



Revision 1 - Effective August 1, 2023

# KEYERA DRUG AND ALCOHOL POLICY

## ARTICLE 1: PURPOSE

- 1.1. Keyera is committed to the health, safety and wellness of our people and the public, and to the protection of the environment. In support of this commitment, Keyera requires all Workers to be **"Fit for Work"**. Being Fit for Work in the context of this Policy means Workers can safely and properly perform their assigned duties without limitations due to the use or after-effects of Drugs and/or Alcohol. When Workers are not Fit for Work, personal, public and environmental wellbeing is at risk, the quality of Keyera's customer service may be compromised, and Keyera's reputation may be adversely affected.
- 1.2. As a component of our overall health and safety program, this Drug and Alcohol Policy ("**Policy**") is intended to promote a safe and healthy workplace by:
  - (a) ensuring Workers are treated fairly and with respect;
  - (b) establishing rules and responsibilities with respect to the use, possession, sale and distribution of Drugs and/or Alcohol in the workplace;
  - (c) connecting Workers afflicted with substance use-related problems (including substance use disorders) with appropriate resources;
  - (d) using D&A Tests and Searches to prevent, detect and deter the unauthorized use of substances that impair Fitness for Work; and
  - (e) outlining consequences for non-compliance.

## ARTICLE 2: SCOPE

- 2.1. This Policy applies to all **"Workers"**. The term Workers includes Employees, Contingent Workers, Suppliers, and any other person engaged in Work for Keyera.
- 2.2. While Contingent Workers and Suppliers must comply with the D&A Standards and other terms of this Policy, nothing in this Policy shall be construed as creating any additional obligations of Keyera to Contingent Workers or Suppliers. All obligations owed by Keyera to a Contingent Worker or Supplier are set out in the applicable engagement letter or service agreement.

## ARTICLE 3: DEFINITIONS AND POLICY STRUCTURE

- 3.1. This Policy is comprised of this policy statement and the following schedules, which may be revised from time to time:
  - (a) [Schedule "A"](#) – Definitions

- (b) [Schedule “B”](#) – Keyera Drug and Alcohol Testing Concentration Limits
- (c) [Schedule “C”](#) – Keyera Safety-Sensitive Position Matrix
- (d) [Schedule “D”](#) – Keyera Risk Matrix

3.2. This Policy was drafted to align with the Canadian Model for Providing a Safe Workplace, version 6.0, published by the Construction Owners Association of Alberta and Energy Safety Canada (the “**Canadian Model**”). Although the Canadian Model is not incorporated into this Policy, if this Policy is silent on a matter that is addressed by the Canadian Model, Keyera reserves the right to use the Canadian Model (and later versions) as a guide in applying this Policy. In the event of conflict between this Policy and the Canadian Model, the provisions of this Policy shall govern.

3.3. Keyera may create internal procedures to guide the implementation of this Policy.

## ARTICLE 4: DRUG AND ALCOHOL STANDARDS

4.1. Keyera Workers are committed to doing the right thing, the right way, every time. Keyera has established the following D&A Standards to promote operational excellence and to minimize risks associated with the use of Drugs and/or Alcohol. All Workers shall comply with the D&A Standards set out in Table 4-1. Any Worker who fails to comply with a D&A Standard or any other requirement of this Policy will be subject to the consequences for non-compliance set out in Article 11.

Table 4-1 D&A Standards

<b>Standard #1</b>	<p><b>A Worker shall be Fit for Work when performing Work and when on-call.</b></p> <p><i>For clarity:</i></p> <ul style="list-style-type: none"> <li>• <i>No Worker shall attend Keyera Premises, or perform Work, or perform Work-related activities (e.g., operating a vehicle in relation to Work), if such Worker is not Fit for Work.</i></li> <li>• <i>A Worker shall be Fit for Work when Work is performed remotely.</i></li> <li>• <i>A Worker shall be deemed not to be Fit for Work if they have a blood alcohol level equal to or in excess of the concentrations of Alcohol set out in Schedule “B”, or, absent a legitimate medical explanation, they have a Drug level equal to or in excess of the concentrations of the Drugs set out in Schedule “B”.</i></li> <li>• <i>A Worker will be deemed to be compliant with this D&amp;A Standard #1 despite their use of Medication if the Worker has complied with Article 6 of this Policy and is able to safely and properly perform their assigned duties without limitations due to the use or after-effects of such Medication.</i></li> </ul>
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<p><b>Standard #2</b></p>	<p><b>Subject to Article 6 and Article 7 of this Policy, no Worker shall use, possess, offer for sale or distribute Drugs, Alcohol or Drug Paraphernalia on Keyera Premises or when performing Work or Work-related activities.</b></p> <p><i>For clarity:</i></p> <ul style="list-style-type: none"> <li>• <i>A Worker will be deemed to be compliant with D&amp;A Standard #2 despite their use and possession of Medication and associated Drug Paraphernalia on Keyera Premises or while performing Work or Work-related activities, if there is no potential for use of the Medication to compromise their Fitness for Work.</i></li> <li>• <i>A Worker will be deemed to be compliant with D&amp;A Standard #2 despite being in temporary possession of Alcohol on Keyera Premises (other than a Keyera Camp), if it is stored at a workstation or locker or other secure location in its original sealed and unopened packaging and is removed from the workplace at the earliest opportunity.</i></li> <li>• <i>The use, possession, offering for sale or distribution of Drugs, Alcohol or Drug Paraphernalia is prohibited at Keyera Camps, provided that use and possession of Medication and associated Drug Paraphernalia may be authorized by Keyera in accordance with Article 6.</i></li> <li>• <i>If a Camp Rule is more stringent than a D&amp;A Standard set out in this Policy, the Camp Rule shall take precedence.</i></li> </ul>
<p><b>Standard #3</b></p>	<p><b>No Worker shall refuse to submit to a Search performed in accordance with this Policy.</b></p>
<p><b>Standard #4</b></p>	<p><b>No Worker shall refuse to submit to a D&amp;A Test performed in accordance with this Policy.</b></p> <p><i>For clarity, a Worker will be deemed to have refused a D&amp;A Test if they have tampered with a sample or otherwise attempted to interfere with the proper conduct of a D&amp;A Test.</i></p>

