



Administrative Procedure 408

EMPLOYEE SUBSTANCE USE AND RELATED CONDUCT

Background

The District is committed to providing a safe, healthy and productive working and learning environment where students, employees and other members of the school community are protected from the adverse effects of impairing substances.

All employees are expected to perform their work safely, competently and efficiently, without limitation from the use or after-effects of impairing substances.

This administrative procedure is designed to prevent and address impairing substance use at work.

District employees are in positions of trust. This administrative procedure establishes expectations for behaviour in relation to the use of impairing substances that could impact an employee's ability to perform their work duties safely, competently and efficiently, consistent with their position of trust. This includes the District's requirements regarding employee:

- Fitness for duty.
- Use of impairing substance(s); and,
- Disclosure of impairing substance(s) use.

It is the intent of the administrative procedure that the dignity and privacy of individuals are respected. Treatment, accommodation and the successful recovery of employees who have a substance use disorder are prioritized in the administrative procedure.

This administrative procedure applies to all employees. Contractors engaged by the District are expected to have an equivalent policy in place prior to attending on or in school property.

Non-compliance with this administrative procedure may result in appropriate disciplinary measures, up to and including dismissal.

Definitions

Fit for duty means an employee's ability to perform their job duties with efficiency, competency and in a safe manner as compared to established or generally accepted performance standards.

Impairing substance means any substance that is ingested, consumed or otherwise taken, that changes or adversely affects the way a person thinks, feels or acts. The definition of impairing

substances includes, but is not limited to, alcohol, cannabis, illicit drugs and medications with impairing effects.

Work means any task performed for or on behalf of the District or where the employee is seen as acting as a representative of the District, including (but not limited to) student field trips or when an employee has contact with students.

Workplace means school property (including within a prescribed distance), any location, vehicle or equipment owned, leased, licensed, operated or otherwise controlled by the District, or any other place at or from which an employee works in the course of their duties (including a personal vehicle). This includes any circumstance where an employee is in the vicinity of students, is responsible for the supervision of students or could be seen as acting as a representative of the District and where an employee telecommutes or works from home.

Procedures

1. Subject only to an exception required by Human Rights Code, the District does not permit the use of impairing substances at work or in the workplace.
2. The District does not permit the possession, use, distribution or sale of controlled drugs at work or in the workplace.
3. Anyone who is reasonably suspected of not being fit for duty will be required to leave work and will be provided with safe transportation home or to required medical attention.
4. The District recognizes employees' human rights and will support employees who struggle with responsible use of impairing substances, or who have a substance use disorder, by assisting with access as appropriate to programs, services, benefits or work accommodation as per the [Human Rights Code](#).
5. The District complies with all applicable health and safety, human rights and privacy legislation.
6. Education on the risks of impairing substance use and abuse and the influence that such use and abuse has on job performance and health and safety will be made available to all employees.
7. Employees must:
 - 7.1. Be fit for duty at work or in the workplace.
 - 7.2. Ensure that their ability to perform their duties is not adversely affected by the use or after-effects of impairing substances.
 - 7.3. Consult with their physician and/or pharmacist to determine if their use of any impairing substance may affect their fitness for duty or the safety of any person at work or in the workplace.
 - 7.4. Advise their supervisor or manager if they are taking or have taken an impairing substance that may adversely impact their fitness for duty or the safety of any person at work or in the workplace.

- 7.5. Advise their supervisor or manager in a confidential manner if they reasonably believe that another employee is not fit for work.
- 7.6. If an employee is working on-call, they must remain fit for duty or decline the call-in for work.
8. Employees who need a valid driver's license in their performance of their duties must immediately inform their supervisor or manager if their driving privileges are lost, revoked or suspended due to impaired driving, including but not limited to a charge, suspension or conviction while on or off duty or in the employee's personal vehicle.
9. Supervisors and Managers will:
 - 9.1. Communicate with employees about the need to maintain a workplace free from impairing substance use, including answering questions about this administrative procedure.
 - 9.2. With the assistance of identified District staff/Assistant Superintendent of Human Resources, proactively identify and manage performance issues related to impairing substance use or substance use disorder.
 - 9.3. Record relevant information about any incident of suspected impairment and report it without delay to the Assistant Superintendent of Human Resources.
 - 9.4. Address any situation, including prohibiting operation of a motor vehicle, where an employee is reasonably suspected of being not fit for duty.

Reference: Sections 15, 17, 20, 22, 65, 85 School Act
Occupational Health and Safety Regulation
Workers Compensation Act
Controlled Drugs and Substances Act
Cannabis Control and Licensing Act
Tobacco and Vapour Products Control Act
Human Rights Code
Cannabis Act
Criminal Code of Canada,

Adopted: December 3, 1973

Revised: June 17, 1991; January 27, 2004; March 12, 2019; December 15, 2020