

**TITLE**

Fit for Duty Policy

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HR-001

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**DEVELOPING DEPARTMENT**

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**APPROVAL**

David Clausen

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**PURPOSE**

- Ensure all employees know and understand Arpac’s policy on fit for duty in the workplace
- Ensure all employees know and understand Arpac’s zero tolerance policy on drugs and alcohol in the workplace
- Meet regulatory requirements for providing a safe workplace
- To promote the health, wellness and safety of employees, contractors, co-workers, families and the surrounding community

**POLICY STATEMENT**

Arpac aims to provide a work environment that is both healthy and comfortable for all employees. It is recognized that many situations including fatigue and substance use/abuse have serious adverse effects on an employee’s health, safety, and job performance. This policy is endorsed by senior management.

The details of this policy are based on *The Canadian Model for Providing a Safe Workplace (Version 6.0 July 1, 2018)* which is a commonly used framework for ensuring safe workplaces across Canada. This resource can be found in full on Arpac’s SharePoint site or upon request from Human Resources.

This policy will provide guidance to assist employees and contractors to understand and put into practice its provisions. Several aspects of Arpac’s business are safety-sensitive and involve potentially hazardous occupations where risks increase exponentially if performed by a person under the influence of fatigue, drugs, or alcohol. Therefore, while it is company policy to treat all employees equally, differing positions have differing levels of risk which necessitates some differences in the policy.

Arpac has a zero-tolerance policy towards any substance that can impair a person’s ability to work safely or that may affect judgement, reactions and/or reflexes. We are committed to ensuring our worksites and employees are not put at risk because of substance use/abuse.

**APPLICABILITY**

This Fit for Duty Policy applies to all individuals, including but not limited to, employees, contractors and subcontractors, who are working or engaged in business on Arpac workplaces or affiliated sites.

## **POLICY ELEMENTS**

### **1. General Information**

Fit for duty refers to employees' ability to safely undertake the physical and psychological demands of their jobs. It is a comprehensive approach that Arpac takes to co-ordinate health and safety efforts, policies and guidelines to ensure a safe and healthy workplace for everyone.

This policy stresses prevention and early identification of potential problem situations and we recognize that appropriate emphasis must be placed on the prevention of fatigue and drug or alcohol use/abuse. Therefore, Arpac is committed to:

- Clearly communicate all expectations with respect to employee drug and alcohol use/abuse
- Maintain a program of employee health awareness
- Support employee efforts to maintain a safe work environment

Safety sensitive positions are positions that have a direct and substantial impact on the health and safety of the employee, other workers, customers, visitors, the public, property and/or the environment, including but not limited to those involving driving, operation of machinery or equipment, handling of toxic substances and others determined by Arpac.

### **2. Rules and Responsibilities**

Everyone who works for and with Arpac is expected to understand the effects of fatigue and substance use/abuse on workplace safety. All employees are expected to comply directly with this policy and shall:

- a) Report to work physically and mentally fit for duty and remain fit throughout their workday or shift; including on-call/pager call-out shifts;
- b) Report fatigue to their manager or supervisor to mitigate any risks that may be associated to ensure their, and everyone's safety while at work;
- c) Not perform work or operate motor vehicles or heavy equipment when they are excessively fatigued;
- d) Not report to work while under the influence of alcohol, or drugs which can affect work, judgment, decision-making or reflexes (whether they are prescribed by a physician or not). An employee who believes their use of prescribed medication may have an adverse effect on their performance, including safety, is required to report this in confidence to their supervisor;
- e) Not possess, use, or distribute (traffic) alcohol, drugs, or drug paraphernalia at Arpac's place of work or during your work shift. The term *place of work* includes customer sites and company vehicles;
- f) Cooperate and permit any search of Arpac's places of work (as described above) – including the search of personal items within Arpac's places of work. Personal items searches will require reasonable suspicion prior to occurring.
- g) Cooperate with any investigation into a policy violation, including testing requirements;
- h) Responsibly use all prescribed and over the counter medications, and investigate (through their doctor or pharmacist) whether a medication can affect ability to perform their normal work duties safely;
- i) Take all necessary and appropriate steps to minimize associated risks, including notifying their manager or Human Resources for any requirement for modified duties under these circumstances;
- j) Report their own drug or alcohol dependency to senior management (it is not necessary to report a past drug abuse problem). If an individual has a medical issue or an issue with drug or alcohol abuse the following applies:
- k) Arpac will accommodate the employee to the point of undue hardship to the company;
  - I. The employee may be eligible for an unpaid medical leave of absence to obtain treatment;
  - II. The employee should not, in any event, work while impaired or under the influence;

- III. Arpac retains the right to require an individual to obtain treatment from a rehabilitation program as a condition of continued employment; and
- IV. Aside from situations requiring accommodation pursuant to the *Human Rights Code*, violations of this policy will result in discipline up to and including dismissal for just cause.

