

POLICY ON ALCOHOL AND OTHER DRUG USE

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I. PURPOSE

The Company is committed to the safety and productivity of all operations on behalf of its employees, customers, and the communities in which it conducts business. We recognize that the use of illicit drugs, and the misuse of alcohol or other drugs can limit an employee's ability to properly do their job, and can have a serious negative impact on the health and safety of themselves and others. Therefore, the implementation of this policy is one more component of our overall safety program, which minimizes the risks associated with our operations in order to ensure a safe, healthy and productive workplace.

This policy applies to all employees while engaged in Company business, working on Company premises, driving a Company vehicle or operating equipment whether on or off Company premises. This policy, in whole or in part, may be applied to contractors and their employees and sub-contractors while providing services to the Company, as determined by Company management.

This policy is effective as of September 1, 2000. This policy is subject to ongoing review and evaluation and may be amended from time to time. Violation of this policy is grounds for disciplinary action, up to and including dismissal.

II. DEFINITIONS

- i) **Company** refers to
- ii) **Company Business** refers to all business activities undertaken by Employees in the course of the Company's operations, whether conducted on or off Company Premises. It includes all situations where an Employee is representing the Company but excludes Company sponsored social activities or functions.
- iii) **Company Premises** includes but is not restricted to, all land, property, structures, installations, vehicles, and equipment owned, leased, operated or otherwise directly or indirectly controlled by the Company.
- iv) **Contractor** refers to any individual or a company including its employees, agents and representatives, providing goods and/or services to the Company and not an employee of the Company.
- v) **Drug** means any substance, including alcohol, illicit drugs or medications, the use of which has the potential to change or adversely affect the way a person thinks, feels or acts. For purposes of this policy, drugs of concern are those that may inhibit an Employee's ability to perform their job safely and productively.

An illicit drug is any drug or substance which is not legally obtainable and its use, sale, possession, purchase or transfer is restricted or prohibited by law (e.g. street drugs such as marijuana and cocaine).
- vi) **Employees** means the Company's regular, part time, seasonal, term and temporary employees.
- vii) **Fitness for Work/Duty** means being able to safely and acceptably perform assigned duties without any limitations due to the use or after-effects of alcohol, illicit drugs, medications, or other substances.

- viii) **Safety Sensitive Position** is a position in which the Company determines impaired performance could result in a significant safety risk to self, co-workers, customers, property, the general public or the environment. The list of Safety Sensitive Positions can be found at Appendix I.

Employees who are required to rotate through or relieve a Safety Sensitive Position are considered to be in a Safety Sensitive Position. Supervisors and managers who directly supervise Employees holding Safety Sensitive Positions, or who perform the same duties or exercise the same responsibilities are deemed to hold Safety Sensitive Positions

The Company may review positions to reflect changes in personnel and job content. Any additions to the list of Safety Sensitive Positions will be effective from the date of receipt by the affected Employee(s) of written notice by the Company of such change.

- ix) **Supervisor** means the individual in authority over a particular area or shift, including lead hands, foreman, operation supervisors, superintendents, managers and others in positions of authority.

III. POLICY STANDARDS

To minimize the risk of unsafe and unsatisfactory performance due to the use of alcohol or other drugs, the Company has adopted the following standards:

- i) **Illicit Drugs**: The use, possession, distribution, offering or sale of illicit drugs or illicit drug paraphernalia while on Company Business or Premises is prohibited. Presence in the body of illicit drugs while on Company Business or Premises is also prohibited.
- ii) **Alcohol**: The use, possession, distribution, offering or sale of beverage alcohol while on Company Business or Premises is prohibited. Presence in the body of alcohol above the established cut-off level when on Company Business or Premises is prohibited.
- iii) **Medications**: Employees are required to use medications, both prescribed and over-the-counter, responsibly. The possession of prescribed medications without a legally obtained prescription, and the distribution, offering or sale of prescription medications, is prohibited. The intentional misuse of medications (e.g. using the medication not as it has been prescribed, using someone else's prescription medication, combining medication and alcohol use against direction) while on Company Business or Premises is prohibited. Medications of concern are those that inhibit or may inhibit an Employee's ability to perform their job safely and productively. Guidelines for reporting purposes are provided in Appendix IV.
- iv) **Fitness for Duty**: Being unfit for scheduled work due to the use or after-effects of alcohol, illicit drugs, medications or other substances, is prohibited. In addition, it is the Employee's responsibility to remain fit for duty when on scheduled call.

