

PURPOSE

Resolute Forest Products is firmly committed to providing its employees with a safe, alcohol and drug free work environment. Therefore, it is the policy of Resolute Forest Products to prohibit the use, possession, manufacture, distribution, sale, or transfer of alcohol, illegal drugs, or unprescribed controlled substances on company property or operating company-owned vehicles at any time.

The use of alcohol, illegal drugs, or unprescribed controlled substances outside the work environment by employees which results in impairment or with detectable quantities above established limits in their system upon reporting for work or while at work will be considered a violation of this policy.

Resolute Forest Products reserves the right to notify appropriate law enforcement officials of unlawful and unauthorized conduct arising on company property related to drug or alcohol use or abuse.

Resolute Forest Products reserves the right to seize all drugs, paraphernalia, or other contraband found on company property and may turn over such evidence to the appropriate authorities for testing or prosecution.

MRO as used in this policy refers to the MEDICAL REVIEW OFFICER.

SCOPE

This policy will apply to all employees, visitors and contractors of Resolute Forest Products and any sub-contractors performing work on Company property. Contractors, sub-contractors and visitors who are reasonably suspected of being impaired or otherwise in violation of this policy will be directed to leave the premises immediately and will be denied any future access to Company property.

Testing

Any drug test required under this policy will test for the presence of any illegal or prescribed substance as directed by the Company such as but not limited to those substances set forth below:

1. Marijuana
2. Cocaine
3. Opiates
4. Amphetamines
5. Phencyclidine (PCP)
6. Benzodiazepines

Integrity Checks will be a part of the drug testing process. The test levels and the type of tests will be determined by the MRO using guidelines established by the Department of Transportation (DOT), Substance Abuse & Mental Health Service Administration (SAMHSA) or other test levels that may become available or are established by the MRO to insure employees can safely operate equipment and machinery. The levels set by the MRO may or may not be the same as the levels established by the DOT, SAMHSA or other organization.

Note: Other drugs that may come under the auspices of the DOT will be added as necessary. Test will also be conducted to determine if the employee is under the influence of alcohol but not necessarily as part of the random drug screening.

Effective January 1, 2004, any employee who tests positive for alcohol will be suspended for thirty (30) calendar days. Upon their return to work, they will be placed on a last chance agreement provided they enroll in, and complete the requirements of, a rehabilitation program. Effective January 1, 2004, any employee who tests positive for any illegal substances will be immediately terminated. The MRO shall review

the results of any positive tests for prescribed drugs. This action will be taken prior to subjecting the employee who tests positive for prescribed drugs to discipline, which may include termination.

Should a state law prohibit the enforcement of this policy as it is intended, the policy will be amended to reflect any conflict. All terminations must be coordinated by the location's Director of Human Resources.

A. Pre-Employment Testing

All Resolute Forest Products applicants will be required to submit to and pass a drug test as a condition of employment. The type of tests conducted will be determined by the MRO. Any offer of employment is contingent upon the result of the drug test. The MRO shall review the results of any positive tests for prescribed drugs prior to determining whether or not an applicant will be hired. Any applicant who tests positive for illegal drugs will not be hired.

B. Random

All employees are subject to random testing at any time they are actively at work, regardless of their position, their hourly or salaried status or the number of times previously selected to drug test.

A "split sample" Urine specimen will be the primary, but not necessarily the only method for obtaining test samples. The specimen method may be changed at any time or more than one method may be employed, to reflect changes in the "state of the art" for collecting samples or the type of substance for which the test is conducted, or other reasons as determined by the MRO. Information regarding the most efficient and effective method of collection will be provided by and determined by, the MRO.

Any employee notified of his/her selection for random drug testing will be requested and expected to proceed immediately to the specimen collection site for their location. If applicable or deemed appropriate, the individual should always be accompanied by their immediate supervisor or his or her delegate.

Questions related to the method of random selection, percentage of employees to be tested, and other related issues should be discussed with the location's Director of Human Resources.

C. Reasonable Suspicion/Cause

Employees will also be subject to testing when there is a reasonable suspicion/cause to believe they are under the influence of drugs or alcohol. Reasonable suspicion may exist for numerous reasons including, but not limited to, the following:

- * An employee's observed on-the-job appearance or behavior indicates that they may be impaired.
- * Excessive, or pattern of, absenteeism and tardiness.
- * Deteriorating job performance.
- * Arrested for possession of a controlled substance for sale or use or possession of drug paraphernalia.
- * Involved in or contributing to an on the job injury or accident.

Employees tested for reasonable suspicion/cause will be transported to the collection site and thereafter home by the company or by some other means of transportation not controlled by the employee. These individuals will be

suspended from their job until the test results are received. If the test results are negative, the employee will be reinstated and will receive pay for the scheduled work time he/she was suspended.

