warranted, as soon as practical following an Incident. Documentation must be completed to explain any delay in testing.

Post-incident A&D tests will include Lab-Based Oral Fluid Testing and Point of Collection Urine Testing. Except where Urine Testing is required by the site owner, Canadian Plains will consider the result of the Lab Based Oral Fluid Test as the final result. The POC Urine test is completed to provide immediate screening results. If the POC Urine Test returns a Negative Result, the worker may return to work with the authorization of the Appropriate Area Manager. If the POC Urine Test is Non-Negative the worker must be removed from safety-sensitive duties pending the final results from Lab Based Oral Fluid.

5.5 Return to Work and Follow-up Testing – Post Violation

As per Canadian Plains' RTW Agreement, workers who violate this Policy will be required to pass an Alcohol and Drug test before they RTW and may be subject to unscheduled follow-up Alcohol and Drug testing at times and frequencies determined by the Company. RTW must be signed by the worker involved in the RTW and follow-up testing program.

5.6 Return to Work and Follow-up Testing – Self Help

Workers who obtain evaluation, counseling, treatment and/or rehabilitation for an Alcohol or Drug problem without violating this Policy may, in accordance with the recommendation of a Substance Abuse Professional, be required to pass an Alcohol and Drug test before they RTW and be subject to unscheduled follow-up Alcohol and Drug testing.

5.7 Customer Imposed Site Access Testing

Workers may be subject to site-specific Alcohol and Drug testing policies/programs imposed by the Company's customers to qualify for work on their projects or gain access to their worksites. Without limitation, this may include:

- a. The requirement to pass an Alcohol and Drug test in order to be permitted entry to a particular worksite;
- b. The requirement to pass scheduled and/or unscheduled Alcohol and Drug tests as a condition of continued access to a particular worksite; and
- c. Heightened "Fitness for Duty" testing standards at a particular worksite (for example, of 0.02% blood alcohol content) at a particular Worksite.

5.8 Company Site-Specific Testing

The Company reserves the right to implement site-specific testing requirements at any Company Worksite where it deems enhanced measures are necessary to effectively mitigate the safety risks present at the Worksite. Without limitation, this may include:

- a. The requirement to pass an Alcohol and Drug test in order to be permitted entry to a particular Worksite;
- b. The requirement to pass scheduled and/or unscheduled Alcohol and Drug tests as a condition of continued access to a particular Worksite; and
- c. Heightened Fitness for Work testing standards at a particular Worksite.

5.9 Statutory Testing

The Company will implement any Alcohol and Drug testing programs required by legislation.

5.10 Testing Procedures

When testing for either Alcohol or Drugs is to occur, the Company will advise the Worker why the test is being requested, direct the Worker to attend a specimen/sample collection site and provide transportation to the site. At the Company's discretion, a qualified technician may be brought to the Company Worksite to conduct the testing.

Reasonable Cause and Post Incident Testing shall be considered and carried out, where warranted, as soon as practical. Documentation must be completed to explain any delay in testing. Reasonable Cause and Post Incident Testing will be abandoned:

- a. For Alcohol if a specimen/sample is not collected within 8 hours; and
- b. For other drugs if a specimen/sample is not collected within 32 hours.
- c. Where breath alcohol or saliva testing devices are available, the usual method of Alcohol testing will be through the collection of breath or saliva samples by a qualified Breath Alcohol Technician. Breath and saliva testing devices used to conduct Alcohol screening and confirmation will be from the U.S. National Highway Traffic Safety Administration's (NHTSA) conforming products list.

Alcohol screening tests of 0.04 ml per 210 litres of breath or the corresponding concentration for saliva will be confirmed with a second test.

Workers with Alcohol screening test results 0.04 ml or higher per 210 litres of breath, or the corresponding concentration for saliva or urine, will be removed from safety-sensitive duties regardless of whether confirmation testing results in a Positive Test Result.

Drug testing may be conducted (at the discretion of the hiring --PM, Area Manager, or VP) using either Laboratory standards – Oral fluid testing or through Laboratory Standards – Urine testing. The choice of testing method is at the discretion of the Area Manager, based on the hiring timeline, client site access requirements, and where immediate results are required. Canadian Plains may utilize urinalysis point of collection testing (POCT).

Drug screening and confirmatory tests will be conducted for the presence of the following classes of Drugs:

- Marijuana Metabolites
- Cocaine Metabolites
- Opiates Metabolites
- Phencyclidine and
- Amphetamines/met amphetamines (including ecstasy)

Other methods of Alcohol and Drug testing may be used to meet business needs.

