

# ***Sample Drug & Alcohol Policy***

<p><b>Human Resources Policy and Procedure #XXX</b> <b>Responsible for Interpretation: Human Resources Manager</b> <b>Title: Alcohol &amp; Drug Policy and Procedure</b> <b>Revision Number and Date: Rev. 00 (DATE)</b></p>
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## **Purpose**

- To support our responsibility for and commitment toward our team members to ensure a safe and healthy workplace;
- To ensure that all team members at XXXX, have a work environment which is free of alcohol and drug use/abuse;
- To outline the company's expectations and requirements for creating and maintaining an alcohol and drug free work environment, and for dealing with substance abuse in the workplace.
- To provide an opportunity to team members with a substance use problem to get well rather than provide grounds for the employer to terminate such a team member's employment.

## **Scope**

This policy applies, at the workplace, to all team members of XXXX (referred as the "Company") and also includes visitors and subcontractors inside and outside of normal scheduled working hours.

1. All individuals working at XXXX, are expected to report fit for duty for scheduled work and be able to perform assigned duties safely and acceptably without any limitations due to the use or after-effects of alcohol, illicit drugs, non-prescription drugs, or prescribed medications or any other substance.
2. Off the job and on the job involvements with alcohol or drugs can have adverse effects upon the workplace, the integrity of our work product, the safety of other team members, the well being of our team member's families, and the ability to accomplish the goal of an alcohol and drug free work environment. As such, the Company wants to impress upon all team members that it has zero tolerance for team members who arrive at work under the influence of alcohol or drugs, and/or whose ability to work is impaired in any way by reason of the consumption of alcohol or drugs, or who consume alcohol or drugs on Company property.
3. The Company strictly prohibits the use of, unlawful manufacture of, sale, purchase, offer to purchase or sell, transfer, distribution, consumption, or possession of drugs or alcohol on company property. To this end, the Company reserves the right to conduct searches for drugs or alcohol, including, but not limited to, searches of lockers, filing cabinets, desks, packages, etc. which are on Company property or in a Company facility. Any drugs or alcohol found as a result of such a search will be confiscated and the occupant or user of the object searched will be subject to disciplinary action, up to and including termination of employment.

## **Assistance & Rehabilitation**

The Company recognizes the fact that a certain percentage of any population may develop the disease of chemical dependence. This disease is characterized most notably by denial of the disease by those who suffer from it.

The Company also recognizes that dependency on alcohol and/or drugs can be successfully treated, and encourages team members with drug or alcohol dependencies to assume ownership of gaining control over their dependency.

Team members are expected to recognize that problems related to alcohol and drug use or dependency are not an excuse for poor or unsafe performance. Team members who suspect they have a substance dependency or emerging alcohol or drug problem are expected to seek advice and to follow appropriate treatment promptly.

Full participation in appropriate treatment programs is expected and the team member will be accommodated by being provided with modified duties if required, assigned to alternate duties where possible, or placed on the appropriate leave. Participation in appropriate treatment programs does not remove the requirement to regain satisfactory performance.

Team members who voluntarily request assistance in dealing with such issues will be treated with respect and, to the highest extent possible, such information will be treated in confidence.

## **Roles & Responsibilities**

It is the responsibility of all supervisors to identify a situation in which they have concerns about an individual's immediate ability to perform their job, and take appropriate steps. Where necessary, they will remove any team member who is suspected of violating the provisions of this policy from Company premises, pending investigation and a decision on appropriate consequences including potential disciplinary action.

The following requirements are meant to provide you with guidance on how to administer this policy; however, not every situation can be predicted.

1. If a team member, visitor or contractor arrives at the workplace, (on company property) and you have reasonable cause to suspect that the team member, visitor or contractor is under the influence of alcohol or drugs, the supervisor shall immediately remove him/her from the work environment. In the event you have any doubt as to whether the team member is, or is not impaired you should err on the side of caution and remove him/her from the work environment.
2. Unexpected circumstances can arise when an off-duty team member is requested to work. It is the team member's responsibility to refuse the request and ask that the request be directed to another person if the team member is unfit due to the influence of alcohol or other drugs.
3. Team members who are prescribed medication are expected to consult with their personal physician or pharmacist to determine if medication use will have any

potential negative effect on job performance. They are required to report to their team leader if there is any potential risk, limitation or restriction for whatever reason that may require modification of duties or temporary reassignment, and provide appropriate medical verification on restrictions in performance of duties.

4. If a team member or contractor believes an individual holding a more senior position is in violation of this policy, they are encouraged to get a second opinion where possible. They are also expected to notify their leader or production manager.
5. In support of those who may have developed or are developing the disease of chemical dependence, all employees and contractors are required to document and report any violations of this policy. Any team member, co-worker, contractor or supervisor not complying with this is enabling. Enabling behaviour leads to ongoing health and safety concerns for an addicted individual and those around him or her.

### **Policy Violations and Procedures for Team Leaders and Managers**

Where the situation dictates that a witness is required to corroborate a reasonable suspicion that a team member, visitor or contractor is under the influence, supervisors must seek corroboration from two of the following individuals in the sequence set out below:

1. Departmental Manager
2. Production Manager;
3. Human Resources Manager;
4. Quality Manager
5. Maintenance Manager
6. Demand Manager
7. Marketing Manager
8. Design Manager
9. Controller
10. Plant Manager;
11. Team Leader of the same shift;
12. If one of the above cannot be reached then a Team Member on the same shift must be contacted.

