



DEVON ENERGY PROGRAM REQUIREMENTS

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_____(“Contractor”) has adopted these **DEVON ENERGY CORPORATION (“DEVON”) PROGRAM REQUIREMENTS (“Requirements”)**, which supplements the drug and alcohol policies and/or programs of the Contractor. In the event of a conflict between the current drug and alcohol policies and/or programs of Contractor and these Requirements, these Requirements shall control.

Definitions

- 1) **Property or Jobsites** - all real or personal property, including but not limited to facilities, lease roads, lease locations, right-of-way, buildings, vehicles, products and equipment, either owned or controlled by Devon.
- 2) **Contractor** - any and all contractors, vendors, and other third-party service providers and their personnel (including employees or agents of any of the foregoing as well as subcontractors and employees of subcontractors of any of the foregoing) authorized to perform work on or be present at the Property or Jobsites (as defined above).
- 3) **DOT Drug Test** - a drug test mandated by the Department of Transportation ("DOT"). "DOT" for the purposes of this Addendum, includes the Federal Motor Carrier Safety Administration ("FMCSA"), the Pipeline and Hazardous Materials Safety Administration ("PHMSA") and all other DOT modalities.
- 4) **For Cause/Reasonable Suspicion Testing** - if authorized by applicable federal, state or local laws, shall mean testing whenever there is a reasonable belief an employee is in violation of any of the prohibitions defined in these Requirements.
- 5) **NON-DOT Drug Test** - a drug test not mandated by the Department of Transportation but in compliance with requirements contained in Attachment “A” attached hereto.
- 6) **Prohibited Substances** - (1) illegal or un-prescribed drugs, controlled substances and mood or mind-altering substances, including marijuana legally possessed or prescribed, and any synthetic derivative/product that produces a marijuana-type high and any herbal products not intended for human consumption, (2) prescribed drugs used in a manner inconsistent with the prescription and (3) alcoholic beverages.
- 7) **Under the Influence** - (1) the presence of a prohibited substance or metabolites of a prohibited substance in body fluids above the cut-off level established by these Requirements or (2) the presence of a prohibited substance that affects an individual in any detectable manner.
- 8) **Adulterated Specimen** - A specimen that has been altered, as evidenced by test results showing either a substance that is not a normal constituent for that type of specimen or showing an abnormal concentration of an endogenous substance.
- 9) **Refusal to Test** - (1) Failure to appear for any test within a reasonable time, as determined by the Contractor, after being directed to do so by the Contractor, (2) Failure to remain at the testing site until the testing process is complete, (3) Failure to provide a urine, saliva, breath or hair sample for any drug or alcohol test required by these Requirements, (4) In case of directly observed or monitored collection in a drug test, failure to permit the



observation or monitoring of their specimen, (5) Failure to provide a sufficient amount of urine, saliva or breath when directed, and it has been determined, through a required medical evaluation, that there was no adequate medical explanation for the failure, (6) Failure or decline to take an additional drug test the Contractor or collector has directed you to take, (7) Failure to undergo a medical examination or evaluation, as directed by the MRO as part of the verification process, or as directed by the Contractor, (8) Failure to cooperate with any part of the testing process, (9) Possessing or wearing a prosthetic or other device that could be used to interfere with the collection process, (10) Admission to the collector or MRO that the employee adulterated or substituted the specimen.

Purpose

The purpose of these Requirements is to ensure a safe, healthy, and productive work environment for the personnel employed or engaged by Contractor (as hereinafter defined) who are authorized to perform work on or be present at any Property or Jobsite (as hereinafter defined) and to protect the Property or Jobsites from damage which might otherwise result from drug and alcohol use and/or abuse. Contractor must adopt and enforce a written policy on drugs and alcohol which complies with the laws of the states in which each Contractor performs work on or is present at the Property or Jobsites and meets the testing requirements Devon imposes on its own employees.

