



DRUG AND ALCOHOL TESTING PROCEDURES

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SECTION 1

Who will be tested?

All employees of the company, at all work locations, are subject to the company's random drug and/or alcohol testing. Participation in the program is a condition of continued employment at the company. Failure to comply with this policy may lead to disciplinary action, up to and including termination.

All employees of the company who operate a commercial motor vehicle in commerce in any state and are subject to the commercial driver's licenses requirement will be tested in accordance with regulations set forth by the Department of Transportation (DOT).

The drug testing administrator can answer questions about this policy. The contact information is as follows:

Jeri VanDomelen
PacifiCorp
Employee Benefits and Disability Services
825 N.E. Multnomah Street, Suite 1800
Portland, OR 97232
503-813-5063

Questions can also be asked using the Employee Benefits line at 800-455-6363, option 3 or at disability@pacificorp.com.

What Substances will be tested?

Urine tests will be performed to detect the following controlled substances regardless of state laws:

- Marijuana
- Cocaine
- Opiates (codeine, morphine, heroin, synthetic opiates)
- Amphetamines
- Phencyclidine (PCP)
- Benzodiazepines
- Barbiturates
- Methadone
- Propoxyphene
- Metabolites of all substances listed above

Drugs may be added or deleted and PacifiCorp reserves the right to test for other controlled substances as necessary.



Methods and processes for testing (non-DOT)

Employees sent for non-DOT drug testing (random, post-accident, safety violation, reasonable suspicion, follow-up, and/or return-to-duty) are required to have the company drug and alcohol test form as well as identification (i.e., company ID or driver's license) to display at the collection facility. The form which should be completed by the supervisor provides information regarding the reason and type of test to be conducted. Upon arrival at the testing facility, the employee is required to provide a urine specimen and/or undergo a breath alcohol test (as allowed under state law).

For a breath alcohol test, the employee will be required to take the test using a certified breathalyzer device. If the first test indicates a breath alcohol level of .02 or more the collection technician will wait 15 minutes and a second confirmation test will be conducted with the breathalyzer. The confirmation test will be the final result. If the result indicates a breath alcohol level between .02 and .039 the employee will be sent home for the remainder of their shift and will be expected to participate in a mandatory EAP referral. If the result indicates a breath alcohol level of .04 or higher the test result is considered a positive result.

The collection process will follow the process described above, with these additions:

- A laboratory certified by the U.S. Department of Health and Human Services under the National Laboratory Certification Program will process all testing samples.
- A licensed physician qualified as a MRO (medical review officer) will review all negative and positive test results and the appropriate paperwork from the laboratory and testing facility.

Specimens will be sent off-site to a laboratory as indicated above for testing. If the test is positive, the MRO will contact the employee for verification. If there is no medical explanation for the positive test, the employee will be advised of their rights and the process for appeal. The MRO will notify the company representative of the test results and they will notify the employee's supervisor/manager. The employee will be sent home and will remain off work (unpaid leave) until a decision is made regarding a possible EAP assessment and return to work agreement or disciplinary action up to and including termination of employment.

If the test is for a non-DOT post-accident or safety violation, the "quick" test method will be used and preliminary results will be known immediately. All specimens collected will be sent to the laboratory for confirmation testing regardless of the result. If the quick test is negative then the employee can return to work. If the test result is positive, the collection technician will inform the employee and contact the company representative. The employee will be escorted home and will remain off work (unpaid leave) until the confirmation test result is received from the laboratory. If confirmed positive, the employee will remain off work on an unpaid leave until a decision is made regarding a possible EAP assessment and return to work agreement or disciplinary action up to and including termination of employment.



In what situations will testing occur?

Pre-placement testing

Each offer of employment is conditional upon the passing of a test for drugs.

Random testing

All employees, full and part-time, are subject to random drug and/or breath alcohol testing where permitted by state law. Employees will be notified by their supervisor when they have been selected for random testing. Upon notification, the employee shall report immediately to the collection site facility for testing. After completing the testing process, the employee is required to return to work, if the completion of the test is during normal working hours. If the test is completed after work hours then the employee should return to their home. If the test result comes back as a positive, the employee will be notified by the MRO. The MRO will also notify the employee benefits department who will notify the supervisor.

