



TOWN OF OXFORD POLICY

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DEPARTMENT: Human Resources
TITLE: Drug and Alcohol Policy

MINUTES REFERENCED DATE: October 23, 2023
1ST REVISION DATE: October 23, 2023
CURRENT REVISION DATE: October 23, 2023

STATEMENT

It shall be the policy of the Town of Oxford to standardize guidelines and rules for various types of impairment and the use of cannabis by employees and operations controlled by the town. This policy is to enable the Town of Oxford to promptly and effectively address concerns of appropriate use and non-compliance to ensure effective and required service delivery and safe operation of equipment and vehicles by all staff.

PURPOSE

This Policy establishes a framework for the responsible use of alcohol, certain medications, and cannabis in support of the following objectives:

- a. the maintenance of a physically fit workforce;
- b. the promotion of safety in the workplace;
- c. the maintenance of operational effectiveness; and
- d. the avoidance of impairment which would prevent the safe and effective performance of employees' duties and endangerment of co-workers and public.

POLICY STATEMENT

This policy applies to all employees of the Town of Oxford, including full-time union or non-union, part-time, casual, temporary, probationary, contract, as well as those employed or volunteering under other conditions to use the Town of Oxford controlled operations, facility operations, machinery, vehicles, and equipment.

DEFINITIONS

"Cannabis consumption" In respect of cannabis, includes its smoking, vaping, ingesting, or absorption by any other means into the body.

"Impairment" is a decrease in mental or physical capacity or awareness that can lead to the partial or complete loss of function, either temporarily or permanently, which would be expected to cause employees difficulty in completing their work tasks safely and may put themselves, their co-workers, and the public in danger. Impairment may be from alcohol, cannabis, street drugs, or certain medications.

"Misuse of cannabis" is an act or conduct by an employee of Town of Oxford or of any operation controlled by Town of Oxford ("employee") related to cannabis consumption or possession that:

1. It is an offence under any applicable federal law, the *Criminal Code* or the *Cannabis Act*, any applicable provincial, or municipal law, or the place where an employee is working;
2. It undermines safety or operational effectiveness.

"Operational effectiveness" requires an employee to carry out their daily tasks in a safe and correct manner consistently during all work hours, excepting normal errors or omissions, ensuring that work is completed timely, safely and according to established work practices and procedures.

In this Policy, "cannabis" and "possession" have the same meanings as in subsection 2(1) of the *Cannabis Act*.

STANDARD OF CONDUCT

Employees are required to conduct themselves in a professional manner and are expected to make responsible choices in respect of their use of alcohol, certain medications, and cannabis for recreational or medical purposes.

Employees must not engage in any misuse of alcohol, certain medications, or cannabis. Any misuse of alcohol, certain medications, or cannabis will be dealt with through the most appropriate administrative or disciplinary action (including dismissal depending on the circumstances), or both.

Employees must inform their supervisor without delay before commencing or continuing a duty if their ability to perform that duty safely and effectively may be compromised due to alcohol, certain medications, or cannabis consumption. The Employer has the right to reasonable and sufficient information from the employee to appropriately verify an absence or accommodate injury or disability.

The determination by a supervisor that an employee's ability to perform a duty safely and effectively may be compromised due to alcohol, certain medications, or cannabis consumption should be based on interactions with the employee and observation of some or all the following:

Odour of alcohol or cannabis	unsteady gait	repetitive statements
glassy or red eyes	poor coordination	lack of focus
unusual talkativeness	anxiety	boasting or overly animated
slow reaction	flushed face	slow response to questions or comments
inattention	argumentative	loud, noisy, or slurred speech
lethargy	staggering or stumbling	

Employees are encouraged to self-disclose any alcohol or drug dependency for positions that are safety sensitive. For safety sensitive positions, the Employer has the right to require an employee to undergo impairment testing when a determination has been made by the Employer that impairment may exist. Refusal to comply with a request for impairment testing, or a positive test for impairment, may result in discipline.

RELEVANT LAWS

Cannabis and certain medication consumption and possession by employees is permitted provided such consumption and possession is in accordance with all applicable Canadian federal, provincial, and municipal laws, this Policy, and any directions prohibiting certain medications and cannabis consumption and possession such as under the Prohibitions sections below.

Any Alcohol consumption and possession is not permitted during an employee's working hours.

While the recreational use of cannabis is legal and regulated in Canada, the importation or exportation across Canada's national borders of any amount of cannabis, including cannabis for medical purposes, remains prohibited under Canadian law.

