

# Fit-for-duty toolkit



## Pathway 1: Equipping leadership

This pathway is for senior leadership at construction, aggregates, transportation, and electrical utilities companies, as well as leaders at unions and associations.

### Key terms

**Fitness for duty**—A worker’s physical, mental, and emotional readiness to do a job safely. This readiness can be impaired by factors such as drug or alcohol use, fatigue, or mental health conditions.

Employers often use fit-for-duty assessments to make sure workers can meet job demands, particularly in high-risk industries.

**Impairment**—Any condition that hinders a worker’s performance or creates a safety risk at work. See the Canadian Standards Association (CSA) standard CSA Z1008:21: Management of impairment in the workplace for more information.

Many factors can impair a worker, including:

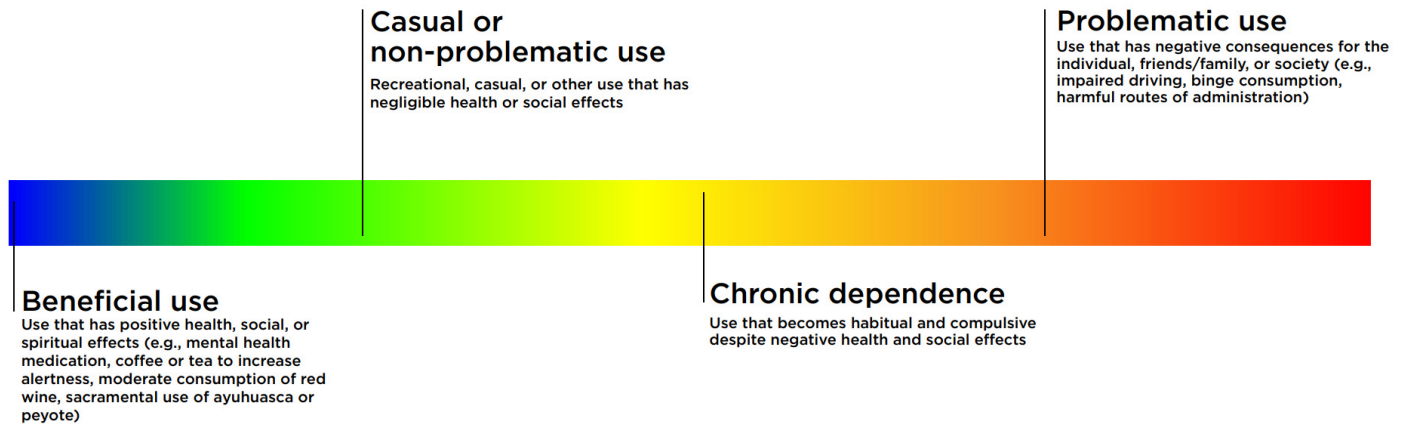
- Physical or mental burnout
- Shiftwork that disrupts the body’s sleep-wake cycle
- Work or personal stress
- Health issues, such as sickness, treatment, or medicine
- Injuries
- Exposure to toxic substances
- Recreational substance use

**Safety-sensitive job**—A job where a worker’s failure to perform tasks safely can cause injuries, property damage, or have an environmental impact.

## Substance use and fitness for duty

Substance use exists on a spectrum—it can range from beneficial or safe to problematic or dangerous. For example, a worker who is prescribed an opioid or other medication for pain management can work safely if they follow their doctor’s instructions.

On the other end of the spectrum, coming to work while high or impaired by drugs or alcohol—or while using an opioid medication that was not prescribed—is considered problematic substance use.



## Substance use disorders (SUDs)

A substance use disorder is a problematic or harmful pattern of substance use. A person with an SUD continues to use a substance even when it negatively impacts their health, employment, or relationships. The substance becomes the focus of their thoughts, feelings, and actions.

A person might develop an SUD to cope with an underlying mental health problem.

