

Alcohol & Drugs Standard for Contractors

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Overview

ATCO is committed to ensuring health and safety at all ATCO premises/ worksites. ATCO has safety-sensitive operations and all potential safety hazards must be properly addressed. The use of illicit drugs and other mood-altering substances, and the inappropriate use of alcohol and medications can adversely affect job performance, productivity, the work environment and the well-being of workers. It can also place the integrity and safety of ATCO property and operations at risk, impacting the individual, co-workers, customers, contractors, suppliers, and the public.

The Alcohol and Drug Standards for Contractors (the "Standards") support ATCO’s commitment to eliminate and control hazards in its operations and to achieve the highest safety standards in accordance with its health, safety, security and environment management programs.

Scope

This standard applies to all ATCO directors, officers, employees¹, contractors, and consultants (collectively, “ATCO people”), individuals applying for roles with ATCO (“applicants”), and individuals under consideration for employment with ATCO (“candidates”).

Objective

The objective is to outline the actions taken to mitigate potential risks and impacts to our people, premises, property and reputation due to alcohol and/or drug use while respecting privacy and human rights considerations.

¹ “Employees” generally means all employees of ATCO. Some employees’ employment is governed by collective agreements that may have different practices; in these cases, the provisions of the relevant collective agreement would apply.

Standard

1. SAFETY AND PERFORMANCE STANDARDS

To minimize the risk of unsafe and unsatisfactory performance due to the use of alcohol or drugs, Contractors are required to comply with, and cause their contract workers to comply with, the Standards while on ATCO business and premises /worksites, including when operating vehicles and equipment.

1.1. Drugs:

The following are prohibited:

- the use, manufacture, possession, distribution, offering or sale of illicit drugs, mood altering substances or drug paraphernalia;
- reporting to work or being at work while under the influence of illicit drugs or other mood altering substances; and
- a positive drug test result as determined through testing.

1.2. Alcohol:

The following are prohibited:

- the consumption, possession, distribution, offering or sale of beverage alcohol;
- the consumption of any product containing alcohol when at work including during meals or other breaks;
- reporting for work or remaining at work under the influence of alcohol from any source;
- a positive alcohol test result as determined through testing; and
- transporting or storing alcohol in an ATCO vehicle or other vehicle (company or personal) while on ATCO business or premises / worksites.

1.3. Medications:

Contract workers are expected to responsibly use all medications including those that are prescribed and over-the-counter consistent with the instructions of their physician or as documented in the manufacturer's or pharmacy's instructions. Medications of concern are those that inhibit or may inhibit a contract worker's ability to perform their job safely and productively. The following are prohibited:

- reporting unfit for work due to the use of a medication;
- the intentional use or misuse of medication when that use or misuse could create a safety risk on ATCO business or premises / worksites. This includes, but is not limited to:
 - not following restrictions when using medication (for example, operating heavy machinery when the medication restricts the operation of vehicles);
 - not using medication as prescribed or directed;
 - using someone else's prescription medication; and
 - combining medication and alcohol against direction;
- possession of prescribed medications without a legally obtained prescription;
- distribution, offering or sale of prescription medications (trafficking).

NOTE: Should there be a delay in testing, contract workers to be tested must not use any substance that would impact results until after the test has been completed, or they are advised a test is not required. The only exceptions, if required, are previously prescribed medications (as directed), or medication administered in the treatment of an acute injury resulting from the incident.

2. INVESTIGATIONS

It is the Contractor's responsibility to investigate a possible violation of these Standards, including a contract worker's fitness for work and a contract worker's involvement in an incident or near miss while on ATCO premises/ worksites. ATCO will cooperate with the Contractor's investigation. ATCO reserves the right to conduct further investigations and requires the Contractor's cooperation in accordance with the Standards.

An investigation shall include an interview of the contract worker, an interview of any witnesses and may also require alcohol and drug testing. Requirements for testing are outlined under Section 5 Testing Standards and Appendix B.

