

# Standard for Alcohol and Drugs

*Conformance with this Standard is mandatory.  
You may not 'opt-out' of any requirement identified herein.*

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For Revision and Approval history, see Nexen Management System approval workflow.

## 1.0 INTRODUCTION TO THIS STANDARD

### 1.1 PURPOSE

The purpose of this Standard is to set out the minimum requirements and quality expectations that must be met when:

- Managing the risks of Alcohol and Drug use on Employees' and Contingent Workers' performance.

This is important because it will:

- Ensure the safety of all Employees and Contingent Workers, the public and the environment.

*\*Note: This Standard is only one facet of an overall approach to safety and is part of the Company's overall approach to risk mitigation and risk management. This Standard may be supplemented by Location Requirements, Rules of Work or other applicable Company documentation.*

### 1.2 SCOPE

This Standard applies to all Company Businesses and Company Premises.

Additional requirements or exceptions to this Standard are set out in COP-05, Location Requirements and Rules of Work.

Contingent Workers, as individuals or as an organization, will be advised of this Standard and are expected to implement a policy or program which has standards at least as stringent as those set out in this Standard and associated COPs or, in the case of Contingent Workers engaged in Canada or by a Nexen company subject to Canadian jurisdiction, as outlined in the Construction Owners Association of Alberta's Canadian Model (Canadian Model for Providing a Safe Workplace effective October 08, 2014, as updated and approved from time to time).

Additionally, Contingent Workers engaged in, or by a Nexen company subject to the jurisdiction of, a location covered by Nexen Location Requirements must have policies or programs which have standards at least as stringent as applicable Location Requirements [and Rules of Work].

*Attention: Failure to comply with this Standard by Employees may be grounds for discipline up to and including termination of employment for cause.*

### 1.3 INTENDED AUDIENCE

The intended audience for this Standard is detailed in the table below.

Role	Description
VP – HSE	Will ensure this Standard is maintained and supported in all areas of the Company's business. Will determine the authorization of any deviations and enhancements to this Standard that are first approved by the Specialist of Occupational Health & Industrial Hygiene
Alcohol and Drug Coordinator	Will determine the approval of any deviations and

Role	Description
	enhancements to this Standard
HSE Supervisors/Managers	Will support the implementation of this Standard, Location Requirements and Rules of Work
Company Supervisors/Managers	Will ensure this Standard is communicated to Employees and Contingent Workers
Employees and Contingent Workers	Will adhere to the applicable requirements in this Standard, Location Requirements and Rules of Work

## 1.4 DEFINITIONS OF TERMS

For definitions, see the [Nexen Glossary](#). Capitalized terms used in this Standard have the meanings set out in the Nexen Glossary.

**After-Care** - is the provision of counselling and periodic Alcohol Testing and Drug Testing, treatment and rehabilitation in order to assist an Employee to successfully re-enter and remain in the workplace.

**Alcohol** - means the intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohol including methyl or isopropyl alcohol.

**Alcohol and Drug Coordinator** - is the Employee who is responsible for overseeing and administering this Alcohol and Drug Standard.

**Alcohol and Drug Standard or Standard** - means this Alcohol and Drug Standard, including any applicable COPs.

**Alcohol Testing (Alcohol Test)** - means the collection of specimen(s), screening analysis and confirmation Testing for Alcohol concentration.

**Cannabis** - means cannabis or marijuana in any form.

**CMPR** - means the Access to Cannabis for Medical Purposes Regulation, SOR/2016-230 as amended or replaced from time to time

**Company or Nexen** - means Nexen Energy ULC and its majority owned subsidiaries and affiliates for which it has managerial responsibility.

**Company Business** - refers to all activities undertaken by Employees in the course of the Company's operations and all other activities (including at work related social events) in which Employees participate in the course of their employment.

**Company Premises** - includes but is not limited to land, facilities, aircraft, equipment, Living Accommodations and vehicles owned, leased, rented, controlled or used by or on behalf of the Company for the purpose of conducting Company Business and any other sites and locations specified in any applicable Location Requirements.

**Contractor** - refers to any person or entity, including their employees or sub-contractors, that is contracted, sub-contracted, or otherwise engaged to provide services to the Company on an invoice basis.

**COPs** - means the codes of practice associated with this Standard, as such codes may be amended, supplemented or deleted from time to time.

**Corrective Action** - means intervention when unacceptable behaviour or actions occur.

**DER** - means the designated employee representative, who is an individual assigned by the Company to receive Alcohol and Drug Testing results.

**Drug(s)** - means illicit drugs, substances, chemicals or agents (a) which have been obtained illegally; (b) the use or possession of which is unlawful; (c) which requires an authorization from an authorized healthcare practitioner and for which the Employee does not have a personal prescription; and (d) Cannabis.

**Drug Paraphernalia** - includes any item which is associated with the use of any Drugs and also includes any device, item, substance or equipment which is intended to be used as a masking agent or to otherwise tamper with, adulterate or substitute any sample provided for Drug Testing or Alcohol Testing.

**Drug Testing (Drug Test)** - means the collection of specimen(s), screening analysis and confirmation Testing for the presence of a panel of Drugs.

**EFAP** - means the Employee and Family Assistance Program, which provides confidential support for Employees and their families who may be experiencing personal, family or workplace problems.

**Employee(s)** - means a regular full-time, part-time, temporary, casual and fixed-term employee of the Company.

**Fitness for Work (Fit for Work)** - means being able to safely perform assigned duties without any limitations due to the use or after-effects of Alcohol, Drugs or Medications.

**HSE&SR** - means the Company's health, safety, environment and social responsibility department.

**Location Requirements** - means any country or location specific requirements or enhancements related to this Standard.

**Living Accommodations** - means all offshore living accommodations and any living accommodations provided by or for the Company and attached or associated with Company Business.

**Medical Review Officer (MRO)** - means a licensed physician who evaluates Testing results.

**Medication** - refers to a drug obtained legally, either over-the-counter or, through a personal prescription from an authorized healthcare practitioner or obtained with a medical document issued by an authorized healthcare practitioner under the CMPR.

**Near Miss** - an event which could have resulted in serious harm to people or the environment, damage to property or loss of production.

**POCT** - means point of collection Testing.

**Reasonable Grounds** - has the meaning given to it in the Alcohol and Drug Testing COP-03.

**Rules of Work** - specific rules and exemptions for Company Premises approved by management and amended from time to time.

**Safety-Sensitive Position (SSP)** - is a position in which an individual has a key and direct role in an operation where performance impacted by Alcohol and Drug use could seriously impact the health or safety of Employees, Contractors, the public or the environment. This category includes all Employees required to rotate through a safety-sensitive position, provide temporary relief in a safety-sensitive position, those who may

perform the same duties from time to time or have significant ongoing responsibilities for decisions or actions (i.e. Supervisors/Managers) that are likely to affect safe operations. For further information see COP-02.

**Safety-Sensitive Work Location (SSWL)** - includes those parts of the Company's operations where there are operating hazards such that anyone working at the location, who is not Fit for Work, could seriously impact the health or safety of Employees, the public or the environment. For further information see COP-02.

**SAP/SAE** - means a substance abuse professional or substance abuse expert, which is an individual with knowledge of, and clinical experience in, the diagnosis and treatment of Alcohol and Drug related disorders.

**Serious Incident** - refers to a work-related incident that caused or had the potential to cause any of the following: serious injury; fatality; serious or major environmental incident or impact; significant or major loss or damage to vehicles, equipment or property; or serious or major loss of production or revenue. This includes a minor incident with significant potential for more serious consequences, and includes a Near Miss.

**Supervisor/Manager** - means an individual accountable for a particular Company Premise, department or area, including positions that are directly responsible for the performance of individuals conducting Company Business.

**Testing (Test)** - refers to Alcohol Testing and Drug Testing, as applicable.

## 1.5 CONFLICT RESOLUTION

Where a conflict arises with the requirements set out in this Standard, and an update to the document or a variance is required, escalate the issue to the Accountable Owner.

## 2.0 REQUIREMENTS OF THIS STANDARD

The following table outlines the minimum requirements and quality expectations that must be satisfied to meet the intent of this Standard.

