



Projects

Canadian Contractor

Alcohol and Drug Policy

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1.0 PURPOSE

Enbridge is committed to providing workplaces that protect people, property and the environment from harm. It recognizes that the use of illicit drugs and the inappropriate use of alcohol, medications (prescribed or over-the-counter) and other regulated substances can adversely affect work performance and the health, safety and well-being of employees, contractors, consultants, worksite visitors and the public.

In support of this commitment, and given the engagement of contractors, Enbridge has developed this Contractor Alcohol and Drug Policy (the "**Policy**").

2.0 SCOPE / APPLICATION

This Policy applies to all individuals or entities engaged directly or indirectly to an Enbridge company as a contractor, subcontractor or consultant to provide any services at or in relation to an Enbridge Work Site (a "**Contractor**"). Enbridge employee obligations are addressed under separate policy.

For the purposes of this Policy, "**Work Site**" includes any location at which services are provided to or for Enbridge and includes but is not limited to construction rights-of-way and all land(s) secured by Enbridge in connection with installation of its pipeline, any appurtenances thereto, or other facilities related to Enbridge's business as a pipeline owner / operator, and also including any vehicle or mobile equipment used by the contractor or consultant to provide these services or to travel to and from such location. This definition of "Work Site" applies whether or not Enbridge is designated as the "prime contractor" under applicable legislation.

3.0 GENERAL GUIDELINES

A Contractor is, except as expressly outlined elsewhere within this Policy, solely responsible for providing training to, and oversight of:

- a) its employed and contracted personnel, and
- b) its subcontractors and their employed or contracted personnel

(collectively, "**Contractor Personnel**") in accordance with this Policy. This Policy includes requirements for, among other things, alcohol and drug testing for: site access, reasonable cause, and post-incident/near miss incidents. This Policy does not require alcohol or drug testing on a random basis.

A Contractor will follow this Policy and accord its own policies and procedures with the most current version of the *Construction Owners Association of Alberta Canadian Model for Providing a Safe Workplace; Alcohol and Drug Guidelines and Work Rule* (except with respect to random drug testing) as it may be amended from time to time, herein referred to as the "**Canadian Model**" (see Appendix A).

A Contractor will have an Alcohol and Drug policy that applies to all of the Contractor's Contractor Personnel and that meets or exceeds the requirements outlined in both this Policy and in the Canadian Model (a "**Contractor Policy**"). A Contractor will provide Enbridge with a copy of its Contractor Policy.

A Contractor will diligently exercise its authorities and perform its obligations pursuant to its Contractor Policy.

Enbridge may require that a Contractor exercise any of its authorities or perform any of its duties under a Contractor Policy.

Where appropriate, Enbridge may in its sole discretion elect to step into the shoes of a Contractor with regard to the administration of this Policy and of the Contractor's Contractor Policy. This would generally

be appropriate in circumstances in which a Contractor does not (or may be perceived by others to not) have sufficient organizational capacity to provide for independent oversight of its Contract Personnel as required by this Policy.

Enbridge may, in its sole discretion, exempt a medium or high risk Contractor from operation of this policy in whole or in part in circumstances where application is problematic or impractical, including circumstances of legal constraint or limitation on access to facilities required for drug and alcohol testing. Any such circumstances MUST be raised in writing by the Contractor and any resulting exemption will be approved by an Enbridge Vice President and be communicated to the Contractor in writing.

If Enbridge determines, in its sole discretion, it is appropriate to do so, Enbridge may exempt a low risk Contractor from Operation of this Policy, in whole or in part, when circumstances render such application impractical, including circumstances of legal constraint or limitation on access to facilities required for drug and alcohol testing. Any such circumstances MUST be raised in writing by the Contractor, and any resulting exemption will be approved by an Enbridge Director and confirmed in writing.

A Contractor will be permitted to perform work for Enbridge only when it has a Contractor Policy.

4.0 ROLES & RESPONSIBILITIES

Successful implementation of this Policy requires the coordination of several persons. Key responsibilities are listed below.

4.1 Enbridge

- Will monitor Contractors for adherence to this Policy.
- Will monitor Canadian Contractors' exercise of their authorities and performance of their duties under their respective Compliant Contractor's Policies. This will include monitoring to ensure that Contractors provide training to their Contract Personnel, including to their supervisors, as suggested under the Canadian Model.
- Will exercise discretion to, in circumstances in which it is necessary to give effect to the aims of this Policy, step into the shoes of a Contractor and administer the Contractor Policy (or a similar policy compliant with the Canadian Model).
- Will verify that Enbridge receives all required records and reporting from Contractors.
- Will ensure that a Contractor addresses in a timely manner deficiencies in the exercise of its authorities or performance of its duties under its Contractor Policy or under this Policy.

4.2 Enbridge Project/ Regional Representative

- Will liaise with all parties involved in any alcohol and drug testing process as required.

4.3 Contractor

- Will develop and deliver alcohol and drug training that adheres to the requirements of the Canadian Model for its Contractor Personnel.
- Will diligently exercise its rights and perform its obligations under its Contractor Policy.

- Will ensure that any subcontractor of the Contractor either complies with its Contractor Policy or with an alternative substantially similar policy that meets or exceeds the requirements of the Canadian Model.
- Will provide names of Contractor Personnel who are or who have been prevented from providing services to Enbridge as a result non-compliance with this Policy, a Contractor Policy or the Canadian Model.
- Will assist Contractor Personnel with obtaining confidential assessment, counseling, and referral and rehabilitation services, in accordance with the requirements of the Canadian Model.
- Will ensure that Contractor supervisors complete supervisor awareness training in accordance with the minimum criteria set by the United States Department of Transportation (US DOT)- Employer Guidelines (Appendix B)
- Will ensure Supervisors are knowledgeable about the company's alcohol and drug work rule and procedures and take action on performance deviations and reported or suspected alcohol or drug use by workers
- Will upon request by Enbridge, provide reasonable access to the Contractor's relevant records for the purposes of allowing Enbridge to verify compliance with this Policy.
- Will ensure that Contractor Personnel are made aware of resources available to them for treatment of drug and alcohol problems.

4.4 Contractor Personnel

Contractor Personnel will:

- Read, understand and abide by this Policy and the relevant Contractor Policy.
- Be in a 'fit for duty' condition (i.e. able to perform their work safely and effectively) at all times, and to recognize that fitness for duty may be affected by, among other things, alcohol, prescription or non-prescription medications and regulated or illicit drugs.
- Observe the 'fitness for duty' of others on or around Enbridge Work Sites and take appropriate action and notify a supervisor when health or safety issues are observed.
- Work with the Contractor and with Enbridge to ensure successful implementation of this Policy, of the Contractor Policy and of similar Enbridge policies.
- Notify their supervisor as soon as possible if taking prescription or over-the-counter medications which may cause drowsiness, dizziness or other side-effects that could affect the Contractor Personnel's ability to work safely or the health or safety of themselves or of others.

Contractor Personnel will not:

- Distribute, possess (including within a vehicle or piece of equipment accessible to, or under the control of, that person), consume or use alcohol or regulated or illegal drugs **(a)** at or near any Enbridge Work Site (including related parking lots), **(b)** while directly or indirectly engaged in work of any kind for Enbridge, or **(c)** while traveling to or from work of any kind for Enbridge.
- Report to work at an Enbridge Work Site while impaired in a manner (including under the influence of alcohol, drugs or any substance) that could reasonably be expected to affect his or her ability to perform their work safely and effectively.

- Accept an unplanned request to work (usually a request to perform emergency or specialty work) if there is a reasonable basis on which to believe that he or she would be unable to comply with this Policy.

Contractor Personnel who believe they may be unable to comply MUST seek help with addiction issues, through the relevant Contractor or otherwise, and to follow the advice of any health care or substance abuse expert regarding appropriate treatment.

5.0 CONTRACTOR WORK POLICIES

A Contractor's policies and practices will accord with this Policy, with its own Contractor Policy and with the Canadian Model.

6.0 ALCOHOL AND DRUG TESTING

6.1 Testing Requirements

Alcohol and drug testing, including site access, reasonable cause and post incident/near miss incident testing, will be done in accordance with Alcohol and Drug testing requirements as set out in the Canadian Model respective of the drug panels and protocols for POCT and lab-based testing requirements for both urine and oral fluid testing and the Approved Alcohol and Drug Testing Matrix (Appendix C).

Refer to Appendix E for the Enbridge Post- Incident Alcohol & Drug Guideline outlining minimum expectations for post incident testing.

6.2 Testing Records

Upon request by Enbridge, a Contractor will provide Enbridge with access to those records necessary for verification of compliance with this Policy.

7.0 SITE ACCESS ALCOHOL AND DRUG TESTING

7.1 Contractor Personnel

Enbridge may in its discretion designate a Work Site to be a Site Access Testing Work Site. A Contractor will not dispatch or permit Contractor Personnel access to a Site Access Testing Work Site unless they have provided negative drug and alcohol samples (collectively, a "**Negative Sample**") to the Contractor within 30 calendar days immediately prior.

