

OMS CP 12-00-02 Alcohol and Drug Policy for Employees

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ARTICLE 1 GENERAL PRINCIPLES

1.01 Policy Statement

BP Canada places a priority on a goal of eliminating health and safety risks associated with all business activities. BP Canada's Policy Commitment to Health, Safety, Security and Environmental Performance states:

"No accidents, no harm to people and no damage to the environment."

This statement forms the foundation for BP Canada's Alcohol and Drug Policy for Employees (the "**Policy**"). The inappropriate use of Alcohol, the use of Drugs, and the misuse of Medications may have serious adverse effects on health, safety and job performance. This in turn can negatively impact other Employees, members of the public and the environment. Therefore, appropriate measures are necessary to ensure the safe and successful conduct of our Company business.

BP Canada recognizes that substance dependencies are treatable conditions and that early intervention in addition to deterrence greatly improves the probability of lasting recovery. The intent of this Policy is one of prevention and rehabilitation where reasonably possible.

1.02 Application and Scope - General

This Policy will be applied to all Employees who are working for BP Canada in all circumstances when Employees are conducting Company Business or are on Company Premises. This Policy will be administered in a fair and equitable manner. The priority is to provide a safe and healthy working environment that minimizes any negative effects due to the use of Alcohol or Drugs by Employees, while respecting the confidentiality and privacy of all individuals covered by the Policy.

In order to eliminate the risk of unsafe and unsatisfactory performance due to the use of Alcohol or Drugs, and in support of a responsible approach to Alcohol and Drug use, BP Canada prohibits the following when on Company Premises, on Company Business, on duty or on Scheduled Call:

- (i) Being not Fit for Work;
- (ii) The use, possession, distribution, offering or sale of Drugs or Drug Paraphernalia;
- (iii) The illegal possession, distribution, offering or sale of Medications and their intentional misuse;

- (iv) The use, possession, distribution, offering or sale of Alcohol, subject to specific exemptions/standards;
- (v) The presence in the body of Alcohol or Drugs listed in Appendix I at or above the cut-off level established under the Policy; and
- (vi) Driving an assigned vehicle when under the influence of Alcohol or Drugs.

Please refer to Article 3 for a more detailed explanation of the prohibitions listed above. Violation of this Policy by Employees is considered a breach of a condition of employment and is grounds for disciplinary action up to and including termination of employment for cause.

1.03 Responsibilities

- (a) There is a shared responsibility for the successful implementation of this Policy:
 - (i) BP Canada will provide its Employees with access to assistance programs in a manner that places a priority on confidentiality, fairness and respect for the individual;
 - (ii) Each Employee is expected to assume ownership of their problem and use the counselling and treatment services that have been made available;
 - (iii) All Employees bear a responsibility for compliance with the Policy and for their own safety; and
 - (iv) All Employees are expected to notify appropriate personnel in situations where a co-worker's misuse of Alcohol or Drugs presents an occupational risk.
- (b) Because quality, excellence and safety cannot be achieved in a workplace where job performance is adversely affected by the use of Alcohol or Drugs, BP Canada will:
 - (i) Use the management of job performance as the basis for the application of this Policy on a continuous basis;
 - (ii) Provide Employees and their families with access to confidential assessment, counselling, referral and aftercare services through the EAP and Occupational Health;

- (iii) Make reasonable efforts to accommodate the Employee by providing the supportive environment necessary for successful rehabilitation;
- (iv) Provide awareness and education programs;
- (v) Encourage responsible judgment in the use of Alcohol at Company functions;
- (vi) Reserve the right to undertake Alcohol and Drug Tests only in specific circumstances as outlined in this Policy; and
- (vii) Ensure compliance with the law in all jurisdictions where BP Canada operates.

1.04 Administration

Procedural guidelines regarding all aspects of this Policy are provided in Appendices I-IV. Any questions on Policy details, interpretation, or implementation provisions should be referred to Human Resources, the Law Department or Occupational Health. BP Canada's decision shall be final in all cases.

1.05 Policy Evaluation

To ensure this Policy continues to meet the established objectives, and remains responsive to current circumstances as well as evolving needs, the Policy and its implementation will be monitored on an on-going basis, and it will be subject to formal evaluation within 3 years after implementation and on a regular basis thereafter. Accordingly, it may be amended from time to time at BP Canada's sole discretion. Any amendments will be communicated to the individuals covered by the Policy.

1.06 Employee Acceptance of Terms

By continuing his or her employment with the Company, the Employee accepts the terms of this Policy and authorizes the collection facility to report Alcohol Test results and the MRO to report Drug Test results to the Company or any persons with legal authority to require the disclosure of the test results.

ARTICLE 2 DEFINITIONS

2.01 Definitions

Words used in this Policy and the appendices will have the following meaning:

- (a) **“Alcohol”** means any substance that may be consumed and that has an alcoholic content in excess of 0.5 per cent by volume.
- (b) **“Alcohol and Drug Test”, “Alcohol Test” or “Drug Test”** means scientifically recognized tests which analyse an individual’s breath, urine, or in certain situations, saliva, for evidence of Alcohol or Drug exposure, as the context requires. (See Alcohol and Drug Testing Procedures, Appendix I).
- (c) **“BAC”** means blood alcohol concentration as determined by recognized breathalyser tests.
- (d) **“BP Canada” or “the Company”** means BP Canada Energy Company and its affiliates in Canada.
- (e) **“Company Business”** includes all business activities undertaken by Employees in the course of BP Canada’s operations whether conducted on or off Company Premises for which an Employee is compensated.
- (f) **“Company Premises”** means all land, property (including camps), vehicles, offices, buildings, desks, lockers and any other facilities that are owned, leased, operated, used or otherwise directly controlled by BP Canada.
- (g) **“Dependents”** means immediate family (i.e., **“spouse”**) and dependent children as defined under BP Canada’s employee benefits policies.
- (h) **“Drugs”** include any drug, substance, chemical or agent, the use or possession of which is unlawful in Canada.
- (i) **“Drug Paraphernalia”** means miscellaneous equipment or personal belongings used in the course of introducing Drugs into the body or associated with the use of Drugs.
- (j) **“EAP”** means BP Canada’s Employee Assistance Program.
- (k) **“Employee”** means all regular full time, part time, seasonal, temporary and casual employees of BP Canada, including any employee on temporary assignment to BP Canada.
- (l) **“Fit for Work” or “Fit for Duty”** means being able to safely and acceptably perform assigned duties without any limitations due to the use or after-effects of Alcohol, Drugs or Medications.