Random means that the substance tests are unannounced, that the individuals are selected on a random basis.

- Random testing will generally be conducted four times a year
- A third party administrator will be responsible for the random selection process
- The third party administrator and/or the employee benefits department will notify the supervisor of the names of the selected employees to be tested
- The notification communication will indicate to the supervisor whether the collection process will include alcohol and drug screening or drug screening exclusively
- The supervisors will coordinate the testing date
- The supervisor is required to hold notification of pending drug/alcohol testing from the randomly selected employees until the time of the appointment
- Each employee selected for testing shall be tested during a defined testing period
- Once notified of selection for a random test, the employee must immediately report to the facility for testing
- After completing the testing process, the employee is required to return to work unless instructed to do otherwise by the MRO or unless test results are positive

Reasonable Suspicion

It is not the responsibility of the supervisor or manager to diagnose personal or health problems but in situations where an employee appears or acts impaired, it is critical that an intervention occur immediately so the safety of persons and property is protected at all times. The appearance of impairment makes intervention mandatory.

A decision to test under the reasonable suspicion provision must be based on direct observation concerning the appearance, behavior, speech, or body odors of the employee.



Cause sufficient to justify testing will generally be based on the following physical, behavioral or performance indicators:

1. Direct observation by a supervisor of employee use;
2. Direct observation by a supervisor of employee possession of alcohol, drugs or drug paraphernalia
3. Direct observation by a supervisor of employee with behavioral signs and symptoms, such as slurred speech, unsteady walk or impaired coordination.
4. A near-miss event where actions of the employee are suspect, or where at-risk behavior or failure to follow safe work practices jeopardizes the safety of the employee, property or others

The employee shall not perform safety sensitive duties if the company supervisor believes, based upon behavioral, speech or other physical indicators, that the employee has violated the alcohol or drug prohibitions. In such case, the employee shall not return to duty until:

1. The start of his/her next regularly scheduled work period, but not less than 24 hours later (if alcohol) or
2. A test is administered and the employee's alcohol concentration measures less than 0.02 or
3. The employee is no longer impaired by drugs

Following an accident (non-DOT)

Necessary medical attention shall not be delayed in order to administer a test. If the situation occurred due to the reasonable possibility that drug or alcohol use was a contributing factor to the incident, then the employee should be tested. If there is no reasonable possibility, then the employee should not be tested. The test must be performed as soon as prudently possible, **but no later than 32 hours (for drugs) after the accident or preferably within two hours but no later than eight hours (for alcohol)**. If not performed within the required timeframe, the company shall document the reasons. If a manager or supervisor (rather than a government official) makes the decision to test, he/she should verbally inform the employee of the decision to test and should accompany or if necessary, drive the employee to the collection site location. In the case of a non-DOT accident, a quick test method may be used by the testing facility to perform the drug test. By using the quick test method the results of the test will be available immediately before the employee leaves the testing facility.

PacifiCorp is entitled to rely on blood or breath tests made on any employee involved in an accident at work if the test is administered by or at the direction of the person providing treatment or law enforcement personnel without request or suggestion by the company.



What are the sanctions for a positive drug test, refusal to test, or diluted/adulterated specimen(s)?

Any employee who has a verified positive, adulterated, or substituted test result will be immediately removed from work. The employee will be subject to employer penalties including discipline, termination, and/or return to work processes.

Refusal to submit to testing includes:

- Failure to appear for a test (except a pre-employment test) after being directed to do so within a reasonable amount of time;
- Failure to remain at the testing site until the testing process is complete;
- Failure to provide the necessary and sufficient specimens (where required) for the test when it has been determined through a required medical evaluation that there is no adequate medical explanation for the failure;
- Failure to permit to the monitoring of the collection of the specimen for the test (where required);
- Failure or refusal to take a second test that PacifiCorp or the testing facility requests or directs;
- Failure to cooperate with any part of the testing process (i.e., refusal to empty pockets when directed by the collector, or behaving in a confrontational way that disrupts the collection process);
- Tampering with, adulterating, or substituting a drug or alcohol test specimen;
- Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process.

What happens if I self-admit/referral prior to taking a random or reasonable suspicion D&A test?

