



DO YOU HAVE AN IMPAIRMENT POLICY AT YOUR WORKPLACE?

The recent legalization of cannabis has led to renewed worries about impairment in the workplace. And though it is not a new worry for employers, the cannabis issue is a good starting point for conversations about the danger of impairment in your workplace.

We often think of impairment as being caused by alcohol or by drugs, whether they are over-the-counter, prescription, or illegal. However, impairment can have other causes. Family or relationship problems, fatigue (mental or physical), and medical conditions or treatments may also make a person less able to concentrate on their work.

When workers are impaired on the job for any reason, the consequences can be serious. They include workplace incidents and injuries, absenteeism, poor quality of work, and strain on work relationships. That's why impairment in the workplace must be managed as a workplace hazard.

The key to reducing the impact of impairment on the workplace is:

1. Having the proper policy and response processes in place
2. Making sure that management and workers have clear guidance on how to handle known or suspected cases of impairment at work, regardless of the cause.

Why have an impairment policy for your workplace?

Under the *Occupational Health and Safety Act* (OHSA), employers and supervisors must take every reasonable precaution to protect their workers (s. 25(2)(h) and 27(2)).

Workers must report any hazards they know of (s. 28(1)(d)) and must not work in a way that may endanger themselves or anyone else (s. 28(2)(b)).

Having an effective impairment policy and carrying it out are part of an employer's obligations under the OHSA.

An employer should work with the Joint Health and Safety Committee (JHSC) to create and carry out a plan that identifies all possible workplace hazards, including the effects of impairment. They should then take suitable measures to prevent accidents or injuries.

What makes a good impairment policy?

- It encourages a workplace culture that makes safety a priority and allows for conversations about hazards like impairment. It states clearly whether or not employees are allowed to use, possess, or be under the influence of certain substances while at work.
- It is developed jointly by management and labour, as well as the JHSC.
- It specifies many sources of impairment, such as alcohol, medications (used legally or illegally), cannabis (recreational or medical), or any other substance, as well as impairment from conditions such as fatigue or stress.
- It ensures that all employees know and understand the definitions and sources of impairment.
- It provides for education and training to be given to all employees, including supervisors.
- It defines how impairment should be reported and specifies how confidentiality will be maintained.
- It gives employees the opportunity to declare if they feel they may be impaired and states that an employee can do so in confidence and without fear of stigma or reprisal.
- It includes prevention measures and support for employees such as an employee assistance program (EAP).
- It states how disciplinary actions will be conducted when they are necessary.

Policies should be applied fairly and consistently. Both supervisors and workers need to be trained so that they will know what their responsibilities are for dealing with any source of impairment. The goal of an effective impairment policy is to reduce any fears or stigma surrounding the subject of workplace impairment, and to ensure that workplaces are accommodating, healthy, and safe.

Did you know?

A sample workplace impairment policy is available to download from the magazine section of [ihsa.ca](https://www.ihsa.ca)