

**EASTERN FOSSIL /HYDRO GENERATION
CONTRACTOR DRUG AND ALCOHOL FITNESS FOR DUTY POLICY**

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RECOMMENDED:

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FITNESS FOR DUTY SPECIFICATIONS FOR CONTRATORS

1.0 INTRODUCTION

PPL is committed to providing safe, dependable and economic service to their customers, maintaining a safe work place and promoting high standards of employee health. Accordingly, PPL requires its on-site contractors working in our Eastern Fossil-Hydro Generation (EFHG) facilities to have a written fitness for duty or a drug free workplace program in place, that conforms to the standards outlined in this policy.

2.0 GENERAL

Contractors engaged by PPL have the sole responsibility for ensuring that their employees are physically and mentally fit for their positions and perform their jobs in accordance with the highest standards of safety and security.

PPL requires, as a condition for doing work, that contractors assign only those employees who are not under the influence of drugs and alcohol . To meet this requirement, the contractor is required, at a minimum to comply with the requirements set forth herein.

The obligations imposed by this policy specification do not supplant, detract from or otherwise modify any obligations imposed by law. PPL contractually may impose additional obligations on its contractors, depending on work conditions supervisor evaluations or work related incidents.

Contractors are required to inform their employees of this Drug and Alcohol Policy and of the actions which will be taken in response to a violation of this Drug and Alcohol Policy.

3.0 DRUG AND ALOCHOL POLICY

a. Prescribed or Over-the-Counter Medication

The contractor's policy must include a requirement that the contractor's employee's inform their supervisors if they are taking any prescribed or over-the counter medication which may affect or impact the contractor employee's ability to properly or safely perform job responsibilities. Notification to the supervisor of prescribed or over-the counter medication may not only aid in avoiding a safety hazard, but also help to explain potential "fitness for duty" concerns that could arise if, for example, the medication causes drowsiness or lack of coordination.

b. Prohibited Conduct

The contractor's policy must address the following conduct which is prohibited on PPL premises. PPL's premises include parking lots and vehicles and all areas where PPL performs work, whether or not owned or leased by the Company. Off-duty use is also prohibited on PPL premises including buildings, parking lots, and Company vehicles.

- (1) The sale or distribution of drugs or alcohol.
- (2) The use, possession, concealment or purchase of drugs or alcoholic beverage while on PPL premises or while on duty. All alcoholic beverage containers whether opened or unopened are prohibited. On-duty includes paid and unpaid break and meal periods. PPL's premises include parking lots and vehicles and all areas where PPL performs work, whether or not owned or leased by the Company. Off-duty use is prohibited on PPL premises including buildings, parking lots, and Company vehicles.
- (3) The on-duty impairment of any contractor employee due to the use of drugs or alcoholic beverages, or an impermissible level of drugs or alcohol in the system while on duty.
- (4) Off-duty and off-premises involvement with drugs or alcohol which has or may have an adverse impact on PPL. Such conduct may have an adverse impact where, for example, it has or may have an effect on an employee's ability to perform his or her duties, may endanger the safety of employees or the public, may damage PPL's reputation for providing safe and dependable service to the public, or may undermine the public's or government's confidence in the company.
- (5) Where the medication may interfere with safe job performance, the use of prescription or over-the counter medications while on duty or on the premises is prohibited.

4.0 CHEMICAL TESTING AND TIMING

- a. To provide a means to deter and detect substance abuse and to ensure that contractor's employees performing work at EFHG facilities are fit-for-duty while on the premises of PPL. Contractor employees shall be required to submit to drug and alcohol testing as requested. As part of the contract award, PPL will determine whether to include contractor employees in the site testing program based on the critical aspect, physical nature, and location of the work.
- b. Substance testing shall, at a minimum, be conducted for alcohol, marijuana, cocaine, opiates, amphetamines, and phencyclidine. Said testing program will include all or part of the following

***Drug cutoff levels are specified in Exhibit "A" page 9.**

- ◆ Initial Testing - A contractor's employee who has not been tested may begin work provided the contractor's employee's sample will be collected within the first forty-eight (48) hours. Once the employee provides a sample, the employee may be allowed to work pending results of the drug and alcohol test.

