

Purpose

The purpose of the Alcohol, Drug, and Substance Policy (this “**Policy**”) is to support a working environment at 407 International Inc. and its affiliates (collectively, “**407 ETR**”) that is safe, healthy and productive.

This Policy describes the processes that 407 ETR has put in place to safeguard workers from the use of drugs, alcohol, medications or other substances that have negative effects on the safety and well-being of employees, the public, and 407 ETR’s operation.

Scope and Responsibilities

This Policy applies to the Board of Directors of 407 International Inc. (the “**Board**”), officers, and all full time, part-time, temporary and casual employees (collectively, “**Employees**”, and where the context so requires, contractors, consultants, suppliers, representatives and agents (“**Other Workers**”, collectively with Employees, “**Workers**”) of 407 ETR.

This Policy forms part of, and is incorporated by reference into, 407 ETR’s Code of Conduct and, as such, the Board is responsible for its approval and the overall monitoring of its effectiveness and compliance therewith.

All Personnel are responsible for ensuring they are familiar with the requirements and guidelines of 407 ETR’s Code of Conduct.

Definitions

Alcohol:

The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl alcohol. Beverage alcohol includes, but is not limited to, beer, wine, distilled spirits and very low alcohol products (e.g. beer with 0.5% alcohol by volume).

Drugs:

Means any substance including, but not limited to, a substance identified by the *Controlled Drug and Substances Act*, SC 1996 c 19, illegal substances, prescribed substances, non-prescribed substances and any other substance, the use or after-effect of which intoxicates a user and/or impairs a user’s judgment or ability to perform assigned duties and/or ability to be Fit for Duty. This includes, but is not limited to, Alcohol, opiates, hallucinogens and cannabinoids (including Medical Marijuana and Recreational Marijuana). It also includes Medications.

Fit for Duty:

Employee is able to perform the duties of the job with competence, efficiency and in a safe manner according to established or commonly accepted performance standards.

Illicit Drugs:

Any drug and/or substance that is not legally obtainable and whose use, sale, possession, purchase, and distribution is restricted or prohibited by Law. This may include, but is not limited to, street drugs, [Appendix A: Substances and General Effects](#), and includes prescription drugs that have not been genuinely and/or lawfully prescribed.

Impaired/Unfit for Duty:

Individual is not able to safely, competently or efficiently perform work duties without limitation due to the use, after effects, or being under the influences of Drugs or Alcohol.

Medication:

Any legally obtained drug, either over-the-counter or genuinely prescribed by a registered and regulated health professional (including Medical Marijuana).

Medical Marijuana:

Means marijuana legally prescribed pursuant to the Access to Cannabis for Medical Purposes Regulation or any successor legislation.

Recreational Marijuana:

Marijuana, other than Medicinal Marijuana, that is legally used by or in the legal possession of an individual in accordance with the federal *Cannabis Act* or applicable provincial regulations.

Safety Sensitive Position:

A position in which impairment from Drugs or Alcohol could result in the risk of or actual injury to any person, property (real or otherwise), or the environment. For example: operating machinery, vehicles or equipment; working with hazardous materials or in hazardous conditions; having responsibility for matters of life/death or the potential for serious harm to any person; being required to respond to human or operational emergencies; or other positions so defined by 407 ETR.

Workplace:

407 ETR's offices, premises and property (including company-owned vehicles) and any other site (including client sites) on which a Worker is performing duties pursuant to their employment with or engagement by 407 ETR, and/or engaging in business, travel, meetings, receptions or social activities on behalf of, or in the course of their duties with, 407 ETR.

