

Drug and Alcohol Policy

EFFECTIVE DATE: October 2018

PREPARED BY: Human Resources Manager

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POLICY PURPOSE

The City of Quesnel is committed to the health and safety of its employees and has adopted this Policy to communicate the City's expectations and guidelines surrounding substance use, misuse and abuse.

This Policy applies to employees, management, and contractors, whether on or off City property.

Guidelines

Employees under the influence of drugs, medications, or alcohol on the job can pose serious health and safety risks to themselves, their fellow employees, and the public. To help ensure a safe and healthy workplace, the City of Quesnel prohibits certain activities during an employee's workday, and prohibits persons from attending work while they are impaired by any substance.

Employees are expected to arrive to work fit for duty and able to perform their duties safely and to standard by being unimpaired by any substance. Employees must remain fit for duty at all times during their shift.

A. Drugs

For the purposes of this Policy the term "drugs" includes but is not limited to any substance which affects a person's physical or mental capacity or functioning, which causes a marked change in consciousness, or which has a physiological effect when ingested or otherwise introduced into the body, and includes both legal and illegal forms of such substances including medications whether prescription or over-the-counter.



The use, possession, manufacture, offering for sale, sale, or distribution of drugs, whether legal or illegal, is prohibited during working hours, including paid and unpaid breaks, whether on or off of City property.

The use of a drug while off duty, in circumstances such that the employee's work performance may be adversely affected, is prohibited. For purposes of this Policy, adverse effects include being impaired by a drug, or any carry-over or hangover effects of a drug, which may affect work performance.

B. Alcohol

The use, possession, manufacture, offering for sale, sale, or distribution of alcohol is prohibited during working hours, including paid and unpaid breaks, whether on or off of City property.

The use of alcohol while off duty, in circumstances such that the employee's work performance may be adversely affected, is prohibited. Employees are responsible for their consumption of alcohol preceding a work shift and must allow sufficient time for alcohol consumed to be fully metabolized.

C. Medications

Employees must act responsibly when using medications, whether over-the-counter or prescribed by a physician (including but not limited to medical marijuana and prescription opiates), to prevent adverse effects on work performance. Employees are expected to consult a physician or pharmacist when the potential effects of use of a medication or combination of medications on work performance are unknown to the employee.

Employees required to take prescription medication or medically approved substances, whether during or prior to commencing their shift, must communicate to management any potential risk, limitation, or restriction requiring modification of duties or temporary reassignment prior to commencing their shift. As per accommodation guidelines.

Possession or use of a medication for which a prescription is required without a legal prescription or license, or offering for sale, sale or distribution of such medication during working hours is strictly prohibited.



Where an employee is required to use any prescribed medications either at work or at a time that could cause them to be impaired while at work, they are required to adhere to the following:

- If an employee is required to use prescription medication such as medical marijuana while at work, they must inform the Human Resources Department, prior to using the medication at work, to make appropriate arrangements. An employee is not required to disclose their specific medical diagnosis; however, they are required to have their physician complete an employer's prescription questionnaire form and if applicable, provide a copy of their medical license authorizing their use of marijuana.
- Employees may only use medical marijuana pursuant to a valid prescription/license in accordance with the requirements of the *Access to Cannabis for Medical Purposes Regulations, SOR/2016-230*, as amended from time to time.
- Employees who must smoke medical marijuana must abide by all provincial smoking regulations and are not permitted to smoke in the presence of other employees. In such circumstances, the City of Quesnel will determine an appropriate smoking area for the employee, with the goal of maintaining the confidentiality of the employee's medical situation.
- In the event that the use of prescription medication is deemed by the City of Quesnel to pose a significant or potential hazard to the employee, other employees, or the public, the City will attempt to find alternative work for the employee, up to the point of undue hardship.

All information provided in regards to medication of any kind is considered confidential and will be treated as such, keeping an employee's privacy as a top concern balanced with safety.

Roles and Responsibilities

The City of Quesnel will:

- Clearly communicate expectations surrounding alcohol, drug, or medication use, misuse and abuse;
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- Maintain a program of employee health and awareness;
- Provide a safe work environment; and
- Review and update this Policy on a regular basis.

Management will:

- Identify any situations that may cause concern regarding an employee's ability to safely perform their job functions;
- Ensure that any employee who asks for help, prior to breaching this Policy, due to a drug, medication, or alcohol dependency is provided with the appropriate support (including accommodation where possible) and is not disciplined for disclosing such a dependency; and
- Maintain confidentiality and employee privacy.

Employees must:

- Abide by the provisions of this policy and be aware of their responsibilities under it;
- Arrive to work fit for duty by being unimpaired by any substance, and remain as such for the duration of their shift;
- Perform work in a safe manner in accordance with the City's established safe work practices;
- Report limitations and required modifications as a result of prescription medication;
- Report unfit co-workers to management;
- Seek advice and/or appropriate treatment, where required;
- Communicate dependency or emerging dependency; and
- Follow the after-care program, where established.

Suspicion of Impairment



The following procedure will be enacted if there is reasonable belief that an employee is impaired at work:

1. If possible, the employee's manager/supervisor will first seek another manager/supervisor's opinion to confirm the employee's status.
2. Next, the manager/supervisor will consult privately with the employee to determine the cause of the observation, including whether the employee's ability to work is impaired by any drug, alcohol, or medication. Suspicion that an employee's ability to function safely is compromised may be based on personal observations. If the employee exhibits unusual or uncharacteristic behaviour that may include, but is not limited to, slurred speech, difficulty with balance, watery and/or red eyes, dilated pupils, and/or there is an odour of alcohol or drug use, the employee should not be permitted to return to their assigned duties in order to ensure their safety and the safety of other employees or visitors to the workplace.
3. The determination that an employee is considered impaired for any reason and is deemed "unfit for work" will be made based on the best judgment of management and DOES NOT require a breathalyzer or blood test. The employee will be advised that the City of Quesnel has arranged a taxi to safely transport them to their home address or to a medical facility, depending on the determination of the observed impairment. The employee may be accompanied by a manager/supervisor or another employee if necessary.
5. An employee deemed to be impaired will not be allowed to drive. The employee should be advised if they choose to refuse the City of Quesnel's organized transportation and make the decision to drive their personal vehicle the company is obligated to and will contact the police to make them aware of the situation.
6. A meeting will be scheduled for the following workday to review the incident and determine a course of action, which may include a monitored referral program as part of a treatment plan or, depending on the circumstances, action can include discipline, up to and including dismissal.

Drug and Alcohol Testing



In addition to personal observations, employees in safety sensitive positions, as determined by the City in its sole discretion, are also subject to mandatory testing for the presence of alcohol or drugs in the employee's body, including multiple testing where appropriate, under the following circumstances:

i) Post-incident

Employees employed in safety sensitive positions will be subject to post-incident testing for alcohol or drugs where an act or omission by an employee who is on duty or at a worksite causes or contributes to a work-related accident or other incident. The decision to refer an employee for a test will be made by a manager/supervisor in conjunction with a second person (e.g. another manager/supervisor) wherever practicable.

ii) Return to duty

Where an employee has received treatment for a disability related to use of alcohol or drugs, and is returning to duty, the employee must abstain from the use of alcohol or any drug, and must undergo drug or alcohol testing, or both, as a component of the employee's return to duty process.

A positive test for the presence of drugs or alcohol in the employee's body in the above circumstances, may result in discipline up to and including dismissal.

Substance Dependency

The City of Quesnel understands that certain individuals may develop a dependency to certain substances, which may be defined as a disease or disability. Employees are not excused from their duties as a result of their dependencies. The City of Quesnel promotes early diagnosis. Any employee who suspects that he/she might have an emerging drug or alcohol problem is expected to seek appropriate treatment promptly.

Voluntary Identification

Employees are encouraged to communicate if they have a dependency or have had a dependency so that their rights are protected and they can be accommodated appropriately. Employees will not be disciplined for requesting help or due to current or past involvement in a rehabilitation effort.

All medical information shall be kept confidential by the City of Quesnel, unless otherwise required by law.



Agreement for the Continuation of Employment

The City of Quesnel reserves the right to invoke an *Agreement for the Continuation of Employment* in accordance with an employee's commitment to become, and remain alcohol and drug-free. The Agreement will outline the conditions governing the employee's return to the job and the consequences for failing to meet the conditions.

An Agreement for the Continuation of Employment may include a requirement for drug or alcohol testing.

Disciplinary Action

Employees will be subject to disciplinary action, up to and including termination of employment for any breach of this Policy, including, but not limited to:

- Attending at work or remaining at work while impaired by alcohol or drugs;
 - Failure to disclose a dependency on drugs or alcohol prior to breaching this Policy;
 - Failure to disclose medical marijuana usage prior to breaching this Policy, and
 - Engaging in illegal activities (e.g. selling illegal drugs, medication, or alcohol while on duty whether on or off of City of Quesnel premises).
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