



**MOOSONEE DISTRICT
SCHOOL AREA BOARD**

ADMINISTRATIVE PROCEDURE HUMAN RESOURCES: NO. 465	
Effective	May 3, 2016
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Last Reviewed	August 20, 2023

DRUG AND ALCOHOL USE AND ABUSE

PURPOSE

The Moosonee District School Area Board recognizes that the use and abuse of alcohol and/or drugs can negatively affect the learning and working environment, student success, job productivity, and the health, safety, and well-being of students and staff members.

The Board is committed to assisting staff members with the prevention of substance use, the early identification of substance abuse, and referrals to rehabilitative and supportive programs.

This administrative procedure serves to ensure a healthy and safe work environment and to ensure consistency when addressing substance use issues.

DEFINITIONS:

Substance Abuse: Substance abuse is the use of illegal drugs, inappropriate use of alcohol, or the misuse of prescription or over-the-counter drugs that causes physical and/or mental harm.

Impairment: Impairment is the inability of a staff member to work with reasonable effectiveness and safety due to the use of drugs or alcohol, or due to exhaustion arising out of the use of drugs or alcohol.

PROCEDURES

1. Board Directives

1.1 Moosonee District School Area Board prohibits the following acts:

- a) using, possessing, trafficking, or offering alcohol, illicit drugs, or drug paraphernalia;
- b) deliberately misusing prescribed or over-the-counter medications;
- c) possessing prescribed medications without a prescription;
- d) trafficking in or offering prescription medications; and
- e) reporting to work while impaired due to alcohol or drug use.

1.2 In cases where a staff member has been given a prescription for medication and this medication may affect his or her ability to work skillfully and safely, it is the responsibility of the staff member to discuss the matter with his or her supervisor in order to obtain modified work accommodations, if necessary.

1.3 Where prescribed medications are on Board property due to a staff member’s needs, this medication must be monitored vigilantly and kept in a secure place that is out of harm’s reach and inaccessible to students (e.g. the staff member’s pocket or a locked cabinet, etc.).

- 1.4 In the event that a staff member has violated this administrative procedure, is suspected to be under the influence, is displaying impaired behaviour, and/or impaired behaviour has been reported, these steps shall be followed by the supervisor, while maintaining the staff member's confidentiality and dignity:
 - a) Intervene with the staff member and escort them to a confidential area to confront suspicions and/or document evidence of impairment/use.
 - b) Investigate if the suspicions are correct and discuss the decline of performance and/or lack of ability to perform duties.
 - c) Obtain a second opinion of the impairment, if necessary.
 - d) If deemed unfit to work, escort the staff member off Board property. Provide transportation for the staff member to hospital, if medical attention is required, or to the place of residence.
 - e) Advise the staff member of their right to contact a union representative.
 - f) Inform the supervisory officer or designate.
 - g) In consultation with the supervisory officer or designate, send written documentation to the staff member of steps taken and what further steps to expect, making reference to the Employee Assistance Program and/or to a rehabilitative program.
- 1.5 Where necessary, as determined by the supervisory officer or designate, the Board may further investigate the allegations of impairment or substance abuse. This may involve the assignment of the staff member to home with pay until completion of the investigation.
- 1.6 When a staff member has been sent home due to substance use, a suspicion thereof, or for further investigation, the Board may request that medical documentation be provided deeming the individual drug and/or alcohol free prior to his or her return to work.
- 1.7 If a staff member is seeking rehabilitative services for substance abuse issues on their own, they are encouraged to inform the immediate supervisor. If the staff member is uncomfortable or does not wish to approach their immediate supervisor, they may contact supervisory officer. Any staff member voluntarily entering into a treatment program may do so with the assurance that their job will be protected.
- 1.8 If the appropriate supervisor determines that a staff member is fit to return to work and/or medical documentation from a qualified professional has been received to this effect, a return-to-work meeting will be held with the supervisory officer or designate to review and determine appropriate accommodations, if required. The staff member will be advised of his or her right to have union representation attend the meeting.
- 1.9 At the meeting:
 - a) The supervisor may require the staff member to enter an agreement that will govern his or her continued employment.
 - b) Restrictions, modifications, and timeframes will be addressed.
 - c) The schedule of follow-up meetings will be determined.
 - d) A return-to-work plan, outlining the issues that were addressed in the meeting, will be supplied to the staff member for his or her own records.
- 1.10 In accordance with human rights legislation, rehabilitative services will be provided to staff members who require it. Assistance for staff members is provided through the Board's confidential Employee Assistance Program, as well as referrals to outside agencies.

- 1.11 Any violation of this procedure or the return-to-work agreement may result in discipline including suspension without pay and/or termination of employment.
- 1.12 In all cases governed by this administrative procedure, those responsible for the case will hold a staff member's information, health issues, and assessments in confidence. Furthermore, the identity of any staff member who reports impaired behaviour or suspicions shall be kept confidential.
- 1.13 Any breach to confidentiality may result in disciplinary action up to and including termination.

2. Roles and Responsibilities

2.1 Administrators/Supervisors:

- a) Monitor staff members for impaired behaviour and determine appropriate action.
- b) Ensure the safety of all staff members and students.
- c) Refer staff members to support/ rehabilitation programs, if required.
- d) Promote and maintain an alcohol and drug-free workplace.

2.2 Staff Member:

- a) Arrive to work capable, fit for duty, and conduct oneself in a safe manner.
- b) Report any awareness or suspicion of impaired conduct by another staff member.
- c) Abstain from the inappropriate use of drugs or alcohol.
- d) Comply with this administrative procedure.
- e) Seek treatment when necessary.
- f) Co-operate with any investigation related to this administrative procedure, including participating in testing, if requested, to ensure the safety of oneself and others in performance of job requirements.
- g) Maintain safety for self and others.

REFERENCE DOCUMENTS

Legal:

Education Act, Section 169.1 Duties and Powers of Boards: Promote Student Well-being Education Act, Section 265 Duties of Principal: Care of Pupils
Education Act, Section 283 Chief Executive Officer: Maintain an Effective Organization Ontario Regulation 437/97 Professional Misconduct under the Ontario College of Teachers Act
PPM No. 128 The Provincial Code of Conduct and School Board Codes of Conduct
Ontario Human Rights Code
Occupational Health and Safety Act
Criminal Code of Canada
Municipal Freedom of Information and Protection of Privacy Act

Board:

Board Policy GOV-09 Safe Schools: School Code of Conduct
Board Policy GOV-18 Health and Safety: Working Environment
Administrative Procedure 417 Workplace Accommodation
Administrative Procedure 480 Progressive Discipline: Employees