

BOARD ADMINISTRATIVE PROCEDURE	
ADMINISTRATIVE PROCEDURE Fitness for Duty & Substance Use	ADMINISTRATIVE PROCEDURE NUMBER 811
<i>Directional Policy</i> Healthy Schools and Workplaces - 800	

TITLE OF ADMINISTRATIVE PROCEDURE:

Fitness for Duty & Substance Use

DATE APPROVED: November, 2018

PROJECTED REVIEW DATE: 2023

DIRECTIONAL POLICY ALIGNMENT:

This Administrative Procedure aligns with the Healthy Schools and Workplaces Directional Policy - 800 by ensuring employees act in the best interest of the students they serve. This is achieved by ensuring employees are healthy and well and are able to perform their job duties in a safe, secure, and effective manner as they conduct themselves and perform their duties with integrity and professionalism in light of our Catholic faith.

ALIGNMENT WITH MULTI-YEAR STRATEGIC PLAN:

The Fitness for Duty & Substance Use Administrative Procedure supports our Vision of Achieving Excellence in Catholic Education by ensuring our structures, processes, relationships and actions reflect our Gospel values and Catholic Social Teachings. This vision calls the Board to these Strategic Priorities:



Strategic Priorities 2017-2020

Vision

Achieving Excellence in Catholic Education
LEARN • LEAD • SERVE

Mission

To educate students in faith-filled, safe, inclusive Catholic learning communities by nurturing the mind, body and spirit of all.

LEARN

Achieve excellence in instruction and assessment to enable all students to become reflective, self-directed, lifelong learners.

LEAD

Foster critical thinking, creativity, collaboration, and communication, to enable all students to realize their God-given potential.

SERVE

Inspire engagement and commitment to stewardship for creation to enable all students to become caring and responsible citizens.

ACTION REQUIRED:

1. Fitness for Duty

The Board is committed to supporting all employees' wellness and fitness for duty. Employees have a professional responsibility and are required to report to work fit for duty. This includes remaining fit for duty and doing what is necessary to be in compliance with this administrative procedure while the employee is at work.

Where there are reasonable grounds to believe that an employee may not be fit for duty while on Board premises and/or at a Board sponsored event, a supervisor will follow the steps outlined in Appendix A – Fitness for Duty Assessment Guidelines.

Where an employee is concerned about a co-worker who may not be fit for duty, they must report such observations to their supervisor.

The Board reserves the right to discipline employees, up to and including termination of employment, for failure to comply with this administrative procedure.

2. Alcohol, Recreational Cannabis and Illicit Non-Prescription Drugs

Employees are strictly prohibited from consuming alcohol while on Board property, at school or Board sponsored events, unless specifically authorized by the Director of Education. Employees are strictly prohibited to use, possess, distribute, cultivate, and/or offer the sale of recreational cannabis and illicit non-prescription drugs.

Employees who suspect they have an addiction disability or emerging issue related to drugs and/or alcohol are encouraged to seek medical and/or professional advice and follow recommended treatment promptly. Employees are encouraged to consult their supervisor, the Board's Wellness Coordinator or designate and/or the Board's Employee and Family Assistance Program (EFAP) provider in the event they have concerns about their own use of alcohol, recreational cannabis or illicit non-prescription drugs.

The Board is committed to working with employees who have or may have an addiction disability. Employees are expected to adhere to work-related limitations that may be imposed by the Board to appropriately accommodate him or her and to ensure the safety, health, and welfare of the individual as well as students, other employees and the work environment.

In order to promote a safe and healthy workplace, the Board is committed to providing reasonable and appropriate accommodations and supports to employees who have substance abuse addictions. Accommodations may include but are not limited to:

- Modified duties or temporary re-assignment;
- Providing information related to the Board's Employee & Family Assistance Program;
- Providing information related to available rehabilitation programs;
- Providing time to address treatment if medically documented and as per Workplace Accommodation AP 503.

The Board understands that certain individuals may develop a dependency to certain drug and/or alcohol substances, which may be defined as a disability under the Ontario Human Rights Code. Employees play a role in the accommodation process and are expected to cooperate with reasonable requests for medical documentation, and to disclose if they suspect they have an emerging addiction disability. Employees are also expected to seek appropriate treatment promptly. Employees will not be disciplined for requesting help or due to current or past involvement in a rehabilitation effort.

All medical information provided by an employee will be kept confidential by the Board, unless otherwise authorized to be disclosed by law.

3. Prescription Medications

Employees on prescription medications which may impact their ability to perform their duties safely must communicate to the Board's Wellness Coordinator or designate the usage of such prescription medication while at work, and any potential risk, or limitation or restriction. Depending on the circumstances, duties may be modified, or employees

may be given a temporary re-assignment if they are unable to safely perform the duties of their position.

Employees seeking accommodation involving prescription medication must provide medical documentation substantiating this requirement. Medical documentation provided should also include details such as:

- What abilities, if any, are impaired, and for what duration;
- How long is it anticipated the product will need to be taken;
- Any behavioural side-effects; and
- Changes to treatment plans.

In order to promote a safe and healthy workplace, the Board is committed to providing reasonable and appropriate accommodations and supports to employees who must use prescription medications while at work that may impact their ability to perform their regular duties. Accommodations may include but are not limited to:

- Changes in break schedules (for example, to allow people to take medication as prescribed)
- Modified duties or temporary re-assignment

Employees play a role in the accommodation process and are expected to co-operate with reasonable requests for medical documentation, and to disclose if they are taking prescription medication which may impact their ability to perform their regular duties.

All medical information provided by an employee will be kept confidential by the Board, unless otherwise authorized to be disclosed by law.

