

SUBSTANCE ABUSE POLICY

[Small Contractor Version]

A. Purpose

The purpose of this Policy (“the Policy”) is to provide a safe, healthy, substance-free work place, with strong workplace productivity and service quality, while at the same time ensuring the protection of employee privacy and access to assistance.

B. Definitions

As used in this Policy, the terms listed hereafter are defined as follows:

- (a) **“Alcohol”** – The intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols, including methyl and isopropyl alcohol.
- (b) **“Company Premises”** – Any and all property, facilities, land, parking lots, structures, and vehicles owned, leased, used or under the control of an employer, and/or any job site to which an employer assigns an employee.
- (c) **“Cannabis”** – Any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not; any substance or mixture of substances that contains or has on it any part of such a plant; and/or any substance that is identical to any phytocannabinoids produced by, or found in, such a plant, regardless of how the substance was obtained.
- (d) **“Medications”** – Ingested or inhaled prescription drugs, non-prescription drugs, or herbal remedies which may impair mental or motor functions so as to affect the performance of job duties;
- (e) **“Possession”** – The care, custody, control or ability to immediately access a Substance.
- (f) **“Substance”** – Alcohol, Cannabis or any substance listed on a schedule of the *Controlled Drugs and Substances Act* or any impairing agent or any Medication used by an individual in a manner that is inconsistent with the instructions of the prescribing physician.
- (g) **“Substance Abuse Professional”**– A licensed physician or certified counselor who has received the appropriate training in substance abuse disorders to provide rehabilitation, assistance and recommendations to individuals who have an addiction or a Substance use problem.

C. Prohibitions

Under this Policy, the following are prohibited:

- (a) Use of a Substance on Company Premises during working hours;
- (b) Being under the influence of a Substance during working hours;

- (c) Reporting to work under the influence of a Substance; and
- (d) The manufacture, distribution, possession, transfer, storage, concealment, transportation, promotion or sale of a Substance or Substance related paraphernalia on Company Premises.

D. Policy Violations

The following conduct by an employee is a violation of this Policy and may result in discipline up to and including termination of employment:

- (a) A violation by an employee of any Prohibition, listed in Section C, above;
- (b) A violation by an employee of any reporting obligation under Sections E & F, below.

E. Use of Medications

Employees who are taking Medications of any kind, whether prescribed or self-administered, are required to determine whether the Medications are capable of causing any impairment to their ability to carry out their job duties safely and efficiently, and where this is the case, to report without delay to his/her supervisor the facts and associated use of the Medications.

Upon being informed of an employee's use of Medications, the employee's supervisor shall consult with the employee and his/her physician to determine if a temporary medical leave of absence is appropriate and/or necessary in order to preserve the employee's safety and the safety of others in the workplace. In the event that a leave of absence is necessary, the employee will remain off-duty until such time as the employee's physician determines that the employee is fit for duty.

F. Self-Reporting

Where an employee has reason to believe that he/she has a Substance abuse problem, whether or not the Substance abuse problem results in a violation of this Policy, the employee is obligated to report the fact and circumstances of the potential Substance abuse problem to his/her supervisor, in confidence.

Upon being informed of an employee's Substance abuse problem, management shall consult with the affected employee to determine if a leave of absence or other re-assignment of duties is appropriate. Such leave or re-assignment will remain in place until the employee is determined to be fit for duty by a Substance Abuse Professional.

G. Voluntary Disclosure

Employees are encouraged to seek assistance in resolving and treating a Substance abuse problem and they are responsible for doing so. A decision by an employee to seek this assistance by way of self-referral to a bona fide treatment or assistance program will not in itself be used by the employer as the basis for discipline.

H. Evidence of Substance Use

If a supervisor has reason to believe, either as a result of an incident or on the basis of personal observation or other reasonable grounds, that an employee is attending work under the influence of a Substance then the employee will be suspended pending investigation of the potential Substance use.

Depending on the outcome of the investigation, the employee may, depending on the circumstances:

- a. Be subject to discipline, up to and including termination of employment, for a breach of this Policy;
- b. Be directed to attend a physician or Substance Abuse Professional in order to determine whether, and to what extent, the employee is suffering from a Substance abuse problem; and/or,
- c. Be returned to work if the investigation concludes that there has been no breach of the Policy.

In the event that an employee is directed to seek an assessment pursuant to (b), above, management will consider the outcome of the assessment in determining whether (a), discipline/termination is appropriate, or (b) whether return to work is appropriate at a time, and under conditions, recommended by the employee's caregiver and any other conditions that management reasonably considers necessary.