Cannabis consumption and possession remain illegal in most countries. Employees could be denied entry to these countries because of their cannabis consumption or involvement in the legal cannabis industry in Canada. Employees are responsible for obtaining information about the cannabis consumption and possession laws and policies of any country that they intend to visit.

The Town of Oxford acknowledges that under some circumstances alcohol, certain medications and cannabis consumption could undermine the maintenance of physically fit employees; the promotion

of safety in the workplace; and the maintenance of operational effectiveness. This acknowledgement is based on the following considerations:

- a. Alcohol, certain medications, and cannabis consumption causes impairment of attention, cognition, mood, memory, judgement, and motor skills, to a greater or lesser degree, depending on:
 - i. the amount of alcohol, medications, or THC (delta-9-tetrahydrocannabinol) that an employee has consumed;
 - ii. the employee's health and physical constitution;
 - iii. the preparation of the alcohol, medications, or cannabis, i.e., in dry or oil form;
 - iv. the route of consumption, i.e., by inhaling or ingestion; and
 - v. environmental factors that alter human metabolism;
- b. concurrent use of alcohol or pharmaceuticals, such as over the counter or prescription medications, can magnify, alter or prolong the effects of cannabis;
- c. cannabis is fat-soluble and therefore moves from the bloodstream into the tissues more rapidly, and is eliminated from the body more slowly, than many other intoxicating substances;
- d. traces of alcohol, certain medications, or cannabis may remain in the human body for up to 28 days or more following consumption and therefore:
 - i. the level of alcohol, certain medications, and cannabis measured in body fluids and tissues may not correspond to the degree of impairment caused by alcohol, certain medications, and cannabis; and
 - ii. moderate or persistent alcohol, certain medications, and cannabis impairment, i.e., the state of alcohol, certain medications, and cannabis impairment in which a person appears well, constitutes an important occupational and safety risk;
- e. alcohol, certain medications, and cannabis consumption can cause significant impairment in the ability to perform complex tasks in casual users up to 24 hours after consumption;
- f. alcohol, certain medications, and cannabis consumption can cause persistent impairment in chronic or heavy users, extending for weeks or months, and may be amplified in extreme conditions;
- g. regular or heavy alcohol, certain medications and cannabis consumption can lead to chronic alcohol, certain medications, and cannabis impairment, i.e. prolonged or permanent neuro-cognitive dysfunction, which persists even after all detectable traces of alcohol, certain medications, and cannabis have been eliminated by the body;

- h. alcohol, certain medications, and cannabis consumption can be harmful to health, especially to the neurological development of persons under 25 years of age, including fetal exposure in utero; and
- i. alcohol, certain medications, and cannabis consumption can be addictive.

Employees should be aware that cannabis smoke contains many of the same harmful substances as tobacco smoke and therefore can damage lungs and cause bronchitis-like symptoms, coughing and wheezing which, alone or together, can affect their overall physical performance.

PROHIBITIONS ON ALCOHOL, CERTAIN MEDICATIONS, AND CANNABIS CONSUMPTION AND POSSESSION

General Prohibitions

Employees are prohibited from alcohol, certain medications, and cannabis consumption during the entire period of the working day or shift of the employee, except where authorized by a medical practitioner and there is no impairment.

Prohibitions Before and During the Performance of Specific Duties

In addition to the above prohibitions, cannabis consumption is prohibited by an employee during the following periods:

Period of prohibition	Duty
cannabis consumption during the 12 hours before, and alcohol consumption during the 8 hours before, any known or expected performance of ...	<ul style="list-style-type: none"> • any duty.
cannabis consumption during the 24 hours before any known or expected performance of ...	<ul style="list-style-type: none"> • operation of any vehicle, equipment, plant operations, or facility operations, on Town of Oxford business;

Additional Prohibitions

The Town of Oxford may determine additional prohibitions on alcohol, certain medications, and cannabis consumption and possession applicable to its employees if alcohol, certain medications, and cannabis consumption or possession may impact positions, tasks, activities, or operations, based on the following criteria:

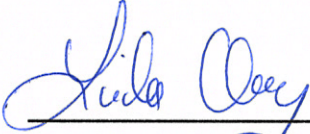
- a. safety; and
- b. operational effectiveness

REPORTING AN INCIDENT

Employees are required to report any incident of suspected misuse of alcohol, certain medications, and cannabis by an employee to their immediate supervisor, CAO, or appropriate authority.

Certification

I, Linda Cloney, Chief Administrative Officer of the Town of Oxford, do hereby certify that the policy of the foregoing is a true copy and was duly passed at a duly called meeting of the Town Council of the Town of Oxford held on October 23, 2023.



Linda Cloney, CAO

