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Name:	Saint Mary's University Drug and Alcohol Policy
Policy Number:	6-2017
Origin:	Human Resources
Approved:	2018-OCT-16
Issuing Authority:	Vice-President, Finance and Administration
Responsibility:	Senior Director, Human Resources
Effective Date	2018-OCT-16

Policy

Saint Mary's University is committed to providing and maintaining a safe and healthy Campus for faculty, staff, students and visitors. The use of illicit drugs and other mood altering substances, as well as the inappropriate use of alcohol and medications, can adversely affect job performance, productivity, the work environment, and the well-being of the members of the Saint Mary's Community. To protect against the risks related to the use of alcohol, cannabis, and or other drugs, all employees are expected to report for and remain fit for duty throughout their workday.

Scope

This Policy applies to all Saint Mary's University employees while they are working in all locations and/or situations where activity is directly related to University business.

This Policy also applies to contractors and contractor employees, while on Campus. Contractors are required to enforce these requirements for their employees and sub-contractors.

This Policy is not meant to address authorized social activities where alcohol is served. It also does not apply to University approved research or teaching activities involving alcohol and/or drugs, including but not limited to cannabis. Research and teaching activities involving alcohol and/or drugs will be performed as per University guidelines.

Purpose

The purpose of this Policy is to establish the University's requirements regarding the use of alcohol and/or drugs, including:

- Appropriate use;
- Legal compliance;
- Access and administration;
- Security and storage;
- Documentation; and
- Roles and responsibilities.

Definitions

Alcohol means any beverage which contains ethyl alcohol, including low alcohol products.

Cannabis – refers to a cannabis plant and any part of a plant whether it is in natural or processed form. It refers to any substance or mixture of substances that contains or has any part of the cannabis plant on or within it. Cannabis is also known by a number of slang terms.

Legal cannabis means cannabis that is purchased through authorized companies/organizations as recognized by relevant federal, provincial or municipal legislation.

Illicit cannabis means cannabis that is or was sold, produced or distributed by a person prohibited from doing so under any federal, provincial or municipal legislation or that was imported by a person prohibited from doing so by law.

Medicinal cannabis is cannabis grown and/or supplied by authorized producers/suppliers in conditions that provide quality controlled cannabis for medical purposes in compliance with the Medical Marihuana Access Regulations (MMPR) and/or other applicable laws.

Drug Paraphernalia means any equipment, product or material intended or designed for use in manufacturing, compounding, converting, concealing, processing, preparing or introducing an Illicit Drug or Alcohol into the human body.

Employee includes University employees, volunteers, professional staff, officers and administration.

Fit for Duty means being able to perform assigned duties safely and acceptably without any limitations due to the use of and/or the hangover or residual after-effects of alcohol, legal or illicit drugs, medications or mood altering substances.

Illicit Drug means any drug or substance, including cannabis and cannabis edibles, which is not legally obtainable and whose use, sale, possession, purchase or transfer is restricted or prohibited by law. For this Policy, it includes drugs which are legal when prescribed but are either never or not currently prescribed to the Employee who is taking it or in possession of it, including, but not limited to: Oxycotin, Percocet, Fentanyl, Dilaudid, Valium, and Tylenol 3.

Medications means prescription drugs legally obtained with a physician's prescription or over the counter drugs. It is expected that prescribed and over the counter medications will be used responsibly in accordance with the physician's or pharmacist's instructions, and any information provided on the product label. Medications of concern are those that may inhibit the ability of an employee to perform their job safely and effectively.

Other Impairing substances includes products such as glue, gasoline, inhalants, etc.

Saint Mary's Campus means any or all owned, leased, rented or maintained property including but not limited to buildings and grounds. Campus also includes all University owned, leased or rented vehicles.

Accountability

The **Vice-President, Finance and Administration** is responsible to:

- Ensure employees are advised about the policy;
- Enforce compliance with the Drug and Alcohol policy.

Senior Directors, Deans, Chairs and Managers are responsible to:

- Ensure employees are informed of the policy;
- Identify employees who are non-compliant with the policy;
- Provide support, as required, for the employee and other affected employees;
- Ensure that the required documentation, where required, is provided to Human Resources;
- Know and understand their role to ensure compliance with the Policy.

Employees are responsible to:

- Be free from the effects of alcohol, legal cannabis, illicit cannabis, illicit drugs, and/or any other impairing substance which may impair their ability to work in a safe and effective manner.
- Advise their manager, Chair, or Human Resources about the use of alcohol, legal cannabis, illicit cannabis, illicit drugs, medicinal cannabis, or medications that may impair their performance or compromise their health and safety and/or the safety of others.
- Not use, possess, distribute, grow, offer for sale or sell alcohol, cannabis, illicit drugs and/or drug paraphernalia during work, on Campus, or in any vehicles owned or leased by Saint Mary's University.
- Employees who are authorized to use medical cannabis are responsible to report usage to Human Resources, and to sign and comply with the University's Guidelines for Employees in Appendix A of this policy.

