

HARVEST OPERATIONS CORP. 'FITNESS FOR WORK' POLICY

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1.0 Purpose

The health and safety of its prospective and current Employees and protecting Workers from injury and occupational illness is of paramount importance to Harvest. Harvest has established this Fitness for Work Policy (the "Policy"), including Alcohol & Drug (A&D) Guidelines and Fatigue Management Guidelines, in order to manage workplace hazards and reduce the risks associated with impairment on the job. In accordance with this Policy and attached Guidelines, Harvest will take every reasonable precaution to provide a safe and efficient work environment for all Workers on Harvest Premises, while ensuring individuals are treated fairly and with respect.

Harvest recognizes that impairment caused by fatigue, stress, alcohol and drug misuse or abuse by Workers on Company Premises, or other sources can adversely affect job performance, the work environment, and the safety of Harvest Employees, contractors, customers and the general public. Such impairment can also negatively impact the environment and both private and public property.

Harvest recognizes that hazards and risks associated with fatigue, stress and impairment are different in a corporate environment as compared to worksites designated as Safety Sensitive Work Locations and the Guidelines established in accordance with this Policy reflect this.

Harvest is committed to maintaining a healthy and respectful workplace and meeting its legal obligations, including the duty to accommodate disabilities. Harvest also recognizes the

need to balance safety and security responsibilities with Workers' reasonable expectations of privacy. Harvest will work to ensure confidentiality and protect the privacy rights of all Workers with respect to the application of this Fitness for Work Policy.

This Policy is a tool in Harvest's Safety Management System to help identify Drug or Alcohol use and for the treatment and return to work of Employees with substance abuse disorders.

2.0 Definitions

Capitalized words and phrases used in this Policy and the attached Schedules and Appendices, as well as in notices and communications made pursuant to this Policy will have the meanings set out in **Schedule "A" (Definitions)**, unless otherwise defined in this Policy.

3.0 Scope and Application

This Policy sets out responsibilities and standards regarding Fitness for Work. All Harvest Employees and Contractors, when on Company Premises or when carrying out Harvest Business, are expected to report Fit for Work and remain Fit for Work throughout their work day or shifts.

While working at Safety Sensitive Work Locations or when performing functions in positions designated as Safety Sensitive Positions, whether on a regular or temporary basis, Harvest Employees and Contractors are expected to meet higher standards of safety as compared to other locations and positions, due to the greater risk involved in this work. These standards are set out in this Policy and the accompanying Guidelines.

Contractors will be advised of the provisions of this Policy applicable to them, and will be expected to comply with these requirements for their employees, sub-contractors and agents. Contractors should refer to **Schedule "F" (Contractor Fitness for Work and Guideline)**.

Violations of this Policy and the accompanying Guidelines may result in disciplinary action up to and including termination of employment for Employees and will be considered a breach of contract for Contractors, which can result in suspension or termination of the contract.

4.0 Fit for Work Assessments and Accommodation

Employment with Harvest in a Safety Sensitive Position will be conditional upon the outcome of the pre-assignment Fit for Work assessment. The nature of such assessment and differences between assessments conducted for candidates versus existing employees is set out in more detail in **Schedule "B" (Fit for Work Assessments and Accommodation)**.

5.0 Fatigue Management Guidelines

Fitness for Work includes having had sufficient rest so as to not be impaired by fatigue. Workers should have sufficient sleep to enable them to carry out their work safely. All Harvest Employees and Contractors, when on Company Premises or when carrying out Harvest Business, are expected to comply with this requirement.

The management of fatigue is a shared responsibility between Harvest management and each individual. The objective of the Fatigue Management Guidelines is to reduce workplace

hazards due to fatigue. Fatigue management plans are required for Harvest field based positions designated as Safety Sensitive in order to assist in assessing the causes of fatigue and mitigating the related hazards. See **Schedule "C" (Fatigue Management Guidelines)** for more detail on preparation of such plans.

6.0 Alcohol & Drug (A&D) Guidelines

Fitness for Work includes being free from impairment caused by the use or misuse of Drugs (whether prescription, non-prescription, legal or illegal) and Alcohol.

Schedule "D" (Alcohol & Drug Guidelines) sets out Harvest's policy and guidelines on the use and possession of drugs and alcohol, exceptions for the consumption and possession of alcohol, implications for Safety Sensitive Positions and Safety Sensitive Work Locations, testing for drugs and alcohol, impaired driving, and the possession or use of medicines.

7.0 Responsibilities

Responsibility for the successful implementation of this Policy and Guidelines is shared by all of the following:

7.1 Employees, Management and Supervisors

<i>Employees/Contractors</i>
<p>Harvest Employees and Contractors are responsible for:</p> <ul style="list-style-type: none">○ Being Fit for Work and reading, understanding and complying with this Policy and its Guidelines.○ Co-operating with any investigation into a possible violation of this Policy and its Guidelines.○ Notifying their Supervisor, if not Fit for Work.○ Monitoring co-workers for signs and symptoms of fatigue and other causes of impairment.○ Telling their Supervisors about personnel unfit for work issues or reporting such issues to their Supervisors.○ Being aware of Harvest's Employee and Family Assistance Program (EFAP), which is designed to help Employees experiencing personal problems such as A&D abuse. Employees are expected to seek assistance before a health condition or substance use issue results in impairment in the workplace or performance issues.
<i>Management and Supervisors</i>
<p>Harvest Management are responsible for:</p> <ul style="list-style-type: none">○ Providing a safe workplace.○ Coordinating work in a way that recognizes hazards associated with fatigue and implement controls to mitigate the risks. This includes providing self-assessment tools to Employees. For each activity that needs to be performed, Harvest will carry out a risk assessment, identify if alertness is an issue, and determine what the consequences would be if there were a failure.○ In camp work settings, the design, location and maintenance of the sleeping quarters and overall camp design will be considered with the objective of facilitating restful sleep.

<ul style="list-style-type: none"> ○ Utilizing a qualified and competent third party contractor to administer and conduct accurate and confidential A&D testing services that comply with the A&D testing procedures found in Energy Safety Canada's Canadian Model for Providing a Safe Workplace (Version 6.0 – July 1, 2018) and Harvest's Privacy Policy. ○ Implementing and maintaining this Policy and its Guidelines across all departments. ○ Providing programs that emphasize awareness, education, and training with respect to the danger caused by impairment in the workplace. ○ Assisting Employees in obtaining assessment, counselling, referral, and treatment to address impairment issues through Harvest's EFAP Program. ○ Providing a safe and confidential environment for Employees to self-disclose a substance addiction or dependency before a Significant Incident or violation of this Policy without fear of termination or discipline. ○ Supporting treatment programs and return to work opportunities where applicable. ○ Ensuring Supervisors receive training and access to resources to recognize worker impairment and to assist in managing this Policy. ○ Ensuring testing for A&D is used only for legitimate work related purposes and that information is collected, used and disclosed only in accordance with Harvest's Privacy Policy.
<p>All Supervisory Positions</p> <ul style="list-style-type: none"> ○ All Supervisors, and in particular, Supervisors working at Safety Sensitive Work Locations or overseeing personnel in Safety Sensitive Positions, shall read and be knowledgeable about this Policy and its Guidelines, specifically including the <i>Supervisor A&D Handbook attached as Schedule "E"</i>, and set a positive example by complying with them. <p>All Harvest Leaders, VP's, Managers, Superintendents, Leads are responsible for:</p> <ul style="list-style-type: none"> ○ Ensuring orientations for new or transferred Employees and contractors include an overview of this Policy and its Guidelines. ○ Ensuring that impairment and the risks of impairment are addressed as a topic in scheduled safety meetings as required. ○ If so designated, ensuring the requirement for post-incident A&D testing is completed and, where required, the necessary post-incident investigations are conducted.

7.2 Human Resources (HR)

<p>Human Resources Advisors are responsible for:</p> <ul style="list-style-type: none"> ○ Ensuring the Policy and its Guidelines are distributed, posted and signed off. ○ Working with the A&D testing services provider to schedule A&D testing. ○ Ensuring new or transferred Employees who are: <ul style="list-style-type: none"> • Applying for or working in Safety Sensitive Positions, understand the pre-assignment A&D testing requirements and Harvest's A&D Guidelines. • Working for Harvest, understand Harvest's A&D Guidelines. • Supervising treatment, monitoring and return-to-work programs for Employees who self-disclose that they may have a substance use or substance abuse

problem.

- Consulting with and providing guidance to Supervisors and managers on what disciplinary sanctions may be appropriate for Employees.
- Being aware of Harvest's Employee and Family Assistance Program (EFAP), which is designed to help Employees experiencing personal problems such as A&D abuse. Employees are expected to seek assistance before a health condition results in impairment in the workplace or performance issues.
- Ensuring this Policy and its Guidelines are:
 - Reviewed by Harvest's Legal Department and Corporate Compliance and comply with regulations that are in force in the jurisdictions in which Harvest operates.
 - Included by reference, where applicable, in contracts with Contractors.
 - Included in all applicable audits and management of change (MOC) processes.

7.3 Health & Safety (H&S)

H&S Advisors will support Operations by validating through audits and spot checks that safety sensitive positions have had proper orientations on this Policy.

H&S Advisors will also support A&D testing process and post-incident investigation.

7.4 Procurement Department

The Procurement Department is responsible for ensuring that this Policy and its Guidelines are included by reference, where applicable, in all Harvest contracts.

7.5 Contractors

Contractors are responsible for:

- Accepting and abiding by the terms of this Policy.
- Having fitness for work policies that meet or exceed the requirements of this Policy.
- Providing a copy of their fitness for work policies when requested by Harvest.
- Where Harvest requires pre-access Alcohol and Drug Testing as a condition of a Worker's access to a Safety Sensitive Work Location, providing Harvest with proof of satisfactory completion of pre-access Alcohol and Drug Testing before access to the worksite by the Contractor's Worker(s).
- Where a Contractor's Worker loses access to Harvest Premises due to a Positive Test Result, providing documentation confirming that the Worker has satisfied conditions as rigorous or more rigorous than the requirements described below under the heading "Consequences for Failure to Comply with the Policy" before the Worker is permitted to return to Harvest Premises.
- Where Harvest requires that a Contractor's Worker(s) undergo a pre-assignment Fit for Work assessment before working in a Safety Sensitive Position or Safety Sensitive Work Location, providing Harvest with proof of satisfactory completion of the assessment before permitting the Contractor's Worker(s) to access the worksite.

8.0 Employee Assistance

Employees who believe they may have a substance abuse problem are encouraged to seek help from substance abuse experts ("SAEs") under Harvest's Employee and Family Assistance Program ("EFAP") and to follow appropriate treatment promptly before job performance or safety is compromised or a violation of this Policy occurs.

Due to the nature of addiction and substance dependency, sometimes it can be difficult for a person to recognize or accept that he or she has a problem. If an Employee is told by someone else – such as a family member, friend, or a medical professional – that the Employee has or may have an addiction, dependency or substance abuse problem, the Employee is responsible for following up on the issue so that they get proper treatment before it leads to performance or safety issues.

An Employee with an alcohol or drug problem, who is not known to have violated the A&D Guidelines, will **not** be disciplined for requesting help from the Company in overcoming a problem or participating in a treatment program.

An Employee who believes he or she may be unable to comply with the A&D Guidelines should seek help by:

- Informing a Supervisor, or a human resources representative; and
- Contacting a family physician, or a qualified SAE, or a person responsible for the administration of the EFAP.

In responding to an Employee's request for help, a Supervisor or manager must:

- Inform the Employee of the assistance available under the EFAP and encourage the Employee to utilize the EFAP;
- Inform the Employee that if he or she fails to utilize the EFAP, Harvest may require that the Employee submit to any or all of the following:
 - i. A medical assessment conducted by a physician;
 - ii. Alcohol and drug testing;
 - iii. An assessment conducted by a SAE.