2.1. Fitness for Work:

Where a Contractor or an ATCO Representative, present on ATCO premises/ worksites, has reasonable cause to believe that a contract worker is not fit for work, the following steps shall be taken:

- The contract worker's work shall be stopped, and the contract worker shall be escorted to a safe and private location either on or off site;
- The Contractor shall undertake its investigation into the situation which may involve a reasonable cause test if appropriate;
- The Contractor shall advise ATCO whether there was a breach of the Standards; and
- If there is a breach of the Standards, the Contractor is required to take appropriate steps to ensure compliance with the Standards, and to prevent further risk to people, the environment and ATCO premises/ worksites.

In the event that the Contractor is not initially involved in the situation, the ATCO Representative shall advise the Contractor as soon as possible. In the event that ATCO is not aware of the situation, the Contractor shall notify ATCO of the situation. Where a Contractor does not have their own alcohol and drug policy and/or does not have a management representative on site to immediately direct the requirements of the Standards, an ATCO Representative may respond and remove the contract worker from ATCO premises/ worksite and an investigation undertaken.

3. TESTING STANDARDS

All testing conducted pursuant to these testing standards shall meet or exceed the alcohol and drug testing protocols outlined in Appendix B.

3.1. Pre-Work/Site Access Testing Requirements

All contract workers who will be performing safety sensitive work must pass a pre-work alcohol and drug test prior to commencing work. Contractors will be advised which positions are considered as safety sensitive for the purposes of pre-work testing.

All contract workers assigned to a safety sensitive work location must pass a site access alcohol and drug test as a condition of the assignment to the site. Contractors will be advised which ATCO premises/ worksites are designated as safety sensitive work locations for the purposes of site access testing.

Failure to pass the alcohol and drug test, or refusal to participate, means the contract worker is not eligible to perform the work and/or access ATCO premises/ worksites.

Exceptions to the pre-work and site access testing are set out in Appendix A.

3.2. Reasonable Cause:

Testing will take place whenever there is reasonable cause to believe that a contract worker is or may be unable to work in a safe manner because of the use of alcohol or drugs. Those contract workers tested for reasonable cause will be removed from ATCO premises/ worksite until the investigation is complete.

3.3. Post Incident Testing:

Contractors are required to advise ATCO as soon as possible after an incident or near miss and participate fully in any subsequent investigation.

Alcohol and drug testing is required where it is determined that a contract worker's acts or omissions may have contributed to a serious incident or near miss. Alcohol and drug testing will not be required where there is immediate evidence that the acts or omissions of contract workers could not have been a contributing factor (for example, where there are structural or mechanical failures or environmental factors).

The following standards apply for testing following a serious incident or near miss:

- the decision to test/not test will be made in consultation with ATCO management, the ATCO Representative and the Contractor;
- the decision to test/not test will be made as soon as possible following the serious incident or near miss;
- arrangements for testing will be made as soon as possible unless this is impossible because medical attention is required;
- the need for a test must be documented as part of the preliminary investigation as soon as possible after the serious incident or near miss;
- contract workers referred for a test will only be those contract workers identified as having been directly involved in the chain of acts or omissions leading up to the event;
- contract workers to be tested must not use alcohol until after the test has been completed, or they are advised a test is not required; and
- the Contractor shall provide ATCO with the outcome (compliant / non-compliant) of all worker(s) tests within 24 hours of the test being completed.

3.4. Refusal to Test:

Refusal to test is a violation of the Standards.

3.5. Access to Testing Services:

The requirements for testing under the Standards are set out in Appendices B and C.

For pre-work/site access, post incident or reasonable cause testing, the Contractor is expected to use its own testing provider (using procedures consistent with these Standards).

For any Contractor that does not have its own testing provider that meets or exceeds the requirements set out in these Standards, ATCO will provide the Contractor information on ATCO's third party testing providers so that the Contractor may make arrangements directly with the provider as required.

Any Contractor that is approved to be tested under the ATCO testing program (e.g. sole proprietor, individual) will be required to ensure appropriate consents are in place, indemnifying ATCO from any legal liability associated with the provision of testing services. In addition, Contractors must ensure that its contract workers sign a release/waiver indicating the name of the donor and the results may be released to ATCO.

