

## 3.35 - Fit for Duty - Policy

Section: Human Resources  
Subject: Fit for Duty  
Policy: 3.35  
Approved: September 24, 2019

**References:** Canadian Human Rights Act  
Saskatchewan Human Rights Code Regulations  
Occupational Health and Safety Act

### Purpose

Carlton Trail College is committed to the health and safety of its employees. The college has adopted this policy to establish a consistent framework to prevent and/or address situations where individuals, while on College business or properties, are affected by the inappropriate use of drugs, alcohol, medication or any other substance that may jeopardize the safety of themselves, their co-workers or members of the public. The College expects that all employees and contractors report fit for duty. The College is committed to assist and accommodate employees who seek supportive rehabilitation for substance abuse, wherever possible.

### Scope

This policy applies to all employees, volunteers, contractors, service providers, management and the Board members while on College business or properties. Throughout the remainder of this document, the term “employee/s” shall encompass the terms “contractor/s” and “Board member/s”

### Definitions

*Contractor:* any individual or entity who agrees to supply materials to or perform services for Carlton Trail College.

*Fit for Duty – The employee is not under the influence of an impairment causing substance, rather the employee is in a physical, emotional, and mental state that enables them to perform the job duties expected of them in a safe, efficient, and competent manner.*

*Impaired:* having diminished physical and mental control.

*Safety Sensitive Job:* a job that, if not performed in a safe manner, can cause direct and significant damage to property, and or injury to the employee, others around them,

the public and or the immediate environment. The College reserves the right to declare certain jobs safety-sensitive.

## **Policy**

To help ensure a safe and healthy workplace, Carlton Trail College reserves the right to prohibit certain items and substances from being on college property.

The college policy is that:

- Employees and contractors shall ensure they are fit for duty and shall remain fit for duty for the duration of their shift.
- Carlton Trail College maintains a zero tolerance stance who puts their colleagues, students, or the public at risk because of impairment. Employees are prohibited from reporting to work while under the influence of recreational substances that may impair their performance or compromise safety to themselves or others.
- Employees on medically approved substances that may impair their performance or compromise safety to themselves or others, must inform their direct supervisor or Human Resources. Proof of medical authorization may be required.
- Employees shall advise their supervisor when they witness concerns about a co-worker's fitness for duty.
- The supervisor works in conjunction with Human Resources to coordinate assistance and accommodation, as required.
- Employees who present as unfit for duty will be sent home via safe transportation with further follow-up required.
- The incident shall be reported to the out-of-scope supervisor as well as Human Resources.
- The College reserves the right to declare certain jobs safety sensitive.
- Drug and/or alcohol testing shall take place where there are reasonable grounds to believe that an incident or a near-miss accident occurred as a result of the use of drugs and/or alcohol by an employee or contractor.
- The possession, use, distribution and sale of drugs, alcohol and drug paraphernalia on College property is prohibited.
- Employees are expected to abide by all governing legislation pertaining to the possession and use of drugs and alcohol.
- The College will support employees to access confidential assessment, counseling, treatment and after-care services. Employees who have substance dependency are strongly encouraged to seek assistance through the confidential Employee Family Assistance Program.

## **Disciplinary Action**

Employees may be subject to disciplinary action, up to and including termination of employment for failure to adhere to the provisions of this policy and corresponding procedures.

## **3.35 - Fit for Duty - Procedure**

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### **Medical Documentation**

Medical documentation may be required when the use of a substance may impair an employee's performance or compromise the safety of themselves or others. Medical information sought may include, but not be limited to, the following:

- The form in which the substance will be taken (pill, tincture, vapor, etc.);
- Whether the substance will result in impairment;
- Are there other forms of the medicine, or other medicines that would minimize the impairment;
- Period of use;
- Accommodations or required modifications/restrictions.

### **Self-Declaration**

The following procedure will be enacted if an employee self-declares that they are unfit for duty.

- The employee is placed on administrative leave with pay for the remainder of the workday.
- Arrange for appropriate transportation home, such as a taxi, shuttle service, or arranging for the employee's emergency contact to pick up the employee.
- An impaired employee will not be allowed to drive. The employee should be advised if they choose to refuse the college's organized transportation and make the decision to drive their personal vehicle the college is obligated to and will contact the police to make them aware of the situation.
- A meeting with the immediate supervisor and Human Resources will be scheduled for the following work day to review the incident and determine a course of action.

- If the employee fails to report to work the following work day with necessary medical documentation, appropriate performance management will result.

## **Suspicion of Impairment**

Suspensions of an employee's ability to function safely may be based on specific personal observations. Impairment is the state of being physically or mentally diminished as a result of the consumption of alcohol, legal and illegal drugs (including medications), or fatigue. Some behaviors that may signal impairment, include:

- slurred speech
- glassy or red eyes
- odour of alcohol/drugs
- unsteady gait
- dilated pupils
- tremors
- sweating
- restlessness

## **Procedures**

The following procedure will be enacted if there is reasonable belief that an employee is impaired and not fit for duty.

- For situations that require medical assistance, call 911.
- In emergent cases, when the employee suspected of impairment becomes violent, verbally abusive, or otherwise threatening:
  - a. contact the police;
  - b. take reasonable steps to keep themselves and others safe;
- In non-emergent cases of suspected impairment, the supervisor will:
  - a. ask another supervisor or manager to be present as a witness;
  - b. meet confidentially with the employee to discuss their behavior and assess whether the employee presents as impaired and unfit for duty. Employees will be given the option to have a union representative present;
  - c. if unfit for duty, the college will place the employee on administrative leave with pay for the remainder of the workday;
  - d. employees unfit for duty will not be allowed to drive. The college will arrange for appropriate transportation home, such as a taxi, shuttle service, or arranging for the employee's emergency contact to pick up the employee. The employee should be

advised if they choose to refuse the college's organized transportation and make the decision to drive their personal vehicle the college is obligated to and will contact the police to make them aware of the situation;

e. schedule a meeting with the employee and Human Resources for the following work day to review the incident and determine a course of action. If the employee chooses, he/she may invite a union/staff association representative to be present;

f. if the employee fails to report to work the following work day with necessary medical documentation, appropriate performance management will result.

### **Substance Dependency**

In some cases, an employee who is using drugs or alcohol may have an addiction. As with other disabilities, employees who suffer alcoholism or other drug addictions may need to be accommodated. A person who requires accommodation in order to perform the essential duties of his/her job has a responsibility to communicate this need to the college and to cooperate with the accommodation efforts.