

		<b>CITY POLICY &amp; PROCEDURE</b>
<b>SECTION: HUMAN RESOURCES</b>	<b>NO: HR-SU-01</b>	
<b>REFERENCE: SUBSTANCE USE</b>	<b>Date: May 13, 2020</b>	
		<b>Next Review Date: May 2022</b>

---

**TITLE: SUBSTANCE USE - DRUG AND ALCOHOL POLICY**

---

**1. 0 POLICY STATEMENT**

---

- 1.1 The City of Dryden (the City) is committed to the protection of its employees and property from accidental loss, by providing a safe and healthy work environment. The City recognizes that the use of alcohol, legal drugs, illegal drugs or prescribed or other medications (substances) can have serious adverse effects on the safety of its employees and the work environment.
- 1.2 The City and its employees share the responsibility of maintaining a healthy and safe work environment. The City expects all employees to arrive at work fit for duty and to carry out their assigned duties, conduct themselves in a safe and lawful manner while at work or on City premises, and to comply at all times with the expectations set out in this policy.
- 1.3 Where an employee is not fit for duty and cannot perform their assigned duties in a safe and effective manner, they will be immediately removed from the workplace.
- 1.4 The City is committed to protecting the privacy and rights to confidentiality of all employees.
- 1.5 This policy was jointly created by both labour and management.
- 1.6 This policy will be reviewed as frequently as required to remain current.

---

**2. 0 SCOPE**

---

- 2.1 The following are subject to this policy and procedures:

- (a) City of Dryden employees (permanent, casual, student or contract);
- (b) Council Members (and shall be referred to hereinafter as 'Employees');
- (c) Volunteer Employees.

---

### 3.0 DEFINITIONS

---

- 3.1 **Enabling behaviours** — Behaviours which enable others to use and abuse substances.
- 3.2 **Fit for duty** — Not under the influence of any drug, alcohol or medication that will hinder job performance or compromise the safety of the employee or others.
- 3.3 **Impairment** - Deterioration of an individual's judgment and decrease in his or her physical ability; unable to function normally or safely (as when operating a motor vehicle) because of intoxication by alcohol or drugs.
- 3.4 **Job accommodation** - Is an adjustment to a job, a work environment or the way things are usually done that makes it possible for an individual with a disability to perform their job duties.
- 3.5 **Progressive discipline** — An established procedure to address non-compliance and to motivate change in employee behavior.
- 3.6 **Safety-sensitive position** - A job or duty requiring the employee to operate motorized vehicles, trucks, heavy equipment, or machinery or any other job or job function as defined by the Corporation.
- 3.7 **Key/Critical position** — A position that has significant impact on strategic and operations decisions where there is significant responsibility such that impairment can place the corporation at serious financial and/or legal risk.
- 3.8 **Substance use/abuse** — Overindulgence in or dependence on an addictive substance, alcohol or drugs.
- 3.9 **Substances** — Any substance that is ingested, consumed or otherwise taken, including but is not limited to: alcohol, illegal drugs, legal drugs, prescribed or non-prescribed medication.

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**

- 3.10 **Illegal drug** — Includes any substance, other than alcohol, a prescribed or nonprescribed medication, or food, for which the possession, use, or sale is prohibited, restricted or controlled by law.
- 3.11 **Prescribed or non-prescribed medication** — Includes any drug that is intended by the manufacturer, a physician, or other medical practitioner for the treatment of a physical or mental condition, whether or not the drug is prescribed by a physician or other medical practitioner.
- 3.12 **Stigma** - A mark of disgrace associated with a particular circumstance, quality, or person; a set of negative and often unfair beliefs that a society or group of people have about something.
- 3.13 **Testing for drugs and alcohol** - A drug test is a technical analysis of a biological specimen, for example urine, hair, blood, breath, sweat, and/or oral fluid/saliva — to determine the presence or absence of drugs, alcohol or their metabolites.
- 3.14 **Workplace substance use/abuse** - The use of potentially impairing substance to the point where it adversely affects performance or safety at work, either through intoxication or hangover.