If unexpected circumstances arise where an Employee is requested to perform services while under the influence of alcohol or medications, it is the responsibility of that Employee to refuse the request, and ask that the call be delegated to another Employee.

IV. RESPONSIBILITIES

There is a shared responsibility for the success of this policy. The Company will provide access to assistance programs in a way that ensures confidentiality, fairness and respect for individuals. Any Employee who may have a problem is expected to assume ownership of their problem, and use the counseling and treatment services that are available through the Company or community. All Employees are personally responsible for compliance with this policy and are expected to place a priority on workplace health and safety.

- i) **Employees** are expected to perform their jobs in a safe manner and in all ways consistent with established Company practices. In addition, Employees are required to:
 - (a) read and understand the policy and their responsibilities under it;
 - (b) report fit for duty for any and all scheduled duty or scheduled call, and remain fit for duty while on Company Business and Premises;
 - (c) seek advice and follow appropriate treatment promptly if they suspect they have a substance dependency or emerging problem (recognizing that problems related to alcohol and drug use or dependency are not an excuse for poor or unsafe performance);
 - (d) co-operate with any medical work modification recommended by a health care professional and follow any recommended monitoring or aftercare program after primary treatment for alcohol or other drug problems;
 - (e) manage potential impairment during working hours due to the legitimate use of medications by contacting their personal physician, pharmacist or the Company Health Centre to determine if the medications can have a negative impact on performance; Employees are encouraged to report the use of any such medications to the Company Health Centre or to a Supervisor, and must abide by any resulting work modification required in order to minimize safety risks; and
 - (f) look out for others in terms of co-worker fitness for duty and take appropriate action to ensure a co-worker does not remain in an unfit condition at work that may endanger themselves or others.

- ii) **Company** has the responsibility for the application and implementation of this policy, including:
 - (a) promoting a safe and healthy working environment that strives to eliminate any negative effects due to the use of alcohol or other drugs;
 - (b) providing prevention programs emphasizing awareness, education, training, and peer participation as reasonably requested by an Employee ;
 - (c) providing access to confidential assessment, counseling, referral and aftercare services through the Employee Assistance Program (EAP);
 - (d) emphasizing job performance management as a major tool for the success of this policy;
 - (e) identifying specific standards to be met by Employees holding Safety-Sensitive Positions;

- (f) monitoring and taking appropriate action if an Employee receives an impaired driving charge or conviction while driving on Company Business or operating a Company vehicle;
 - (g) undertaking alcohol and drug testing for applicants and Employees; and
 - (h) conducting searches for alcohol, drugs or drug paraphernalia on Company Premises.
- iii) **Supervisors** will have training made available to them so that they understand their roles under the policy. Supervisors will:
- (a) set performance standards and monitor and measure performance of those that report to them on an ongoing basis;
 - (b) be responsible for the early identification and handling of all performance problems including those which may be caused by alcohol or other drug use.

No attempt should be made to diagnose a health problem, or alcohol or drug dependency, but if the work performance has deteriorated to an unacceptable level, or an individual's actions jeopardize the safety of themselves or others and/or the reputation of the Company, then Supervisors are responsible for taking appropriate action;

- (c) confront Employees about performance problems and assess their ability to perform the job. Where they have objective grounds to believe performance problems may be health-related, they may require the Employee to seek a confidential evaluation through the Company Health Centre or to contact the appropriate counselling services for confidential assistance.

If an Employee refuses the referral, the performance management process will continue and health reasons cannot be cited by the Employee as a contributing cause to the problem;

- (d) refer the Employee for an alcohol and drug test in a post-incident or reasonable cause situation as and when required to do so under this policy;
- (e) identify situations where an unannounced search for alcohol, drugs or drug paraphernalia on Company Premises is justified, in accordance with this policy; and
- (f) play a key role in the communication, implementation and monitoring of this policy.

- iv) **Company Human Resources** will administer the policy and will resolve questions of interpretation with due regard for the fair treatment of Employees. They will co-ordinate development and delivery of ongoing education programs on health awareness, substance use, and the availability of counselling and treatment resources, and will provide Supervisor training programs for performance monitoring and potential problem identification.