Prevention and Assistance Support

The University believes that education and prevention are key to maintaining a safe work environment that is free of the negative effects of alcohol, cannabis and/or drug use.

The University will assist employees with problems of abuse, dependency, or addiction to Alcohol, Cannabis, Illicit Drugs or Medications, with an aim to preventing these problems. The University will provide access to treatment resources to employees and will encourage employee participation in effective prevention and rehabilitation programs where appropriate.

The University provides staff with confidential access to the Employee and Family Assistance Program (EFAP), which is designed to assist with a wide range of personal issues that may impact them at work, including alcohol and drug misuse. Faculty and Professional Librarians should contact the Union Office at unionoffice@smufu.org to determine options available for assistance. Employees may also self-refer to either Alcoholics Anonymous (<http://www.aahalifax.org>) or Narcotics Anonymous (<http://www.centralnovaarea.com>). For more information on resources offered by the Nova Scotia Department of Health and the NS Health Authority, visit: <http://www.nshealth.ca/mental-health-addictions>. A list of indicators of substance abuse is included in Appendix B to assist in determining if a person is in trouble, or is in need of some assistance.

Employees are encouraged to seek assistance regarding a problematic substance use, and to follow appropriate treatment before job performance is affected or violations of this Policy occur. Employees who request assistance with problematic substance use, through their manager, Chair, or Human Resources, will be assisted the same as with any other health condition.

No Employee with a dependency or addiction will be disciplined or terminated from employment because of the Employee's involvement in a rehabilitation effort or for voluntarily requesting rehabilitative help in overcoming the problem. The University will accommodate disability as required by law.

Involvement in a rehabilitative effort or seeking rehabilitative help for an abuse, dependency or addiction problem after a breach of this Policy has occurred will not prevent an Employee from being disciplined or terminated from employment. An Employee's use of the EFAP or other rehabilitation efforts does not eliminate the requirement of meeting satisfactory performance levels or compliance with this Policy. Consequently, an Employee may still be dismissed or disciplined for culpable misconduct notwithstanding their rehabilitation efforts.

Policy Violations

While education and assistance are the preferred responses to problematic substance use, the University may take corrective action appropriate to the situation. Employees who fail to adhere to this Policy, and who continue to present not Fit for Duty, or fail to remain Fit for Duty present a safety risk to themselves and others. When it is determined that an employee poses a safety risk to themselves or others, the employee may be removed from the job. Such actions constitute a violation of this Policy and the employee involved may be subject to progressive discipline up to and including termination of employment.

Contravention of any provincial, federal, or municipal laws regarding drugs or alcohol or any other policies of the University governing the possession, distribution, and/or consumption of alcoholic beverages is also a violation of this Policy.

Confidentiality

Confidentiality will be maintained except where limited disclosure is necessary for related safety and/or health concerns (e.g. there is deemed to be a potential for risk to self, others or to the University or other necessary reason). That is, only the information strictly limited to the level of functionality of an employee, (e.g. fitness to work and any restrictions that may apply) may be shared with the appropriate management for the purpose of determining fitness for work and appropriate work accommodations.

An employee's use of medical cannabis will be documented in University records for the purpose of confirming that such use is permitted when in compliance with this Policy.

Monitoring

The Senior Director, Human Resources is responsible for monitoring this policy's implementation, performance and effectiveness. As Cannabis legalization is a new policy area for Canada and for post-secondary institutions, Saint Mary's University will review this policy annually for the first three years and will then determine a needed frequency for review.

Guidelines for the sponsoring of, hosting of or participating in social events

Guidelines for the sponsorships of events and student use of alcohol is covered in the "Saint Mary's University Responsible Use of Alcohol and Cannabis Policy". In the case of any University social event, appropriate regard will be taken for the safety and well-being of individuals present at the event and the community. Responsible alcohol use is permitted at University sponsored social functions. If alcohol is made available to employees or guests in the course of conducting university business, e.g. conference, seminars, etc., employees are expected to use judgment and be responsible in hosting others. Cannabis edibles are not permitted on Campus until they are regulated by legislation. Smoking of medical or recreational cannabis is not permitted on Campus.

Guidelines for the medical use of cannabis

The University is committed to providing reasonable access for employees to use medical cannabis when it is safe, medically indicated and medically authorized.