- (m) **“Human Resources”** means BP Canada’s Human Resources Department.
- (n) **“Incident”** means a Company occurrence, circumstance or condition that caused or had the potential to cause damage to person, property, security or the environment.
- (o) **“Law Department”** means BP Canada’s Law Department.
- (p) **“Medication”** means any substance used for medicinal purposes that is obtained through prescription or over-the-counter.
- (q) **“MRO”** means a Medical Review Officer which is a physician certified in the interpretation of substance testing.
- (r) **“Occupational Health”** means BP Canada’s Occupational Health Department.
- (s) **“SAE”** means a substance abuse expert.
- (t) **“Safety-Sensitive Position”** or **“SSP”** means a position where individuals work with materials or equipment in an environment that poses a threat to the safety of them, the work place, the work force or the public if handled without proper care and attention.
- (u) **“SAP”** means a substance abuse professional.
- (v) **“Security”** means BP Canada’s Corporate Security Department.
- (w) **“Scheduled Call”** means Employees who have been designated as being on-call in accordance with a communicated schedule.
- (x) **“Supervisor”** means the individual in a leadership position or a position of authority over Employees, or over a particular facility, location, project, area or shift, including team leaders, managers, superintendents and others in positions of authority as designated by BP Canada from time to time.
- (y) **“Under the Influence Driving”** means driving offences where charges are laid, including, the offences referred to as impaired driving, blowing over the legal BAC (in that jurisdiction) or refusing to submit to a breath test.

ARTICLE 3
SUBSTANCES AND APPLICABLE RULES

3.01 Fitness for Duty

Everyone is expected to report Fit for Duty and to remain as such throughout their work day or shift. The following standards have been established in order to minimize the risk of unsafe and unsatisfactory performance due to the use of Alcohol or Drugs.

3.02 Drugs

The following are prohibited:

- (a) the use, possession, distribution, offering or sale of Drugs or Drug Paraphernalia when on Company Premises, on Company Business, on duty or on Scheduled Call;
- (b) the illegal possession, distribution, offering or sale of Medications and their intentional misuse when on Company Premises, on Company Business, on duty or on Scheduled Call; and
- (c) reporting for duty or on Scheduled Call when being not Fit for Duty or having Drug levels at or above the cut-off levels set out in Appendix I.

3.03 Alcohol

(a) The following are prohibited:

- (i) the use, distribution, offering or sale of Alcohol when on Company Premises, on Company Business or on duty;
 - (ii) possession of Alcohol when on Company Premises;
 - (iii) reporting for duty or on Scheduled Call when being not Fit for Duty or having a BAC of 0.04 or greater; and
 - (iv) the use of Alcohol within the first eight hours after an Incident or until tested or advised a test is not required.
- (b) Limited exceptions to the above are as follows:
- (i) sealed containers locked in the trunk or out of the driver's reach in an assigned vehicle for personal use with the approval of the Performance Unit Leader;

- (ii) responsible use of Alcohol at special/organized business-related events (e.g., Canadian Association of Petroleum Producers dinners) is accepted, consistent with these standards, provided the Employee is not on Scheduled Call and otherwise complies with this Policy; and
- (iii) social functions sponsored by BP Canada and which have received prior management approval (See Suggested Hosting Practices, Appendix IV).

3.04 Medications and Other Substances

- (a) Employees are expected to use Medications, both prescribed and over-the-counter, responsibly.
- (b) The intentional misuse of prescribed Medications, over-the-counter Medications and other substances (e.g., not using the Medication as prescribed or using someone else's prescription Medication) while on Company Business or Company Premises is prohibited. Misuse of Medication includes:
 - (i) taking in excess of the prescribed or recommended amount of a Medication;
 - (ii) taking Medication prescribed for someone else;
 - (iii) taking Medication for other than its intended purpose; or
 - (iv) taking Medication improperly (for example, in combination with Alcohol).
- (c) all Employees are expected to investigate, through their physician or pharmacist whether a Medication can affect safe operation and take appropriate steps to minimize associated risk, which could include requesting to have duties delegated to another individual.
- (d) Employees in a SSP must have the agreement of a licenced medical practitioner that the Medication prescribed will not affect their ability to operate safely, must report any concerns to their Supervisor or Occupational Health, and must abide by any requirement for modified work or other appropriate course of action to minimize safety risk.
- (e) BP Canada reserves the right, through Occupational Health, to confirm the need for modified work without breaching medical confidentiality.

3.05 Scheduled Call Situations

- (a) Employees must remain Fit for Duty when on Scheduled Call and are expected to report Fit for Duty for any and all work.
- (b) If unscheduled circumstances arise where an Employee is requested to perform services and has recently used Alcohol, Drugs or Medications, the Employee is expected to request that responsibility be delegated to another individual. The inability of an Employee to accept a work assignment in this situation will not result in disciplinary action.

ARTICLE 4 PREVENTION, ASSISTANCE AND REHABILITATION

4.01 Prevention

This Policy stresses the importance of prevention and early identification of potential problem situations. Employees will be provided with information on health and safety hazards, recognizing performance problems which could be related to Alcohol or Drug abuse and the process to access EAP for assistance with an Alcohol or Drug problem, or any other problem that may be affecting their work performance.

