

Topic:	Substance Use Intervention/Prevention
Effective:	January 2012
Cross Reference:	Halton District School Board Policies: Prohibition Regarding Alcohol and Recreational Use of Cannabis Products; Privacy and Information Management; Respectful Workplace; Employment Equity; Privacy and Information Management Review. Halton District School Board Administrative Procedures: Disability Management and Support Program – Early Intervention, Individual Work Accommodation (Medical) and Return to Work; Attendance Management and Support Program; Attendance Management, Occupational Health and Safety, Progressive Discipline; Respectful Workplaces Free of Discrimination and Harassment; Ontario Human Rights Code; Confidentiality of Medical Records
Revision Date:	March 2016, October 2018, January 2019, January 2022
Review Date:	January 2025
Responsibility:	Superintendent 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:**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.

1. 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.
2. The Halton District School Board holds that each employee 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 procedure.
3. While on Halton District School Board business or premises, the following acts are prohibited:
 - i. Using, possessing, trafficking, or offering alcohol or cannabis, 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;
 - v. Reporting to work while impaired due to alcohol or drug use; and
 - vi. Using any other substance(s) that, when misused, can induce a mind or body-altering effect (solvents, gas, cleaning fluids).

4. In cases where an employee has been given a prescription for medication and this medication may affect their ability to work skillfully and safely, it is the responsibility of the employee to discuss the matter with a member of the Employee Health and Wellness Department in order to obtain modified work accommodations, if necessary.
5. Where prescribed medications are on Employer property due to an employee's medical 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. 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 a 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 their 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 and Family Assistance Program (EFAP).
7. Identifying Impaired Behaviour
Impairment may negatively impact employee performance and compromise an employee's health and safety. Examples of behaviour that may give rise to reasonable cause to believe that an employee is impaired/unfit for work and may be unable to perform their job safely include but are not limited to:
 - Slurred speech;
 - Glassy eyes;
 - Flushed face or neck;
 - Disorientation, unsteadiness, or lack of coordination;
 - Smell of alcohol or drugs (on breath, or clothing, or in the air surrounding the employee);
 - Uncharacteristic or abnormal behavior (e.g., frequent or rapid mood swings, excitement, confusion, irritability, aggressiveness, remoteness, euphoria)
 - Diminished performance (e.g., sporadic work pace, neglect of duty, increase in mistakes, difficulty communicating or recalling instructions); and/or
 - Memory problems.
8. 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.
9. 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.
10. 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 Employee Health and Wellness Abilities Specialist

11. 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 and/or supports, if required. The employee will be advised of their 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 their continued employment;
 - ii. Restrictions, modifications and timeframes will be addressed;
 - iii. The schedule of follow-up meetings will be determined;
 - iv. A return-to-work plan, outlining the issues that were addressed in the meeting, will be supplied to the employee for their own records; and
 - v. The Employer may require the employee to participate in periodic and random testing through a third party.
12. 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 and Family Assistance Program, as well as referrals to outside agencies.
13. Any violation of this procedure or the return-to-work agreement may result in discipline including suspension without pay and/or termination of employment.
14. 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.
15. Any breach of confidentiality may result in disciplinary action up to and including termination.

Responsibilities**Employer**

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

Employee

- i. Arrive to work capable, fit for duty, and conduct self in a 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. 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.
- vii. Maintain safety for self and others.
- viii. Report to Employee Health and Wellness designate when administering prescriptions that may cause impairment while engaged in work duties.

Principal/Manager/Supervisor

- i. Report any awareness or suspicion of impaired conduct by an employee.
- ii. Consult with the HR Manager.
- iii. Take immediate steps to remove the employee safely, when there are reasonable signs of impairment.