In addition, they will be responsible for managing the Company drug testing program, and will arrange for the necessary services (selection system, sample collection, laboratory analysis and medical review of results) to support the program.

- v) **Company Health Centre** has responsibility for:
 - (a) fitness for work assessments and recommendations, including medical work modifications if required, and specifically where there are health and safety concerns;
 - (b) providing guidance and assistance to Supervisors in dealing with alcohol and drug related problems and issues;
 - (c) reviewing all return to duty monitoring programs to ensure they meet all appropriate health and safety concerns of the workplace; and
 - (d) responding to requests for advice on an Employee's fitness for work when the Employee is taking medication.
- vi) **Contractors**: Since the Company's concern for safety extends to the operations of Contractors, these provisions may apply, in whole or in part, to Contractors and their employees and sub-contractors while providing services to the Company. At a minimum, all Contractors are expected to ensure that their employees and subcontractors remain free from any adverse performance effects of alcohol or other drugs and conduct themselves in an appropriate manner while on Company Business or Premises.

V. POLICY IMPLEMENTATION

- i) **Prevention and Confidentiality**
 - (a) **Prevention**: This policy stresses the importance of prevention and early identification of potential problem situations. Company Human Resources will support the Company in providing an ongoing alcohol and drug awareness program for Employees which provides information on health and safety concerns, how to recognize performance problems, and the process to access assistance.
 - (b) **Confidentiality** will be maintained except where limited disclosure is necessary for related health and safety concerns (e.g. there is a potential risk to self, others or the Company).
- ii) **Voluntary Assessment/Rehabilitation & Aftercare**
 - (a) **Voluntary Assessment/Rehabilitation**: No Employee with an alcohol or drug problem will be disciplined for voluntarily requesting help in overcoming their problem, provided that the help is requested prior to being notified they must report for a test under this policy or the occurrence of a work related accident or other incident or reasonable cause situation.

Employees will be provided with access to confidential assessment, counselling, referral and aftercare through a variety of assistance programs, and supported through the Company Health Centre. In all cases, full participation in pre-treatment, treatment and follow-up/aftercare activities is required, and this does not eliminate the requirement for maintenance of satisfactory performance levels.

Where in the opinion of a qualified substance abuse professional there is a risk that an Employee could not do their job safely, a medical work modification may be

issued, and the Company may assign the individual to alternate duties if available and appropriate. Employees holding designated Safety Sensitive Positions who have sought assistance and entered a treatment program will be removed from their Safety Sensitive Position until they are able to safely resume their regular duties.

- (b) Aftercare: The costs of treatment and aftercare services will be covered in accordance with the Company's benefits plan, and is subject to the Employee Assistance Program guidelines. All Employees who complete primary treatment (e.g. residential or out-patient treatment) for alcohol or drug problems under the Company program will be required to participate in an aftercare program when returning to duty. The aftercare program will include, at a minimum, unannounced testing for two years and will include periodic meetings with the Company Health Centre.

Prior to return to work, the Company Health Centre will review the recommended aftercare program to ensure it meets the health and safety concerns of the Company in light of the particular requirements of the Employee's job. In all cases, the Employee will be advised of the conditions governing their return to work and the consequences of their failing to meet those conditions.

iii) **Alcohol and Drug Testing:**

Alcohol and drug testing will be conducted in the following circumstances (see Appendix III for testing procedures):

- (a) Pre-employment Situations: As part of the recruitment process, all applicants must be willing to subject themselves to a drug test. All applicants will be advised in advance of the requirement to pass a drug test, and those that do not pass the test or refuse to participate, will not be eligible for employment in that position.
- (b) Existing Employees: Employees are subject to testing for alcohol and designated drugs under the following circumstances:

1. Post-incident: After a work-related accident or other incident (an "Incident") the decision to refer an Employee(s) for a test will be made by an on-site Supervisor investigating the Incident, in conjunction with a second person (a health professional, another Supervisor, or Company Security) wherever practicable.

The list of Incidents that will trigger an alcohol and drug test is provided in Appendix II.

The need for a test must be documented as part of the preliminary investigation as soon as practical after the Incident. It is not necessary to conduct a test if there is clear evidence that the acts or omissions of Employees could not have been a contributing factor (e.g. structural or mechanical failure).