Drug and alcohol dependency can be treated effectively if the individual receives professional help and cooperates in recovery. PacifiCorp provides an Employee Assistance Program (EAP) that offers a constructive way for employees to address drug or alcohol abuse before it affects job performance and requires disciplinary action.

Self-referral to the EAP is particularly encouraged. However, self-admission cannot be used as a way to avoid testing and/or mandatory referral. Those employees who self-refer before work performance problems arise may not be disciplined, nor need a return to work agreement to return to their positions. However, ongoing performance, attendance, or behavioral problems may result in disciplinary action up to and including termination.

How will the individual specimen be tracked?

All tests will be sent onto a laboratory certified by U.S. Department of Health and Human Services under the National Laboratory Certification Program and the specimen will be processed. The results of an individual urinalysis drug test must be tied to a specific employee. Therefore, the company has established a written chain-of-custody procedure to document proper sample identification and to ensure integrity and security from the



time of collection to the receipt of laboratory test results. Specifically, the goal of the chain of custody procedure will ensure that:

- All persons who handled the testing sample are documented;
- The specimen belongs to the employee whose initials are written on the label; and
- No one has adulterated or tampered with the testing sample.



Handling the transportation of the specimens from one authorized individual or place to another shall always be accomplished through chain of custody procedures, with each person signing when taking custody. Every effort shall be made to minimize the number of persons handling specimens.

How will the employee be informed of the results?

If the test result is positive, the employee will be contacted by the MRO. If the test result is negative the employee will not be contacted.

The physician retained by the company to act as its MRO is Paul Teynor, MD, MPH, 801-486-5400.

What is the role of the Medical Review Officer (MRO)?

The MRO shall review all negative and positive drug test results according to the MRO verification process. If the MRO receives a positive test result, the MRO will contact the employee directly and conduct a medical interview. If there is no medical cause for the positive test, the employee will be advised of their rights and the process for appeal. A confirmed positive test result will be reported to the company DER. All negative tests will be reported through the MRO drug testing process.

How can a retest be requested?

An employee can request that the initial specimen collected be retested by another qualified laboratory if they disagree with the initial testing results. The costs and obligations of a retest are the responsibility of the employee making the request. The employee will be reimbursed for the costs incurred in the re-analysis if the retest of the specimen is negative.

SECTION 2

Overview of Commercial Driver's License (CDL) Guidelines

The CDL guidelines are a subset of the PacifiCorp Drug and Alcohol Policy. They ensure compliance with U.S. Department of Transportation (DOT) regulations for commercial driver's license holders. Specific CDL regulations are only applicable to CDL drivers. All CDL employees will be subject to these regulations. All employees, CDL and non-CDL, whose job require driving will be held to a general standard for drivers as outlined herein and required by company policy. DOT regulations may be amended periodically and in turn these guidelines will also be amended. CDL holders are subject to, and are required to be aware of, all pertinent DOT regulations, the PacifiCorp CDL guidelines, and the PacifiCorp Drug and Alcohol Policy.



All company employees in job classifications that require a CDL (driver's) license will participate in all aspects of DOT-mandated drug and alcohol testing.

Government regulations require employees to have a CDL if they operate any of the following commercial motor vehicles (CMVs) on public highways:

- A single vehicle with a gross vehicle weight rating (GVWR) of more than 26,000 pounds
- A trailer with a GVWR of more than 10,000 pounds, if the gross combination weight rating is more than 26,000 pounds
- A vehicle designed to transport 16 or more persons (including the driver)
- Any size vehicle that requires hazardous materials placards
- Any size vehicle used as a school bus

Testing situations:

Federal regulations require annual testing for all CDL employees. Random means that the drug and/or alcohol tests are unannounced, that the individuals are selected on a random basis, and that the chance of being selected for screening each testing session is equal for all CDL employees,

- Random testing will generally be conducted four times a year
- A third party administrator will be responsible for the random selection process
- The third party administrator and/or the employee benefits department will notify the supervisor of the names of the selected employees to be tested
- The notification communication will indicate to the supervisor whether the collection process will include alcohol and drug screening or drug screening exclusively
- The supervisors will coordinate the testing date
- The supervisor is required to hold notification of pending drug/alcohol testing from the randomly selected employees until the time of the appointment
- Each employee selected for testing shall be tested during a defined testing period
- Once notified of selection for a random test, the employee must immediately report to the facility for testing
- After completing the testing process, the employee is required to return to work unless instructed to do otherwise by the medical review officer (MRO) or unless test results are positive

Pre-placement testing

Each offer of employment shall be conditioned upon the passing of a test for drugs. Pre-placement tests may be required when an individual is transferred or promoted to a position covered by DOT. This also applies to employees returning from a leave of absence who have not participated in the DOT random testing. A positive test results will preclude performing the functions of any position covered by DOT.



