

**SECTION: Human Resources – General**

**SUBJECT: SaskPower Drug and Alcohol Process**

**Issue / Revise Date: September 7<sup>th</sup>, 2018**

**Effective Date: December 16<sup>th</sup>, 2010**

## **1.0 Objective and Purpose**

The objective of the SaskPower Drug and Alcohol Process is to provide a guideline to support SaskPower's commitment to maintaining a safe and healthy workplace, free from the negative effects of alcohol, drug or other substance use. This Process supports the SaskPower Hazard/Aspect and Risk Assessment Policy, the SaskPower Drug and Alcohol Standard, and is a commitment to our health and safety program, as well as the Employee and Family Assistance Program (EFAP). SaskPower is committed to complying with health, safety and environmental policies and all relevant legislation such as Part III of *The Saskatchewan Employment Act* and *The Occupational Health and Safety Regulations, 1996*, as well as all the Company's policies and practices.

SaskPower is committed to the health and safety of our employees, contractors, customers and the general public, both in the workplace, and in the communities in which we operate. The inappropriate use or abuse of drugs, alcohol and/or medications has the potential to adversely affect workplace safety by introducing unacceptable safety risks, reducing productivity and/or impacting the well-being of employees, their families, customers and the general public.

SaskPower's goal is to mitigate safety risks by addressing the inappropriate possession and use and abuse of drugs, alcohol and medications in the workplace. SaskPower seeks to do this through increased Employee awareness and with an emphasis on individual responsibility. Clear communication of the objectives, assistance towards rehabilitation, and leading by example, will help SaskPower and its employees to create the safe and healthy work environment that is necessary for a high performing organization.

Using any unauthorized substances or unlawful substances, at any time, such that the Employee is not Fit for Duty/Work, and then reporting for work is in direct violation of SaskPower Code of Conduct, SaskPower Hazard/Aspect and Risk Assessment Policy, and the SaskPower Drug and Alcohol Standard and Process. SaskPower does not seek to control what employees do when their conduct is unrelated to their responsibilities to SaskPower. However, employees are obligated to be fit for duty/work when reporting for work.

The purpose of this document is:

- (a) To provide additional information to employees so they know and understand what steps will be followed in the event that a drug and/or alcohol situation occurs,
- (b) Increase consistency of application by providing a standardized process, and
- (c) To reassure employees affected by this process that they shall:
  - Be treated with respect and individual consideration;
  - Have access to trained professionals;
  - Be tested (when applicable) and the test will be conducted in a discrete and private manner;
  - Have the highest level of confidentiality throughout the process.

## **2.0 Training and Awareness**

SaskPower will provide training and awareness through onboarding, existing training in the Learning Management System (LMS), Drug and Alcohol Awareness Session (LMS) as well as through Corporate Communications.

## **3.0 Assistance**

SaskPower is concerned about the health and welfare of all its employees. Recognizing that denial is often a typical trait of a substance abuse problem, the Drug and Alcohol Standard encourages employees who believe they may have a drug and/or alcohol problem to seek the support from trained addictions professionals and to discuss their situation with Health and Wellness Services.

3.1 Should an Employee request support from their Supervisor, the Supervisor shall:

Contact Health and Wellness Services to discuss the request and next steps; and,  
Encourage the Employee to access EFAP services.

3.2 An Employee who requests assistance for an alcohol or drug problem will not be disciplined for seeking help.

## **4.0 Violation of Policy/Standard/Process**

All employees who fail to comply with the Hazard/Aspect and Risk Assessment Policy, Drug and Alcohol Standard and/or Process may be disciplined, up to and including termination of employment. Refusing to submit to a drug and/or alcohol test, and/or falsifying/tampering with a drug and/or alcohol test sample, is considered to be a serious breach of employment contract.

Examples of a violation of this Process include:

- Reporting for duty or performing job duties with the presence of Unauthorized Substances or Unlawful Substances in breath, urine or saliva at or above the threshold levels stated in Appendix G;
- Consuming any lawful substances where there is any reason to believe such consumption will result in the Employee not being Fit for Duty/Work, and subsequently reporting for work without first consulting with their Manager;
- Consuming any Unauthorized Substance or Unlawful Substance between the times an Employee is asked to submit to a test for Unauthorized and/or Unlawful Substances and the time the samples are provided;
- Possessing an Unauthorized or Unlawful Substance on a SaskPower site, either on their person or in a SaskPower vehicle, equipment, or storage place or compartment;
- Refusing to submit to testing, and/or obstructing or attempting to obstruct the testing process or any investigation pursuant to this Process or obstructing or attempting to obstruct the testing process or any investigation pursuant to this Process;
- Attempting to operate or operating any vehicle or equipment located on SaskPower Sites, including vehicles not owned by SaskPower, after the testing process has been initiated.

## 5.0 Reasonable Grounds Process

Supervisors are legally obligated under *The Occupational Health and Safety Regulations, 1996* and *The Saskatchewan Employment Act* to take immediate action to address situations involving Employee safety risk, including situations involving suspected Employee impairment or not being fit for duty/work.

The law and SaskPower's Privacy Policy both require that information shared in the course of dealing with a drug and alcohol situation (regardless whether the Employee self-discloses or not) must be held in strictest confidence, as per *The Health Information Protection Act*. All information gathered pertaining to a suspected and/or disclosed problem must be forwarded to Health and Wellness Services for retention in the Employee's confidential medical file. Copies are not to be retained by the Business Unit or on-site.

If an Employee believes that his/her co-worker may be in violation of the Hazard/Aspect and Risk Assessment Policy and/or Drug & Alcohol Standard, he/she shall immediately report his/her concerns/situation to his/her:

- a) Supervisor; and/or
- b) HR Business Partner; or
- c) Health and Safety Business Partner.

If an Employee believes that his/her supervisor may be in violation of the Hazard/Aspect and Risk Assessment Policy and/or Drug & Alcohol Standard he/she shall immediately report the situation and/or his/her concerns to their:

- a) Supervisor's manager; and/or
- b) HR Business Partner; or

c) Health and Safety Business Partner.

Where unusual behavioural/actions is noted and/or the supervisor suspects an Employee may not be fit for duty/work due to the use of drugs, alcohol, or some other cause, the supervisor shall explain the process to the Employee and provide the Employee with information about the steps that will take place.

Completion of both forms (Reasonable Grounds Interview and Reasonable Grounds Checklist) is required to assess the impact of suspected drug and/or alcohol use and to determine how it may affect the Employee's ability to perform his/her job. The interview will be conducted, in most circumstances, by the Employee's immediate supervisor.

- a) The Supervisor will conduct a Reasonable Grounds Interview (Form B ) to gather more information;
- b) Once completed, a Reasonable Grounds Checklist (Form C) is to be completed to determine whether there is sufficient indication (typically more than two indicators) that drugs and/or alcohol may have been used.

During a Reasonable Grounds Interview;

- If the Employee is in-scope, a union representative is required to be in attendance in person on-site. If unavailable, they may participate via telephone or videoconference.
- If the Employee is out-of-scope, upon request, a second out-of-scope supervisor or delegate may be in attendance.

