



VIA RAIL CANADA

ALCOHOL, DRUGS AND MEDICATIONS POLICY IMPLEMENTATION PROCEDURES

I. PURPOSE

The following procedures (“Procedures”) have been developed to clarify and implement VIA Rail Canada’s (“VIA Rail” or the “Corporation”) Alcohol, Drugs and Medications Policy (“Policy”).

It sets out in more detail the standards and expectations associated with Alcohol and other Drug use and possession. It also provides guidance on assistance programs as well as assessment procedures to ensure Employees with disabilities are provided with assistance and appropriate accommodation in employment in accordance with applicable Human Rights legislation. Key definitions are found in Appendix I¹, the list of Safety-sensitive/critical positions are found in Appendix II, the guidelines on Medications are found in Appendix III, the testing procedures are found in Appendix IV, and the guidelines for social hosting is found in Appendix V.

Should any Employee have a question about these Procedures, or if a situation arises that is not covered in them, he/she is invited to contact her/his Supervisor.

II. DISABILITY MANAGEMENT

- i. **Prevention:** The Policy and Procedures focus on the importance of prevention and early identification of potential problematic situations. The Corporation will make information available on health and safety hazards, recognizing related performance problems, and the process to access assistance.
- ii. **Assistance:** VIA Rail encourages its Employees to access assistance through the Corporation’s Employee Assistance Program (EAP), VIA Rail’s physicians for medical services, or appropriate community services for help with any other problem that may be affecting safe work performance related to Alcohol, Drug, any other Mood-altering substance and Medication abuse.
- iii. **Assessment/Rehabilitation:** The Corporation recognizes that Alcohol, Drug, any other Mood-altering substance and Medication dependencies are treatable illnesses and that early intervention greatly improves the probability of a lasting recovery. Anyone who suspects they have a substance dependency or problem must report himself and seek advice and to follow appropriate treatment promptly before safe job performance is affected or violations of the Policy and Procedures occur.

¹ They are the same definitions as those in the Policy.

- iv. **Work Modification:** Where a medical professional, a substance abuse professional, addiction medicine physician or other counselling professional advises that there may be a risk that would prevent an Employee from doing their normal job safely, a medical work modification may be issued and the Employee may be assigned to alternate duties if available and at the discretion of the Corporation.
- v. **Aftercare:** All Employees who complete primary treatment (e.g. residential or out-patient treatment) for a Drug and/or Alcohol or any other Mood-altering substance and Medication dependency will be required to participate in a monitoring and aftercare program when returning to work in order to help them maintain recovery. They will also be expected to enter into a written agreement which will outline the conditions overseeing their return to the job, and the consequences for failing to meet those conditions. This written agreement may also require unannounced testing to ensure that the Employee is Fit for Duty, the whole for safety purposes.
- vi. **Responsibilities:** Employees should understand that accessing assistance or declaring a problem does not eliminate the requirement for maintenance of safe and acceptable performance levels. Should discipline or testing be warranted, it cannot be avoided by a request for assistance with a problem or by disclosure that the Employee is already involved in a treatment program.
- vii. **Medical Assessment of Fitness for Duty. Safety-sensitive/critical positions**
 - a. **Requirement for Assessment:** Employees who work in Safety-sensitive/critical positions are required to undergo medical assessments:
 - before placement in a Safety-sensitive/critical position;
 - on a periodic basis, as long as they work in a Safety-sensitive/critical position; and,
 - as medically indicated when they have a health condition that can affect the safety of operations.

As part of the medical assessments of Fitness for Duty, Employees will be assessed for Alcohol consumption and dependency, Drugs and any other Mood-altering substance and Medication dependency, as well as other medical conditions that can have an impact on safety. Assessments will be done according to good medical practices and will be managed by VIA Rail's designated medical services provider or any other substance abuse professional or an addiction medicine physician. An Employee who is diagnosed having a problem of Alcohol, Drug or other Mood-altering substance and Medication dependency, will be removed from service and arrangements for an appropriate treatment program will be made as soon as possible.

