



# Safety Administrative Procedure

## **Fit For Duty General Procedures**

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**Approved by:** Jim Toye, City Manager

**Signature:**  **Procedure No:** 2.1

**Effective:** February 25, 2019 **Replaces:** N/A

### **Standards:**

To minimize the risk of unsafe and unsatisfactory performance due to the use of alcohol, drugs, or other mood altering substances, employees are expected to report fit for duty, remain fit for duty throughout the entirety of their shift, and comply with the following standards:

### **Illegal Drugs and Drug Paraphernalia:**

The following are prohibited while on city business, premises, or worksites:

1. The use, possession, distribution, offering for sale of illegal drugs, or drug paraphernalia;
2. Reporting for work or being on duty while under the influence of illegal drugs; and,
3. A positive drug test as determined through the testing program.

### **Alcohol:**

The use, possession, distribution, offering for sale of beverage alcohol is prohibited when on City premises and worksites except in conjunction with a licenced event on licenced premises. In addition, when on City business employees or contractors cannot:

1. Consume any product containing alcohol (including beverage alcohol) during their work day including during meals and breaks;
2. Report to work or return to work after consuming alcohol;
3. Have a positive test result as determined through the testing program; and,
4. Use alcohol after an incident until tested or advised a test is not required.

Employees are not permitted to use alcohol when travelling or attending a training event, seminar or similar business related situation until the formal business has been completed and provided that the employee is not expected to return to work.

### **Scheduled Call In/Standby:**

Employees on call for scheduled call in are required to remain fit to respond to a call and be in compliance with this policy and associated procedures.

**Unscheduled Call In:**

Employees that are requested to perform services while not in compliance with this policy are expected to decline the call in request.

**Medications:**

Employees are expected to use prescribed and over the counter medications responsibly. Any prescriptions, non-prescriptions, or authorizations obtained by an employee of the City must be reported to the City. Medications of concern are those that inhibit or may inhibit an employee's ability to perform their job safely and productively. The following are prohibited:

1. The intentional misuse of medications which includes but is not limited to not using the medication as prescribed, using prescription medication which has been prescribed to an individual other than yourself, and combining medication with alcohol against directions provided.
2. The possession of prescription/authorized medication without a legally obtained prescription or licence; and,
3. The distribution or offering for sale of prescription medication.

Employees are expected to:

1. Consult with their doctor or pharmacist to confirm a medication will not affect their duties or the safe and productive operation of a vehicle or other equipment;
2. Act responsibly by following all label directions and use a safe alternative medication choice when available;
3. If medication being used may affect an employee's ability to perform their job safely and productively, they are expected to take appropriate action to minimize those risks and immediately advise their manager. The manager would then be expected to determine the need for modified work assignments in consultation with the Coordinator Health Safety and Environment; and,
4. Provide proof of a valid licence and authorization to possess in the case where medical marijuana has been legally authorized by a licenced medical practitioner. This is to be provided immediately to the manager upon initial issue and upon renewal. The employee is to inform the manager of any all changes to authorizations, including renewals and cancellations.

**Mood Altering Substance:**

The following are prohibited while on City business, premises, or worksites:

1. Using any product containing mood altering substances while on duty including during meals and breaks;
2. Reporting to work or returning to work after consuming/inhaling mood altering substances;
3. Having a positive test result as determined through the testing program; and,
4. Using mood altering substances after an incident until tested or being advised a test is not required.

### **Cannabis (Marijuana)-:**

The following are prohibited while on City business, premises or worksites, except when medically authorized and disclosed to the City:

1. Use of any product containing cannabis substances while on duty including during meals and breaks;
2. Reporting to work or returning to work after using cannabis substances;
3. Having a positive test result as determined through the testing program; and,
4. Using cannabis substances after an incident until tested or being advised a test is not required.

### **Possession of Prohibited Substances:**

The City reserves the right to investigate any situation where there are reasonable grounds to believe that banned substances are present on City premises in violation of this policy. Supervisors are responsible for identifying situations where an investigation is justified based on a combination of indicators which could include, but are not limited to, behavior, odor, or presence of paraphernalia. They will be responsible for advising their manager of the situation. The manager, in conjunction with the Human Resources Consultant or Coordinator Health Safety and Environment, will be responsible for conducting an investigation.

### **Loss of Licence / Impaired Driving Charge:**

All employees who require a drivers licence for their position or duties must immediately advise their manager if they lose their licence for any reason. In addition, employees who regularly or periodically operate any motorized vehicle in the course of their duties/employment with the City, must advise their manager immediately if they have been charged with an impaired driving offence or have received an administrative licence suspension.

Impaired driving would include, but not be limited to, testing over the legal Blood Alcohol Content (BAC), driving while impaired, refusal, or failure to provide a sample. If an individual is charged for offences of this nature while operating a City vehicle or as part of their duties on behalf of the City of Prince Albert an investigation will be conducted by the manager, HR Consultant, and/or the Coordinator Health Safety and Environment. Action taken, including any discipline, will be appropriate to the situation. Failure to report the charge will be grounds for discipline up to and including termination of employment.

### **Policy Violations:**

#### **General Requirements:**

Any violation of the provisions of this policy or procedures, with respect to fitness for duty, has the potential to result in discipline up to and including termination of employment. In all situations an investigation will be conducted to verify that a City policy or procedure violation has occurred. Therefore, management has the authority and discretion to remove from the workplace any individual who is believed to be involved in an incident that could lead to discipline pending the results of the investigation. The appropriate discipline in a particular case depends on the nature of the policy violation and the circumstances surrounding the situation. The severity of the violation will warrant entering the discipline process at different levels.

Violations relating, directly or indirectly, under this policy or any associated procedure, for fitness for duty, will be grounds for discipline up to and including termination.

A positive alcohol or drug test is a violation of this policy, as is the refusal/failure to complete the testing process. Individuals testing positive will be prohibited from operating any vehicles or mobile equipment in the course of their duties and will be removed from duty until at least their next shift if the substance does not meet the definition of medication.

After a confirmed violation, the employee may be referred to a substance abuse professional for assessment to determine whether there is a need for a structured treatment program.

**Conditions of Employment:**

Should the City determine that employment will be continued after a violation, the individual may be subject to any or all of the following actions or any other condition(s) appropriate to the situation:

1. Adherence to any recommended treatment and aftercare program;
2. Remain substance free and have satisfactory performance on return to duty;
3. Successful completion of a return to duty test;
4. Ongoing unannounced testing for the duration of their agreement;
5. Adherence to any rehabilitation conditions or requirements;
6. No further policy violations during the monitoring period; and,
7. Signing a Return to Work Agreement with the City, as well as with any applicable union, outlining the terms of any return to work offered by the City.

Failure to meet the above restrictions, if imposed, will be grounds for discipline up to and including termination of employment.

## APPENDIX: GUIDELINE ON MEDICATIONS

All employees are expected to manage potential impairment during working hours due to the legitimate use of medications. The following drug categories have been associated with performance impairment and are provided as a guideline to employees in assessing their own situation. The list is not exhaustive. There are numerous other over the counter and prescription drugs which when taken may negatively impact performance.

Therefore, employees are expected to consult their personal physician, labels, or a pharmacist to determine if use of the medication may have any potential negative effect on job performance. If the medication they are using may affect their ability to operate safely, they are to notify their manager immediately, and explore options for modified duties with that manager.

The City reserves the right through the Coordinator Health Safety and Environment to confirm the nature and duration of any required work accommodation/modification.

1. **Antihistamines:** Are widely prescribed for hay fever and other allergies. Some examples include Allegra and Dimetane. They are also found in many cold medications. These medications may cause drowsiness.
2. **Motion Sickness Drugs:** Are used to prevent motion sickness and nausea. Some examples include Gravol and Antivert. Side effects may include drowsiness.
3. **Barbiturates, Sedatives, Hypnotics, Tranquilizers, Antidepressants:** These medications have potential side effects of sedation, hypnotic state, dizziness or drowsiness. They include Ativan, Imovane and Paxil.
4. **Narcotics:** These include common medications like Demerol, Codeine, OxyContin and Percocet. Codeine in particular is commonly found in drugs such as 222's, 292's or Tylenol 1, 2 or 3's. Side effects include drowsiness, dizziness and light headedness.
5. **Stimulants:** This is medication used for central nervous system stimulation and for appetite suppression. It can produce sensations of well-being which may have an adverse effect on judgement, mood and behaviour. Some examples include diet pills and amphetamines.
6. **Anticonvulsants:** This medication is typically used to control epileptic seizures and can cause drowsiness in some patients. Dilantin is an example of this type of medication.
7. **Muscle Relaxants:** This medication is used to treat musculoskeletal pain. Examples include Flexeril and Robaxial. The most common side effects are sedation and drowsiness.
8. **Cold Tablets/Cough Mixtures:** In particular night time remedies can cause drowsiness. These include medications like Sinutab, Contac, Triaminic, Tussionex and preparations containing dextromethorphan (DM) or codeine.
9. **Medical Marijuana:** In order for marijuana use to be considered as a medication it must be authorized by a physician and the individual using must currently have a licence. If over time this licence requirement changes, this policy will conform to the current requirements of the time. The use of medical marijuana can have serious negative impacts on performance at work. Any person with a prescription for this medication will be prohibited from operating any vehicles or mobile equipment along with any other work modifications that may be appropriate given the dosage being taken.