The Employee, in the presence of the appropriate observer, will be provided with an opportunity to explain his/her behaviour. The detailed proceedings (Reasonable Grounds Interview and Reasonable Grounds Checklist) are to be documented by the Supervisor (Form B & Form C). When gathering information regarding the circumstances, the supervisor will not attempt to reason, rationalize or negotiate with the Employee.

Management will accept or reject the Employee's explanation based on the evidence available at the time.

Once complete, a copy of both forms will be provided to the Employee and the originals shall be sent to Health and Wellness Services. Copies are not to be retained by the Business Unit or on-site.

## 5.1 Reasonable Grounds Established

Where reasonable grounds exist the supervisor shall take immediate precautions by:

- Faxing or scanning a copy of the Reasonable Grounds Interview checklist to Health and Wellness Services immediately;

- E-mailing Health and Wellness Services to advise the date and time of the Reasonable Grounds Interview was sent to Health and Wellness Services (and if it was emailed or scanned). Confirmation will be sent back from Health and Wellness Services;
- Removing the Employee from work; and/or
- Temporarily suspending driving privileges (SaskPower vehicles) and/or contacting local law enforcement (or the RCMP where applicable) should the Employee attempt to operate a personal vehicle.

If the Employee admits to using drugs and/or alcohol, they shall be referred to Health and Wellness Services immediately and testing may not be required.

If the Employee denies using drugs and/or alcohol but provides an explanation that may account for the signs and/or symptoms they are displaying (other cause) testing will not be required and they shall be referred to Health and Wellness Services immediately.

For employees who are not in Safety Sensitive positions, the Employee will be safely sent home and referred to Health and Wellness Services. The Employee will be provided a date and time to return to attend a meeting to discuss/investigate the matter.

Where the Employee denies using drugs and/or alcohol, where Reasonable Grounds have been established, and the Employee is in a Safety Sensitive Position, the supervisor shall:

- Provide information regarding the testing process;
- Explain the consequences of refusing to participate in testing;
- Direct the Employee to participate in a drug and alcohol test;
- Confirm the Employee's intentions regarding participation;
- If the employee consents to testing, the supervisor shall make arrangements by calling the Third Party Drug and Alcohol Testing Provider (see EIN or program reference materials for contact details). The Employee's Business Unit shall pay the cost for drug and/or alcohol testing;
- If the Employee refuses testing, the supervisor will explain that their decision is considered to be a contravention of the Hazard/Aspect and Risk Assessment Policy and Drug and Alcohol Standard and work with the HR Business Partner to identify and implement the appropriate action under the SaskPower Corrective Discipline Policy. In the case of an in-scope employee the HR Business Partner will consult with Labour Relations.

In all cases, Health and Wellness Services will determine whether an existing medical condition has been disclosed and is documented on file. If not, in the case of an out-of-scope Employee, the matter shall be referred to the HR Business Partner. In the case of an in-scope Employee, the HR Business Partner will consult with Labour Relations.

The Employee shall be encouraged to utilize EFAP services.

## 5.2 Reasonable Grounds Not Established

If, in the course of the Reasonable Grounds interview, a reasonable and acceptable explanation has been provided the employee will resume their regular duties.

If the employee denies using drugs or alcohol and does not exhibit any signs or symptoms, but where the Supervisor is uncertain about their fitness for duty/work, the Supervisor shall call Health and Wellness Services to obtain further directions.

## **6.0 Post Incident Process**

In the event of any incident, the Health, Safety and Environment Incident Management Process shall always be followed. As a result of an incident where an Employee requires immediate medical assistance (e.g. ambulance), this will be provided as a first priority. If there is reason to believe the Employee may be under the influence of drugs and/or alcohol, this information must be provided to the first responder and/or care provider to ensure appropriate care.

The investigation that is conducted as part of the Incident Management Process is considered to take the place of the Reasonable Grounds Interview. The Reasonable Grounds checklist must always be completed except in the case of Post Critical Incident (see next section below).

### **6.1 Post Critical Incident**

Following a critical incident, any Employee in a Safety Sensitive Position shall be drug and alcohol tested immediately. Safety Sensitive positions are those which SaskPower has determined to have a key and direct role in, and where impaired performance could result in an incident, affecting the health and safety of our employees, contractors, customers, the public, property and/or the environment. This includes those in a managerial or supervisory position who oversee employees in Safety-Sensitive Positions. The Reasonable Grounds Checklist would not be required in this instance.

### **6.2 Post Non Critical Incident**

For incidents that are not categorized as critical the Reasonable Grounds Checklist must be completed immediately. If reasonable grounds are established for any Employee in a Safety Sensitive Position they shall undergo drug and alcohol testing immediately.

When reasonable grounds are established, and the Employee is not in Safety Sensitive Position, the Employee will be safely sent home and referred to Health and Wellness Services. The Employee will be provided a date and time to attend a meeting to discuss/investigate the matter.

## 7.0 Testing Process

Drug and alcohol testing is considered to be a medical procedure. Accordingly, test results must be treated as highly confidential. Without exception, test results must be handled in accordance with SaskPower's Privacy Policy and with consideration of *The Health Information Protection Act* ("HIPA").

Where required, the supervisor shall arrange for the Employee to undergo testing by calling Third Party Drug and Alcohol Testing Provider (see EIN or program reference materials for contact details). The Employee's Business Unit shall pay the cost for drug and/or alcohol testing.

In all circumstances, the supervisor, or their designate, will accompany the Employee to the testing facility and will remain with the Employee at all times until the testing is complete.

### 7.1 Reasonable Grounds/Post Critical Incident Testing

Employees in Safety Sensitive Positions shall undergo drug and alcohol testing on the following basis:

- Post Critical Incident;
- Reasonable Grounds have been established and the employee denies using drugs and/or alcohol.

Alcohol testing - SaskPower will ensure that an Employee who is required to be tested for alcohol undergoes the testing procedure immediately (within 4 hours).

Drug testing - SaskPower will ensure that an Employee required to be tested for drugs undergoes the testing procedure immediately (within 32 hours).

If the test is not administered within the required time frame, the supervisor will:

- Stop any further attempts to refer the Employee for testing;
- Prepare a document stating the reason the test was not promptly administered;
- Verbally notify Health and Wellness Services as soon as possible and send the original document for inclusion on the Employee's confidential medical file.

### 7.2 Post Incident Testing for Safety Sensitive Positions

The purpose of post incident testing is to rule out impairment as a cause of an incident. The circumstances of each case shall be taken into consideration before making the decision to test.

In the event an Employee requires medical aid as a result of an incident, provision of treatment will be the first priority.

- Determination of pay continuance is determined by the outcome of the investigation.
- The testing process applies when an Employee is involved in an incident while

- a) Performing work duties;
- b) Operating a company-owned vehicle;
- c) Using their personal vehicle for the purpose of company business or (d) using a rented vehicle for company business.
- An incident initiates the process to determine if a test is required, except when testing is required following a critical incident.
- Post incident testing shall occur immediately for any Employee in a safety sensitive position following a critical incident.
- For incidents that are not categorized as critical, drug and alcohol testing will only be conducted when reasonable grounds have been established.
- Where the incident investigation and Checklist fail to confirm a drug and/or alcohol related cause, the Employee may resume work.
- If the Employee admits to having used drugs and/or alcohol, they may be referred for testing and are to be directed to contact Health and Wellness Services immediately.
- If a causal relationship is found, (whenever an Employee meets the reasonable grounds criteria and denies using drugs and/or alcohol) they will be required to undergo testing with Third Party Drug and Alcohol Testing Provider. Health and Wellness Services shall be notified when the test results may be expected.
- Where an Employee meets the criteria, but declines to take the drug and/or alcohol test, the supervisor shall:
  - a) Explain that their decision is considered to be a contravention of the Hazard/Aspect and Risk Assessment Policy and the Drug and Alcohol Standard.
  - b) Work with Labour Relations and Human Resource Business Partner (HRBP) to identify and implement the appropriate action under the SaskPower Corrective Discipline Policy.
- Where an out-of-scope Employee meets the criteria, but declines to take the drug and/or alcohol test, the supervisor shall:
  - a) Explain that their decision is considered to be a contravention of the Hazard/Aspect and Risk Assessment Policy and the Drug and Alcohol Standard;
  - b) Refer the matter to and work with Labour Relations and Human Resource Business Partner (HRBP), who will communicate with the Director of Human Resources and assist the supervisor to identify and implement the appropriate action under the SaskPower Corrective Discipline Policy.
- When reasonable grounds have been established, but the circumstances dictate that no testing is to be undertaken (a reasonable and acceptable explanation is offered) the matter shall be referred to Health and Wellness Services.
- If the Employee denies using drugs or alcohol and does not exhibit any signs or symptoms, but where the Supervisor is uncertain about their fitness for duty/work, the Supervisor shall call Health and Wellness Services to obtain further direction.
- To ensure consistency across all Employee groups, Health and Wellness Services will monitor incoming documents and conduct trend analysis. Where a trend is identified concerning the handling of drug & alcohol situations the matter shall be referred to the Vice President Human Resources and Safety for further review.

### 7.3 Negative Test Results (Pass)

- A confidential written report (from Third Party Drug and Alcohol Testing Provider) will be provided to Health and Wellness Services indicating that the Employee passed the test;
- The Health and Wellness Services will verbally advise the Employee's supervisor of the outcome (no specific details will be shared, only that the Employee passed);
- The Employee will be notified of the outcome of the test by their supervisor;
- Health and Wellness services will provide the results to the HR Business Partner and they will consult with Labour Relations as needed for in-scope employees;
- Case management will be handled by Health and Wellness Services who will determine the Employee's Health and Wellness Services plan;
- Upon receipt of a written request from the Employee, a copy of the test results will be provided to the Employee by Health and Wellness Services.

### 7.4 Positive Test Results (Fail)

- A confidential written report (from Third Party Drug and Alcohol Testing Provider) will be provided to Health and Wellness Services indicating that the Employee failed the test;
- The Health and Wellness Services will verbally advise the Employee's supervisor of the outcome (no specific details will be shared, only that the Employee failed);
- The Employee will be notified of the outcome of the test by the supervisor;
- Health and Wellness services will provide the results to the HR Business Partner, Supervisor and Labour Relations if applicable;
- Case management will be handled by Health and Wellness Services who will determine the Employee's Health and Wellness Services plan;
- Upon receipt of a written request from the Employee, a copy of the test results will be provided to the Employee by Health and Wellness Services.
- An employee may challenge an initial positive test when notified of the result by Health and Wellness Services. To do this, the employee requests that the second (split) urine sample taken from the original specimen be tested. This request must be made within 72 hours of the employee being notified that the first test was found to be positive.

## 7.5 Testing Protocol

Third Party Drug and Alcohol Testing Provider (the organization contracted to conduct testing) will:

- Third Party Drug and Alcohol Testing Provider will ensure only professionally trained collection personnel (internal or external) are used.
- Conduct accurate and confidential drug & alcohol testing.
- Verbally notify Health and Wellness Services of the results: negative (pass) or positive (fail).
- Forward all test results, via encrypted e-mail, to Health and Wellness Services.

Testing will be conducted in a professional manner with consideration for the Employee's privacy.

When testing is required, employees are required to sign a consent form at the facility/clinic where the testing is conducted (Form E).

All specimens will be collected using a chain of custody protocol.

Third Party Drug and Alcohol Testing Provider or internally trained collection personnel, will collect and process specimens for drug testing as required. All testing will meet or exceed the guidelines and standards of the Substance Abuse or Mental Health Services Administration which is the certifying agency for forensic urine drug testing laboratories in Canada.

Alcohol screen testing will be conducted using an approved evidential breath testing device.

## 7.6 Use of Prescription and Non-Prescription Drugs

Employees using prescription drugs or any medication that may impact their fitness for duty/work or could impair their ability to perform their normal job function(s) must notify their supervisor and/or Health and Wellness Services prior to commencing work.

If the Employee is uncertain about the side effects of a prescription or non-prescription drug he/she shall consult a physician, pharmacist, nurse or qualified advisor.

If there are potentially unsafe side effects from using these drugs, the Employee must notify Health and Wellness Services prior to commencing work activities.

## **8.0 After Hours/Weekend Procedure**

In the event that drug and/or alcohol testing needs to be conducted outside of office hours (8:00 – 5:00 Monday to Friday) the Supervisor will call the Third Party Drug and Alcohol Testing Provider (they are available 24/7) to schedule an appointment immediately. The Supervisor will notify Health and Wellness Services of the time and date of the test so they can monitor for the results. In all circumstances, the supervisor, or their designate, will accompany the Employee to the testing facility and will remain with the Employee at all times until the testing is complete.

Employees in Safety Sensitive Positions shall undergo drug and alcohol testing post Critical Incident and when Reasonable Grounds (by completing the Reasonable Grounds Interview and Checklist) have been established and the employee denies using drugs and/or alcohol by the following procedure:

- Fax or scan the forms to Health and Wellness Services;
- Send an e-mail to Health and Wellness Services advising that forms have been transmitted (you will receive a confirmation from Health and Wellness Services on the next work day);
- Send both forms and any additional documentation to Health and Wellness Services via interoffice mail;
- Complete the referral form and take it to the testing site;
- Ensure the Employee remains off work and is transported home safely, until the test results have been reported;
- When the test results have been provided to Health and Wellness Services, if the Employee passes the test (negative result) they may resume work as long as the out-of-scope supervisor believes they are fit to do so. If the result is positive (fail) the Employee will remain off work pending further investigation;

The Health and Wellness Services will follow up with the Employee and supervisor as soon as possible during scheduled office hours.

Test results will be handled in accordance with the SaskPower Privacy Policy and HIPA except as required by law.

## **9.0 Authority to Search**

If there is sufficient evidence to believe that an Employee has breached the Hazard/Aspect and Risk Assessment Policy Drug and Alcohol Standard, the employer may conduct searches and/or inspections of company premises associated with the Employee's work location(s), including, but not limited to lockers, desks, and company vehicles.

Without exception, management will conduct such an investigation in the presence of a witness. If the situation involves a unionized Employee, a union representative shall be present.

