

RM OF REYNOLDS POLICY

Title: Drug and Alcohol

Policy No. 29

Preamble:

The Rural Municipality of Reynolds (hereafter the “Municipality” or “Employer”) is committed to the health and safety of employees, elected officials, contractors, and members of the community. In addition, the Municipality recognizes and accepts its responsibility as an employer to ensure its work environment is safe, healthy, and productive. To this end, the Municipality has prepared this policy for the purpose of establishing and communicating the Municipality’s expectations, as well as the consequence for non-compliance, and to provide consistent guidelines for all employees.

The Municipality understands that no group is immune from substance abuse problems. This means that even though the vast majority of the Municipality’s employees are healthy and productive, there will be times ahead when substance abuse problems will affect us, or members of our families. During these times, the Municipality will proceed on the basis that substance abuse is a treatable illness and that early intervention greatly improves the probability of a lasting recovery. Therefore, this policy is also intended to establish a process for reasonable accommodation until the point of undue hardship and a proportionate discipline approach.

To be clear, it is not the Municipality’s intention to unduly interfere with socially acceptable, medically appropriate, and lawful alcohol or drug use. Instead, the Municipality’s purpose is to prohibit impairment at work to ensure a safe, healthy, and productivity environment for all employees.

Definitions:

“Employer” means the Rural Municipality of Reynolds.

“Impaired”:

- a. Means an employee’s ability to carry out the employee’s job functions in a safe, efficient, or competent manner are negatively affected.
- b. If the supervisor has reliable facts; such as witnessing a situation personally or a reliable witness has provided first hand information.
- c. If a “reasonable suspicion of impairment” arises then the employee is deemed impaired for the purposes of this policy.

“Prescription Drugs”: Prescription drugs are drugs that cause impairment in the workplace which may include: Opioids, Codeine, Benzodiazepines, Muscle relaxants, and Medical Cannabis.

“Non-Prescription Drugs”: Non-prescription drugs include: alcohol, recreational drugs, or illegal drugs (i.e. cocaine, heroin).

“Safety Sensitive Role”: A role requiring the employee to operate motorized vehicles, truck, heavy equipment, or machinery, or other position/job so defined by the Municipality.

Prescription Drugs Policy:

- a. Employees shall not be impaired at work.
- b. Employees shall disclose any possible impairment caused by prescription drugs (hereafter “Disclosure Requirement”);
- c. Disclosure shall be in the form set out in the Schedule, or to the like effect, and shall set forth the as to the matters therein mentioned;

- d. Employees who fail to comply with the Disclosure Requirement are subject to discipline, up to and including termination.
- e. Duty to inquire.

Example: George holds a medical cannabis prescription but failed to inform her supervisor of the prescription and her possible impairment. George was subsequently caught, and his medical cannabis use at work was exposed. George may be validly disciplined, up to and including termination for failing to comply with the Disclosure Requirement.

Prescription Drugs Procedure:

After the employee complies with the Disclosure Requirement, the Employer shall engage the employee in a mutual process of identifying potential accommodation efforts to the point of undue hardship. These efforts shall include determining:

- a. the nature of the employee's current medical condition;
- b. the prognosis for recovery;
- c. what accommodation is required; and
- d. alternative work the employee can perform.

Example: Amanda holds a medical cannabis prescription and informs her supervisor, Cathy, of the prescription. Cathy then follows up with Amanda and Amanda's doctor to determine Amanda's proscribed cannabis use and how it affects Amanda's work performance. Together, Cathy and Amanda consider ways to accommodate Amanda's prescription including a revised work schedule and alternative work.

Non-Prescription Drugs and Alcohol Policy:

- a. Employees shall not be impaired at work.
- b. Employees shall not consume non-prescription drugs or alcohol while on the job or on the Municipality's property.
- c. Duty to inquire.
- c. Example: Wayne's recreational cannabis use at work is exposed. Wayne is subject to discipline, up to and including termination.

Non-Prescription Drugs and Alcohol Procedure:

If the employee's condition gives rise to a reasonable suspicion of impairment at work, then the employee will:

- a. not be permitted to remain on site;
- b. sent home in a taxi, and not behind the wheel of either his/her own vehicle or a Municipal sponsored vehicle, and;
- c. seek help with addiction or be subject to disciplinary action up to and including termination of employment.

It is the Employer's responsibility to maintain a complete record of steps taken under this policy.

Reasonable Suspicion of Impairment:

Employees exhibiting the following conditions shall give rise to a Reasonable Suspicion of Impairment and be deemed impaired:

- a. Reasonable regarded abnormal behaviors of any kind that would lead to an objective suspicion of impaired;
- b. Abnormal odor on breath;
- c. Aggressiveness;

- d. Bloodshot or swollen eyes;
- e. Drowsiness; or
- f. Slurred Speech.

Employees in Safety-Sensitive Roles:

- a. Employees operating in a safety-sensitive environment shall comply with the Disclosure Requirement prior to a drug or alcohol related incident.
- b. Requirement prior to a drug or alcohol related incident.
- c. Employees who fail to comply with the Disclosure Requirement shall be terminated.

RESPONSIBILITIES

Employees are responsible for:

- a. Performing their jobs in a safe manner and in accordance with the provisions of this procedure;
- b. Cooperating fully during investigations of work-related incidents, violations of this policy, and accommodation efforts as described throughout this policy;
- c. Complying with the Disclosure Requirement regarding any possible impairment caused by prescription drugs.

Early identification and resolution of all performance problems, including those which may be caused by alcohol or drug use; and Maintaining a complete record of steps taken under this policy.

Management is responsible for:

- a. Discharging the Municipality's duty to accommodate until the point of undue hardship;
- b. Administering this policy consistently, and for resolving questions of interpretation in areas where this policy may be ambiguous or silent, with due regard for the fair and proportionate treatment of employees;
- c. Monitoring procedure compliance, including the compliance of contractors and other third parties;
- d. Respecting the confidentiality of any health-related information pertaining to employees;
- e. The maintenance, regular review, and interpretation this policy, and
- f. Ensuring a complete record of steps taken under this policy is maintained.

COMPLIANCE

Non-compliance with this Drug and Alcohol Policy may result in the appropriate disciplinary measures, up to and including dismissal from employment.

Disciplinary action may be taken as assessed on a case-by-case basis. In the determination of an appropriate disciplinary measure.

The nature of an Employee's position, previous instances of reporting for work in an impaired state and whether an error or accident has occurred because of that impaired state will be considered in the determination of an appropriate disciplinary measure.