

Hitachi Rail STS Canada

Fit For Duty Policy

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1 INTRODUCTION

We at Hitachi Rail STS Canada strive to safely and successfully develop the Projects and maintain an economically sound and prosperous business while assuming appropriate responsibilities toward the communities and environments in which we operate and toward our employees, business partners, and society in general. Each employee, subcontractor, and supplier's obligation to ensure consistent compliance with the Policy.

1.1 PURPOSE

Hitachi Rail STS Canada has established this Fit for Duty Policy to:

- Ensure a safe workspace is provided for all employees and other individuals whose safety may be affected by the conduct of any employee;
- Ensure that all employees are treated fairly and with respect;
- Provide for Alcohol and Drug Testing under post-incident, reasonable grounds, and return to work situations, where applicable; and
- Apply guidelines for Hitachi Rail STS Canada workspaces that take into account the safety-sensitive nature of Hitachi Rail STS Canada's operations and workplace, along with the applicable statutory requirements.

Hitachi Rail STS Canada is committed to providing a safe workplace where every employee is fit for duty and to ensuring that no employee creates a risk to themselves or others, and/or to property, reputation, security, or the environment through reporting to work unfit for duty.

Hitachi Rail STS Canada is committed to informing its employees of the existence of this Policy and to taking such other steps as are reasonable to inform and educate employees, supervisors, and management of the safety risks associated with reporting to work unfit for duty and the various forms of assistance available. This Policy establishes a formal process to identify employees who may be unfit for duty, to immediately remove such employees from Hitachi Rail STS Canada work sites such that they are unable to pose a danger to themselves or others, and to provide accommodation and assistance to employees with substance use disorders.

Hitachi Rail STS Canada reserves the right to amend, modify, or terminate this Policy at any time and to grant exceptions to the terms of this Policy within its sole discretion.

1.2 APPLICABILITY

The provisions in this Fit for Duty Policy apply to all Hitachi Rail STS Canada employees, as defined in Section 1.3 when they are:

- On Hitachi Rail STS Canada non-safety-sensitive premises;
- On safety-sensitive project construction worksites;
- Operating Hitachi Rail STS Canada vehicles and equipment;

- Working in a safety-sensitive and/or risk-sensitive position as identified in Appendix A; and/or,
- Engaged in Hitachi Rail STS Canada business.

As specified in this Fit for Duty Policy, certain requirements pertain only to employees working on project safety-sensitive construction worksites and/or those who hold safety-sensitive and/or risk-sensitive positions.

1.3 TERMS, ACRONYMS AND ABBREVIATIONS

The following table provides definitions for terms, acronyms and abbreviations relevant to this document.

	Definition
Alcohol	Is any substance that may be consumed and that has an alcoholic content in excess of 0.5 per cent by volume.
Cannabis	Is a drug that is used for recreational and medical purposes.
Company premises and worksites	Refers to all business locations where Hitachi Rail STS Canada owns, leases or rents, and/or has an ownership interest.
Designated employer representative (DER)	Is an employee(s) designated to be the employer's point-person(s) in administering the alcohol and drug testing program(s) for safety sensitive and risk-sensitive positions. Administration includes removing or causing an employee to be removed from risk-sensitive or safety-sensitive duties, receive test results and other communications, (such as safety advisories) on behalf of the employer and maintains the integrity of the information chain of custody and control ensuring privacy of information.
Drug	Is any substance, including but not limited to alcohol, illicit drugs, cannabis, prescription, or authorized medications, over-the-counter medications, chemicals, and agents or other mood altering substances, which has the potential to change or adversely affect the way a person thinks, feels, or acts and/or may impact an employee's ability to perform work safely and productively.
Drug Paraphernalia	Is any personal property associated with the use of any drug for recreational or illicit purposes with the exception of devices used for the administration of legally prescribed medication. This includes any product or device that may be used to tamper with a specimen sample provided for drug testing.
Employee	Refers to all individuals engaged to perform work for Hitachi Rail STS Canada, at all levels of the organization, and includes direct salary, seconded salary, direct labour, and subcontractor labour. Full-time, part-time, modified regular, temporary, and casual employees are all included under this definition.
EAP	Employee Assistance Program.
Extreme Fatigue	Refers to physical and/or mental exhaustion that reduces an employee's alertness such that a safety hazard is created or results in the inability to safely perform work.
Fit for Duty	Means that an employee's physical, mental, emotional, and medical state is such that it enables to them continuously perform assigned duties in a safe, productive, and efficient manner and without limitations resulting from (but not limited to) alcohol, drugs, and/or medications. An employee impaired by alcohol or drugs is not fit for duty, as is an employee who has misused or failed to take medications as directed and an employee who is experiencing extreme fatigue.
Illicit Drug	Means any drug or substance which is not legally obtainable and whose use, sale, possession, purchase, or transfer is restricted or prohibited by law (e.g. drugs such as cocaine and methamphetamine).

	Definition
Manager	Is, for the purposes of this Fit for Duty Policy, considered an employee to whom others in the organization report, or an employee designated by a business area to oversee a group of employees' fitness for duty. It is recognized that for certain business areas, responsibilities for employee fitness for duty may be shared among multiple managers. Actual job titles of managers may include: Foreman, Supervisor, Superintendent, Assistant Manager or Manager, among others.
Medication	Refers to a drug obtained legally, either over-the-counter or through a doctor's or other medical practitioner's prescription and includes medically authorized cannabis.
Medical Review Officer (MRO)	Is a licensed physician who is responsible for receiving and reviewing laboratory results generated by an employer's alcohol and drug testing program and evaluating medical explanations for certain alcohol and drug test results.
Mood Altering Substance	Refers to any product that is legally or illegally used, resulting in cognitive or physical limitations that negatively impact performance on the job (e.g. any product containing cannabis, including inhaled products or consumables, synthetic cannabis, "bath salts," doda, aerosols, and other similar products).
Non-Safety Sensitive Worksite	Refers to non-construction activities and administrative offices where office-based administration, technical services, and low-risk activities occur.
On Duty	Refers to the time period commencing from when an employee reports to work, up until the time he or she ceases to perform work for the day. On duty includes any meal breaks or other breaks and includes the time in which an employee is required to perform work or be on call or on stand-by to perform work.
Reasonable Grounds	Includes information established by the direct observation of an employee's conduct or other indicators, such as the physical appearance and behaviour 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.
Risk Sensitive Position	Refers to a position identified by the employer that is normally remote from a worksite but that has the authority to direct safety-sensitive or risk-sensitive employees or make potentially high-consequence decisions impacting a hazardous worksite.
Safety-Sensitive Position	Refers to any position in which employees have a key and direct role in Hitachi Rail STS Canada's operations and where performance impacted by fitness for duty, alcohol, drugs, medications or extreme fatigue could result in a significant incident or the failure to adequately respond to a significant incident, or that could affect the health, safety, or security of the employee, other employees, customers, members of the public, property, or the environment.
Safety-Sensitive Worksite	Means all or portions of a worksite that is assigned as safety sensitive. This includes construction sites, operating sites, and other potentially safety-sensitive worksites where the activities of an employee could result in a direct and significant risk of injury to the employee, to other employees, to the public, or to the environment.
Subcontractor	Refers to any company or employee which Hitachi Rail STS Canada has contracted with to perform a service on Hitachi Rail STS Canada premises/worksites. This includes subcontractors, their employees, sole provider contractors, and consultants
Substance Abuse Professional (SAP)	Refers to an individual with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug-related disorders. The SAP will assess if an employee has an alcohol or drug dependency, make recommendations regarding education, treatment, and rehabilitation for a return to work plan and monitoring program.
Substance Use Disorders	Refers to any problem with substances, and includes dependencies, substance abuse, and substance addictions. A substance use disorder may constitute a disability under the <i>Ontario Human Rights Code</i> .