Any illegal substances, or suspected illegal substances, found on employer property will be provided to local law enforcement (or the RCMP where applicable) in accordance with the Code of Conduct.

## **10.0 Driving While Impaired**

Any Employee charged and/or convicted, of an offence, under either *The Traffic Safety Act* or the *Criminal Code*, relating to the impaired operation of a motor vehicle while operating a SaskPower vehicle, or when operating any other vehicle for the purpose of SaskPower business, shall notify their supervisor immediately. The supervisor shall report the incident to Health and Wellness Services as soon as is practicable. Affected employees will be encouraged to seek EFAP assistance at the earliest opportunity.

Any Employee who is required to operate a SaskPower vehicle, or uses another vehicle for the purpose of performing their regular work duties, who receives a license suspension or cancellation due to the impaired operation of a motor vehicle must notify their supervisor immediately.

Any Employee who operates a vehicle for the purpose of SaskPower business without holding the necessary driver's license will be subject to discipline up to and including termination.

## **11.0 Procedures to Facilitate Reporting and Investigation of Unethical Conduct and Other Irregularities**

Known as the 'whistleblower' policy, these procedures are to be followed by employees reporting and investigating possible unethical conduct and other irregularities dealt with in the Code of Conduct Policy.

## **12.0 Malicious/Frivolous Complaint**

Where the accused Employee believes that a false allegation has been made, the Supervisor/ Manager shall bring the concern to the Director of HR Business Services or designate. Human Resources will investigate the matter and determine whether the complaint is valid. If so, the Supervisor/Manager will work with the appropriate HR representative to identify the appropriate action in accordance with SaskPower's Corrective Discipline Policy.

The SaskPower Code of Conduct Policy protects complainants against reprisals when the complaint is made in good faith and is not malicious. It is a very serious breach of policy to make a false or malicious complaint.

Malicious behaviour is something that is done to deliberately harm another person. It can be motivated by, or result from, a desire to cause harm or pain to another person.

## **Appendixes and Forms**

Appendix A - Drug and Alcohol Testing Process – Reasonable Grounds for those in Safety Sensitive Positions