4.02 Assessment/Rehabilitation

Employees who suspect they have a substance dependency or emerging Alcohol or Drug problem are strongly encouraged to seek advice and to follow appropriate treatment promptly before their job performance is affected or violations of this Policy occur. Employees or their Dependents who suspect they may have a substance dependency or emerging Alcohol or Drug problem may access EAP.

4.03 Voluntary Disclosure

- (a) No one with an Alcohol or Drug problem will be disciplined for voluntarily requesting help in overcoming their problem. However, in order for this provision to apply in a particular case, help must have been accessed prior to the Employee being notified that they must report for an Alcohol and Drug Test under this Policy, or prior to the initiation of disciplinary action under this Policy.
- (b) Disciplinary action under this Policy cannot be avoided by disclosure that the Employee is already involved in a treatment program.

- (c) Accessing assistance voluntarily does not eliminate the requirement for participation in a follow-up program to support recovery or the maintenance of satisfactory performance levels.

4.04 Removal from Work

Where, in the opinion of Occupational Health or a qualified professional from EAP, there is a risk that an individual is not able to do their job safely, the Employee will be removed from duty or placed in a modified non-SSP position until BP Canada management has received a Fit for Work clearance from Occupational Health. Within reasonable limits, work schedules will be adjusted to accommodate any period of time the Employee is required to attend a treatment or counselling program and coverage for Employees will be within the limits of the Company's benefits program.

4.05 Return to Work Conditions

- (a) All Employees returning to duty after a formal treatment program will be subject to a follow-up program to support their recovery for a period of time to be determined on a case by case basis and which may include unannounced testing as a condition of their return to work.
- (b) Those Employees returning to a SSP will be required to abide by a monitoring program that includes unannounced testing as a condition of their return to work for a period of time to be determined on a case-by-case basis.
- (c) These monitoring requirements will be documented in a return to work agreement between BP Canada and the Employee.
- (d) Prior to returning to duty the Employee must have a Fit for Duty clearance from Occupational Health.

4.06 Confidentiality

Confidentiality will be maintained except where limited disclosure is necessary for related health and safety concerns (e.g., there is deemed to be a potential for risk to self, others or the Company, or when disclosure is required by law).

ARTICLE 5 PROCEDURES

5.01 Escort from Company Premises

- (a) If an Employee is not Fit for Work or otherwise in violation of this Policy while on Company Premises conducting Company Business, they will be safely escorted from the workplace, and Occupational Health and the individual's Supervisor will be notified. Wherever possible, this action will only take place after consultation with and the agreement of a second trained Supervisor.
- (b) The Supervisor is responsible for assessing the situation, and where there are reasonable grounds to believe Alcohol or Drug use are a factor, the Employee will be referred for an Alcohol and Drug Test (See subsection 5.03(b)). Where the Supervisor does not reasonably believe Alcohol or Drug use are a contributing factor in the immediate circumstances, the Supervisor may refer the Employee to Occupational Health for a Fit for Duty assessment.
- (c) At a Supervisor's reasonable discretion, any Employee may be temporarily held out of service or reassigned, pending medical determination of Fit for Duty, assessment of a potential Alcohol or Drug problem or completion of an investigation into a possible violation of this Policy. An Employee in a SSP must not be allowed to perform any safety-sensitive duties until they have received a Fit for Duty clearance from Occupational Health. If an Employee is in a SSP or is held out of service by their Supervisor, the Employee must not be allowed to return to their position without the prior written consent of:
 - (i) Occupational Health after giving consideration to the Employee's Fit for Work status; and
 - (ii) site management, after giving consideration to the job function performed, the safety of the work environment and any appropriate conditions governing the Employee's return to work.

5.02 Possession of Alcohol or Drugs

If a Supervisor has reasonable grounds to believe that an Employee, while at or on Company Premises or on Company Business may possess Alcohol or Drugs, a Supervisor must:

- (a) make reasonable inquiry to confirm the Employee does not have in his or her possession Alcohol or Drugs; or

- (b) if appropriate, seek the assistance of a peace officer to confirm that an Employee does not have in his or her possession Alcohol or Drugs.

5.03 Alcohol and Drug Testing

Refusal to submit to a test, refusal to sign the required acknowledgment and consent form, failure to report directly for a test, refusal to agree to disclosure of a test result to management, or a confirmed attempt to tamper with a test sample are all violations of this Policy and are grounds for disciplinary action up to and including termination of employment for cause.

Alcohol and Drug Tests will be conducted in the following circumstances:

- (a) Pre-Employment/Pre-Assignment Testing for SSP's: As part of the recruitment process, applicants to a SSP will be required to pass a certification process that will include a Drug Test. Employees already employed by BP Canada who are transferring to a SSP will also be required to undergo a Drug Test as a condition of their reassignment. Applicants and candidates for employment or for reassignment to a SSP will be advised of the requirement to pass a Drug Test in advance to be eligible for employment in that position. All existing Employees that do not pass a Drug Test will be referred to EAP or Occupational Health for a Fit for Duty assessment. The applicant or Employee must not perform any safety-sensitive duties until the Supervisor responsible for the position has been advised by Occupational Health that the applicant or Employee is Fit for Duty.
- (b) Reasonable Cause Testing: Testing will be required whenever the Company has reasonable grounds to believe that the actions, appearance or conduct of an individual while on duty are indicative of the use of Alcohol or Drugs. The decision to test must only be made by a trained Supervisor with the concurrence of a second trained person (in accordance with Article 7) whenever possible. The following procedures will apply to all reasonable cause testing:
- (i) the basis for the decision to request a test must be documented as soon as possible after the request has been made;
- (ii) the referral for a test will be based on specific, personal observations including, but not limited to:
- observed use or evidence of use of Alcohol or Drugs;
 - changes in the job performance of the Employee;