As a result of the preliminary phase of the investigation, Employees referred for a test will only be those who the Company believes are directly involved in the chain of acts or omissions leading up to the Incident.

2. Reasonable Cause: Where the Company determines there is reasonable cause to suspect alcohol or other drug use or possession in violation of this policy

testing will be performed. The decision to test shall be made by a Supervisor, in conjunction with a second person (e.g. another Supervisor or Company Security) wherever practicable. The decision will be based on specific, personal and documented observations resulting from, but not limited to:

- observed use or evidence of use of a substance (e.g. smell of alcohol);
 - erratic or atypical behaviour of the Employee;
 - changes in the physical appearance of the Employee;
 - changes in behaviour of the Employee; or
 - changes in the speech patterns of the Employee.
3. Safety-Sensitive Positions: Employees employed in Safety Sensitive Positions will be subjected to unannounced random tests for alcohol and drugs. In addition, applicants to a Safety Sensitive Position must pass an alcohol and/or drug test before entry to the position or re-entry to the position where they have participated in a treatment program.
 4. Return to Duty after Voluntary Treatment: As part of a monitoring program developed by the Company Health Centre in conjunction with an addictions counsellor or substance abuse professional, on return to work after treatment.
 5. Return to Duty after a Policy Violation : On an unannounced basis, for a period of two years, on return to duty after a significant policy violation.
 6. Where Required to Comply with a Customer's Alcohol and / or Drug Policy : The Company will test Employees where required in order to comply with a customer's alcohol and / or drug policy.
 7. Where Required By Law.

iv) Impaired Driving Charge or Conviction: The following provisions apply to all Employees when driving on Company Business or operating a Company vehicle:

- (a) Impaired Driving Charge: Any Employee who has been charged with an impaired driving offense (including but not restricted to blowing over the legal Blood Alcohol Content (BAC) in that jurisdiction, driving while impaired, or refusing to blow into a breath analyzer) must inform their Supervisor within one working day, and must report to a Company Health Centre within three working days of the date of the charge.

The Employee may be directed to a substance abuse professional who will undertake an assessment to determine if there is a need for a structured assistance program and will determine whether the individual should continue to be allowed to drive when on Company Business or operate a Company vehicle pending resolution of the charge. If there is any question about safety, a medical work modification will be issued and the Employee will be assigned to alternative duties, if available and appropriate, until the modification is lifted.

In those situations where the Employee fails to report the charge and the Company becomes aware of the situation, the Employee will be subject to disciplinary action.

- (b) Impaired Driving Conviction: A conviction for an impaired driving offense is grounds for disciplinary action. Each situation will be fully investigated and the

Company shall take such action as it deems appropriate depending on the circumstances surrounding the conviction.

An Employee may be accommodated in another position provided they have previously reported the charge, but such accommodation is not absolute or indefinite. If driving is an essential part of the job, and the Company determines that an alternative position is not available or appropriate, the Company may dismiss the Employee.

- v) **Searches:** Supervisors will identify situations when a search is warranted and will notify Company Security as and when required. In addition, searches will be undertaken in co-operation with appropriate law enforcement agencies where required by law.

Company Security will, wherever possible, assist in the conduct of unannounced searches for alcohol, drugs or drug paraphernalia on Company Premises. Searches will be conducted where the Company has reasonable grounds to believe these substances will be present.

- vi) **Escort From Company Premises:** Where a Supervisor, in conjunction with a second person (i.e. another Supervisor or Company Security) wherever practicable, determines that an Employee is unfit for work or otherwise in violation of the policy while in the workplace, the Employee will be escorted from the workplace, and the Company Health Centre will be notified. Any Employee to be escorted from the workplace will be required to submit to an alcohol and drug test and may also be referred for a fitness for duty assessment. The Employee will be provided with transportation to their place of residence and will not be allowed to return to work without the prior consent of:

- the examining occupational health professional, after giving consideration to the Employee's fitness to work; and
- the Company after giving consideration to the job being performed, the safety of the work environment and any conditions governing the Employee's return to work.

An Employee may be temporarily held out of service or reassigned, pending medical determination of fitness for duty and completion of an investigation into a possible violation of this policy.