1.4 REFERENCE DOCUMENTS

1.4.1 Standards and Regulations

Ref.	Source	Code	Title
[3]	Canadian Health and Safety	R.S.O 1990, c. O.1	Ontario Occupational Health and Safety Act
[4]	Canadian Health and Safety	O. Reg. 213/91	Construction Projects Regulation
[5]	Canadian Health and Safety	O. Reg. 851/90	Industrial Establishments

2 ROLES AND RESPONSIBILITIES

Employees must:

- Understand the Fit for Duty Policy;
- Take responsibility for ensuring their own safety and the safety of others;
- Ensure they comply with the alcohol and drug work rule and follow appropriate treatment if deemed necessary;
- Use medications responsibly, including being aware of potential side effects and notifying their Supervisor of any potential unsafe side effects where applicable; and,
- Encourage their peers or co-workers to seek help before there is a potential violation of this Fit for Duty Policy.

Human Resources must:

- Maintain this Policy, including updating for consistency with legislation, as required;
- Ensure consistent administration of this Policy;
- Make arrangements for appropriate assessments as required under this Policy;
- Advise managers, as required, regarding the interpretation and/or applicability of this Policy to specific situations. Human Resources will also support managers in meeting their responsibilities, including the use and application of the Reasonable Grounds Checklist in Appendix One;
- Work with managers, as well as Safety and Security, to designate safety-sensitive positions.

Supervisors or Leaders, such as those in Management roles, must:

- Be knowledgeable about and comply with this Fit for Duty Policy and procedures;
- Ensure they, and their employees, comply with the work standards as part of their responsibility to perform their work-related activities in an effective and safe manner;
- Ensure they comply with the Life Saving Rules and all health and safety requirements as part of their obligation to perform work activities in a safe manner;
- Be knowledgeable about the use of alcohol and drugs and be able to recognize the symptoms of the use of alcohol and drugs;
- Understand their company's performance management policy and how this is integral to the Fit for Duty Policy;
- Work with the employee when they disclose taking medication that may have a potential side effect and accommodate by providing modified duties;
- Act on performance deviations and fit for duty interventions; and,
- Act on reported or suspected alcohol or drug use by employees;

- Use the Reasonable Grounds Checklist in Appendix One, for a behavioural assessment and consult the Human Resources Manager.

Subcontractors must:

- Provide a safe workplace;
- Provide prevention programs that emphasize awareness, education and training with respect to this Fit for Duty Policy;
- Develop, implement, and submit to Hitachi Rail STS Canada for acceptance, policies and procedures that meet or exceed the minimum requirements of this Hitachi Rail STS Canada Fit for Duty Policy, as if it were their own;
- Ensure effective employee assistance services are available to employees;
- Assist employees in obtaining confidential assessment, counselling, referral, and rehabilitation services;
- Actively support and encourage rehabilitation activities and re-employment opportunities where applicable;
- Provide supervisory training and awareness in dealing with this Fit for Duty Policy and the Subcontractors associated Fit for Duty Policy;
- Participate with unions, employee associations, and employers' organizations to assist in the provision of rehabilitation opportunities for persons who have problems with the use of alcohol and drugs;
- Ensure that all employees understand the existence of and contents of this Fit for Duty Policy, the subcontractors' associated Fit for Duty Policy, and the alcohol and drug work rules and standards as part of the employee's orientation to the company; and,
- Any variances from this Fit for Duty Policy which meet or exceed the minimum requirements shall be documented on a variance request form and submitted for acceptance.

Unions must:

- Communicate this Fit for Duty Policy to their members working on the Hitachi Rail STS Canada worksites;
- Support effective implementation of this Fit for Duty Policy;
- Ensure employee assistance services are identified and in place for members;
- Educate the workforce about the risks associated with not being fit for duty and promote treatment programs;
- Develop confidential systems and processes to receive notification on alcohol and drug testing interventions and the results of alcohol and drug tests; and,

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- Assist and cooperate in the management of employee accommodation, reinstatement, and return to work processes.

3 SCOPE AND APPLICATION

3.1 POLICY STATEMENT

No person under the influence or carrying an intoxicating liquor and/or a drug or narcotic substance, or experiencing the secondary effects of either of these substances, or experiencing signs of extreme fatigue for any reasons, shall enter or knowingly be permitted to enter and/or use Hitachi Rail STS Canada property, facilities, equipment, or vehicles.

3.2 POLICY OBJECTIVES

The objectives of this Policy are the following:

- To establish Hitachi Rail STS Canada's standards and expectations with respect to being fit for duty;
- To provide a safe workspace for all employees and those whose safety may be affected by the conduct of employees;
- To clarify the respective responsibilities of Hitachi Rail STS Canada and its employees to ensure an alcohol and drug-free working environment;
- To provide a fair, thorough, and consistent Fit for Duty testing process and to outline the consequences for non-compliance with this Policy;
- To identify, assist, and where appropriate, accommodate employees who may have substance use disorders, as well as employees who may have a medical condition requiring a prescribed medication with the potential to impact their fitness for duty;
- To encourage individual employees to seek assistance for alcohol and drug dependency;
- To provide early detection of substance use which could cause, or is causing, deteriorating job performance;
- To implement appropriate disciplinary, remedial and/or corrective action for employees who violate this Policy, noting that each case will be assessed on its individual merits; and
- To protect employee privacy.

3.3 KEY HEALTH AND SAFETY BELIEFS OF HITACHI RAIL STS CANADA

Hitachi Rail STS Canada believes that:

- All incidents and injuries can be prevented.
- A commitment to working safely is a condition of employment.
- Leadership is accountable for health and safety performance.
- Every employee has a right to a safe and healthy work environment.

- We believe in high ethical standards, legal compliance, and integrity in conducting our business.
- Every employee must observe and comply with the Life Saving Rules and all health and safety requirements.

Hitachi Rail STS Canada is committed to continuous improvement as we build a world-class safety culture with exceptional health and safety performance.

This commitment extends to the environment, the communities we serve, and members of the public who may be affected by Hitachi Rail STS Canada services. To this end, Hitachi Rail STS Canada is committed to ensuring that all employees performing work for Hitachi Rail STS Canada are fit for duty.

