# **Sample workplace impairment prevention policy template**

## Impairment in the workplace

### Purpose and objectives (commitment)

The management of **\_\_\_\_\_ Company Name\_\_\_\_\_\_\_** is committed to health and safety in the workplace. The supervisors and workers at **\_\_\_ Company Name\_\_\_\_\_\_\_** are committed to uphold this policy and to work together to control impairment-related risks in the workplace.

Impairment has multiple causes, including, but not limited to, substance use, fatigue, a medical condition, medication, or psychological factors, and may affect a worker’s ability to safely perform their assigned work duties. Impairment that creates a health and safety risk to the worker or anyone else in the workplace must be identified and controlled.

This policy will be posted at **\_\_\_\_\_\_place\_\_\_\_\_\_** and a copy will be given to workers as part of their orientation. The policy will be reviewed with others on site during their site orientation. All affected workers are required to commit to this policy.

 All affected workers will be required to review and renew their commitment to this policy every **\_\_\_\_\_\_time\_\_\_\_\_\_.**

### Multiple employer/self-employed persons work sites *(if applicable)*

**\_\_\_\_\_ Company name\_\_\_\_\_\_\_** has reviewed the policies of the other employers/self-employed persons who operate on this work site, and have determined that all other employer/self-employed person have policies that complement this policy or have agreed to comply with this policy.

### Who does this policy apply to?

This policy applies to all workers and supervisors at **\_\_\_\_\_ company name\_\_\_\_\_\_\_.**

### Definitions

*Suggest identifying key terms (e.g. Supervisor, worker, work site party, impairment, disclosure, and accommodation)*

### Workplace approach to impairment

**\_\_\_\_\_ Company name\_\_\_\_\_\_\_** takes a fitness-to-work approach to health and safety in the workplace. All individuals working at **\_\_\_\_\_ company name\_\_\_\_\_\_\_** (including volunteers and contractors) are expected to be "fit for duty" when reporting to work and must be able to perform their assigned duties safely.

*Provide additional details specific to* ***\_\_ company name\_\_\_\_\_\_\_.***

### Roles and responsibilities

#### Employer

**\_\_\_Company name\_\_\_\_\_**, as the employer, will ensure this policy and the supporting procedures are implemented and maintained. **\_\_\_Company name\_\_\_\_\_** will provide all workers and supervisors relevant information and instruction on the contents of the policy and procedures. Employers are responsible for the health, safety and welfare of workers on their work site.

#### Supervisor

Supervisors and (*work site parties- add if applicable- work site parties may be defined in terms of reference*) are responsible for ensuring that the company's workplace policies and procedures are followed and that workers have the information (relevant hazard information and controls) they require to protect themselves. Supervisors are required to effectively manage all reported or observed impairment.

#### Workers

Under the Alberta *OHS Act*, all workers are obligated to take reasonable care to protect the health and safety of themselves and of others at or in the vicinity of the work site while the worker is working. **\_\_\_Company name\_\_\_\_\_** requires workers to refrain from performing their assigned work duties and report or disclose to their supervisor when there is a risk of impairment that may adversely affect the health and safety of the worker or any other persons at or in the vicinity of the work site.

#### Other work site parties (if applicable)

(*Consider adding reference to procedures around incident management, performance management, or related policies)*

### Education

The employer will provide appropriate education and training to supervisors and workers so that they understand and carry out their work according to **\_\_\_Company name\_\_\_\_\_** established policies, and procedures. This will include taking reasonable steps to inform workers of:

* workplace safety risks of impairment, including alcohol and drug use,
* company policy and programs, and
* employee (and family) assistance programs.

### Disclosure and reporting

Every worker must work in compliance with this policy and the supporting procedures. Workers are expected to report or disclose to their supervisor if they are impaired, if they suspect that a co-worker may be impaired (e.g. because of behavioural cues or unsafe work practices), or if they become aware of an unsafe work situation. Workers do not need to disclose to their supervisors the cause of the impairment.

If a supervisor becomes aware of a worker showing signs of possible impairment and the worker’s ability to perform their job safely is at risk, the supervisor is to take action and handle the situation promptly, as per the established procedures. Workers who are reporting health and safety concerns are protected under the *OHS Act*, section 35 (prohibition of discriminatory action). This does not eliminate the ability for **\_\_\_company name\_\_\_\_\_** to manage the performance of workers.  If the impairment is related to a protected human right, there will be other obligations under the *Alberta Human Rights Act.*

**\_\_\_Company name\_\_\_\_\_** is committed to ensuring any personal information received is kept in confidence. The privacy of the individual reporting suspected workplace impairment and that of the individual who is experiencing the impairment will be respected. *(Specific privacy/confidential policy of the organization should be referenced or additional detail provided. Protections for confidential information must be in accordance with current privacy and human rights laws).*

### Worker support

**\_\_\_Company name\_\_\_\_\_** has the following services available to workers (*if applicable, list support resources or services provided to workers*). **\_\_\_Company Name\_\_\_\_\_** encourages workers to request help without discipline prior to any non-compliance with this policy or compromised job performance. **\_\_\_Company name\_\_\_\_\_** is committed to ensuring compliance with the *Alberta Human Rights Act*. *(add details on assessment and accommodation procedure)* This impairment policy does not discourage any worker from exercising the worker’s right under any other law, including the *Alberta Human Rights Act*.

