

Mackenzie County

Title	Drug and Alcohol Use	Policy No:	HR002
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Legislation Reference	Alberta Occupational Health & Safety Act, Regulations and Code Criminal Code Alberta Human Rights Act
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Purpose

Mackenzie County (the “Employer” or the “County”) is committed to the health, safety and wellness of its employees, contractors, and the public. The Employer recognizes and accepts the responsibility to provide its employees with a safe, healthy and productive work environment. Employees have the responsibility to report to work capable of performing their tasks productively and safely. The inappropriate use of drugs, alcohol and medications can have serious adverse impacts in the workplace.

The use of drugs, including illegal drugs, the improper use of prescription or non-prescription medication, and the use of alcohol, cannabis, or other intoxicants can have serious adverse effects on the safety of the workplace for employees, contractors and the public. Impairment can lead to incidents causing serious injuries to employees and other persons or damage to the environment and property. As the safety of Employees is the County’s highest priority, the purpose of this policy is to create a working environment free of the effects of drug and alcohol impairment.

The purpose of this policy is to establish the Employer’s expectations for appropriate behaviour, to establish the consequences for non-compliance, to provide consistent guidelines for all employees and to provide a means for supporting employees who are dealing with current or emerging drug and alcohol problems.

Applicability:

This policy applies to:

- (a) All Employees of Mackenzie County;
- (b) Employees of Societies, Boards and Committees over which the County’s Council has authority;
- (c) Contractors and Subcontractors conducting business with the County;
- (d) Boards, Societies and Committees over which the County’s Council has authority; and

(e) Paid On-Call members of the Mackenzie County Fire Departments.

Definitions:

“Alcohol” – means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl. Beverage Alcohol refers to beer, wine and distilled spirits.

“Cannabis” or “Marijuana” - means any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant and anything referred to in Schedule 1 of the *Cannabis Act*.

“Drug” – means any substance, including alcohol, legal or illegal drugs or medications, the use of which has the potential to change or adversely affect the way a person thinks, feels or acts. For the purposes of this policy, drugs of concern are those that inhibit a worker’s ability to perform his or her job safely and productively.

“Employee” – includes all regular full time, part time, temporary, casual employees and seasonal staff on the Employer payroll.

“Employer Business” – refers to all business activities undertaken by employees in the course of performing duties, whether conducted on or off Employer premises.

“Employer Premises” – includes but is not necessarily restricted to all land, facilities, mobile equipment and vehicles owned, leased or otherwise directly controlled by the Employer.

“Employer Worksite” – includes any worksite to which employees have been assigned for the purpose of conducting business.

“Fitness for Work/Duty” – in the context of this policy means being able to safely and acceptably perform assigned duties without any limitations due to the use or after-effects of alcohol, drugs or medications.

“Illegal Drug” – means any drug or substance that is not legally obtainable and whose use, sale, possession, purchase or transfer is restricted or prohibited by law (i.e. cocaine).

“Legal Drug” – includes any drugs that have been lawfully manufactured and lawfully obtained.

“Medication” - refers to a drug obtained legally by an employee and used as prescribed or directed, including but not limited to those obtained by the employee with a doctor’s prescription or medical document, as contemplated by the *Access to*

Cannabis for Medical Purposes Regulation (as amended, repealed and replaced from time to time), and non-prescription or over-the-counter products.

“Restricted Drug” - means any drug or substance capable of causing intoxication or impairment which is legally obtainable for recreational use and whose sale, purchase, possession, or transfer are restricted by law.

“Safety-Sensitive Position” - means a position where the performance of duties or responsibilities with impaired physical or mental ability could foreseeably have a direct negative impact on the health or safety of employees, contractors, customers, the public or the environment, or could lead to significant property damage. Examples include driving vehicles, operating powered mobile equipment, repair and maintenance of vehicles and equipment, operating any equipment which could seriously injure any person as a result of misuse and the operation and maintenance of drinking water systems. This includes employees who are required to rotate through, or temporarily relieve in, safety-sensitive positions. Supervisors and managers who directly supervise the working level positions on site, or who perform the same duties or exercise the same responsibilities, are deemed to hold safety-sensitive positions.