They are also to inform the Employee that his or her failure to do so may result in disciplinary action up to and including termination of his or her employment with Harvest.

An Employee who receives assistance from the EFAP on account of his or her use of alcohol or drugs must comply with the terms and conditions of any program established to help the Employee as a condition of his or her continued employment. Follow-up testing may be a condition of continued employment. All Employees who complete primary treatment for substance abuse or dependence should be strongly encouraged to participate in a structured aftercare program to maintain recovery. An Employee who is at work and has sought assistance or enrolled in an EFAP program must comply with this Policy.

An Employee who self-discloses that they may have a substance use or substance abuse problem following a request that they have an Alcohol and Drug Test or during an investigation of a potential Policy violation or Significant Incident will not be considered as a legitimate self-referral under this Policy. Self-referral at such a time will not prevent the

Employee from being subject to discipline up to and including termination of employment for cause for violations of this Policy.

Harvest's benefits programs are only available to Employees. Contract Workers who believe they have an alcohol or drug problem should notify the Safety Coordinator or the contractor's Supervisor. Contractors are responsible for ensuring their employees obtain the necessary support.

9.0 Suspected Policy Violations

If a Supervisor has Reasonable Grounds to believe a Worker has reported to or remained at work while unfit, or if a Supervisor observes changes in a Worker's behaviour and/or performance that could be a sign of a substance abuse problem, the Supervisor should refer to and follow the steps outlined in the [*Supervisor A&D Handbook attached as Schedule "E"*](#).

Harvest may also investigate any situation where off-the-job actions of a Worker involving Alcohol or Drugs or leading to fatigue may have direct implications for the workplace, and may take appropriate action under the circumstances.

10.0 Consequences for Failure to Comply with the Policy

Harvest Employees

When disciplinary action is considered, the approach will be to follow a **progressive discipline** format in accordance with Harvest's Employee Discipline Procedure (which can be found on Harvest's intranet). The degree of discipline will depend on the nature of the violation and its consequences, the existence of prior violations, the Employee's response to previous corrective action and the seriousness of the violation. However, if a single Policy violation is serious enough, it may result in termination of employment.

If applicable, Harvest will consider an MRO report, SAE report, and/or Employee A&D Evaluation Report in determining the appropriate disciplinary action (if any).

Pending the outcome of any investigation, an Employee may be suspended with or without pay. During a period of assessment or treatment as recommended by an SAE, an Employee may be subject to modified work and a different work location.

Should Harvest determine that employment will continue after a violation, the Employee will be required to enter into an agreement governing their continued employment that may require any or all of the following actions, or any other condition appropriate to the situation:

- temporary removal from their position;
- assessment by a SAE to determine the need for a structured treatment program;
- adherence to any recommended treatment and aftercare program;
- remain substance-free and have satisfactory performance on return to duty;
- successful completion of a return-to-work test;
- ongoing unannounced testing for the duration of their agreement;

- adherence to any rehabilitation conditions or requirements; and
- no further Policy violations during the monitoring period.

Failure to meet the requirements of the agreement during the monitoring period will be grounds for discipline up to and including termination of employment.

Contractors or Contract Workers

Violations of this Policy and the accompanying Guidelines by a Contractor may be considered a breach of contract, which can result in suspension or termination of the contract.

Harvest reserves the right to change, update and/or cancel this Policy at its discretion.

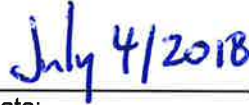
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Sungki Lee, Interim President & CEO



Date:

SCHEDULE "A"

DEFINITIONS

Alcohol: means beer, wine, and distilled spirits, and includes the intoxicating agent found in medicines and other products.

Alcohol and Drugs (A&D): Alcohol or drugs or both.

Alcohol and Drug Test: A test administered in accordance with Section 9.0 of this Policy.

Alcohol and Drug Guidelines: The alcohol and drug guidelines referred to and made part of this Policy.

Blood Alcohol Content (BAC): is the concentration of Alcohol in the blood as measured using a calibrated Alcohol testing machine.

Company or Harvest: refers to Harvest Operations Corp. and its subsidiaries and affiliates.

Company Business: refers to all business activities carried out in the course of the Company's operations, whether they take place on or off a Company Premise.

Company or Harvest Premises: includes all real or personal property, facilities, land, worksites, buildings, accommodations including camps, equipment, containers, vehicles, vessels, boats, and aircraft whether owned, leased, used or controlled by the company, wherever it may be located, for the purpose of conducting Company Business.

Confirmation Test: A test used to verify the results from an alcohol or drug screening test.

Contractor: refers to any legal entity that Harvest has contracted or verbally requested to perform a service for the Company or to act as a representative of Harvest. Such entity may be a corporation, unincorporated organization, partnership, joint venture, association, firm, trust or other entity.

Contract Worker: refers to any individual person performing services while on Company Business that is not an Employee and includes workers and agents employed by a Contractor.

Contraband: means goods that are obtained through an unlawful act or that is unlawful to possess under the law, and may include any property of Harvest or its Contractors obtained unlawfully, and includes any Illegal Drug or substance and any prohibited or restricted weapon, or explosive device.

Dog Handler: means a person in control of a dog that has been specifically trained in the detection of illicit substances such as illegal Drugs and explosive substances.

Drug Paraphernalia: means any equipment, product or material primarily intended or designed for use in manufacturing, compounding, converting, concealing, processing, preparing, using or introducing into the human body an Illegal Drug. This includes any product or device that may be used to tamper with or adulterate a test sample.

Drugs: means any substance whether legal to possess or not, including but not limited to Alcohol, Illegal Drugs, Recreational Drugs, Medications, or herbal preparations the use of which has the potential to change or adversely affect the way a person thinks, feels or acts. For purposes of this Policy, Drugs of concern are those that inhibit an individual's ability to perform his or her job safely and productively including:

- (a) **Illegal Drugs**, which means any Drug or substance that is not legally obtainable and whose use, sale, possession, purchase or transfer is restricted or prohibited by law (e.g. street Drugs such as crystal methamphetamine and cocaine);
- (b) **Medications**, which means a substance used for medicinal purposes and obtained either legally (either over-the-counter or through a doctor's prescription, including Medical Marijuana), or illegally, has not been disclosed and cleared with a Company representative, or that is being misused (i.e., Percocet, Vicodin and Oxycontin); and
- (c) **Recreational Drugs**, which means any Drug or substance that is or becomes legally obtainable and whose use, sale, possession, purchase or transfer for personal use is not restricted or prohibited by law (e.g. legalized marijuana).

Employee: Any person on the Harvest payroll, including persons working on a regular full-time, part time, temporary, casual or seasonal basis.

Employee and Family Assistance Program (EFAP): refers to the program available to Employees that provides confidential, professional counseling for a broad range of personal and family problems, including managing anxiety and depression, controlling substance use, resolving family conflict, and more.

Employer: A person who controls and directs the activities of an employee under an express or implied contract of employment.

Fit for Work: means, in the context of this Policy and its Guidelines, being able to safely and acceptably perform assigned duties without any limitations including those that are caused by the effects or after-effects of Alcohol, Drugs or other substances or by stress or fatigue.

Manager: Includes team leaders and other persons in authority.

Medical Marijuana: Any portion or product of the plant cannabis, including tetrahydrocannabinol (THC), cannabidiol (CBD), and other cannabinoids used for medical treatment and authorized/prescribed by a physician whether they are synthetic or not.

Medical Review Officer (MRO): A licensed physician with knowledge of substance abuse disorders and has the ability to interpret and evaluate an Employee's Alcohol and/or Drug test result together with the Employee's medical history and any other relevant biomedical information.

Negative Test Result: means a report from the MRO that the person who provided a specimen for alcohol and drug testing did not have an alcohol and drug concentration level equal to or in excess of that set out in this Policy.

Non-Prescription Drugs: Drugs that can be lawfully purchased without a prescription.

Owner: The person in legal possession of a site. In the context of the upstream petroleum industry, this includes an operator, licensee, leaseholder, and any other party acting as a prime contractor.

Positive Test Result: means a report from the MRO that the person who provided a specimen for alcohol and drug testing did have an alcohol or drug concentration level equal to or in excess of the limits set out in this Policy.

Reasonable Grounds for Alcohol & Drug Testing: The referral for a test will be based on specific and personal observations resulting from, but not limited to, such indicators as:

- (a) observed inappropriate use or evidence of inappropriate use of Alcohol or Drugs (e.g. smell of Alcohol);

- (b) erratic or atypical behaviour or changes in behaviour (e.g. unexplained absences during regular work hours);
- (c) changes in physical appearance or speech patterns;
- (d) presence of Alcohol, Drugs or Drug Paraphernalia in the vicinity of the Worker or the area where the Worker worked; and/or
- (e) any other observations that suggest the Worker may be under the influence of Alcohol or Drugs.

Reasonable Grounds Search: Harvest may Search for Alcohol and Drugs on any Company Premises where, based on a combination of indicators which could include behaviour, odor, or presence of Drug Paraphernalia, there are reasonable grounds to believe that Alcohol or Drugs are present in violation of the Policy. Such Searches may include offices, lockers, luggage and personal effects.

Safety Sensitive Position: A position in which the individual has a key and direct role in an operation where performance limitations due to substance use could result in a significant incident or near miss. The potential consequences of such an incident or near miss may include fatalities, serious injury to workers or the public, significant property damage, significant environmental damage, or detrimental impact to company reputation. No mitigating measures warrant reclassification of these positions. All Employees, including managers and Supervisors, who may be required to perform safety sensitive duties from time to time, or to temporarily relieve in a Safety Sensitive Position, are included in this category. For the purpose of this Policy and its Guidelines, this definition includes but is not limited to all Workers in operator positions and other camp and field-based positions, as well as Workers when they are driving for work-related purposes, whether on or off a worksite.

Safety Sensitive Work Location: is a location where there are significant hazards, such that anyone working at the location that is under the influence of Alcohol or Drugs could affect the health, safety or security of themselves, other persons, property or the environment. For the purposes of this Policy and its Guidelines, all camp and field locations have been classified as Safety Sensitive Work Locations.

Significant Incident: is any incident that results in, or may reasonably have resulted in, any of the following:

An injury that results in a:

- (a) Fatality;
- (b) Lost-time injury;
- (c) Medical treatment injury; or
- (d) Other recordable occupational injury/illness.

An injury to a member of the public or other third party not directly associated with, but injured as a result of, Harvest Business that includes a:

- (a) Fatality;
- (b) Lost-time injury;
- (c) Medical treatment injury; or
- (d) Other recordable occupational injury/illness.

Safety procedure violation with no injury, illness or damage, but likely to have resulted in:

- (a) a serious injury;
- (b) an environmental spill that is reportable under Provincial or Federal legislation;
- (c) any significant loss or damage to property, equipment, including mobile equipment, or vehicles (includes all associated Harvest, customer, public and other third party damage or loss);

- (d) unintentional contact with energized, de-energized, pressurized, or de-pressurized sources;
- (e) production upset or loss ≥ 8 hours; or
- (f) any other work related incident or a near miss considered to have had significant potential for serious consequences.

Search: means physically inspecting Company Premises and personal property as further described in this Policy for the purpose of determining compliance with the Policy and may include hand searches or the use of a Sniffer Dog and Dog Handler.

Screening Test: An initial test performed on a breath, saliva, or urine sample to determine the presence or absence of Alcohol or Drugs. All positive screening tests must be verified by a confirmation test.

Sniffer Dog: are dogs which have been specially trained, for the detection of Illegal Drugs, substances and explosive devices otherwise referred to as Contraband.