---

## 4.0 GUIDELINES

---

Employees under the influence of drugs or alcohol on the job can impose serious health and safety risks to themselves and others in the corporation or the public.

### 4.1 Expectations

The following expectations apply to all employees, key/critical staff and members of Council while conducting work and/or city business on behalf of the City, whether on or off City property:

- (a) Abide by all governing legislation pertaining to the possession and use of drugs and/or alcohol;
- (b) Arrive to work fit for duty and able to perform their duties safely and to standard; all employees must remain fit for duty for the duration of their shift;

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**

- (c) Perform work safely in accordance with company-established safe work practices;
- (d) Refrain from using, possessing, distributing or selling drugs or alcohol during work hours, including during paid and unpaid breaks, which is strictly prohibited;
- (e) Prohibited from reporting to work and from operating any city vehicles or equipment while under the influence of drugs or alcohol;
- (f) That 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;
- (g) Shall advise their supervisor whenever they have concerns about a coworker's fitness for duty;
- (h) Shall not behave in a manner that enables others to use substances;
- (i) The City will assist and accommodate employees who voluntarily disclose a substance dependency; (see Accommodation Policy);
- (j) Who present unfit for work may be asked to leave the workplace;
- (k) Who refuse to cooperate in rehabilitation and/or continue to present as a safety risk to themselves or others shall be subject to progressive discipline in accordance with established procedures;
- (l) Privacy and confidentiality will be maintained at all times; and,
- (m) The City reserves the right to declare certain jobs as safety-sensitive and/or key or critical which includes but is not limited to positions in the following departments:
  - (i) **Public Works** – Includes all persons that operate any type of equipment or vehicle in order to perform their job duties including but not limited to labourers, equipment operators and mechanics;

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**

- (ii) **Water Works** – Includes all persons that operate any type of equipment or vehicle, or perform duties directly or indirectly relating to the safe regulation and distribution of municipality's municipal water system and who in the performance of their job duties while impaired put the community at serious health risk, and the organization at financial and/or legal risk including but not limited to all plant operators, operators in training, lead hands and helpers.
- (iii) **Recreation** – Includes all persons that operate any type of equipment or vehicle in order to perform their duties and/or who have contact with or perform duties relating directly or indirectly to the care and control of any person in the vulnerable sector (i.e. children) including but not limited to labourers, lifeguards, instructors, specialized instructors and maintenance personnel.
- (iv) **Aaron Park** – Includes all persons that operate any type of equipment or vehicle in order to perform their duties and/or who have contact with or perform duties relating directly or indirectly to the care and control of any person in the vulnerable sector (i.e. children) including but not limited to park wardens, park maintenance and gate house persons.
- (v) **Facilities** – Includes all persons that operate any type of equipment or vehicle in order to perform their job duties including but not limited to janitors, caretakers and caretaker/maintenance persons.
- (vi) **Airport** – Includes all persons that operate any type of equipment or vehicle in order to perform their job duties including but not limited to maintenance technicians and operations coordinators.
- (vii) **Emergency Services/Fire** – Includes all persons that operate any type of equipment or vehicle in order to perform their duties and/or who have contact with or perform duties relating directly or indirectly to the care and control of any person (including any person in the vulnerable sector) and includes and is not limited to career staff, volunteer and contract firefighters.

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**

- (ix) **Key/Critical Positions** – Includes all persons who in the performance of their job duties while impaired puts the corporation at serious financial and/or legal risk as identified in Appendix B.

#### 4.2 Suspicion of Impairment

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

- (a) If possible, the employee's manager/supervisor will first seek another manager/supervisor's opinion to confirm the employee's status and to be present as a witness.
- (b) Next, the manager or supervisor will consult privately with the employee to determine the cause of the observation, including whether substance use has occurred. Do not assume substances are the cause. 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 eyes, dilated pupils, and/or there is an odour of alcohol or cannabis, the employee should not be permitted to return to their assigned duties to ensure their safety and the safety of other employees, visitors to the workplace or the public.
- (c) If an employee appears to be impaired and "unfit for work" this decision is made based on the best judgment of two members of management. If applicable, notify senior management and union representative.
- (d) If it is determined an employee is required to be removed from the workplace, provide the employee with a taxi or other form of transportation to their place of residence or other location.
- (e) An impaired employee will not be allowed to drive. The employee should be advised if they choose to refuse the City's 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.
- (f) A meeting will be scheduled for the following work day to review the incident and determine a course of action.

