

SUBSTANCE (DRUG AND ALCOHOL) DEPENDENCE/IMPAIRMENT

Background

Maskwacis Education Schools Commission (MESC) is committed to the health and safety of its employees, volunteers, and members of the public. Employees under the influence of drugs or alcohol on the job can pose serious health and safety risks both to themselves and their fellow employees. To help ensure a safe and healthy workplace, the MESC reserves the right to prohibit certain items and substances from MESC premises. The presence of illicit drugs, recreational drugs, and alcohol on MESC property is not permitted.

All individuals working at MESC (including volunteers and contractors) are expected to report fit for duty for scheduled work and be able to perform assigned duties safely and acceptably without any limitations due to use or after effects of alcohol, illicit drugs, recreational drugs, non-prescription drugs, prescribed medications, or any other substance that may impair judgment or performance.

Any individual failing to adhere to this administrative procedure may be subject to discipline up to and including dismissal.

Procedures

1. The following expectations apply to employees, administration, and supervisors alike, while conducting work on behalf of MESC, whether on or off MESC property:
 - 1.1. Employees are expected to arrive at 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;
 - 1.2. Distribution or sale of drugs or alcohol during work hours, including during paid and unpaid breaks, is strictly prohibited;
 - 1.3. Possession of non-prescribed drugs during working hours is strictly prohibited;
 - 1.4. Use and possession of medically prescribed drugs is permitted during working hours, subject to the terms and conditions of MESC's policies, administrative procedures, and all applicable legislation;
 - 1.5. Employees are prohibited from reporting to work while under the influence of non-prescribed drugs or alcohol; and
 - 1.6. Employees on prescription medication or medically approved substances must communicate to their supervisor any potential risk, limitation, or restriction requiring modification of duties or temporary reassignment.

2. Responsibilities
 - 2.1. MESC will:
 - 2.1.1. Ensure this administrative procedure is communicated and accessible to all employees;
 - 2.1.2. Maintain a program of employee health and awareness;
 - 2.1.3. Provide a safe work environment; and
 - 2.1.4. Review and update this administrative procedure as required.

2.2. People Services will:

- 2.2.1. Advise administrators/supervisors and employees regarding the administration of this procedure;
- 2.2.2. Clearly communicate expectations surrounding alcohol and drug use, misuse and abuse;
- 2.2.3. Advise both administrators/supervisors and the employee when an investigation has begun and recommend appropriate interim action;
- 2.2.4. In conjunction with administrators/supervisors, investigate the incident and confirm the facts;
- 2.2.5. Ensure that employees are given information on where they can access counseling and support, if requested;
- 2.2.6. Present the results of the investigation and suggested resolution to administrators/supervisors and the affected parties; and
- 2.2.7. Ensure the confidentiality of information.

2.3. Administrators/Supervisors will:

- 2.3.1. Identify any situations that may cause concern regarding an employee's ability to safely perform their job functions;
- 2.3.2. Pro-actively respond to any reported or suspected violation of this guideline in a consistent and fair manner;
- 2.3.3. Notify People Services of any employees found to be in violation of this guideline;
- 2.3.4. Immediately escort any employee home who reports to work under the influence of alcohol or drugs and notify People Services;
- 2.3.5. Document any incidents of substance abuse;
- 2.3.6. In conjunction with People Services, investigate the violation and follow through with the appropriate discipline; and
- 2.3.7. Maintain the confidentiality of the individuals concerned, except where disclosure is necessary for the purposes of investigating the situation or taking disciplinary measures in relation to the incident if discipline is being imposed.