## **ARTICLE 5: ROLES AND RESPONSIBILITIES**

5.1. At Keyera, safety is a value, not just a priority and we all play a role in delivering safety. Therefore, all Workers share responsibility for implementing, administering and ensuring compliance with this Policy. This Article 5 describes the responsibilities that attach to each role. An individual may simultaneously have responsibilities that overlap the various roles described below:

- (a) Workers shall:
  - (i) Comply with the D&A Standards;

- (ii) Acknowledge from time to time that they understand and will comply with the D&A Standards and other requirements of this Policy;
- (iii) Have a clear understanding of how Drug and/or Alcohol use may impact Fitness for Work, and this includes being aware of potentially unsafe side effects of any Medications;
- (iv) Encourage each other to perform their Work safely;
- (v) Encourage other Workers to seek help for existing or emerging substance use-related problems as necessary to avoid violating or potentially violating any D&A Standards;
- (vi) Immediately advise a Leader, Site Leader, or Senior Leader who has authority to intervene, if a Worker reporting for or engaged in Safety-Sensitive Work does not appear to be Fit for Work; and promptly report any other violation or potential violation of this Policy to a Leader, Site Leader, or Senior Leader, or submit a confidential anonymous report through the CARE Hotline at [www.grantthorntontcare.ca](http://www.grantthorntontcare.ca) or 1-855-484-CARE;
- (vii) Seek help (e.g., assessment, treatment and counseling) for any existing or emerging substance use-related problems as necessary to avoid violating any D&A Standards, and comply with the terms of any treatment program developed for this purpose;
- (viii) Prior to engaging in Safety-Sensitive Work, advise their Leader, Site Leader or Senior Leader if they have an existing or emerging substance use-related problem which may impair their ability to control their use of Drugs and/or Alcohol adequately to comply with D&A Standard #1;
- (ix) Cooperate with any:
  - (A) investigation of a possible violation of this Policy; or
  - (B) investigation of an accident or incident occurring on Keyera Premises;
- (x) Work with HR, Leaders, and medical professionals to explore appropriate conditions and limitations that may be established under this Policy with respect to use and possession of Medication on Keyera Premises or when performing Work and Work-related activities; and
- (xi) Comply with any corrective measures implemented to address a violation this Policy, including any work modification aimed at addressing safety risks arising from the use of Drugs and/or Alcohol.

(b) Leaders shall:

- (i) Attend training, education and awareness programs as directed by Keyera and advise Workers of available assistance to deal with an emerging or existing substance use-related problem;
- (ii) Monitor Workers to assess their Fitness for Work in accordance with this Policy;
- (iii) Document performance problems that may be related to emerging or existing substance use-related problems;
- (iv) Report concerns and/or allegations of noncompliance with this Policy to their Site Leader (or Senior Leader);

- (v) Take prompt action if a Worker does not appear to be Fit for Work in accordance with this Policy, including temporarily relieving the Worker from Work, informing their Site Leader (or Senior Leader), consulting with HR and H&S, documenting the incident, and, as appropriate, removing the Worker from the Keyera Premises; and
  - (vi) Respect the privacy and human rights of Workers, take reasonable steps to preserve the confidentiality of Worker personal information, and comply with all applicable laws in the implementation and enforcement of this Policy.
- (c) Site Leaders and Senior Leaders shall:
- (i) Endorse this Policy and support the delivery of Worker education programs related to this Policy;
  - (ii) Work with HR and H&S to train Leaders to assess whether a Worker's performance issues may be related to emerging or existing substance use-related problems;
  - (iii) Work with HR and H&S to deliver education programs for Workers that describe this Policy, the safety risks associated with the misuse of Drugs and/or Alcohol, and the assistance available to Workers who may be affected by emerging or existing substance use-related problems;
  - (iv) refuse access to Keyera Premises (or enable a delegate to refuse such access) to any Worker where the presence of such Worker may present a risk to the health and safety of any person or property;
  - (v) Work with HR, H&S, and Leaders to:
    - (A) respond to Worker disclosures under this Policy and requests for assistance; and
    - (B) investigate possible instances of non-compliance with this Policy and address confirmed violations;
  - (vi) Support HR, H&S and Leaders in preserving the confidentiality of Worker personal information and complying with all applicable laws in the implementation and enforcement of this Policy.

## **ARTICLE 6: MEDICATION**

- 6.1. A Worker must ensure that their use and possession of Medication on Keyera Premises or when performing Work or Work-related activities is done responsibly and does not compromise Fitness for Work.
- 6.2. Before bringing Medication to a Safety-Sensitive Worksite or using Medication prior to or during Safety-Sensitive Work, a Worker must research (with assistance from a medical professional, as necessary) how the Medication may impact their Fitness for Work. If pharmaceutical information indicates the Medication has the potential to impact a Worker's Fitness for Work, the Worker must:
- (a) notify their Leader or Site Leader that the Medication may impact the Worker's Fitness for Work;

- (b) cooperate with Keyera's efforts to assess and mitigate safety risks associated with use of the Medication;
- (c) comply with the conditions Keyera may establish for the use and possession of the Medication (and any associated Drug Paraphernalia) as such use and possession relates to Keyera Premises, and the performance of Work;
- (d) use the Medication only for its intended medical purpose and in the manner directed by a medical professional (or, in the case of a non-prescription medication, the manufacturer of the drug);
- (e) carefully monitor their Fitness for Work to ensure compliance with D&A Standard #1, and remove themselves from Work and notify their Leader or Site Leader if their Fitness for Work is compromised; and
- (f) advise their Leader or Site Leader of any changes to the Medication that might impact acceptable conditions for possession and use in relation to Keyera Premises, and the performance of Work.