Recognizing the safety-sensitive nature of Hitachi Rail STS Canada's worksites, this Fit for Duty Policy and its associated appendices, policies, and procedures together establish Hitachi Rail STS Canada's requirements, expectations, and obligations in respect of employees and their fitness for duty. In keeping with the Hitachi Rail STS Canada Fit for Duty Policy, Hitachi Rail STS Canada will implement alcohol and drug testing and fit for duty education programs to manage the hazard of alcohol and drugs on our safety-sensitive worksites, and those working in safety-sensitive and/or risk-sensitive positions, and to confirm compliance to the work standards contained in Section 6.0 Work Standards.

Violations of the Fit for Duty Policy will result in discipline up to and including termination. For employees who need help with substance abuse and/or addictions issues, Hitachi Rail STS Canada will require all subcontractors and/or unions working on Hitachi Rail STS Canada safety sensitive sites to provide access to Employee Assistance Programs (EAP) and to provide accommodations for those in need to the point of undue hardship as defined in applicable human rights legislation.

3.4 HITACHI RAIL STS CANADA PROJECT CONSTRUCTION PERSONNEL

Hitachi Rail STS Canada "personnel" are all project employees, as defined in Section 1.3, working on the Hitachi Rail STS Canada project construction sites who have been on-boarded, gone through orientation, and perform work. This includes Hitachi Rail STS Canada employees as well as personnel of Hitachi Rail STS Canada contractors and subcontractors, as well as personnel otherwise engaged to provide services to, or to conduct work on, the Hitachi Rail STS Canada project site.

3.5 HITACHI RAIL STS CANADA PROJECT SAFETY-SENSITIVE CONSTRUCTION WORKSITE

Hitachi Rail STS Canada "personnel" are all project employees, as defined in Section 1.3 working on the Hitachi Rail STS Canada project construction sites who have been on-boarded, gone through orientation, and perform work. This includes Hitachi Rail STS Canada employees as well as personnel of Hitachi Rail STS Canada contractors and subcontractors, as well as personnel otherwise engaged to provide services to, or to conduct work on, the Hitachi Rail STS Canada project site.

3.6 HITACHI RAIL STS CANADA PROJECT SAFETY-SENSITIVE CONSTRUCTION WORKSITES

Includes all the defined project safety-sensitive construction worksite scope, such as:

- Worksites, vehicles, equipment, laydown and assembly;
- On-site buildings, including, but not limited to, offices, lunch rooms and washrooms on site;
- Project site parking areas; and,
- Foot traffic between worksites.

All personnel working on the defined safety-sensitive project construction worksites will be deemed safety-sensitive (see Appendix A).

3.7 HITACHI RAIL STS CANADA PROJECT NON-SAFETY-SENSITIVE WORKSITE

Includes the following office-based administrative and corporate locations:

- 2 Queen Street East, Toronto.
- 110 Matheson Blvd. West, Mississauga

3.8 HITACHI RAIL STS CANADA POTENTIALLY SAFETY-SENSITIVE WORKSITE

If necessary, Hitachi Rail STS Canada will evaluate specific circumstances and designate as safety, or non-safety-sensitive worksites, such as:

- Off-site storage, administration, warehouse, and laydown;
- Worksites with overlapping high and low risk work;
- Separated work areas.

3.9 HITACHI RAIL STS CANADA RISK-SENSITIVE POSITIONS

Risk-sensitive positions are a subset of safety-sensitive positions. This may include managers, supervisors, technical experts, etc. who may reside off-site but make critical safety decisions and direct on-site employees conducting potentially hazardous tasks in potentially hazardous work environments.

4 WORK STANDARDS

4.1 ILLICIT DRUGS AND MOOD ALTERING SUBSTANCES

- The use, possession, distribution, offering, or sale of illicit drugs and other mood altering substances, and related drug paraphernalia on Hitachi Rail STS Canada premises or worksites is prohibited.
- Reporting to work or remaining at work under the influence of illicit drugs or other mood altering substances is prohibited.
- A positive drug test, as determined through the testing program, is a policy violation.

4.2 CANNABIS

- The use, possession, distribution, or sale of cannabis and/or cannabis products and related cannabis paraphernalia on Hitachi Rail STS Canada premises and worksites is prohibited.
- Reporting to work or remaining at work under the influence of cannabis from any source is prohibited.
- The consumption of any product containing cannabis during the workday, including during meals and breaks, is prohibited.
- A positive drug test, as determined through the testing program, is a policy violation.
- Due to Hitachi Rail STS Canada's commitment to the health and safety of its employees and the communities we serve, all positions deemed Safety Sensitive and/or Risk Sensitive (See Appendix A) are prohibited from any recreational use of cannabis and/or cannabis products both on and off duty.

4.3 ALCOHOL

- The use, possession, distribution, or sale of alcoholic beverages on Hitachi Rail STS Canada premises or worksites is prohibited.
- Reporting to work or remaining at work under the influence of alcohol from any source is prohibited.
- The consumption of any product containing alcohol during the workday, including during meals and breaks, is prohibited.
- Returning to work or reporting to work the same day after consuming alcohol at a social event (whether sponsored by the Company or not) is prohibited.
- A positive alcohol breath test, as determined through the testing program, is a policy violation.
- Employees may responsibly use alcohol after they have completed their workday, for example, when on travel status, when at a training event or seminar, or in any other

similar business-related situation, provided the formal business has been completed, the individual is not in an issued Hitachi Rail STS Canada uniform, alcohol is used responsibly and the individual is not returning to work that day.

4.4 MEDICATIONS

- Employees are required to responsibly use medications, including those that are prescribed or over-the-counter.
- Reporting to work unable to perform safely due to the use of a medication is prohibited.
- The intentional misuse of medications (e.g. not using the medication as it has been prescribed or directed by the pharmacy or packaging, using someone else's prescription medication, combining medication and alcohol against direction, etc.) is prohibited.
- The possession of prescribed medications without a legally obtained prescription is prohibited.
- The distribution, offering or sale of prescription medications on Hitachi Rail STS Canada premises or worksites is prohibited.
- In the interest of health and safety, employees who may need to use a medication are required to investigate through their doctor or pharmacist whether the use of that medication can negatively affect safe performance.
- Employees are required to act responsibly and use a safe alternative medication choice when available (e.g. non-drowsy); however, if the medication they are using could affect their ability to perform safely, they are required to advise their supervisor and request accommodation. Employees are required to cooperate with any recommended course of action to minimize safety risks.
- Hitachi Rail STS Canada is committed to preserving the health and safety of all employees. Any employee who is currently prescribed or has received a new prescription for pain management medications, narcotics or other potentially impairing medications are required to notify their Designated Employer Representative (DER) Supervisor prior to beginning their shift (See Appendix C for a list of potentially impairing medications).
- Hitachi Rail STS Canada reserves the right to confirm the nature and duration of any work restrictions due to medications with the individual's treating health practitioner, in accordance with medical confidentiality and privacy laws. If there is any concern about safe performance, the individual may be accommodated to modified duties, if available.

4.5 DISCLOSURE OF INFORMATION

The supervisor or manager who has received a notification of an employee taking a prescription, authorized, or a non-prescription medication that may have an unsafe side-effect, may not disclose any information provided to any person other than to a person who is required

by law to be made aware of the necessary information in order to discharge a statutory or common-law obligation.

