




# ITC Employee connection GUIDE

<b>SECTION</b>	<b>SAFETY &amp; SECURITY</b>	<b>Document #</b>	ECG-SAF-003	
<b>Title</b>	Drug and Alcohol Policy	<b>Date Issued</b> <b>Revision Date</b>	01/01/2018 05/01/2022	
<b>Applies to</b>	All Employees	<b>Owner</b>	Human Resources	

It is ITC’s commitment to provide all employees with a safe and healthy workplace. The abuse of drugs or alcohol may threaten employee safety, the quality of our services, and ITC’s ability to operate effectively and efficiently.

Substance abuse limits our ability to do our work safely and with the quality we expect. We must never work while impaired by alcohol, drugs, prescription, or over-the-counter medications. We must never use, possess, transfer, or sell such substances during working hours or while on ITC business at or away from Company premises. Employees may possess and take over-the-counter and prescription medications during the workday so long as they are taken as directed or prescribed and do not cause impairment.

ITC recognizes business circumstances, from time to time, may require or allow attendance at social events or functions at which alcoholic beverages are served. In those situations, an employee may consume a minimal amount of alcohol, provided the employee’s conduct and demeanor remain businesslike and professional at all times, and provided further that the employee does not thereafter drive or otherwise engage in any hazardous activity if the alcohol consumed would impair or affect the employee’s ability to perform those activities or does not violate the law.

As part of ITC’s efforts to maintain a safe workplace and to deter drug and alcohol abuse, ITC reserves the right, at its discretion, to conduct drug and/or alcohol detection testing in accordance with this policy and applicable law.

**DEFINITIONS**

- **Prohibited Substance:** A “prohibited substance” is alcohol, illegal drugs, (under applicable federal or state laws), prescription drugs not validly prescribed or taken as directed, or any substance that affects an employee’s ability to safely and competently perform their job.
- **Reasonable Suspicion:** “Reasonable suspicion” includes any one or more of the following (a) direct observation of substance abuse or related impairment while at work, (b) abnormal conduct or significant deterioration in performance while at work including excessive or unexplained absenteeism or tardiness, (c) a credible report of alcohol or drug use, (d) evidence of tampering with a drug test, (e) evidence that an employee has caused an accident while at work causing sufficient injury or damage to require a report to OSHA or the state equivalent, or (f) evidence

that an employee has made, sold, possessed or used drugs or alcohol inappropriately while on Company time or premises, or while using Company property of any kind (including but not limited to vehicles, equipment, hardware or software) or while on ITC business at or away from Company premises.

- **Sensitive Business Systems:** “Sensitive Business Systems” include facilities, and any ITC asset that if damaged could seriously limit ITC’s ability to reliably operate the Bulk Electrical System and if internally attacked could impact grid operations throughout any portion of ITC’s footprint, such as any assets that are associated with protection of the Transmission Management System (TMS) including:
  - Operations Control Centers
  - Security Command Centers
  - Novi TMS Server Room
  - Ann Arbor Server Room
  - Novi HQ & Ann Arbor TMS Labs
  - Cedar Rapids SCADA Protocol Translations (SPTs)
  - Any Cyberlock for door access to any area listed above
- **Under the Influence:** “Under the influence” means
  - Alcohol - a level at or above the allowable threshold
  - Marijuana
    - If illegal in the state where tested - any detectable level
    - If legal in the state where tested - a level at or above the allowable threshold
  - Other prohibited substances - any detectable level without a valid prescription

**PROHIBITIONS**

- An employee shall not manufacture, or otherwise acquire or possess, sell, use, transfer, trade or distribute in any manner, any prohibited substances while on Company time or premises, or while using Company property of any kind (including but not limited to vehicles, equipment, hardware or software) or while on ITC business at or away from Company premises.
- Employees may not be under the influence of any prohibited substance on Company premises or while on ITC business, and alcohol consumption is generally not permissible during working hours or while performing work activities. However, ITC recognizes employees may occasionally attend ITC social functions or events in which employees may consume a moderate amount of alcohol. Under these circumstances, alcohol consumption should never affect an employee’s ability to safely or competently perform their job.
- ITC recognizes some states permit certain individuals to possess and use marijuana and/or cannabis related products for medical and/or recreational purposes. ITC complies with all state laws regarding the rights of medical marijuana license holders and those for recreational use and/or possession. Nonetheless, ITC still strictly prohibits employees from the manufacture, sale, trade, possession, consumption or distribution of marijuana or cannabis related products while on ITC business at or away from Company premises or while using Company property of any kind



(including but not limited to vehicles, equipment, hardware or software). (Note: If you are employed in the State of Illinois and believe you have been disciplined or discharged for reasons related to your medical marijuana use, you may contest the action by contacting the Director of Human Resources within ten (10) days of the adverse action.), ITC will not discriminate against employees or applicants who are medical marijuana licensees under state law.

