

<b>STATEMENT OF POLICY AND PROCEDURE</b>			
Section:	NLLS EMPLOYEE(S)	Effective:	Sept 8, 2018
Chapter:	Code of Ethics	Page(s):	3
Subject:	<b>Substance Abuse</b>	Revised Date:	Sept 8, 2018
			Sec 1, 3W

**SUBSTANCE ABUSE**

1. NLLS is committed to the health and safety of its employee(s), equipment & facilities, contractors, and members of the public.
2. NLLS recognizes and accepts the responsibility to provide its employee(s) with a safe, healthy and productive work environment.
3. Employee(s) have the responsibility to report to work capable of performing their tasks productively and safely and to ensure that no employee(s) or members of the public is potentially put at greater risk as a consequence of drug (legal or illegal) or alcohol usage.
4. The purpose of this policy is to establish the NLLS's expectations for appropriate behavior, the consequences for non-compliance, and to provide consistent guidelines for all employee(s).

**Definitions**

Under the influence of drugs, including prescription drugs, alcohol, cannabis or any controlled substance, for the purpose of this policy is defined as the use of one or more of these substances to an extent that an employee is:

- a. unable to perform in a fully productive manner.
- b. in a physical or mental condition creates a risk to the safety and well being of the individual, other employees, the property of NLLS, or the public.
- c. displaying signs or symptoms of substance abuse.

*For the purposes of this policy, contractors, volunteers, and members at large appointed to the various boards, committees, and delegations, shall be deemed to be employees.*

**Appropriate Conduct Respecting Drugs and Alcohol**

1. While in the NLLS Building, NLLS owned, leased and/or rented vehicles:
  - a. No employee(s) may use, possess, distribute, sell or be under the influence of alcohol, cannabis or illegal drugs. This includes meal periods and scheduled breaks.
  - b. The legal use of prescribed and/or over the counter drugs is permitted at work when medically appropriate, only if it does not impair the employee's ability to perform their work effectively and in a safe manner.
  - c. Employee(s) are required to disclose to the Department Manager the use of prescription drugs which may affect their work performance or the safe execution of their duties. NLLS is committed to accommodating an

employee(s) necessary use of prescription drugs to the extent reasonably possible without suffering undue hardship.

- d. No employee(s) shall be under the influence of drugs or alcohol during their working hours, including meal periods, scheduled breaks, or while assigned on-call.
- e. No employee(s) shall consume alcohol, cannabis or illegal drugs, while in charge of any NLLS vehicle.
- f. Unless authorized by the Executive Director for a specific limited purpose, NLLS will not tolerate the consumption of alcoholic beverages by employees during their regular working hours. This includes meal periods, scheduled breaks or while assigned on-call.
- g. If an employee(s) is called back after regular working hours to perform work related duties and has been consuming alcohol, cannabis or using drugs, it is the employee(s) responsibility to obtain assistance from a responsible employee(s), not under the influence of alcohol or drugs, to perform the required task
- h. Under no circumstances shall an employee(s) operate a NLLS vehicle while under the influence of alcohol, cannabis or drugs;
- i. In all situations, where NLLS believes an employee(s) is unfit to be at the workplace, a responsible escort will be used to escort the employee(s) home and to take appropriate steps to ensure the safety of the employee(s) and all others.

#### **Treatment and Accommodation**

1. Any employee(s) suffering from a drug, alcohol or cannabis addiction is strongly encouraged to disclose the addiction to the Executive Director and/or their immediate Department Manager.
2. NLLS recognizes its responsibility to assist and accommodate employee(s) suffering from an illness/addiction due to alcohol, cannabis or drugs to the extent reasonably possible without suffering undue hardship.
3. Employee(s) who are concerned that a fellow employee(s) may be suffering from a drug, cannabis or alcohol addiction are strongly encouraged to report their concerns to the Executive Director and/or their Department Manager.

#### **Reasonable Cause Testing**

1. NLLS reserves the right to conduct testing for the presence of alcohol, cannabis or drugs when it has reasonable cause to believe that the actions, appearance, or conduct of employee(s) while on duty is indicative of the use of drugs, cannabis or alcohol.
2. The basis for the decision to test will be documented as soon as possible after the action has taken place.
3. The referral for the test will be based on specific and personal observations resulting from, but not limited to:

- a. observed use or evidence of use of drugs, cannabis or alcohol (e.g. smell of alcohol),
- b. erratic or atypical behavior of the employee(s)
- c. changes in physical appearance of the employee(s)
- d. changes in behavior of the employee(s)
- e. changes in speech patterns of the employee(s)

Where reasonably possible such tests shall be conducted respectfully and in a manner to minimize the intrusive nature of the tests.

### **Obligations and Enforcement of this Policy**

1. NLLS views the rules contained in this policy to be of the utmost importance. Any deviation from the above terms by an employee(s) will result in disciplinary action that may include immediate dismissal.
2. All Employee(s) will be provided with a copy of this policy as notification, and any resulting dismissal will be considered as "dismissal with cause" and not subject to notice or remuneration in lieu.
3. Seeking voluntary assistance for drug, cannabis or alcohol addiction will not jeopardize an employee(s) employment with NLLS so long as the employee(s) continues to cooperate and seek appropriate treatment for their disclosed problem and is able to treat and control the problem to facilitate a return to work within the foreseeable future.
4. If an employee(s) neglects or refuses to disclose such a condition to NLLS, NLLS will be forced to deal with breaches of this policy assuming that the employee(s) is not suffering from an addiction or illness related to alcohol, cannabis or drugs but has simply disregarded the policy, in which case immediate and strict disciplinary action will be taken.
5. Employee(s) suffering from alcohol, cannabis or drug addiction/illness who fail to cooperate with assistance or treatment programs and/or engage in repeated infractions of this policy will be subject to the normal disciplinary sanctions, up to and including immediate termination for just cause.
6. Employee(s) are encouraged to use the Extended Benefit program provided through NLLS.

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NLLS Executive Board Chair

Sept 8, 2018  
Date of Approval