



## Saskatchewan Cancer Agency

DIVISION: CEO POLICY NUMBER: HR - 519  
DEPARTMENT: Human Resources ISSUE DATE: JANUARY 14, 2019  
REVISED DATE:  
CATEGORY: Terms & Conditions of Employment/Employee Relations  
POLICY TITLE: Alcohol and Drug Policy

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**Policy Statement** The Saskatchewan Cancer Agency is committed to providing and maintaining a safe and healthy environment for all staff, patients, clients, families and the general public, free from the impacts of alcohol and drugs. All Cancer Agency staff are expected to come to work fit for work/duty and maintain that status throughout the working day. Staff are expected to carry out assigned tasks safely and free from the impairment of alcohol and/or drugs (including prescription or non-prescription, legal or illegal drugs). In light of the safety sensitive nature of Cancer Agency's operations, this policy is intended to outline the standards and expectations associated with alcohol and drug use by staff.

**Purpose** The purpose of this Policy is to ensure that the health, safety and wellness of all staff, patients, clients, families and the general public is not at risk or adversely affected by Staff attending the Workplace while not Fit for Work.

**Application** The Alcohol and Drug Policy applies to all employees, contracted physicians, students, and volunteers of the Saskatchewan Cancer Agency.

**Authority** Executive Leadership Team

**Information** Human Resources Department

Approved by:

A handwritten signature in blue ink that reads "Jon Tomita".

Date: January 14, 2019

## 1. DEFINITIONS

**Accommodation** means adjustments to the conditions of employment, as and to the extent required by human rights law or the collective agreement, in order to allow a staff with a disability to continue his or her employment (see existing accommodation policy).

**Addiction Disability** means a primary, chronic, neurobiologic disease with genetic, psychosocial and environmental risk factors in its development and manifestations. It is characterized by behaviours that include one or more of the following: impaired control over substance use, compulsive use, continued use despite harm, craving and relapse. The diagnosis is made by physicians and other substance abuse professionals. Under human rights law, Addiction Disability is a recognized disability such that accommodation is required. While addiction disability may be accompanied by behavior for which discipline is appropriate in some circumstances, the condition itself requires accommodation, where possible, and not discipline.

**Alcohol** means any substance containing beverage alcohol, ethyl alcohol, or other molecular weight alcohols (including methyl and isopropyl alcohol).

**Alcohol and Drug Test** means a test administered in accordance with this policy.

**Drug** means any substance, chemical or agent the use or possession of which is unlawful in Canada or requires a personal prescription or authorization from a licensed physician or any non-prescription medication or substance lawfully sold in Canada (e.g. Marijuana) that could impair the safe and efficient performance of the staff's job duties.

**Drug Paraphernalia** means items is associated with the use of any drug, substance, chemical or agent.

**Employee Family Assistance Program (EFAP)** means the Saskatchewan Cancer Agency Employee and Family Assistance Program. The program is available to Cancer Agency employees and members of their immediate family with personal counselling and support relating to personal, family or work related problems, which may affect their work performance or quality of life.

**Fit for Work/Duty** means being able to safety and acceptably perform assigned duties without any limitations due to the use or after-effects of alcohol or drugs.

**Medical Cannabis** means cannabis or cannabis-derived product commonly known as marijuana that is authorized or prescribed by a licensed physician.

**Medication** means a drug obtained legally, either over the counter or with a prescription or authorization from a licensed physician or healthcare provider. Medication does not include cannabis (non-medical/recreational).

**Reasonable Grounds** means information established by the direct observation of staff conduct or other indicators, such as the physical appearance of the individual, the smell associated with the use of alcohol or drugs on his or her person or in the vicinity of his or her person, circumstances surrounding an accident, incident or near miss and the presence of Alcohol,

Drugs, or Drug Paraphernalia in the vicinity of Staff or the area where the Staff worked.

**Safety Sensitive Position** means any position where impaired performance, impaired motor skills or impaired judgment could result in a significant incident:

- affecting the health and safety of patients, clients, Staff or public;
- causing significant loss or damage to Cancer Agency Property; or
- causing an adverse effect to the environment.

Safety Sensitive Positions include supervisory or managerial positions that either oversee Staff in Safety Sensitive Positions, are responsible for, or actually perform the same duties as Staff in a Safety Sensitive Position.