### Incident investigation

**\_\_\_Company name\_\_\_\_\_** will investigate and take appropriate corrective actions to address all reported concerns or incidents arising from impairment-related hazards. (*Consider adding additional information related to privacy, accommodation, internal human resources policy, employee assistance program services and other supportive processes for workers, and disability management referrals). (Note: if you have a post incident drug and alcohol testing policy it should also be referenced here.)*

This policy will be periodically reviewed every **\_\_\_\_\_\_interval\_\_\_\_\_\_** and any changes will be communicated to all affected worksite parties.

Signed: **\_\_\_\_\_\_highest level of management\_\_\_\_\_\_**

## Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

This form is for example purposes only. Completing this form alone will not necessarily put you in compliance with the legislation. It is important and necessary that you customize this document to meet the unique circumstances of your work site. Further, it is essential that this document is not only completed, but is used, communicated, and implemented in accordance with the legislation. Seek legal counsel to verify due diligence and regulatory compliance for the impairment prevention program. The Crown, its agents, employees or contractors will not be liable to you for any damages, direct or indirect, arising out of your use of this form.

# Workplace impairment prevention procedures template

This resource may help you to develop procedures to address impairment in your workplace.

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| **Company name:****Date:** |
| **How to Address Impairment** | **Procedures***(Use the questions and tips below to help develop effective procedures)* |
| **Hazard identification and assessment** *(Hazard identification and assessment is at the foundation of preventing injuries and illness - it is also a requirement under the OHS Act (if a health and safety program is required) and OHS Code)* | Is the health and safety committee or representative involved in the hazard assessment and control process? If your work site is exempt from having a committee or representative, are workers involved in the process? As part of the company’s hazard assessment process, are existing and potential hazards relating to impairment identified?* Review the hazard assessment and control forms completed for each job or position, while considering the hazard of impairment
* Consider what workplace factors may contribute to impairment as a hazard. For example (list is not comprehensive):
* Fatigue;
* Social factors;
* Shift rotations;
* Isolation;
* Remote or irregular supervision;
* Workers with medical conditions;
* Easy access to substances; and
* Repetitious duties.

Do you already have existing policies in place that address substance use (prescription or non-prescription), alcohol use, fatigue management, or work accommodation processes? They may need to be reviewed and updated to be inclusive and focus on impairment as a hazard. |
| **Identify controls to prevent impairment in the workplace***(Using the results of the hazard assessment, determine possible controls for the hazards identified)* | Are measures put in place to eliminate or control each hazard identified in the company’s hazard assessment?* Refer to the hazard assessment and identify measures to eliminate or control each hazard.
* Information on hazards and controls can be used to develop safe work procedures for each job or position).

What other tools or procedures are available to help mitigate the hazard (fitness for work procedures, fatigue management training, shift rotations, limitation of substance use on site, etc.)? |
| **Develop safe work procedures***(Detailed work procedures provide workers information they need to stay safe in the workplace)* | Do the safe work procedures address the hazards and controls identified for each job or position? * Refer to the company’s hazard assessment and control when developing or updating safe work procedures.
* Include information related to the risk of impairment as related to job tasks and responsibilities of workers, and supervisors.
* Training and education around safe work procedures for workers and supervisors, specific to the hazard of impairment (regardless of the cause).
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| **Report incidents***(Procedure for how, when and to whom)* | Do the procedures include details for workers to know how to report an incident, when they should report and to whom they report? * Include information such as the company’s incident reporting form or other reporting mechanisms in documents to be given to workers. Ensure that workers and supervisors are aware of the type of information to be collected (e.g. the details of the incident, names of the workers and others involved in or witness to the incident, date of incident, etc.).
* Assess whether there are privacy and confidentiality laws or legislation that need to be adhered to in certain circumstances, and take steps to protect privacy. Process for private/confidential disclosure for workers to communicate impairment to employers/supervisors can help workers feel safe to disclose.
* Ensure that workers are aware of their legislative protections if they disclose impairment-related hazards. The OHS Act section 35 (prohibition of discriminatory action) protects workers who take steps to ensure health and safety in the workplace.
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| **Investigate and document incidents***(Who is responsible for follow-up and what action is required)* | Do the procedures include guidance on confidentiality and disclosure of information during an investigation? How and when will the parties involved be informed of the results of the investigation and corrective action to be taken?* Identify who is responsible to conduct the investigation.
* Set timeframes for investigations.
* Determine how it will be verified that the appropriate corrective actions are being taken.
* Include guidance on disclosure of information which is in line with the established policy and takes into account confidentiality concerns.
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| **Worker support***(Assistance to workers dealing with impairing conditions or circumstances)* | What supports are available to workers? * Education, training and communication of current policy and programs should be part of prevention strategies.
* Provide information about the employee assistance program as a source of support.
* Work accommodation and review of fitness for work and/or job duties may be required.
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| **Dealing with impairment in the workplace: barriers and potential solutions** |
| **Barriers** | **Potential Solutions** |
| Workers don't feel empowered to disclose impairment | Create culture of safety; create a workplace where disclosure is encouraged.  |
| Work scheduling creates pressure for workers to continue to work despite being impaired | Have flexibility in work scheduling and staffing where feasible; flexible deadlines where feasible. |
| Workers are unaware of the employer's policy around disclosing impairment | Implement training sessions; provide refresher training through tool-box discussions and other communications. Include a requirement to periodically review and renew commitment to the policy. |
| Supervisors are uncomfortable taking action when impairment is reported | Provide education and training for supervisors and staff around organizational policies, reporting, privacy and confidentiality. Provide clear policy for supervisors to follow.  |

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