- b. **Relapse Prevention:** Any Employee who has undergone treatment will be required to comply with a relapse prevention agreement in order to maintain Fitness for Duty in a Safety-sensitive/critical position. This agreement is a confidential, therapeutic agreement between the Employee and medical services who will monitor Fitness for Duty and compliance with the agreement. The agreement will set the conditions governing the return to work and the consequences for non-compliance with the conditions set forth. It may also provide for unannounced testing to ensure that the Employee is Fit for Duty, the whole for safety purposes.

Where the monitoring process has established that an Employee does not comply with a relapse prevention agreement, management will be informed that the Employee is not medically Fit for Duty in a Safety-sensitive/critical position because of non-compliance with this agreement and measures will be taken, including a modification of work position.

- viii. **Confidentiality:** Confidentiality will be maintained to the greatest extent possible except where limited disclosure is necessary for related health and safety concerns (e.g. there is deemed to be a potential for risk to self, others or the Corporation). That is, only the information strictly limited to the level of functionality (e.g. Fitness for Duty and any restrictions that may apply) may be shared as required for purposes of determining Fitness for work, appropriate work accommodation, and/or work re-entry initiatives.

III. PERFORMANCE MANAGEMENT

VIA Rail will continue to emphasize the normal process of job performance monitoring. Through this process, Supervisors will remind the individuals with apparent personal performance problems to seek for assistance should a personal problem be affecting their job performance.

Employees who specifically request help for an Alcohol, Drug or any other Mood-altering substance and Medication dependency problem through this process will be referred for an assessment by a substance abuse professional or an addiction medicine physician and supported through a treatment and aftercare program consistent with the professional's recommendations and within the bounds of the Corporation benefit plan. The Program Administrator will be the Senior Advisor, Attendance Management, and will manage the referral process.

IV. INVESTIGATIVE PROCEDURES - POLICY VIOLATION

- i. **Unfit for Duty Situations:** In all situations where VIA Rail has reasonable grounds to believe that an Employee is unfit of Duty or is affected by Alcohol or Drugs on work Premises, the Employee will be escorted by a Supervisor to a safe/private place. He will then be interviewed regarding his capability to work. The Employee will then have to be able to provide a reasonable explanation for his behaviour or condition, and the Supervisor will take appropriate action accordingly. If the explanation is not satisfactory to the Supervisor, and/or if the Supervisor concludes that the Employee is in a condition unfit for duty, the Supervisor may take one of the following actions:

- referral for medical attention if there appears to be immediate medical concerns to VIA Rail's medical services;
- reasonable grounds to conclude that Alcohol, Drug or any other Mood-altering substance or Medication misuse may be a factor, and the Employee holds a Safety-sensitive/critical position, make arrangements for a reasonable cause test (refer to next section); or
- reasonable grounds to conclude that Alcohol, Drug or any other Mood-altering substance or Medication misuse may be a factor, and that the Employee does not hold a safety-sensitive/critical position, remove the Employee from duty until the investigation is completed.

VIA Rail will escort him to a resting place or to a place dispensing medical services depending on the circumstances, and then will ensure transportation to their residence

or to the care of another adult person.

ii. **Alcohol, Drug and any Other Mood-Altering Substance or Medication Testing – Safety-sensitive/critical positions only:** All Employees who hold a Safety-sensitive/critical position are subject to testing in the following circumstances:

- a. **Reasonable Cause:** Testing will take place whenever there are reasonable grounds to conclude that the actions, behaviour, appearance or conduct of an Employee while at work or on the Corporation's Premises are indicative of Alcohol, Drug and any other Mood-altering substance or Medication use.

The decision to test shall be made by a Supervisor after consultation with another member of VIA Rail's Management Team when possible (in person or by phone). The basis for the decision will be documented as soon as possible after action has been taken place. The referral for a test will be based on specific, personal observations resulting from, but not limited to such indicators as:

- observed use or evidence of Alcohol, Drug and any other Mood-altering substance or Medication consumption (e.g. smell of Alcohol or other physical signs);
- erratic or atypical behaviour or changes in behaviour of the Employee;
- changes in the physical appearance or speech patterns of the Employee;
- any other observations suggesting Alcohol, Drug or any other Mood-altering substance or Medication use may be a factor.