“Significant Work Related Accident and Serious Personal Injury” – are those defined by the Occupational Health & Safety Act, Chapter O-2.1, Section 40, subsection (2) as requiring notification to a Director of Inspection:

“Serious Injuries and Accidents

18(2) The injuries and accidents to be reported under subsection (1) are:

- (a) an injury or accident that results in death*
- (b) an injury or accident that results in a worker’s being admitted to a hospital for more than two days*
- (c) an unplanned or uncontrolled explosion, fire or flood that causes a serious injury or that has the potential of causing a serious injury*
- (d) the collapse or upset of a crane, derrick or hoist, or*
- (e) the collapse or failure of any component of a building or structure necessary for the structural integrity of the building or structure.”*

“Supervisors” – means the individual accountable for a particular facility, department, or area, including managers and others in supervisory positions directly responsible for the performance of individuals.

“Trained Personnel” – means a person who has received the necessary training to identify whether an Employee is under the influence of drugs or alcohol.

“Under the Influence” – of drugs (including prescription drugs) alcohol or any controlled substance for the purpose of this policy is defined as the use of one or more of these substances to an extent that an employee is:

- unable to perform in a productive manner;
- in a physical or mental condition that creates a risk to the safety and well-being of the individual, other employees, the public or Employer property; or

- displaying signs or symptoms of substance abuse such as smell of alcohol on breath, slurred speech, and atypical behavior.

GUIDELINES/RESPONSIBILITIES:

The following provisions apply to all employees while they are engaged in the Employer's business, working on Employer Premises or Worksites, and operating Employer vehicles and equipment. Violations of these provisions will result in disciplinary action up to and including termination of employment.

All employees are expected to perform their job in a safe manner and in all ways consistent with established practices. In addition, it is expected that everyone will;

- read and understand the policy and their responsibilities under it;
- report fit for duty for any and all scheduled duty and remain fit for duty while on Employer Business and Premises;
- seek advice and follow appropriate treatment if they have a current or emerging problem, and follow recommended monitoring programs after attending treatment;
- co-operate with any work modification related to safety concerns;
- intervene as appropriate to encourage a co-worker to access assistance before an alcohol or drug problem impacts performance or safety; and
- co-operate with an investigation into a violation of this policy, including any request to participate in the testing program as and when required to do so under this policy.

Because all individuals working for the Employer have a shared responsibility for workplace safety, employees are encouraged to look out for other employees, contractors or visitors in terms of fitness for duty and safety. They are expected to take appropriate action to ensure no individual remains in an unfit condition on Employer Premises or Worksites such that they may endanger themselves or others, by ensuring their supervisor or another member of management is advised of the situation.

Council will be responsible for:

- Ensuring that approved policies comply with legislation.

Chief Administrative Officer and Directors will be responsible for:

- Providing information, instruction and assistance to all supervisory staff;
- Providing all supervisory staff with an understanding of the Drug and Alcohol Policy as well as relevant legislation;
- Ensuring that supervisors and employees are aware of and adhere to this policy.

Supervisors will be responsible for:

- on-going performance management to ensure safe operations and effectiveness of the program;

- guiding employees who seek assistance to appropriate resources (for example, community services or social services);
- taking steps to investigate any violation of the standards set out under this policy; and
- referrals for alcohol and drug testing as and when required to do so under this policy.

Details on the standards, procedures and definitions of key terms are found in the following sections of the policy. This policy is subject to ongoing review and evaluation, and modifications will be made as deemed necessary to respond to current circumstances and evolving needs.

POLICY STANDARDS:

To minimize the risk of unsafe and unsatisfactory performance due to the use of alcohol or other drugs, the following standards have been set out and apply to everyone when on Employer Business, Premises and Worksites including when operating a motor vehicle. The only exception to the prohibition on handling alcohol or illegal drug possession below is police personnel and/or other staff when performing their duties. Everyone is expected to report fit for work, and remain fit throughout their work day or shift, including when scheduled to be on call.

1. Illegal Drugs

1.1 The following are prohibited:

- a) use, possession, distribution, offering or sale of illegal drugs or illegal drug paraphernalia;
- b) possession of prescribed medications without a legally obtained prescription, and distribution, offering or sale of prescription medications (trafficking);
- c) reporting for work under the influence of illegal drugs; and
- d) presence in the body of illegal drugs as determined through the testing program.

2. Restricted Drugs

2.1 The following are prohibited:

- a) use, possession, distribution, offering or sale of Restricted Drugs or Restricted Drug paraphernalia;
- b) possession of prescribed medications without a legally obtained prescription, and distribution, offering or sale of prescription medications (trafficking);
- c) reporting for work under the influence of Restricted Drugs; and
- d) presence in the body of Restricted Drugs as determined through the testing program.

