

Village of Debden

Policy Title Zero Tolerance Drug & Alcohol	Adopted By Council	Policy Number 4/2018	
Jurisdiction Village of Debden	Attachments: Village of Debden	Effective Date September 11,2018 Amended:	Page 1 of 1
Reviewed By Council			

Purpose

In order to provide a consistent strategy, the Drug and Alcohol Use Policy outlines the protocol to promote the health and safety of all employees. The Drug and Alcohol Use Policy is to be reviewed by all employees to provide an understanding of the Village of Debden's concerns for safety issues involving all employees and third parties who may be affected by conduct of the employee.

Applicable to:

All Employees

Definitions:

Drugs: This includes, but is not limited to, illicit drugs, illegal drugs, controlled substances and medications which may cause impairment.

Employee: Village of Debden paid employees, elected officials and volunteers and/or paid contract workers in a Municipal Owned Building.

Safety Sensitive Positions: Safety-sensitive positions have a key and direct role in an operation where impaired performance could result in a serious incident or near miss affecting the health or safety of employees, contractors, customers, the public or the environment; and have no direct or very limited supervision available to provide frequent operational checks.

Under the Influence of Drugs: This includes prescription and over the counter drugs, alcohol, cannabis or any other controlled substance that for the purpose of this guideline is defined as the use of one or more of these substances to an extent that an employee is:

- a) Unable to perform in a productive manner.
- b) In a physical or mental condition, that creates risk to the safety and well-being of an individual, other employees or members of the public.
- c) Displaying signs or symptoms of substance abuse or impairment such as the smell of alcohol/cannabis, slurred speech or atypical behavior.

Guidelines:

Drug and/or Alcohol Use Protocol

The Village of Debden is committed to the health and safety of its employees and the public at large. The Village accepts responsibility to provide employees with a safe, healthy, productive work environment. Employees have the responsibility to report to work capable of performing their tasks, productively and safely. The use of drugs, improper use of prescription medication or over the counter medication and the use of alcohol or cannabis can have serious effects on the safety of the workplace and the general public.

Recognizing the potential negative effects of alcohol and drugs on the organization, in particular the hazards those individuals who abuse alcohol and/or drugs pose to themselves, their co-workers and the general public, the Village has implemented a drug and alcohol guideline.

Rationale

The purpose of this guideline is to establish the Village of Debden's expectations for appropriate behavior, the consequences of non-compliance and to provide consistent guidelines for all employees.

This guideline provides for the possibility of testing employees for drugs/alcohol, assisting employees who voluntarily seek help[for problems relating to alcohol or drugs and educating employees on the dangers of drug and alcohol use in the workplace.

Drugs and/or Alcohol

While on the Village of Debden premises, no employee may use, possess, distribute or be under the influence of drugs or alcohol. This includes meal periods and scheduled breaks.

While conducting Village of Debden related activities off its premise, no employee may be under the influence of drugs or alcohol.

The legal use of prescribed drugs or OTC medication is permitted at work only if it does not impair the employee's ability to perform their work effectively and in a safe manner. The Village is committed to accommodating an employee's necessary use of a prescription drug to the extent reasonably possible without suffering undue hardship.

- 1) The Village will not allow the serving of alcoholic beverages at any Village owned facility unless specifically licensed to do so.
- 2) The Village will not tolerate the consumption of alcoholic beverages and/or cannabis use by employees during their regular work hours. This includes meal periods, scheduled breaks or while assigned on call.
- 3) No employee shall be under the influence of drugs or alcohol while driving any vehicle or equipment owned or insured by the Village of Debden.
- 4) No employee shall be under the influence of drugs or alcohol during their regular work hours.
- 5) If an employee is called back after regular work hours to perform work related to duties and has been consuming alcohol or using drugs, it is the employee's responsibility to:
 - a) Under no circumstances operate a motor vehicle while under the influence of drugs or alcohol
 - b) Notify a Supervisor, or Councilor immediately
 - c) Obtain assistance from a responsible employee not under the influence to perform the required task.

Reasonable Cause Testing

The Village reserves the right to conduct testing for the presence of drugs and/or alcohol when it has reasonable cause to believe that:

- a) An employee is in a safety sensitive position and co-workers or members of the public may be at risk.
- b) There is reasonable cause to believe a serious incident or near miss was the result of an employee being under the influence of drugs or alcohol, or being impaired while carrying out the employee's duties.
- c) Testing is part of a return-to-work program which recognizes that relapse is common and a part of dependence disability.

The basis for the decision to test will be documented as soon as possible after the action has taken place.

In all situations where the Village of Debden determines an employee is unfit to be at the workplace, a representative will be used to escort the employee home.

Where reasonably possible, such tests shall be conducted respectfully and in a manner to minimize the intrusive nature of the tests in an approved facility.

The local Provincial Health Authority concentration level cut-offs will be utilized to determine alcohol and drug use.

Discipline Relating to Drugs and/or Alcohol

The Village of Debden views the rules contained in this guideline to be of utmost importance. Any deviation from the above terms will result in disciplinary action that may include immediate dismissal. All employees will be handed a copy of this guideline for signatures and notification that any resulting dismissal will be considered as "dismissal with cause" and not subject to notice or remuneration in lieu.