Appendix B - Drug and Alcohol Process – Post Incident

Appendix C - Drug and Alcohol Process – Malicious/Frivolous Allegations

Appendix D - Drug and Alcohol Process – Social Event Planning

Appendix E - Medicinal Marijuana Disclosure

Appendix F – Prescription/Non-prescription Medication Disclosure Process

Appendix G - Unauthorized Substances and Unlawful Substances Testing Standards

Appendix H – Safety Sensitive Positions

Appendix I – Definitions

Form A – Supervisors Checklist

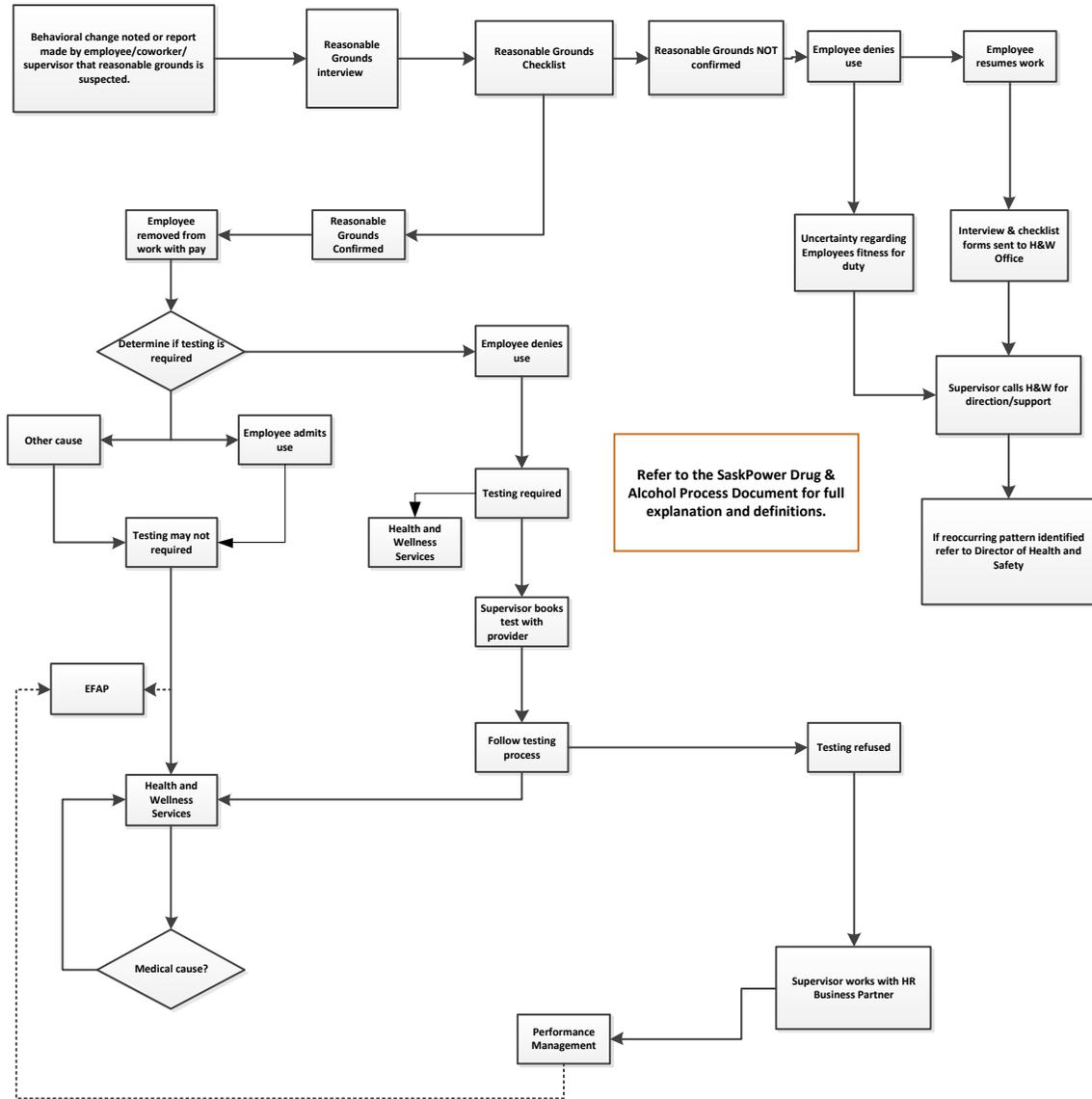
Form B – Reasonable Grounds Interview

Form C – Reasonable Grounds Checklist

Form D – Referral Form for Drug and Alcohol Testing

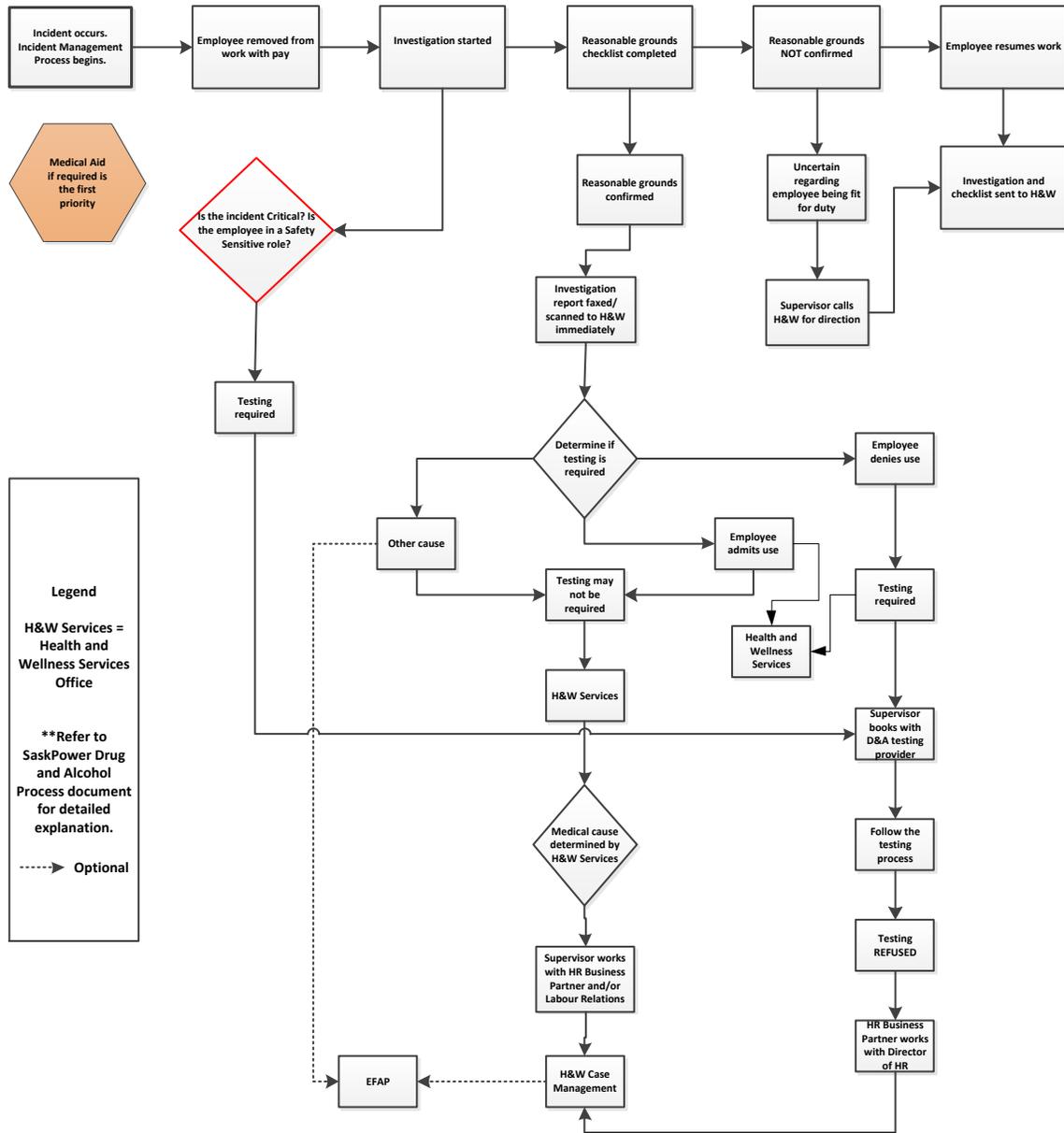
# Appendix A

## Drug and Alcohol Testing Process – Reasonable Grounds for those in Safety Sensitive Positions



# Appendix B

## Drug and Alcohol Process – Post Incident



## Appendix C

### Drug and Alcohol Process – Malicious/Frivolous Allegations



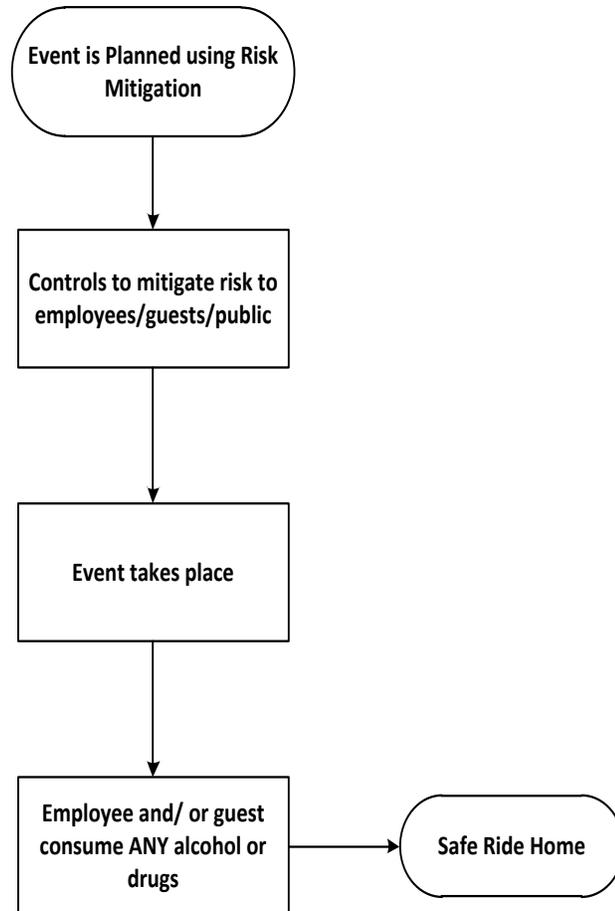
**\*\*Refer to  
SaskPower Drug  
and Alcohol  
Process document  
for detailed  
explanation.**

## Appendix D

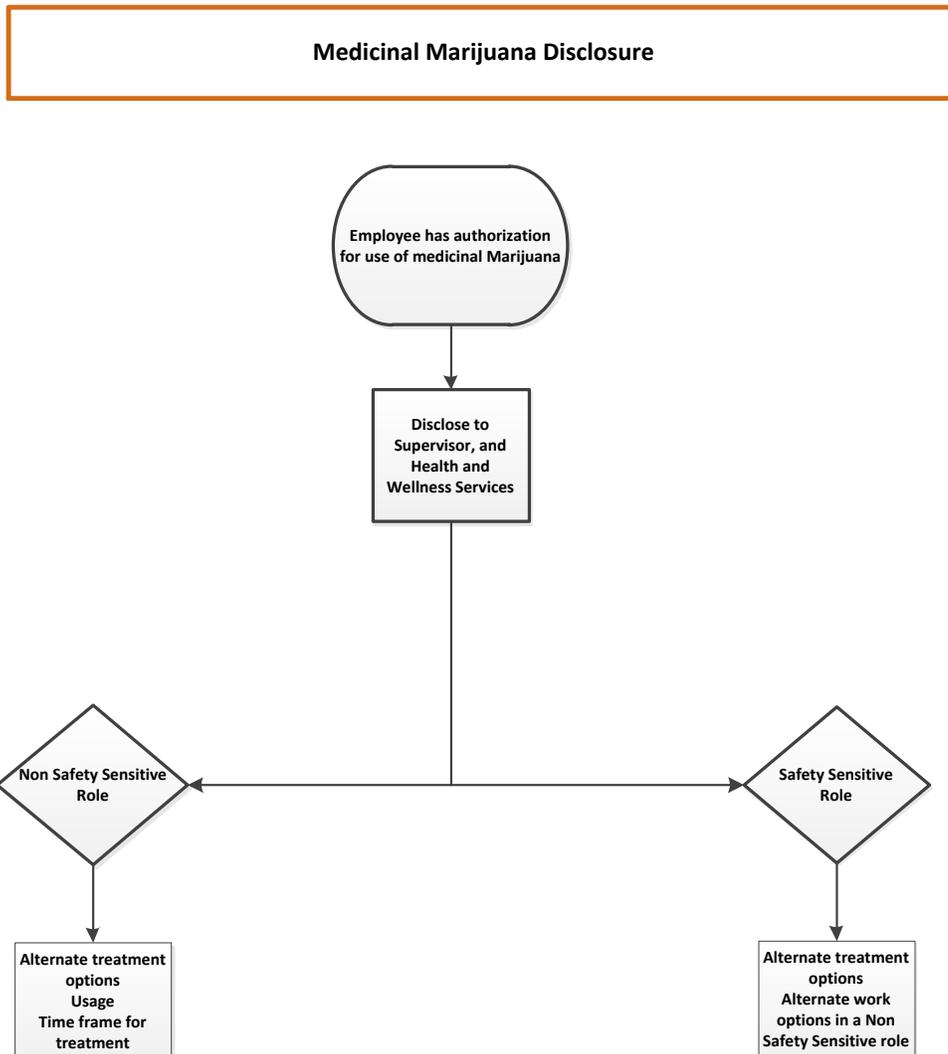
### Drug and Alcohol Process – Social Event Planning