### 2.1 STANDARD REQUIREMENT TABLE

Requirement Number	Requirements
<b>Contingent Worker Requirements</b>	
2.1.1	<p>Must implement a policy or program which has standards at least as stringent as those set out in this Standard, Location Requirements and Rules of Work.</p> <p>These COPs include:</p> <ul style="list-style-type: none"> <li>• <a href="#">GBL-PRA-0223: COP-01 Medications</a></li> <li>• <a href="#">GBL-PRA-0224: COP-02 Safety-Sensitive Positions (SSP) / Work Locations (SSWL)</a></li> <li>• <a href="#">GBL-PRA-0225: COP-03 Alcohol and Drug Testing</a></li> <li>• <a href="#">GBL-PRA-0226: COP-04 Return to Work</a></li> <li>• <a href="#">GBL-PRA-0227: COP-05 Permitted Uses of Alcohol</a></li> <li>• <a href="#">GBL-PRA-0228: COP-06 Prevention, Assistance, Rehabilitation &amp; After-Care</a></li> <li>• <a href="#">GBL-PRA-0229: COP-07 A&amp;D Standard Violations</a></li> <li>• <a href="#">GBL-PRA-0233: A&amp;D Reasonable Grounds Testing Referrals Checklist</a></li> <li>• <a href="#">GBL-PRA-0234: A&amp;D Reasonable Ground Referral Form</a></li> <li>• <a href="#">GBL-PRA-0235: A&amp;D Post Incident Referral Form</a></li> </ul>
2.1.2	<p><b>In the case of Contingent Workers engaged in Canada or by a Nexen company subject to Canadian jurisdiction</b></p> <p>Must implement a policy or program as outlined in the Construction Owners Association of Alberta's Canadian Model (Canadian Model for Providing a Safe Workplace effective October 8, 2014, as updated and approved from time to time).</p>
<b>Employee Requirements</b>	
2.1.3	<p>Must be in compliance with the Alcohol and Drug Work Rules set out in <a href="#">Appendix C. Employee Alcohol and Drug Work Rules</a> and <a href="#">GBL-PRA-0227: COP-05 Permitted Uses of Alcohol</a>.</p>
2.1.4	<p>Must report for and submit to Testing as required.</p> <p><i>*Note: Any Employee asked to undergo Alcohol Testing or Drug Testing will be provided with the reason for such a request.</i></p>
2.1.5	<p>Must be in compliance with this Standard, applicable Location Requirements and Rules of Work.</p>
2.1.6	<p>Must assume ownership of an Alcohol or Drug dependency by seeking professional assistance and making use of the counseling and treatment services made available by the Company or through outside arrangements when approved by the Company.</p>

<b>Requirement Number</b>	<b>Requirements</b>
2.1.7	Must cooperate fully during investigations of work-related incidents.
2.1.8	Must be in compliance with treatment or rehabilitation programs aimed at improving job performance, eliminating safety risks and reintegrating into the Company workforce.
2.1.9	Must notify their Supervisor/Manager if they are aware or reasonably suspect another Employee is not Fit for Work due to use of Alcohol or Drugs or misuse of Medications.
2.1.10	Must obtain advice from an authorized healthcare practitioner and a Company occupational health services professional (in consultation with Company approved third party providers, as required) if a Medication may affect their ability to safely perform their duties or will otherwise render them not Fit for Work and report any concerns in this respect to their Supervisor/Manager or the Company's occupation health services department to assist with decisions regarding modification of duties.
<b>Supervisor/Manager Requirements</b>	
2.1.11	Must ensure this Standard is communicated to Employees.
2.1.12	Must endeavour to identify Employee behaviour and performance problems that may be linked to the use of Alcohol and Drugs or the misuse of Medications and notify the Alcohol and Drug Coordinator or HR Business Partner, as appropriate.
2.1.13	Must ensure that an Employee who is not Fit for Work is removed from Company Premises and HR or the occupational health services department has arranged for an assessment where appropriate.
2.1.14	Must follow the Alcohol and Drug Testing Process when there are Reasonable Grounds to believe that the conduct of an Employee is indicative of the use or after effects of Alcohol or Drugs.
2.1.15	Must ensure that investigations of work related incidents are carried out in accordance with corporate incident investigative procedures, including referral of Employees for Alcohol and Drug Tests, when required.
<b>Company Groups Outside Canada, Who Do Not Have Alcohol and Drug Location Requirements</b>	
2.1.16	Must develop their own country specific Alcohol and Drug Location Requirements OR Must follow the Canada Alcohol and Drug Location Requirements
<b>Company Requirements</b>	



<b>Requirement Number</b>	<b>Requirements</b>
2.1.17	<p>Must ensure no Employee with an Alcohol or Drug problem will be disciplined or terminated because of the Employee's involvement in a rehabilitation effort or for voluntarily requesting rehabilitative help in overcoming an Alcohol or Drug problem.</p> <p><i>*Note: Involvement in treatment or seeking assistance for an Alcohol or Drug problem after a Standard violation or a Serious Incident has occurred or following a request for a Test will not prevent the Employee from being disciplined or terminated.</i></p>
2.1.18	<p>Must ensure Alcohol and Drug searches are conducted or supervised by designated management personnel in accordance with applicable Location Requirements or any Standard or Procedural Aid adopted by the Company from time to time.</p>

## 2.2 MEASURING CONFORMANCE AND CONTINUOUS IMPROVEMENT

The following table summarizes the methods that must be used to measure conformance with the intent of this Standard.

Means of Verification	Method of Measurement	Role for Review and Interval	Location of Key Records and Reports
Self-Assessment	Conformance Checklist	Reviewer: Responsible Author  Interval: 3 years	Contact Responsible Author
Audit Assessment	Conformance Checklist(s)	Auditor: Responsible Author  Interval: 3 years	Contact Responsible Author

The Methods of Measurement, identified above, will be used as a foundation to determine whether this Standard is effective and efficient; and, whether opportunities exist to improve further. Refer to the [NMS Assurance Activities Business Process](#) for further details and see [Appendix B](#) for the Conformance Checklist.

## 3.0 REFERENCES AND RELATED INFORMATION

### 3.1 EXTERNAL REFERENCES

*Not Applicable*

### 3.2 INTERNAL REFERENCES

- [GBL-PRA-0223: COP-01 Medications](#)
- [GBL-PRA-0224: COP-02 Safety-Sensitive Positions \(SSP\) / Work Locations \(SSWL\)](#)
- [GBL-PRA-0225: COP-03 Alcohol and Drug Testing](#)
- [GBL-PRA-0226: COP-04 Return to Work](#)
- [GBL-PRA-0227: COP-05 Permitted Uses of Alcohol](#)
- [GBL-PRA-0228: COP-06 Prevention, Assistance, Rehabilitation & After-Care](#)
- [GBL-PRA-0229: COP-07 A&D Standard Violations](#)
- [GBL-PRA-0233: A&D Reasonable Grounds Testing Referrals Checklist](#)
- [GBL-PRA-0234: A&D Reasonable Grounds Referral Form](#)
- [GBL-PRA-0235: A&D Post Incident Referral Form](#)
- [GBL-PRA-0236: Post Incident Procedural Workflow](#)
- [GBL-PRA-0249: Identifying Employee Fitness for Work Procedural Workflow](#)

*The following Standards and Procedural Aids enable implementation of this Standard:*

- [GBL-PRA-0231: How We Work: Our Integrity Guide](#)
- [GBL-STD-0027: Standard for Confidential Information](#)
- [GBL-STD-0069: Standard for Information Management](#)
- [GBL-STD-0068: Standard for Information Security and IT Operations](#)
- [GBL-STD-0073: Standard for Privacy of Personal Information](#)
- [GBL-PRA-0197: Procedural Aid for Information Security Classification](#)

### **3.3 RELATED INFORMATION**

*Not Applicable*

## **APPENDIX A. ROLES AND RESPONSIBILITIES**

For a description of the NMS Roles and Responsibilities, refer to the [Standard for the Nexen Management System](#).

## APPENDIX B. CONFORMANCE CHECKLIST

The following table identifies the conformance checklist requirements.

Requirement Number	Requirements	Yes (Y)	No (N)	Needs Improvement (NI)	Not Applicable (N/A)
<b>Contingent Worker Requirements</b>					
2.1.1	Implemented a policy or program which has standards at least as stringent as those set out in this Standard, Location Requirements and Rules of Work.				
2.1.2	<p><b>In the case of Contingent Workers engaged in Canada or by a Nexen company subject to Canadian jurisdiction</b></p> <p>Implemented a policy or program as outlined in the Construction Owners Association of Alberta's Canadian Model (Canadian Model for Providing a Safe Workplace effective October 8, 2014, as updated and approved from time to time).</p>				
<b>Employee Requirements</b>					
2.1.3	Complied with the Alcohol and Drug Work Rules set out in <a href="#">Appendix C. Employee Alcohol and Drug Work Rules</a> and <i>COP-05 Permitted Uses of Alcohol</i> .				
2.1.4	<p>Reported for and submitted to Testing as required.</p> <p><i>*Note: Any Employee asked to undergo Alcohol Testing or Drug Testing will be provided with the reason for such a request.</i></p>				
2.1.5	Complied with this Standard, applicable Location Requirements and Rules of Work.				

2.1.6	Assumed ownership of an Alcohol or Drug dependency by seeking professional assistance and making use of the counseling and treatment services made available by the Company or through outside arrangements when approved by the Company.				
2.1.7	Cooperated fully during investigations of work-related incidents.				
2.1.8	Complied with treatment or rehabilitation programs aimed at improving job performance, eliminating safety risks and reintegrating into the Company workforce.				
2.1.9	Notified their Supervisor/Manager if they were aware or reasonably suspect another Employee is not Fit for Work due to use of Alcohol or Drugs or misuse of Medications.				
2.1.10	Obtained advice from an authorized healthcare practitioner and a Company occupational health services professional (in consultation with Company approved third party providers, as required) if a Medication may affect their ability to safely perform their duties or will otherwise render them not Fit for Work and report any concerns in this respect to their Supervisor/Manager or the Company's occupation health services department to assist with decisions regarding modification of duties.				
<b>Supervisor/Manager Requirements</b>					
2.1.11	Ensured this Standard was communicated to Employees.				
2.1.12	Endeavoured to identify Employee behaviour and performance problems that may be linked to the use of Alcohol and Drugs or the misuse of Medications and notified the Alcohol and Drug Coordinator or HR Business Partner, as appropriate.				
2.1.13	Ensured that an Employee who was not Fit for Work is removed from Company Premises and HR or the occupational health services department has arranged for an assessment where appropriate.				
2.1.14	Followed the Alcohol and Drug Testing Process when there were Reasonable Grounds to believe that the conduct of an Employee is indicative of the use or after effects of Alcohol or Drugs.				
2.1.15	Ensured that investigations of work related incidents were carried out in accordance with corporate incident investigative procedures, including referral of Employees for Alcohol and Drug Tests, when required.				