Any employee who tests positive for drugs or alcohol will be subject to discipline as set forth in Section 3, Testing, of this policy. All terminations must be coordinated by the location's Director of Human Resources.

D. Post-Accident

Employee/s involved in or contributing to property damage or work related accidents or injuries will be required to submit to drug and/or alcohol testing. Tests will be conducted as soon as possible.

Employees who fall into the post-accident property damage/injury testing category will be transported to the collection site by EMS personnel, management personnel or other designee. If the employee does not demonstrate any unusual behavior which would lead you to believe that he/she might be under the influence of drugs or alcohol, the employee should return to his/her normal job after being tested, provided of course the employee is released by the doctor to return to his/her normal job.

If the employee's behavior indicates that there is reasonable suspicion to believe he/she is under the influence of drugs or alcohol, they will be transported home via a means not controlled by the employee. These individuals will be suspended from their job until the test results are received. If the test results are negative, the employee will be reinstated and will receive pay for the scheduled work time he/she was suspended.

Any employee who tests positive for drugs or alcohol will be subject to discipline as set forth in Section 3, Testing, of this policy. All terminations must be coordinated by the location's Director of Human Resources.

E. Refusal to Test/Submit

Refusal to test/submit includes the following:

- * Failure to provide a specimen.
- * Failure to cooperate with the testing process.
- * Failure to report to the collection site in a timely manner;
- * Failure to provide an adequate specimen without a legitimate medical reason.
- * Submitting an adulterated or substitute specimen.

If an employee refuses to test/submit as defined above, or refuses to sign the consent form, he/she will be informed that the refusal to test/submit or to sign the consent form will result in their termination.

F. Collection

1. Drugs:

Chain of Custody forms and collection kits are provided and stored at each collection site, which may or may not be off the mill site. When an employee/applicant is drug tested, the trained, collection site contact person must complete the donor information section of the Chain of Custody form. This form is then given to the employee/applicant in a tamper-resistant envelope along with a kit containing a preprinted air bill or other means of transportation and specimen bottle(s). The donor will return, if applicable, the employee copy of the Chain of Custody form to the Resolute Forest Products facility contact person. Upon his/her return from the collection site, if applicable, the donor's copy of the Chain of Custody form will then be placed in the designated file.

2. Alcohol:

The collection site for alcohol testing must be breath alcohol certified. Should a blood alcohol test be required, it will be performed at an approved facility such as but not limited to a hospital or clinic, certified to perform blood alcohol testing.

Management or designated management representative will be responsible for transporting the employee to the collection site.

G. Testing - Lab and Methodology

1. Drugs:

All urine or other specimens to be tested for the presence of drugs will be analyzed by a laboratory certified under the Department of Health and Human Services (DHHS) Mandatory Guidelines for Federal Workplace Drug Testing Programs and under state law where applicable. The Laboratory along with the test results will also provide integrity checks.

Every specimen is required to undergo an initial screen followed by confirmation if the initial test results indicate a positive. The cutoff levels for the alcohol/drug/s being tested are those established by applicable DOT standards (except alcohol) and which are, from time to time, subject to change. The Company MRO will establish the cutoff level/s for any drug/s for which no DOT standard has been set.

Any specimen submitted for testing that is identified as positive on the initial test screen will be confirmed by use of a gas chromatography/mass spectrometry (GC/MS) test. However, the test being used to determine the drug level of any specimen may, from time to time, be changed to reflect changes in the "state of the art" for testing.

The laboratory will also analyze the specimen for the presence of adulterants and will report the presence of adulterants to the MRO.

Arrangements and contracts with the laboratory must contain provisions for reporting the test results to the company's MRO within five (5) working days after the receipt of the specimen and will forward to the MRO the original Chain of Custody and control forms. Any specimen, which was negative on an initial or confirmatory test, will be reported as negative to the MRO. The only specimens reported as positive will be those that have been confirmed as positive through GC/MS or other approved "state of the art" testing procedure. The laboratory will report all test results directly to the MRO. The MRO will then report to the company whether the test was positive or negative. If test results are positive, the MRO will identify which drug(s) tested positive and at what level.

2. Alcohol:

A certified Breath Alcohol Technician must conduct all breath alcohol tests. If for some reason a blood alcohol test must be conducted, it will be conducted at an approved facility that may or may not be off the mill site, using the established Chain of Custody. The lab will notify the MRO of the results and the MRO will use the same notification method as if it were a drug test.