- erratic or atypical behaviour of the Employee;
 - changes in the physical appearance of the Employee;
 - changes in the speech patterns of the Employee;
 - smell associated with Alcohol or Drugs on the Employee or in the vicinity of the Employee; or
 - the presence of Alcohol, Drugs or Drug Paraphernalia in the vicinity, on the Employee or the area where the Employee worked.
- (iii) in all situations when a BP Canada Supervisor believes that an Employee is not Fit for Work on the work site, responsible escort procedures will be followed (See section 5.01);
- (iv) reasonable cause testing must be conducted as soon as reasonably practicable once the determination has been made that reasonable cause exists;
- (v) in remote locations, the Employee will be transported to a designated collection site as soon as possible; and
- (vi) if an Alcohol Test cannot be conducted within 8 hours of the initial request or a Drug Test cannot be conducted within 32 hours of the initial request, the Employee must be referred to Occupational Health for a Fit for Duty assessment and the Supervisor must provide the Business Unit Leader with a valid reason why the test could not be completed (See subsection 5.03(g)).
- (c) Post-Incident Testing: As part of a complete investigation, Alcohol and Drug Tests will be required for all Employees involved in or who had a reasonable possibility of being included in the chain of acts or omissions leading up to an Incident unless there is objective evidence (e.g., structural or mechanical failure) that the acts and omissions of the Employee could not have been a contributing factor. Post-Incident testing does not require direct evidence or reasonable cause to believe Alcohol or Drug use was a contributory factor.
- (i) the reasons for a decision to conduct a test or not to conduct a test must be documented as part of the preliminary investigation as soon as reasonably practical after the triggering event;

- (ii) the decision to refer an Employee, or a group of Employees, for a test must only be made by a trained Supervisor investigating the Incident, in conjunction with a second trained person (i.e., preferably Occupational Health, Human Resources, Law Department, Security or, if none of these individuals are available, another trained Supervisor) wherever possible;
 - (iii) post-Incident testing must be conducted as soon as reasonably practicable following the Incident, although, if in the case of an Alcohol Test which cannot be conducted within 8 hours of the Incident or in the case of a Drug Test which cannot be conducted within 32 hours of the Incident, attempts to obtain a sample will cease and the Supervisor investigating the Incident must provide the Performance Unit Leader with a valid reason why the test could not be completed (See subsection 5.03(g));
 - (iv) Employees to be tested must not use Alcohol until after the test has been completed;
 - (v) in remote locations, the Employee will be transported to a designated collection site as soon as possible; and
 - (vi) failure to report an Incident is a violation of this Policy and will constitute grounds for discipline.
- (d) Testing After a Policy Violation: In any situation where employment is continued after a Policy violation, Employees may be required to pass a return to duty Alcohol and Drug Test and may be subject to unannounced testing as part of a return to work agreement, to be developed on a case by case basis.
- (e) Testing After Formal Treatment: Unannounced testing may form part of a follow-up program to support recovery for non-safety-sensitive positions and will be a condition of return to work for SSPs. This monitoring requirement will be developed on a case-by-case basis by Occupational Health in conjunction with the EAP and the treatment facility and will be documented in a "Return To Work Agreement" between BP Canada and the individual.
- (f) Other Circumstances: Employees may be subject to testing as a requirement of regulatory compliance.
- (g) Unable to Test: If an Alcohol Test cannot be conducted within 8 hours of an Incident or request or a Drug Test within 32 hours of an Incident or request, the collection process shall cease and the Supervisor must

provide the Performance Unit Leader with a valid reason why the test could not be completed.

In any situation where an Alcohol and Drug Test cannot be done, the Employee must be held out of service for at least 24 hours, and an investigation must take place to BP Canada's satisfaction. The Employee will not be allowed to return to work for BP Canada without written permission and a Fit for Duty assessment from Occupational Health and will be required to adhere to any conditions governing their return.

- (h) Refusal to Complete Testing Process: Refusal to submit to a test, failure to report directly for a test, refusal to sign the required consent and acknowledgment form, refusal to agree to the disclosure of a test result to BP Canada or a confirmed attempt to tamper with a test sample are violations of this Policy and are grounds for discipline up to and including termination of employment for cause.

5.04 Under the Influence Driving

Because of BP Canada's concern for the health and safety of Employees in the workplace, and the safety of others on public or private roads, all Employees who operate a vehicle on Company Business or drive an assigned vehicle must adhere to the following provisions:

- (a) All Employees who are required to drive as part of their job or who drive an assigned vehicle must have a valid operator's licence for the class of vehicle driven and may be required to furnish proof thereof upon request by a Supervisor. Any loss of licence (either temporary or permanent) which affects the requirement to drive as part of their job or drive an assigned vehicle must be reported to the Employee's Supervisor and the Employee will no longer be qualified to drive on behalf of BP Canada or drive an assigned vehicle.
- (b) Under the Influence Driving Charge: These requirements apply to anyone who operates a vehicle on Company Business or drives an assigned vehicle:
 - (i) An Employee who has been charged with an Under the Influence Driving offence while operating a vehicle on Company Business or while driving an assigned vehicle must inform their Supervisor immediately and must contact Occupational Health within 3 working days of the date of the charge for a Fit for Duty assessment;

- (ii) An assessment will be made by Occupational Health to determine if there is a need for a structured assistance program for the Employee, and, subject to subsection 5.04(a), the Company will determine whether the individual should continue to be allowed to drive an assigned vehicle or operate vehicles or equipment on Company Business pending resolution of the charge. If there is any question about safety, a medical work limitation will be used for the Employee, who will be assigned to alternative duties where possible until the limitation is lifted;
 - (iii) Any temporary loss/suspension of an operator's licence as a result of an Under the Influence Driving charge must also be reported to the Employee's Supervisor and will result in a full investigation and a range of actions, which may include alternative work or any other appropriate action depending upon the circumstances;
 - (iv) Subsequent charges will result in progressive discipline up to and including termination of employment for cause; and
 - (v) If an Employee fails to report the charge or loss/suspension of licence resulting therefrom and BP Canada becomes aware of the situation, the Employee will be required to undergo an assessment by EAP and will be subject to progressive discipline up to and including termination of employment for cause.
- (c) Under the Influence Driving Conviction: A conviction (includes pleading guilty) for an Under the Influence Driving offence when on Company Business or driving an assigned vehicle is grounds for disciplinary action up to and including termination of employment for cause. Each situation will be fully investigated and the action taken will depend upon the circumstances surrounding the event.
- (i) Where an Employee is convicted of an Under the Influence Driving charge, the Employee is required to report the conviction and duration of their loss of licence to their Supervisor immediately. The Employee will no longer be qualified to drive on behalf of the Company or drive an assigned vehicle until their licence is restored, they have passed a Fit for Duty assessment and they have been cleared by Occupational Health, to resume driving on behalf of the Company or driving an assigned vehicle.