Reasonable Suspicion

Testing will be conducted if the employee's observable behavior, appearance, body odors, and/or speech suggest that there is reasonable suspicion that he/she is under the influence of drugs and/or alcohol.

Following an Accident

If the employee is a CDL holder, test under DOT only if one of the following applies.

1. If there is a loss of human life
2. If the employee was issued a traffic citation **AND** the accident involved bodily injury to any person requiring medical treatment away from the scene
3. If the employee was issued a traffic citation **AND** one or more of the vehicles involved were disabled and required to be towed away

Otherwise, the employee shall be tested under non-DOT post-accident testing guidelines (see non-DOT guidelines).

(For DOT testing, test as soon as practical following an accident involving an employee with a CDL. The company will test the employee for drugs and breath alcohol no later than two hours for a breath alcohol test or a maximum of eight hours for a breath alcohol test with record of explanation of the delay and 32 hours for a controlled substance test).

How can a retest be requested?

If the test result of the primary specimen is positive, the employee may request that the MRO direct the split specimen be tested in a different DHHS-certified laboratory for the presence of the drug(s) for which a positive result was obtained in the test of the primary specimen. If the results of the test of the split specimen fail to reconfirm the presence of the drug(s) or drug metabolite(s) found in the primary specimen, the MRO shall cancel the test and report the cancellation and the reasons for it to the company and the employee.

Prohibited Driver Conduct

The U.S. Department of Transportation imposes conduct restrictions on CDL holders performing "safety-sensitive" functions, which includes driving commercial vehicles. These restrictions include:

- No driver shall report for duty or remain on duty while using any controlled substance, except when the substance is prescribed by a licensed medical practitioner who has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle.



- No driver shall perform safety-sensitive functions within four hours after using alcohol.
- No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.02 or greater.

CDL Holders Self-Admit/Self-referral

Under company policy, an employee who admits to use and self-identifies prior to reporting to duty will not be subject to disciplinary action. The process for self-admittance of alcohol misuse or controlled substance misuse only applies if the employee self-admits prior to any issue creating a problem at work such that it requires management intervention and/or mandatory referral to the Employee Assistance Program (EAP). Self-admission is not applicable after management has approached an employee due to work related issues potentially arising from or caused by alcohol misuse or controlled substance use. Self-admission cannot be used as a way to avoid testing and/or mandatory referral.

Consequences of Violations

Any driver who has a verified positive, adulterated, or substituted test result, or who otherwise violates federal substance abuse laws for commercial drivers or company policy, and/or guidelines, will be immediately removed from performing safety-sensitive functions. The driver will not be returned to performing a safety-sensitive function until and unless the driver successfully completes the return-to-work process. The driver is also subject to employer penalties, including discipline, termination, and civil and/or criminal penalties. Please refer to Section 4 for Return to Work Conditions.

SECTION 3

Off-Duty Violations

If the company becomes aware of off-the-job substance or alcohol abuse (through knowledge of convictions, misdemeanors, and/or arrests), this information may be grounds for reasonable suspicion testing, mandatory EAP referral, and/or disciplinary action, up to and including termination depending on the circumstances.

Off-duty violations involving employees driving company vehicles will be addressed as follows:

Pending Loss of License

Employees (whose job functions require driving) who have been cited with an off-duty violation involving drugs and/or alcohol are required to notify their manager within 30 days following the event, but no later than the end of the business day following the day the employee receives notice of the license suspension, revocation, cancellation, lost



privilege, or disqualification. The employee will be required to provide proof of a current valid license and all relevant paperwork related to the citation, court dates, etc. If the employee has a valid license that allows driving, he/she is required to notify the company as to any change of driving status immediately. Employees are required to notify their manager regarding upcoming court dates and/or when a license is no longer valid. The employee may be provided with a pending loss of license letter by their manager and human resources/labor relations representative.

