

“Fitness for duty” Policy Template

PURPOSE

Alcohol, Drugs and Medications, the impact of personal problems, and extreme fatigue can limit the ability of Employees to perform their work in a safe and productive manner, and can have a serious negative impact on the health and safety of the Employee and others. In light of this, and the safety-sensitive nature of our operations, the purpose of this Policy is to ensure Employees are fit to perform their assigned tasks safely and reliably.

SCOPE

This Policy applies to the Employer’s operations for all Employees and Workers (hereinafter Employees) when they are at work, traveling to and from sites or locations, conducting business on behalf of or representing the Employer, and/or attending Employer-sponsored events, regardless of the location. Employees are expected to obey all laws at all times.

RESPONSIBILITIES

Employees are expected to report to work Fit for Duty and to remain Fit for Duty throughout their work day or shift, whether on or off Employer premises and worksites, and at all times in conjunction with the performance of their duties.

SELF- DISCLOSE Employees are expected to disclose to their Supervisor/ Employer if they are unfit for duty at any point. Employees are also expected to disclose any alcohol or drug use, medication use, personal problems, fatigue or any condition which may render them unfit for duty. **Employees** are encouraged to seek assistance at an early stage for any problem they may have that could effect their ability to remain fit for duty through the Employee or Union Assistance Program(s), or through their physician or services in the community.

DISCLOSURE OF SUBSTANCE DEPENDENCY An **Employee** who knows or reasonably suspects that he or she has a substance dependency or emerging Alcohol or Drug issue is required to report this to the Supervisor/Employer at the earliest opportunity and expected to seek advice and to follow appropriate treatment promptly before safe job performance is affected or violations of this Policy occur.

Employees with a Disability may require Accommodation, which may follow some alteration to the work or the workplace that is consistent with a worker’s Functional Abilities and the Ontario Human Rights Code (HR Code) and the Accessibility for Ontarians with Disabilities Act (AODA). Employees are expected to request accommodation for any disability, including substance abuse disorder, at the earliest opportunity, and to cooperate with the Employer during the procedural and substantive accommodation process. The **Employer** is committed to assisting Employees with individualized accommodation, treatment and rehabilitation in cases where they have medically validated dependency issues. The **Employer** will support Employees who voluntarily request help related to any disability that would effect their ability to remain fit for duty.

PROCEDURE / METHOD

All Employees are to report to work and remain fit to perform their duties throughout the duration of their employment shift. For the purpose of this policy, Fit for Duty/Fitness for Duty means that an Employee is in a physical, mental, and emotional state which enables the employee to perform the essential tasks of his or her work assignment in a manner that is predictable and which does NOT threaten the safety or health of oneself, co-workers, property, or the public at large.

SENT HOME An Employee will not be permitted to work and will be sent home without pay for the duration of his or her shift when there are objective signs as assessed by the Supervisor/Employer that he/she may not be Fit for Duty. If it is determined that an Employee is not Fit for Duty, a manager/supervisor will ensure that the Employee leaves the work site and has a safe method of transportation.

MEDICAL ASSESSMENT Following the occurrence of any accident or incident or near miss, the Employer may conduct an investigation of any employee involved in the arising event to determine if they were fit for duty, including the potential use of a post incident medical assessment. The Employer reserves the right to require an employee/ worker submit to a medical assessment to aid in such an investigation, which may include Drug and/or Alcohol testing by an approved and accredited third party medical and testing authority.

In addition, where an employee has been deemed not fit for duty, the Employer may require a medical assessment by a treating physician satisfactory to the Employer prior to returning the Employee to the workplace.

VIOLATION/PENALTY

Any violation of this Policy by an Employee will result in appropriate corrective action(s), which may include verbal or written warnings, suspensions without pay, or other action up to and including the termination of the Employee's employment for cause. For clarity, an employee's failure to disclose any condition impacting fitness for duty, or failure to disclose a substance dependency disorder where it is reasonable to know or suspect that an employee has or may have a substance dependency disorder, is liable to discipline up to and including termination of employment for cause.

[EMPLOYER NAME]

FITNESS FOR DUTY POLICY

ACKNOWLEDGEMENT

Employees must sign the applicable acknowledgement form attached to this Policy. A copy of the signed acknowledgement form will be placed and maintained in the Employee's personnel file.

Employee Acknowledgement

By my signature below, I acknowledge that I have read and understand this Fitness for Duty Policy and agree to abide by its terms and conditions.

I also understand that any violation of this Policy will result in appropriate corrective action, which may include disciplinary action up to and including the termination of my employment for cause.

[EMPLOYEE NAME]

[DATE]: MM/DD/YYYY

[EMPLOYEE SIGNATURE]