- (ii) An Employee who is convicted of an Under the Influence Driving charge when on Company Business or driving an assigned vehicle will be required to report to Occupational Health for a Fit for Duty assessment;
- (iii) Employees may be assigned to alternative duties where there is any concern regarding safe performance of their job. Progressive discipline may be initiated;
- (iv) Those Employees that require a valid operator's licence to do their job may be accommodated in an alternative position until the licence is restored provided a reasonable alternative position is available. Employees should be aware that such accommodation is not absolute or indefinite. If driving is an essential part of the job and an alternative position is not viable because of availability or length of licence suspension, employment may be terminated for inability to uphold his or her contract of employment with the Company; and
- (v) If an Employee fails to report the conviction and loss of licence and continues to drive for BP Canada, their employment will be immediately terminated for cause upon BP Canada becoming aware of the situation.

5.05 Searches

- (a) BP Canada reserves the right to conduct unannounced searches for Alcohol, Drugs or Drug Paraphernalia on Company Premises where there are reasonable grounds to believe they may be present. Searches of individuals and personal property will only be conducted by appropriate law enforcement agencies.
- (b) Searches of Company Premises will be directed by Security in accordance with applicable laws and agreements, and will be undertaken in cooperation with appropriate law enforcement agencies where required. Procedures for the conduct of searches are appended to this Policy as Appendix III.
- (c) BP Canada reserves the right to use sniffer dogs at work locations where it is reasonable to do so.

5.06 Hosting Policy

- (a) BP Canada's current business and social environment include events during which Alcohol use may be involved. In the case of Company-related social activities, or in the course of business hosting,

appropriate regard will be taken for the safety and well-being of the individuals present and the community. Therefore, suggested hosting practices have been established and set out in Appendix IV.

- (b) Alcohol may be permitted at organized Company sponsored social functions, provided the basic Policy standards are observed (e.g., Fit for Work). Employees are expected to control Alcohol consumption by being responsible in its use, and to use judgment and common sense in hosting others. Alcohol consumption should be managed so that there is no inappropriate behaviour at the function or impaired driving afterwards.
- (c) Any hosting situation that results in inappropriate behaviour or risk to health and safety of attendees or the community will result in a review of these policies and active steps taken to ensure the problems do not occur again. Employees engaged in inappropriate hosting situations may be subject to discipline up to and including termination of employment for cause.

ARTICLE 6 CONSEQUENCES OF A POLICY VIOLATION

6.01 Consequences and Investigation

If an Employee violates the provisions of this Policy or does not meet satisfactory standards of work performance as a result of substance abuse or refuses to participate in a substance abuse program, appropriate disciplinary action will be taken. In all situations, an investigation must be conducted and documented in order to verify that a Policy violation has occurred before appropriate action is taken. In these circumstances, BP Canada has the authority and discretion to hold out of service any Employee who is believed to have violated this Policy pending the results of the investigation.

6.02 Appropriate Discipline

The appropriate discipline for an Employee in a particular case depends, in part, upon the nature of the Policy violation and the nature of the Employee's job. More severe disciplinary measures will be considered for Employees occupying a SSP. Some violations may be considered sufficiently serious that termination for cause is warranted on a first occurrence. In other cases, a progressive discipline approach is appropriate, with action of increasing severity depending upon the seriousness of the violation. In any case where discipline lesser than termination is imposed, management will require the Employee to contact Occupational Health, for a Fit for Duty assessment and counselling in appropriate cases. A referral to

Occupational Health is not considered a form of discipline, but a complementary measure in preventing recurrence of a Policy violation or other performance problems, or identifying a dependency problem. Where the Employee refuses to comply with a referral request or the Employee's performance does not improve, the Company may take disciplinary action up to and including termination of employment for cause.

6.03 Appeal Procedures

All Employees have the right to appeal decisions under this Policy within 14 days of being advised of a decision under this Policy. Employees can appeal a decision by notifying their Supervisor in writing of their intention to appeal and by addressing the issue at a meeting that includes their Supervisor, the Supervisor's manager, an Employee representative of their choice and Human Resources in a consultative role. They have the right to provide new information or evidence that the decision was inappropriate.

ARTICLE 7 ROLES AND RESPONSIBILITIES

7.01 Employees

Employees are expected to perform their job in a safe manner and in all ways consistent with established Company practices. In addition, Employees are expected to:

- (a) arrive Fit for Work, and remain Fit for Work during their period of duty, free from any adverse performance effects of Alcohol or Drugs;
- (b) conduct themselves in an appropriate manner while on Company Business or Company Premises;
- (c) consult with their doctor, pharmacist or Occupational Health regarding the proper use of Medications they are using to determine if they may have a negative impact on performance. Those in SSP's must report any concerns regarding the use of any performance altering Medication to Occupational Health or their Supervisor so it can be determined whether modification of duties or temporary reassignment is appropriate;
- (d) seek advice and follow appropriate treatment promptly if they suspect they have a substance dependency or emerging problem;
- (e) participate in any testing or search request as and when required under the Policy;

- (f) follow any recommended follow-up program to support recovery or return to work conditions after primary treatment for Alcohol or Drug related problems; and
- (g) take appropriate action to ensure a co-worker does not remain not Fit for Duty at work that may endanger themselves or others. This may involve, on a confidential basis, contacting their Supervisor, Occupational Health, Human Resources or the Law Department for advice on what action to take.