Enbridge has designated as Site Access Testing Work Sites all field work locations, including operating facilities, storage and construction sites, and all field sites accessed by Contractor Personnel for the purpose of performing maintenance, operations or construction-related activities.

Notwithstanding the foregoing restriction, a Contractor may nevertheless dispatch or permit a Contractor Personnel to access a Work Site when the Contractor Personnel:

- (a) has provided a Negative Sample and has since then **(i)** remained in continuous employment with the Contractor and **(ii)** been in compliance with the Contractor's Contractor Policy;

- (b) has “active” participant status in the Rapid Site Access Program (RSAP) for participating unions (refer to <http://www.clra.org/p/participating+unions/86>);
- (c) was, as of June 1, 2015, engaged in active work at an Enbridge Work Site by the Contractor and has since then (i) remained in continuous employment with the Contractor at an Enbridge Work Site and (ii) been in compliance with the Contractor’s Contractor Policy; or
- (d) is required for emergency work (as determined by Enbridge), and is escorted and supervised at all times while in attendance at a Work Site.

7.2 Visitors

Enbridge may, in its sole discretion, permit a visitor onto a Work Site. A visitor is not subject to testing under this section, but must at all times be escorted and supervised. A visitor is a person at a Work Site who is not an Enbridge employee, a Contractor or Contractor Personnel. NOTE: No visitors will be permitted on site if they are on a suspension list.

8.0 REFUSAL TO TEST

If one or more Contractor Personnel refuses or fails to participate in an alcohol or drug test as required by a Contractor Policy, a Contractor will immediately notify Enbridge in writing.

9.0 CONTRACTOR RECORDS AND REPORTING

The Contractor will maintain confidential and secured records regarding all matters relating to administration of its Contractor Policy, including records relating to alcohol and drug testing and training and education program delivery. Contractors will retain these records until the later of (a) a date set by agreement with Enbridge, or (b) 2 years from the completion of work at a particular Work Site.

10.0 VIOLATION OF THIS POLICY – EFFECTS

Upon receiving notification of a drug or alcohol test returning a positive, tampered or inconclusive result (a **‘Non-negative Result’**), or upon becoming aware of a breach of this Policy or of a Contractor policy by Contractor Personnel, a Contractor will:

- a) Ensure that the Contractor Personnel is escorted safely from the Work Site to their residence or other safe location (when it is reasonable to do so);
- b) Immediately notify Enbridge, in writing, about the event, including the Contractor Personnel’s name and details of the breach (i.e. Refusal to test, A&D Policy Violation, etc.) If the breach involves a Non-negative Result, the Contractor will also provide the reason for the drug and alcohol test (i.e. pre-access, post-incident, reasonable cause, etc.); and
- c) Not return the Contractor Personnel to service at an Enbridge Work Site unless directed otherwise by Enbridge in writing.

Contractor Personnel who return a Non-negative Result, or who have otherwise violated this Policy or a relevant Contractor Policy, will automatically be excluded for an indefinite time from Enbridge Work Sites (an **“Indefinite Exclusion”**).

A Contractor or an individual subject to an Indefinite Exclusion may apply to Enbridge in writing (an **“Application”**) to request that Enbridge review the terms of an Indefinite Exclusion. Enbridge may rescind or revise the terms of an Indefinite Exclusion in its discretion. Without limiting the generality of the foregoing, for the purposes of reviewing an Application, Enbridge may require evidence sufficient to

demonstrate that the Contractor Personnel has successfully completed a relevant drug or alcohol treatment program and/or would be subject to appropriate return to work controls (such as, for example, the existence of a return to work agreement along with related procedures likely to minimize the risk of future similar policy violations).

11.0 ENBRIDGE SEARCHES AND INSPECTIONS

In enforcing aspects of this Policy, Enbridge may perform searches anytime for alcohol or drugs at and around Enbridge Work Sites. Such searches may include but not be limited to searches of:

- Vehicles and their contents, at or upon entering a Work Site (including parking lots and related access roads).
- Property, including but not limited to offices, field areas, building equipment, packages, bags, containers, lockers and tool boxes.

This provision is intended to identify, deter and also eliminate inappropriate possession or use of drugs and/or alcohol on the worksite.

Contractors, Contractor Personnel and Visitors will comply with reasonable Enbridge search activities.

