

# Recognizing, preventing, and managing workplace impairment

Canada's legalization of recreational cannabis in October 2018 reignited the issue of workplace impairment for many employers and workers in BC. Impairment at work, which is not a new health and safety concern, can create significant risk of injury and death not only to the impaired worker, but also to co-workers and members of the public.

Employers and workers share responsibility for managing impairment in the workplace. All employers are encouraged to develop and clearly communicate to their employees the policies and procedures that address impairment at work. Written procedures should indicate roles and responsibilities and include information such as how workers can inform their employer if their ability to safely perform assigned work is compromised due to impairment, or how supervisors can assess for impairment using functional fitness-to-work testing. Workers must tell their supervisor or employer if their ability to safely perform assigned work is impaired for any reason.

While impairment can have many causes, the most common substance-related ones are over-the-counter medications; prescription drugs, including medically prescribed cannabis; alcohol; recreational cannabis; and illegal drugs.

Impairment from substance use can cause physical and behavioral changes that affect people's ability to work safely, putting them or their co-workers at risk of injury. The effects of impairment at work can include decreased motor coordination and reaction time, impaired judgment and decision making, and psychological or stress-related effects such as mood swings or personality changes.

BC has one of the most robust regulatory

frameworks for workplace impairment in Canada. Section 116 (2)(d) of the Workers Compensation Act requires that workers "ensure that the worker's ability to work without risk to his or her health or safety, or to the health or safety of any other person, is not impaired by alcohol, drugs, or other causes."

The Occupational Health and Safety Regulation details the regulatory framework for addressing workplace impairment under Section 4.19: Physical or mental impairment and Section 4.20: Impairment by alcohol, drug or other substance. The latter section states:

1. A person must not enter or remain at any workplace while the person's ability to work is affected by alcohol, a drug or other substance so as to endanger the person or anyone else.
2. The employer must not knowingly permit a person to remain at any workplace while the person's ability to work is affected by alcohol, a drug or other substance so as to endanger the person or anyone else.

3. A person must not remain at a workplace if the person's behaviour is affected by alcohol, a drug or other substance so as to create an undue risk to workers, except where such a workplace has as one of its purposes the treatment or confinement of such persons.

Employers must not assign impaired workers to activities where impairment may create an undue risk and must not permit workers to remain at any workplace while their ability to work safely is affected by alcohol, a drug, or another substance or condition. Employers should also consider how all workplace parties will be notified of and trained in the impairment policy and how supervisors will be trained to identify signs of impairment.

For more information, visit [www.worksafebc.com](http://www.worksafebc.com) and search "managing impairment in the workplace." ■

—Tom Brocklehurst  
WorkSafeBC Director of Prevention Practices and Quality

Physicians who employ staff in a clinic are employers with responsibility for managing impairment in their workplace. All physicians have the additional responsibility to advise patients who work in safety-sensitive positions and may be impaired by illness, medication, and/or recreational substance use that they must inform their employer, request reassignment to non-safety-sensitive work, or take a medical leave as appropriate. Physicians must consider tasks and activities that their patient performs in the workplace, and then consider whether that individual poses a risk of significant harm to self, co-workers, or the public.<sup>1</sup> Physicians in BC are also required to report a patient who, in the physician's opinion, has a medical condition that makes driving dangerous but continues to drive after being warned of the danger by the physician.<sup>2</sup>

—Olivia Sampson, MD, CCFP, MPH, FRCPC, ABPM  
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## References

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2. CMPA. Medical-legal handbook for physicians in Canada. 2016. Accessed 31 July 2019. [www.cmpa-acpm.ca/static-assets/pdf/advice-and-publications/handbooks/com\\_16\\_MLH\\_for\\_physicians-e.pdf](http://www.cmpa-acpm.ca/static-assets/pdf/advice-and-publications/handbooks/com_16_MLH_for_physicians-e.pdf).

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