7.02 Contractors

Any agreements between BP Canada and a contractor relating to work performed on Company Premises or Company Business must contain a term which promotes workplace safety in a manner at least as rigorous as set out in this Policy.

7.03 Supervisors

Supervisors will receive specific training on workplace Alcohol and Drug issues and on their role under the Policy, and will:

- (a) monitor and evaluate work performance with an objective of early identification and handling of all performance problems, including those which may be caused by Alcohol or Drug use;
- (b) confront Employees about performance problems; where there are objective grounds to believe performance problems may be health-related, they will make a formal written referral to Occupational Health with a copy to the Employee;
- (c) ensure that a Fit for Duty assessment has been arranged, and that the Employee is escorted from the workplace when there are concerns about their immediate ability to perform the job, or there is concern that the individual's actions could jeopardize the safety of themselves or others and/or the reputation of the Company;
- (d) ensure investigations of Incidents are carried out in accordance with Company Incident investigation procedures;
- (e) refer a candidate or Employee for a pre-employment or pre-assignment Drug Test, a reasonable cause Alcohol and Drug Test or a post-Incident Alcohol and Drug Test as and when required to do so under this Policy (See section 5.03);

- (f) identify situations where an unannounced search for Alcohol, Drugs or Drug Paraphernalia on Company Premises is justified, and contact Security and site management (See section 5.05); and
- (g) be responsible for monitoring Policy compliance of contractors to the “BP Canada Energy Company Alcohol and Drug Policy Expectations For Contractors” and take appropriate action as outlined in the contractor Policy.

7.04 Human Resources

Human Resources acts as a resource and support for Employees, Supervisors and managers and is responsible for:

- (a) administering the Policy consistently in cooperation with Occupational Health and the Law Department;
- (b) resolving questions of interpretation with due regard for the fair treatment of Employees;
- (c) collecting the data needed to monitor, evaluate and update the Policy as required;
- (d) coordinating, in conjunction with Occupational Health and the Law Department, the development and delivery of Employee and contractor Alcohol and Drug awareness educational programs, including information on the availability of treatment resources; and
- (e) assist Occupational Health and the Law Department in coordinating, developing and delivering Supervisor training programs for performance monitoring and potential problem identification.

7.05 Occupational Health

Occupational Health provides an Employee support function and is responsible for:

- (a) understanding their obligations in a manner that is consistent with the Policy and in cooperation with Human Resources and the Law Department;
- (b) resolving questions of interpretation with due regard for the fair treatment of Employees;
- (c) Fit for Work assessments and recommendations, including medical work limitations if required;

- (d) in conjunction with the Law Department (where appropriate) and EAP, developing programs to monitor Employees returning to work after treatment for Alcohol or Drug related problems;
- (e) responding to requests for advice on a worker's Fit for Work status arising from the effects of prescription and over-the-counter Medications;
- (f) issuing medical work limitations requiring modified work or temporary reassignment if legitimate Medication use, or other conditions, could affect performance;
- (g) functioning in an advisory capacity on all aspects of the Alcohol and Drug program for Employees and contractors;
- (h) managing the Alcohol and Drug Test procedures; and
- (i) retaining and liaising with external resources, including, MRO, SAE and SAP as deemed appropriate.

7.06 EAP

EAP is responsible for:

- (a) providing confidential assessment, counselling, referral and aftercare services accessible to all Employees and Dependents;
- (b) maintaining an updated list of resource providers and ensuring optimal qualifications are met for education, training and experience;
- (c) providing guidance to all Employees, co-workers and Dependents dealing with Alcohol and Drug related problems;
- (d) informing appropriate personnel in situations where an Employee's misuse of Alcohol or Drugs presents an occupational safety risk;
- (e) training or providing consultation in the training of Supervisors and other Employees regarding the EAP function as it relates to performance management and progressive discipline processes;
- (f) educating or providing consultation to the education programs designed to inform all Employees about the Policy and the effects of substance use on health, safety and job performance, etc.;

- (g) involvement in ongoing Alcohol and Drug awareness prevention programs to address health and safety effects on performance and the process of EAP;
- (h) in conjunction with Occupational Health, playing a major role in the determination of an Employee's Fit for Work status, developing plans to monitor the Employee's return to work after treatment for Alcohol or Drug related problems; and
- (i) providing the Company with non-identifying statistical data regarding the extent of Alcohol and Drug use in the Company and making recommendations based upon findings of any Alcohol and Drug concerns.

7.07 Security

Security is responsible for:

- (a) participating in educational programs for all Employees regarding the use of Alcohol and Drugs in the workplace;
- (b) conducting training programs for Supervisors and site management regarding the advisability of conducting a search; and
- (c) providing advice and responding to Supervisor recommendations for an unannounced search for Alcohol, Drugs or Drug Paraphernalia on Company Premises and conducting searches where there are reasonable and probable grounds to believe that Alcohol, Drugs or Drug Paraphernalia may be present.

7.08 Law Department

The Law Department is responsible for:

- (a) providing ongoing advice to Human Resources, Occupational Health, Security, Supervisors and Company management in the implementation and defence of the Policy in order to protect the respective rights of the Employee and the Company;
- (b) monitoring related legal issues and cases and the introduction of government regulations that may affect the implementation of the Policy;
- (c) participating in determining the advisability of performing an Alcohol and Drug Test or conducting a search;

- (d) participating in the development, coordination and delivery of education, training and awareness programs for all Supervisors and Employees regarding this Policy and performance management in order to help ensure that the Policy is implemented effectively and consistently across the Company;
- (e) participating in the development, coordination and delivery of education and awareness programs for contractors regarding the “BP Canada Energy Company Alcohol and Drug Policy Expectations for Contractors”;
- (f) in conjunction with Occupational Health and EAP, developing “Return To Work Agreements” to govern Employees returning to work after a violation of this Policy or treatment for Alcohol or Drug related problems; and
- (g) functioning in an advisory capacity on all aspects of the Policy.

