

## **Employee Drug and Alcohol Policy**

(January 1, 2024)

The One Power Employee Drug and Alcohol Policy will apply to all current and future Employees of One Power Company and/or its affiliates (“One Power”). “Employees” include interns, part-time employees, and full-time employees of One Power. It is One Power’s intention to maintain a safe and professional work environment.

Any violation of the One Power Drug and Alcohol Policy may result in discipline, up to and including termination of employment at One Power.

### **Definitions**

Critical Employees are Employees whose primary job responsibilities include Safety-Critical Activities and Financial Reporting Critical Activities. Critical Employees do not include Employees who may incidentally perform Safety-Critical Activities or Financial Reporting Critical Activities during their employment at One Power. All Critical Employees will be informed of their status in writing.

Safety-Critical Activities include those activities that directly affect the safety or the quality of work performed at a One Power project site. Some examples include: operating heavy equipment; climbing tall structures, remote monitoring and remote operation of generation assets, or assisting others in the climbing of tall structures; confined space entry; electrical operations; and engaging in or assisting with rigging or critical lifts.

Financial Reporting Critical Activities include those activities that directly affect the management,

oversight and administration of One Power’s financials, projections and financial reporting.

Illegal Drugs include a medicine or other substance whose consumption and/or possession is illegal under the laws of the State of Ohio or the United States. Illegal drugs include Prescribed Drug that are taken or possessed without a valid prescription.

Unauthorized Substance means any Illegal Drug, alcohol, or other substance that could affect or does affect the Employee’s ability to perform Critical Activities. Unauthorized Substances can include Prescribed Drugs, marijuana and over-the-counter drugs, regardless of whether an Employee has valid prescription, or is using the substance as set forth in the directions for use.

Prescribed Drug means a pharmaceutical drug that legally requires a medical prescription and for which the Employee has a valid medical prescription.

### **Policy of the Company**

#### **Testing/Screening**

1. Critical Employees are subject to pre-employment drug testing/screening as well as scheduled and unscheduled drug and alcohol testing/screening. Employment at One Power for Critical Employees is contingent on clearing a pre-employment drug test/screening. Any potential Critical Employee who tests positive for Illegal Drugs that could affect the ability the potential Critical Employee to engage in Safety-Critical Activities or Financial Reporting Critical Activities may, at the discretion of One Power’s management, not be permitted to commence employment at One Power.
2. All Employees may be subject to, at the discretion of One Power’s management, drug and alcohol testing/screening if they are suspected of being under the influence of and/or display signs of impairment from an Unauthorized Substance while at a One Power office, property or project site; operating any One Power equipment; or, operating any vehicle while engaged in work for One Power.

3. All Employees are subject, at the discretion of One Power's management, to drug and alcohol testing/screening if they are involved in any accident resulting in injury or property damage or a near miss incident that could have resulted in injury or property damage. If testing/screening is required under this Section, the Employee shall promptly submit to such testing/screening(s) within six (6) hours of the accident or incident. Any failure to submit to a drug and/or alcohol test/screen or any post-accident/incident/injury drug and/or alcohol test/screen which is positive for an Unauthorized Substance may affect an Employee's eligibility and ability to receive workers' compensation benefits or coverage, and may be disciplined and subject to possible termination.
4. A test is positive if it exceeds the concentration cutoffs in effect at the time of testing as established by One Power's medical director or One Power's management in good faith and in accordance with applicable laws.
5. Testing/screening will require the Employee provide a breath, urine, blood, hair or other sample, or any combination of these, or some other medically accepted procedure selected by One Power.

#### **Illegal Drugs, Unauthorized Substance or Alcohol Use During Employment at One Power**

6. Subject to the exception in Section 7 and 8 below, no One Power Employee is permitted to use or be under the influence of Unauthorized Substances while on One Power-owned property or property being used for a One Energy project, during work hours, while operating any One Power vehicle or equipment, or while operating a vehicle or equipment for One Energy work purposes. No One Power Employee is permitted to possess Illegal Drugs on One Power-owned property or property being used for a One Power project. Any employee who violates this provision may be subject to disciplinary action, up to and including termination.
7. Employees may take Prescribed Drugs and over the counter drugs; however, any Employee engaged in Critical Activities must inform the Employee's manager of such use if the use could impair the Employee's ability to perform his or her work, and then work with the Employee's manager to determine whether such Employee should not engage in Critical Activities during such use.
8. It is recognized that some social activities related to Employees' work at the Company may involve the incidental consumption of alcohol. Such use is permitted, but should be done responsibly and in accordance with applicable laws.

#### **Emerging Law**

One Power is aware that Ohio voters adopted Issue 2 in November 2023, which authorized (at the state level) the recreational use of marijuana by adults over 21; however, One Power is also aware that marijuana remains a Schedule I controlled substance at the federal level. One Power's discretion under this policy includes the right to make decisions in the best interest of the company based on this emerging area of law.

#### **Effective Date**

The effective date of this One Power Drug and Alcohol Policy is January 1, 2024. This policy replaces all current and former Company drug and alcohol policies.