



Medicine Hat College Policy SUBSTANCE USE

Policy #:	HR-09
Policy Authority:	Director, Human Resources
Executive Sponsor:	Vice-President, Administration and Finance
Approved by:	President
Effective Date:	October 17, 2018
Next Mandatory Review Date:	October 17, 2023
Frequency of Review:	every 5 years

1. POLICY OBJECTIVE

To provide a framework for managing substance use in the work and learning environment including disclosure, accommodation and workplace testing where appropriate. This policy supports Medicine Hat College's (MHC) obligations under the *Occupational Health and Safety Act* to provide a safe work environment and employee fitness for duty.

Students are required to comply with the requirements of this policy, however student substance use issues and/or violations will be subject to the provisions of SD-04 Student Non-Academic Misconduct policy and PR-SD-04-01 Student Non-Academic Misconduct procedure.

2. POLICY SCOPE

This policy applies to all members of the MHC community.

3. DEFINITIONS

- **Accommodation:** making of adjustments or alternative arrangements in the workplace or learning environment to eliminate a discriminatory effect upon an employee or student with a documented disability.
- **Cannabis Species (excluding hemp):** a broad term used to describe the various products derived from the leaves, flowers and resins of the *Cannabis sativa* and *Cannabis indica* plants, or hybrids of the two. These products exist in various forms and are used for different purposes (e.g. medical, recreational, industrial). (n.b. the federal government has adopted the term "cannabis" to describe cannabis products in general, as opposed to the commonly-used term "marijuana", which only describes parts of the plant).
- **Fit for Duty:** employees must be able to safely perform assigned duties and responsibilities without any impairment due to the influence or after effects of any substance as defined in the policy, that may hinder performance or compromise the safety of the employee, learners or others within the context of the job duties or participation in MHC sponsored learning programs or events.

- **Fit for Learning:** students must be able to meaningfully and safely participate in educational activities, without any impairment due to the influence or after effects of any substance as defined in the policy that may hinder or compromise the safety or educational experience of the student or others.
- **Impairment:** functioning poorly or inadequately due to substance use.
- **Medicine Hat College Community:** a member of the Medicine Hat College (MHC) community. Members under this policy includes but is not limited to the following:
 - (a) Employee: any person who is employed by MHC or who provides services to MHC under an employment contract.
 - (b) Student: any person enrolled in study at MHC.
 - (c) Volunteer: any person performing work for MHC in an unpaid capacity.
 - (d) Contractor: an individual or company (and their employees) who provides services to MHC under a service contract (i.e. a non-employee-employer relationship).
 - (e) Community Member: any person working in collaboration with MHC for a business or academic purpose, or a visitor to campus.
- **Reasonable Cause:** includes but is not limited to the following
 - observed use of a substance as defined in this policy;
 - smell of alcohol or other substance;
 - slurred speech pattern;
 - tremors or unsteadiness in walking/standing;
 - repeated errors or other unexplained changes in job performance and/or behaviours (eg absenteeism, lateness);
 - disoriented behaviour or drowsiness;
 - erratic or unusual behaviour;
 - unsafe or careless conduct; and
 - possession of alcohol or drugs on college premises.
- **Safety Sensitive Roles or Activities:** roles or activities which require the employee or learner to be alert and physically coordinated, and where impairment could adversely affect job performance, the activity, the health, safety or security of the MHC community, property or the environment.
- **Substance:** for the purpose of this policy a substance means any drug (legal or illegal), alcohol, cannabis (including medicinal) and medications.
- **Testing:** a process for determining potential employee impairment where there is reasonable cause.

4. PRINCIPLES

- 4.1 MHC employees must be fit for duty during the time they are at work.
- 4.2 MHC students must be fit for learning during educational activities.