Company Groups Outside Canada, Who Do Not Have Alcohol and Drug Location Requirements				
2.1.16	<p>Developed their own country specific Alcohol and Drug Location Requirements</p> <p><b>OR</b></p> <p>Followed the Canada Alcohol and Drug Location Requirements</p>			
Company Requirements				
2.1.17	<p>Ensured no Employee with an Alcohol or Drug problem was disciplined or terminated because of the Employee's involvement in a rehabilitation effort or for voluntarily requesting rehabilitative help in overcoming an Alcohol or Drug problem.</p> <p><i>*Note: Involvement in treatment or seeking assistance for an Alcohol or Drug problem after a Standard violation or a Serious Incident has occurred or following a request for a Test will not prevent the Employee from being disciplined or terminated.</i></p>			
2.1.18	<p>Ensured Alcohol and Drug searches were conducted or supervised by designated management personnel in accordance with applicable Location Requirements or any Standard or Procedural Aid adopted by the Company from time to time.</p>			

## **APPENDIX C. EMPLOYEE ALCOHOL AND DRUG WORK RULES**

Employees:

- are prohibited from using, possessing, consuming, cultivating, manufacturing, distributing, dispensing, trading or offering for sale Alcohol, Drugs and Drug Paraphernalia when performing Company Business or on Company Premises;
- are prohibited from using, possessing, consuming or being under the influence of Alcohol or Drugs when operating a Company vehicle that is owned, leased, rented, controlled or used by or on behalf of the Company for the purpose of conducting Company Business;
- must report to and remain Fit for Work at all times while on Company Premises, when performing Company Business and when designated on-call;
- must comply with requests for searches and Testing (Refer to COP-03 Alcohol and Drug Testing);
- must not Test positive at or above the Alcohol or Drug cut-offs outlined in the applicable Location Guide;
- must not adulterate, substitute or tamper with Testing samples;
- are prohibited from manufacturing, distributing, trading or offering for sale any Medications;
- are prohibited from inappropriately using Medications or possessing or using Medication which requires a personal prescription from an authorized healthcare practitioner and for which the Employee does not have a proper prescription from an authorized healthcare practitioner;
- must review Medication labels and accompanying leaflets carefully and consult with their authorized healthcare practitioner and report Medications which may affect the safe operation of vehicles or equipment of any kind or may otherwise impede their ability to perform their duties safely and follow any required workplace modifications;
- must use Medications in a safe, responsible and prescribed manner (refer to COP-01 Medications); and
- must not use Alcohol or Drugs after a Serious Incident until Tested or advised by the Company that a Test is not required.

## **APPENDIX D. ADDITIONAL INFORMATION**

### **Statement:**

The Company recognizes that the inappropriate use of Alcohol and Drugs can adversely affect the safety and well-being of Employees and potentially the communities in which it operates.

The Company is committed to providing a safe and healthy work environment and to maintain the public's trust and confidence in the Company. Employees and the Company share a responsibility to ensure their own safety and the safety of those affected by their activities.

### **Persons Affected:**

All Employees will be treated fairly and with respect under this Standard.

### **Standard:**

This Standard is intended to outline the standards and expectations associated with Alcohol and Drug use and confirm the Company's commitment to safety and its commitment to minimizing risk associated with its operations. This Standard is only one facet of an overall approach to safety and is part of the Company's overall approach to risk mitigation and risk management. This Standard may be supplemented by Location Requirements, Rules of Work or other applicable Company documentation.

### **Implementation of Work Rules/Standards:**

This Standard does not reduce the need for effective performance management or eliminate the need for awareness, training and education. The Company will use a variety of methods to ensure all Employees are aware of their role in supporting this Standard.

This Standard outlines the importance of prevention and early identification of potential Alcohol and Drug problems. The Company will make information available to Employees on how to access help for Alcohol or Drug issues.

### **Self-Referral:**

Employees are strongly encouraged to self-refer to EFAP and their Supervisor/Manager, HR representative or the Company's occupational health services department if they have Alcohol or Drug concerns. If any Employee requests assistance, prior to a request for a Test or other Standard violation, for an Alcohol or Drug problem, a referral may be made to EFAP or an SAP/SAE.

The Employee will be expected to comply with any recommended treatment and After-Care programs.

If an Employee fails to self-refer prior to a Standard violation or a request for a Test which results in a positive Test, the Company will determine the appropriate action, including any disciplinary measures. The appropriate action in a particular case depends on the nature and severity of the Standard violation and the circumstances surrounding the situation. The disciplinary decision will be based on factors including but not limited to the employment record of the Employee; the circumstances surrounding the Standard violation; and, the importance of deterrence of such behavior by other Employees.

Involvement in treatment or seeking assistance for an Alcohol or Drug problem after a Standard violation or a Serious Incident has occurred or following a request for a Test will not prevent the Employee from being disciplined or terminated.



If the Company determines that the Employee's conduct will be addressed in a disciplinary manner, the Company will place primary importance upon deterring similar behaviour by other Employees and will terminate the Employee unless termination would be unjust in all of the circumstances.

### **Support During and After Treatment**

In appropriate cases, Employees may be eligible for disability benefits while in treatment and recovery, provided they attend a treatment program approved by the Company and/or insurer and comply with all other plans and processes as required by the Company.

### **Alcohol and Drug Searches**

The Company reserves the right to investigate any situation when there are Reasonable Grounds to believe that Alcohol, Drugs or Drug Paraphernalia are present on Company Premises in violation of this Standard. In some circumstances law enforcement agencies may be involved. The Company also reserves the right to conduct searches for Alcohol, Drugs and Drug Paraphernalia on Company Premises at any time and this may extend to an Employee's property.

Searches may be conducted randomly or on Reasonable Grounds and may include the use of sniffer dogs.

### **Testing**

To support a safe work environment, the Company reserves the right to conduct Alcohol and Drug Testing. This includes pre-access, certification, Reasonable Grounds and post-incident Tests. Other forms of Testing, including random Testing may be required in some locations. Alcohol Testing and Drug Testing may also occur prior to returning to work and on an unannounced periodic basis as part of a return to work agreement.

Any Employee asked to undergo Alcohol Testing or Drug Testing will be provided with the reason for such a request. Alcohol and Drug concentration levels and limits are found in Location Requirements. For further details on Testing, including the consequences of failing to Test, refer to COP-03 Alcohol and Drug Testing and your Location Requirements, as applicable.

### **Confidentiality**

Refer to the *Standard for Privacy of Personal Information*.

**Code of Practice Name:** Medications  
**Code of Practice Number:** COP-01<sup>1</sup>  
**Associated Standard:** Standard for Alcohol and Drugs  
**Release Date:** Sept 11, 2018  
**Effective Date:** Sept 18, 2018  
**Responsible Author:** Amanda Woodill, Alcohol and Drug Coordinator  
**Accountable Owner:** Louis Auger, Vice President HSE

## Purpose

This COP outlines Employee obligations for legitimate use of Medications while working on Company Premises or while conducting Company Business.

## Medication Expectations

Employees are expected to manage the legitimate use of prescriptions (including a medical document issued under the CMPR) and over-the-counter Medications in consultation with their authorized healthcare practitioner or a Company occupational health services professional.

The use of certain Medications may not be legal in certain jurisdictions where Employees may be working. Employees are expected to abide by all laws including those pertaining to the legal use of Medications in the location where they are conducting Company Business.

Many Medications are known to cause side effects that could impact an Employee's ability to perform the duties of the job safely and acceptably. The degree of impact that a Medication may have on an individual varies according to the properties of the Medication, the dose and elapsed time since it was taken and if it was taken with other Medications, Alcohol or Drugs. As a result, it is difficult to predict what impact a Medication will have in a specific instance.

Employees using any Medication alone or in combination with other Medications which could impact their ability to safely perform their job function must make its use known to the Company's occupational health services department who may make reasonable inquiries to determine if an individual is Fit for Work, requires any workplace modification or, in appropriate cases, explore options for Medications with less safety implications with the Employee.

## Obligation to Manage

Employees are responsible to investigate through their authorized healthcare practitioner to determine whether a Medication may affect the safe operation of vehicles or equipment of any kind or may otherwise impede their ability to perform their duties safely.

Authorized healthcare practitioners who prescribe Medications (including through a medical document under the CMPR) that may have an effect on neuro-sensory, mental or physical functions have a responsibility to warn patients about the potential side effects of each Medication. However, some Medications that can be purchased without a prescription can pose similar risks. Employees are expected to:

- read Medication labels and accompanying leaflets carefully;
- consult with their authorized healthcare practitioner to determine if use of the Medication could have any potential negative impact on job performance;
- report any instance where Medication has the potential to negatively impact safe job performance to the Company's occupational health services department, before commencing work; and

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<sup>1</sup> See the NMS Glossary for any terms used in this COP but not otherwise defined.

- take appropriate action to minimize safety risk by advising the Company's occupational health services of any need for modified duties if there is a risk that the Medication may affect their ability to work safely.

