

**SaskEnergy Incorporated
Drug and Alcohol Policy Standard**

FOR CONTRACTORS



Drug and Alcohol Standard for Contractors

Overview

SaskEnergy Incorporated and its subsidiaries (collectively and individually referred to as the "Company") place a priority on minimizing health and safety risks associated with its business activities.

The inappropriate use of Unauthorized Substances and/or Unlawful Substances, including drugs, alcohol and medication, may have serious adverse effects on health, safety and job performance. This in turn can negatively impact other personnel working on site, members of the public and the environment.

For these reasons, appropriate measures are necessary to ensure the safe and successful conduct of the Company's operations. These measures are explained in the Company's Drug & Alcohol Policy (the "Policy") and in this Standard for Contractors.

Scope

This Standard applies to all Contractors and Contract Workers performing Safety Sensitive activities, as defined by the Company, in all circumstances when on Company Sites or performing Company Business.

General Requirement

Contractors are expected to enforce the requirements of the Company's Policy among their employees, subcontractors and agents, who are all considered to be Contract Workers for the purposes of this Standard, when assigned to Company Business or to perform work on Company Sites.

Contractors must have an alcohol and drug policy in place with requirements that meet or exceed those set out in the Company's Policy in order to respond to any violations of the Policy. Where it is impractical for sole proprietors and other very small Contractors to establish their own policy and testing services, they will be contractually required to comply with the terms of the Company's Policy.

Full copies of the Company's Policy are available from the Company and the Company's Purchasing department will provide copies of the Policy and this Standard to Contractors with their contracting agreements.

Contractors must maintain an account at a Testing facility that uses a SAMHSA certified laboratory. Contractors are responsible for arranging their own Testing services and for ensuring that the Testing facility provides written confirmation of test results to Contractors. Contractors must also maintain and promptly provide sufficient records to the Company in order to demonstrate full compliance with this Standard upon request.

Contractors must notify the Company's Contract Administrator of any confirmed Policy violations.

Alcohol and Substance Testing Pre-Access Testing for Safety-Sensitive Positions

Contract Workers in Safety-Sensitive Positions are required to undergo pre-access Testing for Unlawful and Unauthorized Substances prior to beginning work on Company Business.

Only Contract Workers who Test negative for Unlawful and/or Unauthorized Substances will have Access granted and maintained. Testing must be completed not more than ninety (90) calendar days prior to beginning work on Company Business.

The pre-access Substance Test will be valid for Access for: a) a period not more than ninety (90) calendar days from the date the Test was completed. b) as long as the Contract Worker remains in continuous employment with the same Contractor and continues working on Company Business. c) The Contractor will maintain a current list of Drug and Alcohol tests results for Contract Workers working on Company Business. Upon request, these results will be made available to the Company.

Exceptions to Pre-Access Testing

A Contract Worker will not be required to complete a pre-access Substance Test for initial Access if the Contract Worker has previously worked on other Company Business in accordance with this Standard and not more than ninety (90) calendar days have elapsed since a pre-access Substance Test for that Contract Worker was completed.

Contract Workers and other non-Company personnel will not be required to be Tested if they are not performing Safety-Sensitive duties.

Company's Testing Services

Contractors may be permitted to use Company's Testing Services (if available) for reasonable cause and post-incident Testing.

Because Contract Workers must complete pre-access Substance Testing prior to beginning work on Company Business, the Company's Testing Services for pre-access Substance Testing are only available in extenuating circumstances.

Any Contractor who wishes to use the Company's Testing Services will be required to sign a service agreement, indemnifying the Company of any legal liability associated with the provision of testing services. The service agreement is available from the Company's legal department. The Company reserves the right to invoice Contractors for reasonable and customary charges associated with providing this service. Test results will be disclosed only to the Contractor.

Violations

Access will be revoked for a Contract Worker who violates the Company's Policy or this Standard.

Access for a Contract Worker may be reinstated after the Company is satisfied that the applicable requirements of both the Company's and the Contractor's policy have been met. Written verification is required from the Contractor that all remedial steps set out in the Contractor's policy have been, and continue to be, followed in order for Access to be reinstated.

Confidentiality

Confidentiality will be maintained except where limited disclosure is required in accordance with the Company's Policy, where the Company determines that the health and safety of workers and/or the public is at issue (e.g. there is deemed to be a potential for risk to self, others or the Company), or when disclosure is required by law.

Definitions

Words that start with capital letters in this Standard have specific meanings. Those that are unique to this Standard are defined below. The rest are defined in the Company's Policy.

