

Operating Guideline # 233

Use of Alcohol and Drugs

September 30, 2019



PURPOSE:

The purpose of this Operating Guideline (OG) is to set out the behavioural expectations respecting alcohol and drug use by all members of the Muskoka Lakes Fire Department.

ISSUE/RATIONALE:

As an employee of the Township of Muskoka Lakes, every member of the Department is expected to exhibit behaviours that are consistent with community expectations and that demonstrate their commitment to public safety. The abuse of alcohol and drugs of all types is inconsistent with the core value of “service before self” and is strongly discouraged. The use of alcohol or drugs that transcend community expectations and cross into behaviours that are “criminal” in nature (i.e. – impaired driving by alcohol or drug, whether prescribed or not) will not be tolerated under any circumstance and are grounds for dismissal.

GUIDELINE:

General

1. The Muskoka Lakes Fire Department does not endorse or make a moral statement about the use of alcohol, cannabis or other legal drugs.
2. The use of alcohol and certain drugs that are not illegal (in moderation) is largely acceptable in Canadian society today. Notwithstanding this, a firefighter responding to an emergency must be “fit for duty” if they are to perform their jobs safely and efficiently. Every staff member is required to be conscious of the potential physiological and cognitive impacts of alcohol or drug “consumption”, and therefore abstinence prior to reporting for work is deemed to be the most appropriate posture.
3. Physical impairment can be attributed to several different causes including fatigue, life stresses, use of drugs (over the counter, prescription, or illicit) and alcohol consumption.
4. Fire Department personnel and especially those engaged in operational responses are deemed to be in “safety sensitive positions”.

Alcohol Consumption

5. Staff shall not report for duty (administrative, fire prevention, maintenance, emergency response or training duties) having consumed alcohol within the eight (8) hours immediately preceding the work period.
6. Regardless of the time frame noted in sentence 5, and acknowledging that individual physiology affects the rate at which the human body absorbs and processes alcohol, it is the sole responsibility of the individual staff member to ensure that they are completely sober and fit for duty when attending any Fire Department activity.
7. The operation of Fire Department vehicles while under the influence of any alcohol is strictly prohibited.
8. Any staff member who suspects that another member of the department is not sober and fit for duty shall report this to a Supervisor immediately.
9. Any Supervisor who suspects or becomes aware that a staff member may be under the influence of alcohol shall immediately make such inquiries with the subject individual as are necessary to establish their state of sobriety (SEE sentences 21 and 22). Where such suspicions are deemed to be “founded” and the member is deemed unfit for duty, the

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District Chief (Deputy Chief, or Fire Chief) shall be notified and the subject member shall be subject to an immediate administrative suspension for no less than 24 hours. He or she will be offered transportation home by way of taxi, and the Department will absorb this cost.

10. The subject individuals District Chief shall, within 7 days, cause a full written report to be submitted to the Fire Chief which shall include a synopsis of the incident, list of witnesses and a summary of their observations, summary of actions taken, and recommendations for discipline, if any.

Medically Prescribed Drug Use

11. Any member of the Department who is prescribed medication or is taking over the counter medication that has an accompanying warning (i.e. – do not drive or operate heavy machinery while taking this medication) shall notify the Fire Chief in writing. Staff members are encouraged to discuss their Fire Department related duties with their medical practitioner to the extent that they have a good understanding or anticipated working conditions. In all cases, the staff member shall follow the instructions of the medical practitioner with respect to use of the drug (frequency, dosage) and any limitations or restrictions with respect to fire department activities that are imposed by the medical practitioner shall be adhered to.

Cannabis Drug Use

12. Staff shall not report for duty (administrative, fire prevention, maintenance, emergency response or training duties) having consumed or ingested any form or composition of cannabis within the twenty-four (24) hours immediately preceding the work period.

13. Regardless of the time frame noted in sentence 12, and acknowledging that individual physiology affects the rate at which the human body absorbs and processes cannabis, it is the sole responsibility of the individual staff member to ensure that they are completely free of impairment and fit for duty when attending any Fire Department activity.

14. The operation of Fire Department vehicles while under the influence of any drug is strictly prohibited.

15. Any staff member who suspects that another member of the department is not free of impairment and is not fit for duty due to drug impairment shall report this to a Supervisor immediately.

16. Any Supervisor who suspects or becomes aware that a staff member may be under the influence of cannabis shall immediately make such inquiries with the subject individual as are necessary to establish their state of impairment. Where such suspicions are deemed to be “founded” and the member is deemed unfit for duty, the District Chief (or alternately, Deputy Chief or Fire Chief) shall be notified and the subject member shall be subject to an immediate administrative suspension for no less than 24 hours. He or she will be offered transportation home by way of taxi, and the Department will absorb this cost.

17. The subject individuals District Chief shall, within 7 days, cause a full written report to be submitted to the Fire Chief which shall include a synopsis of the incident, list of witnesses and a summary of their observations, summary of actions taken, and recommendations for discipline, if any.