Employees tested in this circumstance will be removed from duty until the investigation is complete. Depending on the test result, a Fitness for work assessment may also be required.

- b. **Post Incident Testing:** Alcohol, Drug or any other Mood-altering substance or Medication testing may be required after a significant or potentially significant work-related incident, accident or collision as part of a full investigation into the circumstances. The decision to refer an Employee, or a group of Employees, for a test will be made by the Supervisor investigating the incident after consultation with another member of VIA Rail's Management Team when possible (in person or by phone).

A significant or potentially significant incident may include one causing:

- a fatality;
- personal injury to a worker, a member of the public or any other individual;
- an environmental incident with significant implications;
- significant loss or damage to property, equipment or vehicles; or
- significant loss of Corporation or client revenues.

In addition to the incidents listed above, VIA Rail's Management Team, at their discretion, may require a post-incident test after any other significant work incident, a C.R.O.R. violation, or a near miss considered to have had significant potential for more serious

consequences as part of a complete investigation.

Testing will also be required after any less significant incident if, as a result of the preliminary investigation, it is concluded that Alcohol, Drug and any other Mood-altering substance or Medication use may have been a factor (e.g. reasonable cause situation).

Reporting of an incident:

- Employees are expected to report a situation to their immediate Supervisor as soon as possible after the incident and are expected to participate fully in any subsequent investigation; and
- failure to report an incident is a violation of the Policy and Procedures;

The following guidelines also apply:

- the decision to test must be made as soon as possible after the triggering event;
- arrangements for testing should be made as soon as possible unless this is impossible because medical attention is required;
- the need for a test must be documented as part of the preliminary investigation as soon as practicable after the triggering event;
- a test will not be necessary if there is clear evidence that the acts or omissions of Employees could not have been a contributing factor (e.g. structural or mechanical failure or environmental factors);
- Employees referred for a test will only be those who are identified, with reasonable grounds, as having been directly involved in the chain of acts or omissions leading up to the event; and
- should there be a delay in testing, Employees to be tested must not use Alcohol until after the test has been completed, or they are advised a test is not required.

An overview of the testing procedures is found in Appendix IV. Should any Supervisor have a question with regard to testing they should contact the Program Administrator.

iii. **Alcohol, Drug and Any Other Mood-Altering Substance or Medication Testing – All Employees:** All Employees may be subject to testing in the following situations:

- a. Return to Work - Post Violation: In those situations where employment is continued after a Policy violation, Employees will be required to pass a return to duty test and may be subject to unannounced testing as a condition of continued employment as set out in an agreement with the Corporation.
- b. Return to Work - Post Treatment: Unannounced testing may be used as a monitoring tool as determined on a case by case basis to support the recovery of any Employee assuming duties after primary treatment for an Alcohol, Drug or any other Mood-altering substance or Medication dependency.
- c. Applicants for a Safety-sensitive/critical position: Individuals seeking assignment to a Safety-sensitive/critical position, either as current Employees or new hires, must undergo

a medical Fitness for Duty assessment and must pass a Drug test as a final condition of qualification for the position. (Note: This requirement does not apply to incumbents in Safety-sensitive/critical positions.) Failure to pass the test means they are not qualified for the position.

- iv. **Failure to Test:** Failure to report directly for a test, refusal to submit to a test, refusal to agree to disclosure of a test result to the Program Administrator, a confirmed attempt to tamper with a test sample, or failure to report an incident which may require testing, are a violation of the Policy and Procedures.
- v. **Possession of Alcohol or Drugs:** VIA Rail reserves the right to investigate any situation when there are reasonable grounds to believe that Alcohol, Drug or any other Mood-altering substance or Medication without a valid prescription are present on Corporation Premises in violation of the Policy and Procedures.

Supervisors are responsible for identifying situations where an investigation is justified based on a combination of indicators which could include behaviour, odour, or presence of paraphernalia. They will be responsible for advising the Program Administrator of the situation, who will make the final decision as to whether and how to initiate an investigation.

