




# Savanna U.S. Zero (0.00%) Drug and Alcohol Tolerance Policy

## 1. Document Control

Name: HSE-POL-016		Title:	Savanna U.S. Zero (0.00%) Drug and Alcohol Tolerance Policy				
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Apply to:	Region: 	Division: All	Function: All				
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## 2. Purpose

Savanna Energy Services (U.S.A.) Corp. (“Savanna” or the “Company”) is committed to providing a safe environment for its employees, contractors, consultants, clients, the environment and the general public. The use of illicit drugs or the inappropriate use of alcohol, medications and other substances can present a serious danger to workers, property and the surrounding environment. Consistent with its commitment to maintaining a drug-free and alcohol-free workplace, Savanna has implemented this Zero (0.00%) Drug and Alcohol Tolerance Policy (the “Policy”) to minimize the risks associated with such use in the workplace.

Any breaches of this Policy during employment with Savanna may be grounds for disciplinary action, up to and including termination of employment.

Questions concerning the topics contained in this Policy should be directed to Human Resources.

This Policy complies with Title 49 C.F.R. 40, and Title 49 C.F.R. 382, as amended. All drug and alcohol testing for U.S. Department of Transportation (“DOT”) covered positions is conducted in accordance with these regulations. The provisions of this Policy will be applied and construed at all times so as to be consistent with applicable federal, state, and local laws. Savanna intends to comply fully with all applicable laws relating to alcohol and substance abuse. If any provision of this Policy is or becomes illegal for any reason, the applicable law will be followed.

## 3. Scope

This Policy applies to all Savanna personnel, including but not limited to all personnel who operate a commercial motor vehicle in the course and scope of their employment or are otherwise employed in a DOT-Covered Position (defined below).

Savanna’s U.S. Zero (0.00%) Drug and Alcohol Tolerance Policy combines drug and alcohol testing along with education and access to assistance to ensure that our employees report to work fit for duty and remain fit for duty at all times while on the job. Participation in Savanna’s drug and alcohol testing program is a requirement of all U.S. Savanna personnel, and therefore is a condition of continued employment with Savanna. Savanna reserves the right to take appropriate disciplinary action against any individual who has violated this Policy, or who otherwise fails to comply with the requirements of this Policy, up to and including termination of employment.

It is each supervisor’s responsibility to ensure that all individuals reporting to him/her are informed of this Policy.



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A copy of this Policy shall be provided to all employees, and each employee is required to sign an Employee Acknowledgement and Consent for Alcohol Testing, Drug Testing, and Searches (Appendix A). Failure or refusal to sign an employee acknowledgement form may be grounds for termination of employment.

### 4. Definitions & References

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

**Drug** is any chemical substance that produces physical, mental, emotional, or behavioral change in the user, e.g., alcohol, amphetamines, barbiturates, benzodiazepines, cocaine, hydrocodone, marijuana, methadone, methaqualone, methylenedioxymethamphetamine, opiates, oxycodone, phencyclidine, propoxyphene, etc. This definition includes prescription and over-the-counter drugs, “act-alike” drugs, designer (synthetic) drugs, “look alike” drugs, and any and all other drugs specified in Schedule I or Schedule II of the Controlled Substances Act, 21 U.S.C. 801, 802.

**Drug Paraphernalia** means any item which is associated with the administering, transferring or sorting of a drug, substance, chemical or agent and includes any product or device that may be used to attempt to tamper with a testing sample.

**DOT-Covered Position** includes all Savanna drivers who operate commercial motor vehicles on public roads in the U.S. and are subject to the commercial driver’s license requirements contained in 49 C.F.R. part 383. This includes all full-time, part-time, intermittent, backup and international drivers.

**Employee Assistance Program (EAP)** is a confidential, external service run by professional counselors, available on a voluntary basis to employees who may suffer from substance abuse or other related problems. This service is provided, at no cost to the employees, by Savanna.

**Medical Review Officer (MRO)** means a licensed physician responsible for receiving laboratory results generated by an employer’s drug testing program and who is knowledgeable of substance abuse disorders. The MRO must have appropriate medical training to interpret and evaluate medical explanations for certain drug test results.

