

Alcohol, Cannabis and Drug Use Policy

Reviewed Date		Number	<i>HR0108</i>
Revised Date	<i>November 28, 2018</i>	Approved Date	<i>September 26, 2012</i>

Introduction

The Simcoe Muskoka District Health Unit (SMDHU) is committed to promoting a safe, healthy and productive workplace and positive community image for staff, students, board members and volunteers.

It is recognized that the consumption of alcohol, cannabis, drugs, prescription medications and over the counter medications may impair a person's ability to perform their job properly which could have serious adverse effects on the safety and well-being of themselves, their co-workers, the public and impact upon the agency's reputation within our community.

As such substances may also negatively impact a person's health, SMDHU is committed within its public health mandate, to raising awareness of [drug and alcohol](#) related harm and strategies designed to reduce these harms among employees and non-employees of SMDHU and other workplaces in Simcoe Muskoka. Accordingly, links to Health Unit resources are included within this policy.

SMDHU acknowledges however there may be Health Unit sponsored social events held outside of business hours and off premises at which alcohol may be served. The safe provision of alcohol by contracted third parties at these events is of paramount importance to ensure minimal risk to individuals in attendance both from a health perspective and from a community image perspective.

Purpose

This policy is put in place to inform Simcoe Muskoka District Health Unit (SMDHU) employees and non-employees of their obligations regarding the use of alcohol, cannabis and drugs and the use of prescription and over the counter medications causing impairment while working for/or representing the Health Unit.

Legislative Authority

Ontario Health and Safety Act, 1990

Cannabis Control Act, 2017

Smoke Free Ontario Act, 2017

As per subsections (1) and (2) of section 12 of the Smoke Free Ontario Act, 2017, cannabis (both recreational and medical) cannot be smoked, held as lighted or vaped inside an enclosed workplace which includes personal vehicles used for work and SMDHU vehicles.

Policy Definitions and Interpretation

Employee - includes all full time, part-time, contract, temporary, or casual staff

Non-employee - includes Board Members, volunteers and unpaid students.

Workplace - as defined by the Occupational Health and Safety Act which includes all work and office locations where SMDHU business is conducted including SMDHU vehicles and personal vehicles while being used for work purposes, and work from home.

At Work - an employee or non-employee is at work when they are performing job/placement /volunteer responsibilities on behalf of the Health Unit in any location.

Alcohol - any beverage which contains ethyl alcohol, including beer, wine, liqueurs and spirits. Low alcohol products (beer with 0.5% alcohol by volume) are included in this definition.

Cannabis - For the purpose of this policy this is defined as recreational cannabis

Drugs - drugs which cannot be possessed under Canadian law, including a wide range of "street drugs" (e.g., cocaine, heroin) and those prescription drugs obtained without a physician's prescription.

Prescription medication - drugs which have been legally obtained with a physician's prescription including medical cannabis (marijuana)

Over the Counter Medication - this is medication that may be obtained without a prescription e.g. cold or sinus medication, antihistamines, pain medication etc. which may impair a person's abilities.

Impairment - functional limitation resulting from the use of alcohol or drugs which negatively affects a person by diminishing their ability to carry out the requirements of their assigned duties in a safe or efficient manner or affecting the safety and/or well-being of others.

Under the influence - refers to the presence of alcohol and/or drugs in the bloodstream, even in the absence of impairment and includes both the smell of alcohol or drugs on one's person and alcohol on one's breath.

Supervisor - the person to whom the employee directly reports or in the absence of the direct Supervisor another management representative of the Health Unit.

Health Unit Sponsored Social Event - an official event sanctioned by the Health Unit to honour an individual or group of individuals or recognize a significant event or date, or planned to encourage positive relationships amongst Health Unit employees, non-employees and their guests, which is authorized by management and planned using Health Unit resources, occurring during or after business hours at a Health Unit office or an off-site location.

Third Party - An establishment or individual licensed and trained to properly serve alcohol who by being the holder of such license assumes the responsibility/liability for the serving of alcohol.

Policy

Consumption of alcohol, cannabis, drugs or the use of over the counter or prescription medications that jeopardizes or could potentially jeopardize either the health and safety or well-being of the employee, other employees, non-employees, the public and/or the reputation of the Health Unit, is deemed to be unacceptable and inappropriate behaviour.

Accordingly, employees and non-employees are expected to report to work in a fit condition and continue throughout the work day to be ready and able to conduct their duties free from the impairment effects of alcohol, cannabis, drugs, or impairment from the use of prescribed or over the counter medications. This includes having no alcohol on one's breath or the smell of alcohol, cannabis or drugs on one's person. In addition, employees and non-employees are expected to conduct themselves in a responsible and professional manner while representing the agency.

An employee's use of alcohol, cannabis, drugs or prescribed and over the counter medications that may cause impairment is not permitted on Health Unit premises or on paid Health Unit time. Accordingly, no alcohol, cannabis or drugs are allowed, nor may they be consumed or served, on or in a Health Unit workplace. A Health Unit sponsored social event held outside of working hours at an off-site location where alcohol is available must be catered by a third party. The third party must assume the liability and responsibility for any and all alcohol consumption.

The SMDHU is a supportive work environment and any employee with an alcohol or drug problem is encouraged to seek help through our Employee and Family Assistance Program (EFAP) in overcoming their problem.