Supervisors and Managers shall:

- a. Play a key role in communicating to employees and in implementing this policy;
- b. Identify any situation in which they have concerns about an individual's immediate ability to perform their job, or where they have reasonable grounds to believe there has been a violation of this policy; and
- c. Follow and apply all required reporting and transport procedures.
- d. When an individual comes forward and identifies that they have a drug abuse problem or requests assistance in this regard, the Supervisors/Managers will:
  - I. In all cases, maintain privacy regarding an individual's involvement;
  - II. Assist in the safe transport where an employee may present a safety risk;
  - III. Communicate with Human Resources; and
  - IV. At all times follow this policy and all Arpac policies and directions regarding the duty to accommodate.

### 3. Fatigue management

Managing fatigue is an important aspect of being physically and mentally fit for work. Fatigue is the state of feeling very tired, weary, or sleepy resulting from insufficient sleep, prolonged mental or physical work, or extended periods of stress or anxiety. Fatigue can be described as either acute or chronic.

Acute fatigue results from short-term sleep loss or from short periods of heavy physical or mental work. The effects of acute fatigue are of short duration and usually can be reversed by sleep and relaxation.

Chronic fatigue syndrome is the constant, severe state of tiredness that is not relieved by rest. The symptoms of chronic fatigue syndrome are similar to the flu, last longer than six months and interfere with certain activities. The exact cause of this syndrome is still unknown.

Fatigue is regarded as having an impact on work performance and can affect people differently. Listed below are some examples of signs and symptoms, but is not an exhaustive list:

- Weariness, tiredness, or sleepiness, including falling asleep against your will ("micro" sleeps)
- Headaches
- Irritability
- Slowing reaction time,
- Lack of motivation
- Reducing mental and physical functioning; including reduced alertness, concentration and memory
- Increasing risk-taking behavior

The impact on work performance can include:

#### Safety

- Reduced attention and vigilance
- Increased errors in judgement
- Increased incidents and medical costs
- Reduced reaction time
- Unable to stay awake

#### Productivity

- Reduced productivity or performance

#### Employee Health

- Reduced ability to handle stress
- Increased sick time and absenteeism

#### Decision Making

- Reduced decision-making ability
- Loss of memory or the ability to recall details

- Increased forgetfulness

To address the issues that surround fatigue, Arpac recognizes the importance of workplace policies that address this. Work schedules in all departments have been structure so that shift work is either eliminated or greatly reduced. We have included into our work day an unpaid lunch of 30 minutes and two 15 - minute paid breaks when time permits. It is important that employees that their allotted breaks within their work day to prevent fatigue and burnout.

#### **4. Fit for Modified Duties**

Arpac works closely with employees when they report not being able to work to their full duties for a medical purpose. Arpac will offer modified work opportunities to employees who are injured to facilitate staying or returning to work. In addition to the offer of modified work template, included is a listing of potential/ available modified duties that may be suitable for their specific situation.

#### Self-Modifying

In the event where the employee's health may limit them in duration, but not affect the ability to perform the task in general, the following may be suitable (based on common injured areas of the body):

#### Modified tasks

Whenever possible, if the employee cannot self-modify, alternate work tasks will be offered. A general listing of tasks available to employees are included below. Modified tasks will be offered in relation to the employee's limitations (as defined by their attending physician), their skill level, and availability of the task as outlined in the injury management policies.

- Mentorship/ training of junior workers (i.e. senior technician mentoring and going for ride-alongs with junior technicians)
- Work location alteration (i.e. move from field to shop)
- General office duties (filing, faxing, photocopying, word processing, answering phones, etc..)
- Projects (administrative projects)
- Inventory (i.e. example parts or service)
- Shop maintenance
- Housekeeping (5S related duties)
- Safety related duties (i.e. inspections, updating SDS sheets, etc..)

#### **5. Substance Use and/ or Abuse:**

Substances include, but are not limited to, the following: alcohol, illegal/ illicit drugs, medication (including prescription or non-prescription), marijuana and cannabis products, or any other controlled or restricted substance.

