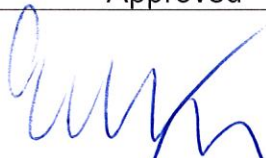
	Aruba Stevedoring Company N.V. Standard Security Operating Procedures (SOP)		Doc No:	GEND&A
			Initial Issue Date	09/15/2017
			Revision Date:	
<b>General Drugs &amp; Alcohol Policy</b>			Revision No.	1.0
			Next Revision Date:	
Preparation: EM	Authority: HR Administrator / GM Assistant	Issuing Dept: HR	Page:	Page 1 of 1




## Aruba Stevedoring Company (ASTEC) N.V.

### Multi-Cargo Sea Terminal (MCST) in the Port of Barcadera

Approved	Title	Date	Effective Date SOP
	<b>Managing Director</b>	<i>10/19/17</i>	Immediate



	Aruba Stevedoring Company N.V. Standard Security Operating Procedures	Doc No:	GEND&A
		Initial Issue Date	09/15/2017
<b>General Drugs and Alcohol Policy</b>		Revision Date:	
		Revision No.	
		Next Revision Date:	
Preparation: EM	Authority: HR Admin & GM Asst.	Issuing Dept.: HR	Page: Page 1 of 6

## Purpose

The purpose of this Policy is to implement and maintain a Drugs and Alcohol Policy ("D&A" or "Policy") in order to ensure a safe, healthy and productive work environment.

It is ASTEC N.V.'s commitment to provide a work environment that is free from the effects of Drugs and Alcohol as the use thereof impairs judgment, which could result in increased safety risks, injuries and faulty decision-making. The abuse of these substances also imposes an integrity risk on the person.

## Scope

This policy applies to all ASTEC's employees, contractors, trainees and directors (jointly: "persons") who have access to ASTEC's premises, including the dockyards, the port and the port facilities (the "Premises").

## General

ASTEC prohibits the use, possession, sale, purchase, manufacture, distribution, transfer or consumption of alcoholic beverages and illegal drugs (jointly: "the Substances ") while on Premises or during scheduled or non-scheduled (overtime) working hours.


The use, possession, sale or distribution of the Substances and/or being under the influence of the Substances while on Premises, on the job or during the workday is a dischargeable offense. All illegal substances will be turned over by ASTEC to the appropriate law enforcement agencies and may result in criminal prosecution.

Illegal drugs are defined as: any drug or substance that is

- (a) not legally obtainable, or
- (b) legally obtainable but which has not been legally obtained, or
- (c) being used in a manner or for a purpose other than that prescribed or intended.

Illegal drugs include, but are not limited to, Marihuana, Cocaine, Opiates, Amphetamines and Phencyclidine (OCO).

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## Enforcement

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ASTEC may use several different methods to determine if a person violates this Policy. ASTEC may for example always request witnesses, including co-workers or an enforcement agency to document the behavior of a person, including facial and bodily expressions, smell, speech etc. to determine whether this Policy is being adhered to.

ASTEC may also choose to use the services of a laboratory or laboratory personnel or other medical professionals to perform drug and alcohol testing on bodily samples, which may take place during or outside scheduled or non-scheduled working hours. The following applies:

1. ASTEC may require a person to supply a sample for a drugs and/or alcohol test at any time, for example when entering the property whether at random, after an incident, and after an accident. The time and date of the tests are determined by ASTEC.
2. A person who is informed by ASTEC that a drug- and/or alcohol test will be performed must report immediately, and comply with the instructions to provide a testing sample at the designated place. Testing samples generally are urine samples, but may also be other bodily fluids such as saliva, blood or hair, to be determined by ASTEC.
3. If the test result is non-negative or positive for Substances, the person will be given the opportunity to have a confirmation test performed at a different facility or by a different medical professional, to be determined by ASTEC. The original sample that was collected and tested non-negative will be utilized for the confirmation test. The person must indicate in writing within three (3) business days after having been informed of the initial results whether or not he would like to have such confirmatory test performed. ASTEC will cover the costs of this confirmation test, if any.
4. If the test result is non-negative or positive for Substances and the person is an employee of ASTEC, the person will be placed on non-active duty with pay. If the person is a third party, the person will not be allowed on property while the confirmation test is being performed.
5. The results of testing will be communicated to the person involved as soon as possible.

Below find some of the instances when substance testing can occur:


### **A. Pre-Employment Testing**

Pre-employment testing is part of the medical examination prior to employment. Potential employees or contractors who refuse to submit to this test will not be permitted to work for the company and or enter the port premises.

### **B. Post-Incident testing**

All persons involved in an incident or accident on ASTEC's premises or during working hours are required to undergo immediate testing. In any of these instances, the investigation and subsequent testing must take place within two hours following the incident or accident, if not sooner. Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. One designated department lead or a designated company representative will accompany the employee.

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**C. Random test**

All persons may be subject to testing at any time on a random basis. Upon being notified of selection, the employee must follow the applicable instructions and immediately proceed to the testing facility. Random testing will be set at irregular times including during break hours throughout the year and may be performed on any workday (regular or overtime schedule) and at any time during said workday. Donors are selected at random through a software application. In case of absence due to illness, vacation, rest or schedule, the employee will be informed upon his return that he was selected and testing may then be performed immediately.

**D. Reasonable suspicion/Reasonable cause testing**

A person may be required to submit to a test-upon reasonable suspicion. Reasonable suspicion means that the actions, appearance or conduct of the person on duty are indicative of the use and/or presence in the employee's body of a controlled substance or alcohol. Reasonable suspicion is based on specific observations concerning the appearance, behaviors, speech or body odors of the person. Reasonable cause may also refer to a situation where an accident or near-accident can reasonably be attributed to the direct performance of the employee.

**E. Integral Workforce Testing**

As often as ASTEC deems necessary, but not limited for position functionality / medical screening, all persons will be tested.


**Collection and Testing Procedures**

Employees will be driven to the designated facility and directed to provide breath specimens. If an employee's breath alcohol concentration is deemed above the legal limit applicable at that time or more, a second breath specimen should be tested approximately 20 minutes later. The results of the second test should be determinative. Alcohol tests may, however, be a breath, blood or saliva test, at the company's discretion.

**Confidentiality**

Information and records relating to positive test results, drug and alcohol dependencies, and legitimate medical explanations provided to the MRO/Laboratory Technicians should be kept confidential. Such records and information may be disclosed to managers on a need-to-know basis and may also be disclosed when relevant to a grievance, charge, claim or other legal proceeding initiated by or on behalf of an employee or applicant.



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### Refusal of Drug and/or Alcohol testing

Anyone who is summoned by ASTEC for testing is required to follow instructions and take the drug and/or alcohol test immediately and without hesitation. The following behaviors are equated as a refusal to perform such testing and are considered to be tested non-negative/positive:

The test result is considered non-negative/positive without the possibility of a confirmatory test when a donor:


- A. Does not perform the test at the time or in the manner as instructed;
- B. Leaves the test facility without completing the tests as per the instructions;
- C. Refuses or fails to provide a bodily sample as per the instructions;
- D. Refuses proper supervision of laboratory personnel to supervise when the test samples are collected;
- E. Refuses or does not want to sign the test form unconditionally;
- F. Refuses an assignment for the repetition of the test;
- G. Declines to follow the instructions of ASTEC and/or the laboratory related to the test procedure;
- H. Takes an action to prevent the test or to hinder test completion;
- I. Unable to produce (sufficient) sample for testing analysis without valid medical reasons to do so;
- J. Has tampered with a sample or has tried to distort, falsify or replace the sample.
- K. Not reporting to the testing facility in the time allotted. Not sign up within the prescribed time for the recording of the samples;
- L. Leaving the scene of an accident on company premises without a valid reason before tests has been conducted. Leave the site of an accident without a valid reason before taking the test.

### Final comments

1. ASTEC employees who have violated this Drug and Alcohol policy will be subject to disciplinary action which generally means immediate termination for urgent reasons.
2. Contracts of persons such as consultants or advisors of ASTEC who have violated this Drug and Alcohol Policy between ASTEC and individual consultants and advisors shall be terminated effective immediately.





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**Review Record Sheet**

The undersigned acknowledge to have reviewed the attached procedures with a supervisor.

Review Date: \_\_\_\_\_

Reviewing supervisor: \_\_\_\_\_  
 (signature and badge no.)

ASTEC N.V. personnel: (signature and badge no.)

_____	_____
_____	_____
_____	_____
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< Please sign and return to the department manager >