Employees must also keep in mind that the underlying medical condition for which the Medication is taken may itself be hazardous, even when the symptoms are suppressed by the Medication. The occupational health services department can take steps to determine if the Employee is safe to perform their duties and if work restrictions are necessary to ensure workplace safety.

For greater certainty, Employees are required to report the use of marijuana for medicinal purposes.

### **Misuse of Medications**

Employees must use Medications in a responsible and prescribed manner. Misuse of Medications is prohibited where it may result in an Employee being not Fit for Work. Misuse includes, but is not limited to taking Medications:

- in excess of the prescribed or recommended amount;
- in less than the prescribed amount (for conditions that require a certain amount in order to control the condition);
- prescribed for someone else;
- other than for their intended purpose(s); and/or
- improperly (for example in combination with Alcohol or Drugs or in combination with other Medications).

### **Employee Deemed Not Fit for Work**

An Employee deemed not Fit for Work due to the required use of a Medication may be placed into an accommodated position and at the discretion of the Company's occupational health services and/or a HR representative, as agreed upon by the Supervisor/Manager.

Deemed not Fit for Work may be due to a medical condition(s) or Medication(s) that could impact the health and safety of the Employee or others on Company Premises. Where applicable, if the Employee is unable to actively work (perform the duties of his or her job in a safe manner) the Company's benefits department may be notified for purposes of disability management. For additional information, refer to Nexen's HR Guide for Leaves - Canada.

In situations where an Employee may not be Fit for Work, an Employee:

- a) may be monitored by the Company's occupational health services department or third party health services provider;
- b) will be responsible for complying with all Company policies and procedures including the Alcohol and Drug Standard and associated COPs; and

if applicable, will be required to follow all terms and conditions of continued employment as set out in any return to work agreement.

**Code of Practice Name:** Safety Sensitive Positions (SSP) / Work Locations (SSWL)  
**Code of Practice Number:** COP-02<sup>2</sup>  
**Associated Standard:** Standard for Alcohol and Drugs  
**Release Date:** Sept 11, 2018  
**Effective Date:** Sept 18, 2018  
**Responsible Author:** Amanda Woodill, Alcohol and Drug Coordinator  
**Accountable Owner:** Louis Auger, Vice President HSE

## Purpose

Employees in positions designated as a Safety-Sensitive Position or working continuously or intermittently at Safety-Sensitive Work Locations may be subject to additional rules.

Site HR representatives, HSE & Senior Managers and other applicable Supervisors/Managers will be responsible for identifying and designating Safety-Sensitive Positions and Safety-Sensitive Work Locations.

To aid in the classification of SSPs and SSWLs, Supervisors/Managers should consider the potential detrimental impact on people (workers and public), the environment and assets when assessing the work activities and work environment. Supervisors/Managers should also consider the increasing probability and escalating severity of an actual or potential consequence.

## Consumption of Alcohol or Drugs

Subject to exceptions in Location Requirements and Rules of Work, anyone holding a Safety-Sensitive Position or working at a Safety-Sensitive Work Location cannot:

- possess any Alcohol or Drugs on Company Premises
- report to duty without being Fit for Work;
- consume any Alcohol or Drugs when on duty or on-call, including during meals or breaks; and
- return to duty after consuming any Alcohol or Drugs including at a sanctioned social event.

An Employee holding a Safety-Sensitive Position or working at a Safety-Sensitive Work Location will be removed from duty and subject to Corrective Action up to and including termination for cause if any presence of Alcohol or Drugs is identified through Testing or if such Employee is inappropriately in possession of Alcohol or Drugs.

## Hiring Process for SSPs and SSWLs – Existing Employees

### Application Stage:

A position will be advertised referencing that it is an SSP or at a SSWL. If the Employee is already working in a Company SSP or at a Company SSWL, then pre-access Testing may not be required. However, if the Employee is not currently working in a Company SSP or at a Company SSWL then the Employee will be required to complete pre-access/certification Testing. The candidate will be reminded of the hiring process including the requirement to satisfactorily complete pre-access/certification Alcohol Testing and pre-access/certification Drug Testing where applicable.

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<sup>2</sup> See the NMS Glossary for any terms used in this COP but not otherwise defined.

**Offer:**

The preferred candidate will be given a conditional offer contingent on the successful completion of required items in the Company's hiring process.

To successfully complete the process, a candidate must:

- complete and sign the required consent forms;
- submit to and successfully pass pre-access/certification Alcohol Testing and Drug Testing, which will be administered by a collection agent; and
- complete other hiring processes as may be required by the Company.

**Testing Arrangements and Results:**

Testing arrangements will be made by the Company.

During the Testing processes, non-negative results are reviewed by a MRO.

Test results will be communicated to the appropriate DER from the Testing agency indicating whether the candidate is compliant or non-compliant.

If results of any Alcohol Test or Drug Test are positive, then the candidate will be advised by a HR representative and the Company will proceed to an alternate candidate.

The unsuccessful applicant continues to have the right to apply for future positions, while the Company retains the right to select appropriate candidates.

The appropriate Supervisor/Manager supported by a HR representative will meet with an Employee who fails an Alcohol Test or Drug Test, as this is a Standard violation. The Standard violation process can be found in COP-07 Standard Violations.

**Hiring Process for SSPs and at SSWLs – New External Hires****Application Stage:**

The position will be advertised referencing that it is an SSP or at a SSWL. For interviews conducted, the candidate will be informed of the hiring process, including the requirement to satisfactorily complete pre-access Alcohol Testing and Drug Testing.

**Offer:**

The preferred candidate will be given a conditional offer contingent on the successful completion of all items in the Company's hiring process.

**Certification Process Steps:**

To successfully complete the hiring process a candidate must:

- complete and sign the required consent forms;
- submit to and successfully pass pre-access/certification Alcohol Testing and Drug Testing; and
- complete other hiring processes as may be required by the Company.

**Testing Arrangements and Results:**

Testing arrangements will be made by the Company.

During the Testing processes non-negative results are reviewed by a MRO.

Test results will be communicated to the appropriate DER from the Testing agency indicating whether the candidate is compliant or non-compliant.

If results of any Alcohol Test or Drug Test are positive then the candidate will be advised by a HR representative and the Company will proceed to an alternate candidate.

**Final Confirmation of Offer or Withdrawal of Offer:**

An HR representative will call the candidate to orally confirm or withdraw the offer of employment based on the results of the certification process, including Testing.

If unsuccessful, the applicant continues to have the right to apply for future positions, while the Company retains the right to select appropriate candidates.

**Code of Practice Name:** Alcohol and Drug Testing  
**Code of Practice Number:** COP-03<sup>3</sup>  
**Associated Standard:** Standard for Alcohol and Drugs  
**Release Date:** Sept 11, 2018  
**Effective Date:** Sept 18, 2018  
**Responsible Author:** Amanda Woodill, Alcohol and Drug Coordinator  
**Accountable Owner:** Louis Auger, Vice President HSE

## Purpose

This code of practice outlines Alcohol Testing and Drug Testing Processes and Procedures used by the Company.

The Company will conduct Alcohol Testing and Drug Testing in accordance with the Standard for Alcohol and Drugs, COP-03 and any applicable Location Requirements. Testing may include but not be limited to:

- Reasonable Grounds Testing;
- post-incident Testing;
- pre-access or certification Testing as a condition of employment for a Safety-Sensitive Position or as a condition of site access to a Safety-Sensitive Work Location;
- in appropriate cases, as a condition of returning to work;
- unannounced periodic Testing as a condition of remaining at work including as part of a return to work agreement; and
- random Testing for Safety-Sensitive Positions or for Employees working at Safety-Sensitive Work Locations in accordance with applicable Location Requirements.

A positive Test result indicates non-compliance with this Standard or the Employee's return to work agreement as applicable. A Test result that is tampered with, substituted, adulterated or diluted is treated as non-compliant with this Standard. An invalid or inconclusive Test result cannot be relied upon to determine compliance or non-compliance and the Employee will be sent for further Testing.

Testing will be conducted by trained personnel in accordance with locally accepted Standards and Procedures. Depending on the work location, results may be reported to a DER, the Alcohol and Drug Coordinator, an Employee's HR representative or an HR recruiter and kept confidential and only disclosed on a need to know basis.

## General Caution

The timing of Tests can substantially affect results. For example, Testing too long after an incident may fail to find substances that were present at the time of the incident and may in fact find substances consumed after the incident.

## Cut-off Levels

The specific cut-off levels for Drug Tests are set out in the applicable Location Requirements.

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<sup>3</sup> See the NMS Glossary for any terms used in this COP but not otherwise defined.



## Testing – General Information

Collection of specimens and administration of Alcohol Tests and Drug Tests will be performed by trained collection agents at designated collection sites. Chain of custody processes will be followed.

In post-incident and Reasonable Grounds Testing situations, samples will be collected as soon as possible after the triggering incident. Collection should take place no later than eight (8) hours after the incident for an Alcohol Test and no later than thirty-two hours after the incident for a Drug Test.

All Employees who undergo Testing are required to sign a form to consent to the Testing and to acknowledge the accuracy of their personal information. The consent confirms the authenticity of the specimen(s) and authorizes the disclosure of the Test results to the Company.