6.3. Cooperation with Keyera as described in Section 6.2(b) may require a number of additional steps by the Worker, such as disclosure of further information (e.g., dosage, pattern of use and relevant medical information), undergoing an independent medical assessment, exploring alternative treatments and their potential impact on Fitness for Work, accepting Work modifications and/or providing a medical certificate (from a licensed physician having knowledge of the adverse effects and safety risks caused by use of the Medication and the nature of the Work to be performed) certifying that the Medication will not negatively impact the Worker's Fitness for Work.

6.4. In responding to a Worker's disclosure of the use of Medication, a Leader or Site Leader shall take such steps as are necessary to ensure that the Worker is Fit for Work and presents no risk to themselves or to others in the workplace. Keyera may (a) remove the Worker from Safety-Sensitive Work and/or a Safety-Sensitive Worksite pending further assessment and certification of their Fitness for Work; and/or (b) place conditions on the Worker's use and possession of the Medication as it relates to Keyera Premises, and the performance of Work. HR, H&S and Senior Leaders shall be appropriately informed and consulted, but disclosure of a Worker's personal information shall be limited to persons who need to know in order to help ensure their Fitness for Work, or to otherwise apply or enforce this Policy.

6.5. Keyera's determination of appropriate conditions, limitations and other measures to implement with respect to the Worker's possession and use of Medication will depend on the circumstances of each case, including (a) the nature of the workplace and Work performed by the Worker, (b) the nature of the Medication and its medical purpose, (c) the length of time the Worker expects to use the Medication; (d) the prescribed dosage of the Medication; (e) the potential side effects of the Medication and the potential impacts on the Worker's Fitness for Work, (f) the availability of safer alternative treatments and (g) the availability of safer alternative Work. In all cases Keyera will place primary importance on taking adequate steps to ensure the Worker is Fit for Work and does not pose an unacceptable or avoidable risk to the safety and security of the workplace, Keyera Premises, Workers, the public, or the environment.

## **ARTICLE 7: ALCOHOL AT SOCIAL FUNCTIONS**

- 7.1. Keyera may permit the use, possession, sale or distribution of Alcohol by Workers as an exception to the general rule under D&A Standard #2 in appropriate circumstances, including:
  - (a) while attending a Keyera-sponsored social function away from a Safety-Sensitive Worksite, if authorized in advance by a Senior Leader;
  - (b) while attending a professional social function, such as professional association meetings; or
  - (c) when performing Work or Work-related activities in a social setting, such as attending business lunches or conferences.
- 7.2. If Alcohol consumption is permitted at a Keyera-sponsored or Keyera-hosted social event, a Senior Leader (or their delegate) shall arrange for the overnight accommodation or safe transportation home of Workers and their guests. All such attendees are responsible for seeking out and making appropriate use of such arrangements.

## **ARTICLE 8: SUPPLIERS AND THEIR WORKERS**

- 8.1. If a Supplier has not established a drug and alcohol policy that meets or exceeds the requirements of this Policy, or if such Supplier's drug and alcohol policy is not otherwise acceptable to Keyera, the Supplier shall comply with this Policy while on Keyera Premises and when performing Work or Work-related activities. Suppliers may be required to certify in writing that Supplier and its workers have reviewed and will comply with this Policy. Suppliers shall bear any costs they incur related to enforcing this Policy or the Supplier's drug and alcohol policy.
- 8.2. Before being allowed to access a Safety-Sensitive Worksite, Suppliers may be required to (a) certify in writing that each of its workers attending the site has had a recent negative D&A Test result; and (b) provide written consent to Search from each of Supplier's workers attending the site.
- 8.3. If a Supplier conducts an investigation (including D&A Testing and/or Searches of its workers) relevant to the performance of any Work whether on Keyera Premises or not, and whether under this Policy or the Supplier's drug and alcohol policy, the Supplier shall share its findings and any proposed or taken remedial actions with Keyera, provided that a Supplier shall notify the Site Leader and obtain Keyera's consent before conducting any investigation on Keyera Premises.
- 8.4. If a Supplier fails to comply with this Policy or any other applicable drug and alcohol policy, or if Supplier fails to actively manage risks intended to be mitigated by the applicable policy, Keyera may at its sole discretion immediately terminate its working relationship with Supplier. Keyera also reserves the right to deny a Supplier access to Keyera Premises without penalty if Keyera reasonably believes that allowing such access presents an unacceptable or avoidable risk to the safety and security of Keyera Premises, Workers, the public, or the environment.

