



Personal Devices and Cell Phone Policy at Worksites

To ensure every effort is made in our commitment to provide safe, healthy, work environments to our employees, the John Aarts Group has developed a personal devices and cell phone policy to help keep workers aware of job-site hazards. The use of personal devices at work can lead to serious injuries because they can distract the worker from hazards.

During on-duty hours, employees may carry their phones, but must receive approval from their site supervisor before using them. Cell phones are to be used for emergency or work purposes only. The law makes it illegal for drivers and operators to talk, text, type, dial, or e-mail using hand-held devices while operating a vehicle or piece of equipment.

Individuals who need to reach you at work may contact the main office or your supervisor. These numbers are available to all John Aarts Group employees. You are also free to use your devices at designated break times.

If you have extenuating circumstances, that in your opinion, warrant the use of a cell phone for personal issues or emergencies while working, the John Aarts Group asks that you first discuss them with your supervisor.

Signature

February 10, 2023

Date



Smoking Policy

The John Aarts Group is committed to providing a smoke-free work environment to all employees. There is sufficient evidence to support the fact that secondhand smoke is a significant health hazard, and by providing all employees with a smoke free workplace, the John Aarts Group is eliminating this workplace hazard. All visitors, contractors, clients, and customers must also comply with the John Aarts Group's ban on smoking in enclosed workplaces.

The John Aarts Group also has a legal responsibility to comply with the *Smoke-Free Ontario Act*, which prohibits smoking in all enclosed workplaces and public places. An enclosed workplace means the inside of a building, structure, or vehicle, that an employee works in or frequents during the course of their employment. Typical examples include:

- Inside office buildings
- Jobsite trailers
- Sea cans
- Shops
- Storage facilities
- Cabs of equipment
- Work and company vehicles

No person shall smoke or vape in any enclosed workplace. This includes:

- **tobacco products (cigarettes, cigars etc.)**
- **e-cigarettes (i.e. vaping)**
- **cannabis products, whether medicinal or recreational**

Ashtrays or equipment serving as an ashtray are prohibited. This ban also applies after-hours when people are not working. No smoking signs will be placed appropriately at all entrances.

Enforcement

Local public health units carry out inspections in workplaces in order to enforce the *Act*.

For additional information on the *Act*, call your local public health unit.

If any employee is in violation of the smoking policy, the employee may be disciplined as follows:

- 1st offence- verbal warning
- 2nd offence - written warning
- 3rd offence- possible suspension
- 4th offence- dismissal

Any employee who violates this policy and smokes in any enclosed workplace will be responsible to pay all fines imposed by the local public health units or other enforcement agency. JAG will NOT pay any fines given to any employee.



Please note: Outdoor workplaces may also have restrictions on smoking depending on specific jobsite regulations or conditions placed by the owner. This includes smoking in the vicinity of flammable or hazardous materials like gasoline, propane, natural gas lines or other materials. Always check with your supervisor.

Signature

February 10, 2023

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Substance Abuse Policy

The John Aarts Group recognizes that employees who use or are impaired by drugs or alcohol while performing work endanger not only themselves, but their co-workers and others affected by the work.

While JAG also recognizes that addiction to drugs or alcohol is a serious health problem that must be addressed for employees to get help for their substance abuse issues, a violation of this policy will result in an investigation and possible enforcement up to and including termination.

The objective of this substance abuse policy is to ensure that all employees report to work fit for duty. This policy applies to all JAG employees.

Client sites may also have their own Drug/Alcohol/Substance Abuse policies that must be followed in conjunction with JAG's policy. In that case, the client policy will be reviewed with all workers, employees and subcontractors.

Safety Sensitive Positions

All JAG positions are considered to be safety sensitive with the exception of administrative, clerical or accounting staff working entirely in the office(s).

DEFINITIONS

Fit for Duty

- A physical and mental state that allows an individual to perform his or her job duties safely and effectively without impairment due to the use of or after-effects of alcohol, cannabis, drugs, legal medications or other health conditions.

Substance Abuse

- The use of alcohol, cannabis, drugs, legal medications and other substances that can impair a person's judgement, clarity and functioning and render him/her not fit for duty

Drugs

- Narcotics and illegal drugs
- Cannabis
- Legal prescription, over-the-counter medications, and drugs that cause or have the potential to cause impairment and render an employee not fit for duty.

FIT FOR DUTY REQUIREMENTS FOR ALL EMPLOYEES

All workers must come to work fit for duty:

- Workers must not be impaired by alcohol, cannabis, drugs or other while they are on duty
- Possession use or distribution of illicit drugs on company premises, at company worksites, or in company vehicles is prohibited
- Employees must strictly follow all legislation regarding the use of both medicinal and recreational cannabis. Being impaired at work by either is prohibited
- Employees are expected to responsibly use prescribed and over-the-counter medications



- Where the use of a prescribed or over-the-counter medication, including cannabis, could inhibit an employee's ability to carry out the duties of his or her position safely or competently, the employee must advise their supervisor immediately. The supervisor will discuss the issue with management to determine whether the employee will be permitted to work or whether work restrictions will be applied.

CANNABIS IN THE WORKPLACE

Workers must notify their supervisor if they suspect that a co-worker is unfit for duty.

According to Ontario law, consuming **recreational cannabis in the workplace is illegal.**

Medical cannabis is subject to different rules than recreational cannabis. Employees must notify their supervisor if they are using legally prescribed medical cannabis, so a work assessment can be completed.

