

Original Approval Date: June 14, 2019

Effective Date: September 1, 2019

Parent Policy: Workplace Impairment Policy

Workplace Impairment Disclosure and Reporting Procedure

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| Office of Accountability: | Provost and Vice-President (Academic) and Vice-President (Finance and Administration) |
| Office of Administrative Responsibility: | Vice-Provost and Associate Vice-President (Human Resources) |
| Approver: | Board of Governors |
| Scope: | Compliance with this University policy extends to all academic, support and excluded staff, post-doctoral fellows, and academic colleagues as outlined and defined in the Recruitment Policy (Appendix A and Appendix B: Definitions and Categories); academically employed graduate students; third party contractors; and volunteers. |

Overview

Ensuring a **workplace** is free from impairment requires a combination of workplace observation, **employee** disclosure, and reporting potential impairment. This is important in all positions, and is a priority in **safety sensitive positions**.

All employees must report **fit for work**. This disclosure and reporting procedure outlines the requirements for employees to self-disclose potential workplace impacts of alcohol and drugs or impairing conditions and to report any suspected impairment in the workplace to their supervisor.

Purpose

The purpose of this procedure is to outline how an employee can self-disclose and/or report impairment in the workplace.

PROCEDURE

1. EMPLOYEE SELF-DISCLOSURE

- a. Employees must report fit for work.
 - b. When an employee is not fit for work for any reason, they must disclose it to their **manager/supervisor** prior to conducting work, particularly if engaged in safety-sensitive duties.
 - c. Employees are required to inform their supervisor when their use of over-the-counter, prescription, or authorized drugs could reasonably be expected to cause **impairment** during
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work time. In situations where temporary modified duties or permanent accommodation may be required, employees will be expected to provide sufficient information and documentation to the University's third-party disability management provider to validate limitations and restrictions.

- d. An employee who discloses that they are not fit for work is not required to disclose the specific cause of the impairment, the substance used, the medical condition, or medication used that is causing the impairment to their supervisor or manager.
- e. Supervisors and managers must assess the risk when an employee discloses that they are not fit for work or that they are using drugs that could reasonably be expected to cause impairment during work time, and determine how to ensure safety and satisfaction of operational needs. An employee who discloses that they are not fit for work due to impairment may be re-assigned to alternate duties or may be temporarily removed from the work site.
- f. Information from the employee's physician may be requested by the University's third party disability management adjudicator to assess how a medical condition, medication, drug or substance is or could impact an employee's fitness for work, whether there is risk of impairment, whether an employee can conduct certain tasks and how long any reassignment of duties may be required.
- g. Employees who disclose that they are experiencing a substance addiction will be required to provide objective medical evidence of the addiction satisfactory to the University's third party disability management provider.

2. REPORTING IMPAIRMENT

- a. Any individual who witnesses impairment in the workplace or has a reasonable basis to believe that an employee may be impaired is expected to report the impairment or suspected impairment to their supervisor, a manager, or one of the following offices: Human Resources or Environment Health and Safety.
- b. When an individual reports suspected impairment in the workplace, the person to whom it is reported must take appropriate action.
- c. Where there is **reasonable suspicion** that an employee is impaired, the employee may be immediately re-assigned to alternate duties on a temporary basis or removed from the work site, pending further investigation and information being obtained.
- d. The University will not tolerate any reprisal, directly or indirectly, against anyone who, in good faith, makes a report or is a witness to a report.
- e. The University also recognizes the serious nature of reports that are made in bad faith and it may take disciplinary action should reports be shown to be malicious, frivolous, fraudulent, or vexatious. Submitting a report in good faith is not a violation of this policy.

3. FAILURE TO COMPLY

Any employee who fails to fulfill the requirements of this procedure may be subject to disciplinary and other action pursuant to any applicable collective and other agreements, legislation or University policy, up to and including termination of employment and prosecution if appropriate.

4. PRIVACY

Any **personal information** (including health information) collected, used or disclosed under this procedure will occur only in compliance with the Freedom of Information and Protection of Privacy Act, the Personal Information Protection Act, and the University's related Access to Information and Protection of Privacy Procedure and Policy.

DEFINITIONS

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| Any definitions listed in the following table apply to this document and its related policies or procedures only with no implied or intended institution-wide use. [▲Top] | |
| Employee | Includes academic staff, support staff, excluded staff, management, administrators, student staff, post-doctoral fellows, volunteers, contractors, or other staff. |
| Fit for Work | Refers to an employee's ability to maintain a physical, mental, and emotional state that enables them to perform the physical and mental demands of their job and/or duties safely, effectively, and in a manner that does not increase risk to themselves and others or the University. This includes being free from impairment by alcohol or drugs, the misuse of and/or failure to take medications as prescribed, and/or any condition that could impair a person's ability to work safely. |
| Impairment | The state of being unable to perform work-safely and productively, including not being fit for work because of intoxication by alcohol or drugs. |
| Manager/Supervisor | A person who has charge of a workplace or authority over a worker. |
| Personal Information | <p>Personal information means recorded information about an identifiable individual. This includes information such as the individual's:</p> <ul style="list-style-type: none"> a. name and contact information, age, and gender; b. student or employee ID #, or other identifying number; c. application for employment, salary, employment evaluations, and other employment history; d. grades, assignments, and other educational history; e. health information or financial information; f. race, national or ethnic origin, or colour; g. religious or political beliefs or associations; h. marital status or family status; i. biometric information; and j. criminal history. <p>These are examples only, and not a comprehensive list. Further examples of personal information are set out in the Appendix to Access to Information and Protection of Privacy Procedure.</p> |

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| Reasonable Suspicion | Inference based on circumstances, observations, and/or reports that indicate impairment in the workplace may be present or that the employee is under the influence of alcohol or drugs. |
| Safety-Sensitive Position | Positions where some or all of the work duties and operational processes have the potential, if performed improperly, for a serious incident or near miss . A safety-sensitive position includes positions where only certain duties are safety-sensitive. |
| Serious Incident or Near Miss | Refers to an unplanned event, circumstance or condition that caused or had a high likelihood to cause damage or injury to person, property, reputation, security or the environment, and/or would result in a report to a municipal, provincial, or federal regulator. |
| Work time | The period of time when the employee is expected to perform or be ready to perform any duties of their position. This includes all breaks, both scheduled and unscheduled time, and generally any time that the employee is engaged in work, activity or travel in their capacity as a University of Alberta employee. |
| Workplace | Any place where faculty, staff, volunteers, or contractors, of the University of Alberta perform work as part of their assigned responsibilities. |

RELATED LINKS

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[Access to Information and Protection of Privacy Policy](#)

[Access to Information and Protection of Privacy Procedure](#)

[Workplace Impairment Policy](#)

[Managing Impairment in Safety-Sensitive Positions Procedure](#)

[Drug Testing Procedure](#)