3. Legal Drugs

- 3.1 The following are prohibited:
- a) reporting for duty under the influence of drugs;
 - b) use of drugs during the work day including during meals and breaks;
 - c) possession, distribution, offering or sale of drugs;

4. Alcohol

- 4.1 The following are prohibited:
- d) reporting for duty under the influence of alcohol;
 - e) use of alcohol during the work day including during meals and breaks;
 - f) possession, distribution, offering or sale of beverage alcohol;
 - g) having an alcohol test result of .04 Blood Alcohol Concentration (BAC) or greater; and
 - h) use of alcohol within eight hours of an accident or until tested or advised by the Employer that a test is not required.
- 4.2 Employees covered by this policy may use alcohol after the work day (for example, when on travel status, at a training event or seminar or in any other business-related situation), provided the formal business is completed, they use alcohol responsibly in compliance with the standards set out above, and they are not returning to work.

5. Additional Prohibitions

- 5.1 An Employee shall not, under any circumstances, consume alcohol or use, consume, ingest, or inhale Illegal Drugs, Restricted Drugs or other intoxicants while in care and control of or responsible for any of the County's vehicles or equipment, or while using the Employee's vehicle for work-related purposes.
- 5.2 Refusal to submit to drug/alcohol/intoxicant testing, failing to report for drug, alcohol or other intoxicant testing, tampering or attempting to tamper with a test sample, assisting with tampering or attempting to assist in the tampering of a test sample, will be deemed to be a positive test result, resulting in the Employee being subject to disciplinary action, including termination for just cause.

6. Medications

- 6.1 Everyone must use prescribed and over-the-counter medications responsibly. The legal use of prescription medications is permitted at work providing they do not impair the Employee's ability to perform their work effectively and in a safe manner. The intentional misuse of medications (for example, using the medication not as it has been prescribed, using someone else's prescription

medication, combining medication and alcohol use against direction) while on Employer Business, Premises or Worksites is prohibited.

- 6.2 Medications of concern are those that inhibit or may inhibit an Employee's ability to perform their job safely and productively.
- 6.3 Employees are expected to investigate (through their doctor or pharmacist) whether a medication can affect safe operation and take appropriate steps to minimize associated risk.
- 6.4 Employees are to report any requirement for modified work to their supervisor and follow any recommended course of action to minimize safety risk.
- 6.5 If a medication including Medical Marijuana has been prescribed that causes impairment, the Employee must disclose the medication, the side effects and the treatment plan to Human Resources. A diagnosis does not need to be provided.
- 6.6 The County is committed to accommodating an Employee's necessary use of Prescription Medications to the extent reasonably possible without undue hardship.

7. Call-in Situations

- 7.1 Employees receiving standby pay for on-call situations are expected to be fit for work and in compliance with these standards.
- 7.2 If an Employee is called back, whether formally designated as on-call or not, after regular working hours to perform work-related duties and has been consuming alcohol or using Drugs or other intoxicants, it is the Employee's responsibility to:
 - (a) decline the call out;
 - (b) ensure that he or she does not perform any employment duties, including operate a motor vehicle, while under the influence of Alcohol, Illegal Drugs, Restricted Drugs, Medication or any other intoxicant or substance, if impairment has resulted;
 - (c) notify the Employee's supervisor of the circumstances immediately; and
 - (d) confirm directly or through the Employee's supervisor that a responsible Employee who is not under the influence of Alcohol, Drugs or intoxicants will perform the required task.

PREVENTION, ASSISTANCE, REHABILITATION

8. Prevention

8.1 This policy stresses the importance of prevention and early identification of potential problem situations. Information is available on health and safety hazards of alcohol and drug use, and the process to access resources for assistance with an alcohol or drug problem, or any other problem that may be affecting work performance.