## ARTICLE 9: PREVENTATIVE SELF-HELP

- 9.1. Keyera recognizes that there is a difference between recreational use of Drugs and/or Alcohol and use resulting from substance dependence. Keyera also recognizes that substance use disorders are treatable illnesses and that early intervention greatly improves the probability of a lasting recovery. Keyera is committed to helping its Workers access help so that emerging or existing substance use-related problems can be addressed before violations of this Policy occur.
- 9.2. Keyera's group benefit plan includes an Employee and Family Assistance Program ("**EFAP**"), which is a confidential service designed to support Employees through a wide range of personal or work-related issues, including issues related to the use of Drugs and/or Alcohol. Workers who are participating members in the EFAP may access these resources online at <https://app.dialogue.co>.
- 9.3. At Keyera, the commitment to safety is owned by every Worker. Therefore, to ensure the workplace is safe and secure, Workers must seek help (including accessing substance abuse assessment and treatment services) if they think they may not be able to adequately control their use of Drugs and/or Alcohol to comply with D&A Standard #1. Workers may seek such help independently in consultation with their personal physician and/or appropriate community health services. Some Workers will also have access to the EFAP or similar resources through their employer's benefit plan. Workers are encouraged to speak to a Leader or HR for assistance in identifying and accessing appropriate substance abuse assessment and treatment services.
- 9.4. If a Worker undergoes assessment by an SAE (or, if an SAE is not readily available, a medical doctor with knowledge in assessing substance use disorders) and the assessment indicates the Worker has a substance use-related problem that impairs their ability to adequately control their use of Drugs and/or Alcohol to comply with D&A Standard #1 the Worker shall
  - (a) participate in a treatment program based on the recommendations of the SAE or medical doctor who assessed the Worker;
  - (b) comply with the terms and conditions of the treatment program; and
  - (c) refrain from engaging in Safety-Sensitive work until (i) their Leader or Site Leader has been advised that the Worker is Fit for Work; and (ii) Keyera has established appropriate return to Safety-Sensitive Work limitations, monitoring programs (including D&A Testing) or other conditions consistent with the recommendations of the SAE or medical doctor who assessed the Worker and/or prescribed their treatment program.
- 9.5. In responding to a Worker's request for help or voluntary disclosure of an emerging or existing substance use-related problem, a Leader or Site Leader or HR shall take reasonable steps to ensure that:
  - (a) the Worker is Fit for Work and presents no risk to themselves or to others at the workplace;
  - (b) the Worker understands that Keyera may remove the Worker from Safety-Sensitive Work pending assessment, treatment (as necessary) and certification Fitness for Work;
  - (c) the Worker understands how to access a SAE and other substance abuse assessment and treatment resources, and has been encouraged to use those resources (through the EFAP, if available, or otherwise);



- (d) the Worker has been informed that their failure to access appropriate a substance abuse assessment and treatment resources may result in Keyera insisting that the Worker submit to an SAE assessment and/or D&A Testing, and that the Worker's failure to do so may result in further action under the framework set out in Article 11 (Consequences for Non-Compliance); and
- (e) HR and Leaders have been appropriately informed and consulted, provided that disclosure of personal information concerning the Worker shall be limited to persons who need to know in order to help ensure the Worker's Fitness for Work or otherwise apply or enforce this Policy.

- 9.6. In determining how to appropriately accommodate a Worker with respect to assessment and treatment for a substance use disorder, Keyera will consider the circumstances of each case, including the nature of the working relationship between the Worker and Keyera, the nature of the Work performed by the Worker, the Worker's benefits entitlements, and Keyera's business needs. In all cases Keyera will place primary importance on taking adequate steps to ensure the Worker is Fit for Work while engaged in Safety-Sensitive Work and does not otherwise pose an unacceptable risk to the safety and security of Keyera Premises, other Workers, the public, a workplace or the environment. In doing so, Keyera may require the Worker to execute a written agreement setting out the return to Safety-Sensitive Work conditions (in their existing position or an alternate position if circumstances warrant) and the consequences for failing to meet those conditions.
- 9.7. No Worker will be disciplined for making use of appropriate assessment and treatment resources, or for voluntarily requesting help in overcoming an emerging or existing substance use-related problem and preventing their violation of this Policy. However, a Worker's participation in a substance abuse assessment or treatment program does not eliminate the requirement of meeting satisfactory performance levels and compliance with this Policy. It is not acceptable in any circumstances for a Worker to put safety and security of the workplace, Keyera Premises, other Workers, the public, or the environment at risk by reporting for Work or engaging in Work while not Fit for Work. As such, requesting help or voluntarily participating in a substance abuse assessment or treatment program will not prevent a Worker from being terminated or disciplined for having violated a D&A Standard or any other requirement of this Policy (e.g. the duty to disclose a pertinent substance use-related problem and comply with appropriate return to Safety-Sensitive Work conditions). Further, accommodation requests received after a Worker has violated this Policy will be considered within the framework set out in Article 11 of this Policy.

## **ARTICLE 10: D&A TESTS AND SEARCHES**

- 10.1. In addition to education, self-help, supervision and observation, Keyera may rely on D&A Tests and Searches to monitor and promote compliance with this Policy, and, when warranted, D&A Tests and Searches may comprise part of an investigation into the cause of a Significant Incident occurring on Keyera Premises or in relation to Keyera Business. Table 10-1 identifies the general categories, relative to the type of Work performed, in which, depending on the circumstances, a Worker may be requested to submit to a D&A Test.

Table 10-1 D&A Tests

Testing Circumstances	Worker in a Safety-Sensitive Position	Worker in a non-Safety-Sensitive Position attending a Safety-Sensitive Worksite	All other Workers
Certification Testing	YES	NO	NO
Site Access Testing	YES	YES	YES
Fit for Work Testing	YES	YES	NO
Post Incident Testing	YES	YES	YES
Return to Work Testing	YES	YES	YES
Unannounced Follow-Up Testing	YES	YES	IN APPROPRIATE CIRCUMSTANCES
Third Party-Directed Testing	YES	YES	YES
Random Testing	N/A	N/A	N/A