#### **5.1 Medications:**

Possession or use of medication (prescription and legal non-prescription drugs) is permitted under the following conditions:

- a) Any prescription drug in the employee's possession or used by the employee is legally prescribed to the employee. The possession or use of prescription medication prescribed to a third-party is prohibited;
- b) The medication is not to be distributed to any third party;
- c) The employee is using the medication for its intended purpose and in the manner directed by the employee's physician, pharmacist, or the drug manufacturer;
- d) Employees are expected to consult with their personal physician or pharmacist to determine if medication use will have any potential negative effect on job tasks and performance. They are

required to report to their manager if there is any potential risk, limitation, or restriction for whatever reason that may require accommodation; and

- e) The use of the medication must not adversely affect the employee's ability to safely or competently perform his or her duties.

## 5.2 Signs of Impairment

There are observable signs and symptoms of drug and alcohol impairment that would qualify as reasonable suspicion for testing under this policy. Listed below are some examples, but is not an exhaustive list:

### Behaviour

- Difficulty with decision making
- Impaired coordination
- Slower reflexes
- Incidents/ near misses
- Lack of awareness of surroundings
- Changes in alertness/ restlessness
- Hallucinations/ paranoia/ euphoria
- Agitation/ irritability
- Increased risk taking/ impulsive behaviours
- Decreased learning/ concentration/ attention span/ motivation
- Increased errors
- Changes on attendance/ work quality/ performance

### Observable

- Changes in hygiene, appearance, or odour
- Changes in pupils (constriction/ dilation/ involuntary eye movements)
- Changes in speech (slowed/ slurred/ rapid)
- Chills/ sweating
- Tremors

The impact of drug and alcohol use on safety, health, and work performance can include:

### Safety:

- Increased accidents
- Workers' compensation claims
- Workplace aggression/violence

### Productivity:

- Reduced output
- Increased errors
- Lower quality
- Reduced customer/client satisfaction

### Employee Health:

- Increased use of sick time
- More absenteeism and tardiness

### Decision Making:

- Reduced innovation, creativity, and competitiveness
- Poor daily and strategic decision

## 5.3 Testing

Arpac has partnered with SureHire to perform all drug and alcohol testing under this policy. SureHire has accredited facilities (SAMSHA certified) throughout British Columbia and Alberta and are available 24 hours per day, 7 days per week with on-site service available. Employees may contact SureHire for additional information regarding testing, impairment thresholds, credentials, etc. at 1-866-944-4473 or [www.surehire.ca](http://www.surehire.ca).

Employees may be subject to testing to confirm adherence with this policy:

- a) If there are reasonable and probable grounds (as listed in Section 5.2 – Signs of Impairment) to believe the employee is impaired by drugs or alcohol. Signs of impairment may be observed by management or reported by Arpac employees or our clients/stakeholders. If a manager feels reasonable and probably grounds exist, a second manager must corroborate at which point the employee must undergo testing;
- b) When an employee causes or is involved in a workplace incident, vehicle accidents, or serious near miss, where impairment could be a reasonable contributing factor; or

- c) When the employee has previously tested positive and is returning to work following completion of a treatment program.

Employees are required to comply with testing. If an employee refuses testing in compliance with this policy, they will be considered to have provided a positive sample and their employment will be terminated immediately without notice.

If it is determined that testing is required, during regular business hours the employee will be transported via pre-paid taxi or other appropriate means to the nearest SureHire accredited testing facility. Outside of regular business hours SureHire will perform testing on-site.

Upon arrival at the facility an oral-fluid test and a breathalyser will be performed, to detect current impairment. These tests are a non-invasive way to determine current impairment by swabbing the inside of the cheek or blowing air into the device.

The tests assess for the following substances with a positive result as indicated in the approved concentration limits listed below:

<b>Oral Fluid Swab Test</b>	
Drugs or classes of drugs	Confirmation concentration equal to or in excess of ng/ml.
Marijuana (THC)	2
Cocaine or Benzoyllecgonine	8
Codeine, Morphine, Hydrocodone, Hydromorphone, Oxycodone, Oxymorphone	40
6-Acetylmorphine	4
Phencyclidine	10
Amphetamine, Methamphetamine, MDMA <sup>1</sup> , MDA <sup>2</sup>	50

<b>Breathalyser</b>	
Substance	Confirmation concentration equal to or in excess of
Alcohol	0.04g/ 210 Litres of Breath

MDMA<sup>1</sup>: Methylenedioxyamphetamine

MDA<sup>2</sup>: Methylenedioxyamphetamine

The oral-fluid swab test will provide an immediate indication of a negative or non-negative result. If final results of this test are negative the employee will return to their regular duties and schedule with no further actions, employment ramifications, or documentation placed on their employee file.

