

# Substance Use Intervention

## Administrative Procedure

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| <b>Status:</b>         | <b>Active</b>                     |
| <b>Effective:</b>      | January 2012                      |
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| <b>Review Date:</b>    | February 2029                     |
| <b>Responsibility:</b> | Superintendent of Human Resources |

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### Intended Purpose

The Halton District School Board recognizes that substance abuse can adversely impact job productivity, the psychosocial work environment, and the health, safety and well-being of employees. The HDSB is dedicated to supporting employees through the prevention of substance use, the early identification of substance abuse, and referrals to rehabilitative and supportive programs within and outside of the organization. This administrative procedure serves to maintain a healthy and safe work environment while ensuring consistency when addressing substance use-related concerns. This procedure applies to all employees of the Halton District School Board, all persons carrying out business on or off Employer property, on behalf of the Employer, and all persons carrying out duties or activities on or off Employer property.

### Definitions

*Impairment*- the inability of an employee to work safely, competently or 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.

*Substance Use Disorder*- the use of illegal drugs, inappropriate use of alcohol or cannabis, or the misuse of prescription or over-the-counter drugs that causes psychological and/or physical dependence.

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### Procedures

1. While the Halton District School Board is responsible for the safety of all employees, each employee also has a responsibility for their own safety, as well as those around them. 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 procedures.
2. While on Halton District School Board business or premises, the following acts are prohibited:
  - 2.1. Using, possessing, trafficking, or offering alcohol or cannabis, illicit drugs or drug paraphernalia;
  - 2.2. Deliberately misusing prescribed or over-the-counter medications;
  - 2.3. Possessing prescribed medications without a prescription;
  - 2.4. Trafficking or offering prescription medications;
  - 2.5. Reporting to work while impaired due to alcohol or drug use; and
  - 2.6. Using any other substance(s) that, when misused, can induce a mind or body-altering effect (solvents, gas, cleaning fluids).
3. In situations where an employee has been prescribed medication that may affect their ability to work effectively and safely, it is the responsibility of the employee to engage with a member of the Employee Health and Wellness Department. This will allow for a discussion regarding potential modified work accommodations, should they be necessary.
4. When prescribed medications are on Employer property due to an employee's medical needs, it is essential that the medication be carefully monitored and stored securely. It must be kept in a location that is both out of harm's reach and inaccessible to students (e.g., the employee's pocket or a locked cabinet,

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etc). This ensures both the safety of the employee and the well-being of all individuals on the premises.

5. In the event that an employee is suspected of breaching this administrative procedure, being 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:
  - 5.1. Intervene with employee and escort them to a confidential area to address the concerns and document evidence of impairment or substance use;
  - 5.2. Investigate whether the suspicions are valid and engage in discussions regarding the decline of performance and/or the employee's ability to perform duties;
  - 5.3. Seek a second opinion of impairment, if necessary;
  - 5.4. If deemed unfit to work, accompany the employee off of Employer property. Arrange transportation for the employee to hospital, if medical attention is required, or to their place of residence;
  - 5.5. Advise employee of their right to contact a union representative;
  - 5.6. Inform the appropriate Manager of Human Resources or designate; and
  - 5.7. In consultation with Human Resources, send written documentation to the employee of steps taken and expected next steps, making reference to the Employee and Family Assistance Program (EFAP).
6. Impairment can have a negative impact on an employee's performance and may jeopardize their health and safety. Behaviors that could give rise to reasonable cause to believe that an employee is impaired/unfit for work and may be unable to perform their job duties safely include but are not limited to:
  - 6.1. Slurred speech;
  - 6.2. Glassy eyes;
  - 6.3. Flushed face or neck;

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- 6.4. Disorientation, unsteadiness, or lack of coordination;
  - 6.5. Smell of alcohol or drugs (on breath, or clothing, or in the air surrounding the employee);
  - 6.6. Uncharacteristic or abnormal behavior (e.g., frequent or rapid mood swings, excitement, confusion, irritability, aggressiveness, remoteness, euphoria)
  - 6.7. Diminished performance (e.g., sporadic work pace, neglect of duty, increase in mistakes, difficulty communicating or recalling instructions); and/or
  - 6.8. Memory problems.
7. Where necessary, as determined by the Superintendent 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. 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 or in appropriate treatment prior to their return to work.
  9. If an employee is seeking rehabilitative services outside of the Employer for substance use disorder and requires workplace accommodations (i.e. time off work), they are to contact the Employee Health and Wellness Abilities Specialist.
  10. 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 a member of Employee Health and Wellness, Abilities Specialist or designate to review and determine appropriate accommodations

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and/or supports, if required. The employee will be advised of their right to have union representation attend the meeting. At the meeting:

- 10.1. The Employer may require the employee to enter an agreement that will govern their continued employment;
  - 10.2. Restrictions, modifications and timeframes will be addressed;
  - 10.3. The schedule of follow-up meetings will be determined;
  - 10.4. A return-to-work plan, outlining the concerns that were addressed in the meeting, will be supplied to the employee for their own records; and
  - 10.5. The Employer may require the employee to participate in periodic and random testing through a third-party.
11. Any violation of this procedure or the return-to-work agreement may result in discipline including suspension without pay and/or termination of employment.
  12. 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. Any breach of confidentiality may result in disciplinary action up to and including termination.

## Responsibilities

### 14. Employer

- 14.1. Observe employees for signs of impaired behaviour, ensuring a supportive and safe work environment while determining appropriate action.
- 14.2. Ensure the safety of all employees and students.
- 14.3. Refer employees to EFAP, if required.

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- 14.4. Promote and maintain an alcohol and drug-free workplace.

### **15. Employee**

- 15.1. Arrive to work prepared, fit for duty, and conduct one's self in a manner that prioritizes safety and well-being.
- 15.2. Report any awareness or suspicion of impaired conduct by another employee, in order to maintain a safe and supportive work environment.
- 15.3. Abstain from the inappropriate use of drugs or alcohol.
- 15.4. Comply with this administrative procedure.
- 15.5. Seek treatment when necessary.
- 15.6. Co-operate 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.
- 15.7. Prioritize and maintain the safety and well-being of yourself and others at all times.
- 15.8. Report to Employee Health and Wellness designate when administering prescriptions that may cause impairment while engaged in work duties.

### **16. Principal/Manager/Supervisor**

- 16.1. Report any awareness or suspicion of impaired conduct by an employee.
- 16.2. Consult with the HR Manager.
- 16.3. Take immediate steps to safely remove the employee, when there are reasonable signs of impairment, ensuring the well-being of all individuals.

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### **Cross-Reference:**

#### **Legislation**

Occupational Health and Safety Act

Ontario Human Rights Code

#### **Ministry Policy & Program Memoranda**

#### **Board Policies, Procedures & Protocols**

Attendance Support Program

Confidentiality of Medical Records

Disability Management and Support Program

Individual Work Accommodation (Medical)

Occupational Health and Safety

Privacy and Information Management

Progressive Discipline

Prohibition Regarding Alcohol and Recreational Use of Cannabis Products

Respectful Workplace

### **Revision History**

- February 2025 - Updated terms