

SUBJECT: SUBSTANCE USE / ABUSE – CUPE and Exempt	
DATE OF ISSUE: September 2013	ORIGIN: Administration
REVISION DATE: September 2018	Reference: Healthy Workplace Program Workplace Requirements and Standards of Conduct Occupational Health and Safety Policies

I OBJECTIVE

This Policy applies to all employees, student employees, contractors and volunteers (collectively “employees”).

The District of Saanich has an obligation to the public to provide safe, reliable and efficient service. As well, it has a legal obligation to ensure the safety and health of employees, and it endeavours to promote their general health and well-being.

II POLICY

In order to achieve these goals, the District strictly prohibits employees from manufacturing, offering for sale, selling, distributing, consuming, or using drugs or alcohol while on duty, whether on or off District property.

Employees are responsible for their consumption or use of legal substances (including medications, cannabis, or alcohol) preceding a work shift and must allow sufficient time for any legal substances consumed to be fully metabolized, and for the impairing effects of those substances to have fully resolved. The District strictly prohibits employees from consuming or using drugs or alcohol whether on or off duty in circumstances, or at a time, such that the employee is impaired while on duty. Employees are expected to arrive to work fit for work and be able to perform their duties safely and to standard by being unimpaired by any substance. Employees must remain fit for work at all times while on duty. If an employee is impaired while at work where it may create a risk to the employee or anyone else, they have a legal obligation to cease working and must report their impairment to their supervisor, the Health and Wellness Specialist, or to the Manager, Occupational Health and Safety.

When attending a District of Saanich related business event, employees must ensure that any consumption of alcohol or medication is responsible and will not result in conduct that may harm the reputation of the District. In order to maintain an appropriate municipal government image, employees are prohibited from purchasing, using, consuming, manufacturing, offering for sale, selling, or distributing alcohol or drugs while wearing a District uniform or while operating a District vehicle whether on or off duty.

III SPECIAL SITUATIONS

(a) Medication

Where an employee is required to use medication (including but not limited to

medical cannabis) pursuant to a valid prescription and in accordance with a physician's directions, at a time, whether on or off of District property, that could cause them to be impaired while on duty, they are required to adhere to the following:

- the employee must notify the Specialist, Wellness and Benefits, or a supervisor, prior to using medication while on duty that could cause them to be impaired, and prior to attending work impaired, to determine whether their use of that medication can be accommodated;
- although the employee is not required to disclose their specific medical diagnosis, they must provide a copy of their medical license or prescription authorizing their use of the medication in order for the District to consider a request for accommodation. Any medical license or prescription relied on for the use of medical cannabis must be issued in accordance with the applicable statutory requirements; and
- employees whose use of medication can be accommodated must securely store their medication in accordance with guidelines established by the District as part of the accommodation process.

If an employee uses medication in breach of this Policy, without first disclosing their need to use such medication to the Specialist, Wellness and Benefits, or a supervisor, they may be subject to discipline up to and including termination of employment.

(b) Addiction or substance use disorder

The District recognizes the abuse of, or addiction to, alcohol, drugs, or medication, whether prescribed or not, as a serious health problem. The District is committed to responding appropriately and to assisting employees with substance use disorders or addiction to identify and obtain treatment for their disability.

Where an employee has or suspects they may have an addiction or substance use disorder, and where that addiction or substance use disorder does not render them unable to do so, they are required to notify the Specialist, Wellness and Benefits, or a supervisor, prior to their use of drugs, alcohol, or medication while on duty, whether on or off of District property, and prior to their attending work impaired.

Where an employee discloses an addiction or substance use disorder prior to breaching this Policy, the District will take reasonable steps to assist them through the Employee and Family Assistance Program or, where applicable, through any assistance program provided through the Union. No employee who discloses an addiction or substance use disorder prior to breaching this Policy will be disciplined because of the individual's disclosure or their involvement in a rehabilitation effort.

If an employee uses drugs or alcohol in breach of this Policy without first disclosing their use to the Specialist, Wellness and Benefits, or a supervisor, they may be subject to discipline up to and including termination of employment.

(c) Accommodation

Where an employee discloses their use of medication that could cause them to be impaired while on duty, or discloses an addiction or substance use disorder in accordance with this Policy, the District will work with that individual to determine what, if any, accommodation could reasonably be provided to that individual.

The provision of reasonable accommodation to persons with disabilities related to the use of medication that could cause them to be impaired, or to persons with addiction or substance use disorders, requires cooperation and collaboration between the individual requesting the accommodation, their union where applicable, and the District. Individuals requesting accommodation have a duty to facilitate a reasonable accommodation offered by the District. Accommodations is subject to the prohibitions in the District policy [Smoke and E-Cigarette Free Workplace Policy] that identify areas where cannabis smoking and consumptions is banned.

(d) Risk Assessment

Where an impairment associated with one of the above situations may create an undue risk to the worker or anyone else, the Manager of Occupational Health and Safety (OHS) will be notified to ensure OHS involvement in the assessment of the safety risks.

