1.0 Statement

The purpose of this Policy is to provide a comprehensive framework which promotes a safe working environment, establish a clear priority on the health & safety of the Company’s employees, minimize the risk of damage to Company Worksites, and to enhance and conserve the Company’s reputation with its customers and business partners. This Policy has been implemented in consideration of the fact that the Company operates an industrial engineering and technology based business which necessitates vigorous monitoring of its health and safety protocols and procedures.

2.0 Scope

This Policy shall apply to all workers located in the Worksite or on Company Worksites. In the case of non ABB employees, third party partners will need to demonstrate that they are subject to equivalent or more stringent requirements, administered and fully implemented than those contained in this Policy. Certain extracts of this Policy are specifically applicable to workers operating or circulating within a Safety Sensitive environment.

3.0 Authority

Any modification to this policy must be approved by the country Manager and Vice-President, Human Resources.

4.0 Description

4.1 Definitions

Definitions that apply to this policy are listed in Appendix 1.

4.2 Responsibilities

Each stakeholder covered by this Policy shares an equal legal and moral duty to ensure its successful implementation for the safety and wellbeing of all. This includes the duty to identify and report all safety issues and breaches of the Policy to the Company representative.

4.2.1 Company responsibilities:

- Emphasize the need for enhanced work safety practices at Company Worksites;
- Ensure that all individuals in supervisory or management position have an obligation to intervene in situation where an employee may be under the influence of Drug and/or Alcohol while at the Worksites and are required to assist in managing this Policy;
- Set out and communicate standards with respect to addressing Drug and/or Alcohol use at the Worksite and to make these standards available to all Company;
- Provide access to confidential assistance and treatment through the Company's sponsored service provider, as required and appropriate;
- Support the rehabilitation and return to work of workers who have overcome problems with Drug and/or Alcohol dependency;
- Insure that all workers are treated fairly and with respect;
- As required, take appropriate disciplinary measures against those supervisors/Manager and Company workers, contractors, consultants, subcontractors and visitors to abide by this Policy.

### 4.2.2 Employee responsibilities

- All workers are expected to perform their job in a safe and responsible manner, in accordance with the law and the requirements of the present Policy;
- Read and understand the Policy and their corresponding responsibilities under it;
- Report and remain fit for duty for any and all scheduled work while at the Worksite, at a Company Worksite, or while on Company Business;
- Seek advice and follow recommendations if they have a current or emerging Drug and/or Alcohol dependency, through their own counsellor or any Company sponsored third party service providers and follow recommended monitoring programs after attending treatment;
- Cooperate with any work modifications arising from a Drug and/or Alcohol dependency or its treatment, consistent with the Company's safety concerns;
- Intervene as appropriate, encourage a co-worker to access assistance before a Drug and/or Alcohol dependency impacts performance or safety or before a co-worker violates the present Policy;
- Corporate with the implementation and application of this Policy and with an investigation into its violation, including any request to participate in the testing program as and when required to do so.
- Because all individuals working at the Company have a shared responsibility for safety at the Company Worksites, workers are encouraged to look out for other workers and visitors who may compromise the health and safety objectives of the present Policy. Workers are expected to take appropriate action to ensure that no individual remains in an unfit condition at the Worksite or at a Company Worksite, by ensuring that a Supervisor/Manager is advised of the situation.
- Given that workers at Company Worksites are in regular contact with customers, suppliers, distributors or business partners of the Company, it is expected that they shall behave at all times in the best interest of the Company and uphold the reputation, values and standards of the Company. In addition, Company workers who are performing work at a Company Worksite or who are otherwise on Company Business at a Company Worksite will be required to respect the applicable health and safety standards of the Company Worksite. In particular, workers are expected to continue to uphold the standards and principles of the present Policy and to submit to any additional requirements that are mandated by the Company Worksite which includes compliance to the Drug and/or Alcohol Policy of any of the Company’s customers and suppliers.
- In the event of site-specific testing is required by a third party, and to the extent it is possible to do so, the Company will notify the employee of such requirements in advance, so as to minimize any inconveniences experienced by Company workers.
4.3 **Prohibition**

In pursuit of the objective of this Policy, the following standards have been established for all workers and visitors who work or are located at the Worksite, at Company Worksites or who conduct Company Business.