**Cancer Agency Business** means without limitation, all activities undertaken by Staff in the course of the CANCER AGENCY's operations, whether conducted on or off CANCER AGENCY Property.

**Cancer Agency Property** means:

- any land, building, equipment, property or part thereof owned, leased or occupied by the Cancer Agency;
- any motor vehicle, piece of equipment, or other means of transportation (collectively, "vehicle"), owned, leased, rented or used by Cancer Agency

**Significant Incident means** an occurrence, circumstance, or condition that caused or had the potential to cause damage to person, property, reputation, security or the environment.

**Staff** means employees, practitioner staff, franchise employees, contractors, contract individuals, learners and volunteers.

**Substance Abuse Professional means** a licensed physician or a licensed or certified psychologist, social worker, or addiction disability counselor with knowledge of and clinical experience in the diagnosis and treatment of substance-related disorders.

**Supervisor** means any In-Scope or Out-of-Scope Staff who are authorized by the Cancer Agency to oversee or direct the work of others.

**Test Result (negative)** means a report that the Staff member who provided a specimen for alcohol and drug testing did not have an Alcohol or Drug concentration equal to or in excess of that set out in Appendix B.

**Test Result (positive)** means a report that the Staff member who provided a specimen for alcohol and drug testing did have an alcohol or drug concentration equal to or in excess of that set out in Appendix B.

**Workplace** includes, but is not limited to Cancer Agency facilities, vehicles whether owned or rented, parking lots, lunch rooms, locker rooms, and any place that Staff are conducting their work including work being performed off Cancer Agency property or in the community.

## **2. PRINCIPLES**

- 2.1 The Cancer Agency has an obligation to provide a safe work environment. The use of alcohol and drugs can have serious adverse impacts in the workplace, on staff performance and ultimately on the safety and well-being of other staff, patients, clients, families and the general public.
- 2.2 The Cancer Agency is committed to workplace safety, staff's right to privacy, to accommodation of disabilities, and to treat everyone with dignity and respect.
- 2.3 Safety is a primary consideration in how we provide our services. Everyone benefits from a workplace environment where Staff can complete their work in an environment free of impairment related to the use of alcohol and drugs.
- 2.4 Some staff may require assistance in addressing alcohol and drug use and/or addiction disabilities and may be eligible to access supports such as the Employee Family Assistance Program.
- 2.5 The Cancer Agency has a zero tolerance for the use of illicit drugs which constitutes a criminal offence or that has potential to adversely affect the health and safety of patients, clients, families and the general public in the workplace or in the conduct of Cancer Agency business.

## **3. POLICY STATEMENTS**

- 3.1 Staff shall not possess, use, sell, purchase, deliver, or store any alcohol or drugs, on any Cancer Agency property, or while conducting Cancer Agency business, with the following exceptions:
  - 3.1.1 Staff are permitted to possess and store closed alcohol or cannabis (non-medical/recreational) provided it is in a sealed container or package and in strict accordance with provincial legislation and regulation.
  - 3.1.2 Staff are permitted to possess and store medication on Cancer Agency property.
  - 3.1.3 Staff may use medication that does not cause impairment and/or that is being used as prescribed or authorized by the staff member's physician or healthcare provider.
    - 3.1.3.1 When any medication is prescribed or authorized by a physician or healthcare provider, staff must review their job duties with their physician or healthcare provider to obtain confirmation that the use of the medication will not impair the safe and efficient performance of their job duties.
- 3.2 Staff shall report for work fit for work/duty and free from the impairment of alcohol, drugs or cannabis (non-medical/recreational).
  - 3.2.1 Cancer Agency vehicles and equipment, and other vehicles and equipment on Cancer Agency property or used for Cancer Agency business, shall not be operated by staff while impaired by alcohol, drugs, medical cannabis or cannabis (non-medical/recreational).
- 3.3 Cancer Agency recognizes addiction as a disability as defined within The Saskatchewan Human Rights Code, and that there is a duty to accommodate such disabilities to the point of undue hardship.
  - 3.3.1 Accommodation may be initiated by staff, a supervisor, Human Resources or Staff Safety. If assistance is required, the Cancer Agency will refer to existing accommodations policies.

