

NWT Construction Ltd. January 1, 2009

DRUG AND ALCOHOL USE POLICY

NWT Construction Ltd. is committed to the health and safety of its employees, members, and the public at large. NWT Construction Ltd. recognizes and accepts the responsibility to provide its employees with a safe, healthy, and productive work environment. Employees have the responsibility to report to work capable of performing their tasks productively and safely. The use of illegal drugs, improper use of prescription medication, and the use of alcohol can have serious adverse affects on the safety of the workplace, members, and the public at large.

Recognizing the potential negative effects of alcohol and drugs on the organization, in particular the hazards that individual who abuse alcohol and/or drugs pose to themselves, their co-workers, and the general public, the company has implemented a drug and alcohol policy.

Purpose

The purpose of this policy is to establish NWT Construction Ltd's expectations for appropriate behaviour, the consequences for non-compliance, and to provide consistent guidelines for all employees.

This policy provides for the testing of prospective employees for drug and/or alcohol abuse, assisting all employees who voluntarily seek help for problems relating to alcohol and/or drugs, and educating employees on the dangers of drug and alcohol abuse.

For the purposes of this policy, the following are prohibited:

1. The presence in the body of illicit drugs (or their metabolites) while at work.
2. Refusal to submit to drug/alcohol testing, failure to report to a company designated facility for a drug/alcohol test, or tampering or attempting to tamper with a test sample.

Definitions

"Under the influence" of drugs, including prescription drugs, alcohol, or any controlled substance for the purpose of this policy is defined as the use of one or more of these substances to an extent that an employee is:

- Unable to perform in a productive manner;
- In a physical or mental condition that creates a risk to the safety and well-being of an individual, other employees, members, or the property of NWT Construction Ltd, or any member of the public;
- Displaying signs or symptoms of substance abuse such as the smell of alcohol on breath, slurred speech, and atypical behaviour.

Treatment and Accommodation

Any employee suffering from a drug or alcohol addiction is strongly encouraged to disclose the addiction to his supervisor. NWT Construction Ltd recognizes its responsibility to assist and accommodate employees suffering from an illness/addiction due to alcohol or drugs to the extent reasonably possible without suffering undue hardship.

Further, employees who are concerned that a fellow employee may be suffering from a drug or alcohol addiction are strongly encouraged to report their concerns to their supervisor.

Drugs and Alcohol

While on NWT Construction Ltd's premises and/or while conducting NWT Construction related activities off its premises, no employee may use, possess, distribute, sell, or be under the influence of illegal drugs. This includes meal periods and scheduled breaks.

The legal use of prescribed drugs is permitted at work only if it does not impair the employee's ability to perform their work effectively and in a safe manner. Employees are required to disclose to their supervisor the use of prescription drugs which may affect their work performance or the safe execution of their duties. NWT Construction Ltd. is committed to accommodating an employee's necessary use of prescription drugs to the extent reasonably possible without suffering undue hardship.

- (a) NWT Construction Ltd. will not tolerate the consumption of alcoholic beverages by employees during their regular working hours. This includes meal periods, scheduled breaks, or while assigned on-call.
- (b) No employee shall be under the influence of drugs or alcohol while in charge of any NWT Construction Ltd. vehicle or equipment. The use of NWT Construction Ltd's vehicles and equipment is governed by the Vehicle Operator Policy which has been adopted by NWT Construction Ltd and which is hereby incorporated into these policies.
- (c) No employee shall be under the influence of drugs or alcohol during their regular working hours, including meal periods, scheduled breaks, or while assigned on-call.
- (d) If an employee is called back after regular working hours to perform work related duties and has been consuming alcohol or using drugs, it is the employee's responsibility to:
 - Under no circumstances operate a motor vehicle while under the influence of alcohol or drugs;
 - Notify an authorized person of the circumstances immediately; and
 - Obtain assistance from a responsible employee, not under the influence of alcohol or drugs, to perform the required task.

