



<b>Policy no.</b> 2019-HR-11	<b>Policy Concerning Tobacco, Drugs and Alcohol</b>
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<b>Approved:</b>	<b>Resolution no. CC-181212-HR-0080</b>
<b>Revised:</b>	<b>Resolution no.</b>
<b>Origin:</b>	<b>Human Resources</b>

Note: The masculine gender, when used in this document, refers to both women and men. No discrimination is intended.

## PREAMBLE

The mission assigned to the Sir Wilfrid Laurier School Board by the government is one of the most important public missions. Namely, it consists in organizing the educational services contained in the *Education Act* (CQLR, c. I-13.3) and ensuring the quality of these services so as to contribute to student success and to the region's social, cultural and economic development. As part of this mission, the school board wishes to provide its students, its employees and the public with a healthy and safe environment that is conducive to student success.

Furthermore, as an employer, the school board must take the necessary measures to ensure the health, safety and integrity of its employees within the meaning of this policy. In return, all employees are required to take the necessary measures to ensure their health, safety and integrity and to ensure they are not compromising the health, safety and integrity of other people in the workplace, in accordance with laws governing health and safety in the workplace. However, drug or alcohol use as well as misuse of over-the-counter or prescription drugs can influence an employee's performance, result in serious consequences for others and adversely affect the image and reputation of the school board.

As this type of consumption is likely to compromise its mission, the school board deems it essential to adopt this policy. It contains applicable principles, including the guiding principles that forbid employees, while working or being in the workplace, from being under the influence of drugs or alcohol, from using, being in possession of, distributing, offering or selling drugs or alcohol, or from misusing over-the-counter or prescription drugs. The purpose of this policy is also to ensure that all those involved have a clear understanding of its principles and that these are well communicated and consistently applied.

Furthermore, the school board recognizes that the use of tobacco products on school premises is a health, safety and environmental hazard for students, staff and visitors. The school board believes that the use or promotion of tobacco products on school grounds and at off-campus school-sponsored events is detrimental to the health and safety of students, staff and visitors. The school board acknowledges that adult staff and visitors serve as role models for students and embraces its obligation to provide learning and working environments that are safe, healthy and free from unwanted smoke and tobacco use.

Finally, the school board recognizes that there are evidence-based interventions that can reduce substance dependence. As such, it favours a preventative approach in dealing with these issues. This policy provides measures for supporting employees experiencing substance dependence challenges.

## 1.0 OBJECTIVES

The objectives of this policy are the following:

- Eliminate the risks associated with tobacco, drug and alcohol use or misuse to ensure the health and safety of employees and the safety of students and the public (including, in particular, parents, education and health professionals, volunteers, suppliers, subcontractors and consultants working for the school board) and maintain the quality of educational services.
- State the applicable rules of conduct concerning tobacco, drug and alcohol use in the workplace as well as the consequences for violating these rules.
- Inform employees, students and the public (including, in particular, parents, education and health professionals, volunteers, suppliers, subcontractors and consultants working for the school board) of the school board's requirements and expectations concerning tobacco, drug and alcohol use in the workplace.
- Make sure the school board's position on tobacco, drug and alcohol use in the workplace is clearly understood by all.
- Communicate this policy to all those involved and ensure it is consistently applied.
- Promote smoke-free environments and tobacco-free lifestyles throughout all school communities.

## 2.0 LEGAL FRAMEWORK

This policy is based on laws governing health and safety in the workplace and on provisions of the following legal and conventional documents:

- *Charter of Human Rights and Freedoms*, CQLR, c. C-12
- *Education Act*, CQLR, c. I-13.3, and its regulations
- *Act Respecting Occupational Health and Safety*, CQLR, c. S-2.1, and its regulations
- *Civil Code of Québec*, CQLR, c. CCQ-1991, c. 64
- *Criminal Code*, RSC, 1985, c. C-46, and its regulations
- *Controlled Drugs and Substances Act*, SC, 1996, c. 19, and its regulations
- Collective agreements
- The school board's policies and regulations, including all its guidelines or codes
- Encadrement Cannabis: <https://encadrementcannabis.gouv.qc.ca/en/>

## 3.0 DEFINITIONS

Unless otherwise stated, the words below are used in this policy to mean the following:

- **Tobacco:** Any product containing tobacco, all electronic cigarettes and any other device of this nature that are put to one's mouth to inhale any substance that may or may not contain nicotine, including their components and accessories, and any other product or class of product considered to be tobacco under a government regulation.
- **Alcohol:** Any beverage containing a percentage of alcohol.

- **Drug:** Any substance, including cannabis and pharmaceutical drugs, that may alter the way a person thinks, perceives or acts and that may consequently reduce his ability to function normally. Pharmaceutical drugs (or medication) are chemical substances used to prevent, cure or improve the symptoms of an illness or medical condition. No distinction should be made here between over-the-counter and prescription drugs.
- **Employee:** Any person remunerated for working for the school board, regardless of his or her status. For the purposes of this policy, the notion of employee also includes commissioners.
- **Third party:** With the necessary adjustments, this policy also applies to parents, health and education professionals, volunteers, suppliers, subcontractors and consultants working for the school board.
- **Workplace:** All buildings and facilities that the school board owns, rents or uses and all locations in which activities are carried out for the school board.

#### 4.0 SCOPE OF APPLICATION

This policy applies to all employees of the school board, regardless of their status. Certain elements of this policy pertains as well to all students, parents, health and education professionals, volunteers, suppliers, subcontractors and consultants working for the school board. This policy must be respected in the workplace, i.e., on all school board premises and in all other locations in which activities are carried out for the school board.

#### 5.0 GUIDING PRINCIPLES

5.1 In conformity with section 2 of the Tobacco Control Act (CQLR, c. L-6.2) smoking (which includes vaping and smoking cannabis) is prohibited at all times on all Sir Wilfrid Laurier grounds as follows:

- All schools and centres of the SWLSB;
- All workplaces of the SWLSB;
- All means of public transportation and all school buses;
- All enclosed spaces where sports, recreational, judicial, cultural or artistic activities are presented, or where conferences, conventions or other similar events are held;
- All enclosed spaces where community or recreational activities intended for minors are held, except if said activities are held in a dwelling;

Furthermore, smoking is prohibited outdoors within a nine-metre radius from any door, air vent or openable window communicating with a place referred to above, with the exception of schools and centres whereby the nine-metre radius starts at the perimeter of the property. However, if the nine-metre radius extends beyond the boundaries of the grounds on which the place is situated, smoking is prohibited up to those boundaries.

5.2 Though the school board respects its employees' right to privacy, it also cares about their health, safety and integrity and expects all employees to be able to safely carry out their normal and regular work tasks at all times. The school board has adopted the following guiding principles concerning drug and alcohol use and misuse by employees while they are working or in the workplace.

5.3 Accordingly, it is forbidden for employees to:

- 5.3.1 Be under the influence of drugs or alcohol or their residual effects and to misuse medication while working or in the workplace;

- 5.3.2 To be in possession, consume, distribute, manufacture, offer, sell, exchange or otherwise use drugs or alcohol, in whatever form, while they are at work or in the workplace;
  - 5.3.3 To be in possession of a prescription medication without the authority of a physician, to misuse medication, and to distribute, manufacture, offer, sell or exchange medication, in whatever form, while working or in the workplace;
  - 5.3.4 To consume drugs or alcohol in any SWLSB building, or other locations, while students are present (see section 7.0 for exceptions);
  - 5.3.5 The guiding principles are not meant to prevent the distribution or the administration of medication to students as part of the procedures in effect or generally recognized for this purpose in the school board.
- 5.4 If the school board has reasonable grounds to believe an employee, a student or a volunteer is under the influence of drugs or alcohol or has misused medication, it shall immediately remove this person from the workplace/school/centre. The processes outlined in the respective collective agreements for employees shall apply.

Student interventions are determined by the school's Code of Conduct.

- 5.5 Employees must use over-the-counter and prescription medication responsibly. Accordingly, they must verify with a health professional if the medication used is likely to influence their usual work performance. If so, they must immediately inform their immediate superior.
- 5.6 In addition, employees who take a prescription medication must, as per Human Resource's request, present a document duly completed by their attending physician certifying the medication is not likely to influence their work. The school board reserves the right to seek medical expert advice in this respect.
- 5.7 Employees who notice that a colleague or another person shows signs of intoxication while in the workplace are required to immediately notify an administrator of the school board. This may be done anonymously.

## **6.0 TESTING**

- 6.1 Should the school board have reasonable grounds to believe that an employee has taken drugs, is under the influence of drugs, or has misused medication or alcohol, it could immediately require the employee to undergo a drug test.
- 6.2 The school board may also ask the employee involved in an incident or accident to undergo a drug test if it has reasonable grounds to believe that drug or alcohol use or misuse (unauthorized or abusive consumption) could have caused this event or been a contributing factor.
- 6.3 When the employee has been absent from work for reasons related to drug or alcohol use or misuse, the school board may ask him to undergo a drug test before returning to work to make sure he is fit for work. The processes outlined in the respective collective agreements shall apply.
- 6.4 When the employee has been absent from work for reasons related to drug or alcohol use or misuse, the school board may also ask him to undergo random drug tests after his return to work to make sure he is fit for work and has remained sober.
- 6.5 Drug or alcohol testing is conducted by independent health professionals in accordance with applicable medical and regulatory standards.
- 6.6 In all cases, employees are required to cooperate with the testing process.

- 6.7. Failure to cooperate, either by refusing to cooperate, giving a late consent or using any other tactic aimed at influencing test results, is considered a breach of policy.

## **7.0 EXCEPTIONS FOR PERMITTING ALCOHOL CONSUMPTION**

- 7.1 When a social, cultural, sports, promotional or fundraising event is organized, directly or indirectly, by the school board or in which the school board participates, the following rules must be strictly observed:
- 7.1.1 The event must be authorized by the immediate superior beforehand.
  - 7.1.2 Alcohol may not be served to minors.
  - 7.1.3 Minors who are not with a parent or a responsible adult may not be admitted to the event, unless their presence is specifically required.
  - 7.1.4 Alcohol service must be provided by persons over the age of majority who are not students of the school board.
  - 7.1.5 The laws and regulations in effect must be respected when serving alcohol.
- 7.2 Despite the foregoing, alcohol consumption is strictly prohibited for employees who must drive a vehicle while performing work duties.
- 7.3 Considering the school board's mission, employees who organize, participate in or attend such events must constantly keep in mind the image they project when drinking alcohol. Employees attending work-related functions must conduct themselves professionally and responsibly concerning consumption.
- 7.4 The immediate superior responsible for the building where the event takes place must take precautions to intervene should a participant be inapt to drive upon leaving the event.

Notwithstanding the above, employees must be able to carry out their tasks without compromising their safety and health, and the safety and health of other employees or third parties.

## **8.0 NON-COMPLIANCE**

Should an employee fail to comply with this policy, the school board shall conduct an investigation. Based on the investigation's findings, the school board could impose a disciplinary measure possibly leading to the employee's dismissal, in accordance with the provisions of the applicable collective agreement, this policy and applicable laws and regulations.

## **9.0 PREVENTION AND REHABILITATION**

- 9.1 The school board favours a preventative approach to drug and alcohol use or misuse and offers its support to employees.
- 9.2 The school board recognizes that a drug or an alcohol dependency is a dependency that can be treated and will therefore fulfill its duty to accommodate.
- 9.3 The school board strongly encourages employees suffering from a substance abuse problem to consult the available resources to obtain the necessary support for their condition and to quickly seek help from the school board. Failure to report a dependency constitutes a breach of policy.

## 10.0 RESPONSIBILITIES

### 10.1 Employees

- 10.1.1 Employees and third parties must read this policy and comply with its provisions. They must also respect the laws and regulations in effect concerning drug and alcohol use when they are working or in the workplace.
- 10.1.2 Employees and third parties must also cooperate in applying this policy. In particular, they must notify an administrator of the school board as soon as they become aware that the policy has been breached.
- 10.1.3 Employees who believe they have developed a substance abuse problem must take the necessary steps to treat this problem.

### 10.2 Management

- 10.2.1 This policy is rigorously administered and applied by all school board management staff.
- 10.2.2 Administrators must read, understand, communicate and apply this policy as well as all related documents to ensure that all employees can regularly perform their normal duties without risk to their health, their safety and their integrity or to the health, safety and integrity of others.
- 10.2.3 Administrators who have reasonable grounds that an employee is under the influence of drugs or alcohol or has misused medication must take the appropriate measures, based on the situation, in cooperation with the director of Human Resources. (Refer to Appendix I)
- 10.2.4 Administrators who have reasonable grounds that a volunteer or student is under the influence of drugs or alcohol or has misused medication must take the appropriate measures, based on the situation and in compliance with the school's Code of Conduct.
- 10.2.5 Administrators must respect confidentiality as per the Access Act.
- 10.2.6 A breach of this policy must be immediately reported in writing to the director of Human Resources.

### 10.3 Director of Human Resources

- 10.3.1 The director of Human Resources is responsible for adopting, updating and communicating this policy and all related documents.
- 10.3.2 The director of Human Resources must make sure that all employees are familiar with and adequately understand this policy. To do so, he must organize pertinent training sessions with administrators and employees.
- 10.3.3 The director of Human Resources shall support and advise administrators to ensure they understand this policy, are able to apply it and to communicate its content.
- 10.3.4 In cooperation with the administrator of the employee guilty of wrongdoing, the director of Human Resources shall recommend the appropriate measure to apply to the appropriate decision-making body. The processes outlined in the respective collective agreements for employees shall apply.

## **11.0 AVAILABILITY OF THE POLICY**

This policy shall be distributed to all administrators and employees and shall be posted and made available by the director of Human Resources and the secretary general. The policy may also be consulted at all times on the school board's website.

## **12.0 APPLICATION**

This policy shall come into effect on November 28, 2018.

## ALCOHOL

### Signs of Alcohol Overconsumption

Physical signs of alcohol overconsumption and intoxication are recognizable as follows:

- Slurred or incoherent speech
- Poor balance and clumsiness
- Delayed reflexes
- Stomach pains, vomiting or nausea
- Loss of consciousness or blacking-out
- Redness of the face during or after periods of consumption

### Signs of Alcohol Abuse

Progressive increases in the frequency and quantity of alcohol consumption can begin to produce more serious medical symptoms of alcoholism. Someone abusing alcohol makes drinking a central activity of her life, displacing healthy activity and relationships, and resulting in negative consequences. Alcohol abusers often maintain some capacity to recognize situations that lead to over-consumption, and to regulate their alcohol intake. Signs of alcohol abuse include:

- Loss of control over amount consumed once they begin drinking
- Regular inattention to family and professional obligations
- Dangerous behaviours that carry risk of legal, financial and/or health consequences for themselves and others
- Increase in expressions of anger or other emotions, especially in inappropriate settings
- Insomnia, which may be followed by oversleeping

## DRUGS/CANNABIS

### Signs of Marijuana Use

Physical Change:

- Bloodshot eyes
- Fast heart rate
- Sleepy, lethargic
- Lack of coordination
- Increased cravings for snacks

Change in Actions:

- Change of usual behaviour
- Confusion and lack of focus
- Unusually talkative
- Dropping usual activities
- Misjudging time
- Secretiveness