- 3.4 Staff shall not use or consume alcohol, drugs or cannabis (non-medical/recreational) while performing work for the Cancer Agency, on standby/on-call or in the workplace. This includes while staff are on a break or meal break (both paid and unpaid).
- 3.4.1 This does not include the responsible use of alcohol and cannabis when staff are at social events representing the Cancer Agency. Provided the use of alcohol and cannabis is used in strict accordance with provincial legislation and regulation.
- 3.5 Staff must bring to the attention of their supervisor any circumstance that is a suspected violation of this policy.
- 3.5.1 The Cancer Agency will only become involved when:
- alcohol and drug use interferes with job duties;
  - staff's behavior warrants intervention;
  - there is a safety concern; and/or
  - staff requests assistance.
- 3.6 Staff in safety sensitive positions must disclose they have an addiction disability to Human Resources and/or Patient & Staff Safety (see existing accommodations policies).
- 3.7 Staff must submit to alcohol and drug testing when required in the circumstances described in procedure, section 5. Staff who do not want to submit to alcohol and drug testing when requested in the circumstances described in procedure, section 5, may refuse, however, the refusal will be noted as part of the investigation.
- 3.8 The Cancer Agency safeguards information to protect the privacy of the individual(s). Investigations contemplated and completed as per this policy will be conducted in a manner that respects staff's privacy while recognizing the need to conduct a thorough investigation and disclosure of information as required through the investigation process.
- 3.8.1 Test results or medical information provided to or obtained by Human Resources and Staff Safety will be protected as per their normal processes.

#### **4. ROLES AND RESPONSIBILITIES**

##### **4.1 CANCER AGENCY**

- 4.1.1 Ensure the provision of a safe work environment to the greatest extent possible for all staff, patients, clients and the general public;
- 4.1.2 Support and show leadership through abiding by this policy and enforcing it; and
- 4.1.3 Ensure that staff are informed of the existence of this policy and the assistance available through the EFAP.

##### **4.2 Staff**

- 4.2.1 Perform work in a safe and productive manner free from the impairment of alcohol or drugs;
- 4.2.2 Read and understand this policy and the responsibilities identified within it;
- 4.2.3 Report fit for work/duty for any and all scheduled or unscheduled (stand by, on-call, call back) work and remain fit for work/duty while on Cancer Agency business and Cancer Agency property;

- 4.2.4 Seek advice and follow recommended treatment plan if the individual has an addiction disability;
- 4.2.5 Report an addiction disability to Human Resources and Staff Safety and comply with applicable policies related to accommodations if in a safety sensitive position;
- 4.2.6 Advise their supervisor immediately if they have been charged with an impaired driving offense under the Criminal Code, or have received any license suspension if they require a valid license for their position;
- 4.2.7 Immediately advise their supervisor if they believe or suspect another staff member is violating this policy;
  - 4.2.7.1 In any instance where a supervisor may be or is suspected of acting in violation of this policy, report the instance to the next higher authority and Human Resources.
- 4.2.8 Co-operate with an investigation into a violation or potential violation of this policy, including participating in an alcohol and/or drug test when required to do so under this policy; and
- 4.2.9 Carry out all actions under this policy in a manner that respects the dignity and confidentiality of those involved.
- 4.3 **Supervisors**
  - 4.3.1 Monitor staff's compliance with this policy;
  - 4.3.2 Understand this policy and enforcement of it to ensure the policy will be applied uniformly, fairly and with respect for the rights of individual staff;
  - 4.3.3 Show leadership by complying with this policy;
  - 4.3.4 Follow up on all concerns brought to their attention related to this policy;
  - 4.3.5 Immediately advise Human Resources staff if there is a suspected breach of this policy; and
  - 4.3.6 Cooperate with Human Resources and Staff Safety for the accommodation of staff with addiction disability. (see existing accommodations policies)
- 4.4 **Human Resources and Patient & Staff Safety Staff**
  - 4.4.1 Gather and assess information related to a staff's disclosed addiction disability;
  - 4.4.2 Arrange for referrals for assessments by a Substance Abuse Professional as needed; and
  - 4.4.3 Coordinate and monitor as per the applicable existing accommodations policies
- 4.5 **Human Resources**
  - 4.5.1 Assess and/or investigate all reported suspected breaches of this policy;
  - 4.5.2 Arrange and coordinate alcohol and drug testing; and
  - 4.5.3 Coordinate and monitor as per the applicable policies related to Human Resources.
  - 4.5.4 Provide managers with the necessary tools to educate their staff on this policy.

