



INDROCORP TECHNOLOGIES INC. DBA INDROTEK
(the "Corporation")

DRUG AND ALCOHOL POLICY

1. Purpose

- 1.1 The Corporation is committed to the health of its employees and to providing a safe work environment for all employees and those whose safety may be affected by the conduct of employees. The Corporation is also committed to ensuring that all employees are treated fairly and with respect.
- 1.2 The use and effect of Drugs or Alcohol in the Workplace can have serious, adverse effects on the safety and well-being of employees, the work environment and the public.
- 1.3 The purpose of this Drug and Alcohol Policy (the "**Policy**") is to provide consistent rules for employees regarding the possession, use and testing for Drugs and Alcohol in the Workplace.
- 1.4 This Policy is not intended to prohibit social activities conducted on Corporation Property with the informed consent of the Corporation's management, where Alcohol may be consumed in such moderate quantities as will not reasonably be expected to cause any employee or other invited attendee to become Impaired by Alcohol to such degree as to give rise to concerns about the safety and security of any persons or Property.

2. Definitions

- (a) "**Accident, Incident or Near Miss**" means an accident, incident, circumstance or condition that caused or had the potential to cause a regulatory violation, illness, damage or injury to person, property, vehicles, reputation, security or the environment. As a practical matter, damage to reputation may not alone meet the test to justify reasonable grounds.
- (b) "**Alcohol**" means any substance that may be consumed and includes beverages, mixtures or preparations that contain ethyl alcohol (ethanol) content in excess of 0.5 percent by volume.
- (c) "**Drug or Drugs**" includes any substance (whether ingested, inhaled, injected or otherwise) that has known mind or function-altering effects upon the human body, or that impairs one's ability to safely perform his or her work, and specifically including, but not limited to, all prescription

and non-prescription drugs, all substances illegal under federal or provincial law, all “synthetic or designer” drugs, forms of alcohol other than ethanol, all illegal inhalants, all “look alike” drugs and all drug paraphernalia.

- (d) **“Drug or Alcohol Test”** means a test that will be conducted by an approved laboratory which meets the requirements for accreditation by the Standards Council of Canada.
- (e) **“Drug Paraphernalia”** includes any property which is associated with the use of any drug whose use or possession of is unlawful in Canada.
- (f) **“Impaired by Drugs or Alcohol”** means the condition where any of the body’s sensory, cognitive or motor functions or capabilities are altered, diminished/heightened or affected due to drugs, alcohol or controlled substances within the body, regardless of when or where it may have been consumed.
- (g) **“Non-Prescription Drug”** means a drug that can be lawfully purchased without a prescription.
- (h) **“Possess”** means to have on one’s person, in one’s personal effects, in one’s vehicle or under one’s control.
- (i) **“Prescription Drug”** means a drug that can only be obtained with a prescription from a physician licensed to prescribe drugs. Prescription drugs must be made out to a specific individual and filled by a licensed pharmacist.
- (j) **“Property”** includes employee or public property, and any facilities, land, buildings, equipment, containers, vehicles, vessels, boats and aircraft whether owned, leased or used by the Corporation and wherever located.
- (k) **“Reasonable Grounds”** includes:
 - (i) information established by the direct observation of the employee’s conduct or other indicators, such as the physical appearance of the employee, or his or her attendance record or unexplained absences during regular work hours, which suggest that the employee is under the influence of Drugs or Alcohol;
 - (ii) the smell associated with the use of Drugs or Alcohol on the employee’s person or in the vicinity of his or her person;
 - (iii) the presence of Drugs, Alcohol or Drug Paraphernalia in the vicinity of the employee or the area where the employee works or worked; or

- (iv) any other circumstance or fact surrounding the Accident, Incident or Near Miss which would lead a reasonable person to suspect that Drug or Alcohol use was a material factor in the Accident, Incident or Near Miss.
- (l) **“Substance Abuse Assessment”** means an assessment conducted by either: a specific third party who would be conducting the assessment; or, alternatively, a licensed or certified social worker, a licensed or certified psychologist, a licensed or certified employee assistance expert or a drug and alcohol abuse counsellor, to determine whether the person being assessed has an Drug or Alcohol abuse problem.
- (m) **“Use or Using”** means consuming, ingesting, drinking, injecting, inhaling, smoking or otherwise using any Drug or Alcohol.
- (n) **“Work”** includes training and breaks from work while on Corporation Property or at a Corporation Workplace.
- (o) **“Workplace”** means any facility or location operated by the Corporation where Work is being performed, and includes any vehicle, vessel, boat or aircraft used by an employee to conduct Work.

