ALCOHOL AND DRUG POLICY FOR EMPLOYEES

CAPITAL POWER ALCOHOL AND DRUG POLICY

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<th>Approved by:</th>
<th>Date:</th>
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<tr>
<td>Gerard Merkosky, Vice President, Health, Safety &amp; Environment</td>
<td>June 8, 2018</td>
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<th>Document #:</th>
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<th>Description of Changes</th>
<th>Prepared By</th>
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<td>HS.6.1</td>
<td>01</td>
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1.0  PURPOSE

Capital Power is committed to the health and safety of its Employees, customers, contractors, suppliers, environment, property, and the public and to maintaining a safe and efficient working environment, while ensuring individuals are treated fairly and with respect.

Capital Power continually promotes healthy lifestyles, a zero-injury safety culture, and environmental responsibility and as such has implemented this Alcohol and Drug Policy to eliminate the negative effects of Alcohol and other Drug use in our workplace.

2.0  SCOPE

The following provisions apply to all Capital Power Employees while they are engaged in Capital Power Business, when on Capital Power Premises or Worksites, and when operating Capital Power vehicles and equipment.

Any violations of the provisions of this Policy may be grounds for discipline up to, and including, termination of employment.

The Policy is subject to ongoing review and evaluation, and modifications shall be made when deemed necessary to respond to changing circumstances and evolving needs.

3.0  RESPONSIBILITIES

3.1  MANAGEMENT

a.  Endorse and support this Policy.

b.  Support Supervisors with the implementation and enforcement of this Policy.

c.  Ensure Supervisors are aware of their responsibilities relating to this Policy.

d.  Ensure Supervisors have the means and resources required to satisfy this Policy.

e.  Guide Employees who seek assistance with self disclosed Drug or Alcohol problems to the appropriate resources (e.g., the Employee Family Assistance Program (EFAP), Human Resources, or Program Administrator) while maintaining confidentiality under the circumstances.

f.  Ensure arrangements for a Substance Abuse Professional/Expert (SAP/E) assessment are made by the Program Administrator if an Employee says they have a problem with Alcohol or Drugs.

g.  Investigate incidents pertaining to Alcohol and Drug related occurrences.

h.  Approve referrals for an Alcohol and Drug Test in a Post-Incident or Reasonable Cause situation as and when required to do so under this Policy.
3.2 **SUPERVISORS**

- a. Ensure Employees and contractors are aware of their responsibilities as per this Policy.
- b. Ensure Employees comply with this Policy.
- c. Advise Management of any situation in which they have grounds to believe an Employee or contract Employee is in violation of this Policy.
- d. Advise Management if an Employee admits they may have an Alcohol or Drug problem so that appropriate assessment and assistance can be arranged.

3.3 **PROGRAM ADMINISTRATOR**

- a. Support Employees seeking assistance for self disclosed Drug or Alcohol problems and direct them to the appropriate resources.
- b. Consistently administer this Policy.
- c. Answer questions or inquiries from Managers, Supervisors or Employees regarding this Policy.
- d. Arrange SAP/E assessments as required for Employees.
- e. Oversee implementation of modified work, Return to Duty Agreements, or similar accommodation situations.
- f. Arrange for and manage vendors to administer the Alcohol and Drug Testing program.

3.4 **SENIOR HSE ADVISOR**

- a. Audit Worksites for compliance with this Policy.
- b. Monitor the Policy and recommend changes as required.
- c. Consistently administer this Policy.
- d. Support Management and Supervisors in meeting their responsibilities by coordinating development and delivery of Employee education and Management/Supervisor training programs, including refreshers as required.
- e. Ensure the Alcohol and Drug Policy is implemented consistently with the Alcohol and Drug requirements.

3.5 **EMPLOYEES**

- a. Understand and comply with the requirements of this Policy.
- b. Complete assigned Alcohol and Drug training.
- c. Report Fit-for-Duty for all scheduled work and remain Fit-for-Duty while performing Capital Power Business, or on Capital Power Premises or Worksites.
d. Seek advice and follow appropriate treatment if a current or emerging problem is identified, and follow recommended monitoring programs after attending treatment.

e. Encourage a co-worker to access assistance before an Alcohol or Drug problem impacts performance or safety.

f. Report instances of suspected possession, use, impairment and/or distribution of Alcohol, and/or Drugs to their immediate Supervisor.

g. Inform Human Resources if the suspected possession, use, impairment and/or distribution of Alcohol, and/or Drugs involves the Employee’s immediate Supervisor.

h. Co-operate with any investigation into a violation of this Policy, including participating in the testing program as, and when required to do so, under this Policy.

4.0 ALCOHOL AND DRUG POLICY REQUIREMENTS

All Employees shall comply with the following requirements for any activity undertaken while on Capital Power Business, Capital Power Premises or Worksites, or while operating Capital Power vehicles or equipment:

Employees must report and remain Fit-for-Duty throughout their workday or shift, and when on Scheduled On-Call status.

5.0 PROHIBITED SUBSTANCES AND ACTIVITIES

Using or storing Alcohol, Illicit Drugs or Drug Paraphernalia on Capital Power Premises or in Capital Power vehicles is prohibited.