There is no need to retest contractor employees if :

- 1) they tested negatively at another PPL facility within the past six months.
- 2) If they can provide written documentation of participation in an ongoing Contractor Drug and Alcohol testing program.

- ◆ Testing for-cause. The contract employee shall be subject to mandatory drug and alcohol testing in accordance with the following.. PPL and or the Contractor may request employee to provide a breath, saliva or urine specimen for alcohol or drug testing under the following circumstances
 - a) Reasonable cause is established to suspect that a contractor employee's work performance or on-the-job behavior is affected in any way by drugs or alcohol, or
 - b) A Contractor employee may have contributed to an on-the-job accident that resulted in a fatality, bodily injury, or damage to property.

Refusal to take such tests under these circumstances will be grounds for immediate removal from PPL facilities. The Contractor shall document in writing the incident and the reasonable-cause basis for such testing. The documentation shall specify the contract employee actions, the job site, the date and time, and the length of observation of the activity and shall be signed by the supervisor who observed the incident.

- ◆ Random testing – Selection by a lottery pool of contractor's employees at the PPL facilities to be administered by an Independent Agent. A 10% per month random sample of contractors included in the program must be accomplished at each site as defined by EF&H.
- ◆ Return to duty testing – Following positive drug or alcohol test results, contract employees must successfully complete rehabilitation and/or counseling before returning to work at a PPL facility. These employees are subject to a return-to-duty test.

The contract employee will not be permitted to begin work until negative test results are received.

5.0 ADMINISTRATION OF SITE CHEMICAL TESTING

A. Testing Administration – Minimum Standards for Testing

1. All testing will be conducted through a third party.
2. The contractor shall provide to PPL a written list of those contractor employees to be used on the property in the performance of work specified by the contract. Contractors should refer to 4.0(a) regarding Chemical Testing and Timing requirements
3. Photo I.D. is required when employees go for testing as part of PPL's program.
- 4 . The DHHS "Mandatory Guidelines for Federal Workplace Drug Testing Programs", and subsequent amendments thereto are applicable to contract employees who are working at a PPL facility. These guidelines shall be administered by a third-party administrator engaged on behalf of PPL and shall cover split specimen collections procedures, chain-of-custody procedures, laboratory qualifications, testing methodologies, quality control procedures, and reporting requirements.
5. The screening test of breath for alcohol performed at the collection site shall be conducted using either an evidential-grade breath alcohol analysis device or a Saliva alcohol test of a brand and model that conforms to National Highway Traffic Safety Administration (NHTSA) standards and to any applicable State statutes. An alcohol breath test will be deemed positive when a second confirmatory breath alcohol test has resulted in a concentration of .04 or above or such level in the future that may be established by the U. S. Department of Transportation as the allowable limit of breath alcohol content. All confirmatory tests must be conducted using an evidential-grade breath alcohol analysis device as noted above. Individual contractors may have a concentration lower than .04 as defined in their organization's testing policy.
6. In order to ensure the full reliability and accuracy of drug assays, the accurate reporting of test results, and the integrity and efficacy of drug testing programs, PPL may make changes to this specification to reflect improvements in the available science and technology.
- 7.. Contractor Administered Testing

a) A viable and effective policy must demonstrate the following, in addition to the provisions explained in subsequent paragraphs:

- I. The policy must be written, and provide details demonstrating how the vendor will assure employees are fit for duty at customer sites.
- II. When requested, this policy must be submitted as part of the RFQ or work proposal.
- III. Subject to applicable confidentiality obligations, program details and test results must be available for audit by PPL.

6.0 APPEALS

- a. A contractor's employee may appeal the results of a drug test by submitting a written request for independent GC/MS confirmation to the employing contractor within seventy-two (72) hours of receipt of the final test result from the MRO. The contractor employee shall be required to pay in advance for the cost of the appeal test.