Procedures

Disclosure Obligations Roles and Responsibilities:

1. The SMDHU is both a safety sensitive environment and a supportive work environment. Accordingly, any employee with an alcohol, cannabis or drug problem is required to disclose any substance abuse, drug/alcohol/cannabis dependency or addictions without fear of reprisal so that the Health Unit may offer them treatment in order to assist them. In addition, employees are encouraged to seek help through our Employee and Family Assistance Program in overcoming their problem.

Employees and non-employees:

2. Have both a duty and a requirement to disclose to their Supervisor situations where the individual is taking prescription drugs or over the counter medications that may have an impairment affect and/or adversely affect their work performance during work hours. No employee or non employee is required nor will they be asked to disclose the reason for the use of the drug, only that they are taking a drug that may cause impairment at work. Once disclosed the Supervisor will work together with the employee to formulate the best accommodation possible for the employee that meets both the employer and employee's needs, including the option of discontinuing work and returning home in a safe manner.

Employees and non-employees shall not:

1. Consume alcoholic beverages, cannabis, drugs or be under their influence, smell of alcohol, cannabis or drugs on one's person or have alcohol on one's breath while working on behalf of the Health Unit or while in a Health Unit workplace.
2. Be impaired by alcohol, cannabis or drugs while working on behalf of the Health Unit, while in a Health Unit workplace or while representing the agency at an off-site location on paid Health Unit time, or while a representative of the Health Unit where they are at the specific time formally in the capacity of acting on behalf of the Health Unit, notwithstanding whether they are on paid or unpaid time or at work.
3. Work or represent the Health Unit while impaired by prescription or over the counter medications. If the employee or non-employee is not able to complete their job/placement/volunteer responsibilities due to impairment by prescription or over the counter medications, they must advise their Supervisor. The Supervisor will determine the feasibility of retaining the individual at work.

The SMDHU shall:

1. Enforce the agency Alcohol and Drug Use Policy consistently among all employees and non- employees.
2. Make available information of the health impact of alcohol and drugs, including substance use prevention. Encourage following the [Canada's Low- Risk Alcohol Drinking Guidelines \(LRDG\)](#) and Canada's [Lower- Risk Cannabis Use Guidelines \(LRCUG\)](#) for all employees and non-employees.
3. Offer treatment, without fear of reprisal, to employees who discloses any substance abuse, drug/alcohol/cannabis dependency or addictions.
4. Provide confidential counselling to employees who have a problem with alcohol or drugs and/or medications through the Employee and Family Assistance Program or other community resources and direct non employees to community supports as appropriate. Reasonable steps will be made to accommodate the employee where alcohol and drug dependency is medically verified as a disability under the Human Rights Code.

The Supervisor shall, in consultation with Human Resources:

1. Initiate efforts, where reasonably possible to attempt to accommodate an employee whose therapeutic use of prescribed or over the counter medication may impact on their ability to perform their job/placement responsibilities or where alcohol, cannabis and drug dependency is medically verified as a disability under the Human Rights Code.
2. Initiate disciplinary action where it is deemed appropriate with employees in violation of this Alcohol and Drug Use Policy, while ensuring the employee is offered safe transportation to a health care facility and if not then as an alternative to the employee's home by taxi.

Violations of the Workplace Alcohol and Drug Policy

1. Where the agency Alcohol and Drug Use Policy has been violated the following steps shall be taken to ensure the safety and well-being of the person(s) and others is immediately addressed and that the public image and reputation of the Health Unit is maintained.

- a. If an employee/non-employee is deemed to be at work in an unfit impaired condition affecting their ability to continue working due to alcohol, cannabis or any type of drugs, a Supervisor will arrange to have the individual immediately removed from their work location. An employee shall be initially suspended with pay by way of a non-disciplinary administrative suspension, pending further investigation and consultation. The Supervisor shall suggest the employee immediately attend a health care facility for medical care and assessment. The Supervisor shall make every reasonable effort to ensure the individual is offered safe transportation to a health care facility and if not possible offer to send the employee home by taxi. The Supervisor shall document all actions taken.
- b. If an individual is deemed to otherwise be in violation of this policy, (for example, having alcohol/cannabis/drugs on one's breath or person) a Supervisor may, depending on the situation, arrange with the employee to correct their appearance and/or public presentation accordingly so that they may continue working for the remainder of the day as a representative of the Health Unit. The Supervisor shall inform the individual they are reserving their right to discipline them pending further investigation and consultation and that they will get back to them with their decision.
- c. Before returning to work from an initial non disciplinary administrative suspension from work, the employee or non-employee will be required to meet with their Supervisor at which time a formal disciplinary response may be initiated. The Supervisor will remind an employee of the Employee and Family Assistance Program's services and non-employee of community resources, if appropriate
- d. Subject to Human Resources availability at the time, Supervisors should first attempt to contact Human Resources to discuss each individual situation prior to initiating any of the above steps. It is understood this may not always be possible.

Note:

- (i) The enforcement of this policy is of paramount importance to the Health Unit to ensure its reputation is maintained along with the health, safety and well-being of all of its employees, non- employees and the public. As such, employees and non-employees are requested to report to their Supervisor any employee or non-employee who may be in violation of this policy.
- (ii) Employees are encouraged to access the confidential EFAP services provided by SMDHU if an employee identifies an issue related to their use of alcohol, cannabis or drugs. Employees may also wish to speak to their Supervisor/Manager or Human Resource Department. The employee will be supported in accessing community resources, including the Health Unit's EFAP services as appropriate. Any discussion will be confidential.

Related Policies

HR0101 Employee Conduct

Related Forms

Final Approval Signature: _____

Review/Revision History:

Revised – November 28, 2018