

ADMINISTRATIVE MANUAL POLICY

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Approved by: OHSW, Human Resources, JOHSC	Approval Date: October 2, 2018 Effective Date: October 3, 2018
Applies To: IWK Health Centre Employees, Physicians, Contractors, Volunteers, Researchers, Learners, Board Members, and Franchise Employees (herein referred to as IWK Team or individually as IWK Team Member)	

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PREAMBLE

It is in the best interests of IWK's patients/residents/clients and their families, IWK Team Members, and the communities in which we live and work to establish a Drug and Alcohol Policy (the Policy) as an integral part of IWK's overall Safety Management System.

The use of alcohol, legal/illegal drugs and other mood-altering substances, as well as the inappropriate use of medications, can have a negative impact on job performance, the health and safety of IWK Team Members, patient care and the work environment.

POLICY STATEMENTS

1. The IWK Health Centre (IWK) is committed to providing a safe and healthy workplace and environment for its patients, IWK Team members, and others whose safety may be affected by our actions. It is expected that everyone reports to work fit for duty and remain fit for duty.
2. The focus of this Policy is on prevention, education and early intervention to address any concerns related to inappropriate substance use. The earlier that treatment for addiction/dependency is initiated, the greater the possibility of success in treatment supporting a return-to-work.
3. The IWK will support an IWK employee in gaining access to assistance, assessment and treatment for all IWK employees as appropriate and as requested.
4. The goal of this Policy is to ensure all IWK Team Members are treated consistently, fairly, with dignity and respect at all times. Confidentiality is maintained to the extent possible.
5. While this policy applies to all IWK Team Members, the approach to investigating, reporting, supporting and/or disciplining non employees may be dictated by their governing body or employer, including but not limited to Medical by-laws; contractor, and educational institution.

GUIDING PRINCIPLES AND VALUES

The IWK acknowledges that substance use disorder is a treatable disease and accordingly promotes self-awareness and voluntary referral for assistance, to enable IWK Employees with substance use disorders to become healthy. The IWK supports the rehabilitation and return to work of IWK Employees who are experiencing substance addiction/dependency.

A major focus of this Policy is to provide guiding principles and awareness of how to recognize and assist IWK Team Members in accessing appropriate resources. It is important and required that everyone report to work fit for duty and remain fit for duty, in order to support this commitment.

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RESPONSIBILITIES

The successful implementation and application of this Policy is a shared responsibility of all IWK Team Members including employees, physicians, learners and researchers, as well as contractors working for/with IWK.

IWK Employees are expected to perform their duties in a safe manner and must:

- know, understand and follow/comply with this Policy;
- follow IWK Rules and Regulations and IWK Bylaws if applicable to their role (Medical Practitioners and Medical, Dental and Affiliated Staff)
- take responsibility to ensure their personal safety and the safety of others;
- use medications and other mood altering substances responsibly, be aware of potential unsafe side effects and notify the Occupational Health Nurse, of any side effects that could affect the ability to work safely;
- bring forward to a supervisor or manager any concerns of co-workers who may be unsafe to work due to the use of drugs and/or alcohol;
- report to the Occupational Health Nurse (OHN), supervisor or manager any suspected drug or alcohol use or violation of this Policy;
- seek advice and follow recommended treatment for a drug or alcohol problem, and follow recommended aftercare and monitoring programs following treatment;
- encourage co-workers to seek help when there is a concern regarding substance abuse or a potential or perceived breach of this Policy; and
- support co-workers in their return to work, and ongoing health and safety, as appropriate;

Directors, Managers, Chiefs, and Supervisors

In addition to the responsibilities identified for IWK Team Members, as part of the shared responsibility, directors, managers, chiefs and supervisors must:

- provide leadership by example, ensuring adherence to the policy standards as part of the responsibility to perform work in an effective and safe manner;
- serve as a resource person on the Policy for IWK Team Members;
- have an awareness and be able to recognize the signs of drug and alcohol use;
- take action on reported or suspected drug and alcohol use or any other Policy violation by anyone required to adhere to this Policy by reporting such concerns to the OHN or as outlined in the IWK Bylaws and Rules & Regulations for Medical Practitioners and Medical, Dental and Affiliated Staff ;
- monitor contractor compliance with the policy standards and testing requirements of this Policy;
- be accessible and approachable for IWK Team Members' reporting of co-worker concerns;
- assist IWK Team Members who self-identify and who request help in dealing with addiction/dependency to access available resources;
- facilitate the return-to-work process for IWK Employees after treatment; and
- ensure confidentiality, to the extent possible, of all information received related to this Policy.

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Occupational Health, Safety and Wellness

In addition to the responsibilities identified for IWK Team Members, as part of the shared responsibility, Occupational Health, Safety and Wellness will:

- serve as the internal resource for all matters related to this Policy;
- establish external contract service agreements for the consultants required to apply program elements (Third Party Administrators [TPAs], Medical Review Officers [MROs], Substance Abuse Experts [SAEs], Occupational Health Physicians);
- maintain ongoing communications with the TPA for all drug and alcohol testing matters, as needed and appropriate under this Policy;
- receive drug and alcohol test results from the Medical Review Officer, review findings and follow up with the MRO as required;
- inform supervisors and managers of an IWK Employees required work restrictions;
- work with the SAE, and health professional regulatory bodies, where appropriate, to develop an aftercare program and structured return-to-work plan;
- coordinate with HR and the relevant supervisor/manager as appropriate throughout the process; and
- practice confidentiality.

Human Resources

In addition to the responsibilities identified for IWK Team Members, as part of the shared responsibility, Human Resources will:

- work with the OHN to manage the drug and alcohol testing program with the designated TPA;
- collaborate with Occupational Health, Managers, and Unions to develop a return-to-work plan post treatment, where appropriate;
- coordinate with respective supervisors/managers as required and appropriate under this Policy; and
- practice confidentiality.

Employer

As part of the shared responsibility for health and safety, IWK as an employer must:

- provide a safe work environment;
- be responsible for Policy implementation and ongoing application;
- provide all contractors with a copy of this Policy and ensure understanding of requirement to adhere to the Policy Standards and testing expectations of this Policy, as part of their site orientation to IWK;
- provide education to IWK Team Members on the specifics of this Policy, as well as the health and safety risks of substance abuse, with a focus on prevention and awareness;
- provide training for supervisors and managers on indications of drug use and effective management;
- ensure drug and alcohol testing is conducted to identified standards;
- ensure confidentiality of all personal information related to this Policy;

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- provide access to a comprehensive addiction assessment, referral and treatment plan, including return to work;
- support aftercare requirements upon return to work;
- has a duty to accommodate an IWK Employee's addiction or disability to the point of undue hardship
- practice confidentiality; and
- conduct an annual evaluation and review of this Policy to ensure currency with substance use trends, workplace concerns and adherence to best practices.

Unions

As part of the shared responsibility for health and safety, unions may wish to support this policy by:

- communicating the key elements of this Policy including the Policy Standards, Voluntary Disclosure and Request for Assistance, Testing requirements and Consequences of Policy violations to their members;
- promoting early and voluntary disclosures, and access to assessment and treatment options;
- supporting the effective implementation and application of this Policy;
- collaborating with Occupational Health, Managers, and HR to develop a return-to-work plan post treatment, where appropriate;
- supporting and assisting the IWK Employee during return-to-work after an absence for treatment;
- practicing confidentiality; and
- participating in ongoing review and provide recommendations, as appropriate, for Policy revisions.

WORK STANDARDS (GUIDELINES/PROTOCOLS)

1. Confidentiality

Confidentiality is fundamental to dealing with problems in the workplace related to the use of alcohol and other drugs. Protection of the privacy of individuals is paramount in all cases, and an integral part of encouraging IWK Employees to voluntarily disclose or request assistance and accept assessment and treatment services. Confidentiality will be protected except where limited disclosure is necessary for managing health and safety.

The OHN is the IWK's person responsible for the care and control of all records and documents, liaison for any internal communication and external consultation with health care providers and others, as required. The OHN is required to protect the confidentiality of that information, except where limited disclosure is necessary for the purposes of managing health and safety risks. An IWK Employee's private health information will not be shared without informed written and voluntary consent from the IWK Employee, except where:

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- A licensed health care practitioner or professional counsellor assesses the IWK Employee as posing a serious threat to themselves or others, and disclosure is required to ensure the safety of the Team Member or others; or
- As otherwise required or permitted by law.

2. General Expectations

a. Fitness for Duty

IWK Team Members must report to work, fit for work and remain fit for work for the duration of their shift or work hours. This means being able to perform all assigned duties and tasks safely and effectively without any limitations due to the use or after-effects of drugs and/or alcohol.

b. Drug and Alcohol Possession or Use

While on IWK property or while working in any capacity for the IWK, IWK Team Members must not use, possess, distribute, transfer, or offer for sale

- i. alcohol; except when received as a gift or purchased for home use. In these instances, alcohol should be taken home asap.
- ii. drugs (except as identified under Medication Use); or
- iii. drug paraphernalia.

c. Medication Use

All IWK Team Members are expected to use prescription or non-prescription drugs in a safe and responsible manner. Under this Policy, IWK Team Members may possess or use during their working hours, Health Canada approved and regulated prescription and non-prescription drugs under the following circumstances:

- i. the prescription drug in the IWK Team Member's possession or used by the IWK Team Member must be prescribed to the IWK Team Member by a licensed health care professional and be current and valid;
- ii. the IWK Team Member must use the prescription or non-prescription drug for its intended purpose and in the manner directed by the Team Members licensed health care professional or the manufacturer of the drug;
- iii. the use of the prescription or non-prescription drug does not adversely affect the IWK Team Members ability to safely perform their duties; and
- iv. prior to beginning work, the IWK Employee must notify the OHN of any unsafe side effects that could affect their ability to work safely.

d. Voluntary Disclosure – Request for Assistance

IWK Team Members who believe they have a problem with substance use/abuse or a developing drug and/or alcohol problem are expected to seek

assistance and to follow treatment so that job performance is not affected and violations of this Policy do not occur.

- e. Reporting of Concerns re IWK Team Member Substance Use Affecting Safety
IWK Team Members who believe a co-worker may be unable to work safely due to the effects of substance use, as a result of direct observations or the consequence of an incident or medication error, must report any such concern as soon as practical and possible, in confidence, to a supervisor or manager.
- f. Confidentiality of Reporting
Any individual reporting or receiving a report of a concern of an IWK Team Member being unable to work safely due to the effects of drugs and/or alcohol must maintain that information in the strictest confidence, with the exception of reporting to an individual responsible to investigate and take action.
- g. Impaired Driving
Any IWK Employee who operates or is expected to operate an IWK vehicle and/or required to drive as a condition of employment must report any impaired charges or convictions, immediately and prior to their next scheduled shift, to the OHN if:
 - i. the IWK Team Member's license is suspended; or
 - ii. the IWK Team Member has been charged with or convicted of
 - a. impaired driving
 - b. driving offenses related to substance abuse
 - c. refusal to provide a sample
 - d. having a blood alcohol level over the legal Blood Alcohol Concentration (BAC) limit in the jurisdiction where the offense occurredwhether or not the suspension, charge or conviction was related to conduct during IWK business or employment.

3. Assessment, Treatment and Aftercare

An IWK Employee may be required to complete an assessment with a Substance Abuse Expert (SAE) as a result of Policy violation, or an IWK Employee may request an assessment from an SAE as a result of a voluntary disclosure or request for assistance.

Medical Practitioners and Medical, Dental and Affiliated Staff are required to follow IWK Rules and Regulations and IWK Bylaws.

The process of referral to an SAE includes the requirement of the IWK Employee to consent to and participate in the assessment; for the SAE to access individuals who

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may inform the assessment regarding drug or alcohol use; and to release initial, interim and summary reports, as appropriate, to IWK's OHN.

If the assessment by the SAE identifies a substance addiction/dependency, the SAE will provide an individual treatment plan and recommendations for the IWK Employee.

Full participation in appropriate treatment programs is expected and may include education, inpatient or outpatient programs, follow up and aftercare programs. Participation in treatment does not remove the requirement for satisfactory job performance.

An IWK Employee who is at work and participating in a treatment program must comply with the all aspects of this drug and alcohol Policy.

4. Investigations for Compliance

The normal process of monitoring job performance will be followed and emphasized. IWK Employees with apparent performance problems will be reminded of the assistance available through an SAE assessment, and the IWK extended medical benefits and community resources, should a personal problem be affecting job performance.

5. Consequences of Policy Violations

IWK Team Members violating any provision of the Policy Standards and this Policy, including the additional responsibilities required of supervisors and managers, may be subject to disciplinary action up to and including termination of employment. The appropriate consequence will be determined on an individual basis, taking into account any reasonable mitigating factors.

a. Drug and Alcohol Use

IWK Employees who **report to work or remain on duty while impaired, or use drugs and/or alcohol while working** shall be required to meet with the OHN who shall conduct an initial assessment of the IWK Employee and, **where a substance addiction or dependency is determined**, make appropriate referrals to the SAE if the EE is in agreement. The IWK Employee is expected to follow any recommendations for treatment and/or education.

An IWK Employee who is identified by an SAE as **not having a substance addiction/ dependency** may be subject to disciplinary action up to and including termination.

Medical Practitioners and Medical, Dental and Affiliated Staff are required to follow the Rules and Regulations that are part of the By-Laws that is the framework for governance, credentialing, privileging and discipline of medical staff.

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b. Possession, Distribution, Transfer, Offer for Sale and Tampering

IWK Team Members who **possess** (other than as identified in 6.3 – Medication Use), **distribute, transfer or offer for sale drugs and/or alcohol or who tamper with any sample for a drug and/or alcohol test** will be disciplined up to and including termination.

c. Medication Use

IWK Employees who fail to report in confidence to the IWK OHN any safety concerns related to medication use may be subject to disciplinary action up to and including termination.

d. Impaired Driving

For any IWK Employee, who operates or is expected to operate an IWK vehicle and/or who is required to drive as a condition of employment or use a rental vehicle in the course of their employment, who fails to report to the IWK OHN any offense or conviction related to the suspension of a driver's license due to impairment may be grounds for discipline up to and including termination.

e. Confidentiality

Any breach of any aspect of confidentiality, by any IWK Team Member, required under this Policy will be subject to disciplinary action up to and including termination.

REFERENCES

Legislative Acts/References

Occupational Health and Safety Act, Province of Nova Scotia, 1996

Nova Scotia Human Rights Act

Controlled Drugs and Substances Act, 1997

College of Family Physicians of Canada – Guidelines for Authorizing Cannabis for Medical Purposes, 2018

Canadian Guideline for Opioids for Chronic Non-Cancer Pain, 2017

The Canadian Model for Providing a Safe Workplace: Alcohol and Drug Guidelines and Work Rule; Version 5.0 Oct 2014

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Appendices

Appendix A - Definitions

Alcohol means beer, wine and distilled spirits, and the intoxicating agent that may be found in some medicines or other products that may be consumed and that has an alcoholic content in excess of 0.5 percent by volume.

Blood Alcohol Concentration (BAC) means the amount of Alcohol in the bloodstream or on one's breath. BAC is expressed as the weight of ethanol, measured in grams, in 100 milliliters of blood or 210 liters of breath. For the purposes of this Policy, BAC will be measured by breath testing.

Contractor means a person, business or corporation which provides goods or services to IWK on a contract, sub-contract or consulting basis.

Drug means any substance, including but not limited to illicit (illegal) drugs, legal drugs, medications or other substances (e.g., solvents) the use of which has the potential to adversely affect the way a person thinks, feels or acts and that impacts an individual's ability to safely and productively perform their work.

Illicit (illegal) drug means any drug or substance which is not legally obtainable in Canada and whose use, sale, possession, purchase or transfer is restricted or prohibited by law (e.g., cocaine).

Medication means Health Canada approved drugs intended for therapeutic use and obtained legally, either over-the-counter or through a licensed health care practitioner's prescription or medical authorization.

Drug means:

1. **Illegal** – any drug, substance, chemical or agent which used in Canada is unlawful
2. **Legal** – any drug that requires a personal prescription or authorization from a treating licensed health care professional for a specific individual for a specific intended purpose, or a non-prescription medication legally sold in Canada.
3. **Non-prescription drugs** mean drugs that are legally available for purchase in Canada and do not require a prescription from a Licensed Health Care Professional (frequently referred to as over-the-counter [OTC] medication), and which have a Drug Identification Number (DIN).
4. **Prescription drugs** mean patient medications that can be obtained with a prescription from a Licensed Health Care Professional, prescribed to a specific individual for a specific intended purpose.

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Employee and Family Assistance Program (EFAP) means a confidential assistance program designed to help IWK Team Members who are experiencing personal problems including but not limited to those related to substance abuse, misuse and addiction

Fit/Fitness for Duty (FFD) means being able to safely and acceptably perform all assigned employment duties and tasks without any limitations, negative effects or safety concerns related to the use or after-effects of drugs and/or alcohol.

Incident means an occurrence, circumstance or condition that caused or had the potential to cause

- a fatality;
- serious injury to IWK Team Members or the public;
- damage to person, property, reputation, security or the environment; or
- detrimental impact to reputation.

IWK Employee: A person who is appointed, employed, and directly paid by the IWK Health Centre including all Casual, Temporary and Permanent (both part-time and full-time) employees.

IWK Team Member: Any employee, physician, volunteer, learner, board member, contractor, contract worker, franchise employee, and any other individual performing work activities within the IWK. Collectively known as the **IWK Team**.

Laboratory means any Laboratory providing drug testing and analysis services that is certified by the Substance Abuse and Mental Health Service Administration (SAMHSA) of the United States Department of Health and Human Services (US DHHS) under the National Laboratory Certification Program, and as accepted in Canada.

Licensed Health Care Professional means a person who is licensed, certified, and/or registered, in accordance with applicable federal or provincial laws and regulations, to prescribe narcotic and controlled Drugs

Medical Review Officer (MRO) means a licensed physician, currently certified with the American Association of Medical Review Officers (AAMRO) or the Medical Review Officer Certification Council (MROCC), with knowledge of substance abuse disorders and the ability to evaluate an IWK Team Member's positive test results, who is responsible for receiving and reviewing Laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results.

Occupational Health Nurse means the individual identified by the IWK as being able to receive communications and test results from Third Party Administrators (TPAs), a Medical Review Officer (MRO) and any treatment provider, and who is authorized by the IWK to take immediate action to remove an IWK Team Member from their duties and to make required decisions in the testing and evaluation processes.

Medical Practitioner means a person who holds a licence issued under the Medical Act or the regulations entitling such person to engage in the practice of medicine in Nova Scotia;

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Medical, Dental and Affiliated Staff means those medical practitioners, dentists, and any other class of health professionals not employed by a health authority that are prescribed by the regulations to the Act to constitute the Medical, Dental and Affiliated Staff, who have privileges granted by the Board;

Policy means this Drug and Alcohol policy.

Rehabilitation Program means a program tailored to the needs of an individual IWK Team Member which may include in-patient or out-patient treatment, counselling, and/or education offered to assist a person to comply with the Policy Standards and to return to work being able to safely and acceptably perform their work responsibilities.

Return to Work is the process started after an IWK Team Member violates the Policy Standards set out in this Policy, and/or requests help for dealing with a drug or alcohol addiction/dependency. This includes an initial assessment by a Substance Abuse Expert (SAE), education and/or treatment, a follow-up evaluation by an SAE, a Return to Work agreement and a negative drug and alcohol test, a minimum of six (6) follow-up tests in the 12 months following return to work, and additional aftercare as recommended by the SAE.

Returning IWK Team Member means an IWK Team Member who was inactive from work and is returning to active employment

Substance Abuse Expert (SAE) means a licensed physician; a licensed or certified social worker; a licensed or certified psychologist; or a drug and alcohol addictions counsellor who has a minimum of 10 years assessing substance abuse disorders. He or she understands the role and responsibilities of the SAE, has been certified to administer and interpret recognized psychometric tests specific to the addictions field, has knowledge of and clinical experience in the diagnosis and treatment of substance abuse-related disorders, and has an understanding of the safety implications of substance use and abuse in the workplace. The SAE is a person who assesses IWK Team Members who have violated this Policy and/or have self-identified as requesting help in dealing with a substance abuse matter, who makes recommendations concerning treatment, education, follow-up testing, and aftercare. Medical Practitioners and Medical, Dental and Affiliated Staff are required to follow the Rules and Regulations that are part of the By-Laws that is the framework for governance, credentialing, privileging and discipline of medical staff.

Supervisor means a person who directs the work of others.

Third Party Administrator (TPA) means a service agent that is contracted to provide or coordinate drug and alcohol testing services for an employer. The IWK contracts the TPA to administer the drug and alcohol testing to meet the requirements of this Policy.

Work means all activities performed by an IWK Team Member for IWK including on call time, training and at work breaks from work while working for IWK.

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Workplace: Any place where a the IWK Team is or is likely to be engaged in any occupation and includes, but is not limited to, the physical work site, washrooms, cafeterias, training sessions, business travel, conferences, work-related social functions, locker rooms, vehicles, etc. It also includes any workplace event where actions of the IWK Team, whether on duty or not, will have such serious repercussions on the work environment as to seriously affect work relationships between the IWK Team.

District Health Authority/IWK Policies Being Replaced

(Please List)

Version History

(To Be Completed by the Policy Office)

Major Revisions (e.g. Standard 4 year review)	Minor Revisions (e.g. spelling correction, wording changes, etc.)
October 1 2018	

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