Substance Abuse Expert (SAE): A licensed physician; a licensed or certified social worker; a licensed or certified psychologist; a licensed or certified employee assistance expert; or an alcohol and drug abuse counselor. He or she has received training specific to the SAE roles and responsibilities, has knowledge of and clinical experience in the diagnosis and treatment of substance abuse related disorders, and has an understanding of the safety implications of substance use and abuse.

Supervisor: A person who directs the work of others and is accountable for a particular area or shift, and may, depending on the nature of the company's structure, include the foreman, general foreman, supervisor, superintendent or a team leader.

Tamper: To alter, meddle, interfere or change.

Treatment Program: A program tailored to the needs of an individual which may include education, counseling, and residential care offered to assist a person in complying with the Alcohol and Drug Work Rule.

Work: Includes training and any other breaks from work while on Company Premises.

Worker: includes both Employees and Contract Workers.

SCHEDULE "B"

FIT FOR WORK ASSESSMENTS AND ACCOMMODATION

Candidates

Pre-assignment Fit for Work Assessments for candidates applying for Safety Sensitive Positions will not include specific medical findings or diagnoses. The medical professional conducting the assessment will report one of the following two conditions back to Harvest:

1. Fit; or
2. Unfit (temporary or permanent).

If the candidate is reported as unfit, the recruitment process ends, though the candidate will be eligible to apply for non-Safety Sensitive Positions.

Current Employee

Pre-assignment Fit for Work Assessments for current Employees will include specific medical findings or diagnoses. The medical professional conducting the assessment will report one of the following three conditions back to Harvest:

1. Fit;
2. Fit, but subject to work modification and accommodation; or
3. Unfit (temporary or permanent).

For Harvest's current Employees who are found to be fit for a Safety Sensitive Position, but who require accommodations or modifications, Harvest will ensure that all reasonable attempts, to the point of undue hardship, are made to modify the job, the job requirements, or the working conditions so that the Employee may work safely.

For Harvest's current Employees who are found to be unfit for a Safety Sensitive Position, Harvest will offer the Employee the opportunity to respond to the result. Where the Employee reveals a disability and Harvest is able to accommodate the Employee for a position without incurring undue hardship or creating a risk to the health and safety of Employees and the general public, accommodation will be provided. If the Employee declines to provide a response to the finding of unfit, Harvest will be unable to provide accommodation.

Ability to Reapply for Safety Sensitive Position where Unfit

Candidates found to be unfit for a Safety Sensitive Position, and current Employees found to be unfit where accommodation will not allow them to do the job safely, are encouraged to re-apply for future positions if the medical situation changes. The candidate or Employee will be eligible to again apply for a posted Safety Sensitive Position nine months after being reported as unfit, on the understanding that Candidates and current Employees who reapply will be subject to the same interviewing and Pre-assignment Fit for Work assessment process.

If a Harvest Employee is deemed unfit due to a Drug or Alcohol dependency, the relevant rules regarding dependency, set out in the A&D Guidelines below, will apply.

Confidentiality

Harvest will ensure that any candidate and employee information obtained for the purpose of, or as a result of, the pre-assignment Fit for Work assessment will be kept strictly confidential, in accordance with applicable privacy legislation and Harvest's Privacy Policy.

SCHEDULE “C”

FATIGUE MANAGEMENT GUIDELINES

A. Understanding Fatigue

Fatigue is a feeling of tiredness or exhaustion caused by sleep-related disruption or deprivation that may result in poor decisions, decreased performance, more mistakes and lapses in attention. Fatigue causes slower reaction time, difficulty following instructions, reduced ability to think clearly and slower response to changing circumstances. Fatigue contributes to accidents by impairing performance and, in extreme cases, causing people to fall asleep. Chronic fatigue can also lead to long term health issues.

Fatigue is a complex issue that may arise from hours of work and activities at work as well as factors outside of work (e.g. family responsibilities, stress, lifestyle, personal health etc.). Fatigue can be aggravated by acute lack of sleep or an accumulated sleep debt. Fatigue may also be influenced by the effects of sleep disorders, medical conditions or pharmaceuticals that impact sleep or increase drowsiness. Signs of fatigue include long eye blinks, repeated yawning, frequent blinking, bloodshot eyes, poor reaction time, slow speech, loss of energy, and an inability to concentrate.

Fatigue can affect a worker in the same way as alcohol by impairing reaction times, memory, logic or judgment. After 20 hours of sustained wakefulness, a worker may be as functionally impaired as someone with a blood alcohol concentration above the legal limit.

No one is immune to fatigue. Most adults need 7 to 8 hours of sleep in every 24 hours to feel well rested. A sleep debt is built up by routinely getting less than 7 to 8 hours or the minimum amount of sleep that an individual needs per night. This debt may result in impaired performance, reduced alertness and higher levels of sleepiness and fatigue. A sleep debt can only be repaid with restful sleep.

B. Fatigue Management Plans

Fatigue management plans are required for Harvest field based Premises designated as Safety Sensitive in order to assist in assessing the causes of fatigue and mitigating the related hazards.

Fatigue management requires the following measures to be undertaken:

- Complete a fatigue risk assessment per section D below.
- Create a management plan to eliminate or mitigate, with controls, identified risks.
- Ensure personnel are educated and informed of fatigue risk.

Hours of work scheduled must comply with applicable employment standards legislation.

C. Individual Fatigue Likelihood Assessment

The following assessment tool has been adopted from the Energy Safety Canada's Fatigue Risk Management Guiding Principles and is provided for Harvest Workers to self-assess their level of fatigue. For more information, please see www.enform.ca.

Step 1.	Sleep in prior 24 hours					
	Sleep	≤2h	3h	4h	5+h	
	Points	12	8	4	0	
Step 2.	Sleep in prior 48 hours					
	Sleep	≤8h	9h	10h	11h	12+h
	Points	8	6	4	2	0
Step 3.	Hours of wake since last sleep					
	Add one point per hour awake greater than sleep in Step 2.					

Step 4. Add all points together to determine your score.

Score	Control Level
1 – 4	Self-monitoring
5 – 8	Supervisor monitoring
9+	Don't start shift until fit for work

D. Fatigue Risk Assessment and Controls

Risk Assessment

A fatigue risk assessment must identify the impact of fatigue risks, taking into account relevant local regulations. Fatigue risks should be assessed as follows:

- *Tolerable* – Controls in place are adequate to mitigate the risks and do not need active management
- *Intermediate* – Controls require active management while tasks are being performed.
- *Intolerable* – Must be addressed with additional controls and reassessed.

Assessment of Control Effectiveness

Control effectiveness can be reviewed by examining reports of fatigue and incidents where fatigue is a factor. Effectiveness of controls can also be monitored by examining personnel and circumstances where extended shifts need to be worked. Compliance with fatigue management requirements must be assessed to ensure controls are in place and operating effectively. Deficient controls must be remedied in a timely manner.

Any risks deemed Intolerable must be addressed with additional controls which allow an assessment of Tolerable or Intermediate. Completed assessments must not contain risks assessed as Intolerable.

The risk assessment and management plan must be documented and reviewed when work schedules or job roles are significantly modified. A fatigue management plan is any document that is used to address the identified risks in the risk assessment.

Operational Work Schedules/Rosters

The risk of fatigue can be significantly reduced by effective planning and resourcing of work shifts, work cycles and rotations. Harvest Management must ensure that schedules are assessed for fatigue risks, including the following items:

- Are relevant industry practices and regulatory standards adhered to?
- Are safety critical tasks planned during “circadian low” hours, 2am-6am and 2pm-4pm?
- Are complex tasks planned on the first or final shift of a nightshift work cycle?
- Are standby and on-call duties limited where possible?
- Does day shift start before 6am?
- Do extended shifts (>12 hours) occur more than three times in a work cycle?
- Do shifts rotate backwards (day to night to afternoon)?

Office Work, Business Travel and Commute Time

Office work, business travel and commute time have associated fatigue risks that must be managed. Business travel to operational sites must be managed through local journey management plans. General business travel must be managed through fatigue risk assessments. Commute time and core business hours for office locations must also be assessed. The following items must be assessed at a minimum:

- Do office schedules regularly exceed 14 hours per day, including the lunch break and total commute time?
- Do core office hours regularly exceed 80 hours in a two week period?
- Are opportunities for car/van pooling or use of public transit available?
- Does business air travel occur where total travel time from home to destination is >14 hours?
- For business related ground travel, are alternatives to self-drive available?

Risk Controls - Rest

Risk controls for mitigating fatigue must be applied using the hierarchy of controls. The number of Workers at risk and the level of risk must be considered.

Rest is the most important control measure for managing fatigue. Time spent away from the immediate work environment allows Workers to recover from fatigue, thereby improving work performance, vigilance, safety and efficiency. Conditions for restful sleep must be provided and breaks must be taken during the work shift and not traded for an early finish time for the shift.

To provide adequate rest, consider the following:

- Is a ten hour or longer break between work shifts provided?
- Does the break between work shifts provide an opportunity for 7 or more hours of continuous sleep?
- Is a minimum of one break provided between each 4 hours of work with one break of sufficient length to have a meal (i.e. 30 minutes)?
- Are more frequent short breaks allowed during strenuous activities?
- Is ready access to drinking water provided?
- Do Call-Out/On-Call schedules provide for adequate rest before returning to a regular work shift?

SCHEDULE "D"

ALCOHOL & DRUG (A&D) GUIDELINES

1. Illegal and Recreational Drugs

The following are prohibited for all Harvest Workers while on Company Business or Premises:

- the use, possession, distribution, offering or sale of Illegal Drugs, Recreational Drugs or Drug Paraphernalia; and
- reporting to work or being at work while under the influence of Drugs.

2. Alcohol

The consumption, possession, distribution, offering or sale of any Alcohol is prohibited when on Company Premises or when carrying out Harvest Business, subject to the limited exceptions noted below.

2.1 Exceptions for Consumption of Alcohol

Workers may consume Alcohol when on travel status, at a training event or seminar, or in a similar business related situation, provided the formal business has been completed, Alcohol is used responsibly, and the Employee is not on call or expecting to return to work. Similar guidance applies to business lunches or other meal breaks, except that employees who do not work in Safety Sensitive Positions or at a Safety Sensitive Work Locations may return to work. However, an employee who returns to work exhibiting any signs of impairment whatsoever will not be considered "Fit for Work" and will be subject to the provisions of the Policy.

Alcohol consumption is permitted at Harvest sponsored social functions with the pre-approval of a manager or management, provided Alcohol consumption is controlled to minimize the potential for inappropriate behavior at the function and impaired driving afterwards. Alternative transportation arrangements will be made available when possible.

Consumption of Alcohol is prohibited at camp and at all other Safety Sensitive Work Locations in all circumstances due to the greater risk involved.

2.2 Exceptions for Possession of Alcohol

Sealed containers of Alcohol may be stored in personal vehicles parked on Company Premises, or in vehicles provided, assigned or subsidized by the Company, when not being used for Company Business, provided the Alcohol is locked in the trunk of the vehicle or otherwise appropriately secured.

Alcohol received as a gift may be temporarily stored on Company Premises, including in a vehicle, but must remain sealed and be removed at the earliest opportunity.

The possession of Alcohol is prohibited at camp and at all other Safety Sensitive Work Locations in all circumstances, including in any vehicle (personal or Company), due to the greater risk involved.

3. Safety Sensitive Positions and Safety Sensitive Work Locations

In addition to the requirements set out in Sections 1 and 2 above regarding Illegal Drugs, Recreational Drugs and Alcohol, higher standards apply to Workers working at Safety Sensitive

Work Locations or in Safety Sensitive Positions, whether on a regular or temporary basis, due to the greater risk involved.