Treatment for SUDs can include:

- Counselling or therapy
- Detoxification (i.e., stopping use of the substance with a doctor’s help)
- Medication-assisted treatment, which includes using prescribed medications such as methadone to manage opioid- withdrawal symptoms

SUDs are considered mental health disabilities—and disability is a protected ground under the Ontario Human Rights Code. This means that people with SUDs are protected from workplace discrimination and workplaces must support people with SUDs. This might include providing accommodations.

## Managing fitness for duty in the workplace

The risk of serious workplace injury increases significantly when workers are impaired on the job. Control measures such as developing a fit-for-work policy to prevent impairment on construction projects can decrease health and safety risks.

A fit-for-duty policy should be a key component of an organization’s occupational health and safety management system (OHSMS). The CSA Z1008:21: [Managing Impairment in the Workplace](#) standard and its companion implementation guide help organizations manage impairment in the workplace using occupational health and safety management system (OHSMS) principles. The standard includes specific guidance for dealing with impairment due to substance use.

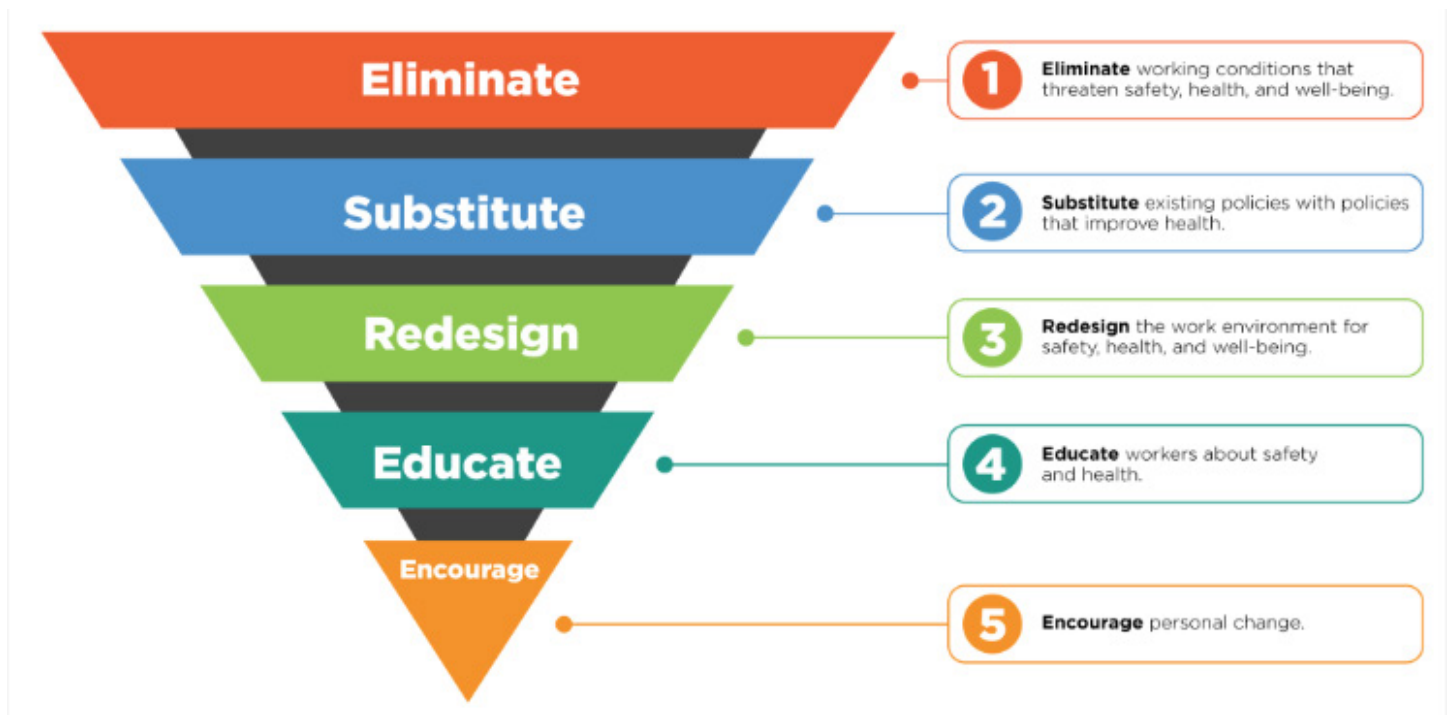
Take CSA’s [Management of Impairment in the Workplace](#) online training to learn more.

## Total Worker Health® (TWH) program

The National Institute for Occupational Safety and Health (NIOSH) has developed a Total Worker Health® (TWH) program. The program is a holistic approach to managing worker health and safety issues, including impairment, within an OHSMS.

Organizations can use TWH principles to inform and enhance the policies, programs, and practices that are part of their OHSMS.

Rather than the hierarchy of controls for physical hazards, the TWH uses a hierarchy of controls where the least-effective control is “encourage” instead of personal protective equipment (PPE).



## Fit-for-duty policies

A fit-for-duty policy is a document that clearly explains how workers should react when they believe their own or another worker’s impairment is making them unfit for work. An effective policy will help prevent workplace impairment and reduce safety risks to workers and the public. Health and safety representatives, joint health and safety committees (JHSCs) and union representatives should help develop the policy.

An effective policy should, at minimum, include the following:

- A table of contents
- The policy’s scope and purpose
- Definitions of key terms and phrases
- Responsibilities of all workplace parties
- Return-to-work (RTW) and stay-at-work (SAW) processes
- Policy violations
- Accommodations
- Confidentiality
- Supports and resources available to workers
- Corrective actions

# Sections of a fit-for-duty policy

## Table of contents

The table of contents should make it easy for readers to find specific parts of your organization's policy. Organize it clearly, listing all sections and subsections with their corresponding page numbers.

## Policy scope and purpose

This section should outline who the policy applies to and who it excludes. If there are any exemptions, clearly outline the conditions and circumstances. Include any information that might affect how you apply the policy (e.g., how it applies to external contractors). If the policy needs to be adjusted for certain projects, explain how and why.

Also consider how the policy accommodates and supports workers with disabilities, including mental health conditions, SUDs, or substance dependency issues.

The "purpose" section should explain how you—as the employer—will implement the policy to maintain workplace safety.

## Definitions

This section should clearly define key phrases in a workplace context.

Examples of key terms and phrases include:

- Fitness for work/duty
- Fatigue
- Use of drugs or alcohol
- Presence of drugs or alcohol in the workplace
- Impairment
- Suspected impairment
- Testing and limitations of testing for substances

## Responsibilities

Here is where you clearly state what is expected of each workplace party—making clear what the policy allows and forbids. Examples of rules include:

- All workplace parties must maintain a safe work environment.
- All workers must be unimpaired at work.
- Workers may not drink alcohol or use non-prescription drugs at work.
- Workers must report any prescribed medication that could affect their ability to perform work safely.
- Supervisors must do their best to protect workers from the effects of drugs, alcohol, or impairment.
- Employers must develop policies and procedures that support workers' recovery if they are impaired due to mental health issues or addiction.
- Employers must ensure all workers understand the fit-for-duty policy.

## Training and education

This section should explain how all workplace parties learn about and understand the fit-for-duty policy. It should also include any mandatory training requirements.

All workplace parties should understand the following:

- Impairment testing procedures
- Consequences of not following the policy
- How to recognize signs of impairment
- Responsibilities
- Availability of resources
- Acknowledgment of understanding from the employer and subcontractors

## Procedures

This section explains how workplace parties follow and enforce the policy. Below are just a couple of things to consider when developing procedures for your workplace:

- a. Reporting structure and methods
  - How do workers disclose their own impairment or drug/alcohol use?
  - How and when would a worker gain access to resources or support?
  - How can the reporting of drug and alcohol use be handled objectively?
  - Who needs to be involved in investigations when impairment is suspected?
- b. Investigations following a self-report or report of impairment
  - How thorough are the investigations? Do they confirm impairment or try to identify an underlying issue, like addiction?
  - What can investigators do immediately after the investigation to keep the workplace safe?

