

Policy Name: SUBSTANCE USE POLICY – DRUGS AND ALCOHOL			
Policy Sponsor	Chief Human Resource Officer	Category	Administrative
Policy Contact	Chief Human Resource Officer	Effective Date	October 17, 2018
Approved By	Executive Team	Review Date	October 17, 2023
Approved Date	October 17, 2018		

1. **Purpose:** The University is committed to promoting the health, safety and wellness of all members of the Athabasca University Community. It recognizes that the use of Drugs and Alcohol can impair an individual, and that impairment may affect the health and safety of others, including students, contractors, and by extension communities we serve. This policy outlines the University’s expectations and prohibitions regarding the personal, recreational and public use of Alcohol and Drugs.

Founded on our ICARE values, this policy outlines the responsibilities of the members of the University Community supported by the principles of Fit for Duty/Fit for Learning.

2. **Scope:**

- 2.1. This policy applies to all members of the Athabasca University Community.
- 2.2. University owned, operated and leased properties. In the event of a conflict between this policy and any policy, procedure, practice or rules as governed by the owner or landlord of such leased property the policy that is most restrictive will apply.
- 2.3. This policy complements, may interact with or may trigger, other university policies, procedures, collective agreements, contracts, terms of reference, and professional codes of conduct and shall be read in a manner which operates in conjunction with, and not as conflicting with, those policies.
- 2.4. The University recognizes that it has a duty to take reasonable steps, to accommodate an employee’s individual needs. This policy is not intended to discourage or prevent individuals from receiving accommodation for the medicinal use of prescription drugs, including cannabis.
- 2.5. This policy does not apply to or seek to limit any authorized academic or research projects or purposes that may include Drugs and Alcohol.

3. Definitions

Alcohol	Intoxicating agent in beverage alcohol, or other low molecular weight alcohols (i.e., isopropyl).
Cannabis	A cannabis plant and any part of a cannabis plant, including the phytocannabinoids produced by, or found in, such a plant, regardless of whether that part has been processed or not. Any substance or mixture of substances that contains or has on it any part of such a plant. Any substance that is identical to any phytocannabinoid produced by, or found in, such a plant, regardless of how the substance was obtained.
Cannabis Paraphernalia	A thing, including rolling papers or wraps, holders, pipes, water pipes, bongs and vaporizers, that is represented to be used in the consumption of cannabis or a thing that is represented to be used in the production of Cannabis; or (b) a thing that is deemed to be represented to be used in the consumption or production of Cannabis.
Contractor(s)	A person, a partnership or group of persons who, through a contract, an agreement or ownership, directs the activities of one or more employees involved in work at a works site.
Drugs	Any substance, chemical or agent the use or possession of which is unlawful in Canada or requires a personal prescription or authorization from a licensed treating physician, or the use of which is regulated by legislation (such as Cannabis), or any other psychoactive substance, and any non-prescription medication lawfully sold in Canada. For the purposes of this Policy “drugs” also includes any drug paraphernalia.”
Employee	A full-time, part-time, casual, or seasonal staff member employed by the University.
Executive Team	Is comprised of the President; Provost and Vice-President Academic; Vice-President, Finance and Administration and Chief Financial Officer; Vice-President, Information Technology and Chief Information Officer; Vice-President, University Relations; University Secretary; Chief Human Resource Officer; the Chief of Staff, Office of the President, and any other position as so designated.
Fit for Duty	Being in a state which allows an individual to perform their assigned tasks and responsibilities competently and successfully and in a manner that does not compromise or threaten the health and safety of the individual, co-

	workers, students, property or the public-at-large.
Fit for Learning	That a student is not impaired by any Drugs or Alcohol or other impairing substance that will disrupt the learning experience or compromise or threaten the health and safety of the individual, fellow learners, faculty or staff, property or the public-at-large. Except where such USE is in accordance with the terms of Medicinal Use.
Legislation	Applicable law that is enacted by the Federal Government, Provincial Legislature, Municipal Council, or other governing body having jurisdiction
Medicinal Use	The use of prescription drugs, including Cannabis, as prescribed by a Physician who is licensed to practice medicine in Canada and is authorized by their respective governing body to prescribe drugs for medicinal purposes in Alberta.
Minor	A person under the age of 18 years.
Personal Use	Any use of drugs that is not Medicinal Use.
Safety-Sensitive Position	Any position where the job function, including non-routine and emergency duties, involves responsibility for actions or decisions, which if not performed correctly, could directly cause or contribute to a danger to the health and safety of employees, contractors, customers, the public, or the environment. The [University] reserves the right to designate positions as Safety Sensitive Positions, based on its review of the duties and responsibilities of its positions, and upon notice to Employees. Employees who are required to temporarily relieve in a Safety Sensitive Position, or who directly supervise Safety Sensitive Positions and who may perform the same duties or exercise the same responsibilities, are deemed to hold Safety Sensitive Positions.
University Community	All faculty and staff, students, Board Members, contractors, postdoctoral fellows, volunteers, visitors and other individuals who work, study, conduct research or otherwise carry on business of the University.
University Event	Gatherings that require formal planning and organization (for example: booking a venue, advertising or promoting on social media or otherwise, selling tickets or charging for entry, arranging entertainment, hiring servers) that are organized by faculty, staff acting on behalf of the University. This does not include small personal gatherings that are not University related events.