Prohibitions

These Requirements prohibit the following:

- 1) Possessing or using prescription drugs or over-the-counter medication that may cause impairment, except when all of the following conditions have been met:
 - a) The prescription drugs and/or over-the-counter medication has been lawfully prescribed to, or obtained by, the employee;
 - b) The prescription drugs and/or over-the-counter medication are being used by the employee in accordance with the prescription's guidelines (if applicable); and;
 - c) Before reporting to work under the influence of such medication, the employee has inquired whether the drug manufacturer or the employee's physician warns against driving, operating machinery or performing work-related safety-sensitive tasks. If such warning exists, the employee taking the medication must inform his/her supervisor of such restrictions before reporting to work under the influence of such substances. Any employee reporting to work in a safety-sensitive position without first advising about the warnings accompanying lawfully prescribed or obtained medications will be subject to immediate and permanent removal from the Property or Jobsite.
- 2) Using, possessing, selling, manufacturing, distributing, concealing or transporting any Prohibited Substance and/or illicit drug equipment or paraphernalia on any Property or Jobsites.
- 3) Being under the influence of Prohibited Substances while performing any work on any Property or Jobsites.



- 4) Switching or adulterating any urine, blood, or other sample used for testing (hereinafter defined as Adulterated Specimen).
- 5) Refusing to take a drug or alcohol test, after being directed to do so by the Contractor or Devon (hereinafter defined as Refusal to Test).
- 6) Performing work on any Property or Jobsites when an individual has tested positive or refused testing.

Failure to comply with this section will result in the ineligibility to work on Devon's Property or Jobsite and/or the immediate and permanent removal from the Property or Jobsite.

Devon requires all contractors and sub-contractors to promptly report to TPS Alert the name and identifier of all applicants and employees who test positive on a drug or alcohol test or who refuse a drug or alcohol test, to ensure compliance with Devon's policies.

Searches and Inspections

At any time, Contractors and their property may be subjected to unannounced searches and inspections while on Property or Jobsites. These searches may be unannounced and may include, but are not limited to, any and all personal property, and may include the use of contraband detecting canines.

Devon may conduct unannounced random inspections at any time and without cause for the presence of illegal drugs or unauthorized alcohol on Devon jobsite, facilities and property such as (but not limited to) Devon-issued vehicles, equipment, stations, desks, file cabinets, and lockers. Contractor employees are expected to cooperate in the conduct of such inspections.

Inspections of Individual Property: Personal inspections of Contractor employees and their personal property, such as (but not limited to) vehicles, clothing, packages, purses, briefcases, lunch boxes, or other containers brought onto or being taken off of Devon Property or Jobsite premises, may be conducted by Devon when there is reasonable suspicion to believe that the individual may have or has violated the drug or alcohol prohibitions contained Addendum.

Testing Procedures

- 1) Drug Testing. Drug testing will be conducted via urine testing. All specimen collection and handling shall be conducted in conformity with DOT collection requirements and guidelines and shall be sent to a SAMHSA/HHS-Certified Laboratory for analysis.
- 2) Alcohol Testing. Except as otherwise required by law, alcohol tests will be performed by a certified technician using a non-evidential screening device or evidential breath testing device which the technician is proficient to operate. Alcohol testing shall be conducted on devices approved by the National Highway Traffic Safety Administration (NHTSA) and in conformity with DOT alcohol testing requirements. If the result of the screening test is an alcohol concentration of 0.02 or greater, a confirmation test will be performed within 15 minutes from the end of the screening test. The confirmation test result is the final result upon which any discipline or other action taken under this policy shall be based. If the employee is unable to provide sufficient saliva to complete



a test on a saliva screening device, the technician shall conduct a new test, using a new device, if possible, or the employee will be directed to take a breath alcohol test using an evidential breath testing device (“EBT”). A confirmed breath alcohol test result of 0.04 or greater will be considered a positive test result.