7.0 SUPERVISORY TRAINING

It is recommended that contractor personnel who are responsible for evaluating the performance of the workers be provided appropriate training to ensure they understand:

- a. The effects and consequences of controlled substance abuse on personal health, safety, and the work environment.
- b. The manifestations and behavioral changes that may indicate substance use or abuse; and
- c. Their role and responsibilities in implementing the program.

8.0 CONTRACTOR MANAGEMENT ACTIONS, SANCTIONS AND PENALTIES

- a. The contractor shall remove from PPL premises, and preclude performing any work by any contractor employee who:
 - ◆ Violates any of the prohibitions set forth in paragraph 3.0 of this specification;
 - ◆ Provides a false or tampered sample in connection with a drug test;or

- ◆ Refuses or fails to appear or provide a sample on the day or at the time requested.
- b. A contractor employee, who reports to work while taking prescribed or over-the counter medication which interferes with his or her performance and who has not notified supervision as required by paragraph 3.0 a., risks the safety of his or her fellow workers and the public, and is subject to removal from premises of PPL and preclusion from subsequent work.
- c. On the first offense, a contract employee may not return to a PPL facility until the contractor employee completes an appropriate rehabilitation program satisfactory to PPL, passes a drug and alcohol test administered under this specification, and the Medical Review Officer has determined that the contractor employee is fit to return to duty.
- d. Any subsequent violation of the prohibitions set forth in this specification will result in preclusion from any subsequent work with PPL.

9.0 EXPANSION OF APPLICATION OF POLICY

PPL will continually monitor the effectiveness of this Drug and Alcohol Policy and may modify it as necessary. Any expansion(s) of application of the policy will be communicated by separate correspondence and, upon the effective date of that correspondence, the charges will be set forth in full in this document.

10.0 SEARCH POLICY

PPL hereby places all employees of contractors and all other individuals on notice that:

- ◆ They and their possessions are subject to search whenever they are on the premises of PPL. Premises include parking lots, vehicles and all other areas where contractors perform work whether or not said areas are owned or leased by PPL.

10.1 VIOLATIONS

If an individual possesses or conceals drug(s) or alcohol on premises of PPL, the individual will be removed from the premises and precluded from performing any subsequent work for PPL.

Law enforcement officials will be contacted in the event illegal drugs are discovered.

11.0 INSPECTIONS/AUDITS

Audits may be conducted by PPL of those portions of fitness-for-duty programs implemented by contractors.

PPL may inspect or copy any contractor documents, records, and reports related to contractor fitness-for-duty programs implemented to comply with this specification.

12.0 RECORD KEEPING REQUIREMENTS

The record shall include:

- 1) the reason the test was conducted (e.g., pre-employment, for-cause, etc.);
 - 2) the functions performed by the contractor employee who failed the drug/alcohol test;
 - 3) the prohibited drug(s)/alcohol used by the contract employee; and
 - 4) the related administrative actions (e.g., termination, suspension, rehabilitation, etc.).
- ◆ Records of drug tests that show a contractor employee passed a drug and alcohol test will also be retained by the third-party agent for PPL for at least two years.

13.0 DEFINITIONS

For the purposes of these Guidelines the following definitions are adopted:

Aberrant Behavior – Significant documented behavior, including deteriorating performance, over a period of time, which deviates from the norm which has been established by society and PPL; or isolated conduct or action which is a severe departure from the prior behavior of the employee.

Alcoholic Beverages – Any beverage containing levels of alcohol, which are controlled under law as to manufacture, use, possession, or sale.

Alcohol Concentration (or content) – The alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath.

Alcohol Use – The consumption of any beverage, mixture, or preparation, including medication, containing alcohol.

Aliquot – A portion of a specimen used for testing.

Chain of Custody – Procedures to account for the integrity of each urine specimen by tracking its handling and storage from the point of specimen collection to final disposition of the specimen. These procedures shall require that an approved chain of custody form be used from the time of collection to receipt by the laboratory and that upon receipt by the laboratory an appropriate laboratory chain of custody forms(s) account for the sample or sample aliquot within the laboratory. Chain of custody forms shall, at a minimum, include an entry documenting date and purpose each time a specimen or aliquot is handled or transferred and identifying every individual in the chain of custody.