- (a) **Certification Testing** – A Worker, or a person who has applied to become a Worker (an **“Applicant”**) in a Safety-Sensitive Position may be required to pass a D&A Test as a pre-condition to being hired, transferred or temporarily assigned into that Safety-Sensitive Position. Workers and Applicants shall not be eligible for the Safety-Sensitive Position if they refuse to be tested. A positive test result will prevent the immediate certification of the Applicant or Worker for the Safety-Sensitive Position; and will result in a review of the circumstances to determine appropriate action regarding the Applicant or Worker and their future eligibility for certification into the position.
- (b) **Site Access Testing** – A Worker may be required to pass a D&A Test as a pre-condition to being permitted access to a Safety-Sensitive Worksite.
- (c) **Fit for Work Testing** – A Worker in a Safety-Sensitive Position, or who works at or attends a Safety-Sensitive Worksite, or who is engaged in Safety-Sensitive Work will be requested to submit to a D&A Test if a Leader (in consultation with HR, and, if they are available without delay, a Site Leader or Senior Leader) has Reasonable Grounds to believe that the Worker may not be Fit for Work. In such circumstances, the Worker shall be immediately removed from Work and requested to submit to a D&A Test. HR will arrange a D&A Test on the request of the Leader, Site Leader or Senior Leader. Testing will occur as soon as reasonably practicable after Reasonable Grounds are established and the Worker shall be advised of the reason for the D&A Test.
- (d) **Post-Incident Testing** – A Worker will be requested to submit to a D&A Test if a Leader (in consultation with HR, and, if they are available without delay, a Site Leader or Senior Leader) has Reasonable Grounds to believe that the Worker was involved in a Significant Incident,

and there is no clear evidence to rule out the use of Drugs and/or Alcohol by the Worker as a possible contributing cause of the Significant Incident. HR will arrange a D&A Test on the request of the Leader, Site Leader or Senior Leader. Testing will occur as soon as reasonably practicable after an incident, and the Worker shall be advised of the reason for the D&A Test. To assist in assessing whether there is evidence to rule out the use of Drugs and/or Alcohol by the Worker as a contributing cause, all readily available information should be considered, including the Worker's apparent actions and/or omissions in relation to the incident and their explanation of what happened.

- (e) **Return-to-Work Testing** – A Worker may be required to pass a D&A Test as a condition to their return to Work after (i) having been found to have violated any D&A Standard or any other requirement of this Policy; (ii) having undergone assessment or treatment for a substance use-related problem; or (iii) after an absence of six (6) months or more from a Safety-Sensitive Position or Safety-Sensitive Worksite.
- (f) **Unannounced Follow-Up Testing** – Periodic and unannounced D&A Testing may be imposed as a condition of (i) a Worker's return to Work after having been found to have violated any D&A Standard or any other requirements of this Policy; (ii) accommodating a Worker's return to work in accordance with the recommendations of a SAE (or medical doctor with knowledge in substance use disorders); or (iii) a Worker being permitted to work in a Safety-Sensitive Position or at a Safety Sensitive Worksite while using Medication that has the potential to compromise their Fitness for Work. The pattern and duration of such D&A Tests will depend on the circumstances of each case.
- (g) **Third Party-Directed Testing** – If a Safety-Sensitive Worksite is owned or otherwise subject to the legal control of a third party, Workers may be required to participate in any D&A Testing programs implemented or required by that third party as a condition of being granted access to the third party's property.
- (h) **Random Testing** – If Keyera determines circumstances are appropriate for implementing a lawful random Drug and Alcohol testing program, Keyera shall provide written notice to affected Workers at least thirty (30) days prior to implementation of such program on Keyera Premises.

10.2. D&A Tests will be administered and analyzed in accordance with practices as established by the United States Department of Transportation, the United States Department of Health and Human Services, and/or Health Canada. D&A Test results can be categorized as "negative", "positive", "refusal to test" or "inconclusive". A negative test result means compliance with D&A Standard #1. A positive test result means non-compliance with D&A Standard #1. A refusal to test means non-compliance with D&A Standard #4. If a test result is inconclusive a Worker may be asked to undertake another D&A Test. All positive test results will be reviewed by a medical review officer and the results along with any applicable explanation or direction will be provided confidentially to the Worker and HR.

10.3. No Worker shall consume Drugs and/or Alcohol after their involvement in a Significant Incident, near miss or Fitness for Work investigation one of the following has occurred: (a) the Worker has taken a D&A Test; (b) a Keyera investigator or Site Leader has advised the Worker that a D&A Test is not required; or (c) eight (8) hours have elapsed following the triggering event. Notwithstanding the foregoing, a Worker may consume Medication with the express consent of the Leader or Site Leader who is investigating the matter, or upon the advice of a medical professional providing medical attention to the Worker.

- 10.4. Workers will be removed from Safety-Sensitive Work and/or placed on administrative leave pending the results of a D&A Test performed in accordance with Section 10.1(c) or Section 10.1(d).
- 10.5. A Worker will be requested to submit to a Search if a Leader (in consultation with HR and a Site Leader or Senior Leader, if available without delay) has Reasonable Grounds to believe that a Worker has brought unauthorized Drugs, Alcohol or Drug Paraphernalia onto Keyera Premises. The request to Search should be made as soon as reasonably practicable after Reasonable Grounds have arisen, and the Worker shall be advised of the reason for the request. Keyera may request the assistance of appropriate authorities to carry out the Search.
- 10.6. Keyera may use canine detection (sniffer dog) services when Keyera has Reasonable Grounds to believe that unauthorized Drugs, Alcohol or Drug Paraphernalia are present at a Safety-Sensitive Worksite, but Keyera is unable to effectively investigate those concerns without further information. On the approval of HR, H&S and the Site Leader or Senior Leader, Keyera will engage a security service provider with experience in providing canine detection services to Safety-Sensitive Worksites to assist an investigation. The information obtained from the canine detection services will then be evaluated by Keyera to help determine whether Reasonable Grounds exist to request that Worker(s) submit to a Search.
- 10.7. If a Safety-Sensitive Worksite is owned or otherwise subject to the legal control of a third party, Workers may be required to participate in any Search programs implemented or required by that third party as a condition of being granted access to the third party's property.
- 10.8. H&S, HR, Leaders, Site Leaders and Senior Leaders shall follow the applicable procedures for guidance on when and how to request and carry out D&A Tests and Searches.