**Reasonable Suspicion** is a supervisor or management-level employee’s belief based upon objective and articulable facts based on specific contemporaneous physical, behavioral, or performance indicators, sufficient to lead a prudent person to suspect that any employee is using drugs or alcohol, or otherwise is in violation of this Policy. Typically this will occur when a supervisor or Savanna official observes behavior or appearance that is characteristic of drug or alcohol misuse or receives a report that such misuse is being conducted.

**Safety-sensitive position** is defined as a position where incapacity due to drugs or alcohol impairment could result in direct and significant risk or injury to the employee, others, the public, property or the environment.

Safety-sensitive positions typically refer to positions which have a high exposure to catastrophic operational incident and have access to operations where failure could result in serious harm to public or employee well-being, Company assets or the environment e.g., Field Superintendent, Rig Manager, Driller, Operator (WS), Derrickhand, Motorhand, Floorhand, Leasehand, Driver (Company commercial and/or provided vehicles), Boiler Hand, Shop Foreman and Shophand. (This list is for illustrative purposes only)

**Substance Abuse Professional (SAP)** is an individual with knowledge of and clinical experience in the diagnosis and treatment of alcohol and drug related disorders. The SAP will assess whether the employee has an alcohol or



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drug dependency, make recommendations regarding education and treatment, and recommend a return-to-duty monitoring program, including unannounced testing.

**Use** means any form of consumption, ingestion, inhaling or injecting.

**Worksite** means Savanna offices, shops, rig locations, camp facilities, Company vehicles and Company-sponsored accommodation, including but not limited to, any other ancillary service sites associated with such work sites such as living quarters, camps, recreational facilities.

### 5. Responsibilities

**Managers and Supervisors** are expected to:

- promote a substance free work place through educating employees on the effects of drugs and alcohol in the workplace and through enforcing this Policy;
- distribute and explain the terms of this Policy to all employees during orientation;
- identify any situations that may cause concerns regarding an employee's ability to safely perform his/her job functions;
- monitor Policy compliance and take appropriate action as required under this Policy;
- refer an employee for drug and or alcohol screening when required to do so under this Policy;
- ensure that investigations of work-related incidents are carried out in accordance with Company incident investigation procedures; and
- confer with a HR Representative on substance abuse issues as appropriate.

**HR Representatives** are expected to:

- act as a Savanna resource in matters related to this Policy;
- provide confidential information to employees regarding drug and alcohol assistance, including referring employees to the Employee Assistance Program (EAP);
- communicate with the MRO and SAP as required;
- maintain confidential and secured records of all test results (including refusals to test), correspondence from the MRO and/or SAP and employee education and training; and
- liaise with the employee's supervisor, with respect to employee work limitations, disciplinary action, or termination considerations and advise employee where necessary.

**Employees** are expected to:

- abide by the terms of this Policy at all times;
- arrive fit for duty pursuant to the terms of this Policy, and remain fit for duty during their period of duty;
- disclose to their supervisor the use of any prescription or non-prescription medication that may affect or impair their ability to safely perform duties;
- seek advice on appropriate counselling or treatment if they suspect they have an existing or an emerging substance abuse issue. This may include contacting Savanna's Employee Assistance Provider (EAP) for free, 24 hour, confidential advice; and
- take appropriate actions to ensure a co-worker does not remain in an unfit condition at work. This may include contacting a HR Representative for confidential advice on what action to take.



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## 6. Policy Statements

### 6.1 Prohibitions

Savanna strictly prohibits the following while at the worksite. Employees found in violation shall be immediately removed from the workplace and will be subject to disciplinary action up to and including termination of employment.

#### 6.1.1 Drugs

- No employee shall ever report for duty or remain on duty while under the influence of illicit drugs.
- No employee shall use, possess, distribute or offer for sale illicit drugs or drug paraphernalia.

