



EMPLOYMENT POLICY MANUAL

Subject: Substance Abuse (Drug and Alcohol) Policy	Approval Date:	By-Law No. 73-2018
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3.43 INTENT

The Corporation of the Municipality of Red Lake is committed to the health and safety of its employees and has adopted this policy to communicate its expectations and guidelines surrounding substance use, misuse and abuse.

1. GUIDELINES

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 Municipality reserves the right to prohibit certain items and substances from being brought on to, or present on company premises.

2. EXPECTATIONS

The following expectations apply to employees and management alike while conducting work on behalf of the company, whether on or off company property:

- Employees are expected to arrive to 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;
- Use, possession, distribution or sale of drugs (legal or illegal) or alcohol during work hours, including during paid and unpaid breaks, is strictly prohibited;
- Employees are prohibited from reporting to work while under the influence of non-prescribed drugs or alcohol; and
- Employees on prescription medication or medically approved substances must communicate to management any potential risk, limitation, or restriction requiring modification of duties or temporary reassignment.

3. ROLES AND RESPONSIBILITIES

The Corporation of the Municipality of Red Lake will:

- Clearly communicate expectations surrounding alcohol and drug use, misuse and abuse;
- Maintain a program of employee health and awareness;
- Provide a safe work environment; and
- Review and update this policy on a regular basis.



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Management will:

- Identify any situations that may cause concern regarding an employee's ability to safely perform their job functions;
- Ensure that any employee who asks for help due to a drug or alcohol dependency is provided with the appropriate support (including accommodation) and is not disciplined for doing so; and
- Maintain confidentiality and employee privacy.

Employees must:

- Abide by the provisions of this policy and be aware of their responsibilities under it;
- Arrive to work fit for duty, and remain as such for the duration of shift;
- Perform work in a safe manner in accordance with company established safe work practices;
- Avoid the consumption, possession, sale, or distribution of drugs or alcohol on company property and during working hours (even if off company property);
- When off duty, refuse a request to come into work if unfit for duty;
- Report limitations and required modifications as a result of prescription medication;
- Report unfit co-workers to management;
- Seek advice and/or appropriate treatment, where required;
- Report to management if they have a dependency (addiction) or emerging dependency; and
- Follow the after-care program, where established

4. SUSPICION OF IMPAIRMENT

The following procedure will be enacted if there is reasonable belief that an employee is impaired at work:

If possible, the employee's manager/supervisor will first seek another manager/supervisor's opinion to confirm the employee's status.

Next, the manager/supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. 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, slurred speech, difficulty with balance, watery and/or red



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eyes, dilated pupils, and/or there is an odour of alcohol, the employee should not be permitted to return to their assigned duties in order to ensure their safety and the safety of other employees or visitors to the workplace.

If an employee is considered impaired and deemed "unfit for work" this decision is made based on the best judgment of two members of management and DOES NOT require a breathalyzer or blood test. The employee will be advised that management has arranged a taxi or shuttle service 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 a manager/supervisor or another employee if necessary.

An impaired employee will not be allowed to drive. The employee should be advised if they choose to refuse organized transportation and make the decision to drive their personal vehicle the company is obligated to and will contact the police to make them aware of the situation.

A meeting will be scheduled for the following work day to review the incident and determine a course of action which may include a monitored referral program as part of a treatment plan.

5. SUBSTANCE DEPENDENCY

The Corporation of the Municipality of Red Lake 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. The Municipality of Red Lake promotes early diagnosis. Any employee who suspects that he/she might have an emerging drug or alcohol problem is required to report to Human Resources that they have a problem (addiction) and they are to seek appropriate treatment promptly. Where appropriate the Municipality of Red Lake will support them in their treatment.

6. VOLUNTARY IDENTIFICATION

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.

All medical information shall be kept confidential by, unless otherwise authorized by law.



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7. MEDICAL MARIJUANA

- Employees may only use medical marijuana with a license in their names from a physician.
- If an employee is required to use medical marijuana while at work, they must inform their manager and Human Resources. An employee is not required to disclose their specific medical diagnosis; however, they are required to provide a note from their doctor and a copy of the possession license.
- All information provided in regard to medical marijuana use is considered confidential and will be treated as such, keeping an employee's privacy as a top concern second only to safety.
- Employees who have a medical condition which requires additional accommodation can discuss their marijuana use schedule in the context of the general accommodation plan with and their primary care physicians.
- Employees may be required to work with the company's service provider who will provide direction and support for the use of medical marijuana.
- Will work with the individual that requests accommodation in an effort to ensure that the measures taken are both effective, and mutually agreeable.
- In the event that medical marijuana is deemed to pose a significant or potential hazard to the employee and/or other employees, will attempt to find alternative work for the employee, up to the point of undue hardship.

Use of Medical Marijuana While at Work

- In the event that an employee is taking medical marijuana during regular working hours, they are expected to use it in moderation, only at the recommended level of dosage and the applicable frequency of the doses.
- Where possible, employees who require medical marijuana use a method of ingestion other than smoking.
- Employees who choose to smoke medical marijuana must abide by all provincial smoking regulations.
- Employees who choose to smoke medical marijuana are not permitted to smoke in the presence of other employees.
- The Municipality will determine an appropriate smoking area for the employee, with the goal of maintaining the confidentiality of the employee's medical situation.



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8. EMPLOYEE EXPECTATIONS

Management is required to:

- Treat employees who use medical marijuana the same as all other employees using prescription medication.
- Provide accommodation up to the point of undue hardship.
- Be aware of the effects of marijuana use and ensure employees are not placed in any safety sensitive situations.
- Assess the effects of the use of marijuana on an employee's performance on the job.
- Ensure that the use of medical marijuana does not adversely affect the safety of the employee and/or his/her co-workers.
- Ensure that any employee who asks for help due to a drug or alcohol dependency is provided with the appropriate support (including accommodation) and is not disciplined for doing so.
- Respond to any employee queries regarding the use of medical marijuana, while maintaining the privacy of an employee's specific situation at all times.

Employees are required to:

- Disclose their medical marijuana use to management.
- Work with to develop accommodation plans that are mutually agreeable.
- Follow the agreed-upon accommodation plan and the guidelines of this policy.
- Never share their medication with any other employee, even those who may have a similar prescription.
- Maintain ongoing communication with management regarding the effects of marijuana on their ability to perform their job duties.
- Never participate in activities which could cause a safety risk such as driving while under the influence of marijuana.

Agreement for the Continuation of Employment

The Corporation of the Municipality of Red Lake reserves the right to invoke an *Agreement for the Continuation of Employment* in accordance with an employee's commitment to become, and remain alcohol and drug-free. The Agreement will outline the conditions governing the employee's return to the job and the consequences for failing to meet the conditions.



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An Agreement for the Continuation of Employment may include a requirement for drug and alcohol testing.

9. DISCIPLINARY ACTION

Employees will be subject to disciplinary action, up to and including termination of employment for failure to adhere to the provisions of this policy, including, but not limited to:

- Failure to meet prescribed safety standards as a result of impairment from alcohol and/or drugs; and
- Engaging in illegal activities (e.g. selling drugs and/or alcohol while on premises).