- 3) For all tests, including all DOT-mandated alcohol tests; a breath or saliva test confirmed with a breath or blood alcohol test yielding a 0.04 BAC or greater will be considered a positive result. Any employee who is found to have an alcohol concentration of 0.02 or greater but less than 0.04, shall not perform or continue to perform safety-sensitive functions on any Property or Jobsite, Contractor shall not permit their employee to perform or continue to perform safety-sensitive functions on any Property or Jobsite, until the start of the next regularly scheduled duty period, but not less than 24 hours following administration of the test. The Contractor employee must also have a negative breath or blood alcohol test 24 hours following the original test as described above.

a) For NON-DOT Alcohol Testing:

- i) In Nebraska, an employee who tests positive for alcohol on a breath test may immediately request confirmation by providing a blood specimen for testing.
- ii) Alcohol Testing in Hawaii, Louisiana, Maryland, Minnesota, Oregon, Vermont, Boulder, CO., and San Francisco, CA.
 - (1) Alcohol testing will not be conducted in Vermont. When alcohol testing is required in Hawaii, Louisiana, Maryland, Minnesota, Oregon (in Oregon, only if the test is not a reasonable suspicion test or the Employee does not consent to breath testing), Boulder, CO., and San Francisco, CA., the Company will direct the Employee to submit to a blood test. Blood tests will be analyzed at a certified laboratory and positive test results will be subject to confirmatory testing conducted by gas chromatography and mass spectrometry (“GC/MS”) as well as MRO review.
 - (2) An Employee who receives a verified positive blood alcohol test result may request a confirmatory “re-test” of the original blood specimen at a different DHHS-certified laboratory (or other laboratory required or permitted under state law) selected by the Company. This request must be made by the Employee within 72 hours of being notified by the MRO of a verified positive test result (unless otherwise required or permitted under state law).

Required Tests

1) Pre-employment/ Pre-access Drug Testing:

- a) Contractors are required to subject their new hires to pre-employment drug testing, meeting the requirements described in Attachment “A”. Personnel shall have been subject to a pre-employment drug test and received a negative test result pursuant to testing prescribed prior to accessing the Property or Jobsite. DOT Contractor employees will follow DOT guidelines for pre-employment drug testing.
- b) All contractors are required to provide a drug screen test result with the correct panel as described in Attachment “A” and consent form for selected Contractor employees in the audit. Contractors who have



not previously conducted drug and alcohol testing can achieve compliance and satisfy the audit by subjecting the selected Contractor employees to a pre-access drug test meeting the requirements described in Attachment "A." Personnel must receive a negative drug test result pursuant to testing prescribed prior to accessing the Property or Jobsite.

2) Incident Related Testing (Post-Incident Testing):

- a) At a minimum but subject to applicable federal, state, and local laws or regulations, post- incident drug and alcohol testing meeting the requirements described in these Requirements and Attachment "A" is required when Contractor employees cause or contribute to a work-related incident. Post-incident testing should be conducted as soon as possible following an incident. DOT Contractor employees will follow DOT guidelines for post-incident testing.
- b) A Contractor employee subject to a post-incident test whose performance either contributed to the accident or cannot be completely discounted as a contributing factor must be removed from any Property or Jobsites until a negative test result is received.

3) For Cause/Reasonable Suspicion Testing:

- a) For Cause/Reasonable Suspicion Testing in compliance with requirements of these Requirements and Attachment "A" shall be performed whenever authorized or allowed under state law. Contractor's employees may be required to undergo drug and alcohol testing at any time it is reasonably believed that an employee may be under the influence of drugs and alcohol to be identified by a supervisor trained in reasonable suspicion training. DOT Contractor employees will follow DOT guidelines for reasonable suspicion testing.
- b) A Contractor employee removed from any Property or Jobsites for For Cause/Reasonable Suspicion Testing will not be allowed to return to work on any Property or Jobsites until a negative test result is received.

4) Random Testing:

- a) All Non-DOT Contractor employees, as permitted by law, shall be subject to unannounced random testing for NON-DOT substances described in Attachment "A" using a scientifically based random selection process that ensures each employee has an equal chance of being tested each time selections are made. Drug tests should be conducted at an annual rate of at least twenty-five percent (25%) and spread reasonably throughout the year (i.e., 6.25% per quarter). Alcohol tests should be conducted at an annual rate of at least ten percent (10%) and spread reasonably throughout the year (i.e., 2.5% per quarter). Once a Contractor employee has been informed of his or her selection for random drug and/or alcohol testing, the Contractor employee will be instructed to report immediately to the collection site; for purposes of the preceding sentence, "immediately" means an amount of time not to exceed normal and customary commute time to the designated collection site plus thirty (30) minutes. Failing to report to the collection site, refusing to submit to a test, or adulterating a specimen is considered the same as a positive test, and



the Contractor employee will be prohibited from entering any Property or Jobsites. Contractor DOT employees will be subject to testing under DOT published guidelines.

5) **Additional Testing:**

- a) Contractor employees, as permitted by law, may be subject to additional testing at the discretion of Devon to ensure compliance with drug and alcohol policy requirements. Further, Devon may require testing under additional test methods (such as POCT/instant, oral, or hair), and additional drug(s) may be added to the testing panel to ensure the safety of the Property or Jobsite. This testing may include, but is not limited to, all Contractor Company employees on Devon property or jobsites, or may apply to a particular shift, crew, location, craft, or Contractor or similar category, including a random selection based on-site access records.

Consent Forms

All Contractor employees shall complete and sign a TPS Alert consent form prior to completing any Required Tests as defined in these Requirements.

Violation Consequences and Contractor Company Discretion

Any Contractor employee who refuses to cooperate with the searches and tests included in these Requirements and/or Contractor's policy or are found in violation of either these Requirements or Contractor policy are subject to permanent removal from all Property or Jobsites.

Substance Abuse Awareness and Supervisor Training

A member of Contractor management, who is authorized to sign on behalf of Contractor, must sign the Contractor Acknowledgment and Certification form attached hereto as Attachment "B" to certify Contractor has received, read, understands, has added these Requirements to Contractor's drug and alcohol policies and/or programs, agrees to comply with these Requirements, and will make the acknowledgment form available upon Devon's request to Devon or its affiliates in accordance with applicable federal, state and local laws. Contractor shall provide training on the contents of these Requirements, recognition of performance indicators suggesting probable drug or alcohol use, and the detrimental effects on personal health and workplace safety which can result from drug or alcohol use to all Supervisors who are authorized to perform work on or be present at any Property or Jobsite, or who supervise employees authorized to perform work on or be present at any Property or Jobsite.

Applicable Laws

Contractor shall comply with all applicable federal, state, and local drug and alcohol related laws and regulations (i.e., DOT regulations, Department of Defense (DOD) Drug-Free Workplace Policy, Drug-Free Workplace Act of 1988, etc.) and to the extent these Requirements conflict with the above, the federal, state and local laws shall prevail.



Audit

Contractor shall maintain an accurate, current employee list with all required information for employees working on Devon Property or Jobsite in TPS Alert and ensure all employee information is kept up to date with new test dates. Contractor shall ensure employees read and sign the Contractor's drug and alcohol policy, this policy requirement and the Alert Consent form releasing drug and alcohol test information to TPS Alert.

Contractor shall permit unannounced audits by Devon or its affiliates in accordance with applicable federal, state and local laws of the Contractor's drug and alcohol program to verify Contractor's policy and its enforcement comply with these Requirements.

Records required to be maintained by these Requirements shall be available for inspection during the period Contractor is performing work at any Property or Jobsites and for a period of three (3) years after Contractor ceases to perform work at the locations mentioned above.