4. Medical Cannabis

The Board has the same expectations from employees who use medical cannabis as those who use all other types of prescription medication and will accommodate individuals up to the point of undue hardship.

Employees may only use medical cannabis with appropriate documentation in their names from a qualified health care practitioner as defined by the Access to Cannabis for Medical Purposes Regulations.

If an employee must use medical cannabis while at work, they must inform the Board's Wellness Coordinator or designate. The employee can discuss their medical cannabis use schedule in the context of the accommodation plan with the Board's Wellness Coordinator or designate and their qualified health care practitioner.

Employees do not have to disclose their specific medical diagnosis; however, they must provide medical documentation from their doctor and a copy of the appropriate documentation if accommodation is required.

If an employee takes medical cannabis while at work, they shall do so only following the recommended dosage and frequency of the doses.

Employees whose medical documentation supports the need to smoke or vaporize medical cannabis during work hours must abide by all provincial smoking regulations including, but not limited to, the Smoke Free Ontario Act.

In order to promote a safe and healthy workplace, the Board is committed to providing reasonable and appropriate accommodations and supports to employees who are prescribed medical cannabis. Accommodations may include but are not limited to:

- Changes in break schedules (for example, to allow people to take medical cannabis as prescribed);
- Modified duties or temporary re-assignment.

Employees play a role in the accommodation process and are expected to co-operate with reasonable requests for medical documentation, and to disclose if they are taking prescription medication which may impact their ability to perform their regular duties.

All medical information provided by an employee will be kept confidential by the Board, unless otherwise authorized to be disclosed by law.

RESPONSIBILITIES:

The Board of Trustees is responsible for:

- Ensuring alignment with the Healthy Schools and Workplaces Directional Policy.
- Reviewing the Fitness for Duty & Substance Use Administrative Procedure as part of its regular policy and procedures review cycle.

The Director of Education is responsible for:

- Designating resources for ensuring the implementation of and compliance with this Administrative Procedure.

Superintendents are responsible for:

- Ensuring Principals are consistent with the application of this Administrative Procedure
- Ensuring that any employee for whom they have supervisory responsibility are aware of the requirements under this Administrative Procedure.

- Ensuring steps are taken to protect the confidentiality and privacy of all employees.

Human Resource Services is responsible for:

- Working with the immediate supervisor to ensure the steps outlined in Appendix A – Fitness for Duty Assessment Guidelines for Supervisors, are followed when a concern is identified.
- Ensuring that all employees who suffer from an addiction disability are appropriately accommodated to the point of undue hardship.
- Providing training to ensure that all supervisors are trained to recognize signs of drug and/or alcohol use or misuse and identification of situations where an employee may not be fit for duty.
- Referring or providing access to support as required, such as, but not limited to, the Employee and Family Assistance Program (EFAP), disability management and/or community supports.
- Ensuring steps are taken to protect the confidentiality and privacy of all employees in accordance with the law.

Principals, Vice-Principals, Managers and Supervisors are responsible for:

- Ensuring staff whom they supervise are aware of the requirements under this Administrative Procedure.
- Attending training to recognize signs of drug and/or alcohol use or misuse and identification of situations where an employee may not be fit for duty.
- Addressing situations in which the supervisor observes behaviour which leads them to reasonably believe that an employee is not fit for duty and/or appears to be impaired and which impacts the employee's ability to perform their job safely.
- Following the requirements of Appendix A - Fitness for Duty Assessment Guidelines and working with Human Resource Services to safely remove the staff member from their responsibilities in the workplace where there is a concern about an employee's fitness for duty.
- Referring or providing access to support as required, such as, but not limited to, the Employee and Family Assistance Program (EFAP), the Board's Wellness Coordinator, and/or community supports.
- Ensuring steps are taken to protect the confidentiality and privacy of all employees.

Staff are responsible for:

- Refraining from the use of alcohol, recreational cannabis and/or illicit non-prescription drugs at work.

- Refraining from discussing their own use of alcohol, recreational cannabis and/or illicit non-prescription drugs with students.
- Ensuring they are fit for duty while at work.
- Reporting and maintaining ongoing communication with the Board's Wellness Coordinator while taking a prescription medication that may impact their ability to safely perform their duties.
- Communicating an addiction disability to their supervisor and/or the Board's Wellness Coordinator or designate.
- Reporting to their supervisor if there is reasonable grounds to suspect another staff member is not fit for duty due to the use of drugs and/or alcohol.
- Working with the Board to develop accommodation plans that are mutually agreeable.
- Taking medications as prescribed by physician.
- Following the agreed-upon accommodation plan and the guidelines of this administrative procedure.
- Ensuring safe and secure storage of medications.

PROGRESS INDICATORS:

Staff are healthy and well and are able to perform their job duties in a safe, secure, and effective manner.

DEFINITIONS:

Addiction Disability - Severe substance abuse/ dependence as defined by s.5(1) of the Ontario Human Rights Code.

Fitness for Duty – Able to perform duties in a safe, secure and effective manner; Not under the influence of any drug (including but not limited to cannabis) alcohol, or medications that will hinder job performance or compromise the safety of the employee or others.

Medical Cannabis – cannabis which is prescribed by a physician with accompanying medical documentation.

Substance - A substance is anything taken into the body that changes the way you think, act and/or feel, including but not limited to:

- alcohol
- illegal narcotics
- recreational or medical cannabis
- over-the-counter and prescription medications

RELATED DOCUMENTS:

APPENDIX A – Fitness for Duty Assessment Guidelines for Supervisors

REFERENCES:

[PVNC Catholic District School Board Vision and Strategic Priorities](#)

[Workplace Accommodation AP 503](#)

[Smoke Free Ontario Act](#)

[Access to Cannabis for Medical Purposes Regulations](#)

[Ontario Human Rights Code](#)