## Failure to Test

Employees, subject to applicable law, must comply with all reasonable requests for Testing. The following are violations of the Standard for Alcohol and Drugs:

- failure to report directly for Testing;
- refusal to sign the Testing consent;
- refusal to submit to Testing;
- refusal or failure (without reasonable medical excuse) to provide an adequate sample;
- refusal to agree to the disclosure of the Testing result to the DER or other approved Employee;
- a confirmed attempt to adulterate, substitute, tamper with or dilute a Testing sample; and
- failure to report an incident which may require Testing.

An Employee who refuses to be Tested will be reminded that refusal to Test is a violation of the Company's Standard which constitutes grounds for Corrective Action up to and including termination for cause. An Employee must be given a short period of time to reconsider if they refuse to Test. Continued refusal is a breach of the Standard for Alcohol and Drugs and the matter will be referred to HR.

## Violations

The Company will determine the appropriate action, including any disciplinary measures. The appropriate action in a particular case depends on the nature and severity of the Standard violation and the circumstances surrounding the situation. The disciplinary decision will be based on factors including but not limited to the employment record of the Employee; the circumstances surrounding the Standard violation; and, the importance of deterrence of such behavior by other Employees.

If the Company determines that the Employee's conduct will be addressed in a disciplinary manner, the Company will place primary importance upon deterring similar behavior by other Employees and will terminate the Employee for cause unless termination would be unjust in all of the circumstances.

The Company may in some cases direct the Employee to meet with a Substance Abuse Professional(SAP)/Substance Abuse Expert (SAE). The SAP/SAE will complete an initial assessment of the Employee and determine if the Employee is dependent on Drugs and/or Alcohol and the level of assistance recommended, if any. The SAP/SAE will supply a confidential written report of his or her recommendations to the Employee and to the Company.



Failure of the Employee to attend the assessment or follow the recommended treatment program may be grounds for termination of employment for cause.

### **Testing Process**

The Company is using urine-based point of collection screen Testing (POCT) and methods outlined in Location Requirements. In circumstances, other than Reasonable Grounds, where a Test is negative, the Employee will return to work. If the Test is non-negative, the Employee will be held out of service until laboratory based confirmation Testing and a Medical Review Officer (MRO) review is complete.

In cases of Reasonable Grounds Testing, where a Test is negative, an Employee may be required to complete additional testing to determine fitness for duty.

### **Pre- Access or Certification Testing**

Pre-access or certification Testing may be required as a condition of employment or prior to entry onto a work location. Refer to the appropriate Location Requirements for more details.

### **Reasonable Grounds Testing**

#### **Criteria for Reasonable Grounds Testing:**

Supervisors/Managers or designated individuals involved in ordering Tests based on Reasonable Grounds are expected to exercise careful judgment, considering the particular circumstances of each case. Reasonable Grounds should always be based on objective facts and reasonable inferences drawn from these facts. Reasonable Grounds does not require certainty; however, mere hunches are not sufficient to meet this standard. The following criteria are illustrative and are not an exhaustive list and are listed for purposes of potential Reasonable Grounds Testing under this standard only.

Reasonable Grounds includes, but is not limited to, the following single events or observed patterns of behavior:

- direct visual observation of, or credible information from one or more eyewitnesses about the apparent possession, distribution or consumption of Alcohol, Drugs or Drug Paraphernalia by an identifiable individual(s) in circumstances that appear to violate this Standard;
- discovery, through searches or otherwise, of Alcohol, Drugs or Drug Paraphernalia on Company Premises and in a location which can reasonably be associated with an identifiable Employee(s);
- an unexplained failure to follow safety rules or operating procedures; and
- direct visual observation of, or credible information from one or more eyewitnesses about any of the following physical or behavioural signs when an Employee is performing Company Business or on Company Premises (note that a Test based on Reasonable Grounds should not be invoked merely on the basis of subtle physical signs such as eye or skin colour, nasal congestion, etc.):
  - i) difficulty in maintaining normal balance and coordination;
  - ii) slurred speech;
  - iii) illogical or unrelated responses to questions or instructions;
  - iv) smell of Alcohol or Drugs;
  - v) unexplained sleeping, extreme drowsiness or loss of consciousness;
  - vi) erratic, disruptive or highly unusual behavior, including fighting or severe verbal altercations; or

- vii) other physical and behavioral signs that would be consistent with Alcohol and Drug use.

A more complete checklist of signs and behaviours can be found in Location Requirements.

### **Determining Reasonable Grounds:**

In all situations when there are grounds to believe an Employee is not Fit for Work the following procedures will be followed:

- the Employee will be escorted to a safe and private place, interviewed and given the opportunity to explain why he or she appears not to be Fit for Work;
- if the Employee's explanation is plausible, the Supervisor/Manager or designated individual will consult the appropriate Corrective Action or performance improvement and disciplinary guide and proceed with the appropriate steps;
- if the Employee's explanation is not plausible and/or the Supervisor/Manager or designated individual conducting the interview still believes the Employee is not Fit for Work and after consultation and agreement of a second level Supervisor/Manager, (e.g. immediate supervisor) the Supervisor/Manager or designated individual may take any of the following actions:
  - refer the Employee for medical attention if there are immediate medical concerns (to a health center, local hospital or clinic);
  - refer the Employee for Alcohol Testing and/ or Drug Testing if there are Reasonable Grounds; and/or
  - search any areas that can be reasonably associated with the Employee, for Alcohol, Drugs and Drug Paraphernalia;
- if further medical attention or Testing is deemed appropriate, the Employee will be provided with transportation and escorted to the hospital/clinic/collection site, depending on the circumstances;
- once the decision is made to Test, the Employee must remain under direct supervision until the Test takes place. Employees that Test in this circumstance will be removed from duty until the investigation is complete. In appropriate cases, a fitness for duty assessment may also be required prior to the Employee returning to work; and/or
- if required, and upon completion of the fitness for duty assessment or Testing, the Employee will be transported to his or her place of residence or released into the care of another adult person.

Reasonable escort procedures will be set up at each Company Premises to address all situations where there are grounds to believe someone is not Fit for Work.

### **Authorization for Reasonable Grounds Test:**

Supervisors/Managers or designated individuals need to approve a referral for an Employee to be Tested based on Reasonable Grounds. In situations where direct supervision is infrequent or impractical, local management should designate certain personnel to exercise this responsibility for each group of Employees. A Supervisor/Manager does not need to be physically present at the same location in order to authorize a Test based on Reasonable Grounds. They may confer via phone or electronic media. They do not need to have personally witnessed the events which prompt the Test but they have an obligation to assess the credibility of evidence from other sources before taking action.

### **Documentation of Reasonable Grounds Test:**

Supervisors/Managers or designated individuals must document the Reasonable Grounds criteria as part of the preliminary investigation into whether a Test is warranted, noting the date,

time, factual circumstances, names of other authorizing persons, any witnesses or any other relevant information. It is particularly important to note the dates and times of events together with previous relevant discussions or referrals.

The Reasonable Grounds Referral Form must be used to document the basis for a Test. In order for Testing to occur, this form must be completed and authorized by a Supervisor/Manager, duty manager or site shift manager. A copy of this form must be submitted to Nexen's Alcohol and Drug Coordinator.

#### **Timing for Reasonable Grounds Test:**

Timing is important in conducting Tests based on Reasonable Grounds. A decision to Test must be made as soon as possible after the events giving rise to Reasonable Grounds occurred. All breath Alcohol Tests and all Drug Tests must be completed as soon as possible after a decision to Test has been made, and in any event no later than 8 hours in the case of an Alcohol Test and 32 hours in the case of a Drug Test. If the events giving rise to Reasonable Grounds occur toward the end of a shift, the Supervisor/Manager must keep the Employee at work, for a reasonable period of time for the investigation and Testing. Overtime, if applicable, will be paid.

Where Testing occurs more than four hours from the time of the determination of Reasonable Grounds, written documentation must be provided with the reason for the delay.

#### **Test Procedures for Reasonable Grounds Tests:**

The Supervisor/Manager ordering the Test will arrange for the Employee to be escorted promptly to the closest designated collection site. The Employee must be kept under observation at all times until Tested.

#### **Post-Incident Testing**

Employees may be subject to post incident Testing for Alcohol and Drugs after a Serious Incident. The purpose of this type of Testing is to determine whether Alcohol or Drugs was a possible contributing factor in a Serious Incident or to eliminate Alcohol or Drugs as a cause of a Serious Incident.

As a general practice, post incident Testing is conducted after all Serious Incidents. It is not necessary to conduct a post incident Test if there is clear evidence that the acts or omissions of an Employee could not have been a contributing factor (i.e. obvious structural failure, environmental factors such as extreme weather conditions) or Alcohol and Drugs can be definitively ruled out as contributing factors.

Employees are expected to report a situation to their immediate Supervisor/Manager as soon as possible after the incident occurs and are expected to participate fully in any subsequent investigation. Failure to report an incident is a violation of the Company Policy and Standards, including the Standard for Alcohol and Drugs.

The following procedures apply:

- The decision to refer an Employee for Testing will be made by the Supervisor/Manager investigating the incident and with the agreement of a second level Supervisor/Manager. These individuals are expected to exercise careful judgment in deciding when to conduct a Test for Employees
- The decision for Testing must be made as soon as possible after the Serious Incident.
- Employees referred for Testing will only be those who are identified as having been directly involved in the chain of acts or omissions leading up to the Serious Incident.