VI. CONSEQUENCES OF A POLICY VIOLATION

- i) **General Provisions :**

If an Employee violates the provisions of this policy or does not meet the Company's satisfactory standards of work performance as a result of alcohol or other drug use, appropriate disciplinary action will be taken.

In all situations, an adequate investigation must be conducted and documented to verify that a policy violation has occurred before disciplinary action is taken. Pending the results of the investigation, the Company has the authority and discretion to indefinitely suspend an Employee who is believed to be involved in an incident that could lead to disciplinary action.

- ii) **Policy Violations**

(a) Positive Test Results: Any positive test result is a violation of this Policy. The Company shall have the right to dismiss the Employee for such violation. However, the Company may decide to permit the Employee to continue their employment with the Company if the following conditions are met:

1. The Employee has been employed with the Company for a minimum period of fifteen (15) years; and
2. The Employee has not been subject to any form of disciplinary action in the previous five (5) years.

If the conditions are met, prior to being allowed to return to work, the Employee will be required to comply with the following:

1. assessment by a substance abuse professional;
2. completion of any recommended treatment program within a reasonable period of time not to exceed six (6) months;
3. completion of a Fitness for Duty Assessment Form by the Employee's personal physician indicating that the Employee is fit to return to work; and
4. confirmation from a representative of the Company Health Center that, in their opinion, the Employee is fit to return to work.

If, in the opinion of a qualified substance abuse professional, there is a risk that an Employee could not do their job safely, the Employee may be assigned to alternate duties if available and appropriate.

Once the Employee is cleared to return to work they will be required to sign a Last Chance Agreement setting out the conditions governing their continued employment with the Company, which will include, at a minimum, the following:

1. a negative result on their return-to-duty alcohol and/or drug test;
2. unannounced testing for a period of two years;
3. adherence to any rehabilitation conditions or requirements;
4. no further positive test results or policy violations during the two-year monitoring period; and
5. maintenance of satisfactory performance levels.

A violation of any of the conditions contained in the Last Chance Agreement will result in the Employee's immediate dismissal.

(b) Other Violations: The appropriate discipline in all other cases will depend on the nature of the violation and the circumstances surrounding the situation. The severity of the violation will warrant entering the disciplinary process at different levels.

Some violations are considered sufficiently serious that dismissal will be warranted on a first occurrence. These violations include, but are not limited to: trafficking, possession or consumption of alcohol or illicit drugs on Company Premises; receiving an impaired driving conviction while on Company Business or when driving a Company vehicle (where the charge was not previously reported). In other cases, a progressive discipline approach will be followed, with action of increasing severity depending on the seriousness of the violation.

iii) **Failure to Submit to a Test:**

Failure to report for a test within the designated time frame, refusal to submit to a test or to complete and sign required documentation, or any attempt to tamper with a test sample are grounds for immediate dismissal.

In addition to the above, the Company will investigate situations where off-the-job actions involving alcohol or drugs may have implications for the workplace, and will take appropriate action under the circumstances.

VII. POLICY EVALUATION

To ensure that this policy continues to meet the established objectives, and remains responsive to current circumstances as well as evolving needs, it may be amended from time to time.

APPENDIX I
SAFETY SENSITIVE POSITIONS

At this time it has not been determined which positions are Safety Sensitive. Once this determination is made any affected Employees will be advised in writing.

APPENDIX II
LIST OF INCIDENTS THAT WILL TRIGGER
AN ALCOHOL AND DRUG TEST

Alcohol and drug testing may take place after an incident causing:

- a fatality or serious bodily injury;
- significant damage to Company property or equipment;
- possible exposure to legal action or liability;
- a near miss that in management's opinion may have resulted in any of the above.