#### 6.1.2 Alcohol

- Except as set forth below, no employee shall report for duty or remain on duty while having a confirmed alcohol concentration over 0.00%.
- No employee shall consume, possess, distribute or offer for sale alcohol while on duty.
- No employee shall consume alcohol while on duty except where supply and reasonable consumption of alcohol is expressly permitted by Senior Management either at Company-authorized functions or in connection with entertainment for the promotion of the Company's business.

6.1.3 Prescription Medications & Other Substances - Certain legal and prescription drugs can produce changes in persons that might indicate intoxication or illegal drug use and could result in a "positive" result on a substance abuse screening test. Employees may continue to work for Savanna while taking prescription drugs at the direction of a physician or other health care professional for the treatment of an illness, or non-prescription drugs used for the purposes and in the manner intended, provided the medication does not adversely affect the employee's ability to perform his or her work in a safe and efficient manner. Each employee is responsible for being aware of and following all cautions associated with the use of prescription and non-prescription drugs.

- No employee shall intentionally misuse prescription or over-the-counter medications or other such substances in such a manner as to render themselves unfit to safely perform that employee's duties.
- It is the employee's responsibility to inform his/her physician of the employee's job duties and determine from the physician or other health care professional whether the prescribed drug may impair his/her job performance or mental or motor function. It is the responsibility of the employee to remove himself/herself from service if he/she is unfit for duty.
- Employees shall report to their supervisor in advance if their use of a prescription or non-prescription medication may impair or affect their ability to perform their essential job functions safely and if they need to request modified work requirements. Savanna reserves the right to determine, in its sole discretion, whether such employee may continue to perform his or her regular job functions due to potential safety and/or performance problems that may arise from the use of such prescription or non-prescription medication.
- No employee shall misuse prescription or over-the-counter medications (e.g. using the medication not as it has been prescribed, using someone else's prescription medication, using expired prescription drugs, combining medication and alcohol against direction).
- No employee shall possess prescription medications without a legally obtained prescription, or be involved in unauthorized distribution, offering, or sale of prescription medications (trafficking).
- An employee is required to disclose to his/her supervisor if he or she has a medical marijuana certificate.



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### 6.2 Screening

Savanna reserves the right to test potential or current employees in safety-sensitive positions in the following circumstances:

#### 6.2.1 Pre-employment

- All applicants will be subject to drug and alcohol testing.
- Pre-employment testing will be conducted after a contingent offer of employment is made to an applicant. Following a conditional employment offer, applicants will be asked to sign a form consenting to a screening test as part of the application process. Failure or refusal to sign the consent form will be considered a withdrawal of the application. Further consideration for employment with Savanna is contingent upon successful results.
- A pre-employment test is required for current employees in a DOT-Covered Position who are away from work for more than 30 consecutive calendar days and (a) were removed from the random testing pools; and (b) plan to return to perform in a DOT-Covered Position.

#### 6.2.2 Random

- All employees in DOT-Covered Positions, and all other employees engaged in safety-sensitive positions, will be subject to drug and alcohol testing on a random basis. Random tests may be performed at any time by means of a scientific random selection from all eligible employees. This selection is to be accomplished by the division or local office using a scientific method approved by the relevant Company official. This methodology will be such that all eligible employees within the division or local office will have an equal chance of being selected each time such random selection is conducted. Once the selection is made, the collection of specimens will be coordinated through the division or local representative. If the random selection is by work site, all eligible employees present at the site will be required to submit a specimen for testing. Savanna divisions will randomly test at such minimum rate as may be established by the relevant Company official and 49 C.F.R. § 382.305.

#### 6.2.3 Post-Incident/Near Miss Incident

- Drug and alcohol testing will be carried out post incident for all recordable and potentially recordable injuries, high-severity potential incidents, and all motor vehicle incidents.
- Drug and alcohol tests will be conducted based on the facts and circumstances of each incident. Except as required by 49 C.F.R. § 382.303, testing will be limited to situations where an employee caused, or may have caused or directly contributed to, an incident or accident.
- Any drug or alcohol testing conducted following an incident as indicated above or a near miss incident shall be conducted as soon as practicable following the incident or near miss incident. However, nothing in this Policy shall be construed to require the delay of necessary medical attention for the injured following an accident, or to prohibit an employee from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or to obtain the necessary emergency medical care.