## Corrective action after an impairment-related incident

Include the following corrective actions, or something similar, in the corrective action section of your fit-for-duty policy:

- a. Immediately after an incident
  - Move the affected worker to a safe area
  - Allow the worker to explain their behaviour and confirm their impairment
  - Assess the worker's level of impairment. (e.g., are they able to return to work after a break?)
  - Make travel arrangements for the impaired worker and do not let them drive
  - Decide whether to test the worker for impairment
  - If the worker is in a mental health crisis, arrange for immediate support
- b. When the worker is no longer impaired
  - Discuss the incident with the worker in private
  - Keep the investigation results confidential and allow only necessary personnel to participate
  - Depending on the cause of the impairment, involve the worker's supervisor, health and safety representative, union representative (if applicable), and the employer in deciding next steps

## Discipline

This section should list all possible disciplinary actions for parties who break the rules outlined in the fit-for-duty policy.

For example, workers who violate the policy might be subject to discipline up to and including:

- Termination
- Drug testing, in accordance with the policy
- Temporary removal, re-assignment, or suspension pending a review of the worker's fitness for work

## Resources

This section of the policy should include information on Employee Family and Assistance Programs (EFAPs) and other well-being, disability, or mental health supports that are available to employees.

Examples of commonly used language in a resources section include:

- Employees with drug or alcohol use problems should seek help before performance issues arise.
- Employers may connect employees with medical professionals who can refer them to the right support services.
- Addiction is a disability under the Ontario Human Rights Code. Therefore, employers must offer reasonable accommodations to employees, based on their circumstances and abilities, as long as it does not cause undue hardship.

## Fit-for-duty policy frameworks

The Quebec Standards Office's CAN/BNQ 9700-800: Healthy Enterprise—Prevention, Promotion, and Organizational Practices Contributing to Health and Wellness in the Workplace standard is a practical, Canadian framework for fit-for-duty programs.

The standard covers workplace factors including:

- Work-life balance
- Management practices
- Work environment
- Lifestyle habits

## Fit-for-duty policy standards

The following health and safety standards offer valuable guidance for developing a comprehensive fit-for-duty program that works with your OHSMS.

- Mental health management: CSA Z1003-13: [Psychological Health and Safety in the Workplace](#)
- Disability management: CSA Z1011:20: [Work Disability Management System](#)
- Workplace incident investigation: CSA Z1005-21: [Workplace Incident Investigation](#)

## Resources

- The Ministry of Labour, Immigration, Training, and Skills Development (MLITSD)'s [Drugs, Alcohol, and Workplace Health and Safety](#) webpage
- Ontario Human Rights Commission's [Policy on drug and alcohol testing](#)
- The Ontario Public Health Association [Let's take action on alcohol problems in the workplace](#) guide

The following are examples of IHSA resources that can help you develop a comprehensive fit-for-duty policy that aligns with your OHSMS.

## Safety talks

- [Impairment in the workplace](#)
- [A culture of care: Why speaking up matters](#)
- [Opioid addiction and the Ontario Human Rights Code](#)

## Guides

- [Understanding Electrical Utility Safety Rule 104: Bulletin for supervisors \(W804\)](#)
- [Understanding Electrical Utility Safety Rule 104: Bulletin for workers \(W805\)](#)
- [Mental health at work \(W159\)](#)
- [Opioid use and workplace implications for trade sectors \(W132\)](#)
- [Ten reasons for driver fatigue \(W401\)](#)

## IHSA Health and Safety Magazine articles

- [Impaired driving involves more than you think](#)
- [Opioids and harm prevention](#)
- [Breaking down stigma and substance misuse](#)
- [Do you have an impairment policy at your workplace?](#)
- [A growing concern: Evaluating the hazards of marijuana in the workplace](#)
- [Staying healthy in the workplace: How eating and exercise can help you work safe](#)

You can download these and other opioid-related safety talks, toolkits, and resources from the [Workplace Mental Health page](#) of <http://www.ihsa.ca>.