- Arrangements for Testing should be made as soon as possible unless it is impossible because medical attention is required.
- Alcohol Testing must be conducted as soon as reasonably possible and at a maximum of within eight (8) hours of the Serious Incident.
- Drug Testing must be conducted as soon as reasonably possible and at a maximum of within 32 hours of the Serious Incident.
- Testing must be documented as part of the preliminary investigation as soon as practical after the Serious Incident.
- Employees who are to be sent for Testing must not use Alcohol or Drugs until after the Testing has been completed or they are advised that Testing is not required.

In the case of a minor incident without potential to cause serious or major consequences, Testing should not occur unless it is based on the criteria for Reasonable Grounds Testing.

#### **Authorization for Post Incident Test:**

All post-incident Tests require the approval of a Supervisor/Manager, duty manager or site shift manager. The authorizing individuals do not need to personally witness the Serious Incident or be physically present at the site of the Serious Incident. However, each has an obligation to make a reasonable assessment of the need for a Test.

#### **Documentation of Post Incident Test:**

An authorizing individual must document the basis for a decision to Test following a Serious Incident:

- the date and time;
- factual circumstances/reasons to Test;
- names of involved Employees and witnesses;
- any other relevant information; and
- decision to Test or not to Test.

Notes will be taken of any unusual Employee behavior around the time and place of the Serious Incident (e.g. failure to report the Serious Incident promptly, attempting to leave the scene without permission other than to call for help) and any lack of cooperation with the Test procedure or other aspects of the Serious Incident investigation.

The Post Incident Referral Form must be used to document the basis for a Test. This form must be completed and authorized by a Supervisor/Manager, duty manager or site shift manager. A copy of this form must be submitted to Nexen's Alcohol and Drug Coordinator.

#### **Timing for Post Incident Tests:**

Timing is important in conducting post-incident Tests. The first priority in a post-incident situation is to provide first aid or medical aid as required and to ensure that the scene is properly secured to avoid further damage, abnormal discharge or destruction of evidence. Once this is done, a decision must be made on the need for a post-incident Test.

The basis for the decision to Test or not to Test must be documented and all Testing must be completed as soon as is practical during the shift that the incident occurred. If the incident occurs toward the end of the shift, the Supervisor/Manager must keep the Employee at work, but only for a reasonable period of time for the investigation and Testing. Overtime, if applicable, will be paid.

**Test Procedures for Post Incident Tests:**

The Supervisor/Manager ordering the Test will arrange for the Employee to be escorted promptly to the closest, designated collection site. The Employee must be kept under observation at all times until Tested. An Employee should only be Tested if his or her health permits; medical attention should always be a priority. Where Testing has been approved for an Employee who is being transported to a hospital, Testing should be completed as soon as the Employee is deemed to be fit to be Tested.

**Random Testing**

Employees may, in some locations, be subject to random Testing for Alcohol and Drugs in accordance with Location Requirements.

**Return to Work and Unannounced Periodic Testing**

Employees may be required to undergo a return to work Test and ongoing unannounced periodic Testing as part of remaining at work including as part of a return to work agreement.

**Collection and Results**

Testing will be conducted by a certified collection agent using approved collection devices. Appropriate chain of custody protocols will be utilized. All POCT Tests will be sent for laboratory based follow-up.

Alcohol Tests will be administered by a calibrated breathalyzer with a printout of Test results.

**Non-Negative Drug Test Results**

If the POCT Drug Test result is non-negative the Employee will be removed from the site (arrangements for transportation by the HR representative or delegate must be made) pending confirmation Testing at a laboratory and a review by a MRO.

Confirmed, laboratory based, non-negative Test results will be reviewed by a MRO who will discuss the results with the Employee in an effort to determine whether a non-negative Test could have resulted from the legitimate use of Medications or other medical explanations. 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 Company as a negative or a verified positive.

For the purpose of this Standard, 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 country in which the Employee is working.

In the case of a verified positive Drug Test result conducted in accordance with this Standard, the Employee who has been Tested may request the MRO to direct the split sample to be Tested by an accredited laboratory of that person's choice within 72 hours of receiving their results. If a second confirmed positive Test is reported, the person who requested the second analysis is responsible for reimbursing the Company for the associated costs.

Any positive Test result will be considered a violation of this Standard and may be grounds for Corrective Action up to and including termination of employment for cause.

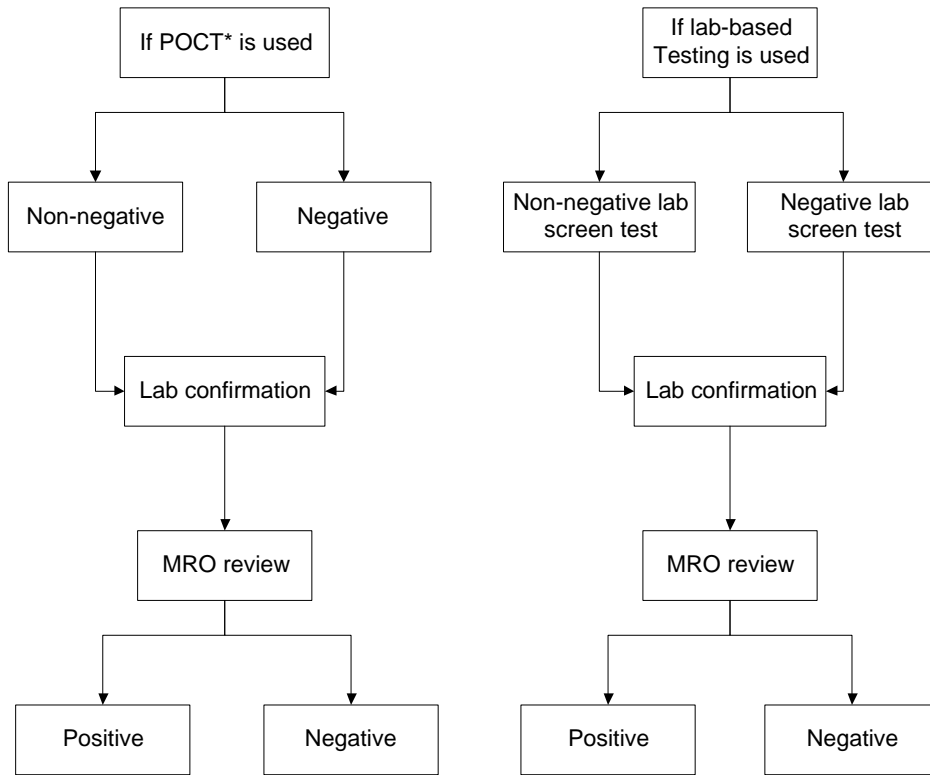
**Negative Drug Test Results**

If the POCT Drug Test result is negative, the Employee will be returned to work if he or she is deemed to otherwise be Fit for Work. The specimen will be sent for laboratory based follow-up Testing to confirm a negative result.

**Positive Alcohol Test Result**

If the breath Alcohol Test result is .04 or greater the Employee will be sent home (arrangements for transportation by the HR representative or delegate must be made). The Designated Employer Representative (DER) and HR representative will determine next steps. The Employee may be subject to Corrective Action up to and including termination of employment for cause.

**Test Results Process**



\*POCT Tests are sent for lab confirmation Testing

Non-negative results – Employee held out of service

Negative results – Employee returned to work if deemed otherwise fit for duty



**Code of Practice Name:** Return to Work  
**Code of Practice Number:** COP-04<sup>4</sup>  
**Associated Standard:** Standard for Alcohol and Drugs  
**Release Date:** Sept 11, 2018  
**Effective Date:** Sept 18, 2018  
**Responsible Author:** Amanda Woodill, Alcohol and Drug Coordinator  
**Accountable Owner:** Louis Auger, Vice President HSE

### **Purpose**

This COP outlines the requirements for an Employee to return to work after an Alcohol and Drug Standard breach or following self-disclosure for Alcohol and/or Drug issues.

Nothing in this COP requires the Company to continue the employment of an Employee after a Standard violation.

### **Employee with a Substance Use Disorder**

An Employee with a substance use disorder whose employment is not terminated and who has:

- successfully completed an approved treatment program;
- received medical certificate clearance, satisfactory to the Company, confirming Fitness for Work with or without restrictions,

may be returned to work but will be required to:

- a) pass an Alcohol Test and Drug Test;
- b) sign an appropriate return to work agreement; and
- c) agree to continue with aftercare follow-up and compliance monitoring including ongoing unannounced periodic Testing.

An Employee in a Safety-Sensitive Position or working at a Safety-Sensitive Work Location may be required to comply with additional measures.

### **Employee that Does Not Have a Substance Use Disorder**

An Employee that does not have a substance use disorder, whose employment is not terminated and is deemed to be Fit for Work, may be returned to work but will be required to:

- a) pass an Alcohol Test and Drug Test;
- b) undergo any recommended treatment and counselling;
- c) sign an appropriate return to work agreement; and agree to compliance monitoring including ongoing unannounced periodic Testing.

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<sup>4</sup> See the NMS Glossary for any terms used in this COP but not otherwise defined.

**Code of Practice Name:** Permitted Uses of Alcohol  
**Code of Practice Number:** COP-05<sup>5</sup>  
**Associated Standard:** Standard for Alcohol and Drugs  
**Release Date:** Sept 11, 2018  
**Effective Date:** Sept 18, 2018  
**Responsible Author:** Amanda Woodill, Alcohol and Drug Coordinator  
**Accountable Owner:** Louis Auger, Vice President HSE

## Purpose

This COP applies to the use of Alcohol while on Company Premises or while performing Company Business.