Contractor will provide any and all information requested to establish and confirm Contractor's full compliance with the requirements of Contractor's policy and/or these Requirements.

In the event Contractor is subjected to an audit to verify compliance, Contractor will be required to provide at a minimum drug and alcohol test results, drug and alcohol testing program reporting (statistical data), consent forms, reasonable suspicion training documentation, DOT reports, etc. that comply with these Requirements.



Attachment "A": Required Testing Panels and Levels

Drug tests conducted for compliance with these "Requirements," must at minimum meet the panel requirements outlined below.

Non-DOT Urine Drug Testing Panel

Substance	Screening Level	Confirmation Level
Amphetamines <i>Amphetamine, Methamphetamine</i> <i>MDMA/MDA</i>	500 ng/mL	250 ng/mL
Cocaine	150 ng/mL	100 ng/mL
Marijuana	50 ng/mL	15 ng/mL
Opioids <i>6-Acetylmorphine (6-AM)</i> <i>Codeine, Morphine</i> <i>Hydrocodone, Hydromorphone</i> <i>Oxycodone, Oxymorphone</i>	10 ng/mL 2000 ng/mL 300 ng/mL 100 ng/mL	10 ng/mL 2000 ng/mL 100 ng/mL 100 ng/mL
Phencyclidine (PCP)	25 ng/mL	25 ng/mL
Barbiturates	300 ng/mL	200 ng/mL
Benzodiazepines	300 ng/mL	300 ng/mL
Methadone	300 ng/mL	200 ng/mL
Propoxyphene	300 ng/mL	200 ng/mL



DOT Urine Drug Testing Panel

Substance	Screening Level	Confirmation Level
Amphetamines <i>Amphetamine, Methamphetamine</i> <i>MDMA/MDA</i>	500 ng/mL	250 ng/mL
Cocaine	150 ng/mL	100 ng/mL
Marijuana	50 ng/mL	15 ng/mL
Opioids <i>6-Acetylmorphine (6-AM)</i> <i>Codeine, Morphine</i> <i>Hydrocodone, Hydromorphone</i> <i>Oxycodone, Oxymorphone</i>	10 ng/mL 2000 ng/mL 300 ng/mL 100 ng/mL	10 ng/mL 2000 ng/mL 100 ng/mL 100 ng/mL
Phencyclidine (PCP)	25 ng/mL	25 ng/mL

Alcohol Testing Panel

Testing Methods	Screening Level	Confirmation Level
Saliva or Breath	0.02 >	0.04 >



Attachment "B": Contractor Acknowledgement and Certification Form

I, _____, am a member of management of Contractor Name ("Contractor") who is authorized to sign on behalf of Contractor and I hereby acknowledge Contractor has been provided a copy of the TPS Alert Program Requirements ("Requirements"). I certify that Contractor shall add these Requirements to Contractor's drug and alcohol policy; adequately communicate and train Contractor's personnel on the expectations of these Requirements; and comply with these Requirements to the extent these Requirements do not conflict with federal, state and/or local laws. I further certify that each of Contractor's employees who performs work on or is present at any and all real or personal property, including but not limited to facilities, lease roads, lease locations, right-of-way, buildings, vehicles, products and equipment, either owned or controlled by Devon ("Property or Jobsites") will acknowledge and certify his or her consent to comply with these Requirements, and Contractor shall maintain and make available any or all of the consent forms of Contractor's employees. Finally, to comply with the Violation Consequences and Contractor Company Discretion section of the Requirements, I certify Contractor shall release to TPS Alert any and all drug and alcohol test results of Contractor's employees who perform work or are present on any Property or Jobsites, and I acknowledge, understand and agree that TPS Alert will use the results solely to notify Devon of a Contractor employee's "Positive" drug or alcohol test result and the employee's status as either "Approved" or "Unapproved" – actual test results will not be provided to Devon.

Contractor Company Name: _____

Name: Jason Gutton

Title: _____

Date: _____