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**

- (g) Note that it is not the role of the supervisor or the employer to diagnose a possible substance use or dependency issue. Their role is to identify if an employee is impaired and to take the appropriate steps as per this policy. Abuse or dependence will be diagnosed by medical professionals.
- (h) If necessary, call for first aid or emergency medical assistance.

#### **4.3 Substance Dependency**

- (a) City of Dryden understands that certain individuals may develop a chemical dependency to certain substances, which may be defined as a disease or disability under the Ontario Human Right Code.
- (b) Employees are not excused from their duties as a result of their dependencies. City of Dryden promotes early diagnosis. Any employee who suspects that he/she might have an emerging drug or alcohol problem is expected to seek appropriate treatment promptly.

#### **4.4 Voluntary Identification**

- (a) Involvement in a rehabilitation program or actions to seek rehabilitation assistance for an abuse, dependency or other addiction problem will not prevent an employee from being disciplined or terminated.
- (b) All medical information shall be kept confidential, unless otherwise authorized by law.

#### **4.5 Agreement for the Continuation of Employment**

- (a) City of Dryden reserves the right to invoke an Agreement for the Continuation of Employment (regardless of whether the employee belongs to the union or non-union group), 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.
- (b) An Agreement for the Continuation of Employment may include but is not limited to participation in a rehabilitation program and/or participation in the Employee Family Assistance Program (EFAP).

## **5.0 ROLES & RESPONSIBILITIES**

---

### **5.1 The Human Resources Department will:**

- (a) Clearly communicate expectations surrounding alcohol and drug use, misuse and abuse;
- (b) Educate managers and supervisors on how to recognize and address substance use issues;
- (c) Provide educational material and/or programs on substance abuse to all employees;
- (d) Ensure all employees are treated fairly and consistently; and,
- (e) Encourage employees to seek help and reduce the stigma associated with substance use.

### **5.2 Management will:**

- (a) Identify any situations that may cause concern regarding an employee's ability to safely perform their job functions;
- (b) 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;
- (c) Be familiar with available resources or support (EFAP, community agencies) and help employees seek treatment. Reassure that services are confidential and voluntary;
- (d) Support accommodation(s) needs that arise;
- (e) Respond and investigate concerns of workers who may be unfit for duty;
- (f) Know their responsibilities and ensure compliance with this policy;
- (g) Communicate policy and expectations to their employees;
- (h) If disciplinary action is required, follow the City's Disciplinary Policy;

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**



- (i) Document all incidents including observations, discussions pertaining to the matter, identification of unsafe work practices, management and union notification, actions taken and any recommendations;
- (j) Provide a safe work environment; and,
- (k) Maintain confidentiality and employee privacy.

5.3 Employees will:

- (a) Abide by the provisions of this policy and be aware of their responsibilities;
- (b) Arrive to work fit for duty, and remain as such for the duration of shift;
- (c) Perform work in a safe manner in accordance with company established safe work practices;
- (d) Avoid the consumption, possession, sale, or distribution of drugs or alcohol on company property and during working hours (even if off company property);
- (e) When off duty, refuse a request to come into work if unfit for duty;
- (f) Provide information about relevant restrictions or limitations from qualified healthcare professionals;
- (g) Report unfit co-workers to management;
- (h) Seek advice and/or appropriate treatment, where required;
- (i) Communicate dependency or emerging dependency; and,
- (j) Co-operate with any experts whose help is needed to manage the accommodation process.

---

## 6.0 COMPLIANCE AND VIOLATIONS

---

- 6.1 Contravention to this policy shall be dealt with according to the City's Code of Conduct Policy (HR - CO - 01) and (HR - DI - 01) Discipline Policy.