ATCO reserves the right to invoice the Contractor for reasonable and customary charges associated with providing any testing services.

4. LOSS OF LICENSE/IMPAIRED DRIVING

All individuals that operate a motor vehicle on behalf of the Contractor / ATCO when on ATCO work are required to maintain a valid driver's license. Any loss of license must be reported immediately, and the individual will no longer be qualified to drive any vehicle while performing work on ATCO business, premises or worksites for the duration of the suspension.

Contract workers must inform their supervisor immediately if they have been charged with an impaired driving offense when operating a vehicle on behalf of ATCO. Impaired driving would include but not be restricted to blowing over the legal blood alcohol content (BAC) in that jurisdiction, driving while impaired, or refusal to blow into a breath analyzer. Receipt of a charge will result in a full investigation, and action appropriate to the situation.

5. CONSEQUENCES

Failure of a contract worker to abide by these provisions or a confirmed violation of the Standards may result in permanent removal from ATCO premises/ worksites. Failure of the Contractor or the Contractor's representatives, to meet the requirements set out in the Standards may be considered a breach of the contract, and may result in triggering penalty clauses under the contract, or suspension or termination of the contract between ATCO and the Contractor.

Roles & Responsibilities

Management Responsibilities

Managers are responsible for ensuring a safe workplace by minimizing risk of harm to ATCO people, the public, our property, and our reputation as a result of an individual attending work affected by alcohol and/or drugs. Managers should know and understand this Practice and the associated Standard and Procedures, ensure individuals in their area of responsibility understand and comply, and respect employees' privacy and confidentiality.

Management will review the associated Standard and Procedure to determine when an individual will undergo alcohol and drug testing.

Contractor Responsibilities

Contractors are expected to have an alcohol and drug policy in place for all of their workers and any subcontractors they may retain in the course of performing work at ATCO premises/ worksites including when operating vehicles and equipment. The Contractor's alcohol and drug policy must at a minimum meet the Standards. The Contractor is responsible for enforcing its internal policy in compliance with the Standards. ATCO reserves the right to request copies of the Contractor's internal alcohol and drug policy to confirm adherence or compliance with the Standards.

In those situations, where the Contractor does not have an existing alcohol and drug policy that either meets or exceeds the Standards, the Contractor is responsible for ensuring that the Standards are complied with and enforced. In the event that a contract worker violates the Standards, the Contractor is required to handle that violation in a manner consistent with the Standards. Any contract worker who has violated the Standards may not return to work on ATCO premises / worksites until the

Contractor demonstrates that the Standards have been complied with and the worker meets any conditions being set by ATCO for the worker's return to the job site.

Each Contractor is responsible for ensuring that contract workers assigned to work at ATCO premises / worksites:

- report fit for work, and remain fit for work while on ATCO premises/ worksites;
- adhere to the Standards applicable to contract workers as set out below; and
- co-operate with an investigation of any violations of the Standards, including any testing requirements.

Contractors must require that each contract worker does not work when:

- the contract worker is under the influence of alcohol, illicit drugs or mood-altering substances; or
- the contract worker has used or misused medication that could create a safety risk on ATCO premises /worksites.

Definitions

Alcohol

Refers to any substance that may be consumed and that has an alcoholic content in excess of 0.5 per cent by volume. This includes, for example, any beer, wine or distilled spirits that contains the above alcoholic content as well as includes the intoxicating agent found in medicines or other products.

ATCO Premises / worksites

Includes all property, facilities, land, buildings, equipment, containers, vehicles, boats and aircrafts, wherever it may be located, whether owned, leased, or rented by ATCO. At worksites to which ATCO is engaged in a joint venture with a third party, "ATCO premises" refers to the portion of the site controlled by ATCO. Worksites include all locations to which a worker has been assigned to perform ATCO work.

ATCO Representative

Refers to individual(s) accountable for a particular facility, department or area including managers, and others in supervisory positions who are directing individuals.

ATCO Vehicle

Means a vehicle owned, assigned, rented or leased by ATCO for ATCO business purposes.

Banned Substances

Includes alcohol, illicit drugs, prescription medication without a legal personal prescription, mood altering substances and drug paraphernalia.