#### 6.2.4 Reasonable Suspicion

- Any employee may be tested for alcohol or drugs where there is a reasonable suspicion that the employee is under the influence of drugs or alcohol while at a worksite.
- Observations which may lead to reasonable suspicion testing include but are not limited to:
  - ⇒ Observed or reported use of alcohol or drugs;
  - ⇒ Odor of alcoholic beverage on breath or body;
  - ⇒ Slurred speech;
  - ⇒ Glossy eyes;
  - ⇒ Unsteadiness;



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- ⇒ Flushed face;
  - ⇒ Disorientation and/or drowsiness;
  - ⇒ Incidents or injuries;
  - ⇒ Repeated errors in job performance;
  - ⇒ Excessive absenteeism or lateness;
  - ⇒ Observed mood swings or changes in behavior; and
  - ⇒ Physical illness on the job.
- The above observations must be made by a supervisor or Company official who is trained in accordance with 49 C.F.R. § 382.603. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not conduct the alcohol test of the employee.
  - In the event of reasonable suspicion, any such observations must be documented and signed by the supervisor or Company official who made the observations within 24 hours of the observed behavior or before the results of the drug or alcohol tests are released, whichever is earlier. Where there is a reasonable suspicion that an employee is under the influence of drugs or alcohol while on duty, that employee shall be immediately removed from duty by the employee's supervisor and shall have a drug and/or alcohol test conducted as soon as possible.

### 6.2.5 Legitimate Customer Requests, including Pre-Access

- At times Savanna employees may be required to provide drug and alcohol testing as per customer contract in order to gain access or to continue working for the customer. There may be times when Savanna will follow the customer's Substance Abuse/Drug and Alcohol policy rather than Savanna's. This will be stated in the contract and will be communicated to all employees working for that customer.

### 6.2.6 Return to Duty

- An employee who has violated this Policy and is deemed fit to return to duty shall be tested for drugs and/or alcohol prior to being reinstated.
- When such a violation occurs, the employee cannot work again in a DOT-Covered Position until successfully completing the SAP-monitored return-to-duty requirements in accordance with 49 C.F.R. part 40, Subpart O.
  - ⇒ Only after the SAP has reported to Savanna that the employee is eligible to return to safety-sensitive duties is Savanna authorized to return the employee to a DOT-Covered Position. But whether or not to do so is a business decision of the Company. When Savanna makes the decision to return the employee to safety-sensitive duty, it will initiate the order for the return-to-duty test. All return-to-duty tests will be conducted using direct-observation collection procedures.
  - ⇒ A return-to-duty test, as a minimum, will be for the substance associated with the violation. When an employee in a DOT-Covered Position "passes" his/her return-to-duty test, his/her name is immediately placed in the Company's random testing pool.

### 6.2.7 Follow-up

- An employee who has violated this Policy and is deemed fit to return to duty may be subject to unannounced, observed testing for drugs and/or alcohol in accordance with 49 C.F.R. part 40, Subpart O for a specified period of time following that employee's return to work.

## 6.3 Testing Procedures

Savanna utilizes the services of laboratories accredited by the Substance Abuse and Mental Health Services Administration (SAMHSA), which is the certifying agency for drug and alcohol testing laboratories in Canada, the United States and Australia.



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Savanna uses urine specimen, oral fluid specimen or hair follicles to drug test for an extensive, diverse set of substances. The testing procedures outlined in this Policy will cover alcohol and the specified drugs only; it will not include testing for other substances except on the advice of medical or substance abuse experts in a post-treatment situation.

Any positive test result will be considered a violation of this Policy, whether or not the drugs or alcoholic beverage were actually consumed during working time or while on Company business or premises. A verified positive drug test result or refusal to test (including by adulterating or substituting a urine specimen) will result in immediate removal from the performance of safety-sensitive functions, and may result in termination of employment.