**ARTICLE 8
APPENDICES**

- I. Alcohol and Drug Testing Procedures
 - II. Guideline on Medications
 - III. Search Procedures
 - IV. Suggested Hosting Practices
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APPENDIX I ALCOHOL AND DRUG TESTING PROCEDURES

Sample collection, testing and reporting of results will be conducted in accordance with standards established by the U.S. Department of Health and Human Services and accepted in Canada in order to ensure the accuracy and integrity of results. Rigorous sample collection, storage and chain-of-custody procedures will be followed. In addition:

1. Employees who are proposed to be the subject of an Alcohol or Drug Test will be requested to sign a form immediately prior to the time of sample collection. The form will acknowledge the release of complete results to Occupational Health.
2. Except for the release of information in accordance with this Policy and in situations affecting the health and safety of workers and the public, results of all testing will be maintained by Occupational Health and will be kept confidential. In order to preserve the confidentiality of test results, Occupational Health and any person to whom disclosure is permitted under this Policy 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 this Policy, or who has legal authority to require disclosure of a test result.
3. Testing will be conducted as outlined under the Policy to determine the presence of cannabinoids, amphetamine/methamphetamine, cocaine, opiates, phencyclidine and Alcohol. The testing program will cover Alcohol and the specified Drugs only; it will not include testing for other substances or medical conditions. The testing requirements in a return to duty situation will be determined on a case-by-case basis.
4. Alcohol Tests will be administered by a calibrated breathalyzer that meets evidentiary standards, with a printout of test results. In those limited instances where a breath analyzer is not readily available, Alcohol Tests can consist of a saliva screen and confirmation through laboratory analysis of a urine sample. All Drug Tests will be administered by urinalysis or other appropriate test. Collection of urine specimens and administration of Alcohol Tests must be performed by trained third party nurses or technicians at Company designated collection sites. In post-Incident and reasonable cause testing situations, samples must be collected as soon as possible after the Incident or request, but collection attempts will end 8 hours after the Incident or request for an Alcohol Test, and 32 hours after the Incident or request for a Drug Test.

5. Urine samples must be analyzed by a fully qualified and accredited laboratory located either in Canada or the United States and accredited by the U.S. Department of Health and Human Services in accordance with the United States Department of Transportation requirements. The lab must use a two step process with initial screening by immunoassay and all confirmations being performed by gas chromatography/mass spectrometry (GC/MS). Generally, collection services are contracted through the laboratory. Occupational Health will provide Supervisors with contact particulars for collection sites.

6. Confirmed positive test results must be reviewed by a trained and qualified MRO who will give the individual concerned an opportunity to explain the finding to the MRO before it is communicated to BP Canada. If the MRO concludes there is a legitimate medical reason for the positive result, it will be reported as a negative to BP Canada; otherwise it will be reported as a verified positive result. The MRO will notify Occupational Health of the determination.

7. For the purpose of this Policy, a positive Alcohol Test will be one in which the BAC is 0.04 or greater. A positive Drug Test is one in which the amount of drug in the sample identified by the confirmation test is at or exceeds the cut-off levels established by the U.S. Department of Health and Human Services for workplace testing programs, as indicated in the table below. A sample will be confirmed as positive if the Drug is present at or above the cut-off level.

Drug	Initial Test Levels (ng/ml)*	Confirmation Test Levels (ng/ml)*
Marijuana	50	15
Cocaine	300	150
Opiates	2000	2000
Morphine		2000
Codeine		2000
Phencyclidine (PCP)	25	25
Amphetamines	1000	500
Methamphetamine		500

* A ng/ml means nanograms per millilitre. A nanogram is one billionth of a gram. A millilitre is one thousandth of a litre.

8. Any positive test will be considered in violation of this Policy, whether or not the Alcohol or Drugs were actually consumed on Company Business or Company Premises. A positive test result, failure to report directly for a test, refusal to submit to a test, refusal to sign the required consent and acknowledgment form, refusal to agree to disclosure of a test result to BP Canada, or a confirmed attempt to tamper with a test sample are violations of this Policy and are grounds for disciplinary action up to and including termination of employment for cause.

 9. In the case of a verified positive test result, the person who has been tested may request that the MRO direct the split sample to another accredited laboratory to be retested. This request must be made by the donor within 72 hours of receiving the results. In the case of a second confirmed positive test, the person requesting the second analysis is responsible for the associated costs.
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APPENDIX II GUIDELINE ON MEDICATIONS

Employees are expected to manage potential impairment during working hours due to the legitimate use of Medications. The following drug categories have been associated with performance impairment and are provided as a guideline to Employees in assessing their own situation. The list is not exhaustive; there are numerous other over-the-counter and prescription drugs which when taken may impact negatively on performance. Therefore, Employees are expected to consult with their personal physician, pharmacist or Occupational Health to determine if use of a particular Medication will have any potential negative impact on job performance. Employees are advised to report the use of any Medication that may impact negatively on performance to Occupational Health or to a Supervisor, who will contact an appropriate medical authority regarding possible modification of duties or temporary reassignment. All Employees in a SSP must have the agreement of a licenced medical practitioner that the Medication prescribed will not affect their ability to operate safely and must report any potential concerns to their Supervisor.

