



**Policy:**

**It is Council policy that:**

The City of Richmond recognizes that the inappropriate use of alcohol or illegal substances can adversely diminish job performance, affect health and compromise safety in the workplace. As the City of Richmond is committed to providing protection from the risks associated with alcohol or substance induced behaviour, the governance of this policy applies to employees, contract individuals, consultants, contractors and vendors while engaged in City business, working on City premises or operating City vehicles/equipment.

While the City has no intention of intruding into the private lives of its employees or others, alcohol and substance dependencies are considered to be treatable diseases. The City recognizes that awareness/training, rehabilitation and effective intervention are the most effective ways of ensuring that performance issues associated with alcohol and substance use are detected and resolved. The City supports the rehabilitation and return to work of employees who had problems with alcohol, illegal drug or substance dependency within the principles of "duty to accommodate".

**I. Responsibilities**

**A. Employees must:**

- comply with this policy and refrain from the use of alcohol or illegal substances while performing a job, working on City premises or operating City vehicles/equipment;
- have a responsibility to ensure the workplace remains free from adverse health effects as a result of alcohol and substance use;
- employees must not use, possess, cultivate, manufacture, offer for sale, sell or distribute alcohol or controlled substances while at work or on duty; and
- report fit for work and remain fit throughout their workday or shift including when scheduled to be on call.

**B. Supervisors/Managers must:**

- understand, implement and enforce this policy in an unbiased, impartial and consistent manner;
- ensure that the safety of the work environment is not compromised by alcohol or a substance dependency related problem; and
- be duly diligent and take steps to investigate any violation of this policy.

**II. Voluntary Self-Referral**

The City is supportive of employees undergoing treatment for alcohol/drug dependencies and will accommodate within reason the employee's need during this period of treatment time. At the discretion of the Director of Human Resources, the Director or delegate will plan, coordinate and monitor the treatment program on behalf of the City of Richmond.



### **III. Alcohol and Drug Testing**

In the very limited and specific cases associated with rehabilitation and treatment program compliance testing, accident/injury post-incident testing, prevention associated with well-defined “safety sensitive” positions, or reasonable cause testing (e.g. employee smells like alcohol, has slurred speech or other symptoms indicating some type of impairment) the Director of Human Resources may pursue the legal use of alcohol or illegal substance tests.

### **IV. Violation and Consequences**

Law enforcement authorities may be notified in the event that the illegal use or possession of alcohol or controlled substances is suspected to have occurred on City property.

The City will enforce disciplinary action up to and including termination resulting from the violation of this policy including:

- performing/attending work under the influence of alcohol or illegal drugs.
- creating an unreasonable risk of damage to property or injury to others while under the influence of alcohol or illegal drugs.
- using, possessing, distributing, offering or selling illegal drug or controlled substances.
- using, possessing, distributing, offering or selling alcoholic beverages.
- testing positive for the presence of drugs or alcohol in violation of any agreed-upon provisions within a “Last Chance Agreement”
- refusing to submit to alcohol or drug testing as required under this policy.
- not taking prompt action on the part of Supervisors/Managers to address a situation where an employee is deemed not fit for duty.
- not reporting an impaired driving charge or conviction prior to or upon returning to work for those who are expected to operate City vehicles/equipment.

Termination resulting from violation of this policy shall be considered as “dismissal with cause”.

### **V. Assistance/Awareness Training**

The Director of Human Resources is responsible for the communication, coordination and administration of the assistance program and awareness training under this policy.

### **VI. Right to Inspection**

In addition to the City’s general search rights, where there is reasonable cause to suspect that any aspect of this policy is being violated, a search may be conducted of all areas, property and equipment in which the City maintains control or joint control. In addition, an employee may be required to undergo a search of his/her person and property.

Generally, if an invasive search of an employee’s person or property is thought necessary, then the matter is of sufficient seriousness that it ought to be handled by the police. The City must



balance its legitimate business interests against employee's rights to privacy and the facts of each situation must establish adequate cause to justify any search of person or personal property. Prior to conducting any such search of persons or their personal property, City representatives must carefully explore less invasive actions and must ensure reasonable steps are taken to inform the employee(s) of their rights to privacy. If a search is to be conducted, it must be done in a systematic and non-discriminatory manner.

Refusal by an employee to permit access to such area, property or equipment to enable an inspection when requested by the City constitutes insubordination and may be grounds for disciplinary action.

**VII. Policy Review and Update**

This Policy shall be reviewed periodically and modified where necessary to reflect the current circumstances and evolving needs.

**VIII. Definitions**

As it relates to this policy,

**Alcohol** is any alcoholic beverage including, but not limited to, beers, wines or liquors.

**Drug or Substance** is anything (other than alcohol) capable of altering the mood, perception, pain level or judgment of the individual consuming it, including prescription drugs.

**Safety Sensitive Position** is defined as a position in which an employee enters into situations or has control of processes or equipment that pose a significant hazard to themselves, their co-workers and/or the general public.