Employees must proceed immediately to the collection site. After notification, employees are not allowed to go unescorted to their lockers, personal vehicles, or work stations or off location. If possible, the MRO will arrange for collectors to come onsite in order to collect specimens. But if not possible, transportation will be provided to the sample collection site or hospital/clinic, and then to place of residence or into the care of another person. The individual may be temporarily suspended from duty or reassigned pending completion of any investigation.

### 6.3.1 Drug Testing

- The following five drugs will be tested for and are prohibited under this Policy:
  - ⇒ Marijuana Metabolites (THC)
  - ⇒ Cocaine Metabolites
  - ⇒ Phencyclidine (PCP)
  - ⇒ Amphetamines, Methamphetamine, Methylenedioxymethamphetamine (MDMA)
  - ⇒ Opiates (Codeine, Morphine and Heroin)



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No employee may test positive for illicit drugs exceeding the allowable limits established in the chart below:

Type of Drug or Metabolite (Urine Test)	Initial Test (EMIT) (ng/mL*) EMIT = Enzyme Multiplied Immunoassay Techniques	Confirmation Test (GC/MS) - (ng/mL*) GC/MS = Gas Chromatography / Mass Spectrometry
Marijuana metabolites	50	15
Cocaine metabolites	150	100
Phencyclidine (PCP)	25	25
Amphetamines, Methamphetamine, MDMA	500	250
Opiates (Codeine, Morphine and Heroin)	2000 – Codeine 2000 – Morphine	2000 - Codeine 2000 – Morphine
6-Acetylmorphine	10	10

The values in the chart represent the prevailing federal testing thresholds and list of substances tested on the date that this Policy was approved. Notwithstanding the values stated above, Savanna will always abide by the most-current DOT testing thresholds and list of substances tested without regard to whether the testing is for DOT-Covered or non-Covered Positions. Please refer to the DOT ([www.dot.gov](http://www.dot.gov)) for the most recent thresholds and list of substances tested.

- In addition, Savanna reserves the right to test for any additional drugs at its sole discretion with or without prior notice.

In post-accident testing situations, samples will be collected as soon as possible after the triggering event, but collection attempts will end thirty-two (32) hours after the incident for a drug test

All urine specimens must be collected at an appropriate collection site specified by the MRO as a place where individuals present themselves for the purpose of providing a specimen of their urine to be analyzed. The MRO will ensure that all collection site personnel and the collection process meet all applicable regulatory requirements established by the DOT and this Policy.

Employees subject to testing, upon their arrival at a certified collection facility, will be provided written instructions that explain their responsibilities.

All drug testing under this Policy and DOT regulations must be completed in a laboratory certified by the Department of Health and Human Services (DHHS) and the results must be reviewed by the approved MRO, who is designated and retained by the Company.





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If any employee has a “positive” drug screening test, the test will be confirmed by the laboratory and the MRO. The employee has the right to request that the split sample be tested at a second laboratory. The second laboratory must be certified by DHHS and will be selected by the MRO. The employee has seventy-two (72) hours in which to make the decision to conduct a second test on the split sample. Savanna will seek reimbursement for the cost of the completed test from the employee if the results of the second test confirm the original positive finding. If the second test of the sample yields a negative result, the employee will not be charged for the cost of the test.

### 6.3.2 Alcohol Testing

In post-incident and reasonable-cause testing situations, samples will be collected as soon as possible after the triggering event. If an alcohol test is not administered within two (2) hours following the determination to conduct a reasonable suspicion test, the supervisor shall prepare and maintain on file a record stating the reasons the alcohol test was not promptly administered. If an alcohol test is not administered within eight (8) hours following the determination to test, attempts to administer an alcohol test will cease, and the record will be updated with the reasons for not administering the test.

Breath alcohol testing must be carried out by using an evidential breath testing device (that is approved by the National Highway Traffic Safety Administration (NHTSA). A Breath Alcohol Technician (BAT) or Screening Test Technician (STT) will conduct the testing.

When possible, the alcohol test will be performed at the same location used for urine collection for drug tests. When needed, however, the breath alcohol test may be performed on-site. Regardless of location, when reporting at the collection site, positive identification must be provided to the BAT or STT. The identification can be in the form of a passport, driver's license, or identification by an Company representative.