- (a) Antihistamines - are widely prescribed for hayfever and other allergies (eg. Chlor-Triplon, Dimetane). They are also found in many cold Medications.
- (b) Motion Sickness Drugs - are used to prevent motion sickness and nausea (eg. Gravol, Antivert).
- (c) Barbiturates, Sedatives, Hypnotics, Tranquilizers, Antidepressants - (eg. Phenobarbitol, Valium, Halcion, Librium, Elavil, Anafranil). Some of these ingredients are also found in Medications taken for digestive and other disorders.
- (d) Narcotics - (eg. Demerol, Codeine). Codeine is often found in combination drugs such as 222s or 292s or Tylenol 123s.
- (e) Stimulants - Medication used for central nervous system stimulation and for appetite suppression can produce sensations of well-being which have an adverse effect on judgment, mood and behaviour (eg. amphetamines or Medications sold as "diet pills").
- (f) Anticonvulsants - are used to control epileptic seizures and can cause drowsiness in some patients (eg. Dilantin).
- (g) Analgesics - (eg. Darvon, Indocid).

- (h) Cold Tablets/Cough mixtures - (eg. Sinutab, Contac, Triaminic, Tussionex and preparations containing dextromethorphan (DM) or codeine).
 - (i) Muscle Relaxants - (eg. Flexeril, Robaxisal).
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APPENDIX III SEARCH PROCEDURES

BP Canada reserves the right, as a condition of employment to conduct unannounced searches for and seizure of Alcohol, Drugs or Drug Paraphernalia on Company Premises where there are reasonable and probable grounds to believe that they may be present and there has been a suspected breach of this Policy. The Employee acknowledges that their entry onto Company Premises is deemed consent to a search and seizure at any time while entering, on, or leaving Company Premises and when carried out pursuant to this Policy. The Employee expressly acknowledges that their right to privacy and to be secure against unreasonable search or seizure is expressly subject to the right of the Company to maintain a safe workplace and to ensure that no laws are being violated.

BP Canada reserves the right to use sniffer dogs at remote worksites or work camps. These dogs are seeking Alcohol, Drugs, explosives or other materials that could pose health and safety risks.

Under no circumstances whatsoever will searches of individuals and their personal property be conducted by BP Canada. For greater certainty, those items listed as being included in the definition of Company Premises are not considered as personal property. Examples of items considered to be personal property include briefcases, coveralls and lunch pails. Searches of individuals and their personal property will only be conducted by appropriate law enforcement agencies.

Searches will be conducted by Security in accordance with applicable laws and any applicable agreements and may be undertaken in cooperation with appropriate law enforcement agencies where required.

Where searches and seizures are conducted with the Employee present, the individual will be immediately informed prior to the search and seizure (i) that a search and possible seizure is being conducted, (ii) the reason for the search, (iii) that there are reasonable and probable grounds to believe that the individual has Alcohol, Drugs or Drug Paraphernalia in their possession and is suspected to be in breach of this Policy, (iv) that the individual need not cooperate or provide any statement unless they so choose, but that appropriate law enforcement agencies may be contacted, (v) that the search and seizure is a condition of employment, and (vi) that the individual has the right to retain and instruct counsel without delay.

Where searches and seizures are conducted without the Employee present, the Company will advise the affected Employee as soon as is reasonably possible after the search and seizure as to what has occurred, and will also immediately inform the Employee on points (ii) through (vi) above.

Any attempt by an Employee to impede or prevent a search and seizure of Alcohol, Drugs or Drug Paraphernalia on Company Premises carried out pursuant to this Policy will be considered a serious breach of this Policy and may result in disciplinary action up to and including termination of employment for cause.

Any seized items which violate the terms of this Policy will be immediately impounded and tagged as to date, names of people present and general description of the items, and then sealed in a container or bag and turned over to the appropriate law enforcement agency where appropriate to do so. The seized items will be kept in the exclusive possession of Security in a locked place until transferred to the appropriate law enforcement agency. The Employee will be given a receipt for all seized items.

APPENDIX IV SUGGESTED HOSTING PRACTICES

1. The following situations are covered by these suggested hosting practices:
 - (a) Company sponsored social activities (i.e., funded by BP Canada) whether on or off Company Premises, (e.g., safety banquets);
 - (b) Company related activities that are a part of conducting Company Business, for example organized lunches or dinners; and
 - (c) Company social events, whether on or off Company Premises to which the Company contributes financially (e.g., the Company Christmas party).

2. Alcohol is permitted at organized Company social functions provided the basic Policy standards are observed (eg., Fit for Work). Employees are expected to control Alcohol consumption by being responsible in its use and to use judgment and common sense in hosting. Alcohol consumption should be managed so that there is no inappropriate behaviour at the function or impaired driving afterwards.

3. When hosting events, the following guidelines will apply:
 - (a) Prior written management approval is required for the use of Alcohol at functions conducted on Company Premises;
 - (b) Alternative transportation arrangements will be available;
 - (c) Wherever practicable, professional/trained servers will work at each event or will supervise untrained servers; and
 - (d) Each event will have a designated “chief host/hostess” (e.g., facility manager, event convenor) with responsibility for:
 - (i) establishing the general tone of the event;
 - (ii) acting as the sole contact with the servers during the function regarding opening and closing times, food and beverage arrangements, etc.;
 - (iii) ensuring bars are attended at all times;
 - (iv) ensuring Alcohol is not served to individuals who appear to be intoxicated;

- (v) taking appropriate steps to prevent abusive or unsafe behaviour;
 - (vi) taking appropriate steps to prevent an apparently intoxicated attendee from driving after the function;
 - (vii) providing alternate transportation or accommodation where necessary; and
 - (viii) contacting the police if an Incident occurs or an attendee disregards advice and attempts to drive in an intoxicated state.
4. In all situations, events will be managed in a way that avoids the potential for accidents, including identifying and eliminating potentially harmful situations (e.g., closing access to a major stairway).
 5. Responsible serving practices will include providing food and non-alcoholic drinks, including coffee and tea after the bar has closed, establishing a firm time to end the event, and stopping service of Alcohol at least one hour prior to the end of the event.
 6. Any hosting situation that results in inappropriate behaviour or risk to health and safety of attendees or the community will result in a review of these policies and active steps to ensure the problems do not occur again. Employees who engage in inappropriate hosting practices may be subject to discipline up to an including termination of employment for cause.
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