

**Drug, Alcohol and
Substance Abuse Policy**

2C.015

Section: 2.0 General Government and Administrative Services
- C. Human Resources

Authority: General Manager of Corporate Services

Statement

The Municipal District of Bonnyville (M.D.) is committed to the health and safety of its employees, contractors, and the public. The M.D. recognizes and accepts the responsibility to provide its employees with a safe, healthy and productive work environment. Employees have the responsibility to report to work capable of performing their tasks productively and safely. The use of illegal drugs, improper use of prescription or non-prescription medication and the use of alcohol or other impairing substances can have serious adverse effects on the safety of the workplace, you, fellow employees, contractors, and the public.

Purpose

The purpose of this policy is to establish the M.D.'s expectations for appropriate behavior, the consequences for non-compliance and to provide consistent guidelines for all employees.

Definitions

For the purposes of this policy:

- (1) "Drugs" are any substance, inclusive of illicit drugs, restricted drugs, and medication, as defined by this policy, the use of which has the potential to cause impairment or intoxication, changing or affecting the way a person thinks, feels, or acts. For the purposes of this policy, drugs of concern are those that inhibit a worker's ability to perform his or her job safely and productively.
 - (a) "Illicit Drug" means any drug or substance that is not legally obtainable and whose use, sale, possession, purchase or transfer is prohibited by law (for example, street drugs such as heroin and cocaine).
 - (b) "Restricted Drug" means any drug or substance capable of causing intoxication or impairment which is legally obtainable for recreational use and whose sale, purchase, possession, or transfer are restricted by law (such as cannabis, if and when legalized).
 - (c) "Medication" refers to a drug obtained legally by an employee and used as indicated or directed, including but not limited to those obtained by the employee with a doctor's prescription or medical document, as contemplated by the Access to Cannabis for Medical Purposes Regulation (as amended, repealed and replaced from time to time), and non-prescription or over-the-counter products.
- (2) "Under the influence" is under the influence of drugs (including medication), alcohol or any controlled or uncontrolled impairing substance for the purpose of this policy is

Date Adopted: December 15, 2005

Resolution No: 05.739

Date Reviewed₍₀₁₎: December 9, 2015

Resolution No: 07.197

Date Amended₍₀₂₎: June 13, 2018

Resolution No: 18.338

defined as the use of one or more of these substances to an extent that an employee is:

- (a) Unable to perform in a productive manner;
 - (b) In a physical or mental condition that creates a risk to the safety and well-being of the individual, other employees, the public or M.D. property; and/or
 - (c) Displaying signs or symptoms of substance abuse such as the smell of alcohol on breath, slurred speech, and atypical behavior.
- (3) “Drug or alcohol dependence” is a mental, physical or psychological dependence on drugs, alcohol or other impairing substance which is considered by a physician to be a medical condition/disability under Human Rights Law.
- (4) “Recreational drug/alcohol or other substance use” with recreational use of drugs, alcohol or other impairing substances, there is no mental, physical or psychological dependence, therefore; this is not considered a mental, physical, or psychological disability under Human Rights Law or a medical condition.

Policy

Treatment and Accommodations

- (1) Any employee suffering from a drug, alcohol or other substance dependence is strongly encouraged to disclose the dependence to their supervisor. The M.D. recognizes its responsibility to assist and accommodate employees suffering from an illness/dependence due to alcohol or drugs to the extent reasonably possible without undue hardship.

Further, employees who are concerned that a fellow employee may be suffering from a drug or alcohol addiction are strongly encouraged to report their concerns to a supervisor.

Prohibitions

- (1) While on M.D. premises and while conducting M.D. related activities off M.D. premises, no employee may use, possess, distribute, sell or be under the influence of illicit drugs, restricted drugs or alcohol. This includes meal periods and scheduled breaks.
- (a) In the event that alcoholic beverages are available at any M.D. endorsed function, it is expected that an employee choosing to consume alcohol will use reasonable judgment and responsible consumption.
- (2) The legal use of medications permitted at work only if it does not impair the employee's ability to perform their work effectively and in a safe manner. Employees are encouraged to discuss, with their supervisor, the use of medication which may affect work performance or safety. The M.D. is committed to accommodating an employee's necessary use of medication to the extent reasonably possible without undue hardship.
- (3) No M.D. employee shall use or consume illicit drugs, restricted drugs or alcohol while in charge of any M.D. vehicle or equipment.

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- (4) No M.D. employee shall be under the influence of illicit drugs, restricted drugs or alcohol during their regular working hours, including meal periods and scheduled breaks.
- (5) If an M.D. employee is called out after regular working hours to perform work related duties and has been consuming alcohol or illicit drugs, or restricted drugs or is impaired by medications or other intoxicants, it is the employee's responsibility to:
 - (a) under no circumstances operate a motor vehicle or any M.D. equipment while under the influence of alcohol or drugs;
 - (b) notify an authorized person of the circumstances immediately;
 - (c) obtain assistance from a responsible employee, not under the influence of alcohol or drugs, to perform the required task.