5.1 ILLICIT DRUGS AND OTHER MOOD-ALTERING SUBSTANCES

The following are prohibited:

a. The use, possession, cultivation, manufacture, distribution, offer, or sale of Illicit Drugs or other Mood-Altering Substances, or illicit Drug Paraphernalia;

b. Reporting for, or remaining on duty, or on Scheduled On-Call status, under the influence of Illicit Drugs or other Mood-Altering Substances;

c. A positive Drug test;

5.2 ALCOHOL

The following are prohibited:

a. The manufacture, distribution, offer, or sale of an Alcoholic beverage while on Capital Power Business or on Capital Power Premises.

b. The use of Alcohol while on Company Business, including when travelling, unless otherwise specified in Section 5.3.

c. The possession of Alcohol on Capital Power Premises, except when Alcohol is received as a gift, which may be temporarily stored on Capital Power Premises, including in a personal vehicle, but shall remain sealed and be removed at the earliest opportunity.
d. Reporting for, or remaining on duty, or on Scheduled On-Call status, under the influence of Alcohol from any source, including after consuming Alcohol at a social event (whether sponsored by the Capital Power or not), or consumption of any product containing Alcohol when on duty, including during meals or other breaks. Employees who have consumed Alcohol shall not return to work until their next scheduled shift.

e. An Alcohol test result of .04 Blood Alcohol Content (BAC) or greater.

f. Consuming Alcohol, if involved in an incident subject to investigation under section 7.4 of this Policy, until they have been tested or advised by Capital Power that a test is not required.

g. The transportation of Alcohol in a Capital Power vehicle at any time.

### 5.3 Alcohol Acceptable Use

Employees may use Alcohol in the following situations:

- a. At a Capital Power sponsored event which includes any situation where Capital Power pays for the event expenses. Examples include team building events, business dinners, or other such situations.

- b. With dinner after the work day is completed during a business trip, which is notionally defined as 4:00 pm or later.

- c. At a training event, seminar or other similar business-related situation, provided the formal business is completed.

- d. At an externally hosted social event such as a charity fundraising event, business mixer, golf tournament or other such event provided the context of the event pertains to Capital Power Business, and only once any formal business has been completed.

In all acceptable use situations, Employees must ensure they:

- a. Use Alcohol responsibly and in moderation.

- b. Are not returning to work or to Capital Power Premises after consuming Alcohol.

- c. Procure an alternate means of transportation or accommodation should they have reason to believe they are unfit to drive.

At all Capital Power sponsored events, Management must:

- a. Establish the general tone of the event.

- b. Ensure Alcohol is not served to individuals who appear to be intoxicated.

- c. Provide a means of alternate transportation or accommodation where requested.

- d. Take steps to prevent an apparently intoxicated attendee from driving after the events.

- e. Contact the police if an incident occurs, or an attendee disregards advice and attempts to drive in an intoxicated state.
f. Ensure responsible serving practices are followed which includes providing food, non-Alcoholic drinks, and establishing a firm time to end the event which includes paying the bill.

g. Not leave the event until ALL of the above have been fulfilled.

5.4 MEDICATIONS

a. Medications of concern are those that may inhibit the ability of an Employee to perform their job safely and productively.

b. All Employees shall manage potential impairment during working hours due to the legitimate use of medications.

c. The following are prohibited:
   i. The intentional misuse of Medications (e.g., not using the Medication as it has been prescribed, using someone else’s prescription Medication, combining Medication and Alcohol use against direction).
   
   ii. The possession of prescribed Medications without a legally obtained prescription or medical document, and distribution, offering, or sale of prescription Medications.
   
   iii. Reporting for, or being on duty, while under the influence of a Medication that affects one’s ability to perform duties safely.
   
   iv. Failing to report to a Supervisor or designate the use of a Medication that could affect one’s ability to perform duties safely.

d. Employees shall consult with their treating physician or a pharmacist to determine if use of the Medication will have any potential negative impact on Fitness-for-Duty.

e. If the Medication they are using could impact their Fitness-for-Duty, Employees are to act responsibility and take appropriate action to minimize the risk that their Fitness-for-Duty is compromised. Appropriate action includes, but is not limited to:
   
   i. Using a safe alternative Medication or treatment choice when available (e.g., non-drowsy), and consulting with their treating physician or pharmacist as needed to identify such an alternative Medication or treatment.
   
   ii. Investigating through their treating physician whether use of the Medication can be effectively controlled and monitored to ensure they are able to perform their duties safely.
   
   iii. Advising their Supervisor or designate that they are using Medication which could negatively affect their ability to safely perform their duties.
   
   iv. If the Employee holds a Safety-Sensitive Position, and no safe alternative Medication or treatment choice can be identified, investigating through their Supervisor or Designate whether Modified or alternative duties are warranted and available to ensure they are able to perform their duties safely. *

   v. Immediately removing themselves from duty and advising their Supervisor or designate when feeling any cognitive or physical limitations that could negatively affect their ability to perform their duties safely.
* Capital Power will remove the Employee from Safety-Sensitive Position duties until these investigations are complete. If Capital Power requires further information with respect to the nature of the Employee’s work limitations, illness, medication or treatment plan, Capital Power shall ask the Employee to provide that information with the assistance of their treating physician. Capital Power reserves the right, through the third party medical provider, and without additional consent from the Employee, to review this information with their treating physician.

