

Policy Number 301-D

SUBJECT: Substance Abuse Policy

Employees are the most valuable resource of Global Spectrum and for that reason their health and safety is of paramount concern. Global Spectrum will not tolerate any drug or alcohol use, which imperils the health and well-being of its employees or threatens its business.

The use of illegal drugs and abuse of other controlled substances, on or off duty, is inconsistent with law-abiding behavior expected of all employees. Employees who use illegal drugs or abuse other controlled substances or alcohol tend to be less productive, less reliable and prone to greater absenteeism resulting in the potential for increased cost, delay and risk in Global Spectrum business and to the employee's co-workers. Employees have the right to work in an alcohol-free and drug –free environment and to work with persons free from the effects of drugs. Global Spectrum is committed to maintaining a safe workplace free from the influence of alcohol and drugs. Violations of this policy will result in disciplinary action, up to and including termination.

PROHIBITED CONDUCT

Except as provided below, Global Spectrum prohibits the following activities on Global Spectrum's property, on Global Spectrum's time (including break and meal periods) or in Global Spectrum's vehicles, or at Global Spectrum-sponsored events:

1. The unlawful manufacture, distribution, dispensing, sale, possession or use of drugs or any other controlled substance and being under the influence of drugs or any other controlled substance (except for "Prescribed medication" – see below); and
2. The unauthorized distribution, sale, possession or use of alcohol and being under the influence of alcohol, with the exception of certain company-sponsored events for which the Company has approved in advance the service and consumption of alcohol; and
3. Global Spectrum also prohibits the use of unlawful drugs or other controlled substances or alcohol off Global Spectrum's premises and off Global Spectrum's time to the extent that such use adversely affects Global Spectrum, the employee's work performance, the employee's safety or the safety of others in the workplace.

4. Refusal to submit to drug, alcohol or other controlled substance testing or disobeying an order to be relieved from duties.

SCOPE OF POLICY

This policy applies to all employees of Global Spectrum.

DRUG TESTING - ONTARIO LAW

Ontario Global Spectrum facilities follow the Ontario Human Rights Commission policies as set out in the Ontario Human Rights Code.

The OHRC recognizes that it is a legitimate goal for employers to have a safe workplace. One method sometimes used by employers to achieve that goal is drug and alcohol testing. However, such testing is controversial and, especially in the area of drug testing, of limited effectiveness as an indicator of impairment. It is not used to a significant degree anywhere in the world except in the United States (the "U.S.").

The following examples represent situations in which the use of legal or illicit drugs or alcohol may fall within the *Code*¹⁰:

- a. Where an individual's use of drugs or alcohol has reached the stage that it constitutes severe substance abuse, addiction or dependency, e.g. maladaptive patterns of substance use leading to significant impairment or distress, including:
 - i. recurrent substance abuse resulting in a failure to fulfill major obligations at work
 - ii. Recurrent substance abuse in situations which are physically hazardous
 - iii. Continued substance abuse despite persistent social, legal or interpersonal problems caused or aggravated by the effects of the substance.¹¹
- b. Where an individual is perceived as having an addiction or dependency due to drug or alcohol use, the Code will protect that individual.

Example: An employer refuses to promote a particular employee because of the perception that the employee has an alcohol dependency. As a result of this perception and consequent action on the part of the employer, the individual's right to equal treatment under the *Code* may have been infringed.

- c. An individual who has had a drug or alcohol dependency in the past, but who no longer suffers from an ongoing disability, is still protected by the *Code*.

For more information from the Ontario Human Rights Commissions please see <http://www.ohrc.on.ca/en/resources/Policies/PolicyDrugAlch/pdf> or by phone 1-800-387-9080

TREATMENT AND COUNSELING

Early recognition and treatment of alcohol or drug abuse is important for successful rehabilitation, economic return to Global Spectrum and reduced personal, family and social disruption. Global Spectrum encourages the earliest possible diagnosis and treatment for alcohol or drug abuse. Global Spectrum supports sound treatment efforts. However, the decision to seek diagnosis and accept treatment for alcohol or drug abuse is primarily the individual employee's responsibility.

Employees with personal alcohol or drug problems should request assistance from the Employee Assistance Program (EAP). The EAP will provide such assistance on a confidential basis and will refer the employee to the appropriate treatment and counseling services. The EAP maintains a resource file of providers of employee assistance including drug and alcohol abuse programs, mental health providers and other organizations available to assist employees with personal or behavioral problems. There may be some out-of-pocket medical expenses to the employee during the course of treatment. Global Spectrum will determine whether the employee's job assignment will be temporarily changed during the period of treatment or counseling.

Although it is Global Spectrum's policy to encourage employees to request assistance voluntarily and to assist employees in overcoming substance abuse problems, voluntary requests for assistance will not prevent Global Spectrum from imposing disciplinary action for a violation of any provision of this or any other employment policy.

PRESCRIBED MEDICATION

An employee undergoing prescribed medical treatment involving any drug that may alter the employee's physical or mental ability to perform his or her job and/or pose a threat to the health or safety of the employee or others in the workplace must report the treatment to the Human Resources Department, who will facilitate a determination of whether the employee's job assignment will be changed temporarily during the period of treatment.