3. **General**

- 3.1 This Policy applies to all Corporation directors, officers, employees and consultants (each, a **“Participant”** herein).
- 3.2 A Participant’s violation of this Policy may be grounds for disciplinary action up to and including termination of employment, without notice or other obligation.

4. **Use or Possession of Drugs and Alcohol**

- 4.1 All Participants must report to Work, and conduct their Work, without being Impaired by Drugs or Alcohol.
- 4.2 A Participant shall not, while on Corporation Property or while at Work:
 - (a) Use Drugs or Alcohol, other than as provided under section 4.3;
 - (b) Possess Drugs or Alcohol, other than as provided under section 4.3; or
 - (c) sell or offer to sell Drugs or Alcohol.
- 4.3 A Participant may Possess and Use a Prescription Drug or a Non-Prescription Drug on any Corporation Property or while at Work where:

- (a) the Prescription Drug is prescribed to the Participant by a licensed treating physician;
- (b) the Participant is Using the Prescription Drug or Non-Prescription Drug for its intended purpose and in the manner directed by the Participant's physician or pharmacist or the manufacturer of the Drug;
- (c) the Use of the Prescription Drug or Non-Prescription Drug does not adversely affect the Participant's ability to safely perform his or her duties; and
- (d) the Participant has notified his or her supervisor or manager before starting work of any potentially unsafe side effects associated with the Use of the Prescription Drug or Non-Prescription Drug.

5. Drug or Alcohol Testing

- 5.1 A supervisor or manager of a Participant may require the Participant who is involved in an Accident, Incident or Near Miss on or using Corporation Property or while at Work to take a Drug or Alcohol Test if the supervisor or manager and the next level of management:
- (a) have Reasonable Grounds to require the Drug or Alcohol Test; or
 - (b) decide that there is no credible explanation for the Accident, Incident or Near Miss.
- 5.2 A credible explanation for an Accident, Incident or Near Miss does not include:
- (a) falling asleep, or
 - (b) carelessness or negligence.
- 5.3 The Corporation may also require the Participant take a Drug or Alcohol Test:
- (a) as a condition of returning to Work after a violation of this Policy or following the Participant's rehabilitation for Drug or Alcohol dependency or abuse; or
 - (b) where the Drug or Alcohol Test is a part of the Participant's rehabilitation for Drug or Alcohol dependency or abuse.
- 5.4 The Drug or Alcohol Test will be conducted in a manner which protects the privacy and dignity of the Participant being tested. The result of the Participant's Drug or Alcohol Test will be provided as soon as practicable to the Participant.

- 5.5 Participants who undergo a Drug or Alcohol Test, and are determined to be Impaired by Drugs or Alcohol, may be required, as a condition of further employment, to attend and participate in a Substance Abuse Assessment and any recommended treatment.
 - 5.6 The Corporation will, in accordance with its obligations under any applicable human rights legislation, support and accommodate the rehabilitation and subsequent reintegration of a Participant who, after undergoing a Substance Abuse Assessment, is determined to have a Drug or Alcohol dependency or abuse problem.
 - 5.7 Refusal by a Participant to submit to a Drug or Alcohol Test as set out in this Policy may be grounds for disciplinary action up to and including termination of employment without notice or other obligation.
 - 5.8 Refusal by a Participant to attend and participate in a Substance Abuse Assessment and any recommended treatment may be grounds for disciplinary action up to and including termination of employment without notice or other obligation.
 - 5.9 Participants who submit to a Drug or Alcohol Test, and are determined to be Impaired by Drugs or Alcohol, but who are not subsequently determined to have a Drug or Alcohol dependency or abuse problem, may be subject to disciplinary action up to and including termination of employment without notice or other obligation.
 - 5.10 Participants who believe that they may have a Drug or Alcohol dependency or abuse problem are encouraged to seek advice and follow appropriate treatment before job performance or safety is compromised or a violation of this Policy occurs.
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