## 5. POLICY MANAGEMENT

The management of this policy including policy communication, education, implementation, monitoring, audit, and review is the responsibility of the Director Human Resources or designates. Amendment is the responsibility of the Director Human Resources.

## **6. NON-COMPLIANCE/BREACH**

Breach of this policy will be dealt with in accordance with the Collective Bargaining Agreement, applicable policies and procedures including, but not limited to existing corrective discipline policies and Cancer Agency Practitioner Staff Bylaws.

Any violation of this policy may result in discipline up to and including termination of employment. In all situations, an investigation will be conducted.

## **7. REFERENCES**

Construction Owners Association of Alberta- Canadian Model For Providing a Safe Workplace-SAF-CDM-CBP-01-2014-v5.

Potash Corporation of Saskatchewan/Nutrien, Administration Policy/Procedure-Substance Abuse and Impairment Prevention

The City of Saskatoon Administrative Policy A04-021

*The Occupational Health and Safety Regulations, Saskatchewan*

*The Saskatchewan Employment Act, Part III*

*Saskatchewan Cancer Agency Policy HR-309 – Return to Work*

## **8. SUPPORTING DOCUMENTS**

Appendix A: Signs and Symptoms of Alcohol and Drug Use

Appendix B: Cancer Agency Impairment Thresholds

## **PROCEDURE**

### **1. Purpose**

The purpose of this procedure is to outline the various management processes related to fit to work/duty and alcohol and drug testing situations.

### **2. Self-Disclosure and/or Declaration**

- 2.1 Staff must self-disclose and report an addiction disability and the use of any medication that may affect their ability to safely perform their job duties to Human Resources and Staff Safety if in a safety sensitive position.
- 2.2 The Cancer Agency encourages staff who believe that they may require the help provided by Substance Abuse Professionals and EFAP to voluntarily request assistance.
  - 2.2.1 Where staff declare to the Cancer Agency that they have an addiction disability, Cancer Agency will offer assistance through the accommodation process (see existing accommodations policies).
- 2.3 Upon self-disclosure by staff, the Cancer Agency may require the staff to submit to any or all of the following:
  - 2.3.1 A medical assessment conducted by a physician or health care provider;
  - 2.3.2 Random alcohol and drug testing as set out in section 8;
  - 2.3.3 An assessment conducted by a Substance Abuse Professional; and
  - 2.3.4 Provide confirmation to the Cancer Agency that he or she submitted to 2.3.1-2.3.3 above.

An individual's right to privacy is to be respected to the extent possible with consideration that the staff's alcohol and/or drug use may have or has had an impact on the workplace or on the safety of patients, clients, staff or the general public.

### **3. Duty to Inquire**

- 3.1 Supervisors who have reasonable cause to suspect alcohol or drug use that has an impact on the Workplace have a responsibility to inquire whether an Addiction Disability exists. 3.1.1 Supervisors may also provide a formal offer of assistance to Staff.

### **4. Alcohol and Drug Testing**

- 4.1 Alcohol and drug testing is one action that the Cancer Agency may take to determine whether there has been a violation of this policy.
  - 4.1.1 In most cases, a positive test result for a drug or alcohol only confirms the presence of a drug or alcohol in the body.
  - 4.1.2 The positive test may or may not conclusively establish impairment, the quantity of drugs or alcohol consumed, or when the drug or alcohol was taken. Therefore, a positive test may only be some evidence to be used in conjunction with other evidence and the surrounding circumstances to establish a violation of this policy.

