Medicine Hat Public School Division
601-1st Avenue SW, Medicine Hat, AB T1A 4Y7 | Phone 403.528.6700 | Fax 403.529.5339 | www.mhpsd.ca

MEDICINE HAT PUBLIC BOARD OF EDUCATION OPERATES AS MEDICINE HAT PUBLIC SCHOOL DIVISION,
AND FOR THE PURPOSE OF THIS DOCUMENT WILL BE REFERRED TO AS "MHPSD" AND/OR "DIVISION"

SECTION 500 – Personnel and Employee Relations

ADMINISTRATIVE PROCEDURE: EMPLOYEE ALCOHOL AND DRUG USE

PROCEDURE CODE:	*540 AP 001*
Policy Reference: 540 – Employee Alcohol and Drug Use	

PROCEDURE

1. Application
   1.1. This procedure applies to all employees of the Division, all persons carrying out business on behalf of the Division, and all persons carrying out duties or activities on Division property, including, where applicable, volunteers of the Division.
   1.2. All employees are responsible for knowing, understanding, and complying with this procedure.
2. Alcohol or Drugs
   2.1. All employees are expected to be fit for duty when reporting to work and remain fit for duty while at work. Subject to section 3.3, employees shall not be impaired by alcohol, illegal drugs, prescription, or non-prescription drugs while performing their duties as an employee of the Division, while in the workplace, during work hours, or during any Division or school activity.
   2.2. Employees shall not, in violation of Division policy, the criminal code or legislation, possess, use, distribute alcohol, recreational cannabis or illegal drugs or related paraphernalia while on duty, on school sites or attending school activities.
      2.2.1. Specifically, the consumption of alcohol, recreational cannabis or illegal drugs by employees is prohibited in schools and at any Division or school function where students may be present, including functions held at a Division facility other than a school or a non-Division facility.
      2.2.2. Notwithstanding section 2.3, the Superintendent may authorize the consumption or serving of alcoholic beverages at a Division facility, other than a school, for school or Division functions where students are not present.

2.3. No staff member or school visitor is permitted to use any banned substance at any time, including non-school hours (24/7):

2.3.1. In any building, facility or vehicle owned, leased, rented or chartered by the Medicine Hat Public School Division;

2.3.2. On any school grounds and property – including athletic fields and parking lots owned, leased, rented or chartered by Medicine Hat Public School Division; or

2.3.3. At any school-sponsored or school-related event on or off campus.

In addition, Medicine Hat Public School Division employees, school volunteers, contractors or other persons performing services on behalf of Medicine Hat Public School Division also are prohibited from using banned substances at any time while on duty and in the presence of students, either on or off school grounds.

Tobacco products may be included in instructional or research activities in public school buildings, if the activity is conducted or supervised by the faculty member overseeing the instruction or research project, and the activity does not include smoking, chewing, or otherwise ingesting the tobacco product.

With the prior approval of the school principal, the use of traditional tobacco products and smoking materials may be permitted as part of religious/ceremonial events.

3. Accommodation

3.1. If an employee is taking prescription or authorized medication for a medical condition, including but not limited to medical cannabis, and the medication may cause impairment or affect that employee's ability to perform their duties, it is the responsibility of the employee to report this information to their supervisor and appropriate accommodation shall be considered and provided. Employees may be required to provide appropriate medical information to support the need for accommodation.

3.2. The Division strongly encourages employees to voluntarily and confidentially seek treatment for alcohol or drug abuse or addiction. The Employee Assistance Program (EAP) and other resources are available to assist employees, 526 AP 001: Employee Assistance.

3.3. Where an employee has an addiction or other disability that is supported by appropriate medical information, the Division has a duty to provide reasonable accommodation to that employee.

4. Breach of Procedure

4.1. Where an employee is suspected of being impaired while at work, during work hours, or at a Division or school activity, the employee's supervisor or designate shall take the following steps:

4.1.1. Intervene as soon as possible and escort the employee to a confidential location to seek confirmation of the suspicions regarding the employee's condition by

speaking with the employee and observing the employee's behaviour and demeanor;

4.1.2. If the supervisor or designate deems it necessary, have another supervisor (if possible) or witness observe the employee for confirmation regarding indications of impairment;

4.1.3. Document any evidence or indications of impairment;

4.1.4. If the employee is deemed to be impaired or otherwise unfit to work, the employee should be escorted off Division property. Transportation will be provided, if necessary, to either the employee's residence or to seek medical attention; and

4.1.5. Associate Superintendent, Human Resources, or designate will be contacted to determine next steps which may include one or more of the following:

- An investigation into the allegations of the employee's impairment and/or drug or alcohol abuse to determine whether disciplinary action may be required or is appropriate;
- The employee may be required to provide medical information indicating that they are fit to work prior to returning to work;
- Where medical information is provided indicating that the employee may have a physical or mental disability, including drug or alcohol addiction, the Division shall meet with the employee and the union, where applicable, to determine appropriate accommodation.

4.2. Subject to 4.3, any violation of this procedure may result in discipline, up to and including termination.

4.3. The Division will not discipline an employee for breach of this Procedure where the breach is attributable to an established physical or mental disability, including a drug or alcohol addiction.

4.4. Visitors using banned substances will be asked to refrain while on school property or leave the premises. Law enforcement officers may be contacted to escort the person off the premises should they fail to comply or if they are thought to be in possession of an illegal substance.

5. Definitions

For the purposes of this procedure, the following definition applies to the term "banned substance": "Banned Substance" means any substance accepted by the Board, due to statute or scientific evidence, that, if possessed or consumed, may have a negative impact on the safe and caring environment that fosters and maintains respectful and responsible behaviours, diversity and a sense of belonging. For the purposes of this procedure the following definitions each constitute a "banned substance":

5.1. "Alcohol" means any drink that contains any level of alcohol.

5.2. “Drugs” means all substances people take to change the way they feel, think or behave. This, for the purposes of this procedure, encompasses legal drugs held by an individual to whom they were not prescribed, over the counter drugs held in quantities or combinations intended to produce impairment, volatile (sniffable) substances and all illegal drugs.

5.3. “Cannabis” means any medium for the delivery of THC that has not been prescribed to the holder. This includes, but is not limited to, cannabis cigarettes, candies and chewables, e-cigarette juice, oils and all other derivatives.

5.4. “Electronic Smoking Device” means any electronic device, the use of which may resemble smoking, which can be used to deliver an inhaled dose of nicotine or other substances to the user. “Electronic Smoking Device” includes any such electronic smoking device, whether manufactured, distributed, marketed, or sold as an electronic cigarette, electronic cigar, electronic cigarillo, electronic pipe, electronic hookah, vape pen or any other product name or descriptor. Theatrical props/simulated cigarettes are permitted under teacher/director supervision.

5.5. “Smoke or Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, or any other lighted or heated tobacco or plant product intended for inhalation, including hookahs and marijuana, whether natural or synthetic, in any manner or in any form. “Smoking” also includes the use of an electronic smoking device which creates an aerosol or vapor, in any manner or in any form.

5.6. “Tobacco Product” means:

5.6.1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff;

5.6.2. Includes any component, part, or accessory of a tobacco product.

5.7. “Tobacco use” means smoking, chewing, dipping, or any other use of tobacco products, including electronic smoking devices.

REFERENCES

526 AP 001 – Employee Assistance
Tobacco, Smoking and Vaping Reduction Act: Section 3

Approved: October 9, 2018
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