4.3.1 **Illicit drugs**

The use, consumption, possession, trafficking, distribution, offering or sale, manufacturing, dispensing or transferring of Illicit Drugs or Illicit Drug paraphernalia while at the Worksite, at a Company Worksite or on Company Business, is strictly prohibited. Being under the influence of Illicit Drugs while at the Worksite, at a Company Worksite or on Company Business, is strictly prohibited.

4.3.2 **Alcohol**

All workers (Excluding workers in Safety-Sensitive Environment)

The use, consumption, distribution, offering or sale of Alcohol and the possession of open containers of Alcohol when at the Worksite or at a Company Worksite, is expressly prohibited. Outside of the Worksite or outside Company Worksite, all Company workers are expected to use and consume Alcohol responsibly in the course of Company Business or during the course of their work day.

Workers who are at the Worksite, at a Company Worksite or on Company Business must remain at all times fit for duty and able to effectively perform their assigned work. **It is prohibited for any employee to have an alcohol level in excess of .05% or more while at the Worksite, at a Company Worksite or on Company Business.**

In addition, workers must not use any Drug and/or Alcohol following an Incident or a Near Miss in which they are directly or indirectly involved, until they have been cleared for testing by the authorized Supervisor/Manager and are no longer at the Worksite, at a Company Worksite or on Company Business;

4.3.3 **All workers within a Safety-Sensitive Environment (refer to appendix 2)**

In addition to all other requirements of this Policy workers performing or circulating within Safety-Sensitive Environment must not report for work or circulate within safety sensitive environment while under the influence of Alcohol, of any quantity, whether at the Worksite, at a Company Worksite or on Company Business.

4.3.4 **Medication**

All workers are expected to use Medication in a safe and responsible manner. The intentional misuse of Medication (e.g. using Medication in a manner that is different from the way it has been prescribed, using someone else’s prescription Medication, combining Medication and Alcohol use against direction) while at the Worksite, at a Company Worksite or on Company Business, is strictly prohibited.

In case there are reasonable doubts that the medication may impair or inhibit a worker’s ability to perform his or her job safely and productively, workers who are performing and circulating within Safety-Sensitive environment must have first obtained a written authorization from an appropriate licensed medical physician stating that the Medication they are using will not affect their ability to safely operate equipment/vehicle or safely perform their duties or circulate within Safety sensitive environment. In the case workers employed in Safety-Sensitive environment, may be assigned to modified work duties or any other alternate arrangement a medication could affect their ability to perform their duties determined by the Company, in order to minimize risks.
4.3.5 Fitness for duty

Being unfit for assigned scheduled work due to the use or after-effects of Drug and/or Alcohol is prohibited. Specifically, all workers are expected to report fit for duty for any and all scheduled work, and to remain fit for duty when at the Worksite, at a Company Worksite or on Company Business on while on call service. If unexpected circumstances arise where an employee is requested to perform unscheduled services while under the influence of Drug and/or Alcohol, it is the responsibility of that employee to refuse the request and ask that the call to work be delegated to another person.

4.4 Testing applications

Company workers will be subject to Drug and/or Alcohol testing in the following situations, as well as any others which may be validly invoked by the Company, at its discretion, given the particular circumstances:

4.4.1 Reasonable grounds

Testing may be required whenever the Company has Reasonable Grounds to believe that an individual's actions, appearance or conduct while at the Worksite, at a Company Worksite or on Company Business, indicate an impairment related to Drug and/or Alcohol use. Decision for testing will be made by a Supervisor/Manager. The employee to be tested will not return to work until results have been obtained and they have received permission to return to their posting.