Any employee who has a **.04** or above breath alcohol content is considered under the influence and will be considered as having tested positive. **Any employee who tests positive for alcohol will be subject to discipline as set forth in Section 3, Testing, of this policy.**

H. Prescribed Medications

The prohibitions outlined above do not apply to the use of a controlled substance prescribed by a licensed physician. However, the employee is directly responsible for insuring that the use of such medication is communicated directly to the MRO or facility medical service who will determine whether or not the use of such prescribed medication will adversely affect their ability to work and operate equipment safely. They will be required to identify the physician prescribing the medication as well as authorize the MRO or other medical facility professional to discuss the use of the medication with that physician in order to determine whether it could adversely affect the employee's ability to perform his/her job duties safely. Any employee taking such prescribed medication/s will not be permitted to work until the necessary information is provided and a determination concerning the use of such drug is made by the MRO.

Any employee requested to submit to a drug test under this policy who has taken medication without a prescription specifically for him/her will be subject to discipline just as if the drug being taken were an illegal drug.

If it is determined that an employee is taking a medication that will adversely affect their ability to perform their job and/or poses a safety risk to himself or to other employees, the employee may be reassigned to another job if possible or placed on a medical leave of absence until that risk is reduced or eliminated.

The use of medically prescribed marijuana will not be accepted as an alternative medical explanation for a positive test result except where prohibited by applicable state law.

I. Results

When an initial result is positive, the MRO will contact the donor first to review any medications that he/she may be taking which could alter the results and to give the employee a reasonable opportunity to explain a confirmed positive result. After conducting the interview with the employee, the MRO will either rule the sample positive or negative for administrative purposes.

The MRO will make every attempt to contact the donor to discuss the results. If, after several attempts, they are unable to make contact, they will report the result as an "unable to contact" positive. This does not preclude any future contact between the donor and MRO or possible reversal of the findings.

If the sample is a confirmed positive, it will be reported to the location's drug testing contact person or medical facility who will, in turn, contact the location's Director of Human Resources.

J. Opportunity to Retest

When a confirmed positive urine drug test is received, the employee or prospective employee will be given the opportunity to have the same split of the same specimen retested at a different lab. The employee or prospective employee must notify the MRO of their desire to have the same split of the same specimen retested within 72 hours of the date they were notified of the positive result. The cost of the retest will be the sole responsibility of the employee or prospective employee. A certified laboratory must do the retest. To facilitate this retest, split samples will be collected.

K. Adulterated or Substituted Specimens

Adulterated or substituted specimens will be treated as a "refusal to test/submit." As previously stated in Section E, refusal to test/submit will result in termination of employment or denial of an employment offer.

L. Education and Information

1. Employee Assistance Program (EAP):

Employees who have a substance abuse problem are encouraged to contact the EAP for assistance. This can be accomplished by calling the employee's Local Union, our EAP provider directly, by contacting the Human Resources Department or any member of management.

An employee who self-refers and is placed in an inpatient drug or alcohol treatment program by the EAP will be placed on leave and will not be subject to drug testing during that period of time by the Company. During that time an employee will be permitted to use any paid and/or unpaid leave available to them. The same would apply to employees admitted to an outpatient treatment program who are unable to work during that time. However, they must comply with all conditions of their prescribed rehabilitation program, as well as any after-care program, or be subject to immediate discharge.

If an employee enters an outpatient treatment program and continues to work, he/she would still be subject to drug and/or alcohol testing if selected for random testing, reasonable suspicion, or post-accident/injury testing. Should the employee test positive for drugs they will be terminated immediately. **Should the employee test positive for alcohol, he/she will be subject to discipline as set forth in Section 3, Testing, of this policy.**

Self-referral must be requested prior to notification of being selected for random, reasonable suspicion or post-accident/property damage testing.

2. Record Retention:

Consent forms and Chain of Custody forms for employees who test negative will be retained in a special file for two (2) years and then destroyed.

Consent forms and Chain of Custody forms for employees who test positive will be retained in a separate file for five (5) years and then destroyed.

Lists used to verify the identity of the employees selected for the random drug testing should also be retained for five (5) years.

3. Confidentiality:

All records with respect to the drug and alcohol testing of an employee or applicant are strictly confidential and will not be released by the company to any person except as required for the administration of a labor agreement, authorized by this policy or as otherwise allowed by state or federal law.

4. Contravention of Law:

Resolute Forest Products recognizes the existence of federal and state regulations regarding drug and alcohol testing. If changes in applicable federal or state law occur which either negate, amend or supersede this policy, employees will be notified and if applicable, local unions will be notified and the changes will be implemented and become part of this policy.

5. Training:

Resolute Forest Products recognizes the need to train supervision and other designated personnel to recognize signs of substance abuse and will train said personnel accordingly.