### **Disciplinary Procedure**

The disciplinary procedure will follow a three step progression:

1. Warning with 1 week suspension
2. Warning with 2 weeks suspension
3. Termination

## **Questions & Answers**

### **1. What if I smell alcohol or drugs on a team member when they arrive at the workplace or workstation?**

If you have reasonable cause to believe that the team member in question is impaired in ANY way by drugs or alcohol it is the Company's direction that it is your duty to send the team member home notwithstanding the fact that you cannot prove with certainty that he/she is intoxicated. To do otherwise could endanger the safety of that team member and/or others with whom he/she is working. The Company prefers to err on the side of prudence than expose the particular team member (and potentially others) to injury. (Refer to question 4 below.)

### **2. How do you determine if a team member is intoxicated or his/her ability to work is impaired by reason of an intoxicant?**

The Company is aware that we are not doctors or specialists in assessing intoxication or impairment; however the following non-comprehensive list provides some direction as to likely indicators of impairment:

- Smell of alcohol or drugs on breath;
- Glassy eyes;
- Slurred speech;
- Unusually loud and/or argumentative;
- Unsteady gait or unusual body movements;
- Face abnormally flushed;
- Deterioration in job performance such as sporadic work pace, neglect of details, increase in mistakes, difficulty recalling instructions and/or
- Smell of cannabis in the air at team member's work location and/or discarded drug evidence in the same area.

### **3. Steps to take when you smell alcohol or drugs on a team member or a team member is suspected of being at work in an intoxicated or impaired condition.**

- After you smell or confirm physical and behavioural observations, approach the team member with your suspicions;
- Have a witness with you for corroboration, but do not wait to take action if a witness is not readily available;
- Escort the team member to a private location when confronting him/her and ask if he/she has had anything to drink (or is on, or has consumed drugs);
- If reasonable suspicions or signs of impairment (as per 2 above) are confirmed, immediately remove the team member from the workplace and make arrangements to have his/her functions covered off;
- Direct the team member to a supervisor's office and (after securing two other management representatives as a witness) question the team member once again in the supervisor's office;
- If, as result of such interview, you still have reasonable cause to believe that the team member is impaired direct the team member to go home, pending further investigation.

#### **4. What should I do to ensure that the team member gets home safely?**

You must take all reasonable steps to ensure that the team member does not drive. At a minimum, you should:

- Call his/her home to have someone else drive him/her home (if someone is available);
- If no one is available at home to drive the team member home, advise the team member that you will summon a taxi for him/her and the Company will pay for it.
- Ask him/her to leave the keys to his/her car with you;
- If he/she refuses all of the foregoing, then tell the team member if he/she gets into his/her car you will be forced to call the police; and
- If, notwithstanding the above, the team member insists upon driving his/her own car, then you should take immediate steps to contact the police and inform them of the situation. Where possible you should advise the police of the impaired team members' license plate number and the make and model of his/her vehicle, as well as their destination.
- If the team member refuses to leave the premises, the police must be called.

#### **5. How do I accumulate proof of what I observed?**

Immediately after the team member has departed the premises (is sent home) prepare an Incident Report, including of all of your observations and actions taken. Ask corroborative witness to do the same. These statements should be presented to the Human Resources Manager at the first available opportunity.

#### **6. What happens from there?**

The Department Manager, and the Human Resources Manager at the first available opportunity will review the facts and circumstances surrounding the incident. If it is confirmed that the team member's ability to work was impaired by reason of drugs or alcohol, then progressive disciplinary action will be taken up to and including termination, depending upon the circumstances (e.g., others; past disciplinary record; and reasons tendered (e.g. was on prescribed medication).

#### **7. What do I do if I find someone in possession of or consuming alcoholic beverages or illegal drugs on the company premises?**

You should confront the team member immediately (preferably in the presence of a corroborating witness) and send the team member home. All of the facts should be recorded in an individual statement at the first available opportunity for the Department Manager, Human Resources Manager and Plant Manager to review the facts and circumstances surrounding the incident.

The company has zero tolerance approach to events such as these and the team member will be subjected to progressive disciplinary action, up to and including termination, depending on the individual circumstances.

**8. What if I catch a team member selling alcohol or drugs to another team member?**

The facts should be recorded and the team member(s) confronted and then sent home pending investigation. Depending upon the circumstances, you should immediately report the matter to the police and ask the team member(s) to wait in the office until the police arrive. You cannot, however, force the team member(s) to stay.

**9. What if the team member upon confrontation says that he is an alcoholic or otherwise addicted to drugs or alcohol?**

- Proceed with steps outlined in points 2, 3, and 5 above and make a note of the team member's response.
- If, after further investigation, the team member's addiction is confirmed at the first two steps of disciplinary measures, then he/she will be offered assistance by the company to address and rectify this situation.

**10. What if the team member responds that he/she is taking medication prescribed by a physician?**

- You should still follow the steps outlined in points 2, 3, 4 and 5 above.
- If, after further investigation, it is determined that the cause of the impairment is attributable to an unexpected reaction from medication prescribed by a duly licensed physician then, depending upon the circumstances, the disciplinary penalty may be modified.

**11. What if this is a repeat offender?**

The team member will be subject to progressive disciplinary measures, up to and including termination.

**12. What if I find Alcohol or Illicit Drugs in the Plant?**

Notify a Manager immediately. If you cannot reach a manager, arrange for a supervisor to attend as a witness. Call the police for disposal.

*With the Assistance of the  
Workplace Health Connections,  
Centre for Addictions and Mental Health.*