3.1 Drugs and Testing

Workers working at Safety Sensitive Work Locations or in Safety Sensitive Positions will be removed from duty if they have a Positive Drug test as determined through the testing program. Procedures for Drug testing and the interpretation of Drug test results, are set out in **Appendix "1" (Procedures for Alcohol and Drug Testing) to this Schedule "D"**.

3.2 Alcohol and Testing

Workers working at Safety Sensitive Work Locations or in Safety Sensitive Positions:

- must not report for duty or remain on duty under the influence of Alcohol;
- must not consume any product containing Alcohol when on duty including during meals or breaks;
- must not have an Alcohol test result of .04 BAC or greater when on duty;
- must not use Alcohol within the first eight hours after an incident until tested or advised by the Company that a test is not required; and
- cannot return to work or report for work after consuming Alcohol at a social event.

Procedures for Alcohol testing and interpretation of Alcohol test results are set out in **Appendix "1" (Procedures for Alcohol and Drug Testing) to this Schedule "D"**.

4. Impaired Driving

All Employees who regularly or periodically operate any motorized vehicle for Harvest must advise management of any loss of their driver's license and immediately report the following situations to their Supervisor:

- Receiving an impaired driving charge while operating a Harvest vehicle or any other vehicle while on Company Business.
- Refusing to provide a sample at the request of a police officer for testing.
- Temporarily losing their license because of an impaired driving charge.
- Losing their license because of an impaired driving conviction.
- If holding a valid license is a condition of employment, the Employee may no longer be qualified for their job. An unreported vehicle infraction in this situation may result in disciplinary action up to and including termination of employment. Failing to report is a violation of this Policy.

5. Possession or Use of Medication

All Harvest Workers are expected to responsibly use prescribed and over-the-counter Medications (including herbal preparations and Medical Marijuana). A guideline on Medications is attached as **Appendix "2" (Medication Guideline) to this Schedule "D"**.

The following are prohibited for all Harvest Workers when on Company Premises or when carrying out Harvest Business:

- the misuse of Medications (i.e. not using the Medication as it has been prescribed or directed by the pharmacy, using someone else's prescription Medication, combining Medication and Alcohol use against direction); and
- the unauthorized possession of prescribed Medications without a legally obtained prescription, and the unauthorized distribution, offering or sale of prescription Medications (trafficking).

All Medication **must** remain in its original container or packaging with the pharmacy labeling and warning stickers intact.

Harvest Workers who work at Safety Sensitive Work Locations or in Safety Sensitive Positions must tell the doctor or pharmacist who prescribes or recommends Medication that his or her work is subject to A&D work rules and that he or she must report any adverse/unsafe side effects to their Supervisor.

In addition, Harvest Workers who work at Safety Sensitive Work Locations or in Safety Sensitive Positions, whether on a regular or temporary basis, will:

- investigate (through their doctor, a pharmacist or a Company designated person who will consult with a medical professional) whether a Medication can affect safe operations;
- act responsibly and use a safe alternative Medication choice when available (i.e. non drowsy);
- take appropriate action to minimize safety risk and advise their Supervisor of any need for modified duties if the Medication they are using could affect their ability to do their job safely; and
- follow any recommended course of action, which could include temporary re-assignment, if possible, or leave as appropriate to the situation.

A prescribing physician will be responsible for determining whether the Worker can safely perform his or her usual work, or whether work restrictions or modifications are required. The Company may, if necessary, ask for the Worker's authorization to get further information from his or her physician regarding the Medication's effects and impact on the Worker's ability to work safely and effectively so that the Company and Worker can work together on a potential accommodation plan approved by the Company.

If the Company and Worker cannot reach agreement on an accommodation plan, or one is not appropriate in the circumstances, the Worker will be expected to follow to any work-related limitations reasonably imposed by the Company.

The Company reserves the right to confirm the nature and length of time of any required work modification with the treating doctor, without any breach of medical confidentiality or privacy laws. Management/HR will provide guidance to Supervisors on work modification.

A Worker who fails to inform the Company that he/she is taking any prescribed Medication, including Medical Marijuana, or non-prescription Medication that could impair his/her ability to perform work safely will be subject to discipline up to and including termination of employment for cause.

5.1 Medical Marijuana

Any Worker working at a Safety Sensitive Work Location or in a Safety Sensitive Position and using or planning to use Medical Marijuana must notify his or her Supervisor (before performing

any further work) that he or she is taking a potentially impairing Medication. This requirement applies even if the Worker uses or plans to use Medical Marijuana outside working hours only.

The Company will then work with the Worker to determine whether the Company can be satisfied that the Worker can work safely. The procedure detailed above under "Possession or Use of Medication" will be followed to make this determination. The Company will make reasonable efforts to accommodate the Worker. However, due to the risks associated with impairment in a Safety Sensitive workplace and/or Safety Sensitive Position and the challenges with measuring current impairment by marijuana, the Company may not always be able to accommodate the use of Medical Marijuana by Workers who work at Safety Sensitive Work Locations or in Safety Sensitive Positions. This may be the case even for use off work time, since marijuana is associated with impairing after-effects that are challenging to adequately measure.

Unless approved in advance by the Company, possession of marijuana/cannabis in any form (whether for medical use or otherwise) is prohibited when on Company Premises or when carrying out Harvest Business.

6. Alcohol and Drug (A&D) Testing and Search

6.1 Alcohol and Drug Testing

Testing procedures for Alcohol and Drugs will comply with industry standards and applicable privacy laws. The testing procedures are set out in [**Appendix "1" \(Procedures for Alcohol and Drug Testing\) to this Schedule "D"**](#).

Failure to report directly for a test, refusal to submit to a test, refusal to agree to disclosure of a test result to the Company Testing Program Administrator, a confirmed attempt to tamper with a test sample, or failure to report an incident which may require testing, are all considered violations of this Policy.

An Employee who admits to Alcohol or Drug use upon being requested to submit to testing under this section, must still be tested.

Harvest will pay the costs of Alcohol or Drug Testing conducted in accordance with this Policy. Harvest will also pay Employees any overtime pay for those Employees to do the testing (or otherwise participate in an investigation conducted pursuant to this Policy) beyond the Employees' regular working hours.

Human Resources will oversee the A&D testing program in consultation with H&S.

6.2 Safety Sensitive Work Locations and Safety Sensitive Positions

The following types of A&D testing can be used to test for compliance with the A&D Guidelines where the Worker or Workers in question work at a Safety Sensitive Work Locations or in Safety Sensitive Positions:

- (a) **Reasonable Grounds for Alcohol & Drug Testing:** The referral for a test will be based on specific and personal observations resulting from, but not limited to, such indicators as:
- observed inappropriate use or evidence of inappropriate use of Alcohol or Drugs (e.g. smell of Alcohol);
 - erratic or atypical behaviour or changes in behaviour (e.g. unexplained absences during regular work hours);
 - changes in physical appearance or speech patterns;

- presence of Alcohol, Drugs or Drug Paraphernalia in the vicinity of the Worker or the area where the Worker worked; and
- any other observations that suggest the Worker may be under the influence of Alcohol or Drugs.

Workers tested in this circumstance will be removed from duty until the investigation is complete. Depending on the test result, a Fit for Work assessment may also be required.

A Supervisor making a referral for A&D Testing on the basis of Reasonable Grounds must do so only in accordance with this Policy (see ***Supervisor A&D Handbook attached as Schedule "E"***).

- (b) **Post Incident Alcohol & Drug Testing:** The referral for a test will be required as part of an investigation into an actual or potential Significant Incident for all Workers for which it is reasonable to believe were directly involved in the chain of acts or omissions leading up to the incident.

A test is not required if there is clear evidence that the acts or omissions of Workers could not have been a contributing factor (e.g. structural or mechanical failure or environmental factors).

Testing is also required following any other incident if, as a result of the preliminary investigation, it is concluded that there is Reasonable Grounds for an Alcohol or Drug test.

- (c) **Pre-Assignment Assessment:** Candidates applying to work for Harvest in a Safety Sensitive Position or at a Safety Sensitive Work Location, or current Harvest Employees applying to transfer into a Safety Sensitive Position or Safety Sensitive Work Location, must submit to an Alcohol & Drug Test.

A Negative Test Result will be a condition of the offer of employment or transfer. The test will be conducted after an offer of employment or transfer has been made to the applicant, but before he or she reports for work. If the test result does not come back negative, the candidate for hire or transfer will be eligible to apply for non-Safety Sensitive Positions. He/she will be eligible to again apply for a Safety Sensitive Position six months after the non-Negative Test Result, understanding that he/she will again be subject to a Pre-Assignment Assessment that includes an Alcohol & Drug Test.

Contract Workers must also submit to an Alcohol and Drug test and receive a Negative Test Result before being accepted by Harvest for assignment for work in Safety Sensitive Positions or at Safety Sensitive Work Locations.

Harvest Employees currently permanently assigned to Safety Sensitive Positions or at Safety Sensitive Work Locations are not required to submit to an Alcohol and Drug Test unless they apply for a different Safety Sensitive Position or Safety Sensitive Work Location, or unless one of the other types of A&D testing applies.

- (d) **Random Alcohol & Drug Testing:** Harvest does not currently have a random testing program. However, because of the safety sensitive nature of our operations, it is possible that random testing may be introduced in the future if, in the Company's view, circumstances warrant doing so. The Company will provide Workers with notice and additional details before implementing random testing program.

6.3 All Harvest Workers

The following types of A&D testing can be used to test for compliance with the A&D Guidelines for any Harvest Worker:

- (a) **Return to Duty – Post Violation:** A Negative Test Result may be necessary before an individual will be permitted to return to work for the Company after a violation of this Policy. The individual may also be subject to unannounced testing as a condition of continued employment as set out in an agreement with the Company.
- (b) **Return to Duty – Post Treatment:** Unannounced testing may be used as a monitoring tool, at a frequency recommended by an SAE, as determined on a case by case basis to support the recovery of any individual assuming duties following treatment for Alcohol and Drug use.

6.4 Search of Company Premises

Searches may be conducted by Harvest in the following circumstances:

- (a) **Reasonable Grounds Search:** Harvest may Search for Alcohol and Drugs on any Company Premises where, based on a combination of indicators which could include behavior, odor, or presence of Drug Paraphernalia, there is reasonable grounds to believe that Alcohol or Drugs are present in violation of the Policy. Such Searches may include offices, lockers, luggage and personal effects.

Supervisors are responsible for notifying Harvest security where there are Reasonable Grounds to believe that this Policy is being violated. Harvest security will determine whether to conduct a search.

- (b) **Unannounced Periodic Searches:** In addition to the above, Harvest may conduct unannounced periodic searches at Safety Sensitive Work Locations. Such Searches may include any vehicle, lockers, or personal effects located in the Common Areas of these facilities. Where the Safety Sensitive Work Location is a camp or other location at which Workers temporarily reside, notification of the affected Worker and the consent of the Worker will be obtained before the Search of the room, luggage, and personal effects of the Worker. This is different than with Reasonable Grounds searches. All Unannounced Periodic Searches must be conducted in accordance with the terms of a search plan approved for the location by management.

Any Illegal Drugs or Drug Paraphernalia found during a search will be turned over to the Police. Confiscated Alcohol will be secured by Harvest security and either disposed of or returned to the owner as deemed appropriate by Harvest security.

7. Alcohol and Drug (A&D) Testing Results

Alcohol and drug test results can be negative, positive, tampered, invalid or inconclusive. All test results will be provided in a confidential written report from the Medical Review Officer (MRO) to the designated Company representative. The Worker will also be notified of the test result.

- (a) A Negative Test Result means the Worker is in compliance with the A&D Guidelines in Section 5.0 of the Policy.
- (b) A Positive Test Result means non-compliance. The Worker is in violation of the Policy.
- (c) A tampered test result means non-compliance. The Worker is in violation of the Policy.