APPENDIX A

- Construction Owners Association of Alberta Canadian Model for Providing a Safety Workplace; Alcohol and Drug Guidelines Best Practice:
 - <https://www.coaa.ab.ca/library/canadian-model/>

APPENDIX B

- US Department of Transportation (DOT) Drug & Alcohol Supervisor Training Guidance <https://www.fmcsa.dot.gov/us-department-transportation-dot-drug-alcohol-supervisor-training-guidance>

APPENDIX C

Approved Alcohol and Drug Test Matrix

Test	Screening Test (POCT)	Confirmation Test (Lab)
Alcohol		
Breath	Approved	Approved
Site Access**		
Urine	Approved	Approved
Oral Fluid*	Not approved	Approved- Lab based only
Post Incident/Reasonable Cause		
Urine	Approved	Approved
Oral Fluid*	Not approved	Approved- Lab based only
Return to Work		
Urine	Approved	Approved
Oral Fluid	Not approved	Not approved
*There is no oral fluid POCT device that meets screening recommendation. Accordingly Oral Fluid POCT devices are not permitted.		
**For Site Access testing, POCT Urine is an acceptable testing method with no requirement for lab confirmation.		

APPENDIX D

Urine Drug Concentration Limits (Part 40 DOT January 1, 2018)

Urine drug limits:

Drugs or classes of drugs	Screening concentration equal to or in excess of ng/mL	Confirmation concentration equal to or in excess of ng/mL
Marijuana metabolite	50	15
Cocaine metabolite	150	100
Opioids		
• Codeine	2000	2000
• Morphine	2000	2000
• Hydrocodone	300	300
• Hydromorphone	300	300
• Oxycodone	100	100
• Oxymorphone	100	100
6-Acetylmorphine	10	10
Phencyclidine	25	25
Amphetamines	500	---
• Amphetamine	---	250
• Methamphetamine	---	250
MDMA ¹	500	---
• MDMA	---	250
• MDA ²	---	250

1. Methylenedioxymethamphetamine
2. Methylenedioxyamphetamine

Urine Fluid Drug Concentration Limits (COAA and Energy Safety Canada Model 2018)

Oral Fluid drug concentration limits:

Drug or classes of drugs	Screening concentration equal to or in excess of ng/mL	Confirmation concentration equal to or in excess of ng/mL
Marijuana (THC)	4	2
Cocaine metabolite	20	---
• Cocaine or Benzoyllecgonine	---	8
Opioids	40	---
• Codeine	---	40
• Morphine	---	40
• 6-Acetylmorphine	---	4
• Hydrocodone ³	---	40
• Hydromorphone ³	---	40
• Oxycodone ³	---	40
• Oxymorphone ³⁻⁴	---	40
Phencyclidine	10	10
Amphetamines	50	---
• Amphetamine	---	50
• Methamphetamine	---	50
• MDMA ¹	---	50
• MDA ²	---	50

1. Methylenedioxymethamphetamine
2. Methylenedioxyamphetamine
3. Refer to testing methodologies on oral fluid sample collection devices
4. Pending update from US DOT. Until DOT update is incorporated into an update to the Canadian Model, the "urine 4" and "oral fluid 3" extended opioid panels each will be regarded as comprehensive. Specifically, the "oral fluid 3" panel will be (temporarily) acceptable for Reasonable Cause, Post incident and Random testing.

APPENDIX E

Post-Incident Alcohol & Drug Guideline- Minimum Testing Criteria

Post incident alcohol and drug testing will be required, as a minimum, where ALL three of the following criteria are met.

1. an individual's or group of individual's actions did or could have contributed to the incident;
2. the incident in question occurred at a safety sensitive work site or while operating a motor vehicle or other mobile equipment.

(For the purposes of this policy, safety sensitive work site includes all Enbridge field operating facilities, right-of-way, warehouse and construction sites and any other sites contractors access for the purpose of performing operations, maintenance or construction related activities.)

3. the incident involved one or more of the following type of impacts:
 - Fatality
 - Days Away Injury
 - Modified/Restricted work injury
 - Medical Aid Injury
 - Contributory Motor Vehicle Incidents that could reasonably result in damage in excess of \$1000
 - Property damage (public/private) incident with damage that could reasonably be in excess of \$5000
 - Any Releases/Spills reportable to a regulatory body
 - An incident that is reportable under Provincial or Federal legislation
 - A process or operational incident that requires shutdown of a facility or a portion of a facility.
 - High Potential Near miss (Potential People Impact - SIF Level 3+ or a Potential Property/Process/Release impact as noted above)
 - Any other incident in which there is reasonable cause to believe an individual or individuals may be under the influence of alcohol or drugs