## **ARTICLE 11: CONSEQUENCES FOR NON-COMPLIANCE**

- 11.1. A Worker who fails to comply with any D&A Standard or any other requirement of this Policy will be subject to corrective measures, which may include discipline up to and including immediate termination of the Worker's employment or contract.
- 11.2. Keyera's determination of the appropriate corrective measure(s) for non-compliance will depend on the circumstances of each case. Keyera may consider factors including: (a) the nature of the Worker's working relationship with Keyera, (b) the nature of the Work performed by the Worker, (c) the nature and seriousness of the violation (including how it affected or could have affected the safety of the Worker, other Workers, Keyera Premises, the public and/or the environment), (d) the existence of prior violations, (e) the Worker's response to prior corrective measures, (f) the risk of future violations by the Worker, and (g) the important objective of deterring future violations by the Worker and other Workers. If Keyera determines that a Worker has violated any D&A Standard or any other requirement of this Policy and such violation resulted in or could have resulted in a Significant Incident, additional weight will be placed on the objective of preventing reoccurrence and deterring similar behaviour by other Workers and therefore the employment or contract of the Worker shall be terminated unless Senior Leaders conclude that such a consequence would be unjust in the circumstances.
- 11.3. Prior to making a final decision with regard to disciplining or terminating the employment or contract of a Worker who has failed to comply with this Policy, Keyera may direct the Worker to

undergo an assessment by a SAE, and/or Keyera may place the Worker on a temporary leave of absence, and/or Keyera may temporarily re-assign the Worker to alternate duties. For clarity, alternate duties will not necessarily be at the same rate of pay or the same location.

- 11.4. If the employment or contract of a Worker who violates this Policy is not terminated, Keyera may impose conditions on the Worker as necessary or appropriate (as determined by Keyera, acting reasonably) to ensure the Worker is Fit for Work and to avoid future violations of this Policy (“**Return-to-Work Conditions**”). Keyera may also require the Worker to execute a written agreement setting out the Return-to-Work Conditions and the consequences for failing to meet those conditions. Return-to-Work Conditions may include, as appropriate, agreement by the Worker to (a) take reasonable steps to resolve a substance use-related problem (for example, completing substance abuse assessment and treatment; ongoing compliance with requirements of a treatment program), (b) disclose relevant medical information, (c) accept work modifications (or re-assignment to alternate duties); (d) undergo an independent medical assessment; and/or (e) obtain a medical certificate certifying that the Worker is Fit for Work with respect to the role they are assigned by Keyera. Any refusal or failure of a Worker to comply with Return-to-Work Conditions shall be considered a very serious violation of this Policy and shall be considered grounds for termination.

## **ARTICLE 12: CONFIDENTIALITY AND PRIVACY**

- 12.1. Worker personal information, including the results of D&A Tests and Searches, will be collected, used, and disclosed only for reasonable purposes that relate to that Worker’s employment (or in the case of Suppliers and Contingent Workers, Keyera’s ongoing engagement of such Supplier or Contingent Workers). These reasonable purposes include but are not limited to: (a) mitigating health and safety risks; (b) determining whether a Worker is Fit for Work; (c) monitoring compliance with this Policy; (d) making referrals for further medical assessment, treatment and rehabilitation; (e) accommodating return-to-work; and (f) assessing appropriate corrective action to enforce compliance with this Policy and deter future violations. All such personal information will be stored in accordance with Keyera’s policies related to privacy and information security, and shall only be shared with those persons who have a reasonable need to know the information for the purposes of discharging their duties and responsibilities with respect to the application of this Policy.

## **ARTICLE 13: CONTACT INFORMATION**

- 13.1. For further information or clarification on this Policy, please contact your Leader or HR.

## SCHEDULE "A"

### DEFINITIONS – Revision 1, effective July 21, 2023

<b>Alcohol</b>	means any substance that may be consumed and that has an alcoholic content in excess of 0.5 per cent by volume.
<b>Applicant</b>	has the meaning prescribed in Section 10.1(a) of the policy statement.
<b>Canadian Model</b>	has the meaning prescribed in Section 3.4 of the policy statement.
<b>Contingent Worker</b>	means an independent contractor or temporary employee who is integrated into a Keyera team, included in Keyera's organizational chart, has a Keyera email address and performs similar job duties as Employees.
<b>Camp Rule</b>	means any policy or standard in place at a Keyera Camp or third-party camp that governs the behaviour of Workers who receive accommodation there.
<b>D&amp;A Standard</b>	means a standard established under Article 4 of the policy statement which governs the behaviour of Workers in relation to Drugs and Alcohol.
<b>D&amp;A Test</b>	means a test administered to a Worker in accordance with this Policy, involving the collection, examination and analysis of breath, urine, oral fluid or other biological specimens to determine the presence of Drugs and/or Alcohol or their metabolites.
<b>Drug</b>	means any substance (a) the use or possession of which is unlawful in Canada, or requires a personal prescription or authorization from a licensed treating physician or nurse practitioner, or (b) the use of which is regulated by legislation (such as cannabis), or (c) that is psychoactive, or (d) that is a non-prescription medication lawfully sold in Canada.
<b>Drug Paraphernalia</b>	means any personal property that is associated with the use of any Drug, including syringes, inhalers, pipes, and any product or device that may be used to attempt to tamper with a D&A Test.
<b>EFAP</b>	has the meaning prescribed in Section 9.2 of the policy statement.
<b>Employee</b>	means a member of Keyera's permanent workforce, who is eligible to receive wages or salary from Keyera pursuant to an employment agreement.
<b>Fit for Work or Fitness for Work</b>	has the meaning prescribed in Section 1.1 of the policy statement.
<b>H&amp;S</b>	means members of Keyera's Health & Safety team who have responsibility and authority to assist in the implementation, administration and/or enforcement of this Policy.

