

Policy and Procedure Manual

SECTION: Human Resources		GUIDELINE #: HR-020
Date Approved: November 8, 2019		Substance Use
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Authority: Human Resources		

PURPOSE

The Town of Hanover (The Town) is committed to the health and safety of its employees and has adopted this guideline to communicate its expectations and requirements surrounding substance use, misuse, and abuse.

Employees under the influence of drugs, alcohol or other substance on the job can pose serious health and safety risks to both themselves and their fellow employees. To help ensure a safe and healthy workplace, the Town reserves the right to prohibit certain items and substances from being brought on to or from being present on Town premises.

Definitions

Drug: Any substance which can change or adversely affect the way a person thinks or feels, whether obtained legally or illegally. This could include recreational cannabis, cocaine, opiates, and amphetamines.

Drug paraphernalia: Material or equipment used or intended for use in injecting, ingesting, inhaling, or otherwise introducing a drug, illegal or controlled, into the human body.

Medication: Includes a drug obtained legally, either over the counter, or through a prescription or authorization issued by a medical practitioner. For this policy, medications of concern are those that inhibit a worker's ability to perform their job safely and productively.

Alcohol: Any beverage containing any quantity of alcohol, including, beer, wine, and distilled spirits.

RESPONSIBILITIES

All Staff

The following expectations apply to employees and management alike while conducting work on behalf of the company, whether on or off company property:

- Employees are expected to arrive to work fit for duty and able to perform their duties safely and to standard;
- Employees must remain fit for duty for the duration of their shift;
- Use, possession, distribution, or sale of drugs or alcohol during work hours, including during paid and unpaid breaks, is strictly prohibited;
- Employees are prohibited from reporting to work while under the influence of recreational cannabis and any other non-prescribed substances;
- Use and possession of medically prescribed or authorized drugs is permitted during working hours, subject to the terms and conditions of the Town's policies and all applicable legislation;
- Employees on medically approved medication must communicate to management any potential risk, limitation, or restriction requiring modification of duties or temporary reassignment; and
- Employees are expected to abide by all governing legislation pertaining to the possession and use of cannabis, including the Town's Medical Cannabis Guideline.

Managers and Supervisors

- Identify any situations that may cause concern regarding an employee's ability to safely perform their job functions;
- Exercise their duty to inquire any time concern of impairment is present;
- Ensure that any employee who asks for help due to a drug or alcohol dependency is provided with the appropriate support (including accommodation); and
- Maintain confidentiality and employee privacy.

Employees

- Abide by the provisions of this policy and be aware of their responsibilities under it;
- Disclose to their supervisor if they are impaired;
- Arrive to work fit for duty, and remain so for the duration of their shift;
- Perform work safely in accordance with established safe work practices;
- Avoid the consumption, possession, sale, or distribution of drugs or alcohol on company property and during working hours (even if off company property);
- When off duty, refuse a request to come into work if unfit for duty;
- Report limitations and required modifications as a result of prescription medication;
- Report unfit co-workers to management;
- Seek advice and appropriate treatment, where required;
- Communicate dependency or emerging dependency to management or human resources; and
- Follow care program(s), where established.

GUIDELINES

Suspicion of Impairment

The following procedure may be enacted, and all details documented, if there is reasonable belief that an employee is impaired at work:

1. If possible, the employee's manager or supervisor will first seek another manager's or supervisor's opinion to confirm the employee's status.
2. Next, the manager or supervisor will consult privately with the employee to determine the cause of the observation, including whether substance use has occurred. Suspicions of an employee's ability to function safely may be based on specific personal observations. If the employee exhibits unusual behaviour including but not limited to slurred speech, difficulty with balance, watery or red eyes, or dilated pupils, or if there is an odour of alcohol, 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. If an employee is considered impaired and deemed "unfit for work," this decision is made based on the best judgement of two members of management and DOES NOT require a breathalyzer or blood test. The employee may be advised that the Town has arranged a taxi or other mode of safe transport to take 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 or supervisor or another employee if necessary. The employee will not suffer loss of pay.
4. An impaired employee will not be allowed to drive. The employee should be advised if they choose to refuse Town organized transportation and decide to drive their personal vehicle, the company is obligated to and will contact the police to make them aware of the situation.
5. A meeting may be scheduled 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.

Possession at Work

Possession of alcohol, drugs, and drug paraphernalia on Town property is prohibited, unless an accommodation has been arranged. Town property encompasses all corporate owned or leased property used by employees, including without limitation parking lots, vehicles, lockers, desks, and closets.

Possession off of Company Premises

Unless an accommodation has been arranged, possession of alcohol, drugs, and drug paraphernalia is also prohibited while employees are acting on behalf of the corporation off of Town premises during regular working hours. Employees who choose to consume legal substances, such as alcohol, at an after-hours event for which they are representing the Town, may only do so within reason. Impairment and/or unprofessional behavior during such events may lead to disciplinary action, up to and including termination.

Substance Dependency

The Town understands that certain individuals may develop a chemical 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 Town promotes early diagnosis. Any employee who suspects that they might have an emerging drug or alcohol problem is expected to seek appropriate treatment promptly.

The Town will work with the individual who requests accommodation in an effort to ensure that the measures taken are both effective and mutually agreeable, up to the point of undue hardship. Employees are encouraged to communicate any need for accommodation to their immediate supervisor, and to work with them and Human Resources in addressing the concern.

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 will be kept confidential by the Town, unless otherwise authorized by law.

Medical Cannabis

Where an employee uses medical cannabis, it is expected they will abide by the Town's related guideline. Please refer to HR-021 Medical Cannabis.

Agreement for the Continuation of Employment

The Town 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 may be subject to disciplinary action up to and including termination of employment for failure to adhere to the provisions of this guideline, including but not limited to:

- Failure to meet prescribed safety standards as a result of impairment from alcohol or drugs; and
- Engaging in illegal activities (for example, selling drugs or alcohol while on company premises).