- 4.3 MHC strives to eliminate or minimize health and safety risks associated with its business activities.
- 4.4 The misuse of any substance may jeopardize job safety and performance, learning, the wellbeing of the MHC community, the environment and MHC's reputation.
- 4.5 As appropriate measures are necessary to ensure safe and sustainable conduct, the misuse of any substance in the work and learning environment is strictly prohibited. Failure to comply with this policy is subject to disciplinary action, up to and including dismissal for cause or appropriate student sanctions.
- 4.6 MHC recognizes that education, deterrence and early intervention may help prevent problems and dependencies in employees or assist them with rehabilitation.
- 4.7 Employees are encouraged to seek assistance from Human Resources respecting any substance related problem or dependency.
- 4.8 Students are encouraged to seek assistance from Student Development respecting any substance related problem or dependency.
- 4.9 Employee Fit for Duty Expectations
 - (a) Employees are expected to arrive fit for duty and able to perform their duties safely and to standard; employees must remain fit for duty for the duration of their shift, including call back if required.
 - (b) Employees must perform their work duties without limitation due to the use of or after effects of substances.
 - (c) Employees in safety sensitive positions are required to disclose any substances being taken that will affect their ability to safely perform their job duties, to their supervisor.
 - (d) In situations of reasonable cause or post incident, the College maintains the right to test employees for substance use.
- 4.10 It is strictly prohibited to possess, distribute or offer for sale, alcohol, illegal or other drugs, drug paraphernalia, or to illegally possess, distribute or offer for sale medications on MHC premises including student residence, in MHC fleet vehicles, or on premises where MHC work is being performed.
- 4.11 Students are required to disclose to their instructor, any substance use that may affect their ability to safely participate in the educational activity.
- 4.12 The work or activity supervisor or instructor has the authorization to remove a person from the activity if they have reasonable grounds to believe that a person appears not to be able to participate in the activity safely.

5. RESPONSIBILITIES

5.1 Employees are responsible for

- (a) ensuring their own health and safety and the safety of others;
- (b) ensuring they understand and comply with this policy as part of their obligation to perform work activities in a safe manner;
- (c) using medications responsibly and are aware of their potential side effects;
- (d) reporting any concerns or violations of this policy to their supervisor;
- (e) co-operating with any investigations into violations of this policy;
- (f) seeking advice and follow appropriate measures for treatment if they have a current or emerging problem; and
- (g) reporting any impaired driving charge conviction or suspension of operator's license to their supervisor, if operating a vehicle is or could be part of the employee's job duties.

5.2 Managers and Supervisors are responsible for

- (a) ensuring the policy is effectively communicated to employees;
- (b) applying this policy in a consistent manner; and
- (c) guiding employees who seek assistance for a problem to the Employee Assistance Program, while maintaining confidentiality.

5.3 MHC is responsible for

- (a) providing a safe work environment for all members of the Medicine Hat College Community;
- (b) ensuring effective employee assistance programs are available to employees;
- (c) assisting employees in obtaining confidential assessment, counseling, referral and treatment; and
- (d) ensuring that all employees understand the existence and content of the Substance Use policy as part of the employee orientation process.

6. APPLICABLE LEGISLATION/REGULATIONS

Occupational Health and Safety Act

Tobacco Reduction Act (Alberta) and guidelines

Medicine Hat Bylaw 4136 – Prohibition of Smoking in Outdoor Places

Brooks Smoking Bylaw 18/05

7. RELATED POLICIES

AC-07: Field Trip

GA-04: Freedom of Information and Protection of Privacy

HS-01: Occupational Health and Safety

HS-02: Smoke Free Environment

SD-03: Student Non-Academic Misconduct

SD-05: Academic Accommodation for Students with Disabilities

3.8: Vehicle Use for College Business

4.16: International Travel

6.1: Alcohol Management

7.28: Code of Conduct

8. RELATED PROCEDURES

PR-HR-09-01: Substance Use Management

PR-AC-07-01: Field Trip

PR-GR-04-01: Freedom of Information and Protection of Privacy

PR-SD-03-01: Student Non-Academic Misconduct

PR-SD-05-01: Academic Accommodation for Students with Disabilities

ORIGINAL COPY SIGNED

Wayne Resch
Acting President and CEO

Date: October 17, 2018

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Carla Bennett
Interim Vice-President,
Administration and Finance

Date: October 17, 2018

DOCUMENT HISTORY

October, 2018 Policy approved.