- (d) An invalid or inconclusive test result cannot be relied upon to determine compliance or non-compliance and further testing may be required.

In order to preserve the confidentiality of test results, the designated Company representative and any person to whom disclosure is permitted under this Policy and its Guidelines must not disclose the test results to any person other than a person who needs to know the test results to discharge an obligation under the Fitness for Work Policy.

Confidentiality will be maintained to the greatest extent possible except where limited disclosure is necessary for related health and safety concerns (i.e. there is deemed to be a potential for risk to self, others or the Company), or where required or permitted by law (i.e. in the case of litigation or government investigation). That is, only the information strictly limited to the level of functionality (i.e. fitness for work and any restrictions that may apply) may be shared with management for purposes of determining fitness for work, appropriate work accommodation, and/or work re-entry initiatives.

When an Employee consents in writing to undergo A&D testing, he or she also authorizes the MRO to provide the test results to an SAE to whom the Employee has been referred under the provisions of the Company's EFAP.

Appendix "1" to Schedule "D"

Procedures for Alcohol and Drug Testing

Sample collection, testing and reporting of results will be carried out in a manner that ensures the accuracy and integrity of results. Rigorous sample collection, storage and chain-of-custody procedures will be followed. All Workers who are tested will be required to sign a consent form. They will be given a copy of the testing forms for their records.

Tests will be administered as follows:

- Harvest will advise the Worker that a test is being requested and the reason for the test, and will direct the Worker to attend a collection site in order to provide a specimen or sample. Harvest will provide transportation to the collection site, or, if circumstances require it, a qualified technician may be brought to the worksite.
- The Worker will be required to bring photo ID (government issued or Company issued) in order for the collection site to verify his or her identity. If no suitable ID is available, a Supervisor may accompany the Worker to verify his or her identity for the purposes of the test.
- Testing will be conducted to determine the presence of cannabinoids (i.e. marijuana, which includes Medical Marijuana), cocaine, opiates (includes Heroin metabolite 6- AM), phencyclidine, amphetamines, methamphetamine (including ecstasy), and Alcohol.

Post Incident and Reasonable Grounds testing will be conducted as follows:

- Samples will be collected as soon as possible after the triggering incident. Any reason for a delay beyond two hours must be documented and provided to Harvest HR. No sample will be collected eight (8) hours after the incident for an Alcohol test, or thirty-two (32) hours after the incident for a Drug test.
- The usual method of Alcohol testing will be through the collection of breath or saliva samples by a qualified technician.
- The usual method of Drug testing will be through the collection of saliva samples by a qualified technician.

Return to Work testing will be conducted as follows:

- Un-announced testing may be used as a monitoring tool as a condition of employment following a violation of this Policy and/or following treatment for Alcohol and Drug use.
- Alcohol testing may be conducted through the collection of breath, saliva, or urine samples by a qualified technician.
- Drug testing may be conducted through the collection of saliva or urine samples by a qualified technician.

Random testing, if implemented, will be conducted as follows (subject to change on notice at the time of implementation):

- Workers will be randomly selected through a computerized and completely random process. The selection rate of Workers for testing will be predetermined and communicated before implementation of random testing.
- The usual method of Alcohol testing will be through the collection of breath or saliva samples by a qualified technician.
- The usual method of Drug testing will be through the collection of saliva samples by a qualified technician.

Results from Alcohol & Drug Tests will be assessed as follows:

- If the result of the initial Alcohol test is less than .02 BAC, the test is considered negative. If the result is .02 BAC or higher, confirmation testing will be carried out within 45 minutes using a breath alcohol screening device.
- A **confirmed** positive Alcohol test is one in which the result of confirmation testing is .04 BAC or higher.

Alcohol	Screening Test Level	Confirmation
Alcohol	≥ 0.02 ml per 210 litres of breath or saliva	≥ 0.04 ml per 210 litres of breath or saliva

- If the result of the initial Drug test is less than the screening level shown in the table below, the test is considered negative. If the result is equal to or greater than the screening level shown in the table below, confirmation testing will be conducted.
- A **confirmed** positive Drug test based on the collection of urine samples is one in which the result of confirmation testing is equal to or greater than the confirmation level shown in the table below.

Drug or Classes of Drug	Screening Test Levels (ng/ml)*	Confirmation Test Levels (ng/ml)*
Marijuana (THC)	≥ 50	≥ 15
Cocaine metabolite	≥ 150	≥ 100
Opioides Codeine Morphine Hydrocodone Hydromorphone Oxycodone Oxymorphone	≥ 2,000 ≥ 2,000 ≥ 300 ≥ 300 ≥ 100 ≥ 100	≥ 2,000 ≥ 2,000 ≥ 100 ≥ 100 ≥ 100 ≥ 100
6-Acetylmorphine	≥ 10	≥ 10
Phencyclidine	≥ 25	≥ 25
Amphetamines Amphetamine Methamphetamine	≥ 500 - -	- ≥ 250 ≥ 250

MDMA	≥ 500	≥ 250
MDA	-	≥ 250

Source: US Department of Transportation, Rule 49 CFR Part 40, January 1, 2018

- A **confirmed** positive Drug test based on the collection of saliva samples (i.e. oral fluid) is one in which the result of confirmation testing is equal to or greater than the confirmation level shown in the table below.

Drug or Classes of Drug	Screening Test Levels (ng/ml)	Confirmation Test Levels (ng/ml)
Marijuana (THC)	≥ 4	≥ 2
Cocaine metabolite	≥ 20	-
Cocaine or Benzoyllecgonine	-	≥ 8
Opioids	≥ 40	-
Codeine	-	≥ 40
Morphine	-	≥ 40
Hydrocodone	-	≥ 40
Hydromorphone	-	≥ 40
Oxycodone	-	≥ 40
Oxymorphone	-	≥ 40
6-Acetylmorphine	-	≥ 4
Phencyclidine	≥ 10	≥ 10
Amphetamines	≥ 50	-
Amphetamine	-	≥ 50
Methamphetamine	-	≥ 50
MDMA	-	≥ 50
MDA	-	≥ 50

Source: COAA and Energy Safety Canada, 2018

- Confirmed positive test results must be reviewed by a qualified Medical Review Officer who will provide the Worker an opportunity to discuss the result in an effort to determine whether a positive test could have resulted from the legitimate use of Medications or other medical explanations. The MRO will then determine whether the result will be reported to the Company as a Negative, Positive, tampered or invalid or inconclusive test result.
- In the case of a confirmed positive result for a urine test conducted in accordance with the Policy, a Worker may request the MRO to direct split sample testing at an accredited laboratory of the Worker's choice within seventy-two (72) hours of receiving their results. Where split samples are not collected, the Worker can request that the original sample be reanalyzed, provided there is enough of the original specimen to retest. In this case, the donor is billed \$150 for this service and Harvest will reimburse the Worker for the cost.
- A test reported as Positive by the MRO will be considered a violation of the Policy, whether or not the Drugs or Alcohol were actually consumed while on Harvest Business or at Harvest Premises. Failure to report directly for a test, refusal to submit to a test, refusal to agree to disclosure of a test result to the designated Company representative, or an attempt to tamper with a test sample are all considered violations of the Policy.

Appendix “2” to Schedule “D”

Medication Guideline

All Workers are expected to manage the legitimate use of Medications to avoid potential impairment during working hours. This includes Medical Marijuana that a Worker has an authorization for possession of.

The following Drug categories have been associated with performance impairment and are provided as a guideline to Workers in assessing their own situation. The list is not exhaustive; there are numerous other over-the-counter and prescription Drugs which when taken may negatively impact performance.

Workers are expected to consult with their personal physician or a pharmacist, HR or H&S, or the on-site medic to determine if use of a Medication will have any potential negative impact on job performance. If the Medication will affect their ability to operate safely, Workers are to take appropriate action to minimize safety risk by advising management of any need for modified duties. Please note that this Policy and its Guidelines include considerations specific to Medical Marijuana at Schedule D, Section 5.

Harvest reserves the right through HR or H&S to confirm the nature and duration of any required work modification.

1. **Antihistamines** - are widely prescribed for hay fever and other allergies (e.g. Allegra, Dimetane). They are also found in many cold Medications. These Medications may cause drowsiness.
2. **Motion Sickness Drugs** - are used to prevent motion sickness and nausea (e.g. Gravol, Antivert). Side effects may include drowsiness.
3. **Barbiturates, Sedatives, Hypnotics, Tranquilizers, Antidepressants** – are used to treat sleep disorders and depression (e.g., Ativan, Imovane, Paxil). Potential side effects may include mild sedation, hypnotic state, dizziness or drowsiness.
4. **Narcotics** - (e.g. Demerol, Codeine, Oxycontin and Percoset). Codeine is often found in combination drugs such as 222s or 292s or Tylenol 1,2,3s. Potential side effects may include mild sedation, hypnotic state, dizziness or drowsiness.
5. **Stimulants** - Medication used for central nervous system stimulation and for appetite suppression can produce sensations of well-being which may have an adverse effect on judgment, mood and behaviour (e.g. amphetamines or Medications sold as "diet pills").
6. **Anticonvulsants** - are used to control epileptic seizures and can cause drowsiness in some patients (e.g. Dilantin).
7. **Muscle Relaxants** - are used to treat musculoskeletal pain. Most common side effects are sedation and drowsiness (e.g. Flexeril, Robax).
8. **Cold Tablets/Cough mixtures** - in particular, nighttime remedies can cause drowsiness (e.g. Sinutab, Contac, Triaminic, Tussionex and preparations containing dextromethorphan (DM) or codeine).
9. **Medical Marijuana** - treatment uses include chronic pain, nausea, sleep disorders and appetite problems. Potential side effects include tiredness, dizziness, decreased motor coordination, impaired judgment, and slower reaction time.

SCHEDULE “E”

SUPERVISOR ALCOHOL AND DRUG HANDBOOK

1. Introduction

The Supervisor Alcohol & Drug (A&D) Handbook has been designed to ensure Harvest Supervisory personnel have the necessary procedures and forms to implement this Policy and its Guidelines in their area of responsibility.

The Supervisor A&D Handbook is:

1. Not a substitute for Harvest’s Fitness for Work Policy with A&D Guidelines.
2. Aligned with Energy Safe Canada’s *Canadian Model for Providing a Safe Workplace (Version 6.0 – July 1, 2018)*.

2. Application

This Handbook applies to all Harvest Supervisory personnel at any Harvest worksite, facility, road/airport (Harvest owned or operated), or when in any Harvest owned, rented, or leased accommodations, vehicle/airplane/boat.

3. Responsibilities

All Supervisory Positions
<p>All personnel in Supervisory positions are responsible to:</p> <ul style="list-style-type: none">○ Read and be knowledgeable about this Policy and its Guidelines, including this Supervisor A&D Handbook, and set a positive example by complying with them.○ Assess fitness for work for Workers under their supervision on an on-going basis and be aware of changes in a Worker’s behaviour or attitude, which can be signs of substance abuse, sleep deprivation or the Worker being under excessive stress, and document any concerns. Supervisors have the right and responsibility to temporarily hold out of service, or re-assign, any Worker suspected of being unfit to perform work safely.○ Ensure persons under their control are aware of and comply with Harvest’s Fitness for Work Policy and its Guidelines (including Fatigue Management Guidelines and A&D Guidelines).○ Ensure that applicable work schedules comply with this procedure.○ Approve controls for managing fatigue.○ Conduct a review of any fatigue related incidents and the effectiveness of existing control measures as required.○ Ensure that fatigue related incidents are reported and fatigue is considered during incident investigation.○ Identify and document situations in which Harvest’s Alcohol and Drug Guidelines are not being followed.○ Monitor the work performance of their staff (employees, contractors and subcontractors) and be aware of changes in behaviour or attitude, which can be signs of A&D substance abuse. Document all concerns.