The University is a smoke free campus and as such, medical cannabis is not permitted to be smoked on Campus property. Employees who are authorized to possess medical cannabis should discuss other methods of consuming medical cannabis with their family doctor and advise Human Resources of any issues.

The University permits the use of medical cannabis when:

- The responsible physician medically authorizes consumption of medical cannabis;
- The employee holds and maintains a valid Proof of Authorization;
- The medical cannabis is accompanied by the labelled container from the Licensed Producer;
- The employee is able to store the medical cannabis securely while within University premises; and
- The employee is able to perform all job tasks safely.

The University does not assume liability for employees who consume medical cannabis on University premises or leave University premises to access/smoke or vaporize cannabis.

References

Saint Mary's University Responsible Use of Alcohol and Cannabis Policy

Saint Mary's University Smoke-Free Campus and Tobacco Use Policy

Canadian Controlled Drugs and Substances Act

Criminal Code of Canada

Cannabis Control Act

Nova Scotia Occupational Health and Safety Act

Nova Scotia Human Rights Act

Nova Scotia Motor Vehicle Act and Regulations

Halifax Regional Municipality Bylaw N-300 Respecting Nuisances and Smoking

Appendix A
University Guidelines for Employees Authorized to use Medical Cannabis

The University requests that you read and comply with the Saint Mary’s University Drug and Alcohol Policy, and the Smoke-Free Campus and Tobacco Use Policy. As a University employee who desires to consume medical cannabis on University premises, you are required to:

1. Provide your Proof of Authorization to possess medical cannabis to Human Resources, agree that a copy will be placed and securely stored in your University records, and carry the documentation whenever you are accessing the medical cannabis.
2. Provide clear information as to the medical authorization including the authorized dosage, frequency, duration and delivery method.
3. Accept the risks associated with the use of medical cannabis and commit to administering doses only as authorized by your attending physician.
4. Acknowledge your obligation to ensure you are Fit for Duty and able to perform your job tasks safely;
5. Acknowledge that you will obtain your own product from a Licensed Producer in accordance with the *Marihuana for Medical Purposes Regulations*.
6. Understand that the continuation of medical cannabis treatment will depend on the nature of your current medical condition(s) and other therapies, and discontinuation may be recommended if your attending physician determines that the harm associated with use outweighs the potential benefit
7. Accept responsibility for your own transport, storage, supply and administration of medical cannabis and for any cost incurred by the provision of secure storage.
8. Understand that the University does not accept liability for any loss or theft of the product. In the event of loss or theft, inform your manager and Security and contact local police services immediately.
9. Understand the requirements of the University’s Smoke-Free Campus and Tobacco Use Policy and that smoking medical cannabis is not permitted on Campus.
10. Refrain from sharing, providing, or selling medical cannabis to anyone, even if the other person has authorization to possess medical cannabis.

Print name _____ Signature: _____

Date _____

Appendix B

Signs and Symptoms of Problematic Substance Use (not specific to any causal agent)

The following table is from "A Toolkit to Address Problematic Substance Use that Impacts the Workplace" as published by the Atlantic Canada Council on Addiction (ACCA). ACCA notes the following about using signs and symptoms:

- They may be different from person to person.
- When used alone or in combination, they do not necessarily mean that somebody has a substance use problem. However, they may be indicators that your employee is in trouble or in need of some help (regardless of if the issue stems from problematic substance use or another cause).

Impacts	Indicators
Physical	<ul style="list-style-type: none"> • Deterioration in appearance and/or personal hygiene • Unexplained bruises • Sweating • Complaints of headaches • Tremors • Diarrhea and vomiting • Abdominal/muscle cramps • Restlessness • Frequent use of breath mints/gum or mouthwash • Odour of alcohol on breath • Slurred speech • Unsteady gait
Psychosocial	<ul style="list-style-type: none"> • Family disharmony (e.g. how the colleagues speak of family members) • Mood fluctuations (e.g. swinging from being extremely fatigued to 'perkiness' in a short period of time) • Inappropriate verbal or emotional response • Irritability • Confusing or memory lapses • Inappropriate responses/behaviours • Isolation from colleagues • Lack of focus/concentration and forgetfulness • Lying and/or providing implausible excuses for behaviour
Workplace performance and professional image	<ul style="list-style-type: none"> • Calling in sick frequently (may work overtime) • Moving to a position where there is less visibility or supervision • Arriving late for work, leaving early • Extended breaks; sometimes without telling colleagues they are leaving • Forgetfulness • Errors in judgement • Deterioration in performance • Excessive number of incidents/mistakes • Non-compliance with policies • Doing enough work to just 'get by' • Slopping, illegible or incorrect work (e.g., writing, reports, etc.) • Changes in work quality