- vi. **Loss of Licence:** All Employees who drive a Corporation vehicle, or drive on duty on Corporation business are required to maintain a valid driver's licence. Any person required to maintain a valid driver's licence must report the loss of the privilege to drive to their Supervisor. They will no longer be permitted to drive in that circumstance and must report to his Supervisor immediately.
- vii. **Impaired Driving Charge/Suspension:** It is prohibited to be on duty or to be in control of a Corporation vehicle anytime while under the influence of Alcohol, Drug or any other Mood-altering substance or Medication, including the after-effects of such use. Employees must inform immediately if they have been charged with an impaired driving offence under the Criminal Code, or if they have received an administrative licence suspension under a provincial Highway Traffic Act when operating a Corporation vehicle or driving on behalf of VIA Rail.

Impaired driving would include but not be restricted to testing over the legal BAC (Blood Alcohol Content) in that jurisdiction, driving while impaired, or refusal to blow into a breath analyzer or provide a sample for testing. Receipt of a charge or suspension will result in an investigation, and action taken, including any discipline, will be appropriate to the situation. These measures include, inter alia, the examination by a substance abuse professional, addiction medicine physician. Failure to report the charge or suspension will normally be grounds for corrective action up to and including immediate dismissal without notice.

V. SOCIAL SITUATIONS

In the case of any Corporation social event, appropriate regard will be taken for the safety and well-being of the individuals present and the community. Any use of Drugs including use of cannabis is strictly prohibited. Responsible use of Alcohol is permitted during Corporation social events organized by the Corporation and those which will be held off site. When the event is organized off the Corporation's Premises, Employees must have the prior approval of a member of VIA Rail's executive team, and the event will be conducted in accordance with the Corporation's hosting guidelines.

Consistent with the above, if Alcohol is made available to guests in the course of conducting business (e.g. restaurant meeting), Employees must refuse to consume if they have to return to work afterwards.

All Employees who choose to consume Alcohol during a social event must not, in any case, return to work, to finish his work schedule or drive a vehicle or any motorized equipment after the event.

VI. CONSEQUENCES OF A POLICY/PROCEDURES VIOLATION

If an Employee violates the provisions of the Policy and Procedures, does not meet the Corporation's satisfactory standards of work performance as a result of Alcohol, Drug or any other Mood-altering substance or Medication misuse, appropriate corrective action will be taken up to and including dismissal. In all situations, an investigation will be conducted and documented (in accordance with collective agreements, if applicable) to verify that a Policy or Procedures violation has occurred before corrective action is taken.

As such, the Supervisor has the authority and discretion to remove from assignment any Employee whom the Supervisor believes to be involved in an incident that could lead to disciplinary or administrative action pending the results of the investigation. The appropriate corrective measure always depends on the nature of the violation and on the circumstances surrounding the situation.

- i. **General Provisions:** Some violations are considered sufficiently serious that dismissal is warranted on a first occurrence. Examples include, but are not limited to, the fact of being affected by Alcohol or Drugs while at work, the fact of consuming Alcohol, Drug or any other Mood-altering substance or Medication which may impact negatively VIA Rail's safety activities during their work day or shift, including during meals and breaks inside and outside VIA Rail's Premises, traffic or possession of Drugs.
- ii. **Safety-sensitive/critical positions:** Default to report any problem of consumption of Alcohol, Drug or any other Mood-altering substance or Medication dependency, in site or off site VIA Rail's Premises, a positive Drug test, a failure to test, and an Alcohol test result of .04 BAC or higher are all considered a violation of the Policy and Procedures. These results will be taken into consideration as part of an investigation. Anyone who has an Alcohol test result of .02 BAC or greater will be removed from work until considered safe to return and is subject to discipline.
- iii. **Referral for Assessment:** After any confirmed violation, the Employee may be referred for an assessment by a substance abuse professional or addiction medicine physician to determine whether there is a need for a structured treatment program.