**RISK MITIGATION**  
**\*\*SaskPower does not condone consuming any alcohol during the course of employment\*\***

- Remind/reinforce employees of responsible use of alcohol and drugs.
- Review the SaskPower Drug & Alcohol Standard as well as the Drug & Alcohol Process.
- It is strongly recommended that if any alcohol or drugs are consumed that a safe ride home is planned prior.
- SaskPower will not provide drink tickets. Any alcohol or drugs consumed is the sole responsibility of the employee.
- If alcohol is being served it is at a cost to the employee. A cab voucher/alternative designated driver program will be made available.
- The SaskPower Travel Expense and Employee Reimbursement Policy will be followed – check with your HR Business partner for more information.



## Appendix E

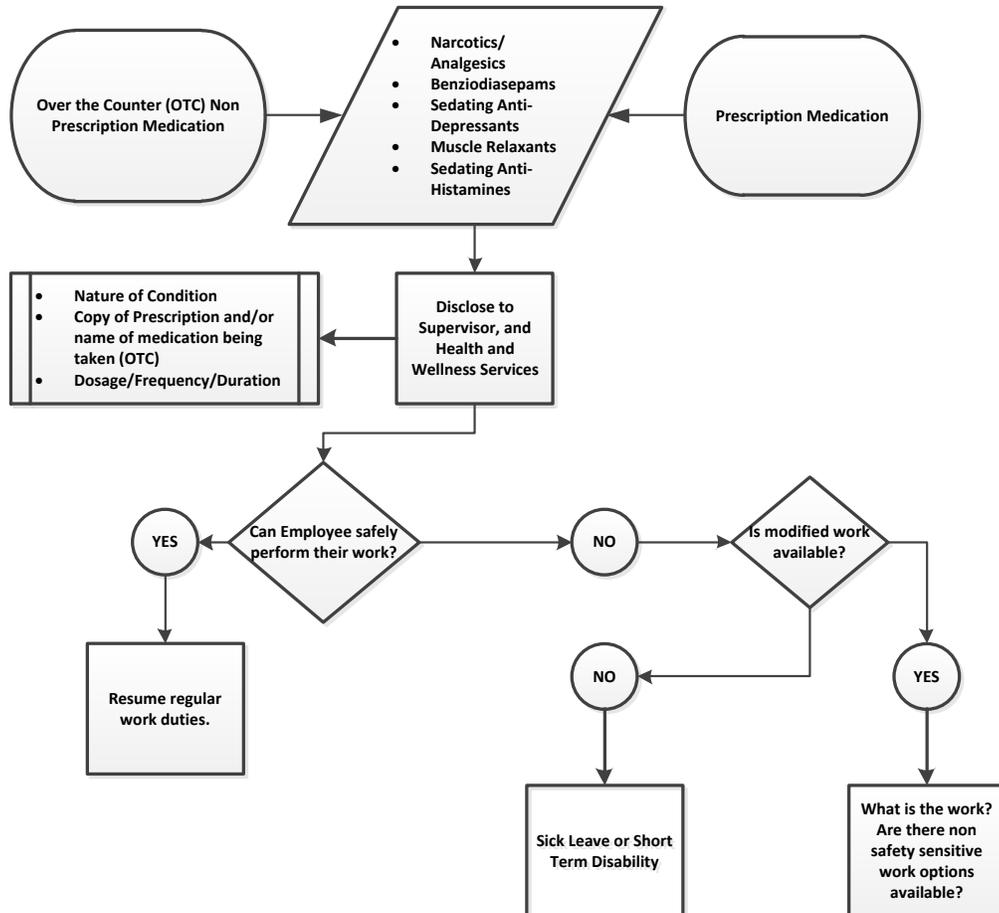


When an employee is in a Safety Sensitive position, Health and Wellness Services, Labour Relations (if applicable), and Human Resources Business Partner(s) will be responsible for determining if an employee can be safely accommodated in their home position or in any other position within SaskPower. This may include contacting the prescribing physician to ascertain whether medical marijuana is necessary or another less impairing option is available to address that employee's condition.

Failure to disclose the use of medication which has the potential to make the employee unfit for duty/work will be subject to discipline up to and including termination.

## Appendix F

### Prescription/Non Prescription Medication Disclosure Process



An employee who is taking legal medication (whether or not prescribed by a physician) which may affect or impair judgment, co-ordination or perception so as to adversely affect his/her ability to perform work in a safe and productive manner, must immediately notify his/her supervisor of their usage prior to commencing work.

Health and Wellness Services in collaboration with the employee's supervisor will determine whether the employee will be permitted to work or whether work restrictions will be applied until the side effects of the medication can be determined.

## Appendix G

## Unauthorized Substances and Unlawful Substances Testing Standards

| Type of Drug or Metabolite                                                    | Initial Test (EMIT) ng/mL<br>EMIT = Enzyme Multiplied<br>Immunoassay Techniques | Confirmation Test (GC/MS)<br>– (ng/mL)<br>GC/MS=Gas<br>Chromatography/Mass<br>Spectrometry |
|-------------------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| Marijuana metabolites                                                         | 50                                                                              | 15                                                                                         |
| Cocaine metabolites                                                           | 150                                                                             | 100                                                                                        |
| Phencyclidine (PCP)                                                           | 25                                                                              | 25                                                                                         |
| Amphetamines,<br>Methamphetamine,                      and<br>MDMA, MDA, MDEA | 500                                                                             | 250                                                                                        |
| Opiate Metabolites                                                            | 2000                                                                            | 2000                                                                                       |
|                                                                               |                                                                                 |                                                                                            |
| <b>Alcohol</b>                                                                | <b>Initial Test Level</b>                                                       | <b>Confirmation Test Level</b>                                                             |
| Breath Alcohol                                                                | 0.04% or greater BrAC                                                           | 0.04% BrAC                                                                                 |

ng/mL = nanogram per millilitre

BrAC = Breath Alcohol Content is the amount of alcohol in a volume of breath and is expressed in terms of grams of alcohol per 201 litres or exhaled air as indicated by a breath test  
ng/mg = nanogram per milligram

Due to precision of lab testing, the threshold of testing is lower for some substances compared to the original testing levels.