- 4.2 When an alcohol or drug test is required or requested, the Cancer Agency preference is to employ a drug and alcohol testing agency to perform the sample collection and analysis. However, in some instances (eg. when a Drug and Alcohol Testing agency is not available) sample collection and test analysis may be completed by the Cancer Agency.
  - 4.2.1 The Alcohol and Drug Testing process will, to the extent possible, respect the privacy and rights of the staff.
- 4.3 The testing process should meet the following criteria:
  - 4.3.1 Confidentiality – The Drug and Alcohol Testing agency or the Cancer Agency must ensure that confidentiality is maintained.
  - 4.3.2 Samples must be taken in a manner that respects the human dignity of the person being tested.
  - 4.3.3 Efficacy – The testing process must ensure that test results are accurate.
  - 4.3.4 Timeliness – Results must be reported to the Staff and the Human Resources Department in a reasonable time.
- 5. All Staff are subject to Alcohol and Drug Testing as follows:**
  - 5.1 Reasonable Grounds
    - 5.1.1 Where any staff is observed behaving or performing in a manner where there is a reasonable suspicion of alcohol or drug related impairment or effects, or where conduct otherwise creates a reasonable suspicion of a breach of this policy, staff will:
      - 5.1.1.1 Be removed from duty;
      - 5.1.1.2 Attend a meeting immediately with the appropriate supervisor and a union representative (if applicable); and
      - 5.1.1.3 May be required to submit to an alcohol and/or drug test. If the staff is in a safety sensitive position, an alcohol and drug test will be required. If the staff is in a non-safety sensitive position, an alcohol and drug test will be requested.
    - 5.1.2 The supervisor will consult with Human Resources, as soon as possible and preferably prior to a decision to require staff to submit to an alcohol and/or drug test.
    - 5.1.3 The criteria for requiring or requesting a test includes, but is not limited to, specific observations concerning the staff's appearance, behavior, speech, or odor which suggests possible use of alcohol or drugs. The observations should be documented by the person(s) who observed the staff or the person who received the complaint (see Appendix A).
    - 5.1.4 Other factors may include, but are not limited to, one or more of the following:
      - 5.1.4.1 Direct observation by a supervisor or by staff as reported to the supervisor of alcohol or drug use in the workplace shortly before a shift or direct observation of alcohol, drugs, or drug paraphernalia in the possession of staff in circumstances where use seems likely to have occurred;
      - 5.1.4.2 Direct observation by a supervisor or by others as reported to the supervisor of signs and symptoms of alcohol and drug use as contained in Appendix A.

- 5.1.4.3 Evidence that a staff is currently involved in the use, possession, storage, sale, solicitation or transfer of open and/or non-sealed drugs or alcoholic beverages while working or while on Cancer Agency property or Cancer Agency business or while operating an Cancer Agency vehicle, machinery or equipment or a personal vehicle for Cancer Agency business.
- 5.1.5 Staff who submit to an alcohol and/or drug test will be removed from the workplace and the supervisor will ensure the staff has safe transportation to and from the alcohol and drug test or the workplace. Human Resources will conduct an investigation and the staff will not be permitted to return to work until the investigation is completed or the test results have been submitted to the Cancer Agency.
- 5.2 Testing after an Accident, Incident or Near Miss
  - 5.2.1 Alcohol and/or drug testing may be required of staff in a safety sensitive position involved in a significant accident, significant incident or near miss as part of the investigation into the circumstances. (Refer to 5.2.5)
    - 5.2.1.1 The only exception is if there is clear evidence (e.g. structural or mechanical failure) that the acts or omissions of the staff could not have been a contributing factor and can be conclusively ruled out by the Cancer Agency as a contributing factor.
  - 5.2.2 Alcohol and drug testing may be requested of staff in a non-safety sensitive position involved in a significant accident, significant incident or near miss as part of the investigation into the circumstances. (Refer to 5.2.5)
    - 5.2.2.1 An alcohol and/or drug test will not be requested if there is clear evidence (e.g. structural or mechanical failure) that the acts or omissions of the staff could not have been a contributing factor and can be conclusively ruled out by Cancer Agency as a contributing factor.
  - 5.2.3 Staff involved in an accident, significant incident or near miss will be removed from duty, will attend a meeting immediately with the appropriate Supervisor and a union representative (if applicable), and may be required or requested to undergo an alcohol and/or drug test.
  - 5.2.4 Testing will occur immediately following the accident, significant incident or near miss or as soon as reasonably possible (e.g., if staff to be tested has been injured, their health should be stabilized prior to testing).
    - 5.2.4.1 Should there be a delay in testing, staff to be tested must not use alcohol or drugs until after the test has been completed, or until they are advised a test is not required.
  - 5.2.5 The supervisor will consult with Human Resources as soon as possible and if possible, prior to a decision to require or request a staff to submit to a test. The circumstances of each case must be taken into consideration before making the decision to test.
  - 5.2.6 The supervisor may complete Appendix A, Signs and Symptoms of Alcohol and Drug Use as part of the investigation.
  - 5.2.7 Staff tested after an accident, significant incident or near miss will be removed from the workplace and the supervisor will ensure the staff has

safe transportation from the workplace and to and from the alcohol and drug test.

