

# Drug and Alcohol Policy

## I PURPOSE

The COMPANY is committed to maintaining a drug and alcohol-free work environment. The presence of drugs and alcohol in the workplace poses a tremendous threat to employee safety and security.

## 2 SCOPE

This procedure applies to all operating areas and offices to include parking lots, exploration sites, etc., personnel, temporary or regular within the scope of the Integrated Management System (IMS).

## 3 DEFINITIONS AND ACRONYMS

### Definitions

**Employee** is a person employed by the COMPANY and can be an employee or temporary employee.

### Acronyms

<b>BAT</b>	Breath Alcohol Technician
<b>EAP</b>	Employee Assistance Program
<b>HMR</b>	Integrated Management System
<b>HR</b>	Human Resource
<b>HSLP</b>	Health, Safety and Loss Prevention
<b>IMS</b>	Integrated Management System

## 4 ROLES AND RESPONSIBILITIES

### Document Owner

HMR

### Responsible Roles and Position-Holders

**Contractors/Vendors** are businesses performing a service for the COMPANY. They are responsible for ensuring their employees working on COMPANY sites understand this procedure and that contractors are held to standards by their employer that will ensure that all contractors meet the COMPANY's workplace standards, meaning no impairment by drugs or alcohol while on a COMPANY site, no sale or possession of drugs or alcohol on a COMPANY site, with the exception of legally prescribed drugs to the individual to which they are prescribed that do not impair ability to work.

**Employees** are employees in any position at a COMPANY site are responsible for complying with the requirements as outlined in this procedure.

**Visitors** include anyone not employed by the COMPANY in any capacity but are traveling or touring on a COMPANY site. They are responsible for ensuring that they are not impaired by drugs or alcohol during the course of any visit.

**HSLP** is any COMPANY employee working under and including the Regional Director of HSLP. They are responsible for periodically auditing for compliance to this procedure. They are responsible for administering the overall drug and alcohol program within the COMPANY and ensuring the drug and alcohol testing equipment and facilities are available at all sites. The HSLP Department shall ensure that equipment used for alcohol screening is calibrated and maintained in accordance with the manufacturer specifications and maintain the calibration records.

**The Human Resource Department** must, upon receipt of results from the drug and alcohol screening/confirmation test, inform the Area Management of the results. The HR Department will be responsible for generating a list for random drug and alcohol screenings and provide the HSLP Department with a list of those individuals included in the random testing at least 12 hours prior to the individuals being notified.

**Supervisor/Foreman or Designee** can be a COMPANY employee working or traveling on any COMPANY site. They are responsible for enforcement of all requirements, rules, and established guidelines as outlined in this procedure. They ensure personnel are provided with the necessary training and the proper instructions for this procedure.

## 5 DIRECTION

The COMPANY tests employees and prospective employees for the presence of drugs and alcohol in accordance with this Drug and Alcohol Procedure and Screening Program. At the COMPANY's discretion, a urine, blood or hair test may be administered. An employee who refuses to cooperate in the testing procedures or is found to be in violation of this Procedure will be terminated. Depending on the circumstances, other actions, including notification of appropriate law enforcement agencies, may be taken in response to a violation of this procedure.

All employees shall comply with and ensure personnel accountable to them comply with the following Drug and Alcohol requirements of this procedure.

### General Requirements

The COMPANY strictly prohibits the following conduct anytime an employee is on COMPANY premises or work sites, including in COMPANY vehicles as well as private vehicles on COMPANY property or work site locations, whether on duty or not on duty:

The use, sale, transfer or possession of alcohol, drugs, hallucinogenic, or controlled substances.

The use, sale, transfer or possession of any substance that could or is intended to cause interference with or adulteration of tests; or, the presence of an illegal drug metabolite or alcohol in the employee's system.

Excluded are drugs prescribed to an employee when used only in the manner, combination and quantity prescribed. Because of the safety sensitive nature of our mine operations, if you have been prescribed medication which could affect your ability to safely perform your job, you must provide a release from your health care provider certifying that you are, or are not, able to safely perform your job duties while utilizing the prescribed drug(s) to a health, safety and loss prevention (HSLP) representative prior to reporting to work. Following review of such documentation, you shall be notified if you are to report to work.

Under this Procedure, employees who voluntarily seek assistance for substance abuse problems have the right to do so any time prior to announcement of testing or before they are found in direct violation of the Drug and Alcohol Procedure. Employees will not be discriminated against for doing so. You will receive a referral to EAP. The COMPANY will not retain employees whose current abuse of drugs or alcohol affects their ability to do their job or affects the right of other employees to enjoy a safe and productive work environment.

