



Ch'iyáqtel (Tzeachten First Nation)

Drug and Alcohol Policy

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Ch'iyáqtel	
STATEMENT OF POLICY AND PROCEDURE	
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POLICY

1.1 PURPOSE

- (a) Ch'iyáqtel is committed to ensuring the health and safety of all employees, Ch'iyáqtel members and the public at large, recognizing that the use of drugs and alcohol can have serious effects on employees, membership and the broader community.
- (b) Ch'iyáqtel is committed to maintaining a safe, productive and respectful working environment. This includes ensuring that all employees are fit to carry out their jobs safely and effectively in an environment which is free from drug and alcohol misuse.

Part A – APPLICATION

2.1 SCOPE

- (a) This Policy applies to all employees, contractors, volunteers and any others performing work on behalf of Ch'iyáqtel.
- (b) This Policy applies to employee use of any drugs or alcohol that may have impairing effects or after-effects on an individual, whether that impairment relates to mood, cognition, physical coordination, or any other capacity required to work safely, productively and respectfully. Such substances include:
 - (i) **Illicit drugs that have an impairing effect.** Examples include cocaine, opiates, hallucinogens (e.g. magic mushrooms), methamphetamine, etc.
 - (ii) **Prescription drugs that have an impairing effect.** Examples include oxycontin, ritalin, valium, prescription cannabis, etc.
 - (iii) Drugs and substances that may be used or possessed legally, without prescription, but nonetheless have an impairing effect. Examples include alcohol, recreational cannabis, various over-the-counter medications, etc.

2.2 ADMINISTRATION

- (a) Ch'iyáqtel may change this Policy from time to time, including for governance, operational or legal reasons, and will communicate any such changes to employees in a reasonable time.
- (b) The Chief Administrative Officer (**CAO**) is responsible for administration of this Policy. Employees may direct any questions to their Supervisor or the CAO.

2.3 ROLES & RESONSPONSIBILITIES

Role of Supervisors

- (a) Supervisors:
 - (i) Monitor employee behavior for signs of impairment or substance misuse.
 - (ii) Take appropriate action when impairment is suspected, including removing the employee from duty if necessary.

- (iii) Maintain confidentiality when handling substance-related issues.
- (iv) Document incidents and concerns related to drug or alcohol use.
- (v) Support employees in accessing accommodations or assistance programs.
- (vi) Communicate the Policy clearly to employees and ensure understanding.
- (vii) Enforce the Policy consistently and fairly across all departments.

Role of Employees

- (b) Employees:
 - (i) Report to work fit for duty and not under the influence of drugs or alcohol.
 - (ii) Notify their Supervisor if they are taking medication that may impair their ability to work safely.
 - (iii) Seek help if experiencing substance use issues, including accessing the Employee Assistance Program.
 - (iv) Maintain confidentiality and respect for others dealing with substance-related challenges.
 - (v) Report any concerns or violations of the policy to a Supervisor.

Part B – STANDARDS & PROCEDURES

3.1 EFFECTS OF DRUG & ALCOHOL USE

- (a) Drugs and alcohol have impairing effects and after-effects that may render an employee unfit for work. These effects include:
 - (i) Diminished senses, motor skills and reaction times.
 - (ii) Poor judgment and inappropriate behaviour.
 - (iii) Difficulty concentrating.
 - (iv) Hallucinations or paranoia.
 - (v) Fatigue or drowsiness.
 - (vi) Nausea or headaches (including "hangovers").
- (b) Where any such effects or after-effects prevent the employee from attending work, or from working in a safe, productive and respectful manner, the employee is unfit for work due to drug or alcohol use.

3.2 RULES FOR DRUG & ALCOHOL USE

- (a) To maintain a safe, productive and respectful working environment, the following rules apply:
 - (i) **Fitness for work.** Employees must be fit for work at all times, without becoming unfit due to drug or alcohol use. An employee must not attend work or perform work while unfit due drug or alcohol use. If an employee is

present at work while unfit due to drug or alcohol use, the employee may be sent home immediately without completing the work day.

