



POLICY STATEMENT

The Board of Education of School District 69 (Qualicum) considers the health, safety and wellbeing of students and employees to be of paramount importance. The Board of Education recognizes how impairment can adversely affect an individual's conduct, capability, performance at work, and their general wellbeing.

It is the intent of this policy:

- to promote the health, safety and wellbeing of employees by achieving a balance between supporting individuals who admit to a problem in order to get help and protecting students and employees from undue risk;
- to create a culture that encourages employees with substance use disorders to seek help at an early stage in the knowledge that they will be supported to overcome their difficulties;
- to reduce poor health, absenteeism, poor performance or misconduct resulting from impairment in the workplace;
- to ensure a safe working and learning environment by establishing administrative procedures in compliance with regulatory requirements; and,
- to respect the dignity and privacy of individuals.

SCOPE

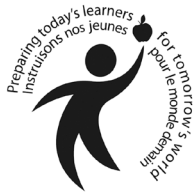
This policy and attendant related administrative procedure (collectively this "policy") are designed to prevent and address impairment at work. This policy applies to all employees (including supervisors and managers), whether permanent, temporary, casual, contract, or student workers. Volunteers and contractors are also subject to this policy and are included within the definition of employee under this policy.

For the purposes of this policy impairment is not limited to the effects of impairing substances such as illicit drugs, cannabis or alcohol. It extends to include impairment arising from the use of medications, physical and mental health issues, and fatigue. *See Appendix 1 for definitions pertaining to this policy.*

The Board of Education prohibits the use or consumption of impairing substances at work or in the workplace.

The Board of Education prohibits the possession, manufacture, distribution, storage, offering for sale, or sale of impairing substances by any individual at work or in the workplace, either inside or outside of working hours. Such activity may be reported immediately to the police.

Anyone who is reasonably suspected of not being fit for duty will be required to leave work and will be provided with safe transportation home or to required medical attention.



The Board of Education will support employees who require accommodation under human rights law, by assisting with access as appropriate to programs, services, benefits, work modifications, and the authorized use of prescribed medications.

The Board of Education will ensure that employees are provided with information on the risks of impairment at work, with specific consideration to using impairing substances and the negative impact that these have on job performance and health and safety.

DUTY TO REPORT

All employees and volunteers are in a position of trust. They are expected to be fit for duty and able to perform their work safely, competently, and productively, consistent with how they function under normal or usual conditions. The Board of Education holds its employees and volunteers to a duty to immediately report impairment or potential impairment in the following circumstances:

- Prior to commencing work, if an employee/volunteer believes their ability to work is impaired for any reason.
- if an employee/volunteer has witnessed behaviours or received information that leads them to believe that another employee's/volunteer's ability to work is impaired for any reason.

NON-COMPLIANCE

Non-compliance with this policy, including but not limited to a failure by an employee to disclose that their ability to work is impaired, may result in disciplinary measures up to and including termination.

REGULATORY REQUIREMENTS

Under Section 116 (2)(d) of the *Workers Compensation Act*, a worker is required to ensure that the worker's ability to work without risk to the worker's health or safety, or to the health or safety of any other person, is not impaired by alcohol, drugs or other causes.

Sections 4.19 and 4.20 of the *Occupational Health and Safety Regulation* include the obligations of workers to advise their employer if their ability to safely perform their work is affected by alcohol, a drug or other substance, and to not knowingly do work where their impairment may create an undue risk to themselves or anyone else.

The same sections of the Regulation include the obligations of employers to not assign impaired workers to activities where their impairment may create an undue risk to the worker or anyone else, and to ensure that workers whose impairment endangers the worker or anyone else, do not remain at the workplace.



References:

- *Workers Compensation Act, RSBC 1996, c.492, s.2*
- *Occupational Health and Safety Regulation, BC Reg 296/97*
- *Controlled Drugs and Substances Act, SC 1996, c.19*
- *Cannabis Control and Licensing Act, SBC 2018, c 29*
- *Cannabis Distribution Act, SBC 2018, c 28*
- *Canada Human Rights Act, RSC 1985, C. H-6*
- *Criminal Code, RSC 1985, c.-46*
- *Tobacco and Vapour Product Control Act, RSBC 1996, c.451*
- *Administrative Procedure 8003: Impairment in the Workplace*



APPENDIX 1 – DEFINITIONS

Fit for Duty	A state in which an employee is not impaired and is able to perform their job duties safely, competently and productively consistent with how that individual functions under normal or usual conditions.
Work	Any task or activity performed for or on behalf of School District 69, any task or activity associated with an employee’s employment with School District 69, or any task or activity where the employee is seen as acting as a representative of School District 69. Work includes all breaks (whether paid or unpaid), any period during which an employee is on working call, and periods during which the employee is not actively performing work for School District 69, but is otherwise away from their normal residence and is involved in a School District organized trip, activity, or event.
Workplace	School property as defined in the Cannabis Control and Licensing Act, as amended (including areas consisting of a sidewalk, boulevard or similar components, that abuts school property), and any location, vehicle, or equipment whether owned, leased, licensed, operated, or otherwise controlled by the School District, or any other place at or from which an employee works in the course of their duties (including their personal vehicle). This includes any location where an employee is in the vicinity of students, is responsible for the supervision of students, or could be seen as acting as a representative of the School District, and includes the location where an employee telecommutes or works from home.
Impairing Substance(s)	Any substance that is ingested, consumed, or otherwise introduced into the body, that can cause the individual to be impaired. Impairing substances may affect an employee’s ability to perform their job safely or productively. The definition of impairing substances includes, but is not limited to, alcohol, cannabis, illicit drugs, and medications with impairing effects.
Impaired/Impairment	A deterioration or diminishment of an individual’s physiological ability, functioning, judgment, or condition, and includes but is not limited to being unable to function as that individual does under normal or usual conditions, or safely. A person will be considered impaired if their physical or mental state appears to be negatively affecting their cognitive ability or judgement, or their ability to perform their job safely and competently, such as driving or operating machinery.
Medication	A substance obtained legally, either over-the-counter or through a doctor’s prescription, that is taken in accordance with a doctor’s directions, or, if over-the-counter, taken in accordance with the directions of the manufacturer.