

**POLICY 3.11 – The Use of Cannabis, Alcohol, and other Substances**

<b>Policy Category:</b>	Personnel
<b>Subject:</b>	Cannabis, Alcohol, and Substance Use
<b>Approving Authority:</b>	Board of Governors
<b>Responsible Officer:</b>	Vice President, Operations and Finance
<b>Responsible Offices:</b>	Human Resources
<b>Related Procedures:</b>	<a href="#">Procedures Relating to the Use of Cannabis, Alcohol, and other Substances</a>
<b>Related University Policies:</b>	<a href="#">MAPP 1.16</a> Policy on Smoking <a href="#">MAPP 1.33</a> Campus Alcohol Policy
<b>Effective:</b>	April 25, 2019
<b>Supersedes:</b>	(NEW)

**I. PURPOSE**

The University is committed to fostering a safe and respectful work environment for employees and others who may be affected by the conduct of its employees. The University has a duty to provide a safe work environment, and this duty includes taking all reasonable precautions to protect the health and safety of employees and others in the workplace. The University recognizes that the effects of the consumption of cannabis, alcohol, or other substances can impair an individual's judgement, and cognitive and physical abilities, which can diminish job performance and potentially jeopardize the safety of the work environment, employees, and/or the general public. Because of these concerns regarding cannabis, alcohol, or other substances in the workplace and their potential impact with respect to the safe and efficient operation of Western facilities, the University has adopted the following Policy with respect to the use of cannabis, alcohol, and other substances.

The University will adhere to federal, provincial, and municipal legislation related to employment and the use of cannabis, alcohol, and other substances, and will respect confidentiality and accommodation rights.

This Policy applies to all University employees and employee groups, but is not intended to supersede or circumvent the provisions of any collective agreement. In the event of a conflict between this Policy and a collective agreement, the latter shall apply. This policy does not apply to University students.

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### **II. DEFINITIONS**

Alcohol – Any beverage containing any percentage of alcohol.

Work – All times that an employee is engaged in activities required by the University, which includes, but is not limited to, reporting for and performing work including scheduled work, unscheduled call-in work, work performed on campus, and work performed for the University away from campus.

Cannabis – includes, but not limited to, dried cannabis, cannabis oil, edibles, and cannabis plants.

Cannabis paraphernalia – includes, but not limited to, hookahs, bong, pipes, vaporizers, and grinders.

Fit for work - a state of physical and mental wellbeing that allows an individual to perform his or her job duties safely and effectively, in a manner which does not threaten the health and safety of oneself, co-worker, property or the public at large, without impairment due to the use of or after-effects of cannabis, alcohol, or other substances.

Substance use – use of cannabis, alcohol, illegal drugs, recreational drugs (stimulants, opioids, hallucinogens), prescription medications and other substances that impair a person's judgment, clarity, and functioning and render the individual not fit to work.

Substance use disorder – A primary, progressive, and chronic disease characterized by the regular, repetitive, habitual, compulsive, obsessive use of a substance or a combination of substances. Moderate to severe substance use disorder is characterized by clinically and functionally significant impairment such as health problems, disability, and failure to meet main responsibilities at work.

Workplace – as defined by the Occupational Health and Safety Act, R.S.O. 1990 c.O.1, workplace means any land, premises, location, or thing, at, upon, in or near which a worker works. All of the University's campus space is the workplace.

### **III POLICY**

#### **1. Fitness to Work**

Employees are required to be fit for work and remain fit for work throughout their work day, including while on standby or during on-call situations. The University also prohibits the use, distribution, manufacturing, offering or selling of cannabis, cannabis paraphernalia, or other related substances while an employee is at work or representing the University.

Employees are required to perform their work responsibilities safely and in compliance with all existing employment policies and Occupational Health and Safety Act requirements. The University conducts important and sensitive research on its campus, maintains extensive facilities and infrastructure, and is home to over 35,000 students. All behaviour and actions should be viewed through the lens of providing a safe environment.

#### **2. Safe Workplace**

Cannabis use is not permitted in current designated smoking areas located in the workplace.

On occasion, management may approve the consumption of alcoholic beverages at designated events. In that case, limited consumption of alcohol is permitted. At these designated events, an employee must not drink excessively and act inappropriately or in an unsafe manner. The consumption of cannabis at any workplace event is prohibited.

Being impaired while driving after any work-related function is expressly prohibited and will be grounds for discipline up to and including termination of employment.

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### **3. Duty to Accommodate**

The University will provide appropriate accommodation through the Rehabilitation and Accommodation Program to employees who:

- A. have a substance use disorder; and/or
- B. may require accommodation with respect to the use of prescription drugs to manage or treat a disability.

### **4. Enforcement**

Any violation of this Policy may result in discipline up to and including termination of employment.