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Illicit or Illegal Drugs

18. The use of illicit or illegal non-prescribed drugs (i.e. – heroin, methamphetamine etc.) is strictly prohibited. A member of the department, upon arrest or who is facing charges by any police agency anywhere for an offence under this sentence, shall forthwith notify the Fire Chief in writing. The member is subject to an immediate administrative suspension from duty until the matter is adjudicated in a court of competent jurisdiction. A criminal conviction for any offence related to the use or possession of these substances is grounds for dismissal from the Department.

Dependencies

19. Fire Department staff members who find themselves in a drug or alcohol dependency should seek assistance from the appropriate Employee Assistance Plan or Employee and Family Assistance Plan as may be appropriate.

20. Staff members who enrolled in a formalized risk reduction program may be eligible for “Early and Safe Return to Work” as transitional accommodation. (SEE MLFD OG 1512 – Early and Safe Return to Work.)

Determining Impairment

21. Staff members who appear to be impaired in the workplace should be assessed by a supervisor for overall impairment based on observations and an assessment based on the following focused question:

- Is there a change in behavior or ability that could lead to the risk of injury to the individual’s safety or the safety of others or the environment?

Consider the following additional specific questions:

- Does the person have the ability to perform the job or task safely? (e.g. – driving, operating machinery or equipment, use of cutting tools.)
- Is there an impact to cognitive ability or judgement? (e.g. slurred speech, imbalance, ability to focus or answer simple questions)
- Are there other side effects of a medical treatment or condition that need to be considered?

Because users can have varying sensitivity, each individual should be assessed on a case-by-case basis.

22. Appendix A contains an assessment tool which may help Supervisors determine whether a staff member is suffering from impairment to some degree. The assessment tool in and of itself is not all-encompassing and the presence of a small number of indicators may be insufficient for a conclusion of impairment to be drawn however.

Presence of Alcohol or Drugs in the Workplace

23. Except as provided in this section, the physical presence of alcohol or drugs is specifically prohibited in all Muskoka Lakes Fire Department facilities and vehicles.

24. Where a staff member has a legitimate need for the use of any drug for therapeutic reasons, they shall notify the Fire Chief in writing and a safe workplace plan shall be developed in accordance with all Federal, Provincial and local regulations and by-laws and the staff members physician-directed treatment plan.

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RESPONSIBILITY:

It is the responsibility of all staff members of all Divisions to comply with the provisions of this OG.

DEFINITIONS:

“Cannabis” means the psychoactive dried resinous flower buds and leaves of the female hemp or cannabis plant (*Cannabis sativa* or *C. indica*) that contain high levels of THC and are smoked, vaped, or ingested especially for their intoxicating effect and includes any form or derivative thereof including cannabinoids and edibles.

“Fit for Duty” means having a state of physical and mental wellbeing that allows an individual to perform his or her job duties safely and effectively without impairment due to the use of or after-effects of alcohol, illegal drugs, legal medications or other health conditions.

“Over the counter medication” means drugs or other medications that are sold without the need for a prescription issued by a medical practitioner (i.e. – cough syrup).

“Safety Sensitive Position” means a job that if not performed in a safe manner, can cause direct or indirect and significant damage to property, and/or injury to the employee, others around them, the public and/or the immediate environment.

REFERENCES:

- Occupational Health & Safety Act
- Workplace Strategies: Risk of Impairment from Cannabis, Canadian Centre for Occupational Health and Safety, 3rd Edition, September 2018
- MLFD OG 209, Health and Safety Policy
- MLFD OG 222, Firefighter Wellness
- MLFD OG 1512, Early and Safe Return to Work

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**Appendix
A**

Possible Impairment Assessment Tool

Date, Time & Description of Incident or Concern and Individuals Involved:

Behaviour	<input type="checkbox"/> Nervous	<input type="checkbox"/> Insulting	<input type="checkbox"/> Sleepy
	<input type="checkbox"/> Exaggerated Politeness	<input type="checkbox"/> Confused	<input type="checkbox"/> Combative
	<input type="checkbox"/> Excited	<input type="checkbox"/> Quarrelsome	<input type="checkbox"/> Fatigued
	<input type="checkbox"/> Uncooperative	<input type="checkbox"/> Poor Memory	<input type="checkbox"/> Overly Talkative
	<input type="checkbox"/> Other (Describe)		
Unusual Actions	<input type="checkbox"/> Sweating	<input type="checkbox"/> Slow Reactions	<input type="checkbox"/> Crying
	<input type="checkbox"/> Quick Moving	<input type="checkbox"/> Tremors	<input type="checkbox"/> Fighting
	<input type="checkbox"/> Other (Describe)		
Speech	<input type="checkbox"/> Slurred	<input type="checkbox"/> Slow	<input type="checkbox"/> Confused
	<input type="checkbox"/> Thick	<input type="checkbox"/> Rambling	<input type="checkbox"/> Pressured
	<input type="checkbox"/> Other (Describe)		
Balance	<input type="checkbox"/> Falling	<input type="checkbox"/> Staggering or Unsteady Gait	<input type="checkbox"/> Unsure
	<input type="checkbox"/> Needs Support	<input type="checkbox"/> Stumbling	<input type="checkbox"/> Normal
	<input type="checkbox"/> Other (Describe)		

Observations:

Witnesses:

Supervisors Actions:
