Impairment in the Workplace — Substances Policy

Based on CSA Z1008:21, *Management of impairment in the workplace*

[Insert company name here] is committed to the health and safety of its workers and supporting and accommodating those workers who report, or are suspected of, being impaired at work.

# Purpose

The purpose of this policy is to help ensure that **[Insert company name here]** applies its position on impairment in the workplace fairly and consistently. **[Insert company name here]** shall work in compliance with all required legislation to minimize the risks associated with worker impairment (e.g., from substance use) while at work (including employees reporting to work impaired), including those requiring special consideration and accommodation for medically prescribed substances. The following process outlines are included as part of this policy:

* Prescription and non-prescription drugs
* Substances, alcohol, and drug testing
* Social situations
* Help and support

# Scope

This policy shall apply to all employees, volunteers, independent contractors, and consultants conducting business and acting on behalf of **[Insert company name here]** or while in the **[Insert company name here]** workplace. The term “worker” is used generically throughout this policy to refer to these groups.

# Definitions relevant to this policy

From CSA Z1008:21, Clause 3.

* **Impaired/Impairment**: a temporary physical, psychological, or physiological state of the worker that has a negative impact on performance or creates a hazard in the workplace.
* **Procedure:** a specified way to carry out an activity or a process.
* **Substances:** chemicals taken into the body through one or more consumption methods, including but not limited to ingestion, injection, inhalation, or a transmucosal or transdermal route, and include both licit and illicit recreational and medically required chemicals. These can include medications, alcohol, or other chemicals.
* **Workplace:** any location in which work-related activities under the control of **[Insert company name here]** are performed. This location includes vehicles, remote sites, and telecommuting.

# Requirements for workers

* adhere to all terms and conditions under this policy;
* be able to safely perform all duties while at the workplace or otherwise on **[Insert company name here]** business;
* seek assistance from their supervisor or Human Resources with any concerns regarding a current or emerging problem and follow their guidance and recommendations;
* notify their supervisor or Human Resources if they are concerned that any other worker is not able to perform their duties or is otherwise under the influence of a substance while performing work duties;
* participate as needed with any investigation resulting from a violation of this policy; and
* advise the supervisor and Human Resources of any side effects associated with using regulated substances including prescription medications (e.g., drowsiness or other type of impairment).

# Terms and conditions

No worker shall:

* report to work unfit because of substance use;
* possess substances, alcohol, or illegal drugs in the workplace;
* attempt to supply others with illegal substances;
* attempt to supply others with alcohol while in the workplace (except if included as part of a work-related function); or
* consume impairing or illegal substances while at work or while performing tasks on behalf of **[Insert company name here].**

An investigation process involving Human Resources, the supervisor, the worker, and a worker representative chosen by the worker shall determine whether a worker can perform their duties safely when substance use is of concern.

Contravention of this policy shall be deemed misconduct and subject to disciplinary action up to and including possible termination. Cases involving possession and/or dealing of illegal substances while on work premises or while performing tasks on behalf of **[Insert company name here]** may be reported to the police.

Once it is determined that there is no apparent medical emergency, a worker suspected of being under the impairing influence of a substance may be sent home immediately, subject to further investigation and/or disciplinary action.

Symptoms of impairment may include but not be limited to abnormal behaviour, dilated eyes, slurred speech, or a strong smell of alcohol on the worker’s breath.

# Confidentiality

The following information will remain confidential and shared only with people who have legitimate reasons to be told, unless the worker provides written consent:

* Medical information
* Results of any tests
* Accommodation related information

# Prescription and non-prescription substances for therapeutic purposes

**[Insert company name here]** recognizes that workers can be required to possess and/or take prescription and non-prescription substances, and **[Insert company name here]** is committed to providing any reasonable accommodation as may be deemed necessary and as prescribed by the worker’s physician.

If any of the following situations apply, a worker must speak to their supervisor and/or Human Resources about the potential impact on work before starting any work tasks and ensure the following:

* Prescription medications in the worker’s possession must have been prescribed directly to the worker and taken as prescribed. **[Insert company name here]** reserves the right to request workers to provide a medical certificate.
* Any use of prescription or non-prescription medications must not adversely affect the worker’s ability to safely perform their duties.
* The worker must notify **[Insert company name here]** of any potentially unsafe side effects associated with the use of a prescription or non-prescription medication.
* Workers required to consume medical cannabis in the form of cigarettes must do so in accordance with **[Insert company name here]** Human Resources policies concerning smoking in the workplace, and cannabis use in any form must be in accordance with other provisions of this policy.

# Non-therapeutic substance use and testing

**[Insert company name here]** may test workers for substance use under the following circumstances:

* A worker has been previously found to be impaired at the workplace from a substance and is returning to work as part of an approved, agreed to, and monitored stay-at-work/return-to-work process.
* A worker is a member of a union that has expressly and clearly negotiated language allowing for the circumstances under which testing would occur.
* A worker has positions or tasks that could cause direct and significant harm to themselves or others if performed improperly, and there are reasonable grounds to believe that the worker was impaired while on duty; or the worker was directly involved in a significant workplace incident and no other immediate causal or mitigating factors were determined.

# Social situations

**[Insert company name here]** may on occasion host events, both onsite or at other locations, where alcoholic beverages might be available (e.g., holiday party, receptions, business dinners, etc.). During these events, **[Insert company name here]** will:

* seek to monitor alcohol consumption;
* discourage workers from over-consumption;
* make available alternative non-alcoholic beverages; and
* make alternative transportation available to workers and guests as they leave the event (e.g., taxi chits or vouchers).

Workers/guests at a hosted event are expected to

* limit personal consumption to reasonable amounts; and
* abstain from alcohol consumption if they are on a scheduled call, discussing business matters of importance, making business related decisions on behalf of **[Insert company name here]**, presenting to an audience, or otherwise considered to be performing work-related tasks.

# Additional support

Any worker concerned about a substance use disorder or issue is encouraged to immediately seek assistance from the supervisor and/or Human Resources.

**[Insert company name here]** is committed to assisting, supporting, and accommodating all workers including referring them to its employee assistance program (EAP) for additional counselling and resources.

**[Insert company name here]** may also assist the worker by granting additional unpaid time off to obtain treatment or attend support groups.

# Inquiries

Any questions pertaining to the interpretation or application of this policy should be addressed to the supervisor, or where relevant, the owner, director/manager of **[Insert company name here]**, office manager, or the Human Resources manager.

Replace with COO signature Replace with CEO signature

**[Insert CEO first and last** **name]** **[Insert COO first and last name]**

Chief Executive Officer Chief Operating Officer

**[YYYY/MM/DD] [YYYY/MM/DD]**