Capital Power reserves the right, through the third party medical provider, and with the consent of the Employee to confirm the nature and duration of modified work requirements with the treating physician, without any breach in medical confidentiality. The required information will first be sought through the Employee directly.

5.5 Scheduled On-Call

All Employees on Scheduled On-Call status shall abide by the above requirements, and report Fit-for-Duty for all required work. Consuming Alcohol, Illicit Drugs, Medications, or any Mood-Altering Substance that could impact their Fitness-for-Duty while on scheduled on call is prohibited.

5.6 Emergency Call Out

If circumstances arise where an Employee is requested to report to for unscheduled work, and is under the influence of Alcohol, Illicit Drugs, Medications, or any Mood-Altering Substance that could impact their Fitness-for-Duty, they shall advise their Supervisor that they are not Fit-for-Duty.

6.0 Prevention, Assistance, Rehabilitation and Aftercare

6.1 Prevention

Capital Power makes information available on health and safety issues related to Alcohol and Drug use, and the process required to access assistance.

Employees are encouraged to access the Capital Power Employee and Family Assistance Program (EFAP), their personal physician, or appropriate community services for assistance with an Alcohol or Drug problem.

6.2 Assistance/Rehabilitation

Capital Power recognizes that Alcohol and Drug dependencies are treatable illnesses and that early intervention greatly improves the probability of a lasting recovery. Employees who suspect they have a substance dependency, or emerging Alcohol or Drug problem, are encouraged to seek advice and follow appropriate treatment plans promptly before job performance is affected or violations of this Policy occur.

6.3 Request for Assistance

Employees who specifically request help with an Alcohol or Drug problem through their Manager, Human Resources, the Program Administrator, or another Management representative shall be referred for a SAP/E assessment. They shall be supported through a treatment and aftercare program consistent with the assessor’s recommendations, the applicable benefits coverage if available or other resources.

Employees shall comply with recommended treatment and aftercare programs provided by the SAP/E, and as set out in a Return-to-Duty Agreement with Capital Power.

6.4 Responsibilities of Employees

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Obtaining assistance or acknowledging a Drug or Alcohol problem does not eliminate the need to maintain safe and acceptable performance levels. Should corrective action or testing be warranted, it cannot be avoided by a request for assistance with a Drug or Alcohol problem, or by disclosing that the Employee is already involved in a treatment program.

6.5 Aftercare

All Employees who complete primary treatment (e.g., residential or out-patient treatment) for Alcohol or Drug problems, whether through a request for assistance or after a violation of this Policy, shall participate in an aftercare program recommended by the SAP/E or appropriate addictions professional when returning to duty to help them maintain recovery. Employees shall enter into a written Return-to-Duty Agreement which outlines the conditions governing their return to work and consequences for failing to meet those conditions.

In addition, where a medical professional, SAP/E, or other counseling professional advises that there may be a risk that would prevent an Employee from doing their normal job safely, a medical work modification may be issued and the Employee may be assigned to alternate duties if available, and at the discretion of Capital Power.

6.6 Confidentiality

Confidentiality shall be maintained to the fullest extent possible, except where limited disclosure is necessary for related health and safety concerns (e.g., it is deemed a potential for risk to self, others or Capital Power). Only the information strictly limited to the level of functionality of an Employee (e.g., Fitness-for-Duty and any restrictions that may apply) shall be shared with Management for purposes of determining whether the Employee is Fit-for-Duty, is assigned the appropriate work accommodation, and/or work designing a Return-to-Duty Agreement.
7.0 **ALCOHOL AND DRUG TESTING**

Management shall immediately notify the Program Administrator of all requested Alcohol and Drug Tests.

Where applicable and requested, an Employee’s union representative shall be invited to participate in investigations, and Return-to-Duty Agreement discussions, that are identified in this Policy.

7.1 **TESTING CIRCUMSTANCES**

The following table identifies the testing circumstances and applicable positions at Capital Power. A Refusal to Test is a violation of this Policy.

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<thead>
<tr>
<th>Testing Circumstances</th>
<th>Safety-Sensitive Position</th>
<th>All Other Employees</th>
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<tr>
<td>Safety-Sensitive Position Certification Testing</td>
<td>YES</td>
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<td>Reasonable Cause Testing</td>
<td>YES</td>
<td>NO</td>
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<tr>
<td>Post-Incident Testing</td>
<td>YES</td>
<td>YES</td>
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<tr>
<td>Return-to-Duty – Post Violation/Post Treatment</td>
<td>YES</td>
<td>YES</td>
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<tr>
<td>Unannounced Follow-up Testing– Post Violation/ Treatment</td>
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7.2 **CERTIFICATION TESTING FOR SAFETY-SENSITIVE POSITIONS (PRE-EMPLOYMENT AND INTERNAL TRANSFER)**

As a final condition of certification into a Safety-Sensitive Position, all external applicants shall pass an Alcohol and a Drug Test.

In addition, all existing Employees applying for transfer from a non-Safety-Sensitive Position to a Safety-Sensitive Position shall pass an Alcohol and a Drug Test as a condition of certification to the position.