Company Program Administrator

Refers to the ATCO Representative who is responsible to set up, maintain and administer the components related to testing under this Standard.

Contractor

Refers to any company which is party to a contract with ATCO to perform work.

Contract Worker

Means a worker employed by a Contractor, including any subcontractors or agents as agreed between the Contractor and ATCO, who conducts work or performs services for ATCO.

Drugs

Means any drug, substance, chemical or agent, including medications or other mood altering substances, the use of which has the potential to change or adversely affect the way a person thinks, feels or acts.

Drug Paraphernalia

Refers to any personal property which is associated with the use of any drug, substance, chemical, or agent, the possession of which is unlawful in Canada. This would also include any product or device that may be used to attempt to tamper with a testing sample.

Fitness for Work or Fit for Work

In the context of the Standards means being able to safely and acceptably perform assigned duties without any limitations or impairments due to the use or consumption of alcohol or drugs.

Illicit Drugs

Means any drug, substance, chemical or agent whose use, inappropriate use, sale, purchase, transfer or possession is unlawful in Canada.

Medication

Refers to a drug obtained legally, either over the counter or through a doctor's prescription or appropriate authorization.

Mood Altering Substance

Refers to any product or substance, other than illicit drugs, medications or alcohol, which results or may result in cognitive or physical limitations that may negatively or adversely impact job performance. Examples of mood altering substances include, but are not limited to synthetic marijuana, "bath salts," doda, solvents, inhalants and other similar products.

Reasonable Cause

Means testing will take place whenever the Company has reasonable grounds to believe that a contract worker is or may be unable to work in a safe manner because of the use of alcohol or drugs. It includes, but is not limited to:

- observed use or evidence of use of a substance (e.g. smell of alcohol);
- erratic or atypical behaviour or changes in behaviour;
- physical appearance or speech patterns; or
- other observations that suggest alcohol or drug use may be a factor.

Refusal to Test

Includes any of the following:

- failure of a contract worker to report directly for a test;
- refusal to submit to a test;
- failure to provide a valid specimen absent of a documented medical condition;
- tampering with or attempting to tamper with a test sample;
- refusal to agree to disclosure of a test result to the Company Program Administrator;
- attempting to avoid a test either by failing to report involvement in a serious incident or near miss in a timely manner which may require testing or by failing to cooperate in a serious incident or near miss investigation;
- a failure to advise of release from hospital / medical treatment if testing is delayed for medical reasons;
- failing or refusing to attend a medical evaluation where required under the Standards;
or
- any attempt to disrupt the testing process as described in the Standards.

Safety Sensitive Work

Is work where performance impacted by alcohol or drug use could risk the health, safety or security of the contract worker, other persons, property or the environment.

Safety Sensitive Work Locations

Are those locations where there are significant operating hazards such that anyone under the influence of alcohol or other drugs could affect the health, safety or security of themselves, other persons, property or the environment. All plants and co-generation sites are considered safety-sensitive work locations.

Serious Incident or Near Miss

Is an occurrence, circumstance or condition that either caused or had the potential to cause:

- a fatality;
- a serious personal injury to any person;
- a significant environmental incident;
- significant loss or damage to property, equipment or vehicles; or
- significant loss of ATCO or client revenues.

Confidentiality

All records relating to personal information collected under this Practice will be collected and stored in accordance with ATCO's Privacy of Personal Information for Employees Practice, applicable privacy legislation and used only for the explicit purpose for which it is collected.

Compliance

This standard addresses our responsibilities under the various applicable federal, provincial, and territorial legislation and regulations as amended from time to time. It is intended to meet or exceed

the requirements of all jurisdictions where we operate. If for any reason this standard is insufficient in a particular jurisdiction then that jurisdiction’s requirements apply.