Policy Guidelines

The following guidelines apply to all Workers while conducting work on behalf of 407 ETR, whether on or off 407 ETR premises:

Fitness for Duty

A. Employee Requirements

- Workers are expected to perform work safely and to standard in accordance with 407 ETR-established safe work practices and policies and applicable laws
- Workers are expected to arrive to work Fit for Duty and must remain Fit for Duty for the duration of their shift and while at the Workplace
- Workers shall NOT under any circumstance report to work if they are impaired by Drugs or Alcohol or otherwise Unfit for Duty
- If an off duty Worker is requested to come into work while Unfit for Duty, the Worker must refuse the request and state that such refusal is pursuant to this Policy
- Workers must immediately report to a manager, supervisor or Human Resources if they have reasonable grounds to believe that a Worker is Unfit for Duty

- Workers are expected to abide by all governing legislation pertaining to the possession and use of Alcohol and Drugs

B. Procedure if Unfit for Duty

- See Appendix "A" for a non-exhaustive list of Drugs and Alcohol and potential signs and symptoms of impairment
- If a manager or supervisor reasonably believes that a Worker is Unfit for Duty, the manager or supervisor must **not**, under any circumstances, allow the Worker to continue to perform work
- The manager or supervisor will take any further action he or she deems is appropriate, including:
 - a) Requiring the Worker to refrain from performing any further work, to leave the Workplace, and to refrain from reporting to work if or until they are Fit for Duty
 - b) Giving the Worker the opportunity to explain why they appear Unfit for Duty and assessing whether the explanation is reasonable in the circumstances, or if further action is necessary
 - c) In the event there are immediate medical concerns, referring the Worker to medical attention (such as a walk-in clinic or hospital etc.)
 - d) Referring the matter to Human Resources for further consideration and action
- Human Resources may take further steps to address actual or believed Unfitness for Duty, including conducting further investigation (including with respect to the need for accommodation, if any, or in appropriate circumstances and in accordance with this Policy, requiring a Worker to complete Drug or Alcohol testing

Prohibition on Drugs and Alcohol in the Workplace

- Other than Medications, the use, possession, distribution, or sale of Alcohol or Drugs in the Workplace is strictly prohibited, including during and after work hours, and during paid and unpaid breaks
- Workers are further prohibited from the use, possession, distribution, or sale of Alcohol or Drug paraphernalia at the Workplace
- For clarity, there is **zero-tolerance** for the use, possession, distribution or sale at the Workplace of: (a) Alcohol or Drugs (including Illicit Drugs and Recreational Marijuana); and (b) Alcohol or Drug paraphernalia; with the exception of using Medication at the Workplace

Medication Use (including Medical Marijuana)

- Workers may use or possess Medications. However, Workers who are taking Medications are responsible for knowing the potential effects that those Medications may have on his or her Fitness for Duty
- A Worker is required to immediately report to his or her manager or supervisor the use of any Medications which may impair the Worker's judgment or ability to perform his or her job. This includes any use of Medical Marijuana

- A Worker may be required to produce, at 407 ETR's request, medical documentation to substantiate the Worker's medical need or prescription for the Medication, the Worker's expected timeline for Medication use, and any side-effects which may impact the Worker's judgment or ability to perform his/her job, and/or the Worker's Fitness for Duty
- 407 ETR has the right to investigate a workplace accommodation claim to understand the details of Medication use, necessity, and any accommodation that may be necessary. If a Worker is using Medical Marijuana, 407 ETR may refer the claim to a third party absence & disability management vendor

Accommodation Assistance for Drug and Alcohol Dependency and Self-Disclosure

Workers who experience Drug or Alcohol-related dependencies are strongly encouraged to disclose this dependency to a manager, supervisor or Human Resources, and to seek treatment or assistance prior to breaching the terms of this Policy. 407 ETR will make reasonable efforts to assist a Worker who discloses a Drug or Alcohol dependency, subject to the legal duty to accommodate.

Employees also have access to 407 ETR's Employee Assistance Program (**EAP**). EAP is a 24-hour crisis and referral service, that can assist with personal issues including Drug and Alcohol dependencies and related concerns.

Subject to the legal duty to accommodate, Workers are required to participate in, and cooperate with, any accommodation or other assistance efforts. This includes providing any reasonably requested medical documentation, and participating in treatment or other assistance programs.

A Worker will not be disciplined for self-disclosure of Drug or Alcohol dependency or for requesting related assistance. However, disclosure (and/or requesting assistance) does not eliminate the need for a Worker to maintain satisfactory work performance or to comply with this Policy. A Worker's circumstances, including any self-disclosure and requests for assistance, will be taken into account where disciplinary action is being considered.