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**

See Appendix "A" for additional information on substance use.

History			
<b>Approval Date:</b>	October 23, 2018	<b>Approved by:</b>	By-law 4585-2018
<b>Amendment Date:</b>	May 13, 2020	<b>Approved by:</b>	CAO
<b>Amendment Date:</b>		<b>Approved by:</b>	
<b>Amendment Date:</b>		<b>Approved by:</b>	
<b>Amendment Date:</b>		<b>Approved by:</b>	

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**



## City of Dryden

### Policy & Procedure

#### Confirmation of Receipt and Understanding

I have received a copy of the City of Dryden's Policy and Procedure entitled **Substance Use – Drug and Alcohol Policy** and have read it or have had it read to me and I fully understand its content.

\_\_\_\_\_  
Employee's Name (Please print)

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Supervisor's (or designates) Signature

\_\_\_\_\_  
Date

Please forward to the Human Resources Department

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**

## **APPENDIX "A"**

### **ADDITIONAL INFORMATION ON SUBSTANCE USE**

#### **Effects of drugs and alcohol on the body and work:**

<b>Drug</b>	<b>Marijuana</b>	<b>Stimulants</b>	<b>Opioids</b>	<b>Sedatives</b>
Examples		cocaine, methamphetamine	oxycodone, heroin, fentanyl	depressants (alcohol), benzodiazepines, sleep medications
Street Name	pot, weed, dope, ganja, grass, refer, hash, shatter, butter	coke, crack, meth, crank, uppers, snow, speed, dust, beans	oxy, sticky, OC, percs, smack, junk, TNT	downers, benzos, candy, booze, sauce, hooch
Effect on Body and Brain	<ul style="list-style-type: none"> <li>▪ impairs coordination and balance</li> <li>▪ reddens eyes &amp; dilates pupils</li> <li>▪ distorts perception of time &amp; space</li> </ul>	<ul style="list-style-type: none"> <li>▪ dilates pupils</li> <li>▪ causes body shakes &amp; increases talkativeness</li> <li>▪ causes restlessness, agitation &amp; nervousness</li> </ul>	<ul style="list-style-type: none"> <li>▪ constricts pupils &amp; causes droopy eyelids</li> <li>▪ lowers heart rate &amp; breathing</li> <li>▪ causes drowsiness</li> </ul>	<ul style="list-style-type: none"> <li>▪ causes jerky eye movements &amp; slurred speech</li> <li>▪ impairs judgement &amp; lowers inhibitions</li> <li>▪ confuses &amp; disorients</li> </ul>
Effect at Work	<ul style="list-style-type: none"> <li>▪ slows reaction time</li> <li>▪ impairs short term memory &amp; concentration</li> <li>▪ causes drivers to vary speed &amp; to wander</li> </ul>	<ul style="list-style-type: none"> <li>▪ reduces balance &amp; coordination</li> <li>▪ reduces impulse control</li> <li>▪ increases risk taking</li> </ul>	<ul style="list-style-type: none"> <li>▪ slows reaction time</li> <li>▪ reduces ability to divide attention &amp; follow instructions</li> </ul>	<ul style="list-style-type: none"> <li>▪ slows reaction time</li> <li>▪ impairs motor coordination</li> <li>▪ decreases attentiveness &amp; ability to divide attention</li> </ul>

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**

### What can impairment look like?

To help identify possible impairment the Canadian Human Rights Commission uses the following characteristics as they relate to changes in an employee's attendance, performance or behaviour:

- personality changes or erratic behaviour (e.g. increased interpersonal conflicts; overreaction to criticism; impatience; easy to anger)
- appearance of impairment at work (e.g., odour of alcohol or drugs, glassy or red eyes, unsteady gait, slurring, poor coordination)
- working in an unsafe manner or involved in an incident; poor judgement and concentration; takes risks; confused, not able to follow instructions
- consistent lateness, absenteeism, or reduced productivity or quality of work
- failing a drug or alcohol test or sobriety test

Sometimes there are immediate signs and symptoms present. Other times, it is a pattern of behaviour that may be a concern. The signs and symptoms may differ from person to person. Having some of these signs and symptoms does not necessarily mean that somebody has a substance use problem. However, they may indicate that your employee is in trouble or in need of some help.