5.2.7.1 Staff will not be permitted to return to work until after the investigation is completed or the test results have been submitted to the Cancer Agency.

## **6. Random Alcohol or Drug Testing**

- 6.1 Random alcohol and/or drug testing will be required for all staff in safety sensitive positions after a violation of this policy or post treatment of an addiction disability.
- 6.2 Random alcohol and/or drug testing may be required for all staff in non-safety sensitive positions after a violation of this policy or post treatment of an addiction disability.
- 6.3 The random alcohol and/or drug testing will continue for a duration as determined by the supervisor, after consulting with Human Resources.

## **7. Failure to Test**

- 7.1 If an alcohol and/or drug test is required, the following are considered to be violations of this policy:
  - failure to report directly for a test,
  - refusal to submit to a test,
  - refusal to agree to the disclosure of a test result,
  - a confirmed attempt to tamper with a test sample,
  - failure to report an accident, significant incident or near miss which may require testing.

## **8. Alcohol and Drug Testing Procedure**

- 8.1 Specimen Collection  
An alcohol and/or drug testing agency or the Cancer Agency will collect and process urine, breath and/or saliva specimens for alcohol and drug testing as provided in this policy. Urine testing must meet or exceed the guidelines and standards of the Substance Abuse and Mental Health Services Administration (SAMHSA) which is the certifying agency for forensic urine drug testing laboratories in Canada and the United States.
- 8.2 There are three methods of drug and alcohol testing:
  - 8.2.1 Urine test;
  - 8.2.2 Saliva test; and
  - 8.2.3 Breath test.
- 8.3 Drug testing refers to testing for cannabis, cocaine, amphetamines (including methamphetamines), opiates and phencyclidine.
- 8.4 Collection Privacy  
The alcohol and drug testing agency or Cancer Agency will ensure that only professionally trained collection personnel are used and that quality assurance requirements for analysis and testing procedures, as well as strict confidentiality requirements are followed. The only exception is if the staff agree to provide a breath sample for an alcohol screen test in a device provided by Human Resources. In that event, the breath alcohol screen test will be administered by Human Resources staff.

- 8.5 Alcohol Screen Testing  
Alcohol screen testing will be conducted with a breath test. All Alcohol screening tests at .04 percent blood alcohol content or higher will be confirmed with an approved Evidential Breath Alcohol Testing Device if available.
- 8.6 Testing Results
- 8.6.1 Alcohol:
- 8.6.1.1 **Blood Alcohol Content (BAC) Below .04 percent**
- 8.6.1.1.1 If the individual's BAC is between .01 percent and .039 percent on the initial screen test, a second screen test will be taken. The test will be deemed negative if the initial and subsequent screen test both indicate a BAC reading below .04 percent.
- 8.6.1.1.2 If the test is negative, the administrator of the test will contact the person tested, and advise him or her of the negative test result. Upon receipt and verification by the Cancer Agency Human Resources Department of the negative test result from the test administrator, the person tested will be returned to work and will be paid for any missed time.
- 8.6.1.2 **Blood Alcohol Content (BAC) of .04 percent or More**
- 8.6.1.2.1 If the individual BAC is .04 percent or over on the initial screen test, a second screen test will be taken.
- 8.6.1.2.2 The test will be deemed positive if the original screen test and a second test taken shortly thereafter both identify a result of .04 percent or more.
- 8.6.1.2.3 If the test is positive, the administrator of the test shall contact the person tested, and advise him or her of the positive test result. Upon receipt and verification by the Cancer Agency Human Resources Department of the positive test result from the test administrator, the person tested will be suspended pending investigation.
- 8.6.2 Drugs:
- 8.6.2.1 If the urine screening test is negative, the test administrator shall contact the person tested and advise him or her of the negative test result. Upon receipt and verification by the Cancer Agency Human Resources Department of the negative test result from the test administrator, the person tested will be returned to work unless it is suspected the person tested is impaired despite the negative urine screen.
- 8.6.1.2 In the event the person tested has a negative urine screening result and it is still suspected that the person tested is impaired, a saliva test will be administered as described below and the person tested will be kept off work until the saliva test confirmation is known. If the saliva test result is negative, the administrator of the test will contact the person tested and advise him or her of the negative test result. Upon receipt and verification by the Human Resources Department of the negative test result from the

administrator of the test, the person tested will be returned to work and will be paid for any missed time.