- iv. **Conditions of Continued Employment or Reinstatement:** Should the Corporation determine that employment will be continued after a violation of the Policy and Procedures, the Employee will be required to enter into an agreement governing his continued employment which may require any or all of the following actions, or any other condition appropriate to the situation:
- temporary removal from their position;
 - adherence to any recommended treatment and aftercare program;
 - successful completion of a return to duty test;
 - ongoing unannounced testing for the duration of their agreement;
 - adherence to any rehabilitation conditions or requirements, including mandatory monitoring referral through VIA Rail's EAP; and
 - no further policy violations during the monitoring period.
 - continuing employment in Safety-sensitive/critical positions will be subject to the requirements for medical Fitness for Duty for that position. For all Employees, failure to meet the requirements of the agreement during the monitoring period will be grounds for discipline up to and including termination as set out in the agreement.
- v. **Off Duty Activities:** In addition to the above, VIA Rail will investigate any situation where off-the-job activities involving Alcohol, Drug or any other Mood-altering substance or Medication consumption (e.g. impaired driving convictions, conviction for trafficking, bootlegging, etc.) may have implications for the workplace or the image and reputation of the Corporation, and will take appropriate action under the circumstances.

APPENDICES

I. KEY DEFINITIONS

In the Policy and Procedures, unless otherwise stipulated, the following words and expressions mean:

Device facilitating the use of Drugs	Anything associated with the use of Drugs, Medications or Mood-altering substances. It also includes any product or device that can be used in an attempt to tamper with a test sample.
Business activities of VIA Rail/ the Corporation	Refers to all business activities, intended for business purposes, undertaken by Employees in the course of the Corporation's business operations, whether or not they are carried out on or off VIA Rail Premises. They include all situations in which an Employee is representing the Corporation.
Alcohol	Any drink containing any degree of Alcohol including by way of examples, beer, wine, distilled spirits, as well as any intoxicating agents found in some medicines or other products or other products.
Fitness for Duty/ at work or at a specific task or Fit for Duty	Being able to safely and properly perform any assigned task, without limitation caused by the consumption or residual effects of Alcohol, Drugs, Medications or other Mood-altering substances.
Drugs	Any substance, legally or illegally obtained, which, when consumed, may potentially change the way a person thinks, feels or acts.
Employee	Anyone employed at the Corporation on a regular or part-time basis, including executives, managers, employees covered or not by a collective agreement, including students and temporary or contractual employees.
Contractor	Any company or individual providing contracted services to VIA Rail or on behalf of VIA Rail, but not included on the Corporation's payroll. This includes consultants and VIA Rail representatives.
Premises of VIA Rail/ VIA Rail Premises /Premises of the Corporation / Corporation's Premises	Includes but not limited to, all land, structures, facilities, vehicles and equipment owned, leased, operated or otherwise controlled by the Corporation.

Medications	Any substance or combination of substances presented as treating or preventing disease in human beings and any product that may be administered for the purpose of establishing a medical diagnosis or restoring, correcting or modifying its organic functions. No distinction will be made between prescription and non-prescription Drugs.
Safety-sensitive/critical positions	<p>These are the positions identified by the Corporation as having a key and direct role in the use and operations of the railway, where performance impacted by Alcohol, Drug use, other Mood-altering substances or the inappropriate use of Medications could result in a significant incident affecting the health and safety of Employees, customers, the public, property or the environment.</p> <p>This includes all Employees who occupy positions in safety-critical positions as designated by the Safety Critical position Rule of the Railway Safety Act, as well as all Employees who are required to rotate in Safety-sensitive/critical positions or regularly relieve Employees in these positions. This also includes Supervisors who may have to perform safety-sensitive/critical duties from time to time. This also includes Supervisors who may be required to perform tasks that are essential to railway safety or tasks where safety is important from time to time.</p> <p>A list of Safety-sensitive/critical positions is dated and appended to the Procedures, and will be modified as required. Anyone affected by the change will be advised in advance of the effective date.</p>
Mood-altering substance	Any other product that is legally or illegally used, resulting in cognitive and/or physical limitations that negatively impact work performance (such as synthetic marijuana, cathinone derivatives, commonly known as bath salts, doda, or other similar products).
Supervisor	Any management position responsible for any particular team or sector.
Zero Tolerance	Formal prohibition of any contravention of the Policy and Procedures

II. SAFETY-SENSITIVE / CRITICAL POSITIONS

The following and comparable occupations are deemed to be Safety-sensitive/critical positions under VIA Rail' Policy.

i. **Safety Critical (Regulatory standard as per Railway Rules Governing Safety Critical Positions) :**

A) Locomotive Engineers

1 - operating locomotive engineer (LE);

2 - in charge locomotive engineer (ICLE);

B) any person performing the duties of a locomotive engineer

C) Rail traffic Controller (RTC)

D) Track Foreman

ii. **Safety Sensitive (VIA Rail standard, not regulatory):**

A) Locomotive Attendant (LA);

B) Controller, Yard movement;

C) VIA Rail Yardmaster - Union Station;

D) Transportation Operations Planner (TOP).