Non-negative results do not necessarily reflect current impairment and require further laboratory testing to provide a positive quantitative numerical value. This testing will require an additional 2-4 days of laboratory testing and is further reviewed by a medical officer. During the time that results are pending employees will be placed on paid leave from work.

Positive test results received after the additional testing are initially discussed with the employee by the same medical officer prior to results being released to Arpac. If it is found that the results are in alignment with a current valid prescription the results will be provided to Arpac as positive with comments validating the prescription. In these circumstances, the employee will be required to obtain medical clearance indicating that the use of the prescription or non-prescription drug does not adversely affect the employee's ability to safely or competently perform his or her duties.

This is a violation of our policy Section 2 - Rules and Responsibilities for non-disclosure and may be subject to actions detailed in Section 5.5 – Violations and Employee Assistance.

If final test results are positive (with no verified valid prescription or no medical clearance regarding safety or competency) the employee will be terminated immediately for just cause without notice or any payment in lieu of notice.

The breathalyser test will provide immediate results of either positive or negative in alignment with the concentration levels listed above. Negative results will be considered reliable and the employee may return to work. The employee will return to their regular duties and schedule with no further actions, employment ramifications, or documentation placed on their employee file.

If breathalyser test results are positive the employee will be terminated immediately for just cause without notice or payment in lieu of notice.

#### **5.4 Company Events**

During company social events where alcohol is available, employees are expected to uphold the expectations included in our “Code of Conduct” and “Bullying, Harassment, and Violence” policies, and all other company policies and expectations.

During these events, Arpac will:

- a) Monitor, address, limit alcohol consumption
- b) Not provide/ cover the costs of alcohol
- c) Offer alternative transportation to guests as they leave the event (e.g. taxi chits)
- d) Take reasonable measures when departing guests, who appear to be impaired, attempt to drive

This policy in its entirety applies following the conclusion of these social events; and employees are expected to not to return to work if impaired.

#### **5.5 Violations and Employee Assistance**

Violations of this policy will result in disciplinary action up to and including immediate termination of employment for just cause without notice or payment in lieu of notice.

When an employee reports a dependency prior to an incident, accident, or near miss, they will be assisted in securing a referral to a suitable rehabilitation program. Employees undertaking rehabilitation are eligible for leave subject to the limitations imposed under Arpac’s standard benefits package. Employees are expected to participate in any accommodation process put in place. Employees who continue to work while participating in a rehabilitation program are required to adhere to this policy and the penalties for violations remain the same.

Arpac’s employee assistance program, Lifeworks, can help employees access confidential assessment, counseling, treatment and aftercare services via:

Telephone: 1-877-207-8833  
Website: [www.lifeworks.com](http://www.lifeworks.com)  
Login: arpac  
Password: eap

#### **5.6 Disputes**

In the event of a dispute concerning the administration of this Drug and Alcohol Policy the employee may request a review by a panel comprised of the President of Arpac or his designate, the employee’s immediate supervisor and another employee of Arpac selected by the employee. Disputes must be submitted in writing to the employee’s immediate supervisor within 10 business days of the incident occurring. The panel will convene to adjudicate the matter as soon as possible,

but not later than ten business days after receipt of the request. Findings of the majority of the panel will be binding to all parties.

### **6. Confidentiality**

The respect for privacy is an important aspect of a respectful workplace. Issues related to drug and alcohol use/abuse will be treated confidentially; however, there are limitations to confidentiality. When a Manager, Supervisor, or Human Resources becomes informed of situations involving drug or alcohol use/abuse, they will be obligated to intervene.

Reports of drug or alcohol use/abuse will be received and managed in a confidential manner. Information will be used for its intended purpose only. Absolute confidentiality cannot be guaranteed as the resolution process must involve others. Only those people that are required to be involved in the process (i.e. manager, Human Resources manager, occupational health and safety) will have access to the information collected. Further, they will receive only as much information as they need to receive. These individuals would be required to maintain confidentiality throughout the process. Those who are found to have breached confidentiality will be subject to disciplinary action up to and including dismissal for just cause without notice or payment in lieu of notice.

If a request for information is received, information will be released in accordance with the *Access to Information and Protection of Privacy Act* or as outlined above or additional related legislation.