APPENDIX III TESTING PROCEDURES

Sample collection, testing and reporting of results will be conducted in accordance with standards established by the U.S. Department of Health and Human Services, and/or the Standards Council of Canada in order to ensure the accuracy and integrity of results. Appropriate sample collection, storage and chain-of-custody procedures will be followed. In addition:

- Employees who are proposed to be the subject of a drug or alcohol test are required to sign a form at the time of sample collection authorizing the release of complete results to a designated Company official.
- Except for the release of information in accordance with this policy and in situations affecting the health and safety of workers and the public, results of all testing will be maintained by the designated Company official and will be kept confidential.
- Testing will be conducted in those circumstances outlined under the policy (Section V.iii). Random selection will be at an annualized rate spread evenly through the year. In the event a selected individual is on short term leave, disability, vacation, etc., they will be tested on return to work, provided it is prior to the next selection period. Their name will be returned to the pool whether tested or not. The names of individuals on longer term leave, lay-off, or seasonal employment will remain in the random pool provided the period does not exceed one year; if selected and unavailable for testing, their name will simply be returned to the pool. Where the time period exceeds one year, their name will be deleted from the pool, and they will be subject to pre-employment testing on return to work.
- Tests will be conducted to determine the presence of cannabinoids, amphetamine/methamphetamine, cocaine, opiates, phencyclidine, and alcohol. The testing program will not include testing for other medical conditions.
- Alcohol tests will be administered by a saliva strip or breath test, and will be confirmed by a calibrated breathalyzer. Samples for urine-alcohol or blood alcohol testing will only be taken in those situations when a calibrated breathalyzer is not available for sample collection within a reasonable period of time (i.e. reasonable cause or post - incident). Drug tests will be administered by urine collection. On site drug screening devices may be used (i.e. Test Cup). All non-negative Test Cup samples will be confirmed by a fully qualified and accredited laboratory in accordance with all required standards. Collection of urine specimens and administration of alcohol tests will be performed by trained nurses or trained collection agents. Collection of blood specimens will be performed by trained medical personnel.
- Confirmed positive drug test results will be reviewed by a qualified Medical Review Officer and the Employee concerned will be given an opportunity to explain the finding before it is communicated to management.
- For the purpose of this policy, a positive alcohol test will be one in which the blood alcohol concentration is 0.02% or more.

- A positive drug test is one in which the amount of drug in the sample identified by the confirmation test exceeds the cut-off levels established by the Standards Council of Canada and the U.S. Department of Health and Human Services.
- In the case of a verified positive test result of a test conducted in accordance with this policy, the Employee who has been tested may request that the split sample be tested by an accredited laboratory of that person's choice within 72 hours of receiving their results. In the case of a second confirmed positive test, the Employee requesting the second analysis will be responsible for reimbursing the Company for the associated costs.

APPENDIX IV GUIDELINES ON REPORTING OF MEDICATIONS

Employees are required to manage potential impairment during working hours due to the legitimate use of medications. Employees are required to consult with their personal physician, pharmacist or the Company Health Centre to determine if use of a medication will have any potential negative impact on job performance. All Employees are encouraged to report the use of any medication that may negatively impact performance to the Company Health Centre or their Supervisor.

The following drug categories have been associated with performance impairment and are provided as a guideline only. The list is not exhaustive; there are numerous other over-the-counter and prescription drugs which when taken may impact negatively on performance.

- a. Antihistamines - are widely prescribed for hayfever and other allergies (e.g. Chlor-Triplon, Dimetane). They are also found in many cold medications.
- b. Motion Sickness Drugs - are used to prevent motion sickness and nausea (e.g. Gravol, Antivert).
- c. Barbiturates (e.g. Phenobarbitol), Sedatives, Hypnotics and Tranquilizers (e.g. Valium, Halcion, Librium), and Antidepressants (e.g. Elavil, Anafranil). Some of these ingredients are also found in medications taken for digestive and other disorders.
- d. Narcotic Analgesics (e.g. Demerol, Darvon, Codeine). Codeine is often found in combination drugs such as 222s, 282s, 282 mepps, 292s or Tylenol 1, 2, 3s.
- e. Stimulants - Medication used for central nervous system stimulation and for appetite suppression can produce sensations of well-being which may have an adverse effect on judgment, mood and behaviour (e.g. amphetamines or medications sold as "diet pills").
- f. Anticonvulsants - are used to control epileptic seizures and can cause drowsiness in some patients (e.g. Dilantin).
- g. Cold Tablets/Cough mixtures - (e.g. Sinutab, Contac, Triaminic, Tussionex and preparations containing dextromethorphan (DM) or codeine).
- h. Muscle Relaxants - (e.g. Flexeril, Robaxisal).
- i. Antiinflammatories (e.g. Indocid, Naprosyn, Ansaïd, Voltaren).