ATTACHMENTS

APPENDIX A – Pre-Work and Site Access Testing Exceptions for Contractors

APPENDIX B – Alcohol and Drug Testing Procedures

APPENDIX C – Screening and Confirmation Levels for Drug Testing

RECORDS

Completed Contractor Test Service Waiver

Revision History

DATE	REVISION #	DESCRIPTION OF CHANGE

APPENDIX A – PRE-WORK AND SITE ACCESS TESTING EXCEPTIONS FOR CONTRACTORS

If a Contractor meets the requirements of one or more of the following; pre-access / pre-work alcohol and drug testing is not required. The balance of the Standards still apply.

- Contractors who can verify, with documentation, that the contract worker has a negative drug test consistent with ATCO 's testing requirements and procedures has been conducted within the last ninety (90) days and have not had a non-compliant test result within that timeframe.
- Contract workers who have previously completed a negative alcohol and drug test consistent with ATCO's alcohol and drug testing procedures, and have remained in continuous employment with the current contract company, or on ATCO premises/ worksites since the date of that test, and have not had a non-compliant test result in that time. Continuous employment means without termination of employment or lay-off for a period of 90 days or more.
- Contract workers who maintain active status in the Rapid Site Access Program through Construction Labour Relations – Alberta are exempt from pre-work and site access testing.
- Contract workers present on ATCO premises/ worksites under conditions of controlled access. This would include but is not limited to vendor representatives, consultants or sole proprietors that may from time to time access ATCO premises/ worksites for training sessions, visits, tours, inspections, deliveries or short-term assignment.
- In addition to the above exceptions, ATCO, may, at its sole discretion, choose to omit the requirement for pre-access testing on a case-by-case basis. Such omissions require the implementation of alternative control measures. Exceptions and alternative control plans require the approval of the Senior Director or designate.

APPENDIX B – ALCOHOL AND DRUG TESTING PROCEDURES

Collection of specimens for testing, analysis and reporting of results must be conducted in accordance with the forensic quality assurance standards established by the U.S. Department of Health and Human Services (DHHS) and accepted in Canada, in order to ensure the accuracy and integrity of results. Rigorous sample collection, storage and chain-of-custody procedures, in conjunction with independent medical review of results as required, must be followed.

General

- Testing will be conducted in those circumstances outlined in this document to determine the presence of six classes of drugs: cannabinoids, amphetamines/ methamphetamine, cocaine, opiates, phencyclidine and alcohol. If ATCO concludes there is justification to include additional drugs in this list, then the Contractor will be advised of the change. Appendix C shows the screening and confirmation levels for drug testing. Contractors who wish to test for other substances must do so under their own policy.
- In post incident and reasonable cause testing situations, samples will be collected as soon as possible after the triggering incident, but 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. Any reason for a delay beyond two hours must be documented and provided to the ATCO Representative and may be considered a violation of the Standards.
- Collection of specimens for drug testing and administration of alcohol tests will be performed by trained collection agents.
- All contract workers who are tested are required to sign a form to acknowledge the accuracy of the contract worker and collector information and authenticity of the specimen(s). They will be given a copy of the Drug Testing Custody and Control Form and the Alcohol Testing Form for their records.
- ATCO reserves the right to audit the Contractor's testing program to ensure it meets the Standards.

Alcohol Testing

Breath Testing

- Alcohol tests will be administered by a calibrated evidential breath analyzer with a printout of test results. Only in those situations where a breath analyzer is not readily available would alcohol testing be conducted with an alternative technology, as noted below.
- If the test result shows an alcohol level that is less than 0.020 Blood Alcohol Content (BAC), there is no need to conduct any further testing and the result will be confidentially communicated to the ATCO Program Administrator or the Contractor.
- If the test result shows an alcohol level that is equal to or greater than 0.020 BAC, a confirmation test will be required.
- If the worker is unable to provide a sufficient sample for testing during the collection process, a medical assessment is required. If there is a legitimate medical reason the test will be cancelled and an

alternative technology (e.g. oral fluid) will be used for future testing. If there is no medical reason, it is a refusal to test.

