



BOARD ADMINISTRATIVE PROCEDURE

ADMINISTRATIVE PROCEDURE

602 Employee Fitness for Duty

DIRECTIONAL POLICY

Nurturing Human Resources

**Title of Administrative Procedure:**

Employee Fitness for Duty

**Date Approved:**

October 2022

**Projected Review Date:**

October 2027

**Directional Policy Alignment:**

This Administrative Procedure aligns with the **Nurturing Human Resources Directional Policy** by ensuring employees act in the best interest of the students they serve. The Catholic District School Board of Eastern Ontario is committed to promoting and maintaining a healthy, safe, and secure environment on Board premises, for all members of the school community. This is achieved by ensuring that all employees are healthy and able to perform their duties in a safe and effective manner. The respect and dignity with which we treat one another are fundamental to the Board's vision, and central to our Christian philosophy as we are each a unique creation of God.

**Alignment with Multi-Year Strategic Plan:**

The Employee Fitness for Duty Administrative Procedure supports our vision of cultivating the heart, mind, body, and soul of our students and staff. This administrative procedure is aligned with the tenant of "Nurturing" which reflects our priority of creating welcoming, Christ-centered communities that foster safe, loving, and inclusive learning for all members of our Catholic school families.

[CDSBEO Strategic Plan 2020-2025](#)

## **Action Required**

Employees have a responsibility to always report to work fit for duty. This includes remaining fit for duty while on the job.

This procedure serves to:

- discourage prohibited employees from entering board premises or attending board events while under the influence of alcohol, cannabis, misused medications, or illicit drugs subject to exception regarding use for medical purposes as outlined in an accommodation plan;
- outline the responsibilities and actions required when an employee's fitness for duty is in question; and
- summarize the necessary actions to assess the situation, determine next steps, follow up and/or return to work, where applicable.

Where there are reasonable grounds to believe that an employee may not be fit for duty while on Board premises or attending Board events, a supervisor will follow the steps outlined and complete Appendix A – Employee 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 will take every precaution reasonable in the circumstances, for the protection of employees, as per the requirements of the Ontario Occupational Health and Safety Act. The Board reserves the right to discipline employees, up to and including termination of employment, for failure to comply with this administrative procedure.

## **Responsibilities**

### **The Board of Trustees is responsible for:**

- Ensuring alignment with the Nurturing Human Resources Directional Policy.
- Reviewing the Employee Fitness for Duty 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 of Schools and System Portfolios are responsible for:**

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

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

**The Human Resource Department is responsible for:**

- Working with the immediate supervisor to ensure the steps outlined in *Appendix A – Employee Fitness for Duty Assessment Guidelines*, 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 and Vice-Principals 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 on the employee's ability to perform their job safely.
- Following the requirements of *Appendix A – Employee Fitness for Duty Assessment Guidelines* and working with the Human Resources Department 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 Assistance Program (EAP), the Board's Superintendent of Human Resources or designate, 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
  - i. illicit non-prescription drugs with students.
- Ensuring they are fit for duty while at work.

- Reporting and maintaining ongoing communication with the Board's Superintendent of Human Resources or designate 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 Superintendent of Human Resources or designate.
- Reporting to their supervisor if there are 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 while at work.

### **Progress Indicators:**

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

### **Definitions**

- **Addiction Disability** - is severe substance abuse / substance dependence and is considered a disability.
- **Alcohol** - refers to beer, wine and distilled spirits, and includes the intoxicating agents found in some medicines or over the counter products.
- **Fit for Duty** - is when an employee is acceptably and/or safely able to perform their assigned duties without limitations due to the use, misuse or after-effects of alcohol, illicit drugs, cannabis (recreational or medical), or medications, and when they can work in a manner that does not endanger themselves or others.
- **Illicit Drug** - is any drug or substance which is not legally obtainable and whose use, sale, possession, purchase, or transfer is restricted or prohibited by law.
- **Impairment** - the inability of an employee, due to the use of drugs or alcohol, to work safely, competently or with reasonable effectiveness.
- **Medication** - is any drug obtained legally, either over the counter or through a medical practitioner's prescription.

- **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.

## **References**

- [Occupational Health and Safety Act](#)
- [Safety and Security - Occupational Health and Safety Policy](#)
- [Smoke Free Ontario Act](#)
- [Access to Cannabis for Medical Purposes Regulations](#)
- [Ontario Human Rights Code](#)