

Policy Name	Fit for Duty		
Policy #	716	Category	700: HUMAN RESOURCES
Steward	Manager, Human Resources	Date Approved	April 11, 2024
Next Review Date		Date Reviewed or Revised	

POLICY

Suncrest College is committed to providing a safe, healthy, and productive environment for employees, students, the public, and community members it serves. As such, employees, contractors, and Board members are expected to report to work fit for duty in order to perform tasks safely, competently and efficiently.

PURPOSE

This policy establishes the expectation that all employees and contractors report to work fit for duty and summarizes Suncrest College’s commitment to assist and accommodate employees who seek supportive rehabilitation for substance abuse. This policy also outlines a consistent response to situations where personnel may report to work unfit for duty.

PRINCIPLES

1. Suncrest College expects that all employees and contractors report to work fit for duty.
2. Suncrest College maintains a zero-tolerance stance for any employee who puts their colleagues, students, or the public, at risk because of impairment. Employees who report unfit for duty and or refuse to cooperate in the efforts toward creating a safe workplace may be subject to progressive discipline up to and including termination.
3. Employees who present to work unfit for duty shall be asked by their supervisor, or Human Resources, to leave the workplace.
4. Employees shall advise their supervisor(s) whenever they witness incidents, or have concerns, that call into question a coworker’s fitness for duty;
5. Pursuant to the Saskatchewan Human Rights Act, the use of an impairment causing substance for medical or other grounds may be accommodated on a case-by-case basis, provided employees and contractors requiring such accommodation notify Human Resources and / or an Out-of-Scope Supervisor. Failure to report will be subject to progressive discipline up to and including termination.
6. Suncrest College is committed to accommodating employees who seek supportive rehabilitation to the point of undue hardship.

7. Respect will be given to personal privacy and dignity with the goal of supporting the employee's rehabilitation.
8. The possession, recreational use, advertising, distribution, and / or sale of impairment causing substances and or drug paraphernalia while on College business, property, in or operating a College vehicle, during College paid time is strictly prohibited.

SCOPE

This policy applies to all employees, contractors, and board members while conducting College business, while on any College premises, whether owned or leased, or while working remotely from any location, and includes instances where individuals are operating college vehicles or vehicles designated for college business purposes.

DEFINITIONS

Contractor – any individual or entity who agrees to supply materials to or perform services for Suncrest College.

Fit For Duty – The employee is not under the influence of an impairment causing substance, rather the employee is in a physical, emotional, and mental state that enables them to perform the job duties expected of them in a safe, efficient, and competent manner.

Progressive Discipline – An established procedure defined by the Collective Bargaining Agreement and Policy #714 Progressive Discipline.

Safety Sensitive Job – A job that, if not performed in a safe manner, can cause direct and significant damage to property, and or injury to the employee, others around them, the public and or the immediate environment. The College reserves the right to declare certain jobs safety-sensitive when developing an accommodation plan.

Impaired or Impairment – A deterioration or diminishment of an individual's physiological ability, functioning, judgment, or condition.

Impairment Causing Substance – Any substance that is ingested, consumed, or otherwise taken, that causes impairment. Impairment causing substances *may* include, but are not limited to, legal recreational substances (e.g. alcohol and cannabis), prescription medications used as prescribed, prescription drugs used illegally, and illicit drugs.

Illicit Drugs – Any drug or substance not obtained legally, and whose use, sale, possession, purchase or transfer is restricted or prohibited by Canadian Law (ie: may include but is not limited to cocaine, heroin, etc.).

Workplace – All Suncrest College property, buildings, facilities, work sites, vehicles and equipment owned, leased, operated, or otherwise controlled by the College or any other location where an employee is conducting their duties on behalf of the employer.

PROCEDURES

Employees and employers share the responsibility to protect the health and safety of themselves and others while at work.

Supervisor Responsibilities:

1. Supervisors are to be familiar with this policy and the resources available;
2. Supervisors are responsible for identifying situations that may cause concern regarding an employee or contractor's ability to safely perform their job duties. Supervisors have a responsibility to report such concerns to Human Resources and/or an Out-of-Scope supervisor; and
3. Supervisors have the responsibility to ask employees who present unfit for work to leave the workplace.

Employee Responsibilities:

1. No employee or contractor shall report for work while his or her ability to work is impaired by any impairment causing substance. Employees are to present to work fit for duty. It is not acceptable to report for duty while impaired by cannabis, alcohol, or any impairment causing substance.
2. All employees and contractors are expected to abide by the provisions of this policy;
3. Employees using prescription medications are expected to manage potential impairment that may affect job performance during work hours, and are expected to be aware of the side effects of their prescription medication;
4. Employees shall advise their supervisor whenever they witness concerns about a coworker's fitness for duty;
5. Employees must disclose and may request a suitable accommodation if they have a medical condition or dependency that requires the use of an impairment causing substance; and
6. Employees needing rehabilitation for substance abuse are encouraged to seek professional care and support through the Employee Assistance Program or through their personal health care professional.

The Human Resources Department shall keep disclosure and all medical information confidential.

LEGISLATIVE AND COLLECTIVE AGREEMENT REFERENCES

Collective Bargaining Agreement, Article 18.2 Progressive Discipline

The Saskatchewan Employment Act, 2013 (2013 cS-15.1, s.3-8; cS-15.1, s.3-9; cS-15.1, s.3-10; cS-15.1, s.3-12)

The Saskatchewan Human Rights Code

LINKS TO OTHER RELATED POLICIES, DOCUMENTS, AND WEBSITES

OPR D-37.0 Third Party Drug & Alcohol Testing Policy

Policy 714 Progressive Discipline