Saliva Testing

- Alcohol tests may be conducted using saliva testing in those situations where a calibrated evidential breath analyzer is not readily available.
- If the test result shows an alcohol level that is less than 0.020 grams of alcohol in 100 millilitres of saliva or an equivalent concentration in other units, there is no need to conduct any further testing and the result will be confidentially communicated to the ATCO Program Administrator or Contractor.
- If the test result shows an alcohol level that is equal to or greater than 0.020 grams of alcohol in 100 **millilitres of saliva or an equivalent concentration in other units, a confirmation test will be required.**

Confirmation Test

- If a calibrated evidential breathalyzer testing device was used for the screening test, a breath alcohol device must be used to conduct the alcohol confirmation test. If a saliva testing device was used for the screening test, the confirmation test will be a calibrated evidential breath alcohol device, or through collection of an oral fluid sample should a calibrated evidential breath alcohol device not be available.
- An alcohol positive test is a blood alcohol concentration of 0.040% or more. Any contract worker tested in a reasonable cause or post incident situation who has an alcohol test result of 0.02 to 0.039 BAC will be removed from work until considered safe to return to work. This result may be deemed to be a violation of the Standards.

Drug Testing

- Drug tests will be administered by urinalysis using split sample collection for transfer to a fully qualified and accredited 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.
- Contractors will use urine-based laboratory screening for pre-work and site access testing. A negative dilute sample does not meet the standard of a negative test result. A “point of collection” (quick test) urine drug screening test can be administered in reasonable cause and post incident testing situations provided appropriate adulterant checks are utilized and any result that is not negative is forwarded to a laboratory for confirmation analysis.
- An initial urine-based laboratory screening test will be conducted by an accredited laboratory using established immunoassay procedures. No further testing is required if the initial screening test produces a negative test result.
- Confirmation tests will be conducted on specimens identified as “not negative” by the initial screening test. The laboratory must perform a confirmation test using gas chromatography/ mass spectrometry procedures.
- If the worker is unable to provide a sufficient sample for testing during the collection process, a medical assessment is required. If there is a legitimate medical reason the test will be cancelled and an alternative technology (e.g. oral fluid) will be used for future testing. If there is no medical reason, it is a refusal to test.

- Laboratory confirmed positive drug test results will be reviewed by a qualified Medical Review Officer (MRO). This is an independent physician who will endeavour to discuss the result with the contract worker in an effort to determine whether a positive test could have resulted from the legitimate use of medications. The contract worker will be given an opportunity to explain the finding to the MRO who will then determine whether the result will be reported to the Company Program Administrator or Contractor as a negative, or a verified positive, or a tampered or substituted specimen result.
- In the case of a verified positive drug test result, or a tampered or substituted finding, the contract worker may ask the MRO to require the split sample to be tested within seventy-two (72) hours of receiving their results. Where split samples are not collected, the donor can request that their original sample be reanalyzed. If the test is reported as dilute and negative, or cancelled because the specimen is invalid, the contract worker will be required to provide an additional specimen for testing as soon as possible.
- All test results for contract workers directed for testing by an ATCO Representative using the ATCO testing system will be reported directly to the Company Program Administrator or designate who will communicate the result to the Contractor. Contractors using independent testing facilities will be expected to advise ATCO Representative whether any contract worker under their direction is in violation of the Standard, or any agreement of continued assignment.
- All test results will remain confidential except for release in accordance with this document in situations affecting the health and safety of workers and the public, or as required by order of a tribunal or court.

APPENDIX C - SCREENING AND CONFIRMATION LEVELS FOR DRUG TESTING

As of September 1, 2013

Drug	Initial Test Levels (ng/ml) *	Confirmation Test Levels (ng/ml) *
Marijuana	50	15
Cocaine	150	100
Opiates	2,000	
Morphine		2,000
Codeine		2,000
Oxycodone	100	100
6-acetylmorphine	10	10
Phencyclidine (PCP)	25	25
Amphetamines		
Amphetamine	500	250
		250
Methamphetamine	500	250
MDMA		250
MDA		250
MDEA		

* A ng/ml means nanograms per millilitre. A nanogram is one billionth of a gram. A millilitre is one thousandth of a litre.

The levels and types of drugs listed in the above chart are subject to amendment in alignment with technology advancements, changes in recognized standards and drug consumption patterns. Contractors will be advised of any changes to this chart and testing standards.