- (ii) **No use during work hours.** Employees must not use drugs or alcohol during work hours or during breaks.
- (iii) **Possession.** Employees must not possess any illicit drug, prescription drug without proper prescription, alcohol, or recreational cannabis while at Ch'iyáqtel's workplace or while engaged in Ch'iyáqtel business.
- (iv) **Sale.** Employees must not sell or offer for sale any drug or alcohol while at Ch'iyáqtel's workplace or anywhere on Ch'iyáqtel lands or while engaged in Ch'iyáqtel business.
- (v) **Impaired driving.** Employees must comply with impaired driving laws while operating an Ch'iyáqtel vehicle, while driving on Ch'iyáqtel business or while driving on Ch'iyáqtel lands.

3.3 ACCOMMODATION OF DRUG OR ALCOHOL-RELATED DISABILITIES

- (a) The *Canadian Human Rights Act* requires employers to accommodate employee disability to the point of undue hardship (see *Accommodations Policy*). Drug and alcohol use may be related to an employee disability where:
 - (i) The employee is following medical direction in using a prescription or non-prescription drug to manage a disability or medical condition.
 - (ii) The employee has a dependence on drugs or alcohol due to a substance use disorder or stemming from another disability.
- (b) Ch'iyáqtel is committed to accommodating employee disabilities related to drugs or alcohol. We understand that substance dependency and/or addiction is a serious issue and are ready to help employees recognize and treat these conditions. Our goal is to help employees remain at or return to work in good health, with good attendance and performance. We encourage employees to seek help and/or medical attention when needed. Ch'iyáqtel will take all reasonable steps to assist an employee in managing or recovering from these conditions.
- (c) Any information an employee shares with Ch'iyáqtel about drug or alcohol use related to a disability or substance use disorder will be kept confidential. It will only be disclosed if legally required.

3.4 PERMISSABLE DRUG USE

- (a) All employees are required to be responsible in their use of prescription and over-the-counter medication, including medical marijuana, and must consult with their physician or pharmacist to determine if the medication may cause impairment.
- (b) Employees who are taking prescription or over-the-counter medication, including medical marijuana, that may cause impairment, must notify their Supervisor prior to attending at work.
- (c) An employee may possess and use a prescription or non-prescription drug at the workplace if:

- (i) The employee is using the drug for its intended purpose and as directed by a physician, pharmacist or the drug manufacturer.
- (ii) The employee has sought advice from a physician about the effect the medication may have on the employee's fitness to work.
- (iii) The employee has:
 - notified their Supervisor beforehand if the drug has the potential to render the employee unfit for work;
 - discussed with their Supervisor the potential impacts on the workplace and accommodations that may be required; and
 - complied with agreed accommodations.
- (d) Upon disclosure, the Supervisor may require the disclosing employee to provide medical documentation that confirms the employee's ability to safely and effectively perform their duties and that outlines any required accommodations.
- (e) The Supervisor will assess whether the employee's use of medication is likely to jeopardize the safety of the employee, their co-workers or members of the public. If the Supervisor determines the impairment poses a risk to health and safety, or to the employee's ability to properly perform their job duties, the Supervisor may modify the employee's job duties, require the employee to take medical leave, or take any other steps reasonably required to accommodate the employee's medical needs.
- (f) Where an employee relies on drugs or alcohol to manage a disability in any other circumstance than those set out in [section 3.4](#) above, Ch'iyáqtel does not condone use or possession that affects the workplace. In such cases, the employee's substance use may be treated as an issue of drug or alcohol dependence, and the employee must follow the steps set out in [section 3.5](#) below.

3.5 DRUG OR ALCOHOL DEPENDENCE

- (a) Where an employee is unable to comply with the rules in this Policy due to a drug or alcohol dependence (whether stemming from a substance use disorder or other disability), he or she must take steps to prevent risks to himself or herself or to others, and to avoid disruption to the workplace. The employee must:
 - (i) Seek the help of a physician or substance use disorder specialist to obtain a medical diagnosis and support. Employees may contact Ch'iyáqtel's Employee Assistance Program for a referral(s).
 - (ii) Contact their Supervisor for assistance in managing a drug or alcohol-related disability.
 - (iii) Participate in treatment prescribed by a physician or substance use disorder specialist.
 - (iv) Provide Ch'iyáqtel with any medical information required to assess the employee's condition and fitness to return to work.
 - (v) Participate in Ch'iyáqtel's reasonable efforts to accommodate the employee.