\*SAMHSA (Substance Abuse and Mental Health Services Administration) Guidelines for Workplace Testing Process Revised 2010 utilized by all accredited forensic testing laboratories in North America.

## **Appendix H**

### **Safety Sensitive Positions**

Safety Sensitive positions are those which SaskPower has determined to have a key and direct role in, and where impaired performance could result in an incident, affecting the health and safety of our employees, contractors, customers, the public, property and/or the environment. This includes those in a managerial or supervisory position who oversee employees in Safety-Sensitive Positions.

### **List of Safety Sensitive Positions**

Apprenticeship - 1900 IBEW

Athabasca – 6123/6043/6044/6045/6114/6124/6125 IBEW

Boom Ticket – 6088/8018/12078/12048/12058 IBEW

Combustion Turbine – 6101/61011/15041/150411/6041/6121/150881 IBEW

Customer Support Representative 4610/ 4611/4613 UNIFOR

Dual Role (Equipment Operator/Welder, Machinist/Millwright) – 6067/6047 IBEW

Equipment Operator 200 IBEW

Facilities Operator 300 IBEW

Health and Safety Business Partner, Consultant OOS

Health and Safety Compliance and Monitoring, Specialist OOS

Health and Safety Investigations, Specialist OOS

Health and Safety Solutions, Specialist OOS

Hydro Station Operator – 6042/6122 IBEW

Hydro Station Operator -400 IBEW

Inspector – 500 IBEW

Journeyed Trade – 600 IBEW

Operator –12206/12296/3016/9016 IBEW

Planner - 4900 UNIFOR

Planner - 700 IBEW

Power Lineperson - 800 IBEW

Process Operator - 900 IBEW

Resource Specialist – 41002/41003/41005/41006 UNIFOR

Shift –6044/6045/6114/6124/6125 IBEW

Storekeeper - 1100 IBEW

Storekeeper 41200 UNIFOR

Supervisor - 1200 IBEW

Supervisor - 41300 UNIFOR

System Operator - 1300 IBEW

Technician - 1400 IBEW

Technician – 41400 UNIFOR

Technologist - 1500 IBEW

Technologist - 41500 UNIFOR

Training Coordinator - 1600 IBEW

Training Coordinator - 41600 – UNIFOR

Utility Worker - 1700 IBEW

## **Appendix I – Definitions**

### **Chain of Custody Protocol**

Chain of custody refers to the system of controls governing the collection, processing and storage of samples from the time the decision is made that testing is required until the results are released.

### **Company Business**

All activities undertaken in the course of, and for the purpose of, employment with SaskPower are considered to be company business. These include activities conducted on or off company premises, when operating a company vehicle or in situations when an individual is representing, (or could reasonably be perceived as representing) the company, such as training on and off site, hosting clients or others, or attending conferences or meetings.

### **Company Premises**

Company premises (the workplace) includes, but is not necessarily restricted to, all land, property, structures, installations, vehicles, and equipment owned, leased, operated or otherwise directly controlled by the company for the purpose of conducting company business.

### **Drug**

Any substance, including but not limited to Alcohol, Legal or Illegal Drugs, Prescription Medication, Over the Counter Medication, or other mood altering substances, the use of which has the potential to alter or adversely affect the way a person thinks, feels or acts. For the purpose of the SaskPower Drug and Alcohol Standard, drugs of concern are those that cause impairment such that the worker is not fit for duty/work.

### **Drug Paraphernalia**

Equipment including but not limited to, products and materials of any kind which are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, concealing, containing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.

### **Fit for Duty/Work**

According to OSHA, fit for duty means that an individual 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 which does NOT threaten the safety or health of oneself, co-workers, property, or the public at large.

### **Lawful Substances**

Means substances, which an individual may lawfully possess or use, but which can impair physical or mental capacity. These include over-the-counter medications, controlled substances (prescription medications) for which the individual has a valid prescription, Marijuana and Alcoholic Beverages.

**Other Cause**

There are many factors that can create impairing effects other than drugs and alcohol. Where the cause of an employee's impairing effects is uncertain, they will be referred to Health and Wellness Services to identify the cause.

**Reasonable Grounds**

Evidence that is established by the direct observation of an employee's conduct or other indicators, such as physical appearance, demeanor, other observable behavior and/or circumstances surrounding an incident. Evidence that an employee is currently involved in the use, possession, sale, solicitation or transfer of drugs and/or alcohol while working or while on the employer's premises or while operating the employer's vehicle, machinery or equipment.

**Safety Sensitive**

Safety Sensitive positions are positions which SaskPower has determined to have a key and direct role and where impaired performance could result in a significant incident affecting the health and safety of our employees, customers, the public, property or the environment. This includes those persons in a managerial or supervisory position who either oversee workers in Safety-Sensitive Positions, or are responsible for, or actually perform the same duties as, workers in Safety-Sensitive Positions. The positions which SaskPower deems Safety Sensitive Positions are listed in the SaskPower Drug and Alcohol Process. This list is subject to review and updating to keep current with classifications.

**Unauthorized Substances**

Can include but is not limited to a lawful substance that is being abused or for which there is a pattern of improper use; e.g. misuse, excessive use, or recreational use of over-the-counter medication or prescription drugs. As well unauthorized substances can be a lawful substance that has been used in a proper manner, but has resulted, could result, or is likely to result in impairment of an individual's physical or mental capacity and create a threat to the health or safety of the employee or others or designer, synthetic or "look-alike" substance which, although derived from one or more Lawful or Unlawful Substances, are manufactured, designed, or intended to resemble and/or mimic the effects of Unauthorized Substances or Unlawful Substances.

**Unlawful Substances**

Means illegal drugs and any other substances or materials, the use, possession, consumption, delivery, distribution, exchange, manufacture, sale, purchase or transfer or which are prohibited by applicable laws and regulations.

**Supervisor's Checklist**

- Reasonable Grounds Interview**  
Complete this form whenever there is suspicion that an Employee may be impaired due to drugs and/or alcohol. This form shall be completed in all cases regardless of cause or circumstance.
  
- Reasonable Grounds Checklist**  
Once the Reasonable Grounds Interview has been conducted, complete this form to identify the signs and symptoms that are/were present.
  
- Employee Referral Form**  
Once completed, this form should be taken to Third Party Drug and Alcohol Testing Provider by the employee to confirm that an appointment has been scheduled. A copy must be sent to Health and Wellness Services.
  
- Employee Consent Form**  
When the employee arrives at the testing site/facility, this form will be provided by Third Party Drug and Alcohol Testing Provider. Employees will need to complete the consent form in order for a drug and/or alcohol test to be administered.