For example: Employees who regularly refuse a call-out due to consumption of alcohol and drugs will trigger an Employee A&D Evaluation by his or her Harvest Supervisor.

- Attend Supervisor training.
- Ensure new or transferred Employees, contractors, and subcontractors receive an awareness orientation on this Policy and its Guidelines.
- Conduct inspections or work with corporate/camp security for A&D per:
 - Harvest's Fitness for Work Policy, guidelines, and work rules
 - Facility/site-specific requirements
 - Joint venture agreements and third party contracts such as conducting A&D program evaluations and audits.
- Take immediate action in accordance with this Supervisor A&D Handbook when there are Reasonable Grounds to believe a Worker is not Fit for Work.
- Work with Harvest's Health & Safety Advisors when post-incident A&D testing is required.
- Ensure all Employees who, on their own initiative, request assistance to address an impairment or substance use issue are directed to Harvest's HR Department for information regarding relevant resources (including both through the EFAP and the community).
- Take action on performance issues and, in consultation with an HR advisor or member of the management team, submit an Employee A&D Evaluation Report in accordance with the Supervisor A&D Guideline.
- **It is not a Supervisor's responsibility to:**
 - **Diagnose alcohol and drug problems,**
 - **Provide counseling or therapy,**
 - **Be a police officer (not to make accusations of using alcohol or drugs), or**
 - **Contact a substance abuse expert (SAE) to obtain information about an Employee undergoing treatment.**

4. Training and Competency

Supervisors will receive appropriate training to:

- (a) Recognize Employee performance indicators, behavioural changes, and the use of A&D at the workplace.
- (b) If so designated, conduct initial A&D testing at remote sites and/or Contractor A&D Program Audits, including making use of the [Contractor Fitness for Work Program Audit by Harvest Form](#), attached as Form No. 3 to this Supervisor A&D Handbook.

5. Education and Communications

The following topics can be used by Supervisors during orientations and safety meetings:

- (a) Safety concerns and safety focus of Harvest's Fitness for Work Policy with A&D Guidelines.

- (b) Key elements of this Policy and its Guidelines, particularly the A&D Guidelines, the A&D testing procedures, and circumstances where A&D testing is required.
- (c) Effects on and risks to Workers that result from Alcohol and Drug use.
- (d) Behaviours a person demonstrates when under the influence of Alcohol and Drugs.
- (e) Role of the Employee and Family Assistance Program (EFAP) and how to access these services.
- (f) Consequences for Positive Test Results and Harvest's progressive discipline procedure.

6. Taking Action

Supervisors **must** take action when there is, or is suspected to be an Alcohol & Drug related problem that is in violation of this Policy and its Guidelines. This could involve:

- (a) Reasonable Grounds to believe a Worker is not following the A&D Guidelines.
- (b) Violations of site-specific work rules (e.g., dry camps).
- (c) Work related incidents and reportable near misses or impaired driving charges.
- (d) Performance management issues and/or changes in Employee behaviour or attitude.

7. Unfit for Work Situations

Supervisors who suspect an Employee or contractor has reported to or remained at work while unfit should make use of the following forms to assess and document potential problems:

1. [Employee A&D Evaluation Report](#) found in Form No. 1 attached to this Supervisor A&D Handbook.
2. [A&D Performance and Behaviour Indicator Checklist](#) found in Form No. 2 attached to this Supervisor A&D Handbook.

These forms should be forwarded to HR as soon as possible and not retained by the Supervisor.

If there are Reasonable Grounds to believe a Worker has reported to or remained at work while unfit, the Supervisor should escort the Worker in question to a safe and private place, and interview him or her with an HR or H&S representative when available, or another Supervisor if possible, and give the Worker an opportunity to explain why he or she appears to be not Fit for Work.

If the explanation is not plausible and/or the Supervisor still believes the Worker is in a condition unfit for work, the Supervisor must take one or more of the following actions:

- (a) Investigate further by questioning the Worker to determine the reason that the Worker is not Fit for Work and what appropriate steps should be taken in accordance with this Policy;
- (b) Refer the Worker for medical attention if there are immediate medical concerns (health centre, local hospital or clinic) and ensure he or she is safely escorted there; and/or
- (c) Notify Harvest security if there may be Reasonable Grounds to conduct a search of Harvest Premises in accordance with this Policy (see Section 8 below).

In addition to the above, if the Worker in question works at a Safety Sensitive Work Location or in a Safety Sensitive Position, the Supervisor may, in accordance with this Policy, direct the Worker to submit to an Alcohol and Drug test if there are Reasonable Grounds to believe Alcohol or Drug use may be a factor in the situation.

No Worker is permitted to return to work if they are not Fit for Work.

Where a Worker is referred for medical attention or directed to submit to an Alcohol and Drug test, the Worker should be provided with transportation and escorted to the collection site or hospital/clinic depending on the circumstances, and then provided with transportation to their local place of residence or the care of another adult person. The Worker may be temporarily removed from their duties or re-assigned pending completion of any investigation.

If the Worker is directed to submit to an A&D Test, the Supervisor will:

- (a) Provide the Worker with the reason for the request under Section 9.1.1.
- (b) Inform the Worker that an appropriate time for further discussion with Human Resources will be made after the A&D testing has been completed.
- (c) If the Worker is an Employee, advise the Employee (in the presence of a witness) that he or she may be subject to disciplinary action up to and including termination of employment for refusing the test.
- (d) Arrange transportation (i.e., taxi, or Supervisor/co-worker to drive) for the Worker to travel to the collection site.

If the Worker refuses transportation, attempt to persuade the Worker to change his/her mind. Do not detain or physically restrain the Worker. Inform the Worker that you intend to call the police unless the Worker accepts transportation. Seek corroborating witnesses to verify the Worker's refusal of transportation.

If the Worker refuses transportation and his or her condition suggests a potential or actual safety risk to themselves or other drivers, notify the police and state: *"I am calling because I am concerned about a Worker by the name of _____. Based on my observations of his/her behaviour and his/her performance today at work, I am concerned about his/her ability to safely operate a motor vehicle"*. Pass your observations on to the officer but do not voice an opinion about alcohol or drug use.

Important Note: Supervisors may need to modify the above guidelines to match the circumstances of the violation of the work rules and the location of the worksite.

8. Alcohol and Drug Searches

Searching for Alcohol & Drugs, Drug Paraphernalia, contraband, or a product or device that will tamper with an A&D test will be conducted according to:

- 1. This Policy and its Guidelines and Harvest's Security Policy.
- 2. A site-specific procedure at a remote worksite by a Harvest Supervisor, the HR Advisor, and/or the Harvest H&S Advisor.
- 3. The terms of any relevant contract or joint venture agreement.

The Supervisor will be assisted by at least one other senior Harvest Employee at all times. The location of Alcohol & Drugs (including empty A&D containers), Drug Paraphernalia, or a product or device that will tamper with an A&D test should be photographed and documented in the Employee A&D Evaluation Report.

Any Employee or Contract Worker who refuses to submit to a search requested by a Harvest representative will be removed from Harvest's facilities and worksites.

9. Potential A&D Problem Based on Work Performance or Behaviour

Changes in an individual's work performance, behaviour, or attitude can be a sign of a problem with substance abuse. Taking early **action** is important to help the Worker and prevent the problem from getting worse.

Supervisors who suspect an Employee or contractor has reported to or remained at work while unfit should use the following to assess and document potential problems:

1. [Employee A&D Evaluation Report](#) found in Form No. 1 attached to this Supervisor A&D Handbook.
2. [A&D Performance and Behaviour Indicator Checklist](#) found in Form No. 2 attached to this Supervisor A&D Handbook.

These forms should be forwarded to HR and not retained by the Supervisor.

When possible, seek assistance from another Supervisor to observe and evaluate the situation. Do not tell the other Supervisor that you suspect Alcohol or Drug use. This could easily bias his or her observations. Simply state that you are concerned about the Worker's behaviour or job performance and that you would like him or her there to observe and provide you with some feedback on the situation.

When you are ready:

Discuss the situation with Human Resources (if an Employee) or the Contractor (if a Contract Worker) and develop a course of action which may include arranging a formal meeting to discuss the situation.

Discussing a performance problem with an Employee is often the most difficult and uncomfortable step in the performance management process. A Supervisor must overcome that discomfort and meet with the Employee once sufficient information has been gathered to adequately discuss the performance issue. This means establishing clear goals and expectations for the interview.

Before starting the interview:

1. Complete Section 1.0 and read Section 2.0 of the Employee A&D Evaluation Report.
2. Review and select the applicable questions in Section 3.0 of the Employee A&D Evaluation Report.
3. Review your documentation and notes.
4. Conduct the interview in private and without interruption.

When Meeting with the Employee:

1. **Ask for an explanation** regarding your observations about their performance, behaviour or fitness for duty. Refer to Section 3.0 of the [Employee A&D Evaluation Report](#).

For example: “Joe, I noticed the following things in your performance or behaviour today at work (use the Employee Evaluation Checklist and/or your notes). Can you explain why this is happening?”

Do not start the interview by accusing the Employee of A&D abuse as that may not be what is causing the problem. If the Employee volunteers this information, then you might be able to take some action as Supervisor that doesn't require the EFAP.

2. In the event the Employee discloses information on a medical condition or Medication use to explain your observations, inform the Employee they **must obtain** a written release from his or her physician or dentist that the medical condition or Medication being taken will **not** affect their ability to perform their job safely. The Employee should **not** continue to work or be scheduled to work again until the medical release has been received.
3. Direct the course of the interview. Do not allow the Employee to direct the discussion away from his or her behaviour or job performance.

It is common for a person who is confronted with a problem to deny it either because he or she does not want to or refuses to recognize that his or her behaviour is inappropriate or because he or she fears reprisal or disciplinary action. At that point, be very careful not to enter into a debate or argument with the Employee.

4. Explain the level of performance expected of the Employee having regard for his or her training and experience, years of service, job level, and past performance.

Also discuss **positive** aspects of the Employee's performance when you are reviewing your documented concerns.

5. If the Employee agrees to talk with Human Resources about the program available under EFAP, provide the contact information.

Ensure the Employee understands that applying for assistance is confidential.

6. If the Employee **refuses** to talk with the HR Advisor or substance abuse expert (SAE) about the voluntary EFAP, warn the Employee that if his or her work performance continues to be unsatisfactory, Harvest may require the Employee to:

- Undergo mandatory assessment by an independent medical practitioner, or
- Undergo appropriate mandatory A&D testing conducted by an independent testing service provider/laboratory, or
- Be subject to disciplinary actions as defined in Harvest's Discipline Procedure up to and including termination of employment.

7. As a final step before proceeding with A&D testing, take a time out and discuss the interview with your corroborating Supervisor and/or HR Advisor. Ask yourself:

- Are there objective facts pointing to A&D abuse?
- Do the other attending Supervisor and/or HR Advisor have the same conclusion?

- Am I putting my workplace, the Employee, other Employees, or the public at risk if the testing is not done?

Decision to A&D Test:

1. Based on the results of the interview, observations and discussion with HR and/or a department senior management representative, you may decide there are reasonable grounds to test the Employee for A&D use.

"Based on my observations of your behaviour or performance at work, I am requesting that you submit to an A&D test in order to evaluate your fitness for duty."

2. If the Employee refuses to participate in an A&D test, the Supervisor must advise the Employee (in the presence of a witness) that he or she will be subject to disciplinary action up to and including termination of employment for refusing the test.
3. A written memo or letter to the Employee from the applicable VP should document the initial interview. (The memo or letter is written in conjunction with Human Resources). A copy of the memo and the Employee A&D Evaluation Report will be placed in the Employee's confidential personnel file.