8.6.1.3 If the urine screening test is positive, the administrator of the test will contact the person tested, advise him or her of the positive test result and conduct a saliva test. The administrator of test shall contact Human Resources to advise that a saliva test has been initiated.

8.6.1.4 The urine test is used as a screen only. The results of the saliva test may take two (2) business days or more, and will serve as the final determination as to whether the test is positive or negative.

8.6.1.4.1 If the saliva test is negative, the administrator of the test shall contact the person tested and advise him or her of the negative test result. The administrator of the test will also contact Human Resources to advise of the negative test result.

8.6.1.4.2 If the saliva test is positive, the administrator of the test shall contact the person tested and advise him or her of the positive test result and discuss any specific information pertinent to the test result. The administrator of the test will also contact Human Resources to advise of the positive test result and specific information pertinent to the test result.

8.6.1.4.3 The urine and saliva test cut-off levels will be as indicated in Appendix B.

8.6.2.5 If the staff is unable to produce a saliva sample, the urine sample gathered as the pre-screen will be used to determine if an employee exceeds the standards of this policy.

## **9. Outcomes/Implications of Test Results**

### **9.1 If test result is negative:**

9.1.1 If the person tested has a negative test result in accordance with the testing thresholds set out in Appendix B, the person tested will return to work as soon as possible (on the next shift or the remainder of the current shift if time permits). The person tested will be paid for any time or shifts missed. When the test is negative the following procedure should be followed:

9.1.1.1 After consultation with Human Resources the supervisor shall contact the person tested and indicate when the person tested is to return to work.

9.1.1.2 Human Resources, in conjunction with the appropriate supervisor, may continue the investigation if there are other concerns not related to alcohol or drugs (e.g. performance or behavioral).

9.1.1.3 Even when the test results are negative, depending on the circumstances, it is possible that staff may have an addiction disability. In such circumstances staff shall be treated in the same manner as any other staff who self-identifies a disability.

### **9.2 If test result is positive:**

9.2.1 When person tested tests positive for the use of alcohol or drugs in

accordance with the testing standards set out in Appendix B, and a violation of this policy is established, the following steps must be taken:

- 9.2.1.1 After consulting with Human Resources, the supervisor/manager will contact the staff to inform him or her that a violation of the policy has been established. If the staff is represented by a union, the terms of the CBA must be adhered to for union representation. Not all positive test results will result in discipline; however, the process should commence with that potential in mind.
- 9.2.2.2 Human Resources and the supervisor will meet with the staff and union representative, if applicable, to investigate and will inquire if the staff has an addiction disability.
- 9.2.2.3 Staff may choose to contact a substance abuse professional. Where staff choose to contact a substance abuse professional, the CANCER AGENCY may require appropriate proof to establish the substance abuse professional is appropriately qualified.
- 9.2.2.4 If an addiction disability is established to the satisfaction of Human Resources, and Staff Safety, the person tested will be expected to participate in a treatment plan. Time away from work is a usual part of a treatment program, and the person tested would either be on approved sick leave benefits, disability benefits or may be granted a leave of absence for this purpose.
- 9.2.2.5 Upon being provided with the staff's medical restrictions and limitations, Human Resources and Staff Safety must make a determination whether Cancer Agency can accommodate the staff's medical restrictions and limitations. Any previous accommodations and/or last chance agreements and/or any previous performance expectations required of the staff for an addiction disability will be considered in determining any further accommodation.
- 9.2.2.6 If no addiction disability is present or if an addiction disability was not the sole factor in the violation by the staff of this policy, the staff may be subject to discipline, up to and including termination of employment.

## **10. PROCEDURE MANAGEMENT**

The management of this procedure including procedure communication, education, implementation, monitoring, audit, and review is the responsibility of the Director, Human Resources or designates. Amendment is the responsibility of the Director Human Resources.

## **11. NON-COMPLIANCE/BREACH**

Breach of this procedure will be dealt with in accordance with the Collective Bargaining Agreement, applicable policies and procedures including, but not limited to existing corrective discipline policies and Cancer Agency Practitioner Staff Bylaws. Any violation of this procedure may result in discipline up to and including termination of employment. In all situations, an investigation will be conducted.

