



POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER: P28
SECTION: PERSONNEL POLICY	POLICY TITLE: SUBSTANCE ABUSE

## 1. APPLICATION

1.1. This policy applies to all members of Council, employees, and volunteers of the Municipality of the District of Argyle

## 2. PURPOSE

2.1. The Municipality of Argyle is committed to the health and safety of its members of Council, employees and volunteers and has adopted this policy to communicate its expectations and guidelines surrounding substance use, misuse, and abuse.

2.2. Members of Council, employees or volunteers under the influence of drugs or alcohol on the job can pose serious health and safety risks to both themselves and their fellow members of Council, employees or volunteers. To help ensure a safe and healthy workplace, the Municipality of Argyle reserves the right to prohibit certain items and substances from being brought on to or present on municipal property.

## 3. DEFINITIONS

3.1. In this policy:

3.1.1. **"ALCOHOL"** means any beverage containing any quantity of alcohol, including beer, wine, and distilled spirits.

3.1.2. **"DRUG"** means any substance which can change or adversely affect the way a person thinks or feels, whether obtained legally or illegally. This could include recreational cannabis, cocaine, opiates, and amphetamines.

3.1.3. **"DRUG PARAPHENALIA"** means material or equipment used or intended for use in injecting, ingesting, inhaling, or otherwise introducing a drug, illegal or controlled, into the human body.

3.1.4. **"FIT FOR DUTY"** also referred to as "Fit to Work", is defined by the Canadian Centre for Occupational Health and safety as a "medical assessment done when an employer wishes to be sure an employee can safely do a specific job or task". (*Canadian Centre for Occupational Health and Safety*).

3.1.5. **"MEDICATION"** includes a drug obtained legally, either over the counter or through a prescription issued by an authorized medical practitioner. For this policy, medications of



POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER: P28
SECTION: PERSONNEL POLICY	POLICY TITLE: SUBSTANCE ABUSE

concern are those that inhibit a worker's ability to perform their job safely and productively.

#### 4. EXPECTATIONS

4.1. The following exceptions apply to members of Council, employees, management and volunteers alike while conducting work on behalf of the Municipality of Argyle, whether on or off municipal property:

- 4.1.1. Members of Council, employees, and volunteers are expected to arrive to work fit for duty and able to perform their duties safely and to standard;
- 4.1.2. Members of Council, employees, and volunteers must remain fit for duty for the duration of their shift;
- 4.1.3. Use, possession, distribution, or sale of drugs or alcohol during work hours, including during paid and unpaid breaks, is strictly prohibited;
- 4.1.4. Members of Council, employees, and volunteers are prohibited from reporting to work while under the influence of recreational cannabis and any other non-prescribed substances;
- 4.1.5. Use and possession of medically prescribed drugs is permitted during working hours, subject to terms and conditions of the Municipality of Argyle's policies and all applicable legislation;
- 4.1.6. Members of Council, employees, and volunteers on medically approved medication must communicate to management any potential risk, limitation, or restriction requiring modification of duties or temporary reassignment; and
- 4.1.7. Members of Council, employees, and volunteers are expected to abide by all governing legislation pertaining to the possession and use of cannabis.

#### 5. ROLES AND RESPONSIBILITIES

5.1. The Municipality of Argyle will:

- 5.1.1. Clearly communicate expectations surrounding alcohol and drug use, misuse, and abuse;
- 5.1.2. Maintain a program of employee health and awareness;
- 5.1.3. Provide a safe work environment; and



POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER: P28
SECTION: PERSONNEL POLICY	POLICY TITLE: SUBSTANCE ABUSE

5.1.4. Review and update this policy regularly.

**5.2. Management will:**

5.2.1. Identify any situations that may cause concern regarding an employee's ability to safely perform their job functions;

5.2.2. 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

5.2.3. Maintain confidentiality and employee privacy.

**5.3. Members of Council, employees, and volunteers must:**

5.3.1. Abide by the provisions of this policy and be aware of their responsibilities under it;

5.3.2. Arrive to work fit for duty, and remain so for the duration of their shift;

5.3.3. Perform work safely in accordance with established safe work practices;

5.3.4. Avoid the consumption, possession, sale, or distribution of drugs or alcohol on municipal property and during working hours, even if off municipal property;

5.3.5. When off duty, refuse a request to come into work if unfit for duty;

5.3.6. Report limitations and required modifications as a result of prescription medication;

5.3.7. Report unfit co-workers to management;

5.3.8. Seek advice and appropriate treatment, where required;

5.3.9. Communicate dependency or emerging dependency to management or human resources; and

5.3.10. Follow the after-care program, where established.

**6. SUSPICION OF IMPAIRMENT**

**6.1.** The following procedure may be enacted if there is reasonable belief that a member of Council, employee, or volunteer is impaired at work or on municipal property:

6.1.1. If possible, another member of Council, the employee or volunteer's manager or supervisor will first seek the Warden's, managers, or supervisors opinion to confirm the member of council, employee, or volunteers status.



POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER: P28
SECTION: PERSONNEL POLICY	POLICY TITLE: SUBSTANCE ABUSE

6.1.2. Next, the Warden, Manager or supervisor will consult privately with the other member of Council, employee or volunteer to determine the cause of the observation, including whether substance abuse has occurred. Suspicions of a member of Council's, employee's, or volunteer's ability to function safely may be based on specific personal observations. If the member of Council, employee, or volunteer exhibits unusual behaviour including, but not limited to, slurred speech, difficulty with balance, watery or red eyes, or dilated pupils, or if there is an odour of alcohol or cannabis, the member of Council, employee, or volunteer should not be permitted to return to their assigned duties in order to ensure their safety and the safety of other members of Council, employees, volunteers, and visitors to the workplace. **The review of an individual suspected impairment will be done by using the suspicion checklist. (Appendix A)**

6.1.3. If a member of Council, employee, or volunteer is considered impaired and deemed "unfit to work", this decision is made based on the best judgement of the Warden and CAO or two members of management and following the Municipality of Argyle's Fit for Duty Policy. It does not require a breathalyser or blood test. The member of Council, employee, or volunteer may be advised that the Municipality of Argyle 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 member of Council, employee, or volunteer may be accompanied by the Warden, CAO, Manager, supervisor, or another employee, if necessary.

6.1.4. An impaired member of Council, employee, or volunteer will not be allowed to drive. The member of Council, employee, or volunteer should be advised if they choose to refuse the Municipality of Argyle's organized transportation and decide to drive their personal vehicle, the Municipality of Argyle is obligated to and will contact the policy to make them aware of the situation.

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



POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER: P28
SECTION: PERSONNEL POLICY	POLICY TITLE: SUBSTANCE ABUSE

## **7. USE AT WORK**

**7.1.** The use of alcohol, drugs, and drug paraphernalia on municipal property is prohibited.

Municipal property encompasses all municipal owned or leased property used by members of Council, employees, and volunteers, including without limitation parking lots, vehicles, lockers, offices, and closets.

**7.2.** Possession of alcohol, drugs, and drug paraphernalia is also prohibited while members of Council, employees, and volunteers are acting on behalf of the organization off municipal property. This includes attending events as a municipal representative.

## **8. SUBSTANCE DEPENDENCY**

**8.1.** The Municipality of Argyle understands that certain individuals may develop a chemical dependency to certain substances, which may be defined as a disease or disability. Members of Council, employees and volunteers are not excused from their duties as a result of their dependencies. The Municipality of Argyle promotes early diagnosis. Any member of Council, employee, or volunteer who suspects that they may have an emerging drug or alcohol problem is expected to seek appropriate treatment promptly.

**8.2.** The Municipality offers an Employee Family Assistance Program (EFAP) for employees who have issues with drug or alcohol abuse.

**8.3.** No person who uses the EFAP program shall be subject to disciplinary action, and the use is considered strictly confidential.

**8.4.** The Municipality of Argyle will work with the individual who requests accommodation in an effort ensure that the measures taken are both effective and mutually agreeable, up to the point of undue hardship. Members of Council, employees, and volunteers are encouraged to communicate any need for accommodation to their immediate supervisor, and to work with them in addressing the concern.

## **9. VOLUNTARY IDENTIFICATION**

**9.1.** Members of Council, employees, and volunteers are encouraged to communicate if they have a dependency or have had a dependency so that their rights are protected, and they can be



POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER: P28
SECTION: PERSONNEL POLICY	POLICY TITLE: SUBSTANCE ABUSE

accommodated appropriately. Members of Council, employees, and volunteers will not be disciplined for requesting help due to current or past involvement in a rehabilitation effort.

**9.2.** All medical information will be kept confidential by the Municipality of Argyle, unless otherwise authorized by law.

## **10. MEDICAL CANNABIS**

**10.1.** Where a member of Council, employee, or volunteer uses medical cannabis, it is expected they provide a copy of their medical documentation to the Municipality of Argyle.

**Employees are only permitted to use medical cannabis if they are not in a safety sensitive position and only in places where smoking is permitted by law.**

## **11. AGREEMENT FOR THE CONTINUATION OF EMPLOYMENT**

**11.1.** The Municipality of Argyle reserves the right to invoke an agreement for the continuation of employment in accordance with a member of Council's, employee's, or volunteer's commitment to become and remain alcohol and drug free. The agreement will outline the conditions governing the member of Council's, employee's, or volunteer's return to the job and the consequences for failing to meet the conditions.