Applicants shall not be eligible for the position if they refuse to participate in the testing program.

For Internal Transfer Candidates failure to pass an Alcohol and a Drug test shall:

a. Prevent the immediate certification of the applicant for the Safety-Sensitive Position; and
b. Result in a review of the circumstances to determine appropriate action regarding the applicant and their future eligibility for certification into a Safety-Sensitive Position.

Recertification is not required in situations where the Employee is returning to work after a leave of absence or layoff, provided the Employee held a Safety-Sensitive Position under the Policy any time during the previous 90 days.
7.3 **UNFIT-FOR-DUTY INVESTIGATIONS AND REASONABLE CAUSE TESTING**

An Unfit-for-Duty Investigation will be conducted by an Employee’s Supervisor, or a member of Management, when an Employee’s performance, actions, appearance, or conduct indicate that there is Reasonable Cause that they may not be Fit-for-Duty. The investigation shall be documented on an “Unfit-for-Duty Investigation Form” (see Schedule A), and submitted to the Program Administrator.

Whenever an Unfit-for-Duty Investigation concludes there is Reasonable Cause to believe that the Employee is not, or may not be, Fit-for-Duty due to the use of Drugs or Alcohol, the following shall occur:

a. For Safety Sensitive Positions – the results of the investigation shall be shared with another Supervisor for concurrence. If both supervisors are in agreement with the results, Reasonable Cause Testing shall be required.

b. For all other Employees – The results of the investigation shall be treated as a performance issue to be addressed by the Employee’s Supervisor in conjunction with Human Resources.

7.4 **POST-INCIDENT TESTING INVESTIGATION**

Post-Incident Testing may be required for all Employees as part of an incident investigation.

A Post-Incident Alcohol and Drug Testing Investigation shall be conducted for all Significant Incidents to determine if an Alcohol and Drug Test is required. Whenever a Post-Incident Alcohol and Drug Testing Investigation reveals that all reasonable factors have been ruled out (e.g. Acts of God, Acts of Terrorism etc.), and that the Employee committed (or may have committed) Acts or Omissions that contributed to the incident, an Alcohol and Drug Test shall be required.

All Post-Incident Alcohol and Drug Test Investigations shall be documented on Capital Power’s “Post-Incident Alcohol and Drug Testing Investigation Form” (see Schedule A) and submitted to the Program Administrator.

7.5 **RETURN-TO-DUTY – POST VIOLATION/POST TREATMENT**

Post testing, the SAP/E shall assess if the Employee has an Alcohol or Drug dependency, make recommendations regarding education and treatment, and recommend an aftercare program which may include a Return-to-Duty Agreement provided by Capital Power.

Employees shall be required to pass a Return-to-Duty test when:

a. Employment is continued after a violation of this Policy, or

b. An Employee returns from successful treatment of a self disclosed Alcohol or Drug related problem.

7.6 **UNANNOUNCED FOLLOW-UP TESTING – POST VIOLATION/POST TREATMENT**

In situations when employment is continued after a Policy violation, Employees shall be subject to unannounced testing as a condition of continued employment as set out in a Return-to-Duty Agreement with Capital Power.

In addition, unannounced follow-up testing, when recommended by a SAP/E, may be used as a monitoring tool, to support the recovery of any Employee assuming duties after primary treatment for an Alcohol or Drug problem resulting from a request for assistance from Management. This requirement shall be identified in the Employee’s written Return-to-Duty Agreement.
8.0 ADDITIONAL FACTORS

8.1 POSSESSION OF ALCOHOL OR DRUGS

Where there is Reasonable Cause to believe that Alcohol, Drugs, and/or Drug Paraphernalia are located on Capital Power Premises, Capital Power reserves the right to conduct unannounced searches of work premises, vehicles and equipment owned, leased or otherwise controlled by Capital Power.

Capital Power may, where Reasonable Cause exists, search an Employee’s personal property, vehicles, clothing (including pat-down searches), and effects on Capital Power Premises.

Refusal by an Employee to consent to such a search, when there is Reasonable Cause to conduct one, shall be treated as non-compliance with this Policy, and may include disciplinary action, up to and including termination.

Supervisors shall identify situations where a search is justified based on a combination of indicators, which include (but are not limited to) behaviour, odour, and/or presence of Drug Paraphernalia. Supervisors shall advise the Program Administrator, who, in conjunction with the appropriate member of Management, shall determine if a search shall be initiated.

Searches conducted at Capital Power offices, operating facilities, or construction sites shall be conducted by the most senior level of Management available at that location with the support of security (if applicable). In certain cases, where consent is refused, police may be requested to carry out the search.

8.2 LOSS OF LICENSE/IMPAIRED DRIVING CHARGE

All Employees who operate any motor vehicle on behalf of Capital Power shall do so under the rules and regulations outlined in the Capital Power Driving Standard.

9.0 CONSEQUENCES OF A VIOLATION

All Employees will have access to this Policy. Capital Power views the rules contained in this Policy to be of the utmost importance. Any deviation from the above terms may result in disciplinary action up to and including termination. Any resulting termination will be considered a “termination with cause” and not subject to notice or remuneration in lieu.