## Expectations

### Social Functions:

Social events or functions include but are not limited to holiday and retirement functions, organized luncheons and dinners, dances, golf tournaments, receptions and hospitality suites, including events hosted by an Employee social club that are subsidized by the Company.

The following expectations do not apply to non-Company Business social activities among Employees or between Employees and business contacts or members of the community. However, it is expected that all social activities, which could reasonably be associated with the Company, will be conducted with propriety.

Subject to the requirements of the Standard for Alcohol and Drugs, the use of Alcohol in conjunction with any Company social event may be permitted on or off of Company Premises, provided: (a) it has first been approved by management of the hosting department; (b) an accountable Employee for the event has been designated (the "Accountable Manager"); and (c) the event is conducted in accordance with the following:

- dependent upon the size and formality of the function;
- servers must work at each event and/or supervise the use of untrained servers;
- a designated individual must ensure appropriate permits are obtained;
- appropriate opening and closing times, food and beverage arrangements must be observed, etc.; and
- bars must be attended at all times.

In all situations:

- Alcohol will not be served to individuals who appear to be intoxicated;
- reasonable steps will be taken to prevent abusive or unsafe behavior;
- SSPs are prohibited from consuming any Alcoholic beverage when on duty or on-call;
- all reasonable steps will be taken to prevent an apparently intoxicated attendee from driving after the function;
- alternate transportation or accommodation will be provided; and
- the appropriate authorities will be contacted if an incident occurs or an attendee disregards advice and attempts to drive in an intoxicated state.

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<sup>5</sup> See the NMS Glossary for any terms used in this COP but not otherwise defined.



## COP-5: Permitted Uses of Alcohol

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Responsible serving practices will be followed and include:

- providing food and non-Alcoholic drinks, including coffee and tea before, during and after the bar has closed;
- establishing a firm time to end the event;
- stopping service of Alcohol at least one hour prior to the event being over; and
- other exemptions that may be outlined in Location Specific Procedural Aids and Rules of Work.

The Accountable Manager will be responsible for:

- leading by example;
- ensuring that events are managed in a way that all reasonable steps have been taken to avoid the potential for incidents, including identifying and eliminating potentially harmful situations; and
- ensuring events are managed in a manner consistent with the Standard for Alcohol and Drugs.

Any hosting situation that results in inappropriate behaviour or risk to the health and safety of attendees or the community may result in Corrective Action up to and including termination for cause, a review of how these expectations were applied and the development of active steps to ensure the problems do not occur again.

### **Post-Work:**

Subject to exceptions found in Location Requirements and Rules of Work, Employees are not prohibited from having Alcohol after the work day, while on travel, after a training course or seminar or in any other similar business-related situations, provided:

- the formal business or training is complete;
- they use Alcohol responsibly;
- they will not be operating a Company vehicle or equipment; and
- they are able to report for duty, as required by their job requirements and be Fit for Work in compliance with the standards set in the Standard for Alcohol and Drugs.

### **Business Lunch or Dinner:**

Generally, consuming Alcohol at a business lunch or business dinner is not encouraged. Notwithstanding, subject to exceptions found in Location Requirements and Rules of Work, Employees that are not in a Safety-Sensitive Position (SSP) and who do not work in an Safety-Sensitive Work Location (SSWL) are not prohibited from consuming a reasonable amount of Alcohol at a business lunch or business dinner as long as the Employee will not be operating a Company vehicle that is owned, leased, rented, controlled or used by or on behalf of the Company for the purpose of conducting Company Business, or equipment following the consumption of Alcohol.

Consistent with the above, if Alcohol is made available to guests of the Company in the course of conducting business, Employees are considered on duty and expected to act in accordance with the Standard for Alcohol and Drugs.

### **Alcohol in Camps and at Work Sites:**

## COP-5: Permitted Uses of Alcohol

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Employees are subject to Alcohol rules found in Location Requirements and Rules of Work. The use of Alcohol and Drugs is prohibited in Nexen camps and other Company Premises. Notwithstanding, use of Alcohol at a Nexen licensed Facility, if applicable, is permitted provided any rules associated with such Facility are followed.

### **On-Call / Designated Call in Situations:**

All Employees who are designated on-call must remain Fit for Work in compliance with the Standard for Alcohol and Drugs and Company Standards. If an Employee is on-call but not Fit for Work he or she must decline the call in and must report the failure to call in to their Supervisor/Manager.

### **Unscheduled Call-outs or Emergency Response List:**

An Employee contacted for an unscheduled call-out or emergency response for which the Employee is not on-call must defer responding to the call if the Employee would be in non-compliance with Standard (including COPs) limits or the Employee is otherwise not Fit for Work.

### **Cannabis:**

Employees are prohibited from possessing, selling, using, distributing or growing Cannabis while on Company Business, while performing Company Business and while at Nexen camps. There are no permitted exceptions.

**Code of Practice Name:** Prevention, Assistance, Rehabilitation & After-Care  
**Code of Practice Number:** COP-06<sup>6</sup>  
**Associated Standard:** Standard for Alcohol and Drugs  
**Release Date:** Sept 11, 2018  
**Effective Date:** Sept 18, 2018  
**Responsible Author:** Amanda Woodill, Alcohol and Drug Coordinator  
**Accountable Owner:** Louis Auger, Vice President HSE

## Purpose

This COP outlines the importance of prevention and early identification of potential Alcohol and Drug related issues.

## Prevention

The Company will make information available on the process to access assistance for an Alcohol or Drug related issue. As well, the Company has a process in place for job performance monitoring. Through this process, any Employee with performance concerns will be informed of the concerns and guided to access assistance should a personal problem be affecting his or her job performance, including one related to Alcohol and Drug issues.

## Assessment/Rehabilitation

Prevention and early identification of potential Alcohol and Drug problems is important. The Company will make information available to Employees on how to access help for Alcohol or Drug issues.

Employees who come forward voluntarily for help with an Alcohol or Drug problem, for example through their Supervisor/Manager or occupational health services department, may be referred for a professional assessment with a Substance Abuse Professional (SAP)/Substance Abuse Expert (SAE). Arrangements for an assessment will be made as soon as possible and it is mandatory that the Employee attend the assessment as scheduled. They may be held out of service with pay.

No Employee with an Alcohol or Drug program will be disciplined or terminated because of the Employee's involvement in a rehabilitation effort or for voluntarily requesting rehabilitative help in overcoming an Alcohol or Drug problem.

## Responsibilities

Employees should understand that accessing assistance or declaring a problem does not eliminate the requirement for maintenance of safe and acceptable performance levels. Any warranted discipline and/or Testing will not be avoided by a request for assistance with a problem or by disclosure that the Employee is already involved in a treatment program.

Where a medical professional, SAP/SAE, other counseling professional or the Company's occupational health services department advises that an Employee's Fitness for Work is in question; the Employee may be precluded from being on Company Premises or a medical work modification may be issued and the Employee may be assigned to alternate duties if available and at the discretion of the Company.

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<sup>6</sup> See the NMS Glossary for any terms used in this COP but not otherwise defined.

### **Treatment and After-Care**

Employees who complete any required treatment (e.g. residential, out-patient or other appropriate treatment) for Alcohol and/or Drug problems may be required to participate in an After-Care program when returning to work in order to help them maintain recovery. Such Employees will be expected to enter into a return to work agreement which will outline the conditions governing their return to work and the conditions relating to their ongoing attendance at work and the consequences for failing to meet those conditions.

Employees will be supported through a treatment and After-Care program consistent with the SAP/SAE's recommendations. Compliance with any recommended treatment may be required before returning to work and compliance with an After-Care program is mandatory to return to work. This After-Care program will be set out in a return to work agreement with the Employee.

**Code of Practice Name:** Standard Violations  
**Code of Practice Number:** COP-07<sup>7</sup>  
**Associated Standard:** Standard for Alcohol and Drugs  
**Release Date:** Sept 11, 2018  
**Effective Date:** Sept 18, 2018  
**Responsible Author:** Amanda Woodill, Alcohol and Drug Coordinator  
**Accountable Owner:** Louis Auger, Vice President, HSE

### Consequences for Failure to Comply

Any violation of the provisions of the Standard for Alcohol and Drugs may result in Corrective Action up to and including termination of employment for cause. In all situations, an investigation will be conducted and documented to verify that a Standard violation has occurred. Management has the authority and discretion to suspend any individual who is believed to be involved in an incident pending the results of the investigation, subject to applicable laws and Company Policy and Standards. The appropriate action in a particular case depends on the nature and severity of the Standard violation and the circumstances surrounding the situation. The disciplinary decision will be based on factors including but not limited to the employment record of the Employee; the circumstances surrounding the Standard violation; and, the importance of deterrence of such behavior by other Employees.

If the Company determines that the Employee's conduct will be addressed in a disciplinary manner, the Company will place primary importance upon deterring similar behaviour by other Employees and will terminate the Employee unless termination would be unjust in all of the circumstances.