4.6 EXTREME FATIGUE

- Employees are expected to report to work fit for duty at all times and are responsible for taking appropriate action to avoid extreme fatigue at work. Employees are responsible for ensuring enough rest periods prior to starting work and using breaks provided within and between shifts to rest and recuperate.
- Employees are responsible for learning to recognize the signs and symptoms of extreme fatigue and reporting to their supervisor when they are experiencing such signs and symptoms.
- Where an employee in a safety-sensitive or risk-sensitive position reports that he or she is suffering from extreme fatigue, or where a supervisor has reasonable grounds to believe that an employee is suffering from extreme fatigue, the employee will be removed from duty for the remainder of their shift.
- Where extreme fatigue is substantiated as the result of a disability, Hitachi Rail STS Canada's accommodation process will be followed.

4.7 SOCIAL SITUATIONS

At a social event sanctioned by Hitachi Rail STS Canada, appropriate regard will be taken for the safety and well-being of the individuals present and in the community. Subject to any site-specific limitations, responsible alcohol use may be permitted at Hitachi Rail STS Canada-sanctioned social functions with appropriate prior approval from Hitachi Rail STS Canada Project Director and Hitachi Rail STS Canada HR Manager.

Hitachi Rail STS Canada's Partner Code of Ethics & Business Conduct remains in effect at all social events and any alcohol consumption is expected to be responsible and moderate. If an employee is not fit for duty following a social event due to the consumption of alcohol, that Employee shall not report to work. Hitachi Rail STS Canada has a zero-tolerance policy with respect to the use of vehicles while an employee is legally intoxicated and alternate transportation will be arranged for employees in such circumstances.

Consistent with the above, if alcohol is made available to guests of Hitachi Rail STS Canada in the course of conducting business, employees are expected to use good judgment, act as responsible hosts, and remain in compliance with the applicable partner's Code of Ethics & Business Conduct. If an employee knows or believes that a guest has consumed alcohol, the employee will arrange for alternate transportation for that guest.

The possession or consumption of alcohol outside work hours and while in a legal drinking establishment or within the confines of temporary accommodations (provided for an employee by Hitachi Rail STS Canada where the possession and consumption of alcohol is permitted), provided such consumption does not cause the employee to report to work unfit for duty, is not a violation of this Policy.

4.8 WORK STANDARD RESPONSIBILITIES

4.8.1 All Hitachi Rail STS Canada Project Employees

- All employees must understand this Policy and ensure they comply with this Policy as part of their obligation to perform work activities in a safe manner.
- All employees must take responsibility to ensure their own safety and the safety of others.
- All employees are expected to be informed and aware of any potential impact on fit for duty that may arise from the use of alcohol, drugs, medications (prescribed or over-the-counter), or extreme fatigue.
- All employees are expected to report to work fit for duty and remain fit while on duty and on Hitachi Rail STS Canada property. As part of this requirement, employees must not perform safety-sensitive or risk-sensitive work if they are unfit for duty, and they must not transfer or assign any such work to someone they suspect might be unfit for duty.
- Employees are required to inform their supervisor, manager, or superior immediately if they are, or suspect that they are, unfit for duty due to drugs or alcohol, extreme fatigue, or any other reason. Failure to inform a supervisor, manager, or superior immediately is a violation of this Policy. Similarly, employees are expected to seek help and to follow the appropriate treatment for any issue, including a substance use disorder that may affect their being fit for duty. Employees are also required to cooperate with any work modification that is related to safety concerns.
- If an employee believes a co-worker is dealing with substance use disorders or other personal issues, the employee should encourage the co-worker to seek assistance and support. However, if an employee, in good faith, suspects or believes a co-worker or a contractor is at work while unfit for duty, the employee must immediately report these concerns to a supervisor and/or manager.
- All employees are required to cooperate with any investigation into a potential or actual violation of this Fit for Duty Policy, including any request to participate in the testing program. Failure to participate in a request for an alcohol and drug test is a violation of this Fit for Duty Policy.
- Employees who require any class of driving license as part of their normal duties must notify Hitachi Rail STS Canada of any changes to their license status which impacts their ability to drive. In addition, employees who drive as part of their normal duties must inform their supervisor immediately if they have been charged with an impaired driving offence under the Criminal Code, or had their license suspended under provincial legislation when operating a Hitachi Rail STS Canada vehicle or driving on Hitachi Rail STS Canada business in a personal vehicle. Failure to disclose a change in a driving license is a violation of this Fit for Duty Policy.

4.8.2 Managers

- Managers, as defined in Section 1.3, are expected to be knowledgeable about this Policy and to manage staff to ensure safe operations in accordance with this Policy and its procedures.
- Managers must ensure they are knowledgeable about the signs and indications of an employee being unfit for duty as a result of alcohol, drugs, medication, extreme fatigue, or any other reason.
- Managers must take immediate steps to remove any employee or subcontractor from duty if they suspect they are unfit for duty. Managers must also investigate any potential violation of this Policy, notify a member of the Fit for Duty Review Committee (FFDRC see Section 4.8.5) or designate, and make referrals to alcohol and drug testing when required to do so under this Policy. If any security or violence issues arise when an employee is being removed from duty or transported to a collection site, Hitachi Rail STS Canada may contact security personnel and/or police or take appropriate steps to ensure the safety of its workers.
- Managers should encourage employees to seek help and support for any concerns with respect to alcohol, drugs, or medication usage. Managers are expected to guide employees who seek assistance for a personal problem, including a substance use disorder, to the appropriate Hitachi Rail STS Canada or union resources while maintaining confidentiality. Managers are also expected to advise a member of the Fit for Duty Review Committee if an employee discusses a substance use disorder, so that arrangements for an assessment with a Substance Abuse Professional can be made.
- In accordance with applicable laws and regulations, managers must ensure their staff have enough rest periods prior to starting work and, where necessary, ensure the provision of breaks between times spent on duty to adequately rest and recuperate.
- Managers must maintain a documented record of all communications (including various forms, documentation, and checklists) with employees which occur as a result of this Policy or its procedures.
- If a manager requires guidance, support, or any assistance in applying the procedures set out or developed pursuant to this Fit for Duty Policy, he or she is encouraged to contact the FFDRC or their Union Fit or the DER and/or their People & Culture or Human Resources Business Partner.

4.8.3 Project Health and Safety

- Maintain this Fit for Duty Policy, including develop, incorporate, and distribute changes to the Policy and update the Policy for consistency with applicable laws and regulations.
- Ensure consistent administration of this Policy and provide assistance and advice to stakeholders regarding the interpretation and implementation of this Policy.

- Review and accept subcontractors' policies and procedures that meet or exceed the minimum requirements in this Fit for Duty Policy.
- Make arrangements for appropriate assessments as required under this Policy.
- Advise managers, as required, regarding the interpretation and/or applicability of this Fit for Duty Policy to specific situations. Health & Safety and People & Culture will also support managers in meeting their responsibilities.
- Work with managers to designate safety-sensitive and risk-sensitive positions.