Legal cannabis use is not a justification for being unfit for duty

DRIVERS

You will not be allowed to have **any cannabis** (as well as other drugs that can be detected by an oral fluid screening device) **or alcohol** in your system if you are driving a motor vehicle and:

- You are 21 or under;
- Have a G1, G2, M1 or M2 licence;
- The vehicle you are driving requires an A-F driver's licence or Commercial Vehicle Operator's Registration (CVOR) or;
- You are driving a road-building machine. The following classes of vehicles are prescribed as road-building machines:
 1. pavement spreaders, pavers, profilers and finishing machines
 2. graders
 3. rollers and compactors
 4. bulldozers
 5. scrapers
 6. loaders
 7. tracked and wheeled tractors, other than truck tractors, equipped with any of the following attachments: mowers, augers or drills, compactors, spraying, equipment, snow blowers or snowplows, buckets or shovels.
 8. rock trucks
 9. pump trucks
 10. boom trucks
 11. tower cranes or concrete placing booms
 12. off-road mobile cranes
 13. off-road excavators
 14. low-speed street sweepers



DISCIPLINARY MEASURES

JAG will investigate whether an employee has substance abuse issues or is in violation of his/her fitness for duty obligations under this policy in response to:

- Complaints or concerns by co-workers, supervisors, etc.
 - Declining performance
 - Erratic behaviour
 - Involvement in safety incidents including near misses
 - Arrests for impaired driving, drug offences and similar violations
 - Positive tests for drugs or alcohol
 - Other indications that the employee has substance abuse issues or is not fit for duty.
1. Where there are grounds to believe that an employee may not be fit for duty or capable of safely performing their job duties, they will not be permitted to work and will be required to leave the company premises or job site.
 2. When an employee, considered to be in an unfit condition, is requested to leave company premises, transportation to their residence will be arranged by the supervisor. If the employee's condition or well-being appears to be in distress or may require attention, then the supervisor shall:
 - Call 911/EMS in a medical emergency or;
 - Ensure the employee is left in the care of someone capable when brought to their residence.
 3. The company reserves the right to temporarily remove, reassign or suspend an employee pending a determination of the employee's fitness for duty, assessment of substance abuse issues or completion of an investigation into a possible violation of this policy.
 4. Employees who violate this policy are subject to disciplinary action up to and including termination of employment.

Post-Incident Drug and Alcohol Testing

Motor Vehicles

When a driver is involved in a motor vehicle incident, drug and alcohol testing must be conducted, with the driver's consent, if any of the following conditions occur:

- There is a human fatality;
- There is bodily injury with immediate medical treatment required away from the scene or;
- There is disabling damage to any motor vehicle requiring a tow.

According to standards, the drug testing should be administered within 32 hours. The alcohol testing should be administered within 2 hours, but no later than 8 hours after the incident.

Procedures:

1. JAG has an account setup with a professional third-party drug and alcohol testing company/consultant.
2. Testing shall be conducted as soon as possible from the time the incident took place:
 - a. The driver will contact their Supervisor/Manager in the event of an incident;
 - b. If criteria deem necessary, the testing company will be contacted by the Supervisor/Manager or Safety Team;
 - c. If able, the driver will contact the testing company if a Supervisor/Manager is unavailable (ie. after-hours);
 - d. Testing company contact information will be available in all company vehicles and at the main office.



3. A representative from the testing company will contact and meet with the driver(s) at an approved location to collect samples for drug and alcohol testing. Testing will consist of an oral fluid test (drugs) and a breath or saliva test (alcohol).
4. If the driver(s) is unavailable because they are in police custody or medical treatment, testing will be conducted at the earliest time possible, subject to testing deadlines.
5. All testing will be in accordance with legislation and industry standards. The professional testing consultant will be used by the company throughout the testing and reporting process.
6. Tampering or attempting to tamper with a test sample is prohibited.
7. Where a driver refuses to undergo drug and alcohol testing, the company may take such refusal into consideration in determining the appropriate course of action with respect to such driver, which could include discipline, loss of use of the company vehicle, or termination.
8. Management will discuss the results of all testing with the driver(s), CEO, and legal counsel where required.
9. A driver who tests positive for drugs and/or alcohol will be advised of the positive test result, and will be suspended with pay immediately, pending an investigation by the company. Return to duty testing may be required at the discretion of management.

In the absence of legislated thresholds, the drug levels that will be reported as a positive result will be based on industry norms as recommended by the professional consultant engaged by the company.

Other Incidents

Employees may also be required to undergo drug and alcohol testing following any incident or near-miss at a project, site or other workplace where there is reasonable cause to suspect that substance abuse may have been a contributing factor. Testing will be at management's discretion.

ASSISTANCE AVAILABLE

Employees who suspect they have a substance abuse issue are encouraged to seek medical and/or professional advice and follow recommended treatment promptly before job performance is affected or violations of this policy occur.

Employees are encouraged to consult with their supervisors or management in the event they have concerns about their own substance abuse or if they suspect another co-worker has a problem with abuse. Return to duty during or after treatment will be discussed with management.

JAG recognizes that the Ontario Human Rights Code protects people with disabilities who use substances for a medical purpose or have an addiction based on the grounds of disability. Accordingly, in administering the disciplinary measures of this policy, employees will be assessed and accommodated based on their individual circumstances and capabilities to the point of undue hardship.

TRAINING

The Health and Safety team is responsible to train new employees on this policy annually at the safety meetings or at new hire orientations. Supervisors can also train during new hire orientations.

Signature

February 10, 2023

Date