4.4.2 Post incident or near miss

The decision to refer an employee or a group of workers, for a test will be made by the Supervisor/Manager investigating the Incident or the Near Miss, as the case may be. The following procedure will apply:

- the need for a test must be documented as soon as practical after the triggering event;
- the individual referred for a test will only be those who are identified as having been directly involved in the chain of acts or omissions leading up to the event or their direct supervisor present at the time of the events; and may not be necessary if there is clear evidence that the acts or omissions of workers could not have been a contributing factor (e.g. structural or mechanical failure);
- the workers to be tested must not consume Drug and/or Alcohol until after the test has been completed or until they are advised no further testing is required. Since all workers involved in an Incident or a Near Miss are subject to Alcohol and Illicit Drug testing, they are to report the situation to their Supervisor/Manager as soon as possible after the triggering incident and participate fully in any subsequent investigation.

4.4.3 Condition of continued employment

In those situations where an employee’s continued employment is subject to a specific agreement governing their adherence to the Policy and/or Drug and Alcohol Program, the worker may be required to pass a return to work test and may be subject to unannounced Drug and/or Alcohol testing for a specified period of time.
4.4.4 Pre-access testing

Pre-access testing requirements will be defined by Company customers:

Some Company customers require that contractor representatives that will be attending or working at their sites undergo pre-access Drug and/or Alcohol testing. This is a condition of doing business with them, and all personnel must comply in order to access a defined site. The test must be typically completed in the last 30 days before the worker goes to site. In the case a worker refuses to be tested, he will not be sent to the Company worksite(s), and the Company will not be compelled to find other work for this worker. In the case a Worker is tested positive, the individual will be subject to additional testing before reintegration and will be under unpaid leave until confirmation the workers is fit for duty.

4.4.5 Post treatment

Drug and/or Alcohol testing may be used as a monitoring tool for a specified period of time, as determined on a case-by-case basis to support the recovery of any employee assuming duties after primary treatment for a Drug and/or Alcohol dependency.

When the employee has participated in a Drug and/or Alcohol treatment program, the employee may be subjected to periodic and unannounced testing for a specified period of time, upon re-entry to a Safety-Sensitive Environment.

4.4.6 Other circumstances

Any other circumstances / environment which may justify Drug and/or Alcohol testing by the Company for a third party service provider.

4.5 Consequences

4.5.1 General expectations

Any worker who fails to comply with this Policy or any Supervisor/Manager who knowingly permits a worker under his or her supervisor to fail to comply with this Policy is subject to appropriate disciplinary action up to and including termination of employment. Any violation of the present Policy shall be applied in accordance with any applicable code of discipline. Given the particular circumstances applicable to any violation of this Policy, the Company, at its entire discretion, will treat said violation as either a "major violation" or a "serious violation" of the Code of Discipline, as both terms are defined and applied in said Code of Discipline.

4.5.2 Grounds for termination

Some violations are considered sufficiently serious that termination of employment will be justified upon a single occurrence. Such violations include, but are not limited to, the following examples:

- Trafficking, manufacturing, distributing, dispensing or transferring of Illicit Drugs at the Worksite, at a Company Worksite or on Company Business;
- Sale of Illicit Drugs at the Worksite, at a Company Worksite or on Company Business;
- Possession or use of Illicit Drugs or Illicit Drug paraphernalia at the Worksite, at a Company Worksite or on Company Business;
- Consumption of Alcohol at the Worksite, at a Company Worksite when the employee is working in a Safety-Sensitive Environment;
4.5.3 Use of motor vehicle operation

All workers who regularly or periodically operate any motor vehicle on behalf of the Company must maintain a valid driver’s license as a condition of employment and those duties are considered as included in the safety sensitive environment. Any loss of license must immediately be reported to the Employee’s Supervisor/Manager, and the Employee will not be qualified to drive on behalf of the Company while on suspension.