E) Chief of Police, Deputy Chief of Police, Inspector, Police Constable

Note that this may not be a complete and exhaustive list of job titles that would be considered safety-sensitive – please consult the Program Administrator to determine if a specific job title is considered to be safety-sensitive.

III. GUIDELINE ON MEDICATIONS

All Employees are expected to manage secondary side effects or potential impairment of licit or illicit use of Medications. The following Drug categories have been associated with possibility of affecting Fitness for Duty and are provided as a guideline to Employees in assessing their own situation. The list is not exhaustive; there are numerous other over-the-counter and prescription Drugs which when taken may impact negatively on overall safe performance and cause impairment.

Therefore, Employees are expected to consult with their personal physician or a pharmacist, to determine if use of the Medication may have any potential negative impact on job performance. If the Medication they are using will affect their ability to operate safely, they are expected to advise their Supervisor. Employees must also provide all additional information regarding the Medication when deemed necessary by VIA Rail.

Employees in Safety-sensitive/critical positions are expected to report any concerns about safe operation of vehicles or equipment to VIA Rail's designated medical provider who will assess the situation to determine whether the Employee can safely perform regular duties. Employees are expected to comply with the recommendations.

- a. Antihistamines – are widely prescribed for hay fever and other allergies (e.g., Allegra, Dimetane). They are also found in many cold Medications. These Medications may cause drowsiness.
- b. Motion Sickness Drugs – are used to prevent motion sickness and nausea (e.g., Gravol, Antivert). Side effects may include drowsiness.
- c. Barbiturates, Sedatives, Hypnotics, Tranquilizers, Antidepressants – are used to treat sleep disorders and depression (e.g., Ativan, Imovane, Paxil). Potential side effects may include mild sedation, hypnotic state, dizziness or drowsiness.
- d. Narcotics – (e.g., Demerol, Codeine, OxyContin, Percocet). Codeine is often found in combination Drugs such as 222s or 292s or Tylenol 1,2,3s. Drowsiness, dizziness, and light-headedness may be side effects.
- e. Stimulants – Medication used for central nervous system stimulation and for appetite suppression can produce sensations of well-being which may have an adverse effect on judgment, Mood and behaviour (e.g., amphetamines or Medications sold as “diet pills”).
- f. Anticonvulsants – are used to control epileptic seizures and can cause drowsiness in some patients (e.g., Dilantin).
- g. Muscle Relaxants – are used to treat musculoskeletal pain. Most common side effects are sedation and drowsiness (e.g., Flexeril, Robaxisal). Cold Tablets/Cough Mixtures – in particular, night time remedies can cause drowsiness (e.g., Sinutab, Contac, Triaminic, Tussionex and preparations containing dextromethorphan (DM) or codeine).
- h. Medicinal cannabis.

IV. ALCOHOL AND DRUG TESTING PROCEDURES

The Alcohol and Drug testing process is based on rigorous collection, analysis and reporting procedures designed to ensure the accuracy and integrity of the results. Steps in the testing process are highlighted below.