Before disciplinary action is taken an investigation will be conducted to verify that a Policy violation has occurred. Therefore, Management has the authority and discretion to hold out of service, with pay, any Employee who is believed to be involved in an incident that could lead to disciplinary action pending the results of the investigation. The appropriate discipline in each case depends on the nature of the Policy violation and the circumstances surrounding the situation.

Should Capital Power determine that employment shall be continued in a specific circumstance, the Employee shall be required to enter into a written Return-to-Duty Agreement governing their continued employment, which may require any or all of the following actions, or any other additional conditions appropriate to the situation as follows:

a. Temporary removal from their position.

b. Adherence to any recommended treatment and aftercare program by a SAP/E or qualified addictions expert.
c. Maintenance of sobriety and satisfactory performance while on duty.
d. Successful completion of a Return-to-Duty test.
e. Ongoing unannounced testing for a period determined on a case-by-case basis, and
f. No further violations of the Policy.

Failure to meet the requirements of the Return-to-Duty Agreement during the monitoring period may be
grounds for termination of employment.

10.0 TRAINING

All Employees shall complete mandatory training on Capital Power's Alcohol and Drug Policy.

10.1 ALCOHOL AND DRUG POLICY TRAINING FOR ALL EMPLOYEES

All Capital Power Employees shall complete Capital Power's Alcohol and Drug Policy Training. Employees
shall complete the training when hired, every three years thereafter, when it is determined that re-training is
required, or when there are significant changes to this Policy.

10.2 ALCOHOL AND DRUG POLICY TRAINING FOR SUPERVISORS AND MANAGERS

All Capital Power Managers or Supervisors who have Employees reporting directly to them shall complete
Capital Power’s Alcohol and Drug Policy instructor led training program.

Training shall be completed when Employees are assigned or hired to a supervisory or Management
position, every three years thereafter, when it is determined that re-training is required, or when there are
significant changes to the Policy.

11.0 DEFINITIONS

Acts and/or Omissions: Actions and/or omissions of an Employee that may be a contributing factor in
causing a Significant Incident to occur, and include, but are not limited to:

a. Failing to adhere to a standard, code, practice, process or procedure that is reasonable to
   expect the Employee to have known or understood.
b. Failing to use when required, or improperly use, any tools, equipment, and/or PPE; and
c. Recognizing but failing to address a hazard, or failing to recognize a hazard, that a competent
   worker would have reasonably been expected to recognize and control.

Alcohol: Any substance that may be consumed and that has an alcoholic content in excess of 0.5 percent
by volume.

Alcohol and Drug: Alcohol or Drugs, or both.

Alcohol and Drug Test: The test administered in accordance to the testing standards in this policy that is
used to determine if an employee is in violation of the requirements of this policy.

Capital Power Business: All business activities undertaken by Employees in the course of Capital Power’s
operations, whether conducted on or off Capital Power Premises or Capital Power Worksites. It includes
situations where an Employee is representing, or could reasonably be perceived as representing Capital
Power in the performance of duties.
**Capital Power Premises:** Includes but is not necessarily restricted to all land, facilities, mobile equipment and vehicles owned, leased or otherwise directly controlled by Capital Power in its operations.

**Capital Power Worksites:** Any site or location where a Capital Power Employee has been assigned to work.

**Drug:** Means any Drug, substance, chemical or agent, the use or possession of which is unlawful in Canada and US, and includes any otherwise legal but illicitly-used substance, chemical, Medication, over-the-counter Drugs, Tetrahydrocannabinol (THC)-containing substances, and synthetic forms of illegal substances, the use of which has the potential to change or adversely affect the way a person thinks, feels or acts. For the purposes of the Policy, Drugs of concern are those that inhibit a worker’s ability to perform his or her job safely and productively.

**Drug Paraphernalia:** Any personal property associated with the use of any Drug, substance, chemical or agent, the possession of which is unlawful, including any product or device that may be used to attempt to tamper with a testing sample.

**Employee:** All Capital Power Employees working in, including regular full-time, part-time, temporary, and casual positions.

**Fitness-for-Duty and Fit-for-Duty:** In the context of this Policy, being able to perform assigned duties safely and acceptably without any limitations due to the use or after-effects of Alcohol, Illicit Drugs, medications, or Mood-Altering Substances.

**Illicit Drug:** Any Drug or substance that is not legally obtainable and whose use, sale, possession, purchase, or transfer is restricted or prohibited by law.

**Management:** A Senior Manager, Plant Manager, Operation Manager or Senior Project Manager and above position that is accountable for an area, and who is directly responsible for the performance of individuals.

**Medication:** Refer to any Drug, substance, chemical or agent used for medicinal purposes obtained legally including over-the-counter medications or through a doctor’s prescription.

**Mood-Altering Substance:** Refers to any product that is legally or illegally used, resulting in cognitive or physical limitations that negatively impact performance on the job.

**Other Factors:** Acts of God or Acts of Terrorism.

**Post-Incident Alcohol and Drug Testing Investigation:** A Post-Incident Alcohol and Drug Testing Investigation is used to determine if an Alcohol and Drug Test is required. Whenever a Post-Incident Alcohol and Drug Testing Investigation reveals that all reasonable factors have been ruled out (e.g. acts of god, acts of terror) and that the Employee committed (or may have committed) Acts or Omissions that contributed to the incident, an Alcohol and Drug Test shall be required.