The collection of samples/specimens and administration of Alcohol and Drug tests will be performed by trained professionals. Samples will be analyzed by a qualified and accredited laboratory (certified by the

U.S. Substance Abuse and Mental Health Services Administration, which certifies laboratories in both the U.S.

and Canada).

The following will apply based on the test results:

Negative Alcohol or Drug Screen Result:

- Negative Alcohol or Drug screen results will be considered final and documented. Workers will RTW or move forward with pre-employment procedures in the case of pre-employment Alcohol and Drug screens.

Positive Alcohol or Drug Screen Result:

- Workers with Drug screening test results meeting or exceeding a screening concentration level set out in this Policy (see Work Rules & Standards, s. 2(d)(ii)) may be removed from safety-sensitive duties regardless of whether confirmation testing results in a Positive Test Result.
- The Medical Review Officer (MRO) will make reasonable efforts to determine if there is a valid medical explanation for positive drug test results and provide the Worker with an opportunity to discuss such results with the MRO before advising the Company of a Positive Test Result. The review by the MRO also provides an opportunity for the worker to appeal the MRO's decisions. All decisions of the MRO with respect to drug test results shall be considered final.
- The Company will engage an independent external TPA to coordinate the specimen collection, laboratory testing, Medical Review Officer, and Substance Abuse Professional services required under this Policy.

The limits for the presence of Drugs in the body that determine compliance with the Canadian Model for Providing a Safe Workplace.

- The limits for the presence of Alcohol in the body that determine compliance with this Policy are identical to those set by the Canadian Model for Providing a Safe Workplace. Breath and saliva testing devices used to conduct Alcohol screening and confirmation must be done in accordance with the Canadian Model for Providing a Safe Workplace.

5.11 Oral Fluid Point of Collection Testing

In certain limited situations, where there is no reasonable access to an approved testing facility, Canadian Plains may use Oral Fluid Point of Collection Testing. These Drug classes will be screened and confirmed to the cut-off levels established by the manufacturer of the point of collection test ("POCT") and corresponding approved laboratory. Canadian Plains will use the POCT Oratect IIIP4 and a Quantitative Ethanol testing device and will be confirmed to the established cut-off levels at the corresponding laboratory.

6.0 SEARCHES

The Company reserves the right to search all parts and aspects of Company Property for Drugs, Alcohol, or Drug Paraphernalia, when there is Reasonable Cause for doing so. All Workers and visitors may be asked to cooperate in searches of work areas, and property (such as purses, tool boxes, lunch boxes, briefcases, desks, lockers, or cars) that might conceal Drugs, Alcohol, or Drug Paraphernalia.

Workers may be subject to site-specific search policies/programs imposed by the Company's customers in order to qualify for work on their projects or gain access to their worksites.

7.0 PREVENTION, SELF-HELP AND WORKER ASSISTANCE PROGRAM

This Policy stresses the importance of prevention and early identification of potential problem situations.

Workers are encouraged to access assistance through the Company's Worker Assistance Program, their personal physician, or appropriate community services for help with an Alcohol or Drug problem, or any other problem that may be affecting work performance.

Alcohol or Drug dependency is a treatable illness, and early intervention greatly improves the probability of a lasting recovery. Workers who suspect they have a Substance dependency or emerging Alcohol or Drug problem are expected to seek advice and to follow appropriate treatment promptly before job performance is affected or violations of this Policy occur.

Workers who believe they may be unable to comply with this Policy have a responsibility to disclose this to the Company and seek any required help to maintain compliance with this Policy. Any self-disclosure should follow the same process for a positive test, requiring an assessment and a RTW agreement.

The disclosure of an Alcohol or Drug problem or request for assistance from the Company will not be used as a basis for disciplinary action. However, accessing assistance and/or declaring an Alcohol or Drug problem does not eliminate the requirement for compliance with this Policy and maintenance of satisfactory performance levels. Disciplinary action for a violation of this Policy or unacceptable performance cannot be avoided by a request for assistance with an Alcohol or Drug problem or by disclosure that the Worker is already involved in a treatment program.

Workers who request assistance from the Company may be referred to a Substance Abuse Professional for evaluation and are expected to follow any counseling, treatments, and rehabilitation programs recommended by the Substance Abuse Professional. Workers may be granted an unpaid leave of absence for this purpose.

Workers returning to work after evaluation, counseling, treatment, and/or rehabilitation programs for an Alcohol or Drug problem will be required to comply with any restrictions or conditions recommended by a Substance Abuse Professional or medical professional, including successfully completing their RTW agreement as well as completing any ongoing conditions (i.e., RTW random or other testing). Noncompliance may lead to immediate termination.

8.0 INVESTIGATIONS

The Company may temporarily remove, reassign, or suspend any Worker pending a determination of Fitness for Work, assessment of a Substance use concern, or completion of an investigation into a possible violation of this Policy.

9.0 CONSEQUENCES OF POLICY VIOLATIONS

Applicants or candidates for Safety-Sensitive Positions who refuse to cooperate in a test or who test positive for Drugs and/or Alcohol will not be hired or transferred into that position. A test failure does not prevent the applicant or candidate from applying for Safety-sensitive Positions in the future.

Workers who violate this Policy will be subject to discipline up to and including termination for cause. The discipline imposed will depend on the nature of the violation and all the surrounding circumstances.

Primary importance will be placed on maintaining a safe work environment and deterring future violations of this Policy.

Workers may be removed from duty, suspended without pay, reassigned and/or sent for assessment by a Substance Abuse Professional pending a determination of disciplinary action.

The Company will abide by the provisions of all applicable human rights legislation and will, where circumstances warrant, take reasonable steps to accommodate an employee who is addicted to Alcohol or Drugs. Where a Worker is granted the opportunity to obtain counseling and/or treatment for an Alcohol or Drug problem, failure to comply with any resulting counseling, treatment, or rehabilitation program shall be considered a breach of this Policy and be immediately terminated.

In those circumstances where the Company considers Workers for reinstatement following a violation of this Policy, continued employment and/or reinstatement will be conditional upon successful participation in and/or completion of any and all evaluations, counseling, treatments, and rehabilitation programs, passing return-to-duty and follow-up tests, and/or other appropriate conditions as determined by the Company with advice, where appropriate, from a Substance Abuse Professional. Workers wishing to RTW after violating this Policy may be required:

- a. To provide certificate(s) showing they have successfully completed a treatment program and/or are able to safely perform their duties or specified modified duties;
- b. Sign a form authorizing the administrators of such program to release to the Company information regarding the employee's progress, degree of commitment to the program and suitability to RTW;
- c. Enter into a written agreement governing the terms and conditions of their RTW, which may include

without limitation:

- i. Requirements for evaluation by a Substance Abuse Professional, counseling, treatment, and/or rehabilitation;
- ii. Return to duty and follow-up testing requirements (including random testing);
- iii. Abstinence;
- iv. Performance requirements;
- v. Consequences that may result from a breach of the agreement or another violation of this Policy.

10.0 DOCUMENTATION AND CONFIDENTIALITY

The Company will collect and use personal information relating to testing results, assessment results, participation in treatment programs and compliance with RTW conditions. This information will be used to evaluate and determine the need for further assessment, appropriate accommodation requirements, work-related consequences (if appropriate), the ability of the Worker to RTW, and for ongoing monitoring of any RTW conditions. All personal information collected for these purposes will be stored in a confidential manner.

Personal information will be shared among Company management as required for the purposes of determining Fitness for Work, appropriate work accommodation, and RTW conditions. It may also be shared for the purposes of evaluating compliance with accommodation and/or RTW conditions.

The Manager, Human Resources shall maintain records as required to provide evidence of compliance with this Policy, including records showing the number and frequency of tests conducted, the names of individuals who provided samples and the test results. Canadian Plains will make every reasonable effort to ensure confidentiality of the test results and the Policy documentation.

Personal information will be safeguarded against unauthorized use or disclosure in accordance with applicable privacy legislation; and will only be used or disclosed to third parties without the individual's consent in cases where such information is needed to ensure the safety or health of the individual or others and the individual cannot be located in a timely way, disclosure is required by law, the proposed use or disclosure is otherwise exempt from the requirement of consent under applicable privacy legislation

10.1 Internal Communication of Test Results

The procedure for the internal communication of the results of any Alcohol or Drug testing under this Policy shall be as follows:

a. Positive Test Results:

The Manager, Human Resources (HR) (or designated alternate) will receive and act upon confidential reports of Positive Test Results. The Manager, HR will communicate to the responsible Manager or Supervisor the fit for duty status (fit or not fit).

b. Negative Test Results:

The respective manager and the Manager, Human Resources (HR) (or designated alternate) will receive confidential reports of Negative Test Results.

c. No Show, Rescheduled and/or Cancelled Test:

The respective manager will manage and monitor the coordination of tests.

11.0 CONTRACTOR PERFORMANCE

All Contractors, including ISPs, are required to:

- a. Read, understand, and agree to abide by this Policy;
- b. Adopt and apply this Policy or implement your own alcohol and drug policy which meets or exceeds this Policy for all your Workers when they are on a Company Worksite. Canadian Plains will confirm and monitor compliance via their contractor management program (refer to HSEMS Section - 18);

- c. Work with the Company to ensure the successful implementation of this Policy (or the Contractor's own alcohol and drug policy) with respect to all Work being performed by the contractor and its Workers for the Company;
- d. Ensure that all Workers report Fit for Work and remain so when performing Work;
- e. Perform all Work in a safe manner consistent with established Company practices, standards, policies, and this Policy;
- f. Ensure that all your Workers are aware of and agree to submit to testing for alcohol and drugs as set out in this Policy (or your own alcohol and drug policy);
- g. Encourage and hold accountable all Workers who are required to seek advice and follow appropriate treatment programs if they believe they have a Substance dependency or emerging alcohol or drug problem;
- h. Observe the Fitness for Work of others on Company Worksites and take appropriate action if safety issues are a concern;
- i. Provide timely notice to Canadian Plains representative of any violations of this Policy (or the Contractor's own alcohol and drug policy) and the corrective measures taken; and
- j. Maintain statistics of testing dates and results (without identifying the individuals tested), which may be reviewed by Canadian Plains at any time.

Violation of, or failure to perform, any of the preceding requirements may result in termination of the agreed services.

Canadian Plains reserves the right to:

- a. Review any Contractors' policies, testing statistics, and performance for compliance with this Policy;
- b. Require any Contractor to ensure its Workers have site access cards;
- c. Require any Contractor to certify that all of its Workers in Safety-Sensitive Positions at a Company Worksite have been tested for Alcohol and Drugs prior to their first entry to that Worksite;
- d. Refuse access to a Company Worksite by any Worker of a Contractor where that Worker, in the sole opinion of Canadian Plains, may present a risk to the safety of any person or property at the Worksite;
- e. Where enhanced measures are necessary to effectively mitigate the safety risks present at a particular Worksite, require any Contractor to implement site-specific testing requirements, such as:
 - Alcohol and Drug testing as a condition of entry to the Worksite;
 - Scheduled and/or unscheduled Alcohol and Drug testing as a condition of continued access to the Worksite; and
 - Heightened Fitness for Work testing standards (for example, of 0.02% blood alcohol content) at a particular Worksite.

12.0 POLICY-RELATED FORMS AND REFERENCE DOCUMENTS

- CF-S-37 Acknowledgement / Consent / Release
- CF-S-59 A&D Policy Declaration of Refusal
- Canadian Model for Providing A Safe Workplace

APPENDIX A – GUIDELINES FOR POST-INCIDENT TESTING

Events Requiring Post-Incident Testing

Post Incident Testing is required if an event involves one or more of the following classifications (*) (**):

1. All incidents classified as a Recordable Injury (fatality, lost time injury, modified work or medical aid). Section 10.1 of the Canadian Plains HSEMS provides a list of injury classifications.
2. All asset loss events classified as Significant, Serious or Catastrophic (vehicle/equipment damage and/or property loss). Asset losses classified as negligible may require testing.
3. All other events risk-ranked as Serious or Catastrophic.
4. All Significant Near Misses – Those Near Misses that are risk assessed to be of a Significant, Serious, or Catastrophic risk level.

*In certain incidents, after initial investigation and consideration of the conditions and actions that contributed to an event, the VP (or their designate) may decide that Post Incident Testing is not warranted and shall not be conducted.

** In certain situations, Canadian Plains may utilize an alternate testing protocol that is approved under this policy. Guidelines to Coordinating Post-Incident Testing

The following guidelines and procedures provide for a managed testing process; testing must be completed as soon as reasonably practicable:

1. Time parameters for post-incident testing:
 - a. Alcohol – must be conducted within 8 hours from time of incident.
 - b. Drugs – must be conducted within 32 hours from time of incident.
2. Those workers referred to post-incident testing will be those who are identified, with reasonable grounds, as having been directly involved in the chain of acts and/or omissions leading up to the incident.
3. Supervisor will contact the TPA to request testing.
4. Supervisor will advise the appropriate VP/Manager and DER (Human Resources Manager or designate) that post-incident testing is to occur.
5. Supervisor or HSE Representative will escort the Worker to the collection site or stay with the Worker until the test is complete. Workers to be tested are not allowed to consume alcohol or use drugs, except prescribed medications according to the prescription, until after the test has been completed, or until they are advised a test is not required.
6. Supervisor will document the steps taken to ensure appropriate post-incident testing was conducted.
7. Note: If there are barriers to the testing being conducted, a variance needs to be reviewed and approved by the responsible VP or President. Testing may not be possible if the individual is hospitalized or the incident occurs in a location not accessible for collection of samples within the timeframe stated above (8 hours for Alcohol, 32 hours for Drugs). In the event that testing is not possible, reason(s) testing was not conducted must be reviewed with the respective VP and documented.