

4.1 Professional Standards

4.1.7 Impairment at the Workplace

POLICY

It is expected that employees will show up to work fit for duty and will remain so for the entirety of their shift. The Vancouver Police Department (VPD), and those who perform services on its behalf, have a shared responsibility to maintain a safe and healthy work environment. The use of alcohol, controlled drugs and medications can have a serious adverse effect on the health, safety, and effectiveness of VPD employees, their work environment, and the public. This policy:

- a. Sets expectations regarding the use of alcohol, medication or controlled drugs that may render an employee unfit for work, impair performance or cause risk of harm to health and safety; and
- b. Ensures employees are aware of the VPD's commitment to a safe workplace, understand their role in achieving a safe workplace, and understand the potential consequences which may result from breaches of this policy.

Considering the foregoing, the VPD is committed to:

- a. Promoting a safe, healthy, and effective working environment for all of its employees, contractors, volunteers, and members of the public who interact with the VPD.
- b. Providing encouragement and opportunities for individuals affected by substance use or addiction illnesses to seek early assistance and pursue recovery.
- c. Effectively managing substance use issues which:
 - i. Impact the workplace, or
 - ii. Affect an individual's ability to safely, reliably and efficiently perform their duties.
- d. Working with all parties to accommodate individuals affected by a substance use or addiction illness and managing the associated risks, particularly in safety sensitive positions.

This policy applies to all VPD employees as well as volunteers and contractors performing work on behalf of the VPD.

DEFINITIONS

Alcohol: includes wine, beer, distilled spirits and any liquid containing ethyl alcohol, whether or not intended as a beverage. It is not intended to include other products containing alcohol which are not intended for consumption, provided these products are being used as intended.

Controlled Drug: includes any drug or substance defined in the *Controlled Drugs and Substances Act* and the *Cannabis Act*.

Medication: means a drug that is intended by the manufacturer or a physician for the treatment of a physical or mental condition, whether or not the drug is prescribed or authorized (such as in the case of medicinal cannabis) by a physician.

PROCEDURE

POSSESSION

1. The possession of alcohol and controlled drugs while working or on a break is allowed provided that:
 - a. It is being temporarily stored for the purposes of transportation away from the workplace and that the alcohol or controlled drug is contained in its original, sealed, and unopened packaging (e.g. locked in an employee's personal vehicle),
OR
 - b. The possession of the alcohol or controlled drug is part of an employee's job function (e.g. handling seized drugs or alcohol).

CONSUMPTION

2. Prior to commencing work, employees, contractors, and volunteers shall abstain from using alcohol, medication, or controlled drugs in a manner that could render them unfit to perform their duties safely and efficiently.
3. Employees, contractors, and volunteers shall abstain from using alcohol and controlled drugs while working or on break.
 - a. Police members who perform covert duties may be given prior approval by their supervisor to consume alcohol or controlled drugs when operationally necessary. In such circumstances, the supervisor shall weigh the concerns regarding the consumption of alcohol or controlled drugs against the specific needs of the police operation.
 - b. Members who have the prior authorization from the Chief Constable are authorized to consume alcohol for official business or protocol functions.
4. Employees, contractors, and volunteers are to act responsibly with regard to the use of medication, whether over-the-counter or prescribed by a physician, to prevent adverse effects on work performance. Employees, contractors, and volunteers are responsible to consult a physician or pharmacist when the potential effects of a medication or combination of medications on work performance are unknown to the individual. Any potential mental or physical impairment or other adverse effect associated with the use of a medication which affects work performance must be brought to the attention of their supervisor so that accommodations to the employee's work can be considered.

PERFORMANCE

5. Employees, contractors, and volunteers are to report fit for duty whenever attending work, and remain fit for duty while on VPD business and premises.
6. When being called in to work, employees, contractors, and volunteers are to notify their supervisor if they are not fit for duty.
7. Employees, contractors, and volunteers are to notify their supervisor if they observe another employee, volunteer or contractor whose ability to work appears to be affected by alcohol, a controlled drug, or other substance.

8. When a supervisor becomes aware that one of their employees, contractors, or volunteers is not fit for duty, after making reasonable enquiries to confirm fitness, they must take appropriate steps to ensure the safety of the employee and others. Once any safety considerations are addressed, they are to immediately notify their manager and the HR manager.

SUBSTANCE USE AND ADDICTION

9. The VPD recognizes its duty to accommodate employees with disabilities, including substance use and addiction illnesses.

CONFIDENTIALITY

10. Medical information is the property of the employee; however, in some cases failure to provide this information may impact an employee's Return to Work, Stay at Work, entitlement to benefits, or the accommodation process. The employer recognizes that denial and lack of self-awareness may be a symptom of substance abuse disability.
11. Unless the employee otherwise provides consent, the VPD will:
 - a. Maintain the confidentiality of information obtained under this policy. The VPD will use obtained information only for the purposes of administering this policy, where limited disclosure is necessary for related health and safety concerns (e.g. where there is deemed to be a potential for risk to self, others or the VPD), or as required by law.
 - b. Only disclose to the employee's supervisor and manager information related to the employee's fitness for work and any applicable restrictions; and further, such disclosure will only be undertaken where necessary for a legitimate work purpose.

TESTING

12. Random or blanket drug or alcohol testing of current or prospective employees is not permitted, except as part of an individual testing protocol recommended by an employee's treating physician as part of a treatment program. Prior to any such testing protocol being implemented, the employee will have an opportunity to consult with their union and the protocol must be agreed to by the employee.
13. If there are reasonable grounds to suspect that an employee, contractor, or volunteer is impaired at work by drugs or alcohol, and the employee, contractor, or volunteer has denied impairment:
 - a. A supervisor or manager will enquire if there is any underlying medical condition or disability and advise the employee to seek medical attention and advice from the union.
 - b. A supervisor or manager may conduct drug and alcohol testing. Prior to the test being conducted, if it involves a VPD employee, the employee will be provided with an opportunity to consult with their union. Where such testing confirms impairment at the workplace, the employee will be given an opportunity to seek medical attention.

c. The employee will not return to the workplace until it is confirmed there is no impairment.

14. Accommodation and treatment will be the preferred course of action of the Employer for employees. Discipline could result where there has been failure to disclose a disability resulting in impairment at work so as to endanger the employee or anyone else.