10. Off Duty Situations

In addition to the above, Harvest may investigate any situation where off-the-job actions involving Alcohol or Drugs may have direct implications for the workplace, and will take appropriate action under the circumstances.

11. Definitions and Acronyms

Refer to Schedule "A" (Definitions) of Harvest's Fitness for Work Policy for definitions and acronyms.

Form No. 1 to Schedule "E"- Employee A&D Evaluation Report

Page 1 of 2

Reasonable Grounds: <input type="checkbox"/> Unfit for Duty <input type="checkbox"/> Potential A&D Problem <input type="checkbox"/> Other:	
1.0 Location and Date	
Harvest Department:	Date of Incident:
Work Site / Facility:	Time of Incident:
Employee's Name:	Position:
Supervisor's Name:	Cell:
HR Advisor's Name:	Cell:
Name of Witness:	Cell:
Other:	Cell:
2.0 Required Actions	
<p>It is the responsibility of each Supervisor:</p> <ol style="list-style-type: none"> To take immediate action and to complete this form whenever the Supervisor observes or is made aware of a situation where an employee is suspected of being under the influence of A&D and/or objective facts support an immediate A&D test based on reasonable grounds. To take action if they observe a potential A&D problem based on work performance or behaviour. <p>Note: These procedures may need to be modified to address remote work sites, contract employees, or when Harvest non-safety sensitive employees and consultants are involved.</p> <p>Reasonable grounds: Includes information established by the direct observation of the employee's conduct or other indicators, such as the physical appearance of the employee, the smell associated with the use of alcohol or drugs on his or her person or in the vicinity of his or her person, his or her attendance record or unexplained absences during regular work hours, circumstances surrounding an incident or near miss and the presence of alcohol, drugs or drug paraphernalia in the vicinity of the employee or the area where the employee worked.</p>	
3.0 Initial Interview Questions	
1. Have you consumed any alcohol or _____ drug before reporting for duty ?	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A
2. Have you been drinking alcohol or using any _____ drug at the work site today ?	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A
3. Where have you placed any A&D that were not consumed (including empty _____ containers)?	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A
4. I noticed the following things in your performance or behaviour at work. Can you explain why this is happening?	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A
5. Are you taking any medication that would explain what I am seeing in your performance or behaviour?	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A
6. Are you aware of any medical condition that would explain what I am seeing in your performance or behaviour?	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A
7. If you do not want to discuss your situation then I am asking you to contact Human Resources who will provide confidential help under EFAP; call 1-800-663-1142	<input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A
<p>Note: Never start by immediately accusing the employee of using alcohol or drugs or being under the influence, being impaired or high. Only an A&D test can provide objective proof of alcohol or drug use. Keep your discussion focused on safety and fitness for duty.</p>	

4.0 Required Procedure			
<input type="checkbox"/> Unfit for Duty Situations: State the objective evidence giving reasonable belief that the employee was under the influence of alcohol or a controlled substance at the time of the incident or observation. Physical evidence, witness statements, and other pertinent information should be retained and filed for future reference. (Use additional sheets, if necessary.)			
<input type="checkbox"/> Potential A&D Problem Based on Work Performance or Behaviour: State the objective evidence in the observed changes in an employee's work performance, behaviour, or attitude that be a sign of a problem with substance abuse. Discuss the situation with Human Resources and develop a course of action which may include an employee interview and/or A&D Testing.			
Unfit for Duty: If the employee has a response to the unfit for duty charge(s), it should be recorded below. The A&D test is still required; there are no exceptions.			
Job Performance: If the employee has a response to the Job Performance charge(s), record it below.			
Important Note: If the employee refuses to be tested, the employee should be informed that his or her refusal may result in disciplinary action up to and including termination of employment.			
Unfit for Duty Transport Arrangements:			
5.0 Sign-off			
<table style="width: 100%;"> <tr> <td style="width: 60%;">Employee Signature:</td> <td style="width: 40%;">Date:</td> </tr> </table>		Employee Signature:	Date:
Employee Signature:	Date:		
Phone or cell:	Employee refused A&D test: <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		
E-mail:	Employee refused EFAP services: <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		
<table style="width: 100%;"> <tr> <td style="width: 60%;">Supervisor Signature:</td> <td style="width: 40%;">Date:</td> </tr> </table>		Supervisor Signature:	Date:
Supervisor Signature:	Date:		
Unfit for Duty: <input type="checkbox"/> yes <input type="checkbox"/> no	Employee advised of EPAP: <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> N/A		
Poor Work Performance: <input type="checkbox"/> yes <input type="checkbox"/> no	Employee advised of consequences: <input type="checkbox"/> yes <input type="checkbox"/> no		
<table style="width: 100%;"> <tr> <td style="width: 60%;">Witness Signature:</td> <td style="width: 40%;">Date:</td> </tr> </table>		Witness Signature:	Date:
Witness Signature:	Date:		
Unfit for Duty: <input type="checkbox"/> yes <input type="checkbox"/> no	Employee advised of consequences: <input type="checkbox"/> yes <input type="checkbox"/> no		
<table style="width: 100%;"> <tr> <td style="width: 60%;">Harvest HR Advisor:</td> <td style="width: 40%;">Date:</td> </tr> </table>		Harvest HR Advisor:	Date:
Harvest HR Advisor:	Date:		
Unfit for Duty: <input type="checkbox"/> yes <input type="checkbox"/> no	Discussed situation with Supervisor: <input type="checkbox"/> yes <input type="checkbox"/> no		
Poor Work Performance: <input type="checkbox"/> yes <input type="checkbox"/> no	Discussed situation with Supervisor: <input type="checkbox"/> yes <input type="checkbox"/> no		

Form No. 2 to Schedule "E" A&D Performance and Behaviour Indicator Checklist

Page 1 of 2

Physical Signs or Conditions:

- | | | |
|---|--|--|
| <input type="checkbox"/> Weariness, exhaustion
<input type="checkbox"/> Unusual cuts, bruises, rashes
<input type="checkbox"/> Dilated or constricted eyes
<input type="checkbox"/> Unusual effort to cover arms
<input type="checkbox"/> Fresh puncture marks
<input type="checkbox"/> Yawning excessively
<input type="checkbox"/> Unsteady walk/poor coordination
<input type="checkbox"/> Dry mouth
<input type="checkbox"/> Grinding teeth, dental problems
<input type="checkbox"/> Running or sniffing nose
<input type="checkbox"/> Use of breath purifiers (i.e., gum/spray) | <input type="checkbox"/> Flushed face
<input type="checkbox"/> Facial itching
<input type="checkbox"/> Eyelid tremors
<input type="checkbox"/> Sleepiness (nodding off)
<input type="checkbox"/> Blank stare
<input type="checkbox"/> Change in personal grooming habits
<input type="checkbox"/> Unusual thirst
<input type="checkbox"/> Extreme bad breath
<input type="checkbox"/> Excessive use of nasal sprays
<input type="checkbox"/> Major weight gain or loss
<input type="checkbox"/> Sunglasses worn at inappropriate times | <input type="checkbox"/> Yellow/gray skin complexion
<input type="checkbox"/> Glassy/blood shot eyes
<input type="checkbox"/> Marked reddening of eyelids
<input type="checkbox"/> Alcohol on breath
<input type="checkbox"/> Untidiness
<input type="checkbox"/> Slurred speech
<input type="checkbox"/> Hyperactivity
<input type="checkbox"/> Receding gums
<input type="checkbox"/> Shakes, hand tremors
<input type="checkbox"/> Strong use of perfumes
<input type="checkbox"/> Changes in appearance after lunch or break |
|---|--|--|

Mood:

- | | |
|---|--|
| <input type="checkbox"/> Appears to be depressed or extremely anxious all the time
<input type="checkbox"/> Suspicious
<input type="checkbox"/> Low frustration tolerance levels
<input type="checkbox"/> Mood changes after lunch or break
<input type="checkbox"/> Disorientation | <input type="checkbox"/> Irritable
<input type="checkbox"/> Complains about others
<input type="checkbox"/> Over-reaction
<input type="checkbox"/> Confusion
<input type="checkbox"/> Emotional unsteadiness (e.g., outbursts of crying) |
|---|--|

Actions:

- | | |
|---|--|
| <input type="checkbox"/> Becomes a loner
<input type="checkbox"/> Argumentative
<input type="checkbox"/> Displays violent behavior
<input type="checkbox"/> Spends excessive amount of time on the telephone | <input type="checkbox"/> Withdrawn or improperly talkative
<input type="checkbox"/> Has exaggerated sense of self-importance
<input type="checkbox"/> Avoids talking with supervisor regarding work issues |
|---|--|

Absenteeism:

- | | |
|---|---|
| <input type="checkbox"/> Frequent use of unscheduled vacation time
<input type="checkbox"/> Requesting to leave work early for various reasons
<input type="checkbox"/> Highly unlikely excuses for absences
<input type="checkbox"/> Acceleration of absenteeism & tardiness, especially on Mondays, Fridays, before & after holidays
<input type="checkbox"/> Leaving work area more than necessary (e.g., frequent trips to water fountain & bathroom) | <input type="checkbox"/> Unauthorized absences
<input type="checkbox"/> Long lunch hours
<input type="checkbox"/> Frequent unreported absences, later explained as emergencies
<input type="checkbox"/> Unusually high incidence of colds, flu, upset stomach, and headaches
<input type="checkbox"/> Unexplained disappearance from the job with difficulty in locating employee |
|---|---|

Accidents:

- | | |
|--|---|
| <input type="checkbox"/> Taking of needless risks
<input type="checkbox"/> Higher than average accident rate on & off the job | <input type="checkbox"/> Disregard for the safety of others
<input type="checkbox"/> Damage to company property or equipment |
|--|---|

Work Patterns:

- | | |
|---|---|
| <input type="checkbox"/> Inconsistency in quality of work
<input type="checkbox"/> Mental slow down
<input type="checkbox"/> Lapses in concentration
<input type="checkbox"/> Difficulty in remembering own mistakes
<input type="checkbox"/> Using more time to complete work, missing deadlines
<input type="checkbox"/> Poor judgment, more mistakes than usual, and general carelessness | <input type="checkbox"/> Missed deadlines
<input type="checkbox"/> Complaints from others
<input type="checkbox"/> Difficulty in recalling instructions
<input type="checkbox"/> Increased difficulty in handling complex situations
<input type="checkbox"/> Wasting materials |
|---|---|

Relationships to Others on the Job:

- | | |
|--|--|
| <input type="checkbox"/> Over-reaction to real or imagined criticism
<input type="checkbox"/> Wide swings in morale
<input type="checkbox"/> Unrealistic resentments
<input type="checkbox"/> Complaints of problems at home, such as separation, divorce, child discipline | <input type="checkbox"/> Avoidance & withdrawal from peers
<input type="checkbox"/> Complaints from co-workers
<input type="checkbox"/> Borrowing money from fellow employees
<input type="checkbox"/> Persistent job transfer requests |
|--|--|

Note: Some of these indicators may be caused by other conditions (diabetes, blood pressure) or circumstances. In most cases, it is suggested that a determination of reasonable suspicion be based on more than one indicator.

Warning Signs of Alcohol and Commonly Abused Drugs:

Alcoholism - Alcohol abuse clouds the judgment of users and causes them to lose muscle control. This explains why abusers can't walk straight or talk normally when they have been drinking. Reflexes are significantly impaired, vision is blurred, speech is slurred and the body sweats heavily in an attempt to rid itself of the substance.

Marijuana: Glassy, red eyes; loud talking, inappropriate laughter followed by sleepiness; loss of interest, motivation; weight gain or loss.

Depressants (including Xanax, Valium, GHB): Contracted pupils; drunk-like; difficulty concentrating; clumsiness; poor judgment; slurred speech; sleepiness.