Reasonable Cause Testing

- (a) NWT Construction Ltd. reserves the right to conduct testing for the presence of alcohol or drugs when it has reasonable cause to believe that the actions, appearance, or conduct of an employee while on duty is indicative of the use of drugs or alcohol.
- (b) The basis for the decision to test will be documented as soon as possible after the action has taken place. The referral for the test will be based on specific, personal observations resulting from, but not limited to:
- Observed use or evidence of use of drugs or alcohol (e.g. smell of alcohol);
 - Erratic or atypical behaviour of the employee;
 - Changes in physical appearance of the employee;
 - Changes in behaviour of the employee;
 - Changes in speech patterns of the employee.
- (c) In all situations where NWT Construction Ltd. believes an employee is unfit to be at the workplace, a responsible escort will be used to escort the employee home.
- (d) Where reasonably possible, such tests shall be conducted respectfully and in a manner to minimize the intrusive nature of the tests.
- (e) Drug Panel, Urine Screening Cut-off Concentration Levels

Drug	Parameter (Level)
Amphetamines	1000 ng/mL
Cocaine	300 ng/mL
Cannabinoids	50 ng/mL
Opiates	2000 ng/mL
Phencyclidine	25 ng/mL

- (f) Confirmation Concentration Levels

Drug	Parameter (Level)
Amphetamines	500 ng/mL
Cocaine	150 ng/mL
Cannabinoids	15 ng/mL
Opiates	2000 ng/mL
Codeine	2000 ng/mL
Morphine	2000 ng/mL
6acetylmorphine	10 ng/mL
Phencyclidine	25 ng/mL

Random Alcohol Testing

- (a) NWT Construction Ltd. reserves the right to conduct random testing for alcohol impairment without prior notice or reasonable suspicion for employees in safety sensitive positions. Safety sensitive positions at the time of drafting this policy are:
- Flag people
 - Equipment operators
 - Asphalt plant personnel
 - Employees operating or having control of company vehicles
 - Employees working in close proximity to machinery
 - Employees performing maintenance on or repairing machinery
 - Gravel pit and quarry personnel
- (b) NWT Construction Ltd's right to perform such testing is viewed as a reasonable and responsible practice given the safety sensitive nature of the above listed positions.
- (c) Where reasonably possible, such tests shall be conducted respectfully and in a manner to minimize the intrusive nature of the tests.

Discipline Relating to Drugs and Alcohol

- (a) NWT Construction Ltd. views the rules contained in this policy to be of the utmost importance. Any deviation from the above terms will result in disciplinary action that may include immediate dismissal. All employees will be handed a copy of this policy as notification that any resulting dismissal will be considered as "dismissal with cause" and not subject to notice or remuneration in lieu.
- (b) Any employee suffering from a drug or alcohol addiction is strongly encouraged to disclose the addiction to their supervisor. NWT Construction Ltd. recognizes its responsibility to assist and accommodate employees suffering from an illness/addiction due to alcohol or drugs. However, if an employee neglects or refuses to disclose such a condition to NWT Construction Ltd, NWT Construction Ltd. will be forced to deal with breaches of this policy assuming that the employee is not suffering from an addiction or illness related to alcohol or drugs, but has simply disregarded the policy, in which case immediate and strict disciplinary action will be taken.
- (c) Seeking voluntary assistance for drug or alcohol addiction will not jeopardize an employee's employment with the employer, so long and the employee continues to co-operate and seek appropriate treatment for their disclosed problem and is able to treat and control the problem to facilitate a return to work within the reasonably foreseeable future.

- (d) Employees suffering from alcohol addiction/illness who fail to co-operate with assistance or treatment programs and/or engage in repeated infractions of this policy will be subject to the normal disciplinary sanctions, including immediate termination for just cause.
- (e) The minimum disciplinary action for testing positive for the use of drugs and/or alcohol will be immediate suspension without pay for a period of two (2) weeks. At the end of this suspension, the employee will be re-tested at his own expense and if the presence of alcohol and/or drugs (or their metabolites) is not detected the employee will be re-instated.
- (f) If, after the two-week initial suspension, the employee tests positively for the presence of alcohol and/or drugs (or their metabolites) the suspension will continue without pay until such time as a negative test result is obtained.