Reasonable Grounds Interview – Continued

(Check the box that applies)

Before completing the next section of this form please refer to, and complete, the Reasonable Grounds Checklist form.

**I accept the explanation** on the following basis:

- The employee provided a reasonable explanation for their behaviour/ actions. The checklist has been completed. There are no signs and symptoms to suggest the employee is unable to perform their duties. For this reason, they have been advised to resume their work.
- The employee provided a reasonable explanation for their behaviour/actions. In the course of this interview, or when completing the checklist, the employee exhibited signs and symptoms of drug/alcohol use. I will be contacting Health and Wellness Services to request further evaluation.
- The employee disclosed a medical condition which could reasonably explain their behaviour/actions. I will be contacting Health and Wellness Services to refer the employee.
- The employee admitted to the use of drugs/alcohol. I will be contacting Health and Wellness Services to refer the employee.

**I reject the explanation** on the following basis:

- The employee denied using drugs or alcohol and could not provide a reasonable explanation. I will be arranging for testing and advising Health and Wellness Services to expect the results.

**Employee**

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|              |           |             |
|--------------|-----------|-------------|
| Name (print) | Signature | Date & Time |
|--------------|-----------|-------------|

**Supervisor**

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|              |           |             |
|--------------|-----------|-------------|
| Name (print) | Signature | Date & Time |
|--------------|-----------|-------------|

**Observer**

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|              |           |             |
|--------------|-----------|-------------|
| Name (print) | Signature | Date & Time |
|--------------|-----------|-------------|

**FORM C**



**Reasonable Grounds Checklist**

Complete this form whenever conducting a Reasonable Grounds Interview or as part of the Incident Management Process. Ensure this form is signed when complete. Submit the original form to Health and Wellness Services, a copy may be provided to the Employee upon request. However, no copies are to be kept on file elsewhere. When gathering information regarding the circumstances, the supervisor will not attempt to reason, rationalize or negotiate with the Employee.

|                                             |                                      |
|---------------------------------------------|--------------------------------------|
| Employee Name and Number (please print)     | Date/Time of Incident or Observation |
| Name of Reporting Supervisor (please print) | Telephone Number                     |
| Name of Manager (please print)              | Telephone Number                     |

| <b>Physical Evidence</b>       | <b>What was seen or found? (yes/no/n/a)</b> |
|--------------------------------|---------------------------------------------|
| Presence of alcohol            |                                             |
| Presence of drugs              |                                             |
| Presence of drug paraphernalia |                                             |

| <b>Other Factors (check all that apply)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> The Employee was directly observed using drugs and/or alcohol.<br><input type="checkbox"/> Advised by a co-worker or credible Third Party Drug and Alcohol Testing Provider (contractor, customer etc.) that (a) the employee was observed using drugs and alcohol (b) the Employee's actions might suggest the use of drugs and/or alcohol (c) drug paraphernalia was found.<br><input type="checkbox"/> Post-incident investigation was not able to rule out alcohol or drug use. |

| <b>Behavioural Evidence</b>                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> 1 <b>Illicit behaviour:</b> observed or reported possession, use, or a transaction involving a prohibited substance.                                                                                                                                 | <input type="checkbox"/> 1 <b>Speech behaviour:</b> verbally abusive, rambling, nonsensical. Please specify:<br>_____                                                                                                            |
| <input type="checkbox"/> 2 <b>Erratic behaviour:</b> observed or reported abnormal or erratic behaviour.                                                                                                                                                                      | <input type="checkbox"/> 2 <b>Physical Behaviour:</b> extreme aggressiveness, agitation, physical abusiveness. Please specify:<br>_____                                                                                          |
| <input type="checkbox"/> 3 <b>Other:</b> e.g. flagrant violation of safety or serious misconduct, incident or "near miss," fighting or argumentative abusive language, unauthorized absence from the job. <i>Please specify:</i><br>_____<br>_____<br>_____<br>_____<br>_____ | <input type="checkbox"/> 3 <b>Attitude:</b> Withdrawn, depressed, tearful, secretive, Un-responsive. Please specify:<br>_____                                                                                                    |
|                                                                                                                                                                                                                                                                               | <input type="checkbox"/> 4 <b>Other:</b> Erratic or inappropriate behaviour (e.g. hallucinating, disoriented, excessive euphoria, talkative, confusion, frequent absences).<br><i>Please specify:</i><br>_____<br>_____<br>_____ |

| <b>Evidence of Impairment</b>                                                                    |                                                                                                              |
|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> 1 <b>Eyes:</b> Red, dilated, pupils constricted.                        | <input type="checkbox"/> 7 <b>Pulse Rate:</b> Rapid, slow.                                                   |
| <input type="checkbox"/> 2 <b>Nose:</b> Runny, sores in nostrils, red and inflamed.              | <input type="checkbox"/> 8 <b>Physical Control:</b> Walking unsteady, poor coordination, tremors, twitching. |
| <input type="checkbox"/> 3 <b>Skin:</b> Flushed and sweating, pale, blood spots or needle marks. | <input type="checkbox"/> 9 <b>Muscle tone:</b> rigid, shakes or tremors, limp.                               |
| <input type="checkbox"/> 4 <b>Salivation:</b> Dry mouth, hyper salivation.                       | <input type="checkbox"/> 10 <b>Speech:</b> Rapid, slurred.                                                   |
| <input type="checkbox"/> 5 <b>Breath:</b> Odour of alcohol, solvents, marijuana.                 | <input type="checkbox"/> 11 <b>Mental State:</b> Confusion, hyperactive, lackadaisical.                      |
| <input type="checkbox"/> 6 <b>Breathing rate:</b> Rapid, shallow.                                | <input type="checkbox"/> 12 <b>Other:</b><br>_____                                                           |

|                                |                      |
|--------------------------------|----------------------|
| <u>Signature of Supervisor</u> | <u>Date and Time</u> |
| <br>                           | <br>                 |
| <u>Signature of Manager</u>    | <u>Date and Time</u> |
| <br>                           | <br>                 |

**FORM D**



**Referral Form for Drug and Alcohol Testing**

*To be completed by the Supervisor. Complete all the details on this form book the Employee's test and ensure this form is handed to a Third Party Drug and Alcohol Testing Provider representative prior to the test being conducted. No copies should be kept on file.*

Employee Name: \_\_\_\_\_  
*(Please print)*

**The appointment must be booked in advance.**

Reason for Testing (Must be Specified)  Post Incident  Reasonable Grounds

To book a drug and alcohol test with Third Party Drug and Alcohol Testing Provider contact >>>>>>>>

**Appointment details:**

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Address: \_\_\_\_\_

Please instruct the employee to bring picture I.D. and this form when reporting to the collection site for testing.

**Client Information** (please print)

Company Name: SaskPower

Worksite: \_\_\_\_\_

Referring Supervisor: \_\_\_\_\_  
(If different than employee's immediate supervisor)

Date: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Supervisor: \_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Signature)

When the Employee arrives at the testing site/facility, a form will be provided. The Employee will need to be complete the consent form in order for a drug or alcohol test to be administered.

**Important Note:** Photo identification is required.