

Impairment in the Workplace: Questions & Answers (All Employees)

General Questions

Q: What are the Standards of Conduct?

A: The [Standards of Conduct](#) establish conduct expectations for all employees in the BC Public Service and the requirement to comply with the Standards is a condition of employment. The Standards include sections dealing with confidentiality, public comments, political activity, workplace behaviour, outside remunerative or volunteer work, conflicts of interest, and other subjects related to establishing and maintaining a strong ethical framework. The Standards also set out key responsibilities of deputy ministers, ethics advisors, managers, employees and the Head of the BC Public Service Agency related to ensuring the Standards are observed and upheld.

Q: What October 2018 change was made to the Standards of Conduct?

A: The Standards of Conduct have been updated to state that all BC Public Service employees must conduct themselves professionally, be fit for duty, and be free from impairment (for example: from alcohol or drugs).

Q: What is the human resources policy on Occupational Safety and Health?

A: The human resources policy on [Occupational Safety and Health](#) covers the safety and health of all employees and workers within the BC Public Service. The policy supports the core policy objective of ensuring “the public service promotes a safe and healthy workplace that supports the well-being of employees.” The policy also outlines the requirements for BC Public Service organizations to develop, implement and maintain an Occupational Safety and Health (OSH) program.

Q: What October 2018 change was made to the human resources policy on Occupational Safety and Health?

A: The change made to the human resources policy on [Occupational Safety and Health](#) concerns the addition of two new paragraphs regarding employees who may be impaired at work. WorkSafeBC’s [Occupational Health and Safety Regulation](#) requires employees who are impaired for any reason, including but not limited to the use of legal substances, to report the fact they are impaired to their supervisor. Employees must report impairment to their supervisor prior to attending, commencing or continuing work who will then assess the employee’s fitness for duty.

The [Occupational Health and Safety Regulation](#) also prohibits supervisors from assigning employees to activities where a reported or observed impairment may create an undue risk to the worker or anyone else. The employer must not knowingly permit a person to remain at any workplace while the person's ability to work is affected by alcohol, a drug or other substance so as to endanger the person or anyone else.

Q: What does “fit for duty” mean?

A: “Fit for duty” refers to when an employee is at work and is in a physical, mental and emotional state which enables them to perform their job tasks competently and continuously in a manner which does not compromise the integrity of the BC Public Service or create safety hazard to themselves or others.

Q: What is workplace impairment?

A: Workplace impairment means not being fit for duty due to the effects of factors such as drugs, alcohol, prescription drugs or over the counter drugs, and fatigue.

Impairment affects a person’s ability to work safely, putting them or their co-workers at risk of injury. A person who is impaired on the job can injure themselves or others as well as put public safety at risk. Impairment also impacts employees’ ability to perform their job duties and conduct themselves in a manner that upholds public trust.

Q: I am an employee wanting to disclose that I may not be fit for duty. What should I do?

A: Stop doing any work that would create a safety risk for you or anyone else if you were impaired, and talk with your supervisor immediately to advise that you may be impaired and what the circumstances are that led to this situation.

Q: When I make a disclosure that I may not be fit for duty, what will happen?

A: Your supervisor will ask you some questions about the circumstances impacting your fitness for duty. They may have another manager or supervisor join the conversation. If you’re a bargaining unit employee, you are welcome to include a union steward should one be immediately available.

Depending on the circumstances and the supervisor’s assessment, you may be sent home on administrative leave or, if possible, other options to remain at work may be considered. You may also be called to a follow-up meeting the following day.

Questions about Cannabis

Q: What is cannabis?

A: Cannabis is also known as marijuana, pot, or weed. There are two main types of cannabis plant: *sativa* and *indica*. The cannabis plant contains a number of chemical compounds called cannabinoids. The most researched cannabinoid is delta-9-tetrahydrocannabinol (THC). THC affects areas of the brain that are involved in important functions such as memory, concentration, and coordination. To learn more, visit [Get Cannabis Clarity](#). Non-medical cannabis use is legal in Canada as of October 17, 2018.

Q. How long do the effects of cannabis last?

A: As outlined in [Health Effects of Cannabis](#), the effects of cannabis on the brain can be felt within seconds to minutes of smoking, vaporizing or dabbing cannabis. The effects that people can feel after consuming cannabis in these ways can last up to 6 hours or longer. If you eat or drink cannabis, these perceptible effects can occur within 30 minutes to 2 hours and can last up to 12 hours or longer.

However, it is important to know that **impairment** lasts longer than the effects people can feel after they consume cannabis. Impairment can last for more than 24 hours after cannabis use, well after other effects have faded. (See [Government of Canada factsheet](#) for more information).

Q: Can I use non-medical cannabis products at work?

A: No. Under the [Standards of Conduct](#), employees must conduct themselves professionally, be fit for duty, and be free from impairment (for example: from alcohol or drugs). Impairment at work is not acceptable regardless of the legality of non-medical cannabis consumption.

The [Occupational Health and Safety Regulation](#) also prohibits supervisors from assigning employees to activities where a reported or observed impairment may create an undue risk to the worker or anyone else. The employer must not knowingly permit a person to remain at any workplace while the person's ability to work is affected by alcohol, a drug or other substance so as to endanger the person or anyone else.

Q: What about consuming cannabis after my regular working hours? I am unaware of any restriction on my use of legal substances such as alcohol or cannabis in my free time.

A: Employees need to make informed decisions. The Standards of Conduct states “Employees must conduct themselves professionally, be fit for duty, and be free from

impairment (for example: from alcohol or drugs).” The Standards of Conduct apply at all times during work. Employees cannot be impaired when they start work, or anytime during their work including returning from unpaid breaks.

Employees must be aware of how long the effects of an impairing substance may last for them specifically. Additionally, employees must allow sufficient time for any impairing substances to have fully resolved so they are not impaired and are fit for duty at all times while at work. Employees must consider all of this information when making decisions about their off work hours.

Q: What if I have a medical authorization (i.e. prescription) for medical use of cannabis?

A: Medical cannabis use must be “authorized” by the patient’s health care practitioner. A medical cannabis authorization does not entitle an employee to:

- Be impaired in the workplace or not be fit for duty
- Create a safety risk to themselves or others

An employee with an authorization must meet the Standards of Conduct, Occupational Safety and Health policy, and WorkSafeBC regulations at all times and meet workplace performance expectations. A medical authorization may require an accommodation from the employer.

Q: Are there resources available for employees experiencing problems with substance use?

A. Substance use disorder is a medical condition. Family doctors can help patients with - treatment and medical advice. Community resources are also available through [Alcohol and Drug Information Referral Service \(ADIRS\)](#).

A number of employer resources are also available to employees around the use of alcohol, cannabis or other impairing substances

- [Employee and Family Assistance Services](#)
 - Morneau Shepell: Call 1 800 655-5004
- The BCPSA [Occupational Health Program](#) can provide referrals and assessment for conditions that impact work. The medical history and information from a referral remains confidential.
- Employees in safety sensitive occupations can request referral to the [Occupational Health Program](#) through their supervisor or through a more senior ministry manager.
- If needed, [substance use disorder treatment funding](#) is available.