- **"Company's Testing Services"** means a professional alcohol and drug testing organization that has been chosen by the Company to perform testing for Unauthorized Substances and Unlawful Substances
- **"Contractor"** means a contract company that has been engaged by the Company to complete a specified scope of work for or on behalf of the Company
- **"Contract Worker"** means all regular full-time, seasonal, part-time, casual and temporary employees of Contractors performing work on behalf of the Company. Contract Worker shall also refer to employees of sub-contractors performing work on behalf of the Company
- **"Policy"** means the Company's Drug and Alcohol Policy
- **"Access"** means a Contract Worker is permitted entry onto Company Sites and/or is permitted to work on Company Business
- **"Substance Test," "Test" or "Testing"** means an alcohol and/or drug test for Unauthorized Substances and Unlawful Substances

**SaskEnergy Incorporated
Drug and Alcohol Policy**



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Drug and Alcohol Policy

A. Purpose or Objective

The objective of this Policy is to provide standards and guidelines that support the Company's commitment to maintain a safe and healthy workplace, free from the negative effects of alcohol, drug or other substance use. This Policy is one more component of our overall health and safety program, and is being implemented to complement the Employee and Family Assistance program (EFAP), wellness programs and other safety initiatives in the workplace. The Company is committed to complying with health, safety and environmental policies of all relevant legislation including Part III of *The Saskatchewan Employment Act* (Occupational Health and Safety) and the accompanying Regulations as well as all the Company's policies and practices.

The Company is committed to protecting the health and safety of Employees, contractors, customers and the general public, both in the workplace, and in the community in which we operate. The inappropriate use or abuse of drugs, alcohol and/or medications adversely affects workplace safety, and introduces unacceptable safety risks, as well as reducing productivity and impacting the well-being of Employees, their families, customers and the general public.

The Company's goal is to minimize safety risks by addressing the inappropriate use and abuse of drugs, alcohol and medications in the workplace. The Company seeks to do this through increased Employee awareness and an emphasis on individual responsibility. Clear communication of the Policy's objectives, assistance towards rehabilitation, and leading by example, will help the Company and its Employees to create the safe and healthy work environment that is necessary for a high performing organization.

Employees affected by this Policy will receive:

- respectful and individual consideration
- testing (where applicable) conducted in a discrete and private manner
- the highest level of confidentiality possible

Any Employee who wishes to access services for treatment for a Substance Use Disorder is encouraged to contact the Employee and Family Assistance Program.

B. Application and Scope of Policy

This Policy applies to all Employees working for the Company in all circumstances when Employees are conducting Company Business or attending a Company Site.

One of the tools used in this Program is alcohol and drug testing. The Company recognizes that alcohol and drug tests do not necessarily demonstrate or establish if an Employee is Fit for Work/Duty nor do they necessarily reveal a Substance Use

Disorder. A verified positive alcohol and/or drug test only means that there is a drug and/or alcohol in the individual's system. However, a positive alcohol and/or drug test coupled with other observations may demonstrate that a worker is not Fit for Work/Duty.

While this Policy applies to all Employees, alcohol and drug testing will only be required of those Employees who work in Safety-Sensitive Positions, and only in the following circumstances:

1. pre-employment or pre-placement in a Safety-Sensitive Position;
2. for reasonable cause;
3. post-incident/accident, or after a near miss; and
4. return-to-duty and unannounced follow-up testing as part of a Return-to-Work Agreement after a Policy violation.

Random drug and/or alcohol testing is not part of this Policy.

C. Definitions

In this Policy:

Accommodation

- Means adjustments to the conditions of employment, as and to the extent required by human rights law, in order to allow an Employee with a disability to continue his or her employment.

Alcoholic Beverage

- Means any beverage, mixture or preparation, including any medication, containing Alcohol in a concentration of one half of one percent (0.5%) or more.

Company

- Means SaskEnergy Incorporated and its corporate affiliates including TransGas Limited and Bayhurst Gas Limited.

Company Business

- Refers to all activities undertaken in the course of Company operations, whether conducted on or off Company Sites.

Company Sites

- Includes all places where Company Business is conducted and includes, but is not necessarily restricted to the following: (a) all facilities, land, property,

structures, installations, vehicles (including personal vehicles used for Company business) whether owned or leased by the Company, and equipment owned, leased, operated or otherwise directly controlled by the Company, operated under the direction of the Company, or under the Company's operating authority; and (b) all worksites where Employees are carrying out Company Business, whether or not such site is owned or leased by the Company.

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Disability

- Means a disability as defined by human rights law.

EFAP

- Means the Company Employee and Family Assistance Program.

Employee

- Means all full-time, part-time, temporary, and seasonal employees of the Company including students.

Fit for Work/Duty

- Means being able to safely and acceptably perform assigned duties, including while assigned to standby, call-out or overtime work, without any limitations due to the use or after-effects of Unauthorized Substances and/or Unlawful Substances.

Human Resources

- Means the Company's Human Resources department located at Head Office in Regina, Saskatchewan, and includes those individuals in the Human Resources department who are from time to time assigned the responsibilities of Human Resources under this Policy.

Lawful Substances

- Means substances, which an individual may lawfully possess or use, but which can impair physical or mental capacity. These include over-the-counter medications, controlled substances (prescription medications) for which the individual has a valid prescription, Marijuana and Alcoholic Beverages.