**11.2.** An agreement for the continuation of employment may include a requirement for drug and alcohol testing.

## **12. DISCIPLINARY ACTION**

**12.1.** Members of Council, employees, and volunteers may be subject to disciplinary action up to and including termination for failure to adhere to the provisions of this policy, including but not limited to:

12.1.1. Failure to meet prescribed safety standards as a result of impairment from alcohol or drugs; and

12.1.2. Engaging in illegal activities (for example, selling drugs or alcohol while on municipal property).



POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER: P28
SECTION: PERSONNEL POLICY	POLICY TITLE: SUBSTANCE ABUSE

Chief Administrative Officers' Annotation for Official Policy Record			
Date of Notice to Council Members of Intent to Consider (7-days minimum)			
Date of Passage of Current Policy			
I certify that this policy was adopted by Council as indicated above.			
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> <p>_____</p> <p>Warden</p>    <p>_____</p> <p>Chief Administrative Officer</p> </td> <td style="width: 50%; border: none;"> <p>_____</p> <p>Date</p>    <p>_____</p> <p>Date</p> </td> </tr> </table>		<p>_____</p> <p>Warden</p>  <p>_____</p> <p>Chief Administrative Officer</p>	<p>_____</p> <p>Date</p>  <p>_____</p> <p>Date</p>
<p>_____</p> <p>Warden</p>  <p>_____</p> <p>Chief Administrative Officer</p>	<p>_____</p> <p>Date</p>  <p>_____</p> <p>Date</p>		

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POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER: P28
SECTION: PERSONNEL POLICY	POLICY TITLE: SUBSTANCE ABUSE

**APPENDIX "A"**

**SUBSTANCE ABUSE REASONABLE SUSPICION CHECKLIST**

<b>Name of Observed Employee:</b>	<b>Date:</b>	<b>Time (am/pm):</b>
<b>Location:</b>		

When there is reasonable suspicion that an employee at work is unfit for duty, the supervisor or manager observing the behaviour as well as another supervisor/manager as witness, if possible, must complete the checklist below. Where "Other" is checked, please describe.

OBSERVATION CHECKLIST								
<b>Walking</b>								
	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
Holding on			Stumbling			Unable to Walk		
Unsteady			Staggering			Swaying		
Falling			Other					
<b>Standing</b>								
	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
Swaying			Feet wide apart			Unable to stand		
Rigid			Staggering			Staggering at knees		
Other								
<b>Speech</b>								
	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
Whispering			Slurred			Shouting		
Incoherent			Slobbering			Silent		
Rambling			Mute			Slow		
Other								
<b>Demeanor</b>								
	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
Cooperative			Calm			Talkative		
Sarcastic			Sleepy			Polite		
Crying			Sleeping on job			Argumentative		
Other								
<b>Actions</b>								
	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
Hostile			Fighting			Profanity		





POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER: P28
SECTION: PERSONNEL POLICY	POLICY TITLE: SUBSTANCE ABUSE

Drowsy			Threatening			Hyperactive		
Other								
<b>Eyes</b>								
	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
Bloodshot			Watery			Droopy		
Dilated			Glassy			Closed		
Other								
<b>Face</b>								
	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
Flushed			Pale			Sweaty		
Other								
<b>Appearance/Clothing</b>								
	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
Neat			Unruly			Messy		
Dirty			Stains on clothing			Having Odor		
Partially dressed			Bodily excrement stains			Other		
<b>Breath</b>								
	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
No alcoholic odor			Faint alcohol odor			Strong alcohol odor		
No cannabis odor			Smell of Cannabis			Smell of another known drug		
Other								
<b>Movements</b>								
	<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>		<b>Yes</b>	<b>No</b>
Fumbling			Jerky			Nervous		
Other								

\_\_\_ Presence of alcohol and/or drugs in employees' possession or vicinity.

\_\_\_ On-the-job misconduct by employee.

\_\_\_ Employee admission concerning alcohol and/or drug use or possession.



POLICY AND ADMINISTRATION MANUAL	REFERENCE NUMBER: P28
SECTION: PERSONNEL POLICY	POLICY TITLE: SUBSTANCE ABUSE

Other Observations: (if there was an accident, please provide details)

Employee's explanation of reasons for their conduct:

Once the above portion of the form has been completed by you and a witness, you are now ready to take a position with the employee. Be certain to follow the procedures as outlined in the Municipality of Argyle's Substance Abuse Policy.

*Please check one.*

Employee has agreed to testing.

Employee has denied testing.

Supervisor/Manager Signature	Date:
Witness Signature:	Date: