

<b>Title: Drugs and Alcohol</b>	<b>Policy: HR 009</b>
<b>Section: Human Resources</b>	

**ACCOUNTABILITY TO VISION STATEMENT**

Flagstaff County is committed to providing a safe workplace for our employees, volunteers, contractors and subcontractors of the County.

**POLICY STATEMENT**

The purpose of this policy is to ensure that all employees are fit for work, particularly in relation to the use and/or abuse of Drugs and Alcohol. Flagstaff County has developed a program outlined in the Health and Safety Manual that provides a framework for testing as well as guidelines for education, rehabilitation and counselling and potential discipline arising from Drug and Alcohol testing.

This program applies to all employees of Flagstaff County and any of its associated or related bodies and organizations or joint ventures. Further, all volunteers, including but not limited to volunteer firefighters, contractors and subcontractors of the County are required to follow the provisions of the program.

Information related to incidents of substance use or dependency of an employee is to be kept confidential and is used and released on a "need to know" basis within the County. Documents relating to drug and alcohol testing shall be used by the County only for the purpose for which they were generated and shall not be disclosed to unauthorized persons.

Drug and Alcohol testing will be conducted according to the Construction Owners Association of Alberta (COAA) Canadian Model for Providing a Safe Workplace. Drug and Alcohol testing may be performed by using a sample of the employee's bodily fluid, urine, saliva, or breath. Consideration shall be given to utilize testing processes that are minimally intrusive based on advice from the company retained for the purpose of carrying out such tests.

Drug and Alcohol testing will be conducted under the following situations:

**1. Pre-employment Testing**

- a) Once an offer of employment in a Safety Sensitive position has been accepted, a pre-employment Drug and Alcohol test will be required as a condition of that employment.
- b) If the test results are positive, the Employee will be provided with a contact number for a Substance Abuse Professional and advised to seek help. The Employee will be informed that there will be no discrimination if they apply for employment again in the future, but that the position will be filled in the meantime to avoid undue hardship for the County.

**2. Post Incident Testing**

- a) All serious incidents will result in Drug and Alcohol testing unless there is clear evidence that acts or omissions of the Employee(s) could not have been a contributing factor (ie: structural or mechanical failure). In other words, if human error could have contributed to the incident, the Employee(s) involved will be tested for Drug or Alcohol use.

- b) The County may also require Drug and Alcohol testing of an Employee when there has been a near miss (as defined in the Flagstaff County Health and Safety Management Program) where there was the potential for injury to Employees or the public or serious damage to County Property or to the environment. Other incidents or near misses may result in testing of an Employee if reasonable cause exists.

**3. Reasonable Cause Testing**

- a) The County may also require Drug and Alcohol testing if reasonable cause exists, even if there has not been an incident. Reasonable cause includes:
  - (i) Observed use or evidence of use of Drugs or Alcohol (e.g. smell of Alcohol or cannabis);
  - (ii) Erratic or atypical behaviour of the Employee;
  - (iii) Changes in physical appearance of the Employee;
  - (iv) Changes in behaviour of the Employee;
  - (v) Changes in speech patterns of the Employee; or
  - (vi) Discovery of Drugs, inclusive of medication capable of causing impairment, Alcohol, intoxicants or related paraphernalia found in locations to which an Employee has sole or primary access, including Employees’ lockers or assigned vehicles.

**4. Return to Duty Testing**

The County may require Drug and Alcohol testing of an Employee as part of a Return to Duty monitoring program. Such testing is part of a system of checks and balances to support the continued recovery of an Employee after treatment or rehabilitation for Drug or Alcohol dependency. The Employee may require follow up testing for a period of time after the return to duty.

**Duty to Accommodate**

Flagstaff County understands that having a Drug or Alcohol dependency is a disability and will make every effort to accommodate and assist the Employee up to the point of undue hardship. The dignity and privacy of the Employee will be respected throughout the process.

Employees are encouraged to seek assistance from the County before Drug or Alcohol problems lead to performance problems or otherwise have a workplace impact. The Employee's decision to self-declare and seek assistance from Flagstaff County will not become part of his/her personnel file; will not be used as a basis for disciplinary action; and will not be used against the Employee in any disciplinary proceedings. However, should the Employee who self-declares and receives assistance from the County subsequently breach the terms of this program, the fact that the Employee voluntarily declared a Drug or Alcohol problem and sought assistance will not be a defense to imposition of disciplinary action for the subsequent violation.

The County views the rules contained in the Drug and Alcohol program to be of the utmost importance. This is a zero-tolerance policy; any deviation will result in disciplinary action that may include immediate termination. All Employees will be provided with a copy of the Drug and Alcohol testing program as notification that any resulting dismissal will be considered as “dismissal for just cause” and not subject to notice or pay in lieu of notice.

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