Should the Company determine that employment will be continued in a specific circumstance, the individual may be required to enter into a return to work agreement with the Company governing his or her continued employment. This agreement may include any or all of the following actions, or any other condition appropriate to the situation:

- temporary removal from his or her position;
- initial and continued assessment by a Substance Abuse Professional (SAP)/Substance Abuse Expert (SAE) to determine the need for a structured treatment program and to monitor its progress;
- adherence to any recommended treatment, monitoring and After-Care program;
- maintenance of sobriety and satisfactory performance upon returning to work;
- successful completion of return to work Testing;
- ongoing unannounced periodic Testing for a period determined on a case by case basis;
- prohibition of any further violations of the Standard for Alcohol and Drugs; and/or
- any other actions or conditions deemed appropriate by the Company.

Failure to meet the requirements of the return to work agreement during the monitoring period may be grounds for termination of employment for cause.

### Verification of a Standard Violation

An investigation must be conducted to verify that a violation of this Standard has occurred before the consequences of the violation can be determined. In some cases, verification is straightforward, such as when an Medical Review Officer (MRO) has confirmed a positive,

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<sup>7</sup> See the NMS Glossary for any terms used in this COP but not otherwise defined.

definitive Drug Test. In other cases, it may be necessary to interview the Employee(s) concerned (including any witnesses) or take other reasonable measures to verify the facts. In all cases, the Employee must be given an opportunity to explain his or her version of the events. Supervisors/Managers are encouraged to consult with the Alcohol and Drug Coordinator, HR Manager and legal counsel where cases are of a complex nature. Investigations will be conducted in a respectful, confidential manner in accordance with Company practice.

Eligible Employees will be sent home on management directed time off with pay, pending completion of the investigation into a possible violation of the Standard for Alcohol and Drugs, including while waiting for an MRO-confirmed definitive Drug Test result from the laboratory.

### **Documentation of Corrective Action**

In all cases where discipline is administered under the Standard for Alcohol and Drugs, the specific sanction and the circumstances giving rise to it (the parts of the Standard violated and the key facts with respect to how they were violated) must be documented on the Employee's personnel profile.

## REASONABLE GROUNDS TESTING REFERRALS CHECKLIST

### Instructions for use:

1. Testing is required when there are Reasonable Grounds to believe an individual is not Fit for Work due to Alcohol or Drug use.
2. If a Supervisor/Manager believes Reasonable Grounds exist, he or she must consult with another member of management regarding a decision to Test.
3. Supervisors/Managers should use the following checklist in determining if Reasonable Grounds exist.
4. Once a decision to Test is made, the Supervisor/Manager must do the following:
  - inform the individual that they are being referred for an Alcohol Test and/or Drug Test;
  - explain to the individual why they are being referred for an Alcohol Test and/or Drug Test;
  - make arrangements for Testing as soon as possible; and
  - arrange for an escort to the collection site and have someone monitor the individual until the Testing process has been completed.
5. This form must be completed and securely sent to the Company's Alcohol & Drug Coordinator.

**NOTE:** When ordering a Test based on Reasonable Grounds, Supervisors/Managers must exercise careful judgment, considering the particular circumstances of each case. Reasonable Grounds should always be based on objective facts but does not require certainty.

QUESTIONS	YES	NO	QUESTIONS	YES	NO
1. Smell of Alcohol or Drugs?	<input type="checkbox"/>	<input type="checkbox"/>	7. Skin Color:		
2. Speech:			Pale?	<input type="checkbox"/>	<input type="checkbox"/>
Slurred?	<input type="checkbox"/>	<input type="checkbox"/>	Flushed?	<input type="checkbox"/>	<input type="checkbox"/>
Confused?	<input type="checkbox"/>	<input type="checkbox"/>	8. Excessive perspiration?	<input type="checkbox"/>	<input type="checkbox"/>
Fragmented?	<input type="checkbox"/>	<input type="checkbox"/>	9. Bloodshot eyes?	<input type="checkbox"/>	<input type="checkbox"/>
Slow?	<input type="checkbox"/>	<input type="checkbox"/>	10. Dilated pupils?	<input type="checkbox"/>	<input type="checkbox"/>
Unusually loud?	<input type="checkbox"/>	<input type="checkbox"/>	11. Pinpoint pupils?	<input type="checkbox"/>	<input type="checkbox"/>
3. Disorientation - Is the			12. Traces of Alcohol in any		
Employee confused about:			containers?	<input type="checkbox"/>	<input type="checkbox"/>
Where he or she is?	<input type="checkbox"/>	<input type="checkbox"/>	13. Confession that Employee:		
What day it is?	<input type="checkbox"/>	<input type="checkbox"/>	Was drinking Alcohol?	<input type="checkbox"/>	<input type="checkbox"/>
What time it is?	<input type="checkbox"/>	<input type="checkbox"/>	Ingesting Drugs?	<input type="checkbox"/>	<input type="checkbox"/>
4. Apparent inability to focus on			May not be able to pass Test	<input type="checkbox"/>	<input type="checkbox"/>
work?	<input type="checkbox"/>	<input type="checkbox"/>	14. Presence of substances with		
5. Unusual or unexplained resistance			appearance of Drugs?	<input type="checkbox"/>	<input type="checkbox"/>
to authority or refusal to follow			Drug Paraphernalia?	<input type="checkbox"/>	<input type="checkbox"/>
reasonable directions?	<input type="checkbox"/>	<input type="checkbox"/>	15. Smell of marihuana?	<input type="checkbox"/>	<input type="checkbox"/>
6. Lack of motor coordination?	<input type="checkbox"/>	<input type="checkbox"/>			

QUESTIONS	YES	NO	
			<b>Other Signs or Explanation</b>
16. Mood:			( )
Belligerent?	<input type="checkbox"/>	<input type="checkbox"/>	
Moody?	<input type="checkbox"/>	<input type="checkbox"/>	
Ecstatic?	<input type="checkbox"/>	<input type="checkbox"/>	
More nervous than usual?	<input type="checkbox"/>	<input type="checkbox"/>	
Giddy?	<input type="checkbox"/>	<input type="checkbox"/>	
Talkative?	<input type="checkbox"/>	<input type="checkbox"/>	
Drowsy?	<input type="checkbox"/>	<input type="checkbox"/>	
17. Weariness, fatigue or exhaustion?	<input type="checkbox"/>	<input type="checkbox"/>	
18. Deteriorating physical appearance?	<input type="checkbox"/>	<input type="checkbox"/>	
19. Yawning excessively?	<input type="checkbox"/>	<input type="checkbox"/>	
20. Blank stare or expression?	<input type="checkbox"/>	<input type="checkbox"/>	
21. Sudden and/or unpredictable change in energy level?	<input type="checkbox"/>	<input type="checkbox"/>	
22. Unusually energetic?	<input type="checkbox"/>	<input type="checkbox"/>	
23. Shaking or trembling of hands?	<input type="checkbox"/>	<input type="checkbox"/>	
24. Sunglasses worn at inappropriate times?	<input type="checkbox"/>	<input type="checkbox"/>	
25. Change in appearance after lunch / break?	<input type="checkbox"/>	<input type="checkbox"/>	
26. Breathing difficulties?	<input type="checkbox"/>	<input type="checkbox"/>	
27. Needle marks on arms?	<input type="checkbox"/>	<input type="checkbox"/>	

**First Authorizing Person:**

**Second Authorizing Person:**

\_\_\_\_\_  
(Print Full Name)

\_\_\_\_\_  
(Print Full Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Date)

Forward, Reasonable Grounds Checklist and Reasonable Grounds Referral Form, securely to Company's Alcohol & Drug Coordinator at [nexenadpolicy@nexencnoocld.com](mailto:nexenadpolicy@nexencnoocld.com)







- Employee agrees to be Tested
  
- Employee refuses to be Tested (see below)

If the Employee refuses to be Tested the following must be read to him or her:

“Be advised that refusal to Test is a breach of the Company’s Standard for Alcohol and Drugs and will lead to Corrective Action up to and including termination for cause. Do you understand the consequences of refusing to Test?”

Employee response:  Yes  No

If the Employee refuses to be Tested, arrangements must be made to have him or her safely removed from the Company Premises and his or her HR representative must be advised of the Standardbreach.

I \_\_\_\_\_ have read the above statement to \_\_\_\_\_  
*(Supervisor/Manager)* *(name of individual)*

and he/she has refused to be Tested.

\_\_\_\_\_  
*Signature of Supervisor/Manager* *Signature of Witness*

\_\_\_\_\_  
*Date and Time* *Date and Time*

Forward Reasonable Grounds Referral Form securely to Company’s Alcohol & Drug Coordinator at [nexenadpolicy@nexencnoocld.com](mailto:nexenadpolicy@nexencnoocld.com)





If the Employee refuses to be Tested the following must be read to him or her:

“Be advised that refusal to Test is a breach of Company’s Standard for Alcohol and Drugs and will lead to Corrective Action up to and including termination for cause. Do you understand the consequences of refusing to Test?”

Employee response:  Yes  No

If the Employee refuses to be Tested, arrangements must be made to have him or her safely removed from the Company’s Premises and his or her HR representative must be advised of the Standard breach.

I \_\_\_\_\_ have read the above statement to \_\_\_\_\_  
*(Supervisor/Manager)* *(name of individual)*

and he/she has refused to be Tested.

\_\_\_\_\_  
*Signature of Supervisor/Manager* *Signature of Witness*

\_\_\_\_\_  
*Date and Time* *Date and Time*

Forward Post Incident Referral Form securely to Company’s Alcohol & Drug Coordinator at [nexenadpolicy@nexencnoocLtd.com](mailto:nexenadpolicy@nexencnoocLtd.com)