If the result of the screening test produces a result that subsequently requires a confirmatory test, the confirmatory test must be performed not less than fifteen (15) minutes or more than thirty (30) minutes after the completion of the screening test.

The BAT or STT will transmit all results to the MRO in a confidential and timely manner. If an individual must be removed from a DOT-Covered Position, the BAT or STT will notify the MRO immediately, who will in turn notify the designated Savanna representative. Appropriate follow-up action will be determined as indicated by the test results.

## 6.4 Positive Test Results

### 6.4.1 Applicants (Pre-Employment)

Any applicant who tests positive on a pre-employment drug or alcohol test will not be offered employment with Savanna. The applicant will be eligible for hire for available positions after a period of six months or longer. If the applicant re-applies, the applicant will again be subject to drug and alcohol testing. If the result is again a positive test, the applicant will not be offered employment with Savanna and will be ineligible for hire for a period of one year or longer.

### 6.4.2 Employees

Employees who test positive on a drug or alcohol test will be immediately removed from any DOT-Covered Position, or the performance of any other safety-sensitive functions, and will be subject to disciplinary action, up to and including termination of employment. Any employee who tests positive on a drug or alcohol test will be encouraged to seek assistance. The employee will be eligible for rehire for available positions after a period of six months or longer, or (for DOT-Covered Employees) until the employee has met the requirements of 49 C.F.R. Part 40, Subpart O.



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### 6.4.3 Accommodation

If an employee voluntarily reports a drug or alcohol abuse problem before any circumstances warranting testing and/or disciplinary action occur, the employee may request leave time or a leave of absence under appropriate Company leave policies (generally for a period not to exceed 12 weeks). An extension of the leave may be granted as a reasonable accommodation, within the exclusive discretion of Savanna. The cost and expenses of any treatment or any counseling program will be the sole responsibility of the employee, subject to benefits available, if any, under any applicable employee benefit program. Savanna may request certification that the employee has continued in treatment during the granted leave period. If the employee does not continue proper treatment during the granted leave, the employee will be subject to disciplinary action up to and including immediate termination of employment. Any employee who does not fully comply with Savanna's requirements for a leave that is granted may be subject to immediate termination of employment. Employees who return to work following such voluntary treatment may be subject to follow-up testing.

### 6.5 Refusal to Test/Tampering with Test

No employee shall refuse to submit to any drug or alcohol test as set forth in Part 6.2 of this Policy. For purposes of this section, "refuse to submit" means:

- (1) Failure to appear for any test (except a pre-employment test) within a reasonable time, as determined by Savanna, consistent with applicable DOT regulations, after being directed to do so by Savanna;
- (2) Failure to remain at the testing site until the testing process is complete; provided that an employee who leaves the testing site before the testing process commences a pre-employment test is not deemed to have refused to test;
- (3) Failure to provide a urine specimen for any drug test required by applicable DOT regulations; provided that an employee who does not provide a urine specimen because he or she has left the testing site before the testing process commences for a pre-employment test is not deemed to have refused to test;
- (4) In the case of a directly observed or monitored collection in a drug test, failure to permit the observation or monitoring of the employee's provision of a specimen;
- (5) Failure to provide a sufficient amount of urine when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure;
- (6) Failure to take or declining to take a second test as directed by Savanna;
- (7) Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process. In the case of a pre-employment drug test, the applicant is deemed to have refused to test on this basis only if the pre-employment test is conducted following a contingent offer of employment;
- (8) Failure to cooperate with any part of the testing process (e.g., refuse to empty pockets when so directed by the collector, behave in a confrontational way that disrupts the collection process); or
- (9) Test is reported by the MRO as having a verified adulterated or substituted test result.

Employees who refuse to submit to testing (as defined above) are in violation of this Policy, will be immediately removed from performing any safety-sensitive functions, and will be subject to disciplinary action, up to and including termination of employment.

Savanna reserves the right to require, without notice, a re-test wherein the first sample has been determined invalid for testing.



