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This isn't a just about substance use

- Employers who do recognize impairment in the workplace often *limit the definition of impairment to the use of alcohol or drugs* (used legally or illegally).



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## Impairment - Causes

A worker may experience impairment from many factors:

- being fatigued by work or other circumstances
- disruption to the body's circadian rhythm caused by shiftwork or changing shifts
- a stressful or traumatic event either in the workplace or at home that causes ongoing stress and distraction
- temporary medical condition, disability or injury



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## Impairment - Causes

A worker may experience impairment from many factors:

- working in extreme hot or cold temperature conditions
- exposure to toxic substances, gases or fumes; or
- the effects of recreational substance use, including legal or illegal substances.



Source: CCOHS

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## It is more than 'drugs'

- A narrow focus on substance induced impairment leads to poor health and safety practices and ignores a significant modifier of health and safety related risk....

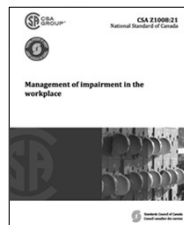


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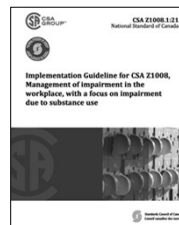
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## Resources

**CSA Z1008:21,**  
*Management of impairment  
in the workplace*



**CSA Z1008.1:21, Implementation  
guideline for CSA Z1008**  
*Management of impairment in the  
workplace, with focus on  
impairment due to substance use*



**CSA Z1008:21** and **CSA Z1008.1:21** are available for no-fee, view access and purchase on the CSA Store in English and French

A no-fee, **online course** is also available in English and French: **CSA Z1008:21 Management of impairment in the workplace - Online training**

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## New Standard

### CSA Z1008:21

- **Management of impairment in the workplace**  
(National Standard of Canada)

“Recognizing that the impacts of impairment are numerous and vary from person to person and across different situations...

As the diagnosis or confirmed source of impairment might not be available or apparent, management of impairment from any source, prior to diagnosis, is a critical aspect of managing risk.”

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## The standard and PDCA



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## What does Z1008 say?

- **Impairment** — a temporary physical, psychological, or physiological state of the worker that has a negative impact on performance or creates a hazard in the workplace.
- *My non-standard clarification* – there is an external influence that if removed, would allow the worker to return to their normal functional state.

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## Managing Impairment Program

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## Program Elements

- Leadership and Commitment
- Establish worker consultation and participation
- Assessment
- Policy and Program
- Communication
- Education/Training
- Process for concerns and response
- Accommodations
- Practices for Non-compliance
- Continual Improvement



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## Leadership

- Responsibility and accountability
- Ensuring that the resources to establish, implement, maintain, and improve
- Communicate and educate
- Develop, lead, and promote the culture you want to see
- Identify and remove barriers (organizational and personal)



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## Employee Consultation and Participation

**Consultation** — seeking views before making a decision.

- Policy
- OHS goals
- Metrics for monitoring

**Participation** — involvement in decision-making.

- Mechanism for C/P
- Hazard ID and Risk Anal.
- Control measures
- Communications

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## Organizational Management

- Impairment increases risk
- Reviewing the hazards and risk assessment of all
  - work processes,
  - procedures, and tasks
  - equipment
 to determine how impairment could negatively affect all aspects of work
- Based on the review, assess if controls adequate

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## Managing impairment

**Policies and programs** must include the following criteria:

- Purpose
- Definition of impairment.
- Non-punitive reporting mechanism.
- Privacy
- Program maintenance
- Detailed response
- Employee assistance and accommodation process
- Employee reporting or response
- Prohibited substances
- Discovered impairment
- For-cause testing
- Post-incident testing.
- Policies must apply to all
- Communication of policies and programs



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## Communications

- Who, when and where policy applies
- How confidentiality will be maintained
- Contacts within the organization
  - Policy questions
  - Concerns
  - Complaints
- Importance of understanding impairment
- Anti-stigma and prevention of discrimination



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## Education

- Policy Training (for all)
- Management / supervisor training
  - Recognizing potential impairment
  - Process when concerned or suspect (interventions)
  - Accommodations
- Worker training
  - Impacts and info on impairment
  - Duty to report, and not being afraid to do so
  - Prevention, treatments and recovery (assistance)



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## Observation and Investigation

- Documented procedures to observe and respond to possible situations of impairment.
  - Maintains workers' privacy, dignity, confidentiality, and human rights.
- Identify when unable to perform the duties
- Process to interview with worker



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## Response to potential impairment

Develop a process to respond to workers experiencing potential impairment:

- a supportive, non-stigmatizing, non-discriminatory approach;
- steps to help ensure the worker is able to perform their tasks safely;
- addressing concerns (reporting, self-disclosure, stigma, discrimination, shame);



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## Response to potential impairment

- encouraging early identification (including education to recognize signs and symptoms);
- determining where work is contributing
- communicating supports available to workers, including community resources, intervention, and counselling;



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## Response to potential impairment

- facilitating access to support by removing barriers to care
- encouraging health promotion and prevention (including stress management, healthy eating, and exercise)



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## Human Rights Legislation

- Accommodation to the point of undue hardship
- Alternatively, if the employer can prove the health and safety risks to workers, members of the public or the environment are so serious they outweigh the benefits of the requested accommodation.
  - The employer must also try to make other accommodations or take precautions to reduce any risks.



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## Considerations for Substances

- Types of impairment, workers, and roles or tasks subject to provisions, under which the policy applies
- What is considered to be impairment as it applies to the specific workplace
- Prevention and treatment for substance use



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## Testing?

- If used, substance testing shall be part of the hierarchy of control and combined with other actions, including information, education and training, and supports.
- Summary: No testing without full program
- If used, workplace substance testing shall be applicable to
  - a) stay at work/return to work and follow-up; or
  - b) organizations with positions or tasks where failure to perform properly could cause direct and significant harm to the worker or others.



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## Human Rights Legislation

- Drug and alcohol testing policies may be discriminatory if the implementation of the policy leads to negative consequences for people with addictions or perceived addictions.
- Human Rights legislation protects workers with disabilities or perceived disabilities from discrimination; but not necessarily workers who are impaired but who do not have a disability or perceived disability.
  - Testing a worker who is impaired, but does not have a disability or perceived disability, does not necessarily constitute an infraction under the Human Rights Law.



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## Questions



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