

SECTION: ADMINISTRATION

SUBJECT: ALCOHOL AND SUBSTANCE ABUSE

Original Resolution No.: 06-05-60

Alcohol and Substance Abuse Policy

The County of Warner is committed to the health and safety of its employees, residents and public and recognizes that the use of illegal drugs and the inappropriate use of alcohol and other substances, including medications, can seriously affect the safety and well-being of employees and the general public.

Guidelines

1. For the purposes of this policy the following definitions apply:
 - a. "Banned Substance" - means any alcoholic beverage, un-prescribed drug for which a prescription is legally required in Canada, the misuse of prescribed or over the counter medications, or illegal drug.
 - b. "Employee" - means any person hired/employed by the County of Warner without regard to their job classification.
 - c. "Work Place" - means any County owned, leased, operated or maintained facility, property or equipment or any place where an employee is on County business.
 - d. "Employee's Association Representative" - means a representative of any staff member's employee association.
 - e. "Unable to Perform their Duties in a Competent Manner" - means that an employee is unable to safely perform the regular and customary duties of their job as a result of being under the influence of a banned substance.
 - f. "Safety Sensitive Position" - means a position where the employee has public contact and whose duties and conduct could impact their safety, as well as the safety of other employees and the public.
2. The County and its employees have a responsibility to eliminate alcohol and substance abuse that undermines safety and employee well-being within the work place. Any employee in a position involving public contact or whose duties impact on their safety or the safety of others, who may not be impaired, but who displays evidence of alcohol and drug consumption, will be removed from the workplace and may be subject to disciplinary action. Off duty consumption of alcohol and drugs which adversely affects an employee's job performance, or which could jeopardize the safety of other employees, public, or County property, is proper cause for disciplinary action which may include termination of employment.
3. The County recognizes alcohol and other substance abuse is a treatable illness.
4. It is vital that County employees directly engaged in the provision of these public services be capable of functioning without impairment, and further, that measures be taken to eliminate the potential for employees to become impaired during their work schedule.

5. Candidates for employment, who are applying for a position which may be classified as “safety sensitive”, may be required to undergo a banned substance test prior to commencement of their employment. Employment at the County is contingent on a negative banned substance test being received. Cost for the testing is the responsibility of the individual.
6. The possession, sale, distribution, or use of banned substances will not be tolerated under any circumstances on County premises or work sites. Any employee violating this policy will be subject to disciplinary measures outlined within this policy.
7. The County of Warner will:
 - a. Communicate its expectations with respect to banned substance use by its employees.
 - b. Provide specific programs of education and awareness on banned substance use and identification.
 - c. Support prevention and referral programs or other initiatives based on shared responsibilities with employees.
 - d. Recognize banned substance addictions and chronic substance abuse as an illness under the Sick Leave provisions of the Personnel Policy and County Policy Manual, and will assist employees in securing treatment through suitable agencies.
 - e. Share the responsibility with employees for the identification and early resolution of all performance, attendance or behavioral problems arising from alcohol or substance use and abuse.
8. The responsibility of all County employees are as follows:
 - a. Expected to be sober, well rested and fit for duty.
 - b. If under the influence of a banned substance (alcohol or drugs), must immediately advise their supervisor upon reporting for work, or when contacted to work on an emergency or other unscheduled basis.
 - c. Report to their supervisor or management all breeches of this policy. The information received will be held in strict confidence. Failure to report incidents that have been observed may result in disciplinary action.
 - d. Recognize an individual responsibility to maintain a safe and healthy work environment and will assist the County through prevention and participating in referral programs and other initiatives based on the principle of shared responsibilities with fellow employees and the employer.
 - e. Seek assistance when the use of alcohol or other banned substances have an adverse effect on their ability to safely and satisfactorily perform job functions.
 - f. Upon an alcohol or drug abuse problem being identified, will submit to initial assessment and diagnosis and faithfully maintain any course of treatment prescribed. The employee understands that failure to maintain treatment as prescribed will constitute grounds for discipline.
 - g. After undergoing treatment and returning to work, the employee will be required to submit to random banned substance (alcohol and drug) testing at the request of the County for a period of twenty-four (24) months from the date of their return to work. The employee may also be required to receive ongoing treatment. This may be a condition of continued employment with the County. Should any test during the twenty-four (24) month period be confirmed positive for alcohol or drugs, the employee will be immediately dismissed for cause.

9. No employee with an alcohol or substance abuse problem will be disciplined or have their employment terminated if they voluntarily request assistance in overcoming substance abuse or alcohol dependency.
10. When employees voluntarily disclose a substance abuse problem and requests assistance to overcome an addiction, the County will:
 - a. Assist the employee in accessing treatment services or a rehabilitation program.
 - b. Ensure that provisions of the County's Sick Leave Program are applied to all employees participating in a treatment or rehabilitation program.
11. If any employee violates provisions of this policy, or does not meet satisfactory performance standards as a result of substance abuse, or does not meet satisfactory performance standards after receiving associated treatment, or is unable to perform their duties in a competent manner, appropriate disciplinary action will be taken.
12. If reasonable and probable grounds exist, to suspect the drug and alcohol impairment or possession of an employee in the workplace, and when there is no less intrusive means of confirming the suspicion, and when the employee in question has not voluntarily disclosed a substance abuse problem, the County may:
 - a. Require that the employee submit to drug or alcohol testing.
 - b. Require that the employee submit to a search of personal effects, assigned storage area or individual work space.
 - c. Ensure employees are present when searches are carried out in accordance with 12(b) above. Employees may also request the presence of their employee's association representative.
 - d. Refusals to submit to required tests or searches will result in disciplinary measures outlined within this policy.
 - e. Any alcohol or drug testing shall be performed at a medical facility designated by the County. The County will not accept test results from any other facility other than the one designated by the County.
 - f. Any attempts by the employee to manipulate the test sample will result in immediate termination, with cause, from County employment.
13. The following are examples of what may constitute reasonable probable grounds for drug or alcohol testing or disciplinary actions:
 - a. Post incident evaluation
 - b. Observation of related physical symptoms or manifestation of use or impairment
 - c. Direct or indirect monitoring or observation of abusers, or
 - d. The reported use or possession of a banned substance in the workplace.
14. Breaches of this policy will result in the following disciplinary measures:
 - a. First Offence Written warning combined with a minimum two-week suspension without pay.
 - b. Second Offence Termination.

15. Where an employee, or the employee's association, is of the opinion that Management or Supervisory Staff is not exercising their duties pursuant to this policy in an appropriate manner, their actions shall be reported directly to the County Administrator.
16. Where an employee wishes to appeal the decision of Management or their Supervisor, they shall be entitled to appeal to the County Administrator, or directly to County Council in the case of employees who report directly to the County Administrator.