**[Farm Name] FITNESS FOR DUTY & SUBSTANCE ABUSE POLICY STATEMENT**

Policy

To ensure workers on the farm report to work fit for duty. Adopting this Policy is a reasonable measure that [Farm Name] is required to take to ensure the health and safety of workers at or near sites and facilities under Section 13 of the Nova Scotia Occupational Health and Safety Act (OHS Act).

[Farm Name] goal is to provide a work environment that is both healthy and comfortable for all its workers. It is recognized that the use of alcohol or drugs may have serious adverse effects on a worker’s health, safety, and job performance. Under human rights laws, use of medical marijuana or cannabis must be accommodated to the point of undue hardship when it’s used to treat a “disability.” Similarly, drug addiction or dependence is also a disability requiring accommodation. A worker’s casual use of recreational marijuana or cannabis is not a disability and there’s no legal duty to accommodate.

[Farm Name] recognizes that workers who use or who are impaired by drugs or alcohol while performing work endanger not only themselves, but their co-workers and others affected by the work. [Farm Name] policy with regard to such conduct is one of zero tolerance and workers must be aware that any violations they commit may result in disciplinary action up to and including termination.

However, [Farm Name] also recognizes that addiction to drugs or alcohol is a serious health problem. The intent of this Policy is to accomplish the health and safety goal in a manner that is fair, humane and consistent with workers’ accommodation rights under discrimination laws. The ultimate goal is not to punish but help workers identify and get help for their substance abuse issues so that they can return to work healthy, safe, happy and productive.

Alcohol and Illegal, Recreational, or Prescription Drugs

All workers covered by this Policy are required to:

1. Come to work fit for duty;
2. Reasonably protect the health and safety of themselves and others at all times while on duty;
3. Refrain from using or being impaired by alcohol or drugs while they are on duty;
4. Refrain from possessing, purchasing, selling, distributing or engaging in any other conduct involving alcohol or illegal substances or paraphernalia while they are on duty, while on [Farm Name] property or in farm vehicles and equipment;
5. Refrain from misusing or being impaired by prescription or non-prescription drugs while working;
6. Notify a supervisor if you suspect that a co-worker is unfit for duty;
7. Submit for drug and alcohol testing in accordance with the [Farm Name] Testing Policy;
8. Use of alcohol for social functions or any circumstances related to organizational business may be permitted when approved by [Farm Name].

Privacy

[Farm Name] recognizes that test results and related information is protected personal information under privacy laws and will keep it confidential and secure and refrain from using or disclosing it except as permitted or required by law.

Policy Violations

Should there be reason to believe that a workers’ job performance is being negatively affected by alcohol, illegal or prescription drugs, or that this policy is being violated in anyway, [Farm Name] is can ask about the problem and take appropriate action.

[Farm Name] may investigate to check whether a worker is engaged in substance abuse or otherwise in violation of his/her fitness for duty obligations under this Policy in response to:

* Complaints or concerns by co-workers, supervisors, etc.;
* Testing positive;
* Tampering or attempting to tamper with samples and/or refusing to submit to testing;
* Declining performance;
* Erratic behaviour;
* Involvement in safety incidents including near misses;
* Arrests for impaired driving, drug offences and similar violations; and
* Other indications that the employee has substance abuse issues or is otherwise not fit for duty.

\*Refer to the Fitness for Duty & Substance Abuse Guide for complete details as it relates to this policy statement.

**Signed**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Date**: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\*The safety information in this policy is to be used in conjunction with all applicable Federal, Provincial, and Municipal Legislation.