Loss of License

For employees whose job functions require driving, the loss of a valid driver's license for a drug and/or alcohol related offense is considered a violation under this policy. The loss of a license impacts an employee's ability to perform the requirements of their position and may impact their employment status. Employees are required to notify their manager before the end of the business day following the date the employee receives notice of the license suspension, revocation, cancellation, lost privilege, or disqualification. At the time an employee is convicted and has lost driving privileges, the company may provide a loss of licenses accommodation letter that will include being subject to a return to work agreement under the drug and alcohol policy. The employee will be required to sign a release of information and will be given a mandatory referral to the EAP for an assessment. The employee will be required to submit to the treatment recommendations of the Substance Abuse Professional (SAP) and will be subject to a return to duty drug and alcohol test. As part of the agreement the employee will also be required to submit to periodic unannounced follow-up drug and alcohol testing during the agreement period as directed by the EAP/SAP provider and/or the employee benefits department.

If it is determined that the loss of driving privileges cannot be accommodated, the employee will be notified regarding their employment status. If appropriate, the employee will be subject to the same process outlined above and will receive a loss of license letter outlining how their loss of license will be managed. The employee will remain off work until driving privileges are reinstated or they have exhausted the period of allowed time outlined in their loss of licenses letter, at which point they may be subject to termination of employment. Employees are eligible to use accrued personal time or vacation during this time away from work. If no accrued time is available, the time will be without pay.

SECTION 4

Employee Assistance Program

At the discretion of management and human resources/labor relations, employees may be subject to mandatory referrals to the EAP based on behavioral issues inappropriate for the workplace.



The EAP provider is Health Advocate, www.healthadvocate.com, 1-877-240-6863. For employees covered by IBEW Local 125, Local 57 Power Supply, Local 57 Power Delivery, Local 57 Laramie, Local 57 Combustion Turbine, the EAP provider is Horizon Health, www.myeap.com, 1-800-563-1046.

Return to Work Conditions

An EAP/SAP professional will recommend an appropriate program, which may include return-to-work stipulations. PacifiCorp may offer a return-to-work or accommodation agreement at its discretion. If offered, employees are limited to no more than one return to work or accommodation agreement. Violations in excess of these parameters will result in immediate termination. Refusal to submit to this process and the return-to-work conditions is grounds for immediate termination.

If offered a return-to-work or accommodation agreement and the employee wishes to accept, they must sign the agreement as a condition of continued employment. The supervisor will consult with the employee benefits department to prepare the agreement.

The return-to-work agreement will include the following as conditions of continued employment:

- Successful completion of the EAP assessment and/or prescribed program as necessary to return to work.
- Medical or EAP certification that the employee is fit to proceed with the return-to-work process and return to work, including a negative drug and/or alcohol test result. A negative result is required prior to an employee's eligibility to return. For employees that drive, a verified negative test result will be required before return to driving functions. Employees whose tests indicate dropping levels may remain eligible for the return-to-work process at the discretion of the company.
- An employee's agreement that, following their return to work, that they will be subject to unannounced follow-up drug and/or alcohol testing for 12 to 60 months, depending on the individual circumstances and recommendation from the EAP provider.
- Another violation of the PacifiCorp Drug and Alcohol Policy within the period of time designated in the return-to-work or accommodation agreement will result in immediate termination. Violations after the designated period of time may result in disciplinary action up to and including termination, depending on the circumstances.



SECTION 5

Definitions:

DOT	Department of Transportation
MRO	Medical Review Officer
SAP	Substance Abuse Professional
EAP	Employee Assistance Program
CDL	Commercial Driver's License
BAT	Breath Alcohol Test
RTWA	Return to Work Agreement
DER	Designated Employer Representative
Positive	Positive is defined as any result other than a negative and includes the following: positive, substituted, invalid, and cancelled and/or refusal to test
Adulterated specimen	Specimen that contains one or more chemical(s) purchased for the distinct purpose of obscuring the presence of drugs. The presence of the obscuring chemical can be interpreted as a "confirmed positive" for the presence of drugs.