4.8.4 Designated Employer Representative (DER)

- The DER shall provide Fit for Duty Policy interpretation, as well as fit for duty expertise and advice to Health & Safety colleagues, management, and staff who execute the related programs.
- The DER will ensure that appropriate employee communication and manager training resources are available with respect to the administration of this Fit for Duty Policy, including fit for duty investigations and observing indicators of possible alcohol and drug use.
- The DER will partner with managers, Health and Safety, to designate safety-sensitive positions.
- The DER will support the resolution of issues that arise out of this Fit for Duty Policy.
- The DER will receive all test results in a confidential written report from the Medical Review Officer.
- The DER will be the privacy contact for third-party service providers and experts and report on alcohol and drug test results.
- The DER will receive notification of refusals to test and cancelled samples, as well as positive, non-negative, and negative test results.

4.8.5 Fit For Duty Review Committee (FFDRC)

- The FFDRC is responsible for the governance, oversight and continuous improvement of the Fit for Duty Policy and processes.
- The FFDRC will have a minimum membership that includes a representative from Health & Safety, Human Resources, Labour Relations, Legal/Contracts and Construction Representative.
- The FFDRC will provide guidance and expertise support for Site Leadership issues including requests for tests, discipline, safety advisories, and accommodation.
- The FFDRC will work with unions, subcontractors, and other relevant stakeholders in the efficient and fair execution of the Fit for Duty provisions.

-
- The FFDRC will manage and communicate to stakeholders when changes occur to the Fit for Duty Policy and/or processes.

5 EMPLOYEE SUPPORT

Hitachi Rail STS Canada recognizes that substance use disorders may constitute a disability under the Ontario Human Rights Code and acknowledges its corresponding obligation to provide reasonable accommodation to the point of undue hardship

5.1 PREVENTION AND ASSISTANCE

Hitachi Rail STS Canada recognizes that substance use disorders are treatable illnesses and that early intervention greatly improves the probability of lasting recovery. Employees who suspect that they may be suffering from a substance use disorder are encouraged to access assistance through personal physicians, community programs, specialized services, and/or Hitachi Rail STS Canada and/or Union Employee Assistance Programs.

5.2 DISCLOSURE OF A SUBSTANCE USE DISORDER ACCOMMODATION

Employees who know or believe that they are suffering from a substance use disorder are expected to promptly disclose their concerns to their Supervisor, People and Culture or the employee's Union. Employees who disclose pursuant to this section will be supported through a referral to a Substance Abuse Professional for assessment in accordance with the requirements of this Fit for Duty Policy.

- An employee requesting help will not be disciplined unless he or she: Has failed to comply with the requirements outlined in this Policy;
- Is the subject of an investigation into whether the employee has failed to comply with this Policy;
- Has been asked to submit an alcohol or drug test under this Policy; or
- Has been involved in an unfit for duty incident.

An employee cannot avoid the disciplinary consequences of a Policy violation by disclosing a known substance use disorder. For example, an employee in a safety-sensitive or risk-sensitive position cannot avoid the disciplinary consequences associated with a positive alcohol or drug test result by disclosing a substance use disorder after the fact. Employees are expected to disclose any substance use disorders promptly and prior to being involved in a Fit for Duty policy violation.

5.3 DUTY TO ACCOMMODATE TO THE POINT OF UNDUE HARDSHIP

The extent to which the employer is required to accommodate an employee who is dependent on alcohol or drugs depends on a variety of factors, including the following criteria:

- Health and safety concerns;
- Past efforts to accommodate;
- The response to prior treatment or corrective programs and prognosis;
- The nature and seriousness of the violation;

- The costs of the required accommodation;
- The size of the operation;
- The economic conditions facing the employer; and
- The availability of other, non-safety sensitive, positions.

Hitachi Rail STS Canada reserves the right to confirm the nature and duration of any work restrictions due to medications with the employee's treating health practitioner, in accordance with medical confidentiality and privacy laws. If there is any concern about safe performance, the employee may be accommodated to modified duties, if available.

6 INVESTIGATION AND TESTING REFERRALS

6.1 ALL EMPLOYEES

(A) Unfit for Duty:

In all situations when there are reasonable grounds to believe that an employee is not fit for duty, they will be escorted to a private area and given an opportunity to explain why they appear to be in a condition unfit for duty. The employee will be given an opportunity to provide a reasonable explanation for their behavior or condition, and the manager will complete a behavior assessment checklist to guide observations and to see if further action is required.

If there are immediate medical concerns, arrangements will be made for appropriate medical attention at a local hospital or clinic.

Based on the explanation given by the employee, if the manager concludes that the employee is not fit for duty, they may take any of the following actions:

- Referral for an alcohol and drug test if the employee holds a safety-sensitive or risk-sensitive position and there are reasonable grounds to believe that alcohol or drug use may be a factor in the situation (refer to the Reasonable Grounds Testing procedures – Section 6.2 (A));
- Removal from duty pending further investigation if the person does not hold a safety sensitive or risk-sensitive position and there are grounds to believe alcohol or drug use is a factor; or
- Any other action appropriate in the situation.

Failure to participate in the investigation or a request to test is a violation of this Fit for Duty Policy.

Once a decision is made on next steps, the employee will be provided with transportation and escorted under direct supervision to the collection site or clinic and then transported to their local place of residence or the care of another adult. They will be temporarily removed from their duties pending the completion of the investigation. Employees will not be permitted to drive themselves from the worksite. If any security or violence issues arise when an employee is being removed from duty or transported to a collection site, Hitachi Rail STS Canada may contact security personnel and/or police or take appropriate steps to ensure the safety of its workers.

(B) Return to Work Testing – Post Fit for Duty Policy Violation

In those situations where employment is continued after a Fit for Duty Policy violation, the employee will be subject to unannounced testing as a condition of continued employment as set out in an agreement with Hitachi Rail STS Canada.

(C) Possession of Alcohol or Drugs

Hitachi Rail STS Canada reserves the right to investigate any situation when there are reasonable grounds to believe that banned substances, paraphernalia, or products are present

on Hitachi Rail STS Canada premises or worksites, including company vehicles and equipment. Managers are responsible for identifying situations where an investigation is justified based on a combination of indicators, which could include behavior, odour, or the presence of drug paraphernalia. A decision will be made by the manager after consultation with and agreement of another manager, Union representative, or a member of the FFDRC, on whether and how to initiate an investigation, including whether to involve the police. If there are reasonable grounds to believe that the employee possesses and owns any of the above, an alcohol or drug test will not be required and discipline will be enacted.

(D) Authority to Search and Seize

Where there are reasonable grounds to believe an employee is not in compliance with this Policy, the Hitachi Rail STS Canada HR Manager may decide to direct a search or an inspection as a part of an Investigation in accordance with this section of the Policy. This right to search includes lockers, lunchrooms, lunchboxes, work areas, offices/cubicles, Hitachi Rail STS Canada vehicles, and other personal property and effects. Hitachi Rail STS Canada retains the right to seize any and all alcohol, drugs and/or drug paraphernalia found during such a search or inspection. The employee will be notified as to the occurrence and reason for the search. The Hitachi Rail STS Canada HR Manager should involve the Hitachi Rail STS Canada Project Director as applicable, before making the decision to conduct a search. Hitachi Rail STS Canada may request the assistance of security personnel and/or police to conduct required searches. The security personnel and/or police may seize any and all contraband found during such a search or inspection.