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### 6.6 Workplace Searches and Inspections

To accomplish the objectives of this Policy more effectively, and to assist in any investigation of possible violations of this Policy, Savanna reserves the right to search: (i) its premises; (ii) employees and their belongings on its premises; and (iii) other persons and their belongings on Company premises. Savanna may initiate such searches without prior notice, and conduct searches at times and in locations that the Company, in its sole discretion, deems appropriate. Failure to cooperate with a search is misconduct and is grounds for disciplinary action, up to and including termination of employment. Acceptance or continuation of employment with the Company constitutes consent to such searches. Illegal substances, drugs, and other prohibited items discovered through these searches and inspections may result in law enforcement authorities being advised in this regard consistent with the law.

### 6.7 Effects of Alcohol and Drugs

Information concerning the effects of alcohol and drug use on an individual's health, work, and personal life, in addition to signs and symptoms of an alcohol or drug problem, and available methods of intervening when an alcohol or drug problem is suspected, is available from the Savanna Human Resources department.

### 6.8 Conviction or Probation Under a Criminal Drug Law

All employees convicted of violating a criminal drug statute must notify their immediate supervisors within five calendar days of the conviction. For purposes of this provision, a conviction includes (1) a finding of guilt; (2) a plea of guilty or nolo contendere (or similar plea); and/or (3) the imposition of a sentence by any judicial body responsible for determining violations of federal or state criminal drug statutes, laws, regulations, or ordinances, including but not limited to driving while impaired (DWI), driving under the influence (DUI), or public intoxication. Failure to report a conviction or guilty plea will result in termination of employment.

### 6.9 Confidentiality

Except in certain legal proceedings as set forth in 49 C.F.R. 40.323, employee confidentiality will be maintained to the extent possible, except where limited disclosure is necessary for related health and safety concerns, including where there is deemed to be a potential for risk to self, others, or the Company.

Examples of situations in which such limited disclosure may be necessary include but are not limited to:

- Determining fitness to perform the essential duties of the job;
- Compliance with this Policy;
- To disclose to Savanna management, supervisory personnel (including any foreman, supervisor or general manager), and health and safety personnel any suspension, termination, or action taken as a result of a breach of this Policy, including the reasons for such action (and details concerning the test results);
- To disclose to other contractors or third parties the fact that an individual has not been hired, or that an employee has been suspended, terminated or will be absent from the workplace;
- Referrals to a MRO or SAP;
- Accommodating return to work; and
- Disciplinary action.

In addition, Savanna will maintain the confidentiality of information acquired as a result of any medical examination or inquiry as required by the Americans With Disabilities Act (ADA) and other applicable laws.



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### Appendix A. EMPLOYEE ACKNOWLEDGEMENT AND CONSENT FOR ALCOHOL TESTING, DRUG TESTING AND SEARCHES

I hereby acknowledge receipt of the Savanna U.S. Zero (0.00%) Drug and Alcohol Tolerance Policy. I have had an opportunity to ask questions about the Policy and I understand the Policy requirements.

Among other things, I understand and acknowledge that:

1. I must comply with the terms of the Savanna U.S. Zero (0.00%) Drug and Alcohol Tolerance Policy as a condition of my employment. This includes, but is not limited to, my consent to a search initiated by Savanna U.S. for prohibited items as set forth in its Zero (0.00%) Drug and Alcohol Tolerance Policy, and I acknowledge that I have no expectation of privacy with respect to the specified search areas set forth therein;
2. I am subject to drug and alcohol testing under the Policy;
3. I must consent to the drug and alcohol testing described in the Policy;
4. I am subject to disciplinary action, up to and including termination of employment, if I fail or refuse to submit and consent to the drug and alcohol testing described in the Policy or otherwise violate the Policy;
5. I must report to Savanna U.S. within five calendar days any conviction or entry of a guilty plea resulting in incarceration or probation under any criminal drug statute, law, regulation, or ordinance or any conviction for an alcohol-related offense; and
6. I am employed at-will and nothing in the Policy constitutes a contract of employment or guarantee of employment for any specific period or alters the at-will nature of my employment.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_