



## Policies and Procedures

## EMPLOYEE IMPAIRMENT

**Originator:** Chief Human Resource Officer  
**Approver:** Senior Leadership Team  
**Effective:** October 10, 2018  
**Replaces:** New

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### 1. Preamble

Red River College is committed to the health and safety of its employees and has adopted this policy to communicate its expectations and guidelines surrounding substance use, misuse, and abuse.

### 2. Policy

Employees under the influence of drugs, alcohol or prescription medications on the job can pose serious health and safety risks both to themselves, students and their fellow employees. To help ensure a safe and healthy workplace, Red River College reserves the right to implement such measures as are reasonably necessary to prevent employees from performing their job duties or attending the workplace while impaired by drugs or alcohol.

### 3. Principles

#### General Expectations

The following expectations apply to employees and management alike while conducting work on behalf of the College, whether on or off College property:

- Employees are expected to arrive to work fit for duty and able to perform their duties safely and to standard; employees must remain fit for duty with no impairment for the duration of their shift;
- Use, consumption, possession, distribution or sale of drugs or alcohol during work hours, including during paid and unpaid breaks, is strictly prohibited unless permitted by College Policy. For greater certainty, consuming an alcoholic beverage with a meal during a paid lunch hour or other break is not permitted unless it is specifically allowed by other College policy. Employees who are required to consume small amounts of alcohol in the course of their job duties, such as those who teach mixology courses, are permitted to do so to the extent required to discharge their employment duties. Consumption of alcohol in social situations at conferences or receptions may be permitted with permission of an employee's manager;
- Employees may purchase or come into possession of alcohol during the workday, provided that it is received during a rest period or meal break and is stored, sealed and unopened, in a discreet location in the workplace until the end of the workday;

- The consumption, possession and/or storage of cannabis, in all forms in the workplace is prohibited at all times, unless it has been prescribed;
- Employees are prohibited from reporting to work while under the influence of non-prescribed drugs or alcohol; and
- Employees on prescription medication must communicate to their Manager or Human Resources any reasonable potential risk, limitation, or restriction requiring modification of duties or temporary reassignment occasioned by use of the prescribed medicine.

### **Suspicion of Impairment**

Where an employee is suspected of being under the influence while performing work duties, the employee's manager shall follow procedures approved by the Director, Human Resource Services with respect to assessment of the employee's condition and steps to be taken to mitigate the risk.

### **Substance Dependency**

Red River College understands that certain individuals may develop a chemical dependency to certain substances, which may be defined as a disease or disability. Employees are not excused from their duties as a result of their dependencies. Red River College promotes early diagnosis. Any employee who suspects that they might have an emerging drug or alcohol problem is expected to seek appropriate treatment promptly.

### **Voluntary Identification**

Employees are encouraged to communicate to their Manager or Human Resource Services if they have a dependency or have had a dependency so that their rights are protected and they can be accommodated appropriately. Employees will not be disciplined for requesting help or due to current or past involvement in a rehabilitation effort.

All medical information shall be kept confidential by Red River College in accordance with College policy, unless otherwise authorized by law.

### **Agreement for the Continuation of Employment**

Red River College reserves the right to impose an *Agreement for the Continuation of Employment* in accordance with an employee's commitment to become, and remain alcohol and drug-free. The Agreement will outline the conditions governing the employee's return to the job and the consequences for failing to meet the conditions.

## **4. Roles and Responsibilities**

### Red River College will:

- Clearly communicate expectations surrounding alcohol and drug use, misuse and abuse;

- Provide all employees with the Employee Impairment policy; and
- Provide a safe work environment.

Red River College Management will:

- Identify any situations that may cause concern regarding an employee's ability to safely perform their job functions;
- Ensure that any employee who asks for help due to a drug or alcohol dependency is provided with the appropriate support (including accommodation) and is not disciplined for asking for such help; and
- Maintain confidentiality and employee privacy as required by law and College policy.

The Director, Human Resource Services or designate will:

- Develop, maintain and update procedures to be followed when employees are suspected of being under the influence when performing work duties, and communicate same to employees and managers.

Red River College Employees must:

- Abide by the provisions of this policy and be aware of their responsibilities under it;
- Arrive to work fit for duty, and remain as such for the duration of shift;
- Perform work in a safe manner in accordance with college established safe work practices;
- Not, consume, possess, sell, or distribute drugs or alcohol on college property and during working hours (even if off company property) unless otherwise permitted by College policy;
- When off duty, refuse a request to come into work if unfit for duty;
- Report limitations and required modifications as a result of prescription medication;
- Report unfit co-workers to management;
- Seek advice and/or appropriate treatment, where required;
- Communicate dependency or emerging dependency; and
- Participate in treatment program if recommended by a medical practitioner and provide documentation to the employer verifying participation.

### **Disciplinary Action**

Employees will be subject to disciplinary action, up to and including termination of employment for failure to adhere to the provisions of this policy, including, but not limited to:

- Failure to meet prescribed safety standards as a result of impairment from alcohol and/or drugs; and
- Engaging in prohibited activities (e.g. selling or consuming drugs and/or alcohol while on Red River College premises).
- Other detrimental conduct including, but not limited to being at work unfit for duty

### **Related Legislation and Policy**

**E1 – Safety**

**E5 – Smoking**

**G3 – Freedom of Information and Protection of Privacy**

**U4 – Alcohol on College Premises**

**Appendix A:**

**Management Protocol for when Employee Impairment is Suspect**

The following procedure will be enacted if there is reasonable belief that an employee is impaired while performing their job functions

1. If possible, the employee's manager/supervisor will first seek another manager/supervisor's opinion to confirm the employee's status.
2. Next, the manager/supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. Suspicions of an employee's ability to function safely may be based on specific personal observations. If the employee exhibits unusual behaviour that may include, but not be limited to, slurred speech, difficulty with balance, watery and/or red eyes, dilated pupils, and/or there is an odour of alcohol, the employee should not be permitted to return to their assigned duties in order to ensure their safety and the safety of other employees or visitors to the workplace.
3. If an employee is considered impaired and deemed "unfit for work" this decision is made based on the best judgment of two members of management and DOES NOT require a breathalyser or blood test. The employee will be advised that Red River College has arranged a taxi or shuttle service to safely transport them to their home address or to a medical facility, depending on the determination of the observed impairment. The employee may be accompanied by a manager/supervisor or another employee if necessary.
4. An impaired employee will not be allowed to drive. The employee should be advised if they choose to refuse Red River College organized transportation and make the decision to drive their personal vehicle the company is obligated to and will contact the police to make them aware of the situation.
5. A meeting will be scheduled for the following work day to review the incident and determine a course of action which may include a monitored referral program as part of a treatment plan.