6.2 SAFETY-SENSITIVE AND RISK-SENSITIVE POSITIONS

(A) Reasonable Grounds Testing

Alcohol and drug testing is required whenever a manager has reasonable grounds to believe that the observation of actions, appearance, or conduct of an employee while at work may indicate the use of alcohol or drugs. The decision to test will be made by the manager conducting the investigation after consultation with and agreement of another manager or Union representative, along with a review of the circumstance with a member of the FFDRC in accordance with the testing protocol, as soon as possible after an observation has taken place.

The referral to test will be based on specific observations resulting from, but not limited indicators such as:

- Observed use or evidence of use of a substance (e.g. the smell of alcohol or cannabis);
- Erratic or atypical behavior or changes in behavior;
- Previous performance, insubordination, behavior;
- Changes in physical appearance or speech patterns; or,
- Any other observations that suggest alcohol or drug use may be a factor.

Once the decision to test is made after consultation with another Manager and/or FFDRRC Representative, the employee must remain under direct supervision until testing is complete. Employees tested in this circumstance will be removed from work until the investigation is complete and will not be allowed to drive a vehicle home. Depending on the test result, a fit for duty assessment may also be required prior to the employee returning to work.

(B) Post-Incident Testing

Alcohol and drug testing is required after a work-related incident as part of the preliminary investigation into the incident, unless there is immediate evidence that the actions or omissions of the employee(s) were not a contributing factor (e.g. structural or mechanical failure). This will be determined based on the nature and significance of the incident and the explanation given by the employee for the incident. If the use of alcohol and drugs cannot be objectively ruled out, a test must be requested.

In addition, at their discretion, management may require a post-incident test after a “near miss” that could have resulted in serious safety-related consequences.

The decision to refer an employee or a group of employees, for a test will be made by the FFDRRC Representative in consultation with Site Leadership and in accordance with the Post Incident Investigation and Testing Protocol.

Employees are required to advise their immediate supervisor or manager as soon as possible after the incident and participate fully in any subsequent investigation. They must remain at the scene of the incident unless otherwise directed by management, medical personnel or law enforcement.

Failure to report an incident, or a refusal to submit to an alcohol and drug test, is a violation of this Fit for Duty Policy.

(C) Extreme Fatigue

Where there are concerns that an employee is working under extreme fatigue, the employee will be removed from the workplace. The manager will investigate and make inquiries concerning the employee's fitness for duty. Where there are reasons to believe that the employee may be unfit for duty as a result of alcohol or drug use, the manager may refer the employee for an alcohol and drug test.

(D) Refusal to Test

A refusal to test, or a refusal to cooperate in a request to test, is a violation of this Fit for Duty Policy and includes the following:

- Refusing to report for a test;
- Refusing to participate in testing as directed;
- Refusing or failing to provide a valid specimen absent a legitimate medical condition;
- A confirmed attempt to tamper with a test sample;
- Refusing to agree to disclose a test result to the DER; and/or

- Attempting to avoid a test by failing to report involvement in an incident that could require testing, or by avoiding management following involvement in an accident.

As described in Section 6.0, Work Standards, a refusal to test is a violation of this Fit for Duty Policy.

7 CONSEQUENCES OF A FIT FOR DUTY POLICY VIOLATION

7.1 GENERAL

Any violation of the provisions of Work Standards in Section 6.0 Alcohol and Drug Work Rule of this Fit for Duty Policy, including a positive test result or a refusal to test, may result in discipline up to and including termination of employment. Each violation of the Fit for Duty Policy will be assessed on a case-by-case basis. The appropriate discipline in each case depends on the nature of the Fit for Duty Policy violation and the circumstances surrounding the situation. In all situations, an investigation will be conducted and documented to verify whether a violation has occurred.

Management has the discretion to remove any employee from work who is believed to be involved in a violation of this Fit for Duty Policy, pending the completion of an investigation.

All employees must be accountable for their actions and must identify situations where they are unfit for duty, even where a substance use disorder exists. After any confirmed violation, the employee may be referred for assessment by a Substance Abuse Professional to determine whether there is a need for a structured treatment program.

7.2 DISCIPLINE AND REINSTATEMENT FOR FIT FOR DUTY POLICY VIOLATIONS

During orientation and sign on, all employees accessing safety-sensitive or risk-sensitive work on Hitachi Rail STS Canada premises, will be asked to sign on to acknowledge the Alcohol and Drug Work Rule as outlined in Work Standards in Section 6.0.

Employees in violation of the alcohol and drug testing aspects of this Fit for Duty Policy will be suspended from working on the Hitachi Rail STS Canada safety/risk-sensitive site for a period as follows:

- **1st occurrence** – Suspension (maximum - indefinite, minimum - 12 months). Subject to medical assessment and/or completion of a recognized rehabilitation program.
- **2nd occurrence** – Termination.

Note: Nothing in this disciplinary action for alcohol and drug related incidents restricts a member of Site Senior Management or a Subcontractor from application of additional corrective measures upon their employee(s) in accordance with their own company policies.

If an employee is suspended from the site for a violation of this Policy, the employee's name will be placed on a loss of site access privileges list and the circumstances surrounding the suspension will be outlined and kept on file. Only those individuals with a duty to know will have access to this information.

7.2.1 Payment of Wages Pending Alcohol and Drug Testing Results

During the period of time an employee spends waiting for the results of an alcohol and drug test requested under this Policy due to reasonable cause or post-incident circumstances (the "Waiting Period"), the employee's regular wages, benefits, and all standard remuneration will be paid as follows:

- If the alcohol and drug test result indicates that the employee is compliant with this Policy, wages, benefits, and all standard remuneration for the Waiting Period will be paid to the employee;
- If the alcohol and drug test result indicates that the employee is not compliant with this Policy, wages, benefits, and all standard remuneration for the Waiting Period will not be paid to the employee.

7.3 CONDITIONS FOR CONTINUED EMPLOYMENT

Should Hitachi Rail STS Canada determine that employment will be continued after a violation, the employee will be required to enter into a documented return to work plan and agreement governing their continued employment which may require any or all the following actions, or any other condition appropriate to the situation:

- Temporary or permanent relocation from their position;
- Adherence to and full participation in any recommended treatment and aftercare program;
- Successful completion of a return to work test plan;
- Ongoing unannounced testing for the duration of their agreement;
- Adherence to any ongoing rehabilitation conditions or requirements;
- No further Fit for Duty Policy violations during the monitoring period; and/or
- Documentation from a medical practitioner confirming any restrictions or ability to return to full duties.

Failure to meet the requirements of the agreement during the monitoring period will be a violation of this Fit for Duty Policy and grounds for discipline up to and including termination as set out in the agreement.