9. Substance Abuse/Treatment and Accommodation

- 9.1
- (a) An Employee suffering from Drug, Alcohol or other substance addiction is required to disclose the addiction to Human Resources or his/her Management Supervisor.
 - (b) The County acknowledges its responsibility to assist and accommodate Employees suffering from illness/addiction to alcohol or drugs to the extent reasonably possible without undue hardship.
 - (c) Employees who are concerned that a fellow Employee may be suffering from a drug or alcohol addiction are strongly encouraged to report their concerns to a supervisor.
 - (d) If an Employee neglects or refuses to disclose such a condition to the County, the County will be forced to deal with breaches of this policy assuming that the Employee is not suffering from an addiction or illness related to drugs and alcohol but has simply disregarded the policy, in which case immediate disciplinary action will be taken.
 - (e) Seeking voluntary assistance for Drug and Alcohol addiction will not jeopardize an Employee's employment with the County, so long as the Employee continues to cooperate and seek appropriate treatment for their disclosed problem and is able to treat and control the problem to facilitate a safe return to work within the reasonably foreseeable future.
 - (f) The Employee may utilize any accrued/earned sick leave when attending rehabilitation for the Drug, Alcohol or other intoxicant addictions.
 - (g) Employees suffering from Drug, Alcohol or other intoxicant addiction who fail to co-operate with assistance or treatment programs and/or engage in repeated infractions of this policy, will be subject to the normal disciplinary sanctions, including immediate termination for just cause.
 - (h) When an Employee returns to work following a disclosure that the Employee suffers from a Drug, Alcohol or other intoxicant dependency and subsequent

treatment, the County may require the Employee to undergo a return-to-work test. Further random unannounced return-to-work testing may be required for up to one year after the Employee returns to work.

- 9.2 All Employees who are candidates for primary treatment (for example, residential or out-patient treatment) for Drug or Alcohol problems will be expected to enter into a written agreement to support their recovery. It will outline the conditions governing their return to the job, and the consequences for failing to meet those conditions. One of those aftercare conditions may include unannounced testing based on the advice of a substance abuse professional (SAP) and/or treating facility. The Employee may use accrued sick leave benefits.
- 9.3 Where a medical professional, a SAP, or other counselling professional advises there is a risk that an Employee could not do their job safely, the Employee will be removed from duty until they are able to safely return to work. Work schedules will be adjusted within reasonable limits to accommodate any period of time the employee is required to attend the treatment or counselling program.
- 9.5 Confidentiality will be maintained except where limited disclosure is necessary for related health and safety concerns (for example where there is deemed to be a potential for risk to self, others or the organization).
- 9.6 The Employer shall not be responsible for costs associated with treatment.

INVESTIGATION PROCEDURES

10. Performance Management

- 10.1 The normal process of performance management will continue to be emphasized. Employees with apparent performance problems will be reminded that they should access assistance should a personal problem be affecting their job performance.

11. Unfit for Duty Situations

- 11.1 In all situations when there are reasonable grounds to believe an Employee is unfit to be at work, responsible escort procedures will be followed. The Employee will be escorted to a safe place and given an opportunity to explain why they appear to be in a condition unfit for duty. If the supervisor conducting the interview still believes the employee is in a condition unfit for normal duty, and after consultation and agreement of a second person where possible, they may take any of the following actions:
 - a) referral for medical attention if there are immediate medical concerns (doctor, local hospital or clinic); and/or

b) referral for an alcohol and drug test if there are reasonable grounds to believe alcohol or drug use may be a factor in the situation.

11.2 The Employee will be provided with transportation to the collection site or hospital/clinic depending on the circumstances, and then to their place of residence or to the care of another person. The Employee may be temporarily held out of service with pay or reassigned pending completion of any investigation and, depending on the test result, a fitness for duty assessment may also be required.

12. Alcohol and Drug Testing

All employees will be subject to testing in the following circumstances:

Reasonable Cause and Post-Incident Testing

12.1 Testing will take place whenever an Employer representative has reasonable grounds to believe that the actions, appearance or conduct of an Employee while on duty are indicative of the use of Drugs or Alcohol.

12.2 The Employer may conduct testing for the presence of Alcohol or Drugs when it has reasonable grounds to believe that the actions, appearance or conduct of an Employee while on duty (including while on-call) indicates that the Employee is under the influence of Restricted or Illegal Drugs or Alcohol. While the Employer reserves this right for all of its employees, employees should understand that the necessary threshold to establish reasonable cause in the eyes of the Employer will be lower for Employees in Safety-Sensitive Positions given the potential consequences involved.

12.3 The decision to test shall be made by Trained Personnel, with concurrence of a second Trained Personnel whenever possible (for example. another supervisor, manager, or human resources).

12.4 The basis for the decision to test will be documented as soon as possible after the action has taken place and identified to the Employee prior to the test being conducted. The Employee will be invited and have the opportunity to speak to or refute the basis for the decision to test and the Employer shall consider the Employee's position prior to proceeding with the test. For any Employees represented by a Union, the Employee shall be advised of their right and the opportunity to contact and seek Union Representation prior to and for attendance at the test so long as such contact or representation does not unreasonably delay the testing process which is important to have performed in a timely fashion. The referral for the test will be based on specific, personal observations resulting from, but not limited to:

- (a) Observed use or evidence of Restricted or Illegal Drugs or Alcohol (e.g. smell of alcohol or cannabis);
 - (b) Erratic or atypical behaviour of the Employee;
 - (c) Changes in physical appearance of the Employee;
 - (d) Changes in the behaviour of the Employee;
 - (e) Changes in speech patterns of the Employee;
 - (f) Discovery of Drugs, inclusive of Medication capable of causing impairment, Alcohol or related paraphernalia found in locations to which an Employee has sole or primary access, including Employee lockers or assigned vehicles; or
 - (g) Following a serious incident or accident where the possibility of Drug or Alcohol impairment cannot be easily ruled out from review of the circumstances, including a “significant incident” as defined by Occupational Health & Safety legislation, and a situation which created significant potential or risk for an incident or accident, even if an incident or accident did not ultimately result (a “near miss”).
 - (h) The County may conduct reasonable cause testing upon receipt of a complaint or concern by a co-worker or third party that an Employee may be using Drugs, Alcohol or other substances contrary to this policy. Records of the confidential complaint must be retained.
 - (i) In all situations where the County believes an Employee is unfit to be at the workplace, a reasonable escort will be used to escort the Employee home.
 - (j) Where reasonably possible, such tests shall be conducted respectfully and in a manner to minimize the intrusive nature of tests. The County will arrange for the Alcohol and Drug testing to be undertaken. The process is to be completed as soon as possible after the incident which is deemed within the guidelines of this Policy.
- 12.5 The decision to refer Employee(s) for a test will be made by the supervisor investigating the incident and with the agreement of a second person whenever possible (for example, another supervisor or human resources).
- 12.6 Since all Employees may be subject to testing after a significant incident, they are to report the situation to their immediate supervisor as soon as possible after the incident and participate fully in any subsequent investigation.

- 12.7 On-Road Accidents – Anyone who operates a vehicle for the Employer is subject to testing after a significant accident or one requiring hospitalization. Any Employee involved in an on-road accident as noted above is required to report the situation to their immediate supervisor as soon as possible after the incident and participate fully in any subsequent investigation.
- 12.8 Other Situations – At their discretion, the Employer may require a post-incident test after any other significant work accident, incident or near miss as part of a complete investigation. Failure to report a serious accident, incident or near miss is a violation of this policy.

Testing Procedures

- 12.9 The following procedures apply:
- a) the need for a test must be documented as part of the preliminary investigation as soon as practical after the triggering event;
 - b) a test will not be necessary if there is clear evidence that acts or omissions of employee(s) could not have been a contributing factor (for example, structural or mechanical failure);
 - c) Employee(s) referred for a test will only be those who are identified, with reasonable grounds, as having been directly involved in the chain of acts or omissions leading up to the event; and
 - d) Employee(s) to be tested must not use Alcohol until after the test has been completed or until they have been advised that a test is not required.
- 12.10 (a) Any testing undertaken pursuant to this Policy, including analysis of results, shall be performed by a qualified professional. Where appropriate, results shall be confirmed by laboratory testing, which shall be performed at an accredited laboratory;
- (b) Where reasonably possible, tests shall be conducted respectfully and in a manner to minimize the intrusive nature of the tests. The Manager will contact the alcohol and drug testing provider to schedule a test. The process is to be completed as soon as possible after the incident or observation which is deemed within the guidelines of this Policy. The drug testing will be performed in compliance with the testing procedures as defined by the drug and/or alcohol testing facility.
 - (c) The Employee shall be notified of the result of the test, and given an opportunity to address those results, including by providing them to and discussing them with the Employee's own physician. For employees with positive test results, the Employer shall consider on a case-by-case basis all of the surrounding facts and circumstances, including input from the Employee and, if applicable, the Employee's Union Representative and made a determination of further steps, requirements, or recommendations

that may be necessary to refer the Employee to their own or an independent physician to assess whether a Drug or Alcohol dependency exists.

- (d) The County will store test results in a secure location with access restricted to the County’s Human Resources in order to preserve employee privacy. Test results will not be disclosed to third parties without prior written consent of the employee, subject only to a legal requirement for the County to produce employee test results.

Impairment Levels

12.11 For the purposes of this Policy, the following sets out the impairment levels:

- (a) Drug Panel, Urine Screening Cut-off Concentration Levels – a test result at these levels or above is a positive test.

Drug	Parameter (Level)
Amphetamine	500 ng/mL
Cocaine metabolite	150 ng/mL
Cannabinoids	50 ng/mL
Opiates	2000 ng/mL
MDMA	500 ng/mL
Phencyclidine	25 ng/mL
6-Acetylmorphine	10 ng/mL
Marijuana metabolite	50 ng/mL

- (b) Confirmation Urine Drug Concentration Levels – a test result at these levels or above is a positive test.

Drug	Parameter (Level)
Amphetamine <ul style="list-style-type: none"> • Methamphetamine 	250 ng/mL 250 ng/mL
Cocaine metabolite	100 ng/mL
Opiates <ul style="list-style-type: none"> Codeine Morphine 	2000 ng/mL 2000 ng/mL
MDMA <ul style="list-style-type: none"> • MDMA • MDA • MDEA 	250 ng/mL 250 ng/mL 250 ng/mL

Drug	Parameter (Level)
Phencyclidine	25 ng/mL
6-Acetylmorphine	10 ng/mL
Marijuana metabolite	15 ng/mL

- (c) Alcohol Level equal to or in excess of 0.040 grams per 210 litres of breath is a positive test.

Failure to Test

12.12 Failure to report directly for a test, refusal to submit to a test, refusal to agree to disclosure of a test result to the Employer, a confirmed attempt to tamper with a test sample, or failure to report an incident which may require testing, are violations of this policy.

13. Possession of Alcohol or Drugs

13.1 The Employer reserves the right to investigate any situation when there are reasonable grounds to believe that Alcohol or Drugs are present on Employer Premises in violation of this policy.

13.2 Supervisors are responsible for identifying situations where a search is justified based on a combination of indicators that could include behaviour, odor, or presence of paraphernalia. They will be responsible for advising their Director of the situation, who, in conjunction with the Chief Administrative Officer and the RCMP may take the appropriate steps to investigate the situation.

14. Impaired Driving Charge

14.1 Employees who operate a motor vehicle on behalf of the Employer are required to maintain a valid driver's license for the class operation required. Any loss of license must be reported immediately to management, and the Employee will no longer be authorized to drive on behalf of the Employer.

14.2 In addition, employees must inform their supervisor immediately if they have been charged with an impaired driving offense when operating a vehicle on behalf of the Employer. Impaired driving would include but not be restricted to exceeding the legal BAC in that jurisdiction, driving while impaired, or refusal to blow into a breath analyzer or other testing procedure. Receipt of a charge will result in a full investigation, and discipline appropriate to the situation up to and including dismissal.

DISCIPLINE

15. The County views the rules contained in this policy to be of the utmost importance. There is zero tolerance for deviation from the above terms which will result in disciplinary action that may include immediate dismissal. All Employees will be provided with a copy of this policy as notification that any resulting dismissal will be considered as “dismissal with just cause”.
16. As indicated above, any Employee actively suffering from a drug or alcohol dependence is required to disclose the addiction, and the Employer recognizes its responsibility to assist and accommodate employees suffering from such a condition. However, if an Employee neglects or refuses to disclose a Drug or Alcohol dependence to the Employer, in violation of this Policy, the Employer may, when warranted in the circumstances, deal with breaches of this Policy based on the understanding that the Employee is not suffering from a Drug or Alcohol dependence, but has simply disregarded this Policy, in which case immediate and strict disciplinary action will be taken. Further, failure to disclose an active Drug or Alcohol dependence is itself a violation of this Policy.
17. Notwithstanding the foregoing, any and all disciplinary action under this Policy that is taken by the Employer against an Employee will comply with any applicable collective agreement then in place.

POST-VIOLATION RETURN TO WORK

18. Seeking voluntary assistance for Drug or Alcohol dependence will not jeopardize an Employee’s employment with the Employer, so long as the Employee continues to cooperate and seek appropriate treatment for his or her disclosed problem and is able to treat and control the problem to facilitate a return to work within the reasonably foreseeable future.
19. Any Employee violating this policy who is subsequently authorized and accepted by the Employer to return to the workplace shall receive a Return to Work Letter outlining conditions of the return to the workplace which will normally include (without limiting the generality of the foregoing) the following:
 - (a) Requirement to continue treatment, counselling and assistance programs or procedures recommended by the Employee’s advising physician or addiction counselor;
 - (b) Express obligation to immediately cease performance of duties and notify a supervisor in the event the Employee finds themselves under the influence at any time during work hours following a return to the workplace;

- (c) Requirement to provide written medical confirmation that the Employee has any condition under control and is able to safely return to the workplace without danger to the Employee or to others;
 - (d) Requirement to provide reasonable regular updates from the Employee's physician or addiction counsellor that the Employee continues to follow recommended treatment programs and continues to be fit for duty without danger to themselves or others;
 - (e) An express warning to the Employee that future violations of the policy will lead to further discipline and serious consideration of immediate termination for just cause;
 - (i) A request to complete a return-to-work test. Further random, unannounced return-to-work testing may be required for up to one year after the Employee returns to work.
20. Employees suffering from drug, alcohol addiction who fail to co-operate with assistance or treatment programs and/or engage in repeated infractions of this policy, will be subject to the normal disciplinary sanctions, including immediate termination for just cause.

Related Policies and Procedures

HR001 – Employee Code of Conduct Policy

	Date	Resolution Number
Approved	2019-05-07	19-05-307
Amended		
Amended		

DRUG & ALCOHOL USE POLICY ACKNOWLEDGEMENT

Mackenzie County (the “Employer”) is committed to ensuring the health and safety of its employees, contractors and the public, as well as fostering an effective and productive environment for working and learning. We recognize that the use of impairing substances, like drugs, alcohol, and even certain medications can impede our ability to achieve these common goals. For this reason, the Employer is adopting new guidelines for substance use in the workplace, to clearly set out our expectations for employee conduct, options for seeking help, and the consequences of violations.

We expect that you’ll come to work able to work safely and effectively, which in our view means free from impairment. Under no circumstances should employees be in possession of, using, consuming, ingesting or under the influence of impairing drugs or alcohol during working hours, whether on or off the Employer property. We also expect that if you’re operating a vehicle, whether it’s the Employer’s or personal property, for any work-related purpose, that you’ll similarly be free from impairment. While we expect that our employees will comply with these rules on a day to day basis, there will be Employer-related functions at which consumption of alcohol will continue to be permitted. While the Employer expects that all of its employees will comply with this rule on a day to day basis, it is recognized that for some employees Employer approved and appropriate social functions within the course and scope of their work hours will occur at which reasonably limited consumption of alcohol is customary and appropriate. Some common examples for illustration purposes would include: conference cocktail reception, Employer approved social dinner, or a promotional activity or event such as a Christmas party. However it is critically important that all employees understand that even at these events where alcohol consumption is permitted, alcohol should only be consumed on a social basis to reasonable levels which ensure professional and responsible behavior by employees at all times.

This prohibition applies to illegal drugs, drugs which are approved for recreational use, and even to prescribed medications, which may cause impairment or otherwise interfere with an employee’s ability to work safely (even if they’re used as indicated or prescribed). We would encourage you to speak with your doctor or pharmacist to understand the risk of impairment associated with prescribed or over-the-counter medicines, and that you disclose this to the Employer if there is a likely workplace impact. We are committed to working with you to accommodate necessary use of medication to limit or eliminate workplace impact, to the extent possible.

If you’re actively suffering from addiction which may potentially interfere with the diligent and safe performance of your duties in our workplace, you must disclose it to the Employer. We will help you seek and obtain the help you need, without recourse or fear of reprisal. The Employer will work with you and your advising physician and/or counsellors, provide you time away from work, if necessary, return you to work when appropriate, and keep you accountable upon your return. We expect you to cooperate

in this process and follow reasonable treatment recommendations and reasonable guidelines set by the Employer. If you feel like one of your co-workers is struggling with an addiction, we ask that you let us know. The Employer is committed to accommodating employee addictions to the point of undue hardship.

We wish to be clear that this is a zero-tolerance policy; violations of the Policy will be subject to discipline, up to and including termination for cause.

It is very important that each employee understands their obligations under this Policy, and to confirm their commitment to keeping our workplace safe, productive, and impairment-free.

I confirm that I have received a copy of the Drug and Alcohol Administrative Policy, and that I have read and understand the obligations outlined therein and summarized above.

Employee Signature

Employee Name (Please Print)

Date