Manager

- Means all Company Employees who have managerial responsibility over Employees, whether or not on Company Sites, and includes Managers, Area Managers, General Managers, Department Heads, Human Resources and

others with managerial authority. In most circumstances, this Policy envisions that Managers will be responsible to administer this Policy at Company Sites, under the direction of the appropriate management personnel, who shall act in conjunction with and on the advice of Human Resources.

Marijuana

- Means the leaves, including dried leaves, and flowering tops of the pistillate hemp plant that yield THC, that may be processed in any manner that permits inhalation, injection, absorption or consumption in any manner.

Medical Review Officer

- Refers to the licensed physician responsible for interpreting and assessing the results of the testing for Unauthorized Substances and Unlawful Substances under this Policy.

Positive Screen or Test Result

- Means the detection of Unlawful or Unauthorized Substances at or above the threshold level stated in this Policy.

Return-to-Work Agreement

- Means an agreement between the Company, an Employee and the Employee's certified bargaining agent, where applicable, which governs the terms under which an Employee will return to work after a Policy violation, and which includes provision for accommodation, where required.

Safety-Sensitive Positions

- Means any position where impaired performance, impaired motor skills or lack of judgment could result in a significant incident affecting the health and safety of Employees, customers, contractors, the public, property or the environment, and includes those persons in a managerial or supervisory position who either oversee workers in Safety-Sensitive Positions, or are responsible for, or actually perform the same duties as, workers in Safety-Sensitive Positions.

The positions which the Company deems Safety-Sensitive Positions are listed in Appendix B. This list is subject to review and updating.

Substance Abuse Professional (SAP)

- Means a licensed physician, licensed or certified psychologist, or licensed psychiatric nurse with knowledge of and clinical experience in the diagnosis and treatment of substance use disorder.

Substance Use Disorder

- Means a primary, chronic, neurobiological disease with genetic, psychosocial and environmental risk factors in its development and manifestations. It is characterized by behaviors that include one or more of the following: impaired control over substance use, compulsive use, continued use despite harm, craving and relapse. The diagnosis is made by Substance Abuse Professionals and not by Company personnel.

Test Collection Site

- Means the facility designated by the Testing Agent that has been selected by the Company to perform testing for Unauthorized and Unlawful Substances.

Test Sample

- A sample of breath, urine or saliva which is gathered for the purpose of testing for the presence of an Unauthorized Substance and/or Unlawful Substance in the body.

Testing Agent

- Means an independent, professional drug and alcohol testing organization that has been chosen by the Company to perform testing for Unauthorized Substances and Unlawful Substances.

Unauthorized Substances

- Includes the following:
 1. Marijuana or Alcoholic beverages on Company Sites.
 2. A Lawful Substance that is being abused or for which there is a pattern of improper use; e.g. misuse, excessive use, or recreational use of over-the-counter medication or prescription drugs.
 3. A Lawful Substance that has been used in a proper manner, but has resulted, could result, or is likely to result in impairment of an individual's physical or mental capacity and create a threat to the health or safety of the Employee or others.
 4. Designer, synthetic or "look-alike" substance which, although derived from one or more Lawful or Unlawful Substances, are manufactured, designed, or intended to resemble and/or mimic the effects of Unauthorized Substances or Unlawful Substances.

Unlawful Substances

- Means illegal drugs and any other substances or materials, the use, possession, consumption, delivery, distribution, exchange, manufacture, sale, purchase or transfer or which are prohibited by applicable laws and regulations.

D. Policy Standards

In addition to any other rules, requirements, policies and procedures in force as a result of legislation or other policies, all Company Employees will be governed by the following requirements:

1. Employees shall not possess, sell, purchase, deliver, or store any Unauthorized Substances or Unlawful Substances on any Company Site or Worksite, or while conducting Company Business.¹
2. Employees shall report for work Fit for Work/Duty. Company vehicles and equipment, and other vehicles and equipment on Company Sites, shall not be operated by any Employee who is not Fit for Work/Duty.

The requirement to be Fit for Work/Duty applies to all Employees including those Employees who are subject to stand-by. Employees not on stand-by who are requested to respond to an emergency situation, and are not Fit for Work/Duty, must decline the work. Employees declining work for such reasons will not be subject to discipline for doing so.

3. Where an Employee is not scheduled to be available for work and is called into work, the Employee shall be required to advise the Company if the Employee is not Fit for Work/Duty, and in that case, the Employee shall not be required to report to work.
4. Employees may use Lawful Substances that do not interfere with an Employee's ability to be Fit for Work/Duty and are being used as directed or as prescribed by the Employee's physician.
5. It is the responsibility of every Employee, when any Lawful Substance is prescribed by a physician, or when taking any over-the-counter medications, to review their job duties with their physician to confirm that the use of the medication will not impair the safe and efficient performance of the job duties. If use of Lawful Substances causes an Employee to not be Fit for Work/Duty, the Employee is to advise his or her Manager.
6. Employees must bring to the attention of a Manager any circumstances that, as a result of a suspected violation of this Policy, appear to compromise safety.
7. Employees must submit to testing for Unauthorized Substances and/or Unlawful Substances as described in this Policy.

¹ The responsible possession, sale, purchase, delivery, storage or use of Alcoholic Beverages is permitted at Company sponsored social functions such as a holiday party or retirement party. In such instances, the possession, sale, purchase, delivery, storage or use of alcohol beverages will be permitted in strict accordance with provincial legislation and regulation.

While the Company recognizes the obligation to provide Accommodation to those who are disabled by a Substance Use Disorder or to those that have to take Lawful Substances that cause an Employee not to be Fit for Work/Duty, failure to comply with this Policy may lead to disciplinary action up to and including dismissal taking into account all relevant factors and circumstances, and adhering to the principles of just cause.

E. Seeking Assistance for a Substance Use Disorder

Any Employee who believes they have an actual or suspected Substance Use Disorder and/or wishes to access services for treatment for a Substance Use Disorder is to contact both Employee Health Services and their Manager.

If an Employee is indicating that they have an actual or suspected Substance Use Disorder, the Company will make arrangements for the Employee to be assessed with the Employee's consent. If a Substance Use Disorder disability is determined to be present the Company will provide reasonable Accommodation to the point of undue hardship.

The Company may require an Employee who seeks or is undergoing treatment to enter into a Return-to-Work Agreement, a requirement of which may be that the Employee submits to periodic testing for Unauthorized and/or Unlawful Substances as described below.

The Company will support Employees who have a Substance Use Disorder to undertake a rehabilitation program, including, but not limited to, providing a leave of absence to allow Employees to receive treatment, unless it can be shown that such Accommodation is not possible without causing the Company undue hardship.

No Employee with a Substance Use Disorder will be disciplined or terminated because of the Employee's involvement in a rehabilitation effort or for voluntarily requesting rehabilitative help in overcoming an addiction problem. Involvement in a rehabilitative effort or seeking rehabilitative help for an actual or suspected Substance Use Disorder after a "significant work-related incident" or "high potential incident" (as defined below in clause G.(3)(a)) has occurred, or after a demand is made for the Employee to undergo testing for reasonable cause under this Policy, will not prevent an Employee from being disciplined or dismissed. An Employee's use of EFAP or other rehabilitative efforts does not eliminate the requirement of meeting satisfactory performance levels or compliance with this Policy, including contacting the Company with respect to an actual or suspected Substance Use Disorder, and/or a desire to access services for treatment.

After advising the Company of an actual or suspected Substance Use Disorder the Employee may choose to contact or utilize their own or preferred Substance Use Professional (SAP). Where an Employee chooses to contact their preferred SAP, the Company may require appropriate proof to establish the SAP is appropriately qualified.

F. Policy Violation

1. General

The following actions constitute some examples of conduct in violation of this Policy:

1. Using any Unauthorized Substances or Unlawful Substances, at any time, such that the Employee is not Fit for Work/Duty and then reporting for work. The Company does not seek to control what Employees do when their conduct is unrelated to their responsibilities to the Company. However, effects from Unauthorized Substances and/or Unlawful Substances are not always apparent until an unfortunate event occurs. Employees who consume Unauthorized or Unlawful Substances do so at their own risk and are responsible for any effect it has on them and any consequences arising from that consumption.
2. Reporting for duty or performing job duties with the presence of Unauthorized Substances or Unlawful Substances listed in Appendix A in breath, urine or saliva at or above the threshold levels stated therein. In post-treatment or return-to-work/follow-up situations, a positive test will be evidence of any presence of an Unauthorized Substance or Unlawful Substance.
3. Consuming any Lawful Substances, where there is any reason to believe such consumption will result in the Employee not being Fit for Work/Duty and subsequently reporting for work without first consulting with a Manager. Where it is necessary to use medication during work hours and a physician has advised the Employee that the substance may potentially affect his or her ability to safely perform the duties required, a Manager must be consulted. The Manager may require, in the appropriate circumstances, physician certification that the Lawful Substance is required during work hours and that it does not compromise safety. Employees who must take medications that may impact their ability to be Fit for Work/Duty must notify their Manager, seek accommodation, and not compromise safety.
4. Consuming any Unauthorized Substance or Unlawful Substance between the times an Employee is asked to submit to a test for Unauthorized and/or Unlawful Substances and the time the samples are provided.
5. An Employee possessing on a Company Site, either on their person or in a Company equipment, vehicle, equipment, or storage place or compartment, an Unauthorized or Unlawful Substance.
6. Testing positive (a Positive Screen) after submitting to testing for Unauthorized Substances and/or Unlawful Substances, in situations where testing negative is an agreed upon term of a Return-to-Work Agreement, either as part of Accommodation or as part of a disciplinary process.

7. Refusing to submit to testing for Unauthorized Substances and/or Unlawful Substances as required by this Policy or obstructing or attempting to obstruct the testing process or any investigation pursuant to this Policy.
8. Attempting to operate or operating any vehicle or equipment located on Company Sites, including vehicles not owned by the Company, after the testing process referred to in Part G below has been initiated.

2. Refusal to Consent to a Test

After an Employee has received notice to report for testing for Unauthorized Substances and/or Unlawful Substances, that Employee will be considered to have refused to submit to a test in violation of this Policy when he or she:

1. Expressly refuses to comply with test procedures or to provide samples.
2. Refuses to proceed to a Test Collection Site as directed or within a reasonable time frame without reasonable excuse.
3. Fails to consent in writing to the testing of samples or to the disclosing of the results of the test to Human Resources or fails to consent to any other procedure required by the Testing Agent in order to receive, store, or analyze samples, or to record the result of testing of such samples.
4. Fails to provide an adequate breath sample without a valid medical explanation.
5. Fails to provide adequate urine or saliva for testing without a valid medical explanation.
6. Engages in conduct that obstructs, or is intended to obstruct, the testing process, or in any way alters tests.

3. Consequences of Failing to Comply With This Policy

Employees

Employees who fail to comply with this Policy will be subject to discipline that may include dismissal.

External Applicants for Employment

External applicants who have been given a conditional offer of employment in a Safety-Sensitive Position but who refuse to be tested will not be considered for employment in that position.

This section also applies to Employees who are already employed by the Company but who are applying to transfer to a Safety-Sensitive Position, unless the Employee already occupies a Safety-Sensitive Position.

G. Alcohol and Drug Testing

To achieve the goals of this Policy, the Company may conduct testing of breath, urine and/or saliva to detect the presence of Unlawful or Unauthorized substances in an Employee's body. The Company will conduct testing under the following circumstances:

1. Pre-Employment and Pre-Placement Testing for Safety-Sensitive Positions

- a) As part of the recruitment process, all successful applicants to a Safety-Sensitive Position will be required to undergo and pass testing for Unauthorized and Unlawful Substances.
- b) Employees who are already employed in a non-Safety-Sensitive Position, but who are transferring to a Safety-Sensitive Position will also be required to undergo and pass testing for Unauthorized and Unlawful Substances.
- c) Applicants and candidates for employment or for reassignment to a Safety-Sensitive Position will be advised of the requirement to undergo and pass testing for Unauthorized and Unlawful Substances prior to being hired into or transferred to a Safety-Sensitive Position.
- d) Applicants for employment in a Safety-Sensitive Position who refuse to be tested, or who fail to attend for testing without acceptable reason, will not be considered for employment in that position. Applicants for employment whose tests result in a positive result may be given a second opportunity to test after a reasonable period of time. Applicants who test positive on a first occasion, but subsequently test negative, may be subject to further testing as a condition of hire, or promotion to a Safety-Sensitive Position.

2. Reasonable Cause Testing for Employees in Safety-Sensitive Positions

- a) When the Company has reasonable grounds to believe that the actions, appearance or conduct of an individual while on duty are indicative of the use of Unauthorized Substances or Unlawful Substances, testing for Unauthorized or Unlawful Substances will be required.
- b) Absent an immediate health or safety concern, whenever possible, the decision to test must only be made by a trained Manager, with the concurrence of a second trained person (preferably Human Resources, or, if unavailable, another trained Manager).
- c) The following procedures will apply to all reasonable cause testing:
 - (i) the basis for the decision to request a test must be documented as soon as possible after the request has been made;
 - (ii) the referral for a test will be based on specific, direct observations including, but not limited to:

- observed use, possession, storage, sale, solicitation or transfer or evidence of use, possession, storage, sale, solicitation or transfer of an Unauthorized and/or Unlawful Substance during Company Business or while on a Company Site;
- observed abnormal conduct or erratic behaviour while at work, which may include errors in judgment, needless risk taking, and/or disregard for safety;
- unusual and unexplained absenteeism, tardiness, deterioration in work performance, carelessness and mistakes;
- apparent poor concentration and/or a failure to understand or fully appreciate direct communications; and/or
- observed and unexplained changes in the physical appearance or speech patterns of an Employee.

(iii) in all situations when a Manager believes that an Employee is not Fit for Work/Duty, responsible escort procedures will be followed which include having a Manager escort an employee to the Testing Collection Site, whenever possible, and having a Manager present at the Testing Collection Site during testing.

- d) reasonable cause testing must be conducted as soon as reasonably practicable once the determination has been made that reasonable cause exists; and
- e) if a breath alcohol test cannot be conducted within 8 hours of the initial request for a test, or a test for Unauthorized and Unlawful Substances, excluding alcohol, cannot be conducted within 32 hours of the initial request, the Employee must be referred to Human Resources for an assessment by a SAP and the Manager must provide Human Resources with the reason why the test could not be completed.

3. **Post-Incident/Accident Testing for Employees in Safety-Sensitive Positions**

- a) As part of a complete investigation, testing for Unauthorized and/or Unlawful Substances will be required for Employees involved in a “significant work-related incident” or “high potential incident” (as defined below) where requiring a test is a reasonable line of enquiry for the investigation. In addition, management may, at its discretion, require a post-incident test after any other work-related incident or near miss as part of an investigation where there are reasonable grounds to believe that Unauthorized and/or Unlawful Substance use may have been a contributing factor.
- b) The following procedures will apply to all post-incident testing:
- (i) a “significant work-related incident” or “high potential incident” will include all incidents which resulted or could have resulted in:

- a fatality or serious personal injury to an Employee, contract worker, member of the public or any other individual;
 - an event that would be considered a “dangerous occurrence” under *The Occupational Health and Safety Regulations, 1996* or its successor legislation;
 - an environmental incident with significant implications;
 - significant loss or damage to Sites, equipment or vehicles (with such Sites, equipment or vehicles to have a minimum threshold value of \$5,000.00);
 - significant loss of Company or customer revenues (losses to the Company of \$20,000 or more; or
 - a near miss that in the Manager’s opinion may have resulted in any of the above.
- c) The reasons for a decision to conduct a test or not to conduct a test should be documented as part of the preliminary investigation as soon as reasonably practical after the incident;
- d) The decision to refer an Employee for testing must only be made by a trained Manager investigating the incident, in conjunction with a second trained person (preferably Human Resources or, if unavailable, another trained Manager) wherever possible;
- e) In all situations when a Manager believes that an Employee should be referred for testing as a result of significant work related incident or high potential incident, responsible escort procedures will be followed which include having a Manager escort an employee to the Testing Collection Site, whenever possible, and having a Manager present at the Testing Collection Site during testing;
- f) Post-incident testing must be conducted as soon as reasonably practicable following the incident. If a breath alcohol test cannot be conducted within 8 hours of the incident, or a test for Unauthorized and Unlawful Substances, excluding alcohol, cannot be conducted within 32 hours of the incident, the Employee may be referred to Human Resources for an assessment by a SAP, with the Employee's consent, and the Manager must provide Human Resources with the reason why the test could not be completed;
- g) Employees referred for a test will only be those who had a reasonable possibility of being involved in relation to the incident;
- h) Employees to be tested must not use Unauthorized or Unlawful Substances, including Alcoholic Beverages, until after the test has been completed;

- i) Failure to report a significant work-related incident or high potential incident is a violation of this Policy and will constitute grounds for discipline.

4. Unable to Test

As noted above, if a breath alcohol test cannot be conducted within 8 hours of an initial request for a test or an incident, or a test for Unauthorized and Unlawful Substances, excluding alcohol, cannot be conducted within 32 hours of an initial request for a test or an incident, the Manager should cease attempting to obtain a sample. In these situations the Employee will be held out of service for at least 24 hours (with pay), and an investigation will take place to the Company's satisfaction. The Employee will not be allowed to return to work for the Company without written permission from Human Resources and will be required to adhere to any conditions governing his or her return.

5. Return to Work and Unannounced Follow-Up Testing After Program Violation or Treatment

In any situation where employment is continued after a violation of this Policy, individuals will be required to pass testing for Unauthorized and Unlawful Substances, including breath alcohol testing, before returning to work. In addition, the Employee will be subject to unannounced testing for a period defined by an SAP, under the terms of a Return-to-Work Agreement.

Where an Employee has been treated for a Substance Use Disorder through the workplace and is returning to work after treatment upon approval from the treatment provider and Human Resources, their return will be subject to an aftercare program, the terms and conditions of which will be established by an SAP.

The aftercare program will be designed by an SAP to support the Employee as he/she works to successfully manage a Substance Use Disorder after treatment. As part of this managed program the Employee may be subject to follow-up (unannounced) testing, while being permitted to return to work. The duration of time when the Employee may be subject to unannounced, follow-up testing will be determined by an SAP, and will be documented in a Return-to-Work Agreement between the Company, the Employee, and the Employee's certified bargaining agent, where applicable.

H. Testing Procedures

1. Specimen Collection

A Testing Agent designated by the Company will collect and process breath, urine and/or saliva specimens to test for Unauthorized Substances and Unlawful Substances, as required. All testing must meet or exceed the guidelines and standards of the Substance Abuse and Mental Health Services Administration which is the certifying agency for forensic drug testing laboratories in Canada and the United States.

The methods of testing for Unauthorized Substances and Unlawful Substances include:

1. Urinalysis with a screening test.
 - Used for pre-employment testing or when an Employee is unable to produce a saliva sample.
2. Urinalysis as a pre-screening test with Saliva test as the main confirmation test at laboratory when pre-screening urine test is non-negative.
 - Used for reasonable cause and post-accident/incident and near miss testing.

The method of testing for Unauthorized and Unlawful Substances will be determined by the Company based on the circumstances of the situation requiring testing.

2. Collection Privacy

The Company and the Testing Agent will ensure that only professionally trained collection personnel are used and that quality assurance requirements for urine, saliva and breath testing and analysis, as well as strict confidentiality requirements, are followed. All testing will be conducted at a designated location that affords sufficient privacy to prevent unauthorized persons from seeing or hearing test results.

3. Alcohol Screen Testing (Breath Alcohol Testing)

Alcohol screen testing will be conducted with an approved evidential breath tester. All alcohol screening tests at .04 or higher will be confirmed with an approved evidential breath alcohol testing device.

4. Testing Results

1. Alcohol:

The Employee will be deemed positive if the original screen test and a second test taken shortly thereafter both identify a positive result.

If the test is positive, the Medical Review Officer (MRO) will contact the Employee, advise him or her of the Positive Screen and the Testing Agent and/or MRO shall contact Human Resources to advise of the Positive Screen.

2. Unauthorized and Unlawful Substances, excluding alcohol (drugs):

If the screening test is negative, the Testing Agent and/or MRO will contact the Employee and advise him or her of the negative test result and the Testing Agent and/or MRO will contact Human Resources to advise the negative test result.

If an Employee's test result is deemed non-negative after the original screening test, the Testing Agent and/or MRO will contact the Employee, advise him or her of the non-negative test result. Furthermore, the Testing Agent and/or MRO will contact Human Resources to advise of the need to have lab testing to confirm the test result.

- If the lab test is positive (which will take a minimum of 2 - 3 business days to confirm) the MRO shall contact the Employee and advise him or her of the Positive Screen and discuss any specific information pertinent to the test result. If, in the opinion of the MRO, the Positive Screen is valid, the Testing Agent and/or MRO will then contact Human Resources to advise of the Positive Screen.
- If the lab test is negative (which will take a minimum of 2 - 3 business days to confirm) the Testing Agent and/or MRO shall contact the Employee, advise him or her of the negative test result and the Testing Agent and/or MRO will also contact Human Resources to advise of the negative test result.
- Where additional laboratory testing for Unauthorized and/or Unlawful Substances is required in addition to a screening test, a urine specimen will be sent to the lab for additional substance testing. Results may take several days longer (7 to 14 days).

I. Test Results

1. Negative Test Results

If the Employee has negative test results it may be possible to return the Employee to work on the next shift or the remainder of the current shift if time permits, subject to dealing with any behavioral or performance problems that resulted in the testing. When the test is negative the following procedure will be followed:

- Human Resources will contact the Employee, indicate when the Employee is to return to work and request that the Employee report to his or her Manager upon returning.
- Human Resources, in conjunction with the appropriate Manager, may then deal with the performance or behavioral situation that resulted in the testing, as not related to any effects of an Unauthorized or Unlawful Substance. This may involve no action, a warning, or more serious disciplinary consequences. Employees are encouraged to access the Company's EFAP whenever necessary.

2. Positive Test Results

When an Employee has a Positive Screen for Unlawful or Unauthorized Substances, this will be considered a violation of this Policy and the following steps must be taken:

- Human Resources will contact the Employee to inform him or her that a violation of the Policy has been established.
- In responding to a violation of this Policy the Company will decide whether discipline is to be imposed. This decision will be based on all relevant circumstances. If the Company determines discipline is warranted, the Company will place primary importance upon deterring similar behavior by

other employees and will dismiss the Employee unless dismissal would be unjust in all of the circumstances.

- If the Company decides to continue the employment of the Employee, the Company may require the Employee to undertake whatever steps are necessary or appropriate to ensure the Employee is Fit for Work/Duty in the future including further testing as outlined in Section G.

J. Privacy (Test Results)

Testing for Unauthorized and/or Unlawful Substances (drug and alcohol testing) is considered a medical procedure. Test results will be treated as highly confidential. Without exception, testing and test results must be handled in accordance with the Company's Privacy Policy and with consideration of the *Health Information Protection Act*. All tests conducted will be recorded via encrypted e-mail. A copy will be stored confidentially in the Employee's file with Employee Health Services.

1. Cost

The Company is responsible for the cost of testing for Unauthorized and Unlawful Substances. Employees will be responsible for the costs of any treatment, counselling, or leaves of absence that are not covered by the provincial health plan, or by the Company's benefit plans for Employees.

APPENDIX A

Unauthorized Substances and Unlawful Substances Testing Standards Positive Threshold Levels*

Type of Drug or Metabolite	Initial Test (EMIT) ng/mL EMIT = Enzyme Multiplied Immunoassay Techniques	Confirmation Test (GC/MS) - (ng/mL) GC/MS=Gas Chromatography/Mass Spectrometry
Marijuana metabolites	50	15
Cocaine metabolites	150	100
Phencyclidine (PCP)	25	25
Amphetamines, Methamphetamine, and	500	250
Opiate Metabolites	2000	2000
Alcohol	Initial Test Level	Confirmation Test Level
Breath Alcohol	0.04% or greater BrAC	0.04% BrAC

ng/mL = nanogram per millilitre

BrAC = Breath Alcohol Content is the amount of alcohol in a volume of breath and is expressed in terms of grams of alcohol per 201 litres or exhaled air as indicated by a breath test

ng/mg = nanogram per milligram

Due to precision of lab testing, the threshold of testing is lower for some substances compared to the original testing levels.

*SAMHSA (Substance Abuse and Mental Health Services Administration) Guidelines for Workplace Testing Programs Revised 2010 utilized by all accredited forensic testing laboratories in North America.

