

## Substance Use Policy & Procedures

Section	4 – Employment Policies	Policy No	
Application	All CBU employees	Effective	October 17, 2018
Subject	Substance Use	Authorized	

Cape Breton University (the “University”) is committed to creating a safe and healthy working, living and learning environment. This policy is designed to promote a safe and healthy environment by establishing procedures to educate employees regarding safe and responsible use of substances, prevent and address substance use in the workplace and support employees with substance use disabilities.

### 1. Purpose

To state the University’s expectation that employees fulfil their work responsibilities without adverse effects of substances and to summarize the University’s commitment to assist and support employees with substance use disabilities.

### 2. Application

This policy applies to all employees while conducting work on behalf of the University, whether on University property or elsewhere.

### 3. Definitions

“Alcohol” refers to alcohol purchased legally from an authorized retailer.

“Cannabis” refers to cannabis purchased legally from an authorized retailer but excludes cannabis that would be considered medication in accordance with the definition below.

“Employee” refers to any individual employed by the University including but not limited to those employed full time, part time, or on a casual, term or student basis.

“Fit for work” means an employee is able to perform work duties safely and competently as compared to reasonable performance standards without adverse impact from substances.

“Illicit drugs” includes any drug or substance that is not legally obtained by the employee and whose use, sale, possession, purchase or transfer is restricted or prohibited by law and includes prescription drugs that have not been prescribed to the employee.

“Medication” includes any drug obtained legally for health purposes, either over the counter, prescribed to the employee by a registered and regulated health professional, or authorized in accordance with the Access to Cannabis for Medical Purposes Regulations of the Controlled Drugs and Substances Act<sup>1</sup>.

“Substance” includes alcohol, cannabis, illicit drugs and medications.

“University property” refers to any property owned, controlled or leased by Cape Breton University.

“Working hours” refers to the operating hours for the department in which an employee works or the regularly assigned or agreed upon hours of the employee, as applicable.

#### 4. Standards

- 4.1. Employees are expected to be fit for work when conducting work on behalf of the University, on or off University property and during or outside of working hours.
- 4.2. Employees may not use alcohol during working hours.
- 4.3. Employees may not use cannabis during working hours or on University property.
- 4.4. Employees may not use or possess illicit drugs during working hours or on University property.
- 4.5. Employees must use medications responsibly and disclose and request accommodation in accordance with the Accommodation Policy if using any medication that may adversely impact their fitness for work. Employee information will be treated confidentially. Employees must make reasonable inquiries with a registered and regulated health professional regarding the impact of medications on their fitness for work.
- 4.6. When attending a training event or conference or when otherwise appearing at an event as a representative for the University, employees using alcohol or cannabis must do so responsibly and in a manner that limits any risk of harm.

#### 5. Substance Use Disability

- 5.1. The Nova Scotia Human Rights Act<sup>2</sup> recognizes “dependency on drugs or alcohol” as a disability. Employees who believe they or others have a substance use disability are encouraged to seek treatment through a health care provider and/or request assistance from the University’s Employee and Family Assistance Program, their Dean, Director, Manager or Supervisor, or Human Resources.

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<sup>1</sup> *Controlled Drugs and Substances Act*, S.C. 1996, c. 19

<sup>2</sup> *Human Rights Act*, RSNS 1989, c. 215

- 5.2. Self disclosure of a substance use disability is encouraged and employees will not be disciplined for disclosing a substance use disability and requesting assistance.
- 5.3. Employees requiring accommodation in relation to a substance use disability should make a request in accordance with the Accommodation Policy. Examples of accommodation include, but are not limited to, schedule changes or a leave of absence to seek treatment, adjustments to work duties or position reassignment.
- 5.4. Employees disclosing a substance use disability following a policy violation may be required to participate in an assessment by an appropriate health professional and follow the recommended treatment, rehabilitation and/or follow-up programs as a condition of continued employment.
- 5.5. Employee information will be treated confidentially.

## 6. Responsibilities

### Employees:

- Understand and follow the Substance Use Policy; and,
- Report any safety concerns regarding substance use in the workplace to a Dean, Director, Manager or Supervisor.

### Deans, Directors, Managers and Supervisors:

- Communicate with employees about the safety implications of substance use at work, including answering questions regarding the Substance Use Policy;
- Facilitate a supportive working environment and promote available resources such as the Employee and Family Assistance Program;
- Maintain confidentiality with respect to employee information; and,
- Remove from duty any employee who appears unfit for work and who may impact their own safety or the safety of others and take appropriate follow up action including but not limited to:
  - addressing any immediate safety concerns;
  - providing employees information regarding the Employee and Family Assistance Program; and,
  - consulting with their Vice President and Human Resources.

### Joint Occupational Health and Safety Committee

- Recommend and assist in providing education and training for employees related to the safety impacts of substance use in the workplace; and,
- Regularly review the Substance Use Policy and recommend updates as required.

### Human Resources:

- Provide policy interpretation and education;
- Coordinate education and training for employees regarding safe and responsible use of alcohol or cannabis and the risks associated with substance use, including

- the potential negative impact on health, safety and work and promote available resources such as the Employee and Family Assistance Program;
- Maintain confidentiality with respect to employee information;
- Assist employees who have a substance use disability by:
  - Providing information and support in accessing available benefits or resources;
  - Supporting the accommodation process;
  - Facilitating and supporting the safe return to work of an employee who has participated in treatment for a substance abuse disability;
- Support Deans, Directors, Managers and Supervisors in investigating apparent policy violations and determining appropriate action; and,
- Regularly review the Substance Use Policy and make updates as required.

The President or designate:

- Approve, when appropriate, business or staff functions at which alcohol will be served, ensuring that the function is managed in a way that limits the risk of harm; and,
- Approve any other exceptions to this policy required for legitimate business purposes.

## 7. Discipline

Violation of this policy may result in discipline up to and including dismissal from employment. Discipline will consist of a written warning, suspension or dismissal, depending on the severity of the violation and other appropriate considerations. For unionized employees, any discipline will comply with the relevant collective agreement.

Implementation Date	October 17, 2018
Revised	
Next Review	