8 CONFIDENTIALITY

In all situations, confidentiality will be maintained on a need-to-know basis and as required by law. Only information regarding work restrictions may be shared with management for purposes of disclosure when an employee is seeking assistance with a substance use disorder, disclosure of the use of a prescription or authorized medication, determining the appropriate work accommodation, and/or return to work arrangements. Processes to maintain confidentiality shall be developed to ensure employees are comfortable with their disclosure of information.

9 INTERPRETATION AND SAVING CLAUSE

To the extent of any inconsistency among legislative requirements, the legislation shall prevail. It is not the intent of Hitachi Rail STS Canada to violate any laws or rulings or regulations of any government authority or agency having jurisdiction over the subject matter of this Policy, and in the event any provisions of this Policy are held or constituted to be void as being in contravention of any such laws, rulings or regulations, the remainder of the Policy shall remain in full force and effect and Hitachi Rail STS Canada shall immediately develop new provisions to replace those held to be void.

9.1 RELEVANT LEGISLATION, POLICIES AND GUIDELINES, HITACHI RAIL STS CANADA POLICIES

- Ontario Human Rights Code, R.S.O. 1990, c.H.19
- Employment Standards Act, 2000, S.O. 2000, c.41
- Personal Health Information Protection Act, S.O. 2004, c.3 Sched. A
- Energy Safety Canada Canadian Model for a Safe Workplace Alcohol and Drug Policy
- Toronto Transit Commission Union Local 113 Interlocution
- Canadian Human Rights Policy on Alcohol and Drug Testing
- Provincial Building and Construction Trades Council of Ontario (PBCTCO) Drug and Alcohol Policy

APPENDIX A SAFETY-SENSITIVE AND RISK-SENSITIVE POSITIONS

A.1 Safety-Sensitive and Risk-Sensitive Positions Defined

Safety-sensitive positions are those where the employee has a key and direct role in an on-site operation where performance limitations (e.g. due to substance use) could result in an incident or near miss with the potential for high consequences (e.g. significant property damage, environmental damage or negative impact to reputation, and/or serious injury or fatalities to employees or the public).

Risk-sensitive positions are a subset of safety-sensitive positions. They include supervisors, technical experts, etc. who reside off-site but make safety critical decisions and direct on-site employees conducting potentially hazardous tasks in potentially hazardous work environments. Performance limitations (e.g. due to substance use) could result in an incident or near miss as described above. Risk-sensitive positions and employees should be clearly identified, similar to safety-sensitive positions and employees.

Table 1 List of Safety-Sensitive and Risk-Sensitive Positions

An "X" indicates the position is safety-sensitive and/or risk-sensitive

BUSINESS UNIT	POSITION(S)	SAFETY-SENSITIVE	RISK-SENSITIVE
[Name of business unit]	[List all positions that fall under this business unit]	[Insert an "X" if the position is safety-sensitive]	[Insert an "X" if the position is risk-sensitive]
Hitachi Rail STS Canada, Hitachi Rail STS Canada Business Partner or Hitachi Rail STS Canada Contractor	Boilermaker	X	
	Carpenter	X	
	Customer ambassadors/ fare inspector	X	
	Driver	X	
	Electrician, cable puller, terminations	X	
	Engineers, Field engineers, equipment engineers	X	
	Equipment Operator: Boom Truck Operator; Mobile Elevated Work Platform Operator; Crane operator; Forklift operator.	X	
	Health, safety and environmental specialist	X	
	HVAC technician	X	

BUSINESS UNIT	POSITION(S)	SAFETY-SENSITIVE	RISK-SENSITIVE
	Incident/ emergency response specialist	X	
	IT Technician/ field technician	X	
	Instrumentation Mechanic	X	
	Insulators	X	
	Ironworker	X	
	Labourer General/Civil/Excavator/ Ground/ Janitor/ Mason/Carpenter Helper/ Warehouse	X	
	Mason	X	
	Mechanic	X	
	Millwright	X	
	NDT/ radiography operator	X	
	Paramedic/ medical professional	X	
	Pipefitter	X	
	Quality inspector	X	
	Radio Technician	X	
	Scaffolder	X	
	Security guard/ track protection officer	X	
	Signal Systems Specialist	X	
	Station attendant	X	
	Store person	X	
	Supervision/ Foreman	X	
	Systems technician/ testing	X	
	Telecommunications technician/ support specialist	X	
	Train operators	X	
	Train technicians/ maintenance	X	
	Track repair/ maintenance/ specialist	X	
	Transit safety officer	X	

BUSINESS UNIT	POSITION(S)	SAFETY-SENSITIVE	RISK-SENSITIVE
	Welder/ Welding Inspector	X	
	Maintenance strategy officer		X
	Training and development officer		X
	Logistics manager		X
	Dispatcher		X
	Transportation scheduler		X
	Instructors – bus ops/ train ops etc.		X
	Facilities, operations and maintenances officers		X
	Reliability specialists		X
	Equipment officers		X
	Performance and compliance officers		X
	Rail operations management		X
	Traffic control officer		X
	Track evaluation officer		X
	Corporate security specialist		X
	Compliance service officers/ by-law/security		X
	Station services/ management/ service delivery officer		X
	Guest services manager		X

Note: Additional roles may not have been identified that Hitachi Rail STS Canada and contractors may deem safety sensitive based on role and a specific work activity/ scope.

APPENDIX B ALCOHOL AND DRUG TESTING PROCEDURES

The alcohol and drug testing process is based on rigorous collection, analysis, and reporting procedures designed to ensure the accuracy and integrity of the results.

B.1 Collection

Collection of specimens for drug testing and the administration of alcohol tests will be performed by trained collection agents. In post-incident and reasonable grounds testing situations, samples will be collected as soon as possible after the decision to test (within two hours if possible), but collection attempts will end at eight (8) hours for an alcohol test and thirty-two (32) hours for a drug test.

All employees who are tested are required to sign a form to acknowledge the accuracy of the employee and employer information and authenticity of the specimen.

B.2 Testing

B.2.1 Breath Alcohol

Alcohol tests will be administered by a calibrated evidential breath analyzer with a printout of test results.

B.2.2 Drugs

Drug tests will be administered by the collection of an oral fluid (saliva) specimen for analysis in the laboratory. Oral fluid samples for drug testing will be analyzed by a fully qualified and accredited laboratory.

Testing will be conducted on the oral fluid sample to determine the presence of cannabinoids, amphetamine/methamphetamine, cocaine, opioids, and phencyclidine. If Metrolinx concludes there is justification to include additional drugs in this list, employees will be advised of the change. Testing for additional drugs may also be required on an individualized basis on the advice of a treatment centre of Substance Abuse Professional in a post-treatment situation.

B.3 Drug Test Results

The following are the categories of lab-based test results:

- A negative test result
- A positive test result
- A cancelled test result
- A refusal to test

B.4 Breath Alcohol Tests

A positive alcohol breath test is a result of 0.04 BAC or higher. If the initial test reports a positive result, employees will be required to test again 15 minutes after the initial test to confirm results.

Any employee who has a breath alcohol test result of 0.02 to 0.039 BAC will be removed from work until it is safe to return (at least before their next work day or shift) and may be subject to appropriate discipline.