Stimulants (including amphetamines, cocaine, crystal meth): Dilated pupils; hyperactivity; euphoria; irritability; anxiety; excessive talking followed by depression or excessive sleeping at odd times; may go long periods of time without eating or sleeping; sniffing; weight loss; dry mouth and nose.

Hallucinogens (LSD, PCP): Dilated pupils; bizarre and irrational behavior including paranoia, aggression, hallucinations; mood swings; detachment from people; absorption with self or other objects, slurred speech; confusion.

Heroin: Contracted pupils; no response of pupils to light; needle marks; sleeping at unusual times; sweating; vomiting; coughing, sniffing; twitching; loss of appetite.

Inhalants (glues, aerosols, vapours): Watery eyes; impaired vision, memory and thought; secretions from the nose or rashes around the nose and mouth; headaches and nausea; appearance of intoxication; drowsiness; poor muscle control; changes in appetite; anxiety; irritability; lots of cans/aerosols in the trash.

Warning Signs of Prescription Painkiller Dependency

Most commonly prescribed painkillers (OxyContin, Demerol, Vicodin, Methadone, Darvocet, Lortab, Lorcet and Percocet), while offering relief from pain, can also cause individuals' bodies to start "needing" the drugs in order to feel just "normal." They may become defensive and lash out in response to simple questions in an attempt to hide a drug dependency, if users feel their secret is being discovered.

Physical warning signs of drug abuse:

- ☐ Bloodshot eyes, pupils larger or smaller than usual
- ☐ Frequent nosebleeds and sniffing - could be related to snorted drugs (meth or cocaine)
- ☐ Changes in appetite or sleep patterns. Sudden weight loss or weight gain
- ☐ Deterioration of physical appearance, personal grooming habits, unusual smells on breath, body, or clothing
- ☐ Shakes, tremors, slurred speech, impaired coordination, and seizures without a history of epilepsy
- ☐ Constant cough, running nose and red, sniffing, glazed eyes
- ☐ Increased sensitivity: normal sights, sounds and emotions becoming overly stimulating to the person
- ☐ Hallucinations, experiencing blackouts and forgetfulness: forgetting events that have taken place

Behavioral signs of drug abuse:

- ☐ Calling in sick to work more often and a drop in performance at work
- ☐ Complaints from co-workers or supervisors
- ☐ Unexplained need for money or financial problems. May borrow or steal to get it
- ☐ Silent, withdrawn, engaging in secretive or suspicious behaviors
- ☐ Sudden change in friends and frequently getting into trouble (arguments, fights, accidents, illegal activities)

Psychological warning signs of drug abuse:

- ☐ Unexplained change in personality or attitude
- ☐ Sudden mood swings, irritability, angry outbursts, or laughing at nothing
- ☐ Periods of unusual hyperactivity, agitation, or giddiness
- ☐ Lack of motivation; inability to focus; appears lethargic or "spaced out"
- ☐ Appears fearful, anxious, or paranoid, with no apparent reason

Form No. 3 to Schedule “E”

Contractor Fitness for Work Program Audit by Harvest

1.0 Company and Audit Information	
Company Name:	Date of Audit:
Department:	Date of Last Audit:
Company Rep:	Cell:
Harvest Auditor:	Cell:
Comments:	

S - satisfactory, U - unsatisfactory, NA - not applicable

2.0 Governance and Responsibilities	S	U	NA	Comments
1. Program is based on Energy Safety Canada's A&D ¹ policy model				
2. Includes signed Fitness for Work Policy statement				
3. Company has A&D employee assistance program				
4. Training and competency requirements included?				
5. Responsibilities include company's chain of command and appropriate departments				
6. Responsibilities including subcontractors				
7. Includes compliance statement with their client's (i.e., Harvest) A&D program				
3.0 Alcohol and Drug Guidelines	S	U	NA	Comments
1. Prohibits the use, transportation, or sale of A&D				
2. Performance requirement includes “Fit for Work”				
3. Aligned with Energy Safety Canada's A&D policy model				
4. Identifies A&D tolerance limits for all employees				

¹ A&D means Alcohol and Drugs

5. Identifies A&D tolerance limits for Safety Sensitive workers				
6. Alcohol tolerance limits based on US DOT ²				
7. Drug tolerance limits based on US Dept. HHS ³				
8. Includes refusing to comply with A&D testing				
9. Includes drug paraphernalia / tampering devices				
10. Includes prescription and non-prescription drugs				
11. Declaration by employee - prescription drugs				
12. Declaration by employee - non-prescription drugs				
13. Declaration by employee - impaired driving and lose of driver's license				
4.0 Implementation of A&D Guidelines	S	U	NA	Comments
1. Supervisor implements the A&D Guidelines				
2. Supervisor receives appropriate training to implement the company's A&D program				
3. Supervisor A&D Handbook is available				
4. Supervisor receives A&D testing training				
5. A&D Guideline includes employee evaluation report				
6. Guideline includes performance indicator checklist				
7. Supervisor uses orientations and safety meetings to address the company's A&D program				
8. Safety risks of A&D abuse are communicated				
9. A&D abuse assistance available under the EFAP ⁴				
10. Procedures for confirming compliance with the possession, transportation, or sale of A&D (includes paraphernalia and tampering devices)				
11. Procedures for conducting searches				

² US DOT means United States Department of Transportation (for alcohol testing)

³ US Dept. HSS means United States Department of Health and Human Services (for drug testing)

⁴ EFAP means Employee and Family Assistance Program

5.0 Alcohol and Drug Testing for Compliance				
1. Name of Third Party Service provider for A&D testing				
2. For remote worksites, Supervisor can conduct test				
3. Alcohol testing complies with US DOT Standard				
4. Drug testing complies with US HSS Standard				
5. HR Department implements the EFAP				
6. Safety Sensitive Positions identified				
7. A&D testing after work related incident				
8. Reasonable grounds test - immediate action				
9. Reasonable grounds test - performance/behaviour				
10. Safety Sensitive Position testing				
11. Conditional offer testing				
12. Qualification testing of employees transferring into a Safety Sensitive Position				
13. Return-to-work and follow-up testing				
14. Worksite / Facility access testing				
15. Random testing				
16. Explanation of the chain of custody and reporting procedures of the test results (includes report)				
17. Explanation of negative testing results				
18. Explanation of positive testing results				
6.0 Non-Compliance of A&D Test Results	S	U	NA	Comments
1. Explanation of confirmation test after a positive test				
2. Attach the process used to assign appropriate disciplinary actions				
3. Progressive discipline format used				

4. Process by the SAE ⁵ to assess employee for A&D disease or recreational use				
5. Addresses medications that cause false positive				
6. Addresses medical conditions causing false positive				
7. EFAP-approved treatment for A&D abuse				
7.0 Consequences for Failing to Comply with A&D Rules				
1. Disciplinary action assessed on an individual basis				
2. Immediate action for obvious A&D abuse				
3. Impaired driving or loss of license				
4. Tracks A&D positive test results				
5. Procedure to advise client the status of employee				
8.0 Implementation of Fatigue Management Guidelines	S	U	NA	Comments
1. There is a Fatigue Management Plan in place and hazard assessments have been carried out				
2. Supervisor implements the fatigue management guidelines				
3. Supervisor receives appropriate training to implement the company's fatigue management program				
4. Safety risks of fatigue are communicated to workers				

⁵ SAE means Substance Abuse Expert

SCHEDULE "F"

CONTRACTOR FITNESS FOR WORK POLICY (WITH ALCOHOL & DRUG GUIDELINE AND FATIGUE MANAGEMENT GUIDELINE)

Responsibilities

Contractors are expected to:

- Ensure their representatives are Fit for Work and free from any adverse performance effects of Alcohol or other Drugs by enforcing these requirements for their employees, subcontractors and agents, when working on Harvest Business, Harvest Workplace and worksites; and
- Comply with Harvest's Fitness for Work Policy (with Alcohol & Drug and Fatigue Management Guidelines) (the "Policy"), or implement and enforce their own policy that meets or exceeds the requirement of the Policy.

Access to Testing Services and Test Results

The requirements for testing are set out in the Policy. In situations where testing is required and Contractor does not have its own testing program or is temporarily unable to perform testing as required by the Policy, Harvest will allow Contractors to access Harvest's Alcohol and Drug testing system.

Any Contractor using Harvest's Alcohol and Drug testing system will be required to sign a waiver indemnifying Harvest from any legal liability associated with the provision of testing services. Harvest reserves the right to invoice Contractor for reasonable and customary charges associated with providing this service. In a situation where Contractor workers are tested under Harvest's Employee testing system, such individuals must confirm in writing that their results can be released to the Harvest Alcohol and Drug Program Administrator.

Contractors must ensure that the testing protocol under Contractor's own policy includes a requirement for Workers to sign a release indicating both the name of the donor and that the results ("Negative Test" or "Positive Test" as defined in the Policy) will be released to Harvest.

Where Alcohol and Drug Testing is required under the Policy, Workers will not be permitted to return to a Harvest worksite until the results of the Alcohol and Drug Test are received by Harvest.

Violations of Contractor Expectations

If there is any reason to believe any Contract Worker is on duty in an unfit condition, or otherwise in contravention of the basic intent and provisions of the Policy, the Contractor is required to conduct an investigation and Harvest may also conduct its own investigation.

The Contractor must satisfy Harvest that there was not a breach of the Policy. Alternatively, if the Contractor confirms a violation has occurred, they are required to take the appropriate steps to prevent further risk to people, property, the environment or Harvest Business. The Worker in violation of the Policy will not be allowed to return to work for Harvest without written permission from the Harvest Alcohol and Drug Program Administrator.

Failure of the Contractor or the Contractor's representatives to meet these expectations will be considered willful misconduct and a failure to comply with Harvest's health and safety requirements. As such it will be considered a breach of contract and may result in Harvest exercising its rights under its contract with the Contractor including the suspension or termination of the contract.

SCHEDULE “G”

RESOURCES

In addition to contacting HR and/or H&S for assistance with this Policy and its Guidelines, the following may also be of assistance:

1. Energy Safe Canada’s Canadian Model for Providing a Safe Workplace (Version 6.0 – July 1, 2018)
2. Energy Safety Canada’s
3. Document Name or Information Source Availability:

[Alberta Motor Association – Crash Causes](#)

[Canada Safety Council – Fatigue](#)

[Canadian Centre for Occupational Health and Safety – Shift work](#)

[Canadian Centre for Occupational Health and Safety – What is fatigue?](#)

[Guide to Safe Work: Fatigue Management – A Worker’s Guide to Preventing Incidents and Injuries Related to Fatigue](#)

[National Sleep Foundation](#)

[Workers’ Compensation Board of Alberta – Working Safely Behind the Wheel](#)

[WorkSafe Alberta – Fatigue, Extended Work Hours, and Safety in the Workplace](#)

[Fatigue Risk Management \(Transport Canada\)](#)

[Alberta Workplace Health and Safety](#)

[Exhausted Or Drunk - Behind the Wheel It Makes No Difference](#)

[Fatigue, Extended Work Hours, and Safety In The Work Place](#)

[Fatigue and Safety at the Workplace \(Quick Facts\)](#)

[WorkSafeBC](#)

[Better Sleep](#)

[Canada Sleep Foundation](#)

[Fighting Fatigue](#)

[National Sleep Foundation](#)

[National Sleep Foundation Publications](#)

[Drowsy Driving](#)

[South Australian Road Transport Association \(SARTA\)](#)

[Beyond the Midnight Oil: Managing Fatigue in Transport](#)

[U.S. Department of Transportation](#)

[Worksafe Western Australia](#)

[Developing A Fatigue Management System For Commercial](#)

[Drivers and Operators In Western Australia](#)