

Approval Date: April 8, 2019	Policy Number: P-80-68-A
Motion: 19-04-114	
Supersedes: P-80-2009-01 Substance Abuse Policy	
Title: Substance Abuse Policy	

Purpose

This policy establishes expectations for Employees’ behavior as it related to the use of Drugs that could impact Employees’ ability to perform their work duties safely, competently and efficiently.

Related Documents

- Sick Leave Policy P-80-39-A
- General Safety Policy HSC 1.1

Definitions

“Alcohol” means the intoxicating agent in beverage Alcohol including methyl and isopropyl. It includes but is not limited to beer, wine and distilled spirits.

“Drugs” refers to any substance, the use of which affects the way an individual thinks, feels or acts and which may impair an individual’s ability to perform work safely. Drugs include Alcohol, Legal Drugs and Illegal Drugs.

“Drug Paraphernalia” means any personal property associated with the use of any Illegal Drug, or substance, the possession of which is unlawful, including any product or device that may be used to attempt to tamper with a testing sample.

“Employee” is an individual employed by the Town.

“Fit for Work” means the ability to safely and acceptably perform assigned duties without any limitations due to the use or after-effects of Drugs.

“Illegal Drugs” means any Drug or substance that is not legally obtainable by the Employee and whose use, sale, possession, purchase or transfer is restricted or prohibited by Canadian law. Illegal Drugs includes cocaine, heroin, hallucinogens, stimulants, and includes Legal Drugs that have not been lawfully prescribed to the Employee.

“Legal Drugs” refers to a Drug obtained legally, and includes cannabis, and Drugs obtained over-the counter or through a doctor’s prescription.

“Reasonable Grounds” includes information established by observations of an Employee’s conduct or other indicators such as:

- Physical appearance or changes in physical appearance, including dilated pupils, or watery or red eyes or both;
- Unusual behaviour that may include slurred speech or changes in speech patterns;
- Difficulty with balance;
- Changes in attendance or unexplained absences during work hours;
- Changes in job performance;
- Erratic or atypical behavior;
- Smell associated with Alcohol or Drugs on the individual or in the vicinity; or
- The presence of Alcohol, Illegal Drugs or Drug Paraphernalia on the Employee.

“Substance Abuse” refers to the over use or improper use of Drugs, or the use of Drugs at an inappropriate time or place. Possession of an Illegal Drug whether used or not, is defined as Substance Abuse.

“Supervisor” an Employee who supervises other Employees, and includes Directors, Managers, and Coordinators.

“Unfit for Work” The inability to safely, competently or efficiently perform work duties without limitation resulting from the use or after effects of Drugs.

Policy

1. The Town does not condone any Drug use, Substance Abuse or Substance Misuse that affects the performance of duties, the safety of any operation or adversely affects the image of the Town.
2. The Town strives to create and maintain an environment free of inappropriate use of Drugs and to respect the dignity and privacy of individuals.
3. The Town is committed to providing a safe, healthy and productive workplace where Employees, the general public and the community are protected from the adverse effects of inappropriate use of Drugs by Employees.
4. The Town believes that inappropriate use of Drugs increases the potential for accidents, absenteeism, substandard performance, and poor Employee morale and health.
5. Employees are expected to be Fit for Work at all times, perform their work duties safely, competently and efficiently, without any limitation arising from Drug use or the after-effects of Drug use that affects their health or safety or that of any other person.
6. The Town recognizes its obligation to accommodate employees who may suffer from Drug Addiction.

7. This policy is designed to promote cooperation among all Employees to prevent and address Drug use, Substance Abuse and Substance Misuse in the workplace.

Scope

8. This Policy applies to all Town of Peace River Employees.

Responsibilities

9. Council:

- 9.1. Ensure that the Town has a Substance Abuse Policy in place; and
- 9.2. Review, amend, and adopt changes to this Policy.

10. Chief Administrative Officer:

- 10.1. Administer and implement this Policy;
- 10.2. Identify necessary revisions to the Substance Abuse Policy in consultation with Council, Supervisors and Human Resources;
- 10.3. In conjunction with Supervisors and Human Resources, monitor Employee compliance with this Policy; and
- 10.4. Advise Employees of this Policy.

11. Human Resources:

- 11.1. Provide awareness and education of this Policy for all Employees;
- 11.2. In conjunction with the Chief Administrative Officer and Supervisors, be responsible for monitoring Employee compliance with this Policy;
- 11.3. Provide any Employee who asks for help due to a Drug or Alcohol dependency with the appropriate support, including accommodation;
- 11.4. Maintain confidentiality and Employee privacy;
- 11.5. Facilitate and support the safe, healthy and productive return to work of an Employee who requires accommodation;
- 11.6. Maintain and update this policy as needed; and
- 11.7. Promptly lead or assist in the investigation and resolution of potential violations of this Policy.

12. Supervisors:

- 12.1. Provide awareness and education of this Policy for all Employees;
- 12.2. Identify any situations that may cause concern regarding an Employee's ability to safely perform their job functions;
- 12.3. Provide any Employee who asks for help due to a Drug or Alcohol dependency with the appropriate support, including accommodation;
- 12.4. Maintain confidentiality and Employee privacy;
- 12.5. Promptly lead or assist in the investigation and resolution of potential violations of this Policy; and
- 12.6. In conjunction with the Chief Administrative Officer and Human Resources, monitor Employee compliance with this Policy.

13. Employees:

- 13.1. Be familiar with, and act in accordance with, this Policy;
- 13.2. Arrive to work Fit for Work and remain Fit for Work throughout their shift;
- 13.3. Perform work safely in accordance with Town-established safe work practices;
- 13.4. Refrain from the consumption, possession, sale, or distribution of Drugs during working hours, unless expressly permitted by the Chief Administrative Officer;
- 13.5. When off duty, refuse a request to come into work if Unfit for Work; and
- 13.6. Abide by all governing legislation pertaining to the possession and use of Drugs.

Expectations

14. The following expectations apply to Employees while conducting work on behalf of the Town, whether on or off company property:

- 14.1. Employees shall arrive at work Fit for Work and able to perform their duties safely and to standard.
- 14.2. Employees shall not report for work if they are Unfit For Work;
- 14.3. Employees shall remain Fit for Work for the duration of their shift;
- 14.4. When on stand-by, Employees shall remain Fit for Work;
- 14.5. Employees shall not engage in or suffer the continuing effects of Drugs while at work;
- 14.6. The use, possession, distribution or sale of Drugs, or Drug Paraphernalia during work hours, including during paid and unpaid breaks, is strictly prohibited;
- 14.7. Employees on Legal Drugs shall communicate to Management or Human Resources or both any potential side effects, risk, limitation, or restrictions caused by the Legal Drugs.

15. Employees shall:

- 15.1. Inform their supervisor about their use of Legal Drugs that may impair their performance or compromise personal safety or the safety of others;
- 15.2. Use Legal Drugs responsibly, ensuring their ability to perform work safely, competently or efficiently is not impaired;
- 15.3. Advise their Supervisors whenever the Employee witnesses concerns about a coworker's Fitness for Work;
- 15.4. Seek advice or appropriate treatment for Drug use, where required;
- 15.5. Communicate dependency or emerging dependency to Human Resources or the Supervisor and;
- 15.6. Make reasonable efforts in any accommodation or treatment program, where established.

16. Employees shall, when attending an event as a representative of the Town, ensure that they are not impaired.

17. When attending a business or staff function at which Alcohol is served, Employees will only consume Alcohol when the function:

- 17.1. Occurs outside of Town buildings;
- 17.2. Occurs after standard Town business hours;
- 17.3. Is approved by the CAO;
- 17.4. Is held at a premise which has a license to serve Alcohol;

- 17.5. Is managed in a way that limits the risk for accidents, including identifying and eliminating potentially harmful situations; and
- 17.6. Provides for ready access to alternate forms of transportation for Employees leaving the event.

Suspicion of Impairment (What do I do? How do I implement it?)

18. The following procedure will be enacted if there are Reasonable Grounds that an Employee is Unfit for Work while at work:
 - 18.1. The Town will investigate any suspected or confirmed breach of this Policy and may, during the investigation, place the Employee on a paid or unpaid suspension, depending on the circumstances, while the investigation is being conducted.
 - 18.2. Employees shall report any suspected Substance Abuse to the appropriate Supervisor.
 - 18.3. If a Supervisor has Reasonable Grounds to suspect an Employee is Unfit for Work, the Supervisor will prevent the Employee from returning to their assigned duties in order to ensure their safety and the safety of other Employees or visitors to the workplace. If possible, the Employee's Supervisor will first seek another Supervisor's opinion to assess if the Employee is Unfit for Work.
 - 18.4. If the Employee is expected to or has been operating a Town vehicle or equipment while there are Reasonable Grounds, the Supervisor shall contact the RCMP to make the appropriate determination of impairment. The Employee shall remain at the location until such determination is made.
 - 18.5. The Town may require Drug testing if there has been an accident or a near miss or significant incident affecting persons or property damage or both.
 - 18.6. The Supervisor will consult privately with the Employee to determine the cause of the observation, including whether Substance Abuse has occurred.
 - 18.7. If an Employee is Unfit for Work, the Supervisor will arrange a ride, for example, a taxi ride, to safely transport the Employee to their home address or to a medical facility, depending on the determination of the observed impairment. The Employee may be accompanied by a Supervisor or another Employee if necessary.
 - 18.8. The Supervisor should not permit an Employee who is Unfit to Work to drive. The Supervisor should advise the Employee that if they choose to refuse Town of Peace River organized transportation and make the decision to drive their personal vehicle the Town is obligated to and will contact the police to make them aware of the situation.
 - 18.9. The Supervisor and Human Resources will schedule a meeting for the following work day to review the incident and determine a course of action which may include a monitored referral program as part of a treatment plan with any accommodation as required, or disciplinary action, as determined appropriate.

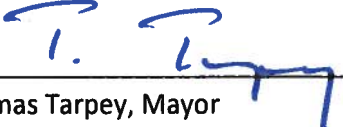
Employee Request for Assistance

19. Employees who feel they have a problem with Substance Abuse are encouraged to discuss the problem with their Supervisor or Human Resources with the intent of seeking help without fear of reprisal.

20. The Supervisor or Human Resources will listen objectively to the problem, discuss options and ensure there is follow-up to the meeting and course of treatment. Employees may use sick leave credits, to the extent that they exist, for the prescribed course of treatment. All discussions will be held in the strictest confidence.
21. The Supervisor or Human Resources can give the Employee information about appropriate treatment resources and assist in making arrangements in accordance with the Employee's wishes.
22. Attempts will be made by the Town to take action to assist the Employee in correcting any Substance Abuse problem. If however, the Employee fails to co-operate and refuses assessment or treatment or both, the Employee will be subject to progressive disciplinary actions.

Disciplinary Action

23. Employees will be subject to disciplinary action, up to and including termination of employment for failure to adhere to the provisions of this policy, including, but not limited to:
 - 23.1. Failure to meet prescribed safety standards as a result of impairment from Drugs;
 - 23.2. Engaging in illegal activities (e.g. distributing Drugs while on Town of Peace River premises).
24. The Town may discipline an Employee, up to and including termination, where the Employee's conduct poses a severe safety risk to the Employee or others.



Thomas Tarpey, Mayor



Christopher J. Parker, CAO