The following table can be used to help determine impairment in general:

<b>Signs and Symptoms of Problematic Substance Use</b>	
	<b>Indicators</b>
Physical	<ul style="list-style-type: none"> <li>• deterioration in appearance and/or personal hygiene</li> <li>• unexplained bruises</li> <li>• sweating</li> <li>• complaints of headaches</li> <li>• tremors</li> <li>• diarrhea and vomiting</li> <li>• abdominal/muscle cramps</li> <li>• restlessness</li> <li>• frequent use of breath mints/gum or mouthwash</li> <li>• odour of alcohol on breath or marijuana on clothes</li> <li>• slurred speech</li> <li>• unsteady gait</li> </ul>
Psychosocial impacts	<ul style="list-style-type: none"> <li>• family disharmony (e.g., how they speak of family members)</li> <li>• mood fluctuations (e.g., swinging from being extremely</li> </ul>

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**

	<ul style="list-style-type: none"> <li>fatigued to 'perkiness' in a short period of time)</li> <li>• inappropriate verbal or emotional response</li> <li>• irritability</li> <li>• confusing or memory lapses</li> <li>• inappropriate responses/behaviours</li> <li>• isolation from colleagues</li> <li>• lack of focus/concentration and forgetfulness</li> <li>• lying and/or providing implausible excuses for behaviour</li> </ul>
Workplace performance and professional image	<ul style="list-style-type: none"> <li>• calling in sick frequently (may work overtime)</li> <li>• moving to a position where there is less visibility or supervision</li> <li>• arriving late for work, leaving early</li> <li>• extended breaks; sometimes without telling colleagues they are leaving</li> <li>• forgetfulness</li> <li>• errors in judgement</li> <li>• deterioration in performance</li> <li>• excessive number of incidents/mistakes</li> <li>• non-compliance with policies</li> <li>• doing enough work to just 'get by'</li> <li>• sloppy, illegible or incorrect work (e.g., writing, reports, etc.)</li> <li>• changes in work quality</li> </ul>

## Enabling Behaviours

Behaviours which enable others to use or abuse substances include:

- Not reporting suspected signs of substance abuse to a member of management.
- Hiding signs of impairment from management.
- Providing excuses for co-workers.
- Taking or assuming a co-worker's work.
- Letting friendship get in the way of helping the person toward recovery.
- Lending money to a co-worker to support the substance abuse.
- Sharing in the denial.
- Telling a co-worker that he/she doesn't have a problem.

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**

**APPENDIX "B"**  
**CITY OF DRYDEN DESIGNATED KEY/CRITICAL POSITION**

The list includes but is not limited to:

Administration – CAO/City Clerk/Deputy Clerk (or designate[s]), and Cemetery and Licensing Coordinator  
Airport – Airport Manager/Safety Management System Administrator and Operations Coordinator  
Building and Planning – Chief Building Official  
Community Development – Economic Development Manager  
Finance – Treasurer/Deputy Treasurer  
Fire – Fire Chief/Deputy Fire Chief  
Human Resources – Manager of Human Resources/ Payroll and Benefits Administrator  
Information Technology – IT Manager/Systems Analyst and GIS Specialist  
Provincial Offences Administration (POA) – POA Manager/Municipal Prosecutor and Administrative Clerk/Court Monitor  
Public Works – Manager of Public Works/Operations Manager  
Recreation – Pool & Fitness – Supervisor of Community Recreation Programs/Lifeguard Instructors  
Recreation – Arena – Manager of Community Services/Rec Maintenance staff  
Public Works - Waterworks – Water Works Manager/Chief Plant Operator/Plant Operators/ Operator in Charge

**This policy is subject to any specific provisions of the Municipal Act, or other relevant legislation or Union agreement.**