Workplace Searches and Testing for Safety Sensitive Positions

In limited circumstances, where 407 ETR has reasonable grounds to believe that a Worker may be in violation of this Policy, 407 ETR may search any 407 ETR property assigned to a Worker, including lockers, desks, offices, etc. to determine if a violation has occurred. A Worker is required to cooperate with all reasonable search requests.

In addition, some Workers may, in limited circumstances, be required to participate in Drug or Alcohol testing, to the extent legally permitted. This includes, as appropriate, instances pre-access, post-incident, and reasonable cause testing of Workers in Safety Sensitive Positions as set out in the definitions above., and in limited circumstances, return to work testing as part of any Worker's return to work program, following an absence for Drug or Alcohol-related issues.

Workers who refuse to participate in a reasonably requested search, or reasonably requested Drug or Alcohol test, may be subject to corrective action or discipline, up to and including termination of an Employee's employment with just cause, or the termination of any contractual or other relationship that an Other Worker may have with 407 ETR.

Disciplinary Measures

Failure to meet satisfactory levels of work performance as a result of Drugs or Alcohol, or otherwise violating this Policy, is considered serious and will result in disciplinary action, termination of an Employee's employment with just cause, or the termination of any contractual or other relationship that an Other Worker may have with 407 ETR.

As stated above, a Worker will not be disciplined for disclosing a Drug or Alcohol dependency, or for seeking assistance. However, disclosure or requesting assistance does not eliminate the need for a Worker to maintain satisfactory work performance or to comply with this Policy. A Worker's circumstances, including any self-disclosure and requests for assistance, will be taken into account where disciplinary action is being considered.

Review of Policy

This Policy will be assessed by Human Resources, with assistance from the Legal Department, annually to ensure that it continues to contain appropriate measures and steps:

- a) for Workers to report incidents of reasonably believed Unfitness for Duty, or Drug or Alcohol dependency, to their manager, supervisor or Human resources; and
- b) on how 407 ETR will address issues with Unfitness for Duty, or Drug or Alcohol use in the Workplace, including with respect to investigation, accommodation and disciplinary action

Exceptions

Any exceptions will be identified and approved as per the process set out in the [Policy and Procedure Process Guide](#)

Policy Maintenance

Standard maintenance and review as per the process set out in the [Policy and Procedure Process Guide](#)

Policy Owner

Vice President, Human Resources

Related Policies

[002 - Code of Conduct Policy](#)

Related Procedures

N/A

Related Forms

[002 A - Receipt and Acknowledgement of 407 ETR Code of Conduct](#)

Related Scripts

N/A

Revision History

Date	Version number	Modifications
October 16, 2018	1.0	First issuance of this Policy.

Policy Authorization

Approvers	Approval Date
Andres Sacristan President & Chief Executive Officer	October 16, 2018
Derek Bitar Interim Chief Financial Officer	October 16, 2018
Wayne Anthony VP, Human Resources	October 15, 2018
Greg MacKenzie General Counsel	October 15, 2018
Randy Luyk VP, Business Process Management	October 15, 2018

Note. Completion of the SharePoint workflow by the individuals above is evidence of approval of this document. Workflow approval for this document is available in SharePoint.

Appendix A: Substances and General Effects

Category	Examples	Examples of General Effects
Alcohol	beer, wine, spirits	impaired judgement, slowed reflexes, impaired motor function, sleepiness or drowsiness, coma, overdose may be fatal
Cannabis	marijuana, hashish	distorted sense of time, impaired memory, impaired coordination
Depressants	sleeping medicines, sedatives, some tranquilizers	inattention, slowed reflexes, depression, impaired balance, drowsiness, coma, overdose may be fatal
Hallucinogens	LSD (lysergic acid diethylamide), PCP (phencyclidine), mescaline	inattention, sensory illusions, hallucinations, disorientation, psychoses
Inhalants	hydrocarbons, solvents, gasoline	intoxication similar to alcohol, dizziness, headache
Opiates	morphine, heroin, codeine, some prescription pain medications	loss of interest, "nodding", overdose may be fatal. If used by injection, the sharing of needles may spread Hepatitis B, or C and HIV/AIDS.
Stimulants	cocaine, amphetamines	elevated mood, over activity, tension/anxiety, rapid heartbeat, constriction of blood vessels