Appendix B

SAFETY SENSITIVE POSITIONS

(Listing is under continual review and subject to change at any time)

President & CEO Exec
Senior Vice President, Human Resources, Environment & Corporate Affairs Exec
Vice President, Customer Service, Gas Supply & Rates Exec
Vice President, Engineering Integrity & Construction Exec
Vice President, Operations Exec
Business Manager Mgmt
Construction Superintendent Mgmt
Director, Measurement Engineering & Operations Support Mgmt
Director, Electrical & Automation Engineering Mgmt
Director, Emergency Management & Regulatory Affairs Mgmt
Director, Safety, Health & Environment Mgmt Director, System Integrity & Standards Mgmt
Engineering Positions (including but not limited to E-I-T, Engineer, Senior Engineer, Engineering Specialist, etc.) Mgmt
Environmental Advisor Mgmt
Executive Director, Distribution Engineering & Construction Mgmt
Executive Director, Engineering & Technology Mgmt
Executive Director, Operations Mgmt
Executive Director, System Control Mgmt
General Manager Mgmt
Manager, AMI Support Mgmt
Manager, Construction Services Mgmt
Manager, Environment & Sustainability Mgmt

Manager, Gas Control Mgmt
Manager, Gas Measurement Integrity Mgmt
Manager, Instrumentation Services Mgmt
Manager, Measurement Engineering & Support Mgmt
Manager, Meter Shop Mgmt
Manager, Operations & Maintenance Field Services Mgmt
Manager, Pipeline Facilities Engineering Mgmt
Manager, Sask 1st Call Mgmt
Manager, SCADA & Automation Mgmt
Operations Manager Mgmt
Senior Health & Safety Coordinator Mgmt
Supervisor, Business Mgmt
Supervisor, Electrical Maintenance Mgmt
Supervisor, Operations & Planning Maintenance Mgmt
Supervisor, Planning & Dispatch Mgmt
Analyst, Environment & Sustainability Union
Compression Analysis Technician Union
Controls Technician Union
Controls Technician Apprentice Union
Crew Lead Union
District Mechanic Operator Apprentice Union
District Mechanic Operator II Union
District Operator Union
Electrician Union
Electrician Apprentice Union
Engineering Services Lead Union
Engineering Technologist Union

Equipment Operator Union
Gas Controller Union
Instrument Technician Union
Instrument Technician Apprentice Union
Instrumentation Services Lead Union
Labour & Materials Administrator Union
Labourer Union
Labourer Shipper Receiver Union
Maintenance Technician I Union
Maintenance/Service Technician Union
Measurement Technology Lead Union
Meter Control Representative Union
Meter Shop Lead Union
Meter Technician Union
Meter Technician - In Training Union
Operations Assistant Union
Operations Lead Union
Pipeline Welder Union
Pipeline Welder Apprentice Union
Planning & Dispatch Representative 24/7 Union
Planning & Dispatch Representative I Union
Planning & Dispatch Representative II Union
Quality Assurance Technologist Union
Service Technician (QP) Union
Service Technician I Union
Shipper Receiver Union
Senior Salvage Technician Union

Senior Shipper Receiver Union

Survey Technician Union

Technical Support Lead Union

Utility Operator Union

Appendix C

CONSENT FOR TESTING

APPENDIX C PART 1

DRUG AND ALCOHOL TESTING CONSENT AND AGREEMENT

PRE-EMPLOYMENT

DRUG AND ALCOHOL TESTING CONSENT AND AGREEMENT

I acknowledge that I have applied for employment with SaskEnergy or its affiliates in a Safety Sensitive Position and an offer of employment in a Safety Sensitive Position is conditional on testing negative for any Unauthorized or Unlawful Substance (drugs and alcohol).

I, _____, hereby consent to and agree to

undertake a drug and alcohol test for Unauthorized and Unlawful Substances administered by the Testing Agent, _____. I understand the result will be communicated to the Human Resources Department of the Company and that any offer of employment may be rescinded if the test result is non-negative.

I understand I will be required to provide Government issued photo identification at the time of the test.

Applicant's Signature

Date

APPENDIX C PART 2

DRUG AND ALCOHOL TESTING CONSENT AND AGREEMENT

POST ACCIDENT/INCIDENT or REASONABLE CAUSE

DRUG AND ALCOHOL TESTING CONSENT AND AGREEMENT

I, _____, hereby consent to and agree to undertake testing for Unauthorized and Unlawful Substances (drugs and alcohol)

administered by the Testing Agent, _____. I understand the testing results will be communicated to Company representatives on a need to know basis.

I understand I will be required to provide Government issued photo identification at the time of the test

Employee Signature

Date

APPENDIX D

Acknowledgement Form

(For execution by all Employees upon commencement of employment and to be retained in the Employee's human resource file)

I acknowledge that I have been provided with a copy of the Company's *Drug & Alcohol Policy* and I acknowledge that I am to read it and understand my responsibilities with respect to it.

Employee Signature	Company Representative (signature)
Print Name	Print Name
	/ /
	Day Month Year