**Post-Incident:** The period after an incident has occurred, when an Alcohol and Drug Test may be conducted.

**Program Administrator:** Capital Power Employee with responsibility for the communication and administration of this Policy.

**Policy:** Refers to Capital Power’s Drug and Alcohol Policy and any operation bulletins, schedules or procedures as may be created or amended with respect to this Policy from time to time.

**Reasonable Cause or Reasonable Grounds:** Includes information established by the observation of the actions, appearance or conduct of an individual when on duty, reporting of duty or on a scheduled call that are indicative of the use of Drugs or Alcohol, and may include but are not limited to observed use or evidence of use of a Drug or Alcohol, changes in job performance, erratic or atypical behavior, physical appearance or changes in physical appearance, changes in speech patterns, changes in attendance record or unexplained absences during regular work hours, smell associated with Alcohol or Drugs on the individual or in the vicinity, the presence of Alcohol, Drugs or Drug Paraphernalia on the individual or circumstances surrounding a Significant Incident.
Refusal to Test: Refusal to test includes:
   a. Failure of an Employee to report directly for a test, and/or refusal to submit to a test
   b. Failure to provide a valid specimen absent a documented medical condition
   c. A confirmed attempt to tamper with a test sample
   d. Refusal to agree to disclosure of a test result to Capital Power’s Program Administrator
   e. Attempting to avoid a test by failing to report involvement in an incident which may require testing or by avoiding Management following involvement in an incident
   f. Failure to advise of release from hospital if testing is delayed for medical reasons
   g. Failing or refusing to attend certification testing where required under the Policy; and
   h. Any attempt to disrupt or impede the testing process.

Return-to-Duty Agreement: A binding written agreement signed by the Employee governing the terms and conditions they must abide by in returning to work after a Drug or Alcohol related incident.

Safety-Sensitive Position: A position in which the job function, including non-routine and emergency duties, involves responsibility for actions or decisions which, if not performed correctly, could directly cause or contribute to:
   a. A significant incident affecting the health or safety of Employees, contractors, customers, the public or the environment, or
   b. An inadequate response or failure to respond to an emergency, or
   c. An inadequate response or failure to respond to unexpected and/or abnormal operating conditions.

This category includes all Capital Power:
   a. Employees: required to provide temporary relief for, or perform the duties of a Safety-Sensitive Position. For purposes of this Policy, the following job categories have been classed as Safety-Sensitive Positions:
      i. All positions requiring work on an energized system and/or whose tasks may include an energized system including, but not limited to, electrical, water, gas, hydraulic, pneumatic, chemical, steam, and stored energy
      ii. All positions required to drive Capital Power owned or leased vehicles excluding car rentals or the use of personal vehicles for business travel
      iii. All positions required to perform construction work (refers to construction, erection, repair, remodeling, alteration, painting, demolition or maintenance of a building, structure or process equipment) at Capital Power Worksites
      iv. All positions required to operate mobile equipment including, but not limited to, backhoes, cranes, radial arm diggers, trenchers, skid steers, personnel aerial devices, and power industrial lift trucks, and
      v. All positions with system process control, operations, maintenance, programming and testing responsibility for power generation. This includes the water quality processes in place for the purposes of power generation and environmental sampling.
   b. Positions that may reside on or off site but have significant involvement in decisions or actions which could directly affect safe operations or construction. For purposes of this Policy, this includes:
      i. Any member of Management who has an Employee in their reporting organization in a Safety-Sensitive Position, or
      ii. Technical experts, including but not limited to Engineers, Health, Safety and Environment Managers and Advisors,
Scheduled On-Call: Specifically designed scheduling, wherein the Employee is assigned set times and dates when they can expect to be called in to work as required by stand-by, and excludes situations where an individual’s position responsibilities result in the possibility that he/she could be called unexpectedly at any time.

Significant Incident: Any incident that results in, or had the potential to result in an incident with an incident severity classification of moderate or higher, as defined in Capital Power’s Incident Classification Standard, (Appendix B – Incident Severity Classification Table), including any Significant Incident considered to have had a significant potential for more serious consequences.

Supervisor: An individual or responsible Manager position who is accountable for a specific area, and is directly responsible for the performance of individuals.

Substance Abuse Professional/Expert (SAP/E): Means 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 counsellor.

Unfit-for-Duty Investigation: An investigation conducted when a Supervisor or Management is alerted that there is suspicion of an Employee working under the influence of Drugs or Alcohol.
12.0 **INTERNAL RESOURCES**

a. Capital Power Employee and Family Assistance Program
b. Capital Power Incident Management Standard
c. Capital Power Driving Standard

13.0 **APPENDICES**

a. Appendix A: Alcohol and Drug Testing Process
b. Appendix B: Incident Severity Classification Table (from Capital Power’s Incident Management Standard)

14.0 **SCHEDULES**

a. Schedule A - Alcohol And Drug Testing Procedures
APPENDIX A - ALCOHOL AND DRUG TESTING PROCESS

The Alcohol and Drug Testing process is based on rigorous collection, analysis and reporting procedures designed to ensure the accuracy and integrity of the results. Steps in the testing process are highlighted below.