University Property	Any land, or building part thereof owned, leased, or occupied by the University. Including any motor vehicle, piece of equipment, container or other means of transportation, owned, leased, rented or used by the University and any private vehicle used in the course of University Business.
Use	Smoking, vaping, applying, inhaling, ingesting (i.e. eating) and otherwise consuming or injecting legal or illegal drugs and alcohol.
Visitor	An individual or group that is neither registered as a student(s) nor university faculty or staff and who attends University owned, operated or leased property.

4. Guiding Principles

4.1. Policy

- a) The Use, preparation, cultivation, growth, manufacturing, distribution, or offering for sale of any:
 - i. Alcohol;
 - ii. Drugs or drug paraphernalia; and
 - iii. Prescribed medication not authorized for personal use,

anywhere on University Property is strictly prohibited except as expressly authorized by this policy or where such activity is in compliance with the University Events Policy or is required as part of an employee's work duties.

4.2. Expectations

- a) Employees must:
 - i. report Fit for Duty and remain Fit for Duty while at work or representing the University in a work capacity;
 - ii. Remain in compliance with this policy when in an on-call or stand-by capacity; and
 - iii. Decline any unscheduled work requests made by the University if the employee is under the influence of Alcohol and Drugs. There will be no adverse consequences to the Employee for declining in these circumstances.

4.3. Accommodation

- a) The University recognizes and respects:
 - i. the right to Medicinal Use for all members of the University Community; and
 - ii. its duty to accommodate individuals in accordance with Alberta Human Rights legislation.
- b) Notwithstanding anything to the contrary in this policy or elsewhere, the University reserves the right to consider accommodating any employee or student to the point of undue hardship.

4.4. Compliance

- a) Violators of this policy may be prosecuted under applicable Legislation resulting in specified legislative penalties. In addition, violators of this policy and related University policies may also be subject to University disciplinary action, including action that is in accordance with the provisions contained

in any collective agreement, employment contract, personal services agreement, fee for services contract entered into between the University and its employees or Contractors and any student code(s) of conduct or policies.

- b) Confidentiality will be maintained in information resulting from an employee or student's disclosure of a substance use problem or an emerging Drug or Alcohol problem, except where the disclosure of such information is:
 - i. Necessary for related health and safety concerns;
 - ii. Necessary as part of any disciplinary process; or
 - iii. Required by law or any collective agreement.

4.5. Awareness and Education

- a) This policy is available in the online Office of the University Secretariat/University Policies and Procedures Manual at <http://ous.athabascau.ca/policy/index.php> and the Human Resources and Employment Services Policy and Procedure site.
- b) The advertising, promotion or marketing of Alcohol and Drugs is prohibited on University Property.
- c) The University is committed to offering ongoing education and promoting awareness about the danger of Alcohol and Drug use.

5. Applicable Legislation and Regulations

Alberta Human Rights Act, R.S.A. 2000, c. A-25.5,
as amended *Bill C-45 - An Act respecting cannabis and to amend the Controlled Drugs and Substances Act, the Criminal Code and other Acts,*
as amended *Bill 26 – An act to control and regulate Cannabis*
Bill 29 – An act to reduce Cannabis and Alcohol
Impaired Driving Bill 6 – Gaming and Liquor Statues,
as amended *Bylaw of the Town of Athabasca, in the province of Alberta, to Restrict the Consumption of Cannabis in Public Places*
Bylaw Number 24m2018 Being A Bylaw Of The City Of Calgary To Restrict The Consumption Of Cannabis In Public Places
City Of Edmonton Bylaw 14614 Public Places Bylaw
Freedom of Information and Protection of Privacy Act, R.S.A 200, c. F-25,
as amended *Post-Secondary Learning Act, R.A. 2003, c. P-19.5,*
as amended *All collective bargaining agreements in which the Governors of Athabasca are a party*

6. Related Procedures/Documents

[Alcohol at University Events Policy](#),

as amended [Non-Academic Misconduct Policy](#),

as amended [Substance Use Procedure - Drugs & Alcohol](#)

History

<i>Date</i>	<i>Action</i>
October 17, 2018	Executive Team (approved)