Reasonable Cause Testing

- (1) The M.D. reserves the right to conduct testing for the presence of alcohol or drugs when it has reasonable cause to believe that the actions, appearance or conduct of an employee while on duty is indicative of the use of drugs or alcohol.
- (2) The basis for the decision to test will be documented as soon as possible after the action has taken place. The referral for the test will be based on specific, personal observations resulting from, but not limited to:
 - (a) Observed use or evidence of use of illicit drugs, restricted drugs or alcohol (e.g. smell of alcohol);
 - (b) Erratic or atypical behaviour of the employee;
 - (c) Involvement in an accident where the possibility of drug or alcohol impairment cannot be easily ruled out from review of the circumstances;
 - (d) Changes in physical appearance of the employee;
 - (e) Changes in behaviour of the employee;
 - (f) Changes in speech patterns of the employee;
 - (g) Discovery of intoxicants, drugs, alcohol or related paraphernalia found in locations to which an employee has sole or primary access, including employees' lockers or assigned vehicles; or
 - (h) Involvement in a "significant incident" as defined by Occupational Health & Safety legislation.
- (3) In addition, the M.D. may conduct reasonable cause testing upon receipt of a complaint or concern by a co-worker or third party that an employee may be using drugs, alcohol or other substances contrary to this policy. In such circumstances, the M.D. shall record the name and contact information of the complainant, if known, as well as the details of the concern or complaint.
- (4) In all situations where M.D. administration believes an employee is unfit to be at the workplace, a responsible escort will be used to escort the employee home.
- (5) Where reasonably possible, such tests shall be conducted respectfully and, in a manner, to minimize the intrusive nature of the tests. The Supervisor/Manager or General Manager will contact the alcohol and drug testing provider to schedule a test.

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The process is to be completed as soon as possible after the incident which is deemed within the guidelines of this policy. The drug testing will be performed and in compliance with the testing procedures as defined by the drug and/or alcohol testing facility. Positive test results shall be reviewed and verified by a physician to confirm if a drug or alcohol dependence exists.

Discipline/Post-Violation Return to Duty

- (1) The M.D. views the rules contained in this policy to be of the utmost importance. There is zero tolerance for deviation from the above terms which will result in disciplinary action that may include immediate dismissal. All employees will be provided with a copy of this policy as notification that any resulting dismissal will be considered as "dismissal with cause" and not subject to notice or remuneration in lieu.
- (2) Any M.D. employee suffering from a drug or alcohol dependence is strongly encouraged to disclose the dependence to their supervisor. The M.D. recognizes its responsibility to assist and accommodate employees suffering from an illness/dependence due to alcohol, drugs or other impairing substance. However, if an employee neglects or refuses to disclose such a condition to the municipality, the M.D. will be forced to deal with breaches of this policy assuming that the employee is only engaged in recreational drug, alcohol or other substance use and not suffering from dependence or illness but has simply disregarded the policy, in which case immediate and strict disciplinary action will be taken.
- (3) Seeking voluntary assistance for drug or alcohol dependence will not jeopardize an employee's employment with the M.D., so long as the employee continues to co-operate and seek appropriate treatment for their disclosed problem and is able to treat and control the problem to facilitate a safe return to work within the reasonably foreseeable future.
- (4) Any M.D. employee violating this policy who is subsequently authorized and accepted by the M.D. to return to the workplace shall receive a 'Return to Work Letter' outlining conditions of the return to the workplace which will normally include (without limiting the generality of the foregoing), the following:
 - (a) Requirement to continue treatment, counselling and assistance programs or procedures recommended by the employee's advising physician or addiction counselor;
 - (b) Express obligation to immediately cease performance of duties and notify a supervisor in the event the employee finds themselves under the influence at any time during work hours following a return to the workplace;
 - (c) Requirement to provide written medical confirmation that the employee has any condition under control and is able to safely return to the workplace without danger to the employee or others;
 - (d) Requirement to provide reasonably regular updates from the employee's physician or addiction counselor confirming that the employee continues to follow

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- recommended treatment programs and continues to be fit for performance of duties without danger to themselves or others; and
- (e) An express warning to the employee that future violations of the policy will lead to further discipline and serious consideration of immediate termination for just cause.
- (5) Employees suffering from drug or alcohol illness who fail to co-operate with assistance or treatment programs and/or engage in repeated infractions of this policy, will be subject to the normal disciplinary sanctions, including immediate termination for just cause.

Policy Review

Within five (5) years from date adopted / amended / reviewed.

For administrative use only:

Previous Policy Number: (prior to July 24, 2019)	10.12.36
Related Documentation: (plans, bylaws, policies, procedures, etc.)	

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