4.5.4 Conditions of continued employment

In the event of a violation of the present Policy, should the Company determine that continued employment will be subject to a specific agreement entered into between the Company and the affected employee, it may, at its entire discretion, require that one or more of the following conditions are applicable:

- that the employee be temporarily removed from his/her position;
- that the employee be assessed by a Drug and/or Alcohol dependency professional to determine the need for a structured treatment;
- that the employee adhere to a recommended treatment and after-care program;
- that the employee maintain sobriety and satisfactory performance upon his/her return to work;
- that the employee successfully complete any assessments or examinations, so as to determine his/her ability to return to work;
- that the employee undergo unannounced Drug and/or Alcohol testing, given the circumstances, for a specified period of time;

4.6 Prevention, Assistance, Rehabilitation, Aftercare

4.6.1 Prevention

The Company recognizes that Illicit Drug and/or Alcohol dependency is a preventable and treatable condition, and that early intervention greatly improves the chances of lasting recovery. Therefore, this Policy recognizes the importance of prevention and early identification of potential problem situations.

The Company believes that employee awareness of the safety and health risks of Illicit Drug or Alcohol dependency is the most effective means of preventing misuse and of promoting employee health and Worksite safety.

Therefore, the Company will continue to promote ongoing education addressing health and safety hazards and the process to access assistance. Workers are encouraged to seek professional assistance in overcoming Drug and/or Alcohol problems and are invited to contact their physician or Human Resources department for more information about the potential benefits and services available under employee medical benefit plans and any possible referral sources.
4.6.2 Assessment, Rehabilitation

Individuals who believe they may have a current or emerging Drug and/or Alcohol dependency are encouraged to seek advice and to follow appropriate treatment promptly before work performance or attendance is affected or violations of this Policy occur.

Confidential assessment, counselling, referral and aftercare services will be provided for all workers through the Employee Assistance Program initially. Workers needing help in dealing with a Drug and/or Alcohol dependency are encouraged to seek this confidential assistance. Workers will therefore be expected to provide a full collaboration to any rehabilitation treatment and remain sober afterward.

No employee with a Drug and/or Alcohol dependency will be disciplined for voluntarily requesting help in overcoming their problem, provided that the help is requested prior to being notified that they must report for a test under this Policy or before violating this Policy. Accessing assistance does not eliminate the requirement for participation in an aftercare program, and maintenance of satisfactory performance levels.

Where in the opinion of a qualified professional there is a risk after rehabilitation that an employee could not perform their work duties in a safe and secure manner, the individual will be removed from duty until they are able to safely return to work. Workers performing within Safety-Sensitive environment that have sought assistance and entered a treatment program will be removed from their current work environment until they are able to safely resume their regular duties.

4.6.3 After-Care

All workers who complete primary treatment (for Illicit Drug and/or Alcohol dependency) may be required to participate in an after-care program when returning to duty in order to help them maintain recovery. Human Resources in consultation with an external authorized treatment provider will determine the appropriate after-care arrangements on an individual basis.

4.6.4 Confidentiality

Confidentiality will be maintained 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, to others or to the Company) or is required by law. Only information that is strictly limited to determining an employee’s ability to return to work and perform his or her duties may be shared with Company Supervisors/Managers or Human Resources.

5.0 Revision and approval

5.1 Revision date  Description of change
- March 16, 1999  New
- January 2011  Update
- November 2011  Changes to the format of the policy

5.2 Approval
Definitions

a) **Alcohol**: Any beverage containing any quantity of alcohol, including, beer, wine and distilled Spirits.

b) **Company**: ABB Inc., as well as all of its parent, affiliated, related and subsidiary companies.

c) **Company Business**: Refers to all activities undertaken by workers in the course of their employment for the Company, conducted at a Company Worksite, at the Workplace or otherwise.

d) **Company Worksite**: Includes Company property and any client or customer worksite to which Company workers and contract workers have been assigned for the purpose of conducting Company Business or any other location where they execute such work including but not limited to supplier, vendors, clients worksites.