<b>HR</b>	means members of Keyera’s Human Resources team who have responsibility and authority to assist in the implementation, administration and/or enforcement of this Policy.
<b>Keyera</b>	means Keyera Corp. and its Canadian affiliates and subsidiaries.
<b>Keyera Business</b>	means all activities undertaken to carry out Keyera’s business operations or advance its business interests.
<b>Keyera Camp</b>	means Keyera-operated camp facilities that provide accommodations for Workers.
<b>Keyera Premises</b>	<p>means all land, roads, structures, installations, property, vehicles and equipment that is owned, operated, rented, leased or otherwise controlled by Keyera in connection with Keyera Business.</p> <p>For clarity, Keyera Premises includes Keyera Vehicles, Keyera Camps as well as third-party camp facilities that are rented, leased or otherwise contracted by Keyera to provide accommodations for Workers.</p>
<b>Keyera Vehicle</b>	means a vehicle that is owned, leased, rented or otherwise directly controlled by Keyera.
<b>Leader</b>	means a Keyera employee or Contingent Worker who directs the Work of others, including team leads, supervisors, managers, foremen, general foremen and superintendents.
<b>Medication</b>	means a Drug used by a Worker for medical purposes under the guidance of a medical professional or drug manufacturer that has been lawfully obtained by the Worker either (a) by prescription or authorization issued to the Worker by a medical professional who is authorized to prescribe the use of drugs for medical purposes; or (b) over-the-counter without a prescription.
<b>Reasonable Grounds</b>	means evidence beyond mere suspicion that provides the basis for action. In the context of this Policy, Reasonable Grounds may be established by the direct observation of circumstances including the Worker’s physical appearance and behaviour; the smell associated with the use of Alcohol or Drugs on the Worker’s person or in the vicinity of the Worker; the Worker’s attendance record; unexplained absences during regular work hours; the circumstances surrounding an Significant Incident or near miss; and the presence of Alcohol, Drugs or Drug Paraphernalia on the Worker’s person, in the vicinity of the Worker, or the area where the Worker worked.
<b>Return-to-Work Conditions</b>	has the meaning prescribed in Section 11.4 of the policy statement.

<b>SAE</b>	means a licensed physician, a licensed or certified social worker, a licensed or certified psychologist, a licensed or certified employee assistance expert, or an alcohol and drug abuse counsellor, who works as a “substance abuse expert” and has (a) received training specific to the roles and responsibilities of a substance abuse expert; (b) has knowledge of and clinical experience in the diagnosis and treatment of disorders related to substance use; and (c) has an understanding of the safety implications of substance use and abuse.
<b>Safety-Sensitive Position</b>	means a position in which in the job function, including non-routine and emergency duties, involves critical performance and/or critical decision making with respect to Safety-Sensitive Work. On the recommendation of H&S and/or a Senior Leader, HR may designate a position as a Safety-Sensitive Position after considering the nature and location of the Work to be performed, the level of risk associated with the tasks and responsibilities to be performed in the position, the level of supervision of the position and the presence other operational checks, balances and oversight of the position relative to Schedule “C” (Keyera Safety-Sensitive Position Matrix). Workers shall be informed if their position has been designated as a Safety-Sensitive Position.
<b>Safety-Sensitive Work</b>	means Work which, if performed when not Fit for Work, could cause or contribute to the cause of a Significant Incident.
<b>Safety-Sensitive Worksite</b>	means Keyera Premises or other site where Work is performed where such substantial hazards exist (whether environmental or operational or related to equipment) that a Worker at the location who is not Fit for Work could cause or contribute to the cause of a Significant Incident. Unless otherwise designated by Senior Leadership, the following workplaces and/or Keyera Premises shall be deemed to be Safety-Sensitive Worksites: <ul style="list-style-type: none"> <li>• Gathering and Processing Facilities</li> <li>• Liquids Infrastructure Facilities</li> <li>• Fractionation and Storage Facilities</li> <li>• Terminals</li> <li>• Wellsites</li> <li>• Construction Projects</li> <li>• Pipeline Rights of Way (ROWS)</li> <li>• Camp Facilities</li> </ul>
<b>Search</b>	means the close examination of a Worker, a Worker’s possessions, or any area of Keyera Premises where a Worker has a reasonable expectation of privacy (e.g. lockers, offices, work stations, personal vehicles, camp rooms), for the presence of Drugs and/or Alcohol, and/or Drug Paraphernalia.
<b>Senior Leader</b>	means a Keyera employee or Contingent Worker in a senior role (e.g. Director, General Manager, Vice-President, Senior Vice-President or President) who makes material decisions on behalf of Keyera, and who has significant responsibility for the successful implementation, administration and enforcement of this Policy.



<b>Significant Incident</b>	means a work-related occurrence that results in or had the potential to result in substantial damage to people, property or the environment. For clarity, an accident, incident, occurrence or near miss with a severity classification of Medium or High with reference to Schedule "D" (Keyera Risk Matrix) shall be deemed a Significant Incident.
<b>Site Leader</b>	means a Keyera employee or Contingent Worker directly involved in the oversight of Work, and who has direct responsibility or accountability for the safe and secure operation of all or part of Keyera Premises or another site where Work is performed.
<b>Supplier</b>	means a third-party provider of goods and/or services to Keyera, including any employees, agents, consultants, subcontractors and other personnel engaged by such third-party provider to provide goods and/or services to Keyera.
<b>Work</b>	means the physical effort, mental effort, skills, knowledge and/or judgment a Worker is required to apply in support of Keyera Business. Work may be paid or unpaid and as well as any situation in which a person is representing or could reasonably be perceived as representing Keyera in the performance of Keyera Business.
<b>Worker</b>	has the meaning prescribed in Section 2.1 of the policy statement.