## **DRUG AND ALCOHOL TESTING**

ITC is committed to ensuring all test results will be kept confidential and testing procedures will comply with federal and state laws.

Tests will be performed to detect the following substances:

- Amphetamines
- Barbiturates
- Benzodiazepines
- Methaqualone
- Marijuana
- Methamphetamine
- Opiates
- Phencyclidine (PCP)
- Propoxyphene
- Cocaine
- Alcohol (not applicable to pre-employment)

Alcohol and/or drug testing may be required under the following circumstances:

- **Pre-employment:** All applicants are subject to drug testing following a conditional offer of employment. Following a conditional offer, applicants will receive a copy of the Company's drug and alcohol policy prior to any pre-employment testing.
- **Post-employment:**
  - **Reasonable Suspicion:** An employee may be required to undergo a test if ITC has a reasonable suspicion that he or she is impaired by the use of drugs and/or alcohol. The employee typically will be transported by a Company representative or arrangements will be made for transportation to the specimen collection site for testing and for suitable transportation to the employee's home from the testing site.
  - **Random:** Employee with access to Sensitive Business Systems may be subject to a random drug and alcohol test during working hours. Testing selection will be done at random. This selection is computer generated to ensure it is indeed random and each person in the testing population has an equal chance of being selected for testing, regardless of whether that person was recently tested or not.

## **TESTING PROCEDURES**

- Drug and alcohol testing will normally occur during, or immediately before or after, a regular work period. The time required for testing is considered work time for purposes of compensation.
- ITC will cover reasonable transportation costs to employees being tested.
- All drug and alcohol testing will take place at a certified laboratory.
- Testing may involve examining samples of employee's breath, urine, saliva, or any other specimen permitted under applicable law.
- Collected samples will be tested for drugs and alcohol as permitted under applicable law.
- Results of drug and/or alcohol testing will be handled and administered in accordance with applicable law(s).
- Employees will receive written notification of confirmed positive test results.
- The certified laboratory automatically completes confirmatory testing upon positive drug and/or alcohol test results.
- No drug or alcohol testing will be done without the written consent of the employee. However, **an employee who refuses to submit to a test under any of the circumstances described above or attempts to defeat the test or improperly alter its results will be subject to termination of employment.**

## **TESTING FAILURE OR REFUSAL TO PARTICIPATE**

- An employee who tests positive for drugs and/or alcohol in both the original and confirmatory tests may be subject to discipline up to and including immediate termination.
- Upon receipt of a positive test, employees may provide the Company with any information potentially relevant to the test results within seven (7) days of the positive result.
- Employees who test positive will have an opportunity to participate in a substance abuse evaluation or treatment. If an employee refuses to participate in such evaluation or treatment or fails to successfully complete such program, the employee may be subject to discipline up to and including termination.
- An applicant who tests positive may be subject to refusal to hire or offer withdrawal.

## **PRESCRIBED AND OVER-THE-COUNTER MEDICATION**

While the misuse or abuse of drugs or alcohol is strictly prohibited, ITC does allow the proper use of over-the-counter medications or prescription drugs taken at the direction of a physician. Any prescription medication should be medically prescribed to the employee and carried in its original container with a label from a licensed pharmacist. Use of prescription or over-the-counter medication should not inhibit or impair an employee's ability to perform their job. If an employee is taking prescription or over-the-counter medication which affects their ability to perform their job safely and effectively, the employee must immediately notify their leader or Human Resources.



## **REPORTING DRUG OR ALCOHOL RELATED VIOLATIONS OF LAW**

Employees and leaders have reporting obligations for certain violations of law related to drug or alcohol related offenses. Refer to the “Duty To Report Violations Of Law” section of ITC’s Guidelines of Conduct Policy ECG-EMP-004 for further information and instruction.

## **SUBSTANCE ABUSE ASSISTANCE**

ITC encourages identification and treatment of alcohol and/or drug dependency. Employees with questions or concerns about substance abuse or dependency are encouraged to contact ITC’s Employee Assistance Program (EAP) located on The Station for assistance and information on local drug and alcohol rehabilitation programs.

## **TRAINING**

Leadership involved with administering this policy will attend training in accordance with legal requirements.