**APPENDIX A**  
**Signs and Symptoms of Alcohol and Drug Use**  
 (Please provide to Supervisor or Human Resources)

There are many signs and symptoms that serve to indicate a person has or is using alcohol and/or drugs, some of which are described in this checklist.

Staff Name: \_\_\_\_\_ Date: \_\_\_\_\_  
 Location: \_\_\_\_\_

<b>Physical Evidence-Possession of:</b>	<b>Date</b>	<b>Comments</b>
Cannabis cigarettes (rolled and twisted at each end)		
Powders, seeds, leaves, plants, mushrooms		
Capsules or tablets		
Pipes, pipe filters, screens, strainers		
Bongs, water pipes (usually glass or plastic)		
Small spoons, straws, razor blades, mirrors (for use with cocaine)		
Presence of alcohol, drugs or drug paraphernalia		
<b>Physical Symptoms</b>	<b>Date</b>	<b>Comments</b>
Balance / body movement / change in appearance / alcohol smell / cannabis odor		
Bloodshot or red eyes, droopy eyelids		
Inability to focus on task		
Imprecise eye movements, fixed pupil, pinpoint, or dilated		
Abnormally pale complexion		
Change in speech patterns and vocabulary patterns		
Vomiting, passing out		

Behavioral Symptoms	Date	Comments
Strongly inappropriate overreaction to mild criticism		
Decreased interaction and communication with others		
Preoccupation with self, less concern for the feelings of others		
Loss of motivation and enthusiasm		
Lethargy, lack of energy and vitality, reaction time diminished		
Loss of ability to assume responsibility		
Absenteeism record (AWOL, patterned)		
Erratic actions or performance (e.g.: reckless use of equipment)		
Insubordinate behavior		
Other	Date	Comments
Advised by credible 3 <sup>rd</sup> party that an Employee is a drug user		
Advised by security or other personnel that drug paraphernalia was found in the Workplace		
Observed using Alcohol or Drugs in the Workplace		

Please describe any other evidence or symptoms not detailed above that are providing reasonable grounds that Alcohol and Drug use or abuse may be involved.

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Supervisor \_\_\_\_\_  
 Name (print)

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Date & Time

**APPENDIX B  
 CANCER AGENCY IMPAIRMENT THRESHOLDS**

**Alcohol Testing Thresholds**

An Alcohol level cannot exceed forty milligrams of Alcohol in one hundred milliliters of blood (.04percent BAC) or the equivalent concentration for breath, urine or saliva.

**Drug Testing Thresholds**

**Urine:**

Positive Cut-Off Levels\*

<b>Substance</b>	<b>Screen</b>	<b>Confirmation</b>
<input type="checkbox"/> Amphetamines (includes Ecstasy & Crystal-meth)	500 ng/ml	250 ng/ml
<input type="checkbox"/> Cocaine	150 ng/ml	100 ng/ml
<input type="checkbox"/> Cannabis	50 ng/ml	15 ng/ml
<input type="checkbox"/> Phencyclidine (PCP)	25 ng/ml	25 ng/ml
<input type="checkbox"/> Opiates (includes Morphine & Heroin)	2000 ng/ml	2000 ng/ml

**Saliva:**

<b>Substance</b>	<b>Screen</b>	<b>Confirmation</b>
<input type="checkbox"/> Amphetamines (includes Ecstasy & Crystal-meth)	50 ng/ml	50 ng/ml
<input type="checkbox"/> Cocaine	20 ng/ml	8 ng/ml
<input type="checkbox"/> Cannabis (Cannabinoids)	4 ng/ml	2 ng/ml
<input type="checkbox"/> Phencyclidine (PCP)	10 ng/ml	4 ng/ml
<input type="checkbox"/> Opiates (includes Morphine & Heroin)	40 ng/ml	4 or 40 ng/ml

Due to precision of lab testing, the threshold of testing is lower for some substances compared to the screen testing levels. To be clear, the confirmation may confirm a lower level of metabolite than the level indicated on the screen. (e.g. Staff tests non-negative for Cannabis on urine screen and lab confirms 40 ng/ml using the urine sample).

Saliva testing uses a screen test and confirmation test. Both tests are conducted at the lab.

\*SAMHSA (Substance Abuse and Mental Health Services Administration) Guidelines for Workplace Testing Programs Revised 2010 utilized by accredited forensic testing laboratories in North America.