Any employee suffering from a drug and/or alcohol addiction is strongly encouraged to disclose the addiction to their supervisor or member of Council. The Village recognizes its ability to assist and accommodate employees suffering from an illness/addiction due to drugs and/or alcohol. However, if an employee neglects or refuses to disclose such a condition to the Village, the Village of Debden will deal with breaches of this policy, assuming the employee is not suffering from an addiction or illness related to alcohol and/or drugs and has simply disregarded the policy, in which case disciplinary action will be taken.

Seeking voluntary assistance for drug or alcohol addiction will not jeopardize an employee's employment with the Village, so long as the employee continues to cooperate and seek appropriate treatment for the disclosed problem and is able to treat and control the problem to facilitate a return to work within a reasonably foreseeable future. Employees suffering from addiction who fail to cooperate with assistance or treatment may be subject to the normal disciplinary sanctions, including immediate termination for just cause.

The employee may be subject to a minimum disciplinary action for testing positive for the use of drugs or alcohol and will be immediately suspended without pay for a period of two (2) weeks. At the end of the suspension, the employee will be retested at his/her own expense and if the presence of alcohol and/or drugs is not detected, the employee will be reinstated.

If after two (2) weeks of initial suspension the employee tests positive for the presence of drugs and/or alcohol, the suspension will continue without pay until such a time a negative result is obtained and the employee is re-instated. After the third consecutive positive test, the result may be dismissal of the employee.

Responsibility

The policy should be reviewed and updated by Council on an annual basis to ensure it's relevancy.

**Appendix A
Drug and Alcohol Use Declaration**

**Appendix B
Drug and Alcohol Use Agreement for the Continuation of Employment**

Tamara Couture
Administrator

September 11, 2018
Council Meeting Date

Rod Fisher
Mayor

**Appendix A
to Policy 4/2018
Drug and Alcohol Use Declaration**

Intent

This document is designed to provide guidelines for the correct course of actions to be taken in the event that an employee appears to be under the influence of either drugs and/or alcohol in the workplace or is impaired while carrying out the employee's duties. The Village of Debden is dedicated to the health and safety of our employees, and will take the appropriate actions to ensure that impaired employees are dealt with in an appropriate fashion to protect both their health and safety, and that of our staff and visitors.

Declaration

In the event that a supervisor or manager becomes aware that an employee may be unfit for work, the employee under suspicion is to be escorted to a private location for a discussion. This meeting should be held in the presence of a second member of management (Councilor), if available.

Suspensions of an employee's ability to function safely may be based on specific personal observations. If the employee exhibits unusual behavior that may include, but is not limited to, slurred speech, difficulty with balance, watery or red eyes, dilated pupils, and/or there is an odor of alcohol and/or cannabis, the employee should not be permitted to return to their assigned duties to ensure their safety and the safety of co-workers or the public. Reasonable suspicion may also relate to any involvement in a workplace accident.

Reasonable suspicion must be documented and acted on either at, or near the time of the observation. Reasonable suspicion may also relate to any involvement in a workplace incident or near miss.

The decision to deem an employee "unfit for work," is made based on the best judgment of two members of management and may require a breathalyzer or blood test.

The employee should be advised that a ride will be arranged for them to their home address. The employee should be advised that if they choose to refuse the organized transportation and make the decision to drive their own personal vehicle, the Village is obligated, and will call the R.C.M.P to make them aware of the situation. The employee should be advised that they will be contacted the following day to arrange a meeting to discuss this serious situation.

Acknowledgement & Agreement

I acknowledge that I have read and understood the Drug and Alcohol Use Declaration for the Village of Debden.

I agree to adhere to this policy and will ensure that employees working under my direction will adhere to this policy.

I understand that if I violate the rule of this policy, I may face legal, punitive, or corrective action, up to and including termination of employment and/or criminal prosecution.

Employee Name

Employee Signature

Witness Name

Witness Signature

**Appendix B
To Policy 4/2018
Drug and Alcohol Use Agreement for the Continuation of Employment**

In accordance with the employee's commitment to become, and remain alcohol and drug free, it is agreed that the employee will be constrained by the following terms:

1. The employee must submit to an evaluation of potential alcohol or drug problems by a recognized and certified evaluation professional.
2. The employee must agree to attend any and all rehabilitation treatment recommended by the professional performing the evaluation.
3. The employee must authorize the evaluation professional to provide a copy of the rehabilitation recommendations to the Employer.
4. In the event that the employee is absent from work during the period of rehabilitation treatment, he/she may be required to undergo subsequent alcohol or drug testing.
5. The employee must consent to random, unannounced follow-up substances testing for period not exceeding 24 months.
6. The employee will not be compensated for time used during the regular workday for testing or treatment.
7. The Employer does not guarantee the availability of work during treatment or after the employee completes the treatment if the Employer determines that no work appropriate for the employee is available.

This agreement is voluntarily entered into by the employee. In consideration for continuation of employment, the above conditions are hereby agreed to.

Acknowledgement & Agreement

I acknowledge that I have read and understand the Drug and Alcohol Use Agreement for the Continuation of Employment for the Village of Debden.

I understand that if I violate the rule of this policy, I may face legal, punitive, or corrective action, up to and including termination of employment and/or criminal prosecution.

Employee Name

Employee Signature

Witness Name

Witness Signature

