



SUBSTANCE USE POLICY

POLICY #:	700.03.01
SECTION:	700. Health, Safety and Environment
ORIGINAL APPROVAL DATE:	October 17, 2018
LATEST APPROVAL DATE:	October 17, 2018
APPROVING AUTHORITY:	

Purpose

The Alberta College of Art and Design (ACAD) is committed to providing a safe environment for students, employees and all users of ACAD. This policy provides a framework for setting expectations and managing substance use in the work and learning environment.

Scope

This policy applies to all employees, students, and contractors.

Students are required to comply with the requirements of this policy, however student violations will be subject to the provisions of the 300: Academic Administration: Student Conduct Procedure.

Definitions

Accommodation: In accordance with the 500. Executive Administration: Duty to Accommodate Policy, means making changes to certain rules, standards, policies, workplace cultures and physical environments to ensure that they don't have a negative effect on a person because of the person's disability, religion, gender and/or any other protected ground identified in the Alberta Human Rights Act.

Illegal drugs Any substance of which the use or possession:

- Is unlawful in Canada; or
- Requires a prescription or authorization from a licensed physician or other body empowered by law to make such a prescription, where such a prescription or authorization has not been validly obtained or is expired.



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Impairment:	For this purposes of this policy, an individual will be considered to be impaired if the individual appears to be or is in a state of being diminished, weakened, or unable to function or perform tasks safely, meaningfully or effectively due to the influence or after-effects of alcohol, cannabis, or another substance. This state of being is irrespective of whether the level of such influence would constitute impairment under any legislation.
Reasonable grounds:	Includes but is not limited to: <ul style="list-style-type: none"> • observed use of a substance; • smell of alcohol or cannabis; • slurred speech pattern; • tremors or unsteadiness in walking/standing; • disoriented behaviour; • erratic or unusual behaviour; or • unsafe or careless conduct.
Safety-sensitive position:	Positions that require the employee to engage in a process, function, or duty that has the potential for significant harm to self, others and/or the environment, including, but not restricted to, the operation of a vehicle or equipment or handling chemicals.
Substance:	Any drug (legal or illegal), alcohol, cannabis or cannabis-derivative (including medicinal cannabis) and medications (prescription, authorized or over-the-counter that may cause impairment).
Supervisor:	The out-of-scope employee to whom an employee or contractor directly reports.
Technician:	An employee identified with the job title which includes Educational Art Technician, including Woodshop Technicians, within Academic Affairs.

Policy

1 General

- 1.1 Employees and contractors must be able to effectively perform assigned duties and responsibilities without impairment by any substance that may hinder performance or compromise the safety of the individual or any other employee, contractor, student, or other person.
- 1.2 Students must be able to meaningfully and safely participate in educational activities without impairment by any substance that may hinder participation or compromise the safety or educational experience of the individual or any other student, employee or other person.



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- 1.3 Employees and contractors are not permitted to report to work impaired. Students are not permitted to report to educational activities impaired.
- 1.4 ACAD has zero tolerance for the use of substances by employees and contractors when working who occupy a safety sensitive position, subject only to exceptions made pursuant to an accommodation.
 - 1.4.1 Prior to engaging in any work, employees and contractors in safety sensitive positions are required to disclose to a supervisor any use of any substance that may impair their ability to safely and effectively perform their job duties.
 - 1.4.2 Prior to engaging in any activity, students in safety sensitive educational activities are required to disclose to their instructor or technician any use of any substance that may impair their ability to safely and meaningfully participate in the educational activity.
- 1.5 Employees and students are required to seek assistance from Human Resources or Student Services, respectively, regarding any known, suspected, or emerging substance related problem or dependency.
- 1.6 Employees, contractors, or students believed to be impaired will be taken to a private location to provide an explanation for their behaviour or condition.
- 1.7 Employees and contractors will not be permitted to continue to work while their capacity is being determined.
- 1.8 ACAD has the authority to refer employees, contractors, and students for medical attention if there are immediate medical concerns or signs and symptoms consistent with addiction.
- 1.9 Any violation of this policy may result in disciplinary action up to and including termination of employment or appropriate student sanctions.
 - 1.9.1 No person will be disciplined because of their involvement in a rehabilitation effort or for voluntarily requesting assistance for a known, suspected or emerging substance related problem or dependency. However, involvement in such an effort or a request for assistance made after a breach of this policy will not prevent that person from being disciplined for that breach.

2 Roles and Responsibilities - Employees, Contractors, and Students

- 2.1 Employees, contractors, and students are responsible for:
 - 2.1.1 Ensuring their own health and safety and the safety of others;



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- 2.1.2 Ensuring they are not impaired by any substance such that they cannot perform their duties safely, effectively and meaningfully;
 - 2.1.3 Ensuring they understand and comply with this policy as part of their obligation to perform work and educational activities in a safe and effective manner; and
 - 2.1.4 Reporting any violations or suspected violations of this policy to their supervisor, instructor, or technician, as the case may be.
- 2.2 Any employee in a rehabilitation program may be required to adhere and comply with the terms of such a program as a condition of continued employment.
- 2.3 The use, distribution, offering, possession or selling of alcohol, cannabis, or illegal drugs, or related paraphernalia, while on ACAD's campus or while performing work or educational activities as an employee, contractor or student of ACAD is strictly prohibited; subject to the following exceptions:
- 2.3.1 In the case of cannabis:
 - The possession or use of cannabis is as part of the treatment of a medical disability or any other accommodation;
 - The possession or use of the cannabis has been brought to the prior attention of ACAD in accordance with the Duty to Accommodate Procedure;
 - The cannabis is kept in a labelled, sealed and locked container which states the appropriate dosage and method of use; and
 - The cannabis is being used in the manner directed by the employee's authorizing or prescribing medical professional.
 - 2.3.2 In the case of alcohol for those not in safety sensitive positions/educational activities, the possession or use is when attending or hosting an ACAD sanctioned event.

3 Roles and Responsibilities - Supervisors/Instructors/Technicians

- 3.1 Supervisors, instructors, and technicians are responsible for:
 - 3.1.1 Understanding this policy and ensuring this policy is effectively communicated to employees/students as applicable;



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- 3.1.2 Applying this policy in a consistent manner; and
- 3.1.3 Referring employees/students who seek assistance for any substance related problem or dependency to appropriate resources while maintaining confidentiality.
- 3.2 Supervisors, instructors, and technicians are authorized to remove any person from an activity under their supervision if they have reasonable grounds to believe the person is impaired and not able to participate in the activity safely, effectively or meaningfully.
- 3.3 In suspected cases of impairment, an Incident Report Form shall be filed with ACAD Security.
 - 3.3.1 An investigation will be conducted by the supervisor in consultation with Human Resources in the case of employees and contractors, and by the Registrar in the case of students.

Related Documents/Legislation

Occupational Health and Safety Act

Alberta Human Rights Act

Freedom of Information and Protection of Privacy Act

Cannabis Act

100. Board of Governors: Code of Conduct Policy

300. Academic Administration: Student Conduct Procedure

500. Executive Administration: Duty to Accommodate Policy