IV DEFINITIONS

1. 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, but does not include medications taken pursuant to a valid prescription, and in accordance with a physician's directions.
2. Medication means a substance that is prescribed by a physician for the treatment of a physical or mental condition, and which is taken in accordance with a physician's directions. This includes but is not limited to medical cannabis.
3. Impaired or Impairment means a deterioration or diminishment of an individual's physiological ability, functioning, judgment, or condition, and includes but is not limited to being unable to function as that individual does under normal or usual conditions, or safely because of intoxication by any substance..
4. On Duty refers to any period during which an employee, including a student employee, contractor, or volunteer:
 - Is performing work at, on, or in District Property; or
 - Is performing work at another location on behalf of the District of Saanich, including breaks, mealsand includes both paid and unpaid breaks and any period during which an employee is on-call or identifiable as a Saanich employee.
5. District of Saanich related business events include any situation in which an employee attends an external event as a representative of the District of Saanich and presents himself or herself in this manner.

6. District Property includes but is not limited to all real or personal property, facilities, land, buildings, parking lots, equipment, containers, and vehicles, whether owned, leased or used by the District and wherever located.

V ROLES AND RESPONSIBILITIES

1. Administrator

Approves the policy, procedures and associated updates.

2. Department Heads

- a) Ensure that all Department employees are familiar with the Substance Use / Abuse Policy;
- b) Administer the Policy within the Department;
- c) Recommend changes in Policy;
- d) Initiate or approve appropriate workplace interventions as noted in (3) (c) below;
- e) Promote and maintain an alcohol and drug-free workplace in the interests of health and safety;
- f) Ensure that an appropriate action is taken when employees exhibit abuse, a substance use disorder, or addiction. Any such action must be in consultation with the Manager of Human Resources, a Human Resources Advisor, or the Human Resources Specialist, Wellness and Benefits; and
- g) Assist subordinate supervisory personnel in matters pertaining to the application of the Substance Use / Abuse Policy.

3. Supervisory Personnel:

- a) Ensure that all employees in the unit are aware of the Substance Use / Abuse Policy;
- b) Promote and maintain an alcohol and drug-free workplace in the interests of health and safety;
- c) Promote and ensure secured storage for prescribed medication;
- d) Initiate an appropriate action when an employee is in breach of this Policy. Any such action must be in consultation with the Department Head and the Manager of Human Resources, a Human Resources Advisor, or the Human Resources Specialist, Wellness and Benefits. Where the action creates an undue safety risk, the actions will involve consultation with the Manager of Occupational Health and Safety.
- e) With the assistance of the Human Resources Specialist, Wellness and Benefits, differentiate between behaviour that is properly characterized as an illness or a disability, and behaviour that is not; and
- f) Ensure that any meeting called with a unionized employee in relation to this Policy includes a union representative.

4. Employees:

- a) Ensure that the workplace is free from the adverse effects of the use of alcohol or drugs, including prescribed medications and medical cannabis;
- b) Thoroughly familiarize themselves with the effects of any medication that is prescribed to them and ensure that no impairment will be experienced when at work;
- c) Employees who become aware of conduct by another employee which is

- contrary to this Policy, and that poses an immediate threat to the safety or health of any employee or the public, or to damage equipment, or to the environment, must inform their exempt Manager;
- d) Conduct themselves in a lawful manner while on District property or business and to this end the use, possession or distribution of an illegal substance is prohibited;
 - e) Arrive at work fit for duty, unimpaired by any substance;
 - (a) Report to their immediate supervisor or to the Specialist, Wellness and Benefits if they are taking any medications that may affect their work performance, before they commence work;
 - (b) Never arrive at work or attend at a Saanich facility smelling of alcohol or drugs or appearing as if s/he may be impaired. Any employee who does report for work when impaired may be subject to discipline up to and including termination of employment. Contractors, students or volunteers may be subject to temporary or permanent removal from the facility;
 - (c) Act responsibly with regard to the use of medications, whether over-the-counter or prescribed by a physician, in order to prevent adverse effects on work performance or judgment arising from the medication or its combination with other substances;
 - (d) Ensure that his/her attendance at work on a regular and consistent basis is not affected by the use of drugs, alcohol or medication;
 - (e) An exception to the distribution of alcohol by an Employee, but to no other component of this Policy, will be made for Food and Beverage Staff, and then only in the course of their duties at work.

VI GUIDELINES

Any employee including student employees, contractors or volunteers who breaches this Policy may be immediately removed from the workplace, facility or assignment pending investigation and resolution of the circumstances. Resolution may involve discipline up to and including dismissal, termination of contract and/or referral for addiction support. The employee will be offered assistance to return to his/her home.

The District of Saanich recognizes that it has a responsibility to correct or eliminate inappropriate behaviour by an employee that is within the control of the employee; to assist an employee suffering from an addiction to seek appropriate rehabilitative treatment, and to conduct an investigation that will provide sufficient information to determine whether or not an employee suffers from an addiction or has conducted a wilful act.

In order to ensure consistent application within the District, Department Heads, Managers and Supervisors are strongly advised to consult with their Human Resources Advisor when considering any action or response involving the application of this Policy. The Human Resources Advisor may in turn elicit the assistance of the Specialist, Wellness and Benefits, and Occupational Health and Safety, as appropriate.