



## **Administrative Report**

### **Office of the Director of Human Resources**

**To: Warden Tom Bain and Members of County Council**

**From: Greg Schlosser  
Director of Human Resources**

**Date: June 20, 2018**

**Subject: Fit for Duty Policy**

**Report #: 2018-0620-HR-R2-GS**

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#### **Purpose**

To request County Council's approval of the Fit for Duty Policy.

#### **Background**

The Corporation's Drug and Alcohol Policy 07-001 has not been updated since its creation in 2007. The legal landscape in Canada and Ontario has changed significantly over the past 11 years in regards to drugs, alcohol, safety, accommodations, and addiction. The introduction of medical cannabis, and the upcoming legalization of recreational cannabis significantly add to the already complex management challenge of balancing stakeholder interests in a safe and productive workplace. This proposed Fit for Duty Policy would replace the current Drug and Alcohol Policy.

#### **Discussion**

The base policy was drafted by our legal counsel. Then, through an iterative process of input gathering from management and union representatives from our 5 bargaining units, a series of minor modifications were introduced. While not all the suggestions from the unions are reflected in this final draft, many are. Subsequently, management and union representatives met with a representative from a Substance Abuse Professional (SAP) firm to get a better understanding of the services provided regarding training, assessing,

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testing and rehabilitation. If this policy is approved, supervisory training by an SAP will commence.

Unlike drug and alcohol policies of the past, this policy is intended to more comprehensively speak to the greater number and complexities of issues related to a more global employer objective of ensuring employees are "Fit for Duty". This is done in the context of a broadening variety of legal and illegal substances that can cause impairment.

Best practice encourages such policies to distinguish between positions that, if someone in the position was deemed to not be "fit for duty" that the safety consequences would be more significant than in other positions. This policy draft refers to these as "Safety Sensitive" positions. The enhanced expectation and procedures for safety sensitive positions are outlined in the policy. It is Administration's intent to deem the following positions as safety sensitive:

1. Paramedics
2. RN's, RPN, PSW
3. Heavy equipment operators in the Roads (Infrastructure Services) department

A core question that needs to be answered, but is difficult to answer, is the question of "is this employee fit for duty?" As much as possible, this policy tries to give employers, employees, and unions a framework for trying to answer that question, and deciding what to do as a result of that answer.

## **Financial Implications**

It is not anticipated that the Fit for Duty Policy will have any impact on the 2018 approved budget.

## **Recommendation**

That County Council approve the replacement of the Drug and Alcohol Policy 2007-01 with the Fit for Duty Policy 2018-03 as recommended in this report, #2018-0620-HR-R2-GS.

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Respectfully Submitted

*Greg Schlosser*

Originally Signed by

Greg Schlosser Director Human Resources

Concurred With,

*Robert Maisonville*

Originally Signed by

Robert Maisonville, Chief Administrative Officer

Appendix No.	Title of Appendix
1	Fit for Duty Policy 2018-03 (draft)