

<b>Topic:</b>	<b>Substance Abuse Intervention/Prevention</b>
<b>Effective:</b>	January 2012
<b>Cross-Reference:</b>	Administrative Procedures - Disability Management – Early Intervention Accommodation and Return to Work; Attendance Support Program; Attendance Management Policy - Privacy and Information Management
<b>Review/Revision Date:</b>	January 2014
<b>Responsibility:</b>	Executive Officer of Human Resources

**INTENDED PURPOSE:**

The Halton District School Board recognizes that substance abuse can negatively affect job productivity, the psychosocial work environment, and the health, safety and wellbeing of employees. The Board is committed to assisting employees with the prevention of substance use, the early identification of substance abuse, and referrals to rehabilitative and supportive programs within and outside of the Employer.

This administrative procedure serves to ensure a healthy and safe work environment and to ensure consistency when addressing substance use issues.

**PROCEDURES:**1.0 Definitions

- i. Impairment – the inability of an employee to work with reasonable effectiveness and safety due to the use of drugs or alcohol or due to exhaustion arising out of the use of drugs or alcohol.
- ii. Substance Abuse – the use of illegal drugs, inappropriate use of alcohol, or the misuse of prescription or over-the-counter drugs that causes physical and/or mental harm.

2.0 This procedure applies to all employees of the Halton District School Board, all persons carrying out business on behalf of the Employer, and all persons carrying out duties or activities on Employer property.

3.0 The Halton District School Board holds that each employee has a responsibility for his/her own safety, as well as those around him/her. This includes reporting any behaviour that may jeopardize the safety of co-workers and/or students to the appropriate Manager of Human Resources. This does not supersede the employee's "Duty to Report" as defined in the Child Abuse administrative procedure.

4.0 While on Halton District School Board business or premises, the following acts are prohibited:

- i. Using, possessing, trafficking, or offering alcohol, illicit drugs or drug paraphernalia;
- ii. Deliberately misusing prescribed or over-the-counter medications;
- iii. Possessing prescribed medications without a prescription;
- iv. Trafficking or offering prescription medications; and
- v. Reporting to work while impaired due to alcohol or drug use.

- 5.0 In cases where an employee has been given a prescription for medication and this medication may affect his/her ability to work skillfully and safely, it is the responsibility of the employee to discuss the matter with his/her Principal/Supervisor/Manager or a member of the Employee Health Services Department or designate in order to obtain modified work accommodations, if necessary.
  - 5.1 Where prescribed medications are on Employer property due to an employee's needs, said medication must be monitored vigilantly and kept in a secure place that is out of harm's reach and inaccessible to students (e.g. the employee's pocket or a locked cabinet etc).
- 6.0 In the event that an employee has violated this administrative procedure, is suspected to be under the influence, is displaying impaired behaviour, and/or impaired behaviour has been reported, these steps shall be followed by the Employer, while maintaining the employee's confidentiality and dignity:
  - i. Intervene with employee and escort to a confidential area to confront suspicions and/or document evidence of impairment/use;
  - ii. Investigate if suspicions are correct and discuss the decline of performance and/or ability to perform duties;
  - iii. Obtain second opinion of impairment, if necessary;
  - iv. If deemed unfit to work, escort employee off of Employer property. Provide transportation for employee to hospital, if medical attention is required, or to place of residence;
  - v. Advise employee of his/her right to contact a union representative;
  - vi. Inform the appropriate Manager of Human Resources or designate; and
  - vii. In consultation with Human Resources, send written documentation to employee of steps taken and what next steps to expect, making reference to the Employee Assistance Program.
- 7.0 Where necessary, as determined by the Executive Officer of Human Resources or designate, the Employer may further investigate the allegations of impairment or substance abuse. This may involve the assignment of the employee home with pay until completion of the investigation. Such assignment will be made at the sole discretion of Human Resources.
- 8.0 When an employee has been sent home due to substance use, a suspicion thereof, or for further investigation, the Employer may request that medical documentation be provided deeming the individual drug and/or alcohol free prior to his/her return to work.
- 9.0 If an employee is seeking rehabilitative services outside of the Employer for substance abuse issues, s/he may wish to inform his/her Principal/Supervisor/Manager.
  - 9.1 If an employee is uncomfortable or does not wish to approach his/her Principal/Supervisor/Manager, s/he may contact the appropriate Disability Management Coordinator, Manager of Human Resources, or designate directly.
- 10.0 If the Employer determines that an employee is fit to return to work and/or medical documentation has been received to this effect, a return-to-work meeting will be held with the Disability Management Coordinator or designate to review and determine appropriate accommodations, if required. The employee will be advised of his/her right to have union representation attend the meeting. At the meeting:
  - i. The Employer may require the employee to enter an agreement that will govern his/her continued employment;

- ii. Restrictions, modifications and timeframes will be addressed;
- iii. The schedule of follow-up meetings will be determined; and
- iv. A return-to-work plan, outlining the issues that were addressed in the meeting, will be supplied to the employee for his/her own records.

11.0 In accordance with Human Rights legislation, rehabilitative services will be provided to employees who require it. Assistance for employees is provided through the Employer's confidential Employee Assistance Program, as well as referrals to outside agencies.

12.0 Any violation of this procedure or the return-to-work agreement may result in discipline including suspension without pay and/or termination of employment.

13.0 In all cases governed by this administrative procedure, those responsible for the case will hold an employee's information, health issues, and assessments in confidence. Furthermore, the identity of any staff member who reports impaired behaviour or suspicions shall be kept confidential.

13.1 Any breach to confidentiality may result in disciplinary action up to and including termination.

#### 14.0 Responsibilities

##### 14.1. Employer

- i. Monitor employees for impaired behaviour and determine appropriate action.
- ii. Ensure safety of all employees and students.
- iii. Refer employees to EAP, if required.
- iv. Promote and maintain an alcohol and drug-free workplace.

##### 14.2 Employee

- i. Arrive to work capable, fit for duty, and conduct self in safe manner.
- ii. Report any awareness or suspicion of impaired conduct by another employee.
- iii. Abstain from the inappropriate use of drugs or alcohol.
- iv. Comply with this administrative procedure.
- v. Seek treatment when necessary.
- vi. Cooperate with any investigation related to this administrative procedure, including participating in testing, if requested, to ensure the safety of self and others' in performance of the employee's job requirements.
- vii. Maintain safety for self and others.