2.4. Employees will:

- 2.4.1. Take responsibility for their own safety and the safety of others by ensuring that they do not violate the work rules contained in this administrative procedure;
- 2.4.2. Arrive to work fit for duty, and remain as such for the duration of shift;
- 2.4.3. Perform work in a safe manner in accordance with MESC established safe work practices;
- 2.4.4. Avoid the consumption, possession, sale, or distribution of drugs or alcohol on or off MESC property during working hours;
- 2.4.5. When off duty, refuse a request to come into work if unfit for duty;
- 2.4.6. Report limitations and required modifications as a result of prescription medication;
- 2.4.7. Disclose any problems they are experiencing with an alcohol or drug dependency to their administrators/supervisors or People Services;
- 2.4.8. Report unfit co-workers to administrators/supervisors;
- 2.4.9. Seek advice and/or appropriate treatment, where required;

- 2.4.10. Cooperate with the recommendations of any required professional assessments and provide medical information to People Services as necessary;
 - 2.4.11. Follow the after-care program, where established; and
 - 2.4.12. For Employee and Family Assistance Program (EFAP) services, contact Homewood Health. These services are confidential and available 24 hours a day, seven days a week, and 365 days a year.
3. Suspicion of Impairment
- 3.1. If possible, the employee's Supervisor will first seek another supervisor's opinion to confirm the employee's status.
 - 3.2. Next, the supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred.
 - 3.2.1. Suspicions of an employee's ability to function safely may be based on specific personal observations. If the employee exhibits unusual behaviour that may include, but not limited to:
 - 3.2.1.1. Slurred speech;
 - 3.2.1.2. Impairment of motor skills, and perception, altered bodily perceptions, loss of full control of bodily movements, falls;
 - 3.2.1.3. Bloodshot or glazed eyes;
 - 3.2.1.4. Dilated or constricted pupils
 - 3.2.1.5. Suspiciousness, nervousness, episodes of anxiety resembling a panic attack, paranoia (loss of contact with reality), hallucinations (seeing or hearing things that do not exist); and
 - 3.2.1.6. Odour of alcohol or drug use.
4. If an employee is considered impaired and deemed "unfit for work" this decision is made based on the best judgment of two administrators/supervisors and DOES NOT require a breathalyzer or blood test. The employee will be advised that MESC has arranged transportation to safely transport them to their home address or to a medical facility, depending on the determination of the observed impairment. The employee may be accompanied by an administrator/supervisor or another employee if necessary.
5. An impaired employee will not be allowed to drive. The employee should be advised if they choose to refuse MESC's arranged transportation and make the decision to drive their personal vehicle, MESC is obligated to and will contact the police to make them aware of the situation.
6. A meeting will be scheduled to review the incident and determine a course of action which may include a monitored referral program as part of a treatment plan.
7. Substance Dependency
- 7.1. MESC 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. MESC promotes early diagnosis.
8. Voluntary Identification

- 8.1. 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.
 - 8.2. All medical information will be kept confidential by MESC, unless otherwise authorized by law.
9. Agreement for the Continuation of Employment
 - 9.1. MESC will support the employee's commitment to become, and remain alcohol and drug-free. An Agreement, for the continuation of employment, will be developed outlining the conditions governing the employee's return to the job and the consequences for failing to meet the conditions.
10. Disciplinary Action
 - 10.1. Employees may be subject to disciplinary action, up to and including termination of employment for failure to adhere to the provisions of this administrative procedure, including, but not limited to:
 - 10.1.1. Failure to meet prescribed safety standards as a result of impairment from alcohol and/or drugs; and
 - 10.1.2. Engaging in illegal activities (e.g. selling drugs and/or alcohol while on MESC premises).
11. Employee Awareness and Acknowledgement
 - 11.1. All employees are required to acknowledge they have read and understand this Administrative Procedure and are required to confirm their commitment to safe workplaces that are free from impairments.

Reference:

Alberta Human Rights Act
Child, Youth and Family Enhancement Act
Controlled Drugs and Substances Act Criminal Code (Canada)
Criminal Records Act
Food and Drugs Act
Freedom of Information and Protection of Privacy Act
Homewood Health
Personal Information Protection Act
Teaching Profession Act
MESC Administrative Procedure 413: Code of Conduct
MESC Administrative Procedure 422: Employee Discipline