1. Testing will be conducted in those circumstances outlined under the Policy and Procedures to determine the presence of six classes of Drugs: cannabinoids, amphetamines, cocaine, opiates, phencyclidine and Alcohol. If the Corporation concludes there is justification to include additional Drugs in this list, Employee will be advised of the change. Testing for additional Drugs may also be required on an individualized basis on the advice of a treatment centre or substance abuse professional in a post-treatment situation.
2. Collection of specimens for Drug testing and administration of Alcohol tests will be performed by trained collection agents. All individuals who are tested are required to sign a form to acknowledge the accuracy of the Employee and collector information and authenticity of the specimen(s). They will be given a copy of the Drug Testing Custody and Control Form and the Alcohol Testing Form for their records.
3. Alcohol tests will be administered by a calibrated U.S. Department of Transportation approved breathalyzer with a printout of test results. Only in those situations when a breath analyzer is not readily available will Alcohol testing be done by urine collection for confirmation analysis in the laboratory.
4. In a Reasonable Cause or Post Incident/Accident situation, Drug tests will be administered by urinalysis and by collection of an oral fluid (saliva) sample for analysis in a fully qualified and accredited laboratory using a two-step process with initial screening by immunoassay and all confirmations being performed by gas chromatography/mass spectrometry (GC/MS). Any oral fluid samples sent to the laboratory will be analyzed using a similar process with all confirmations being performed by liquid chromatography/mass spectrometry/mass spectrometry (LC/MS/MS) or gas chromatography/ mass spectrometry/mass spectrometry (GC.MS.MS).
5. Testing of applicants to a Safety-sensitive/critical position, testing as a condition of return to work either post violation or post treatment, and unannounced testing under agreement with the Employee will require urine samples to be collected for Drug testing which are analyzed by the laboratory using a two-step process with initial screening by immunoassay and all confirmations being performed by gas chromatography/mass spectrometry (GC/MS).
6. Laboratory confirmed positive Drug test results will be reviewed by a qualified Medical Review Officer (MRO). This is an independent physician who will endeavour to discuss the result with the Employee in an effort to determine whether a positive test could have resulted from the legitimate use of Medications. The individual concerned will be given an opportunity to explain the finding to the MRO who will then determine whether the result will be reported to the Corporation Program Administrator as a negative, or a verified positive, or a tampered or substituted specimen result.
7. In the case of a verified positive Drug test result, or a tampered or substituted finding, the Employee may ask the MRO to require the split sample to be tested (or for single sample collection, their sample to be retested) within seventy-two (72) hours of receiving their results. If a second confirmed positive test is reported, the person who requested

the second analysis is responsible for reimbursing the Corporation for the associated costs.

8. If the test is reported as dilute and negative, or cancelled because the specimen is invalid, the Employee will be required to provide an additional specimen for testing as soon as possible.
9. All test results will be reported directly to the Corporation's Program Administrator or designate. Except for the release of information in accordance with the Policy and Procedures and in situations affecting the health and safety of workers and the public, results of all testing will be maintained by the Program Administrator and will be kept confidential unless otherwise required by law or authorized by order of a tribunal or court.

V. GUIDELINES FOR BUSINESS AND SOCIAL HOSTING

VIA Rail Social Events: The following guidelines will be followed in the hosting of any Corporation social event where Alcohol is served. Events involving Alcohol consumption must be held off site and have the prior approval of a member of the executive team.

1. Professional/trained servers will work at each event and/or will supervise the use of untrained servers.
2. Each event will have a designated "chief host/hostess" (with assistance from others) with responsibility for:
 - obtaining appropriate permits;
 - establishing the general tone of the event;
 - acting as the sole contact with the servers during the function regarding opening and closing times, food and beverage arrangements, etc.;
 - ensuring bars are attended at all times;
 - ensuring Alcohol is not served to individuals who appear to be intoxicated;
 - taking steps to prevent abusive or unsafe behaviour;
 - taking steps to prevent an apparently intoxicated attendee from driving after the function;
 - providing alternate transportation or accommodation where necessary; and
 - contacting the police if an incident occurs or an attendee disregards advice and attempts to drive in an intoxicated state.
3. In all situations, events will be managed in a way that avoids the potential for accidents, including identifying and eliminating potentially harmful situations.
4. Responsible serving practices will include providing food and non-Alcoholic drinks, including coffee and tea after the bar has closed, establishing a firm time to end the event, and stopping service of Alcohol at least one hour prior to the event being over.
5. Any hosting situation that results in inappropriate behaviour or risk to health and safety of attendees or the community will result in a review of these guidelines and active steps to ensure the problems do not occur again.

Business Hosting: Consistent with the above standards, if Alcohol is made available to guests in the course of conducting business (e.g. client lunch or dinner, conference/seminar situation) Employees are expected to use judgment and be responsible in hosting others.