

Laurentian Pilotage Authority Policy on Drug and Alcohol Use

This policy is directed specifically at those occupying a *safety-sensitive position*, namely LPA employee pilots, contract pilots and holders of a pilotage certificate, personnel who navigate pilot vessels, supervisors and dispatchers for the Montreal assignment centre. It also applies to other LPA employees who have safety-sensitive positions, according to their job descriptions.

Performing tasks related to these *safety-sensitive positions* while impaired can jeopardize the safety and security of the holder of the pilotage licence or certificate, other individuals or the public at large, or could pose a threat to the environment. The main objective of this policy is to prevent any action that could compromise the safety, health or performance of personnel resulting from drug or alcohol use. It is also intended to encourage those who are making an effort to resolve their drug or alcohol addictions.

Given that safety is the priority, every measure will be taken, including dismissal or cancellation of a pilot's licence or pilotage certificate, to eliminate the risk.

The Laurentian Pilotage Authority requires that its service providers, namely employees and members in *safety-sensitive positions*, adopt a similar policy. In the event that these service providers have no such policy, they will be required to follow this one.

Pilots and certificate holders

With respect to drugs and alcohol, the *Pilotage Act* and *Regulations* govern only licensed pilots and holders of pilotage certificates. Section 25 of the *Pilotage Act* clearly indicates that no licensed pilot or holder of a pilotage certificate shall conduct a vessel while under the influence of alcohol or drugs. Section 25 also prohibits the use of alcohol or drugs while on duty. The LPA intends to stringently enforce this prohibition.

The LPA may suspend or even cancel an individual's licence or pilotage certificate if that person violates this provision of the Act. Sections 27, 28 and 29 of the *Pilotage Act* describe the disciplinary mechanism in place. (See excerpts from the attached *Act* and *Regulations*).

As for the Regulations, Subsection 25 (1) of the *Laurentian Pilotage Authority Regulations* stipulates that every holder of a licence or pilotage certificate shall remain medically fit so as to meet the medical examination requirements set out in the *General Pilotage Regulations*. These *Regulations* state that the physician who conducts the annual medical exam shall determine whether the holder is dependent on drugs or alcohol, or abuses either. The Laurentian Pilotage Authority may at any time ask that a

new medical exam be performed if it has reason to believe that the holder's health presents a risk to the safety of the ship or the people on board.

The *Canada Shipping Act* imposes similar requirements for medical exams for personnel navigating pilot vessels.

Employees navigating pilot vessels in Les Escoumins

This policy applies to all captains and mechanics represented by the Canadian Merchant Service Guild and seamen represented by the Public Service Alliance of Canada.

Other Laurentian Pilotage Authority employees

Other employees working at the LPA head office in Montreal and whose positions are considered safety-sensitive according to their work description are subject to the same policy.

They are prohibited from drinking alcohol during the lunch hour, between two work periods. However, occasionally, to celebrate a social event or during a meeting with a client or provider, drinking is allowed in moderation.

Drug and alcohol testing

The Laurentian Pilotage Authority signed a contract with a firm specializing in drug and alcohol testing. The contract provides access to a health professional on site, from Montreal to Les Escoumins, to collect blood, urine or breath samples, as soon as possible. Only the CEO, Director of Operations or his/her assistant and the Dispatch Director may call on these health professionals to conduct tests.

The LPA can order a drug or alcohol test when it has reason to believe that a pilot, a holder of a pilotage certificate or any other person occupying a *safety-sensitive position* is under the influence of drugs or alcohol. In the case of a pilot or a holder of a pilotage certificate, when possible, the detection test will be conducted before the start of the assignment. However, the Laurentian Pilotage Authority can administer these tests randomly, at any time, when the individual has begun treatment for a drug or alcohol dependency, as part of a therapeutic agreement with the LPA.

The test results are communicated orally to the LPA within forty-eight (48) hours after the sample was taken. Written confirmation of the results is then sent to the LPA as soon as possible. The results of the detection test or the opinion of the health professional conducting the test will determine whether the person tested is able to

immediately assume his/her pilotage duties, professional activities or even drive his/her own vehicle.

Blood-alcohol level

Pilots, holders of pilotage certificates and all other personnel occupying *safety-sensitive positions* must stop drinking all alcoholic substances six (6) hours before beginning their assignment or starting work. Moreover, if the result of a detection test reveals a blood-alcohol concentration higher than zero point zero two (0.02) grams of ethanol per decilitre of blood, the pilot or holder of a pilotage certificate who was conducting or about to conduct a ship or any other person occupying a *safety-sensitive position* is in violation of this policy. The pilots and holders of pilotage certificates are also in violation of the *Canada Shipping Act*. A blood-alcohol concentration higher than zero point zero eight (0.08) grams of ethanol per decilitre of blood is considered a violation of the *Criminal Code* and is an aggravating factor.

Medication

All personnel occupying a *safety-sensitive position* are responsible for asking their attending physician whether their prescribed medication could cause side effects liable to affect their performance at work or present a safety risk. If there is any doubt, the Director or his/her assistant may ask the individual in question to undergo a medical exam by a physician approved by the LPA. The physician would then determine whether the individual is fit to resume his/her professional activities.

Illicit drugs

The LPA has a zero-tolerance policy on illicit drugs. These illicit drugs are listed in Schedules I to IV of the *Controlled Drugs and Substances Act* (