B.5 Drugs

A positive oral fluid drug test is a result of at least:

- 10 nanograms per millilitre for THC
- 50 nanograms per millilitre for cocaine
- 50 nanograms per millilitre for opiates
- 4 nanograms per millilitre for acetyl morphine
- 10 nanograms per millilitre for phencyclidine
- 50 nanograms per millilitre for amphetamines

Laboratory confirmed positive drug test results and the results of the BAT will be reviewed by a qualified Medical Review Officer (“MRO”). This is an independent physician who will endeavour to discuss the result with the employee to determine whether a positive test could have resulted from the legitimate use of medications. The employee concerned will be given an opportunity to explain the finding to the MRO who will then determine whether the result will be reported to the DER as a negative or a verified positive.

Note: If the MRO determines that the positive test result is due to the legitimate use of a prescription or authorized drug, the MRO will issue a verified positive result with a safety advisory to the DER.

An employee can request that their sample be re-tested. If a second confirmed positive test is reported, the person who requested the second analysis is responsible for the associated costs.

Drugs or classes of drugs	Confirmation concentration equal to or in excess of ng/mL
Cannabis (THC)	10
Cocaine metabolite – Cocaine or Benzoyllecgonine	— 50 *
Opioids	—
- Codeine	50
- Morphine	50
- Hydrocodone	50
- Hydromorphone	50
- Oxycodone	50
- Oxymorphone	50
6-Acetylmorphine	4

Phencyclidine	10
Amphetamines	—
- Amphetamine	50
- Methamphetamine	50
- MDMA ¹	50
- MDA ²	50

Source: COAA and Energy Safety Canada, 2018.

1. Methylenedioxymethamphetamine
2. Methylenedioxyamphetamine

B.6 Confidentiality

An employee's test result is personal and confidential information. The employee's written consent is required for the test result to be released by the laboratory to the DER or designate, or as otherwise permitted or required by law. The DER or designate will treat the test result as personal and confidential to the employee and will not use or disclose the information without the employee's consent or as otherwise permitted as need-to-know or required by law.

APPENDIX C POTENTIALLY IMPAIRING MEDICATIONS

The following list provides some guidance into prescribed medications that can cause impairing side effects and render an employee unfit for duty. This list is not exhaustive and all medications should be reviewed with your Pharmacist, Physician or the DER.

1. Medical Cannabis
2. Tylenol #1,2,3,4 (Codeine)
3. Oxyneo
4. Tramadol / Tramacet
5. Fentanyl (Actiq, Duragesic, Fentora, Abstral, Onsolis)
6. Hydrocodone (Hysingla, Zohydro ER)
7. Hydrocodone/acetaminophen (Lorcet, Lortab, Norco, Vicodin)
8. Hydromorphone (Dilaudid, Exalgo)
9. Meperidine (Demerol)
10. Methadone (Dolophine, Methadose)
11. Suboxone
12. Morphine (Kadian, MS Contin, Morphabond)
13. Oxycodone (OxyContin, Oxaydo)
14. Oxycodone and acetaminophen (Percocet, Roxicet)
15. Oxycodone and naloxone
16. Zopiclone
17. Xanax
18. Clonazepam and diazepam

APPENDIX D FIT FOR DUTY POLICY ACKNOWLEDGEMENT

You acknowledge that you have reviewed this Policy and you understand that you must comply with the Policy. You further acknowledge that you are committed to protecting yourself, your co-workers, and the workplace against safety risks arising from alcohol, drugs, and/or any other such substances or conditions that might result in you attending at a Hitachi Rail STS Canada work site unfit for duty.

Employee Name: (PRINT):

Employee Signature:

Date:

APPENDIX E REASONABLE GROUNDS ASSESSMENT

Name of Employee in Question:			
Investigation Initiated By:			
Position Held:			
Investigation Conducted By:			
Position Held:			
Date of Incident:			
Date of Investigation:			
Description of actual or suspected incident:			
How did the person that initiated this investigation come to realize that the worker may be impaired	<input type="checkbox"/> Report from another worker		<input type="checkbox"/> Observations by the supervisor
	<input type="checkbox"/> Other, explain:		What is their role with the company?
Has the worker admitted to taking any kinds of drugs or alcohol?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Details:	
Behaviour	<input type="checkbox"/> Nervous	<input type="checkbox"/> Insulting	<input type="checkbox"/> Sleepy
	<input type="checkbox"/> Exaggerated Politeness	<input type="checkbox"/> Confused	<input type="checkbox"/> Combative
	<input type="checkbox"/> Excited	<input type="checkbox"/> Angry	<input type="checkbox"/> Extremely fatigued
	<input type="checkbox"/> Uncooperative	<input type="checkbox"/> Poor memory	<input type="checkbox"/> Overly talkative
	<input type="checkbox"/> Happier than usual	<input type="checkbox"/> Spacey	<input type="checkbox"/> Are they paranoid
	<input type="checkbox"/> Other (please specify)		

Unusual Actions	<input type="checkbox"/> Sweating	<input type="checkbox"/> Slow reactions	<input type="checkbox"/> Crying
	<input type="checkbox"/> Quick moving	<input type="checkbox"/> Tremors	<input type="checkbox"/> Fighting
	<input type="checkbox"/> Angry	<input type="checkbox"/> Are they talking about things that do not make any sense	
	<input type="checkbox"/> Other (please specify)		
Speech	<input type="checkbox"/> Slurred	<input type="checkbox"/> Slow	<input type="checkbox"/> Confused
	<input type="checkbox"/> Thick	<input type="checkbox"/> Rambling	<input type="checkbox"/> Pressured
	<input type="checkbox"/> Other:		
Balance	<input type="checkbox"/> Falling	<input type="checkbox"/> Staggering or unsteady on their feet	<input type="checkbox"/> Unsure
	<input type="checkbox"/> Needs support	<input type="checkbox"/> Stumbling	<input type="checkbox"/> Normal
	<input type="checkbox"/> Other:		
Eyes & General Appearance	<input type="checkbox"/> Eyes bloodshot	<input type="checkbox"/> Are pupils Dilated	<input type="checkbox"/> Unsure
	<input type="checkbox"/> Are they dressed differently		
	<input type="checkbox"/> Other:		
Is extreme fatigue a factor in this situation?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, explain:	
Has the worker done something that would be considered unsafe?	Details:		
If impairment is evident, would this worker be a risk to themselves or others if allowed to continue working?	<input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, explain:	

If applicable, what contributing factors may have caused the suspected impairment?	<input type="checkbox"/> Depression	<input type="checkbox"/> Illness/ Medical	<input type="checkbox"/> worker not sure
	<input type="checkbox"/> Grief	<input type="checkbox"/> Lifestyle	<input type="checkbox"/> Pre-existing addictions
	<input type="checkbox"/> Family issues	<input type="checkbox"/> Other:	
Witness / Other Employees Involved	Name:		Position:
	Name:		Position:
	Name:		Position:
Investigator Use Only			
Recommendation/Action Taken:			
Follow-up Action to be Taken:			
Investigators Signature:			Date:
Other Parties Notified:			
Comments			