An employee must notify a human resources representative of any drug conviction, including any misdemeanors, within five (5) days of such conviction. Pleading guilty to an offense involving drugs is a conviction and must be reported.

### **Reasons for Testing**

An employee must undergo a drug and alcohol screening:

**Pre-employment Screening:** Applicants will be screened for drugs and alcohol as part of the pre-employment process. This screening will be performed by a medical facility at the time of the pre-employment physical. A confirmed positive test will result in the employment offer being rescinded, even if the employee has commenced work.

**Post – Accident/Incident:** Drug and alcohol screening may be required for employees who are involved in an on-the-job accident or incident or who suffer a work-related injury or illness.

**Reasonable suspicion:** A test may be administered when other employees, customers or other individuals report drug or alcohol use or observe that an employee appears to be under the influence of or impaired by drugs or alcohol at work or when reporting to work.

**Random Screening:** Random testing will be conducted at each site. A computer-generated random listing selects the names from a roster of current employees. Testing of entire sites, departments and/or crews may also be conducted.

### **Testing Procedures**

All sample collections will be done by the HSLP Department, supervisor, or designee and will be conducted with due regard to privacy of the individual and in a manner to prevent interference or adulteration.

- Personnel collecting the samples will be trained and required to follow accepted procedures.

Employees are required to sign appropriate consent and release forms and to follow testing procedures. Refusal to consent to testing will subject an employee to termination of employment according to policy/procedure.

Employees need to provide an adequate test sample in a reasonable amount of time, as determined by site HSLP, or the employee shall be transferred to a Medical Facility for collection of the sample. Steps 5.3.5 a-g will be followed at that time.

Preliminary Testing: Preliminary testing is conducted at the mine site.

- a** This screening consists of a urine sample, to indicate the presence of drugs, and a breath test, performed by a Certified Breath Alcohol Technician, to
- b** Employees with a positive presence indication will be processed as outlined below.
- c** Employees with a negative presence indication will either be returned to work or processed according to the circumstances of the situation.

Medical Facility Drug Confirmation Testing: A positive on-site indicator for drugs requires that the employee be transported to a certified medical facility for further testing.

- a** This testing may include urine, blood, swab, or a hair test.
- b** The sample will be sent to a licensed laboratory for a confirmation test.
- c** A Medical Review Officer is utilized on positive screens.
- d** All test results are reported directly to the Human Resources Department.
- e** The employee will remain off work, without pay, until confirmation results have been received.
- f** A negative indicator will result in the employee returning to work and pay being reinstated.
- g** A positive confirmation for drugs, besides drugs medically prescribed, in quantities medically prescribed, and which do not impair ability to work safely as previously certified by a physician, will result in termination of employment.

On-site Alcohol confirmation testing: A positive on-site indicator for alcohol requires a second breathalyzer test be performed. A positive confirmation for the presence of alcohol will result in the following:

- a** A Breath Alcohol result of 0.04 or greater will result in immediate termination of employment.
  - The employee and supervisor will immediately meet with the human resources representative.
  - If the testing is taking place at a time when human resources are not available, meaning a night shift; the employee will be immediately suspended until such time as they can meet with the human resources representative.
- b** A Breath Alcohol result of .020 through .039 will result in a minimum three-day unpaid suspension for the first positive.
  - Corrective action could be more severe depending on the circumstances and the employee's overall work performance history.
  - Upon returning to work for the next scheduled shift, the employee must retest with a Breath Alcohol result of .000 or employment will be terminated.
  - A second Breath Alcohol result of .020 through .039, within 12 months of the first, will result in immediate termination of employment.
- c** An initial **and** confirmed Breath Alcohol result of more than .000 through .019 will result in the employee being returned to work.

- d Positive test results for alcohol will be documented, via a print out, using the appropriate equipment.
  - The print out will be attached to the consent form, which will be submitted to the Human Resources Department to be placed in the employee's medical file as a matter of record.

Under no circumstances will employees rendering a positive result, of any kind, be allowed to proceed alone or drive their own vehicles to or from the mine site, employee parking lot, or medical facility.

### **Administration**

The Drug and Alcohol Procedure is administered by the HSLP Department.

Testing is conducted in conjunction with the departments and facilities outlined within this procedure.

### **Training**

The COMPANY has a Drug and Alcohol Management Training Program.

Periodic reviews are made to keep supervisors informed of any revisions.

Training under federally mandated programs is conducted as required.

### **Employee Assistance Program**

An Employee Assistance Program is available to employees.

Rehabilitation coverage is provided as outlined within the benefit plans.

Employees who experience alcohol or substance abuse problems are encouraged to seek assistance through the EAP.