- (b) Any employee requesting such assistance will not be disciplined for disclosing a drug or alcohol dependence, and Ch'iyáqtel will make all reasonable efforts to accommodate the employee under the *Disability Accommodation Policy*.
- (c) Employees remain responsible for their actions despite the existence of a drug or alcohol dependence. Ch'iyáqtel has a duty to accommodate such disabilities, and employees have a corresponding obligation to seek help when it is needed to prevent harm to themselves, their co-workers, or to the workplace in general. If an employee has a drug or alcohol dependence that may lead to a breach of this Policy and is capable of seeking help for that dependence but chooses not to do so, the employee will remain subject to discipline when a breach occurs.

3.6 OFF-DUTY DRUG & ALCOHOL USE

- (a) Drug and alcohol use can impact the workplace and the employee's working life even if it does not involve impairment at work or unapproved absence. Off-duty use of drugs or alcohol can lead to unexpected circumstances that undermine the relationship between Ch'iyáqtel and the employee. Examples of such circumstances include:
 - (i) Loss of credentials, certifications, licenses or other professional designations required for the employee's work.
 - (ii) Damage to Ch'iyáqtel equipment entrusted to the employee for use outside of the workplace.
 - (iii) Damage to Ch'iyáqtel's business or reputation.
- (b) Employees must be conscious of how their off-duty choices affect their work. Any off-duty drug or alcohol use that results in reputational damage or other liability for Ch'iyáqtel, or which renders the employee unable to work, may be met with discipline as described in this Policy.
- (c) Where an employee has difficulty controlling off-duty drug or alcohol use and believes it may have an impact on Ch'iyáqtel or workplace performance, the employee must follow the steps regarding drug and alcohol dependence described in this Policy.

3.7 EMPLOYER-SPONSORED EVENTS

- (a) Employees are expected to consume alcohol responsibly at all employer-sponsored events where alcohol is available or served, including the annual holiday party. This includes moderating intake and prioritizing personal safety. Professional behaviour is essential to uphold Ch'iyáqtel's reputation and to ensure a positive experience for everyone. Employees are expected to adhere to the following guidelines:
 - (i) Drink in moderation and know one's personal limits.
 - (ii) Plan ahead for safe transportation.
 - (iii) Look out for colleagues and support safe choices.
 - (iv) Maintain professionalism at all times.
 - (v) Report concerns to event organizers, if needed.

3.8 SPECIAL EVENTS & BUSINESS TRAVEL

- (a) Employees may attend special events or conferences where alcohol is served. Employees are permitted to consume alcohol while attending these events but must do so responsibly and always maintain professional behaviour as representatives of Ch'iyáqtel.
- (b) Employees travelling for Ch'iyáqtel business are ambassadors for Ch'iyáqtel and must maintain professional behaviour at all times. If an employee chooses to consume alcohol or recreational cannabis outside of working hours while travelling for Ch'iyáqtel business, they must calculate their consumption responsibly to ensure that the intoxicating effects have worn off before returning to duty. Failure to comply with this requirement may result in discipline in accordance with [section 3.9](#).

3.9 SMOKING OF TOBACCO & E-CIGARETTES

- (a) To maintain a safe and comfortable working environment and to ensure compliance with applicable laws, smoking of any kind whatsoever is prohibited inside Ch'iyáqtel offices and buildings and within six meters of any doorways, windows and air intakes. This includes smoking tobacco and e-cigarettes.
- (b) No additional breaks will be provided for employees who smoke.
- (c) Employees should become familiar with designated outdoor areas at the workplace where smoking tobacco and e-cigarettes is permitted. Smokers must dispose of tobacco and cigarette remains in the proper containers to keep a safe and clean environment for our employees, Ch'iyáqtel members and visitors.
- (d) Smoking in non-smoking areas will not be tolerated and will result in disciplinary action up to and including termination.

3.10 CONSEQUENCES OF FAILURE TO COMPLY

- (a) All employees are required to read and comply with the terms of this Policy.
- (b) Any violation of this Policy may be grounds for disciplinary action, up to and including termination of employment, in accordance with the *Progressive Discipline Policy*.
- (c) Ch'iyáqtel may suspend disciplinary action for breach of this Policy where there is reason to believe the breach results from a drug or alcohol-related disability and the employee agrees to undertake appropriate treatment or participate in reasonable accommodations. The accommodation process may include requiring the employee to attend a medical assessment to determine whether drug or alcohol use is related to a disability.
- (d) An employee remains subject to discipline under this Policy where:
 - (i) The employee refuses to seek treatment or participate in an accommodation process.
 - (ii) A medical assessment determines that a breach of this Policy is unrelated to an employee disability.