



UNIVERSITY OF MANITOBA PROCEDURE

Procedure:	SUBSTANCE ABUSE AND/OR DEPENDENCY
Parent Policy:	Substance Abuse and/or Dependency
Effective Date:	March 20, 2012
Revised Date:	
Review Date:	March 20, 2022
Approving Body:	Administration: President
Authority:	Policy: Substance Abuse and/or Dependency
Responsible Executive Officer:	President
Delegate: (If applicable)	Vice-President (Administration)
Contact:	Executive Director of Human Resources
Application:	All Employees

Part I Reason for Procedure(s)

To provide managers/supervisors/employees with clear guidelines for addressing drug and alcohol usage problems affecting employee attendance and/or satisfactory performance. These Procedures are expected to:

- a) supplement the Substance Abuse and/or Dependency Policy;
- b) clearly define the roles and responsibilities of all involved parties;
- c) support the value that the University places on retention of valuable employees, promote safety in the workplace and protect the University community from the adverse effects of drug and alcohol abuse;
- d) outline the process to be followed in managing drug and alcohol dependence and abuse to ensure fair and consistent practices throughout the University;

- e) set out the conditions and actions to be taken when employees abuse drugs or alcohol resulting in an impact on satisfactory attendance and performance.

Part II Procedure(s)

2.1 Assistance for an Academic or Support Staff Member

The University will, where possible, provide the following assistance to a staff member:

- a) Helping the staff member to recognize the nature of the problem, through referral to a qualified diagnostic or counselling service;
- b) Support during a period of treatment. This may include a period of sick leave or other approved leave, continuation of his/her employment in his/her position or if an accommodation is necessary, arranging a transfer to another position within the University, as is required by the staff member's condition and the needs of the department;
- c) The opportunity to remain at work or return to work following the completion of a course of treatment, as far as is practicable, in either the employee's former position or an alternate position.

2.2 Conditions for Assistance

The University's assistance will depend upon the following conditions being met:

- a) Provision of a diagnosis of a substance dependency related problem; and
- b) Recognition by the staff member in writing that he/she is suffering from a substance dependency problem and is prepared to cooperate fully in referral and treatment from appropriate sources

2.3 Limits to University Assistance

The University's approach to assistance will change where:

- a) The staff member fails to co-operate in referral or treatment arrangements. No special assistance will be given and any failure in work performance and behaviour will be dealt with through the Disciplinary Procedure.
- b) The process of referral and treatment is completed but is not successful, and failure in work performance or behaviour occurs. These events will be dealt with through the Disciplinary Procedure.

- c) A staff member's continuation in his/her position or any alternate position during or after treatment will depend upon the needs of the department at the time and the needs/ability of the employee.

2.4 Disciplinary Action

2.4.1 The following will be regarded as serious misconduct worthy of dismissal (only in exceptional cases will a warning be provided prior to dismissal):

- a) Attending work and/or carrying out duties and responsibilities under the influence of a substance such as alcohol or drugs to the extent that performance is negatively affected;
- b) Consumption of drugs or alcohol while on duty (other than where prescribed or approval has been given).

2.4.2 Where a breach of these rules occurs but it is established that a substance dependency related problem exists, and the staff member is willing to co-operate in referral to an appropriate service and subsequent treatment, the University will suspend application of the Disciplinary Procedure and provide assistance to the staff member as described above. Staff members who do not comply with the treatment suggested or continue to take part in substance abuse following treatment will be subjected to the application of the Disciplinary Procedure.

2.5 Recognition of the Existence of a Possible Substance Abuse Problem

Substance abuse can affect performance or behaviour at work in many ways through misconduct at work where there is a direct breach of the policy or where performance at work indicates that the staff member may be impacted by substance usage. The immediate supervisor of the staff member is responsible for meeting with the employee and discussing the incident of misconduct at work or the unsatisfactory job performance issues. Assistance with such a meeting is available from Human Resources. At such a meeting the staff member's union representative may be invited to assist with the meeting.

The possible existence of a substance dependency problem should be explored. A supervisor cannot diagnose whether a dependency problem exists, instead the supervisor should assess whether such a problem is a possible factor.

2.6 Obtaining Medical Opinions Regarding Substance Dependency

Where a meeting described in 2.5 above results in a conclusion that a substance dependency problem might exist and the staff member accepts this possibility and agrees to cooperate in the determination of such a diagnosis, the University's Disability Case Coordinator shall work with the staff member and the staff member's personal physician (or an agreed physician) to obtain a diagnosis in writing together with a recommendation for treatment. In this event no disciplinary action will be taken.

2.7 Absence of Recognition of a Drug or Alcohol Dependency

If the meeting described in 2.5 results in the conclusion that a substance dependency is unlikely to exist, or the staff member rejects or fails to co-operate in obtaining a diagnosis, disciplinary action should be considered as warranted according to the established disciplinary procedure for that employment group.

2.8 Substance Dependency Diagnosis and Treatment Arrangements

If a diagnosis has been received that a substance dependency exists, treatment arrangements should be established and undertaken as soon as possible. The employee involved shall authorize or provide regular updates to the Disability Case Coordinator on the employee's attendance for treatments and the expected duration of the treatments. The staff member may be placed on sick leave conditional upon receipt of a medical opinion and treatment plan satisfactory to the Disability Case Coordinator. The sick leave shall continue until completion of the treatment plan or until the sick leave entitlement expires.

2.8.1 Failure to Complete Treatment

If the staff member fails to cooperate on the treatment arranged or fails to complete the treatment plan, appropriate disciplinary action will be taken.

2.9 Return to Work

If the employee is able to return to work during the treatment plan, the department shall arrange to have the employee at work in either his/her current position or in a suitable accommodation in discussion with the University's Disability Case Coordinator.

If the employee is able to return to work following the treatment plan arrangements shall be made in consultation with the University's Disability Case Coordinator.

2.10 Additional Disciplinary Incidents

While every reasonable effort will be made to accommodate an employee with substance dependency, an employee's conduct could result in frustration of the employment relationship.

2.11 Voluntary Treatment

Nothing in this procedure is intended to prevent a staff member from seeking assistance on his/her own with or without the knowledge of his/her supervisor in situations where job performance has not been impacted negatively. In these instances there is no need to disclose this treatment to the staff member's supervisor. If however, a staff member wishes assistance from the supervisor or from the University's Disability Case Coordinator, information provided will be kept confidential, except where the job performance begins to be affected.

**Part III
Accountability**

- 3.1 The University Secretary is responsible for advising the President that a formal review of the Procedure is required.
- 3.2 The Executive Director of Human Resources is responsible for the communication, administration and interpretation of this policy.

**Part IV
Review**

- 4.1 Formal Procedure reviews will be conducted every ten (10) years. The next scheduled review date for this/these Procedure(s) is/are March 20, 2022.
- 4.2 In the interim, this/these Procedure(s) may be revised or rescinded if:
 - a) the Approving Body deems necessary; or
 - b) the relevant Bylaw, Regulation(s) or Policy is revised or rescinded.

**Part V
Effect on Previous Statements**

- 5.1 This Policy supersedes Alcoholism of University Staff (dated February 17, 1977)

**Part VI
Cross References**

Policy: Substance Abuse and/or Dependency