e) **Drug**: Means any substance, including Drugs or Medications, the use of which has the potential to change or adversely affect the way a person thinks, feels.

f) **Incident or Near Miss**: A serious incident, event, occurrence, circumstance, or condition that caused or had the potential to cause a serious injury to individuals at the Company Worksite, to other individuals, to cause damage to the Company Worksites (including tools, equipment, machinery and installations or any kind), to the Company’s reputation or to cause damage to the health and safety of Company workers and / or environment.

g) **Medication**: Includes a Drug obtained legally, either over-the-counter (with or without the assistance of a pharmacist) or through a prescription issued by an authorized medical practitioner. For the purposes of this Policy, medications of concern are those that inhibit a worker’s ability to perform his or her job safely and productively.

h) **Policy**: The present Drug and Alcohol Policy, as amended.

i) **Reasonable Doubt**: Includes information established by the direct observation of the employee’s conduct or other indications, such as the physical appearance or behaviour of the employee; the smell associated with the use of Alcohol or Drugs on his or her person or in the vicinity of his or her person; his or her attendance record or unexplained absences during regular work hours; circumstances surrounding an Incident or Near Miss and the presence of Alcohol and/or Drugs or Drug paraphernalia in the vicinity of the employee or the area where the employee was working.
j) **Risk Environment**: An environment where the level of risk is substantial given the activity which is taking place in a given area. The risk factors associated to a Safety-Sensitive environment is one in which a state of incapacity due to impairment resulting from illicit drugs, alcohol or medication, could result in direct and significant risk of injury to the incapacitated individual, to others, to Company property, to a Company Worksite, to the Workplace, or to the environment; or one whose incumbents are required by applicable laws, regulations or industry norms to participate in drug and alcohol prevention programs. The present definition also includes all Company workers who are required to temporarily, periodically perform, circulate in Safety-Sensitive Environment, for any reason whatsoever, or who may perform said duties from time to time. Examples of Safety-Sensitive Environment are listed in appendix 2).

k) **Supervisor / Manager**: Means the individual accountable for a particular facility, department or area, including managers, supervisory positions who are directly responsible for the performance of individuals

l) **Worker**: Includes all individuals under a contract of employment with the Company; contractors, subcontractors and temporary workers, business partners, whether unionized or not.

m) **Safety-Sensitive Environment**: Safety-Sensitive environment requires that all individual working or circulating in the said areas must be alert, can exercise sound judgment at all times, accuracy of coordination of multiple muscle functions, and have a direct or indirect role in an operation where inappropriate performance of the task could result in harm to the individuals co-workers, contractors, sub-contractors, customers, business partners, visitors, the general public, the Workplace, a Company Worksite or to the environment. It is the responsibility of each Company site manager to establish from time to time and amend, as required, a list of areas that are included as a part of the “Safety- Sensitive Environment”. Any such list or modification thereof shall be approved in writing in advance by the Company’s national health and safety director (refer to appendix 2 for list of safety sensitive environment).

Updated January 1st, 2011
In the context of this Drug and Alcohol Policy the following work areas or contexts found at any Company Worksite, are included hereafter as part of Safety Sensitive Environments but not limited to the following, any:

- manufacturing, maintenance, shipping/receiving areas;
- electrical testing area;
- electrical troubleshooting context, regardless of voltage;
- area where manipulation and handling of heavy machinery, equipment or tools is taking place;
- locking or tagging out context;
- context of transportation of equipment, raw material, or finish product;
- context of field work including field service and maintenance;
- work driving context where an ABB owned or leased vehicle is operated;
- area or context where manipulation and handling of hazardous and or toxic substances is occurring;
- other areas or context which are elected by worksites Managers/ Leaders.

While those work areas or contexts constitute Safety-Sensitive Environments, the company reserves itself the right to review, amend and modify this list at any given time without prior notice with the signature and approbation of the National Environment, Health and Safety Director.

Updated January 1st, 2011