Confirmatory Test – A second analytical procedure to identify the presence of a specific drug or metabolite which is independent of the initial test and which uses a different technique and chemical principle from that of the initial test in order to ensure reliability and accuracy. (At this time, gas chromatography/mass spectrometry or GC/MS, is the only authorized confirmation method for cocaine, marijuana, opiates, amphetamines, and phencyclidine.)

Confirmed Positive Test – The result of a confirmatory test utilizing the Gas Chromatography/Mass Spectrometry (GC/MS) technique that has established the presence of drugs or drug metabolites in a specimen at or above the cut-off level, and that has been deemed positive by the Medical Review Officer. For determining breath alcohol levels, a “confirmatory test” means a second test using another breath alcohol analysis device.

EXHIBIT “A”

<u>Confirmatory Test Cutoff Levels</u>	<u>Screening Cutoff Immunoassay</u>	<u>Confirmatory Cutoff GC/MS</u>
Marijuana metabolites ¹	50 ng/ml	15 ng/ml
Cocaine metabolites ²	300 ng/ml	150 ng/ml
Opiates (as defined by DOT)	2000 ng/ml (DOT) 300 ng/ml (Non-DOT)	2000 ng/ml
Codeine		2000 ng/ml
Morphine		10 (test for 6-AM in the specimen. Conduct this test only when specimen contains morphine at a concentration greater than or equal to 2000 ng/ml)
6-acetylmorphine (6-AM)		
Amphetamines		
Amphetamine	1,000 ng/ml	500 ng/ml
Methamphetamine ³		
Phencyclidine	25 ng/ml	25 ng/ml
Alcohol – see “Impermissible Level” (Page 9)	0.04% BAC	0.04% BAC

¹Delta-9-tetrahydrocannabinol-9-carboxylic acid.

²Benzoylcegonine.

³Specimen must also contain amphetamine at a concentration \geq 200 ng/ml.

Drugs – Includes the following (i) any chemical substance whose manufacture, use, possession, or sale is prohibited bylaw, and (ii) legal drugs (whether a narcotic, controlled substance, or prescribed drug or over-the counter medication) obtained illegally or taken for purposes of abuse.

Impermissible Level of Drugs or Alcohol – A positive test result. An alcohol breath test will be deemed positive when the breath alcohol concentration is at or above the 0.04 percent cutoff level as measured by an evidential-grade breath alcohol analysis device of a brand a model that conforms to NHTSA standards and to any applicable state statutes. The 0.04% cutoff level may be revised in the future to such level that may be established by the U.S. Department of Transportation as the allowable limit of breath alcohol content. A drug test will be deemed positive when the drug concentration exceeds the limits on Exhibit “A”, Page 9.

Initial Test (Screening Test) – An immunoassay screen for drugs or drug metabolites to eliminate “negative” urine specimens from further consideration or the first set of breathalyzer tests for alcohol.

Medical Review Officer (MRO) – A licensed physician responsible for receiving laboratory results generated by a contractor’s drug testing program who has knowledge of substance abuse disorders and has appropriate medical training to interpret and evaluate an individual’s positive test result together with his or her medical history and any other relevant biomedical information.

On-Duty – Includes break and meal periods in addition to actual working time, regardless of whether the individual is on PPL premises during said times.

Positive Alcohol Test – A test with a result indicating the presence of alcohol at or in excess of 0.04% BAC or BrAC or such level in the future that may be established by the U.S. Department of Transportation as the allowable limit of blood alcohol content.

Prescribed or Over-The-Counter Medication – Medication normally taken for medicinal or other legitimate reasons, consistent with directions of a physician or, in the case of over-the-counter medication, consistent with the directions on the package.

Rehabilitation Program – The actions to be taken as defined by a licensed Substance Abuse Professional (SAP). Completion of the actions shall be verified by the SAP. Written confirmation of program completion received from the SAP is forwarded to the independent MRO for final approval.