## SCHEDULE "B"

### DRUG AND ALCOHOL TESTING CONCENTRATION LIMITS – Revision 0, effective March 20, 2023

**Alcohol** - A blood or breath alcohol concentration (BAC) that is confirmed at to be equal to or greater than 0.04 grams of ethanol per 100 milliliters of blood or 210 litres of breath will be considered positive.

**Drugs** – Drug concentrations confirmed to be equal or greater than the values set out in the table below will be considered positive.

<b>Drug Classification</b>	<b>Urine Screening concentration equal to or in excess of ng/mL</b>	<b>Urine Confirmation Concentration equal to or in excess of ng/mL</b>	<b>Oral Fluid Screening concentration equal to or in excess of ng/mL</b>	<b>Oral Fluid Confirmation Concentration equal to or in excess of ng/mL</b>
Cannabinoids	50	15	4	2
Cocaine	150	100	20	8
Opiates	2000	2000	40	40
PCP	25	25	10	10
Amphetamines	500	250	50	50
Methamphetamine	500	250	50	50
Methadone	300	100	50	20
MDMA (Ecstasy)	500	250	50	50
Propoxyphene	300	n/a	20	10
Barbiturates	300	100	50	50
Benzodiazepines	100	50	10	10
Oxycodone	100	100	10	10 *express 40 *lab based

## SCHEDULE "C"

### SAFETY SENSITIVE POSITION MATRIX – Revision 0, effective March 20, 2023

This matrix is a tool that can be used to identify positions that may be safety-sensitive based on work activities and work environment.

	Severity of Work Environment Exposure	Severity of Work Activity	Work Activity					Area of Impact			
			1	2	3	4	5	People	Environment	Assets	Reputation
		Categories	<ul style="list-style-type: none"> <li>Admin duties</li> <li>Office-based computer support</li> <li>Cleaning/janitorial services</li> </ul>	<ul style="list-style-type: none"> <li>Abandonment/ remediation</li> </ul>	<ul style="list-style-type: none"> <li>Operations/ maintenance</li> <li>Supervisory management</li> <li>Technical work</li> <li>Camp licensed food services</li> </ul>	<ul style="list-style-type: none"> <li>Drilling</li> <li>Seismic</li> <li>Heavy equipment transport</li> <li>Completion s/ well services</li> <li>Safety watch</li> <li>Hot work</li> </ul>	<ul style="list-style-type: none"> <li>Product or hazardous goods transport</li> <li>Multiple person transport</li> <li>Emergency response</li> </ul>				
Work Environment	1	<ul style="list-style-type: none"> <li>Non-operating locations</li> </ul>	NON-SAFETY-SENSITIVE					Slight injury (first aid)	Slight	Slight damage <10K	Slight
	2	<ul style="list-style-type: none"> <li>Low-risk locations</li> </ul>						Minor injury (medical aid)	Minor	Minor damage <100K	Limited
	3	<ul style="list-style-type: none"> <li>Production facilities</li> <li>Pipelines</li> <li>Proximity to sensitive environment</li> <li>Green field site</li> <li>Shop yard manufacturing</li> <li>Camps</li> </ul>						Major injury (LTI)	Localized	Localize damage <500K	Considerable
	4	<ul style="list-style-type: none"> <li>Exposure to hazards</li> <li>Rig site</li> <li>Time of day</li> <li>Working alone</li> <li>Brown field site</li> </ul>	SAFETY-SENSITIVE					Fatality	Major	Major damage <1mil	National
	5	<ul style="list-style-type: none"> <li>Remote (re: access to health care)</li> <li>Offshore</li> </ul>						Multiple fatalities	Massive	Extensive damage	

## SCHEDULE "D"

### KEYERA RISK MATRIX – Revision 0, effective March 20, 2023

Severity	Consequence				Industry Likelihood				
	Health and Safety / Personal	Environmental	Public / Stakeholder Reputation	Equipment, Materials, Project Cost and Revenue	<u>Frequent</u> Similar event has or likely to occur (1 per yr.) A	<u>Occasional</u> Similar event may occur on occasion (1 per 10 yr.) B	<u>Rarely</u> Similar event may occur but seldom (1 per 100 yr.) C	<u>Unlikely</u> Similar event unlikely to occur (1 per 1,000 yr.) D	<u>Remote</u> Reasonable to expect a similar event won't occur but has happened in industry (1 per 10,000 yr.) E
Catastrophic 5	Multiple fatalities	Persistent (2+ yrs) and/or widespread adverse effects on fish-bearing / recreational water body, human/livestock drinking water source or sensitive area.	Directly impacts 100 or more people or causes national attention. Publicly available compliance enforcement	Loss > \$50MM	5A	5B	5C	5D	5E
Critical 4	A fatality or permanent disability	Adverse effect to fish-bearing / recreational water body, human drinking water source or sensitive area.	Directly impacts 25 to 100 people or causes provincial attention. Publicly available compliance enforcement	Loss \$5MM-\$50MM	4A	4B	4C	4D	4E
Serious 3	Long term disability (>26 weeks)	Adverse effect to non-fish bearing / non recreational water body, groundwater, or animal drinking water source and/or off-lease land	Directly impacts 5 to 25 people or causes regional attention. Publicly available regulatory reporting	Loss \$500K-\$5MM	3A	3B	3C	3D	3E
Marginal 2	Short term disability (1 day to 26 weeks) or lost time	Adverse effect to land	Directly impacts <5 people or causes municipal or community attention. Regulatory reporting required	Loss \$100K-\$500K	2A	2B	2C	2D	2E
Minor 1	Medical Aid or First aid	No adverse effect	No public awareness or no public concern. No regulatory reporting required	Loss < \$100K	1A	1B	1C	1D	1E