General Requirements

a. Testing will be conducted in those circumstances outlined under the Capital Power Policy to determine the presence of cannabinoids, amphetamine/ methamphetamine, cocaine, opiates, phencyclidine, and Alcohol. If Capital Power concludes there is justification to include additional Drugs in this list, or if it is a site-specific requirement, Employees will be advised of the change. Testing for additional Drugs may also be required on an individualized basis on the advice of a Substance Abuse Professional/Expert in a post-treatment situation.

b. Collection of specimens for Drug testing and administration of Alcohol tests will be performed by trained collection agents. In Post-Incident and reasonable cause testing situations, samples will be collected as soon as possible after the triggering incident.

c. Collection attempts will end eight (8) hours after the incident for an Alcohol test, and thirty-two (32) hours after the incident for a Drug test.

d. All individuals who are tested are required to sign a form to acknowledge the accuracy of the Employee and employer information and authenticity of the specimen(s). They will be given a copy of the Drug Testing Custody and Control Form and the Breath Alcohol Testing Form for their records.

Alcohol Testing

a. Alcohol tests will be administered using a calibrated evidential breath analyzer with a printout of test results.

b. An Alcohol test result of .04 Blood Alcohol Content (BAC) or greater is a positive Alcohol test.

Drug Testing

a. Drug tests will be administered by urinalysis using split sample collection. For transfer to the laboratory, or using a Point of Collection (quick test) urine Drug screen at the collection site with confirmation testing at the lab should it be required

b. Urine samples for Drug testing will be analyzed by a fully qualified and accredited laboratory performing a confirmation test by gas chromatography/mass spectrometry (GC/MS) for levels specified by the Construction Owners Associated of Alberta (COAA) Canadian Model and the U.S. Department of Transportation (DOT).

c. The current COAA and DOT levels are detailed in Table A1 Urine Drug Concentration Limits and Table A2- Oral Fluid Drug Concentration Limits on the following page.
### Table A1- Urine Drug Concentration Limits
(Urine Drug Concentration Limits-Part 40 DOT January 1, 2018):

<table>
<thead>
<tr>
<th>Drugs or classes of Drugs</th>
<th>Screening concentration equal to or in excess of ng/mL</th>
<th>Confirmation concentration equal to or in excess of ng/mL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana metabolite</td>
<td>50</td>
<td>15</td>
</tr>
<tr>
<td>Cocaine metabolite</td>
<td>150</td>
<td>100</td>
</tr>
<tr>
<td>Opioids</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Codeine</td>
<td>2000</td>
<td>2000</td>
</tr>
<tr>
<td>- Morphine</td>
<td>2000</td>
<td>2000</td>
</tr>
<tr>
<td>- Hydrocodone</td>
<td>300</td>
<td>100</td>
</tr>
<tr>
<td>- Hydromorphone</td>
<td>300</td>
<td>100</td>
</tr>
<tr>
<td>- Oxycodone</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>- Oxymorphone</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>6-Acetylmorphine</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Phencyclidine</td>
<td>25</td>
<td>25</td>
</tr>
<tr>
<td>Amphetamines</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Amphetamine</td>
<td>500</td>
<td>---</td>
</tr>
<tr>
<td>- Methamphetamine</td>
<td>---</td>
<td>250</td>
</tr>
<tr>
<td>MDMA¹</td>
<td>500</td>
<td>---</td>
</tr>
<tr>
<td>- MDMA</td>
<td>---</td>
<td>250</td>
</tr>
<tr>
<td>- MDA²</td>
<td>---</td>
<td>250</td>
</tr>
</tbody>
</table>

1. Methyleneedioxymethamphetamine
2. Methyleneedioxymethamphetamine

### Table A2- Oral Fluid Drug Concentration Limits
(COAA and Energy Safety Canada Model 2018)

<table>
<thead>
<tr>
<th>Drugs or classes of Drugs</th>
<th>Screening concentration equal to or in excess of ng/mL</th>
<th>Confirmation concentration equal to or in excess of ng/mL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Marijuana (THC)</td>
<td>4</td>
<td>2</td>
</tr>
<tr>
<td>Cocaine metabolite</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Cocaine</td>
<td>20</td>
<td>---</td>
</tr>
<tr>
<td>- Benzoylecgonine</td>
<td>---</td>
<td>8</td>
</tr>
<tr>
<td>Opioids</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Codeine</td>
<td>---</td>
<td>40</td>
</tr>
<tr>
<td>- Morphine</td>
<td>---</td>
<td>40</td>
</tr>
<tr>
<td>- 6-Acetylmorphine</td>
<td>---</td>
<td>4</td>
</tr>
<tr>
<td>- Hydrocodone²</td>
<td>---</td>
<td>40</td>
</tr>
<tr>
<td>- Hydromorphone³</td>
<td>---</td>
<td>40</td>
</tr>
<tr>
<td>- Oxycodone³</td>
<td>---</td>
<td>40</td>
</tr>
<tr>
<td>- Oxymorphone⁴</td>
<td>---</td>
<td>40</td>
</tr>
<tr>
<td>Phencyclidine</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>Amphetamines</td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Amphetamine</td>
<td>50</td>
<td>---</td>
</tr>
<tr>
<td>- Methamphetamine</td>
<td>---</td>
<td>50</td>
</tr>
<tr>
<td>- MDMA¹</td>
<td>---</td>
<td>50</td>
</tr>
<tr>
<td>- MDA²</td>
<td>---</td>
<td>50</td>
</tr>
</tbody>
</table>

1. Methyleneedioxymethamphetamine
2. Methyleneedioxymethamphetamine
3. Refer to testing methodologies on oral fluid sample collection devices
4. Pending update from U.S. DOT. Until the DOT update is incorporated into an update to the Canadian Model, the "oral fluid 3" and "oral fluid 4" extended opioid panels each will be regarded as comprehensive. Specifically, the "oral fluid 3" panel will be (temporarily) acceptable for reasonable cause, Post-Incident and random testing.
Drug Testing (Continued)

d. Laboratory confirmed positive test results will be reviewed by a qualified Medical Review Officer (MRO). This is an independent physician who will endeavor to discuss the result with the Employee in an effort to determine whether a positive test could have resulted from the legitimate use of medications. The individual concerned will be given an opportunity to explain the finding to the MRO who will then determine whether the result will be reported to Capital Power as a negative, a verified positive, or a tampered or substituted result.

e. In the case of a verified positive test result of a urine test conducted in accordance with this Policy, the person who has been tested may request the MRO to direct the split sample to be tested by an accredited laboratory of that person's choice within seventy-two (72) hours of receiving their results. If a second confirmed positive test is reported, the person who requested the second analysis is responsible for reimbursing Capital Power for the associated costs.

f. If the test is reported as dilute and negative, or cancelled because the specimen is invalid, the Employee will be required to provide an additional specimen for testing as soon as possible.
Health and Safety Incident Table:

<table>
<thead>
<tr>
<th>Minor</th>
<th>Moderate</th>
<th>Major</th>
<th>Critical</th>
</tr>
</thead>
<tbody>
<tr>
<td>• First Aid Incident (On &amp; Off-Site)</td>
<td>• Medical treatment injury</td>
<td>• Lost time injury</td>
<td>• Fatality</td>
</tr>
<tr>
<td>• Vehicle accident &lt;$7,500</td>
<td>• Restricted Work</td>
<td>• Vehicle damage ≥25,000</td>
<td>• Permanently disabling injury</td>
</tr>
<tr>
<td>• Mobile equipment or property damage less than &lt;$7,500</td>
<td>• Exposure to harmful substances over occupational exposure limit or at a level sufficient to produce adverse effects</td>
<td>• Mobile equipment or property damage ≥25,000</td>
<td>• Uncontrolled floods or explosions</td>
</tr>
<tr>
<td>• Fires – controlled by general staff (e.g. fire extinguisher)</td>
<td>• Fire - incipient or small, managed by one or two on-site personnel (off-site Emergency Response Team not needed, even if they were called)</td>
<td>• Incident - managed by on-site Emergency Response Team (off-site ERT not needed, even if they are called)</td>
<td>• Incident - managed by on-site and off-site ERT (requires assistance of external resources)</td>
</tr>
<tr>
<td>• Unexpected release of harmful substance</td>
<td>• Vehicle damage from $7,500-$25,000</td>
<td>• Failure to isolate and de-energize an energy source (overhead/underground utility or non-utility) properly</td>
<td>• Incident - beyond the control of both on- and off-site resources</td>
</tr>
<tr>
<td>• Safety procedure violation with no injury, illness or damage but likely to have resulted in a minor injury (Minor)</td>
<td>• Mobile equipment or property damage $7,500-$25,000</td>
<td>• Unintentional contact with a de-energized, non-isolated energy source</td>
<td>• Exposure, or potential for direct or indirect exposure, to an energized source (overhead/underground utility or non-utility).</td>
</tr>
<tr>
<td>• Near Miss likely to have resulted in any of the above</td>
<td>• Safety procedure violation with no injury, illness or damage but likely to have resulted in a more serious injury (Moderate, Major or Critical)</td>
<td>• Unintentional contact with de-pressurized underground utilities</td>
<td>• Work initiation on a source (overhead/underground utility or non-utility) that has not been isolated and de-energized</td>
</tr>
<tr>
<td>• Near Miss likely to have resulted in any of the above</td>
<td></td>
<td>• Refusal to Work – imminent danger validated</td>
<td>• Unintentional contact with pressurized underground utilities</td>
</tr>
<tr>
<td>• Near Miss likely to have resulted in any of the above</td>
<td></td>
<td>• Issuance of Safety Compliance Order by an external occupational H&amp;S regulatory agency</td>
<td>• Collapse of a structure</td>
</tr>
<tr>
<td>• Near Miss likely to have resulted in any of the above</td>
<td></td>
<td>• Near Miss likely to have resulted in any of the above</td>
<td>• Lift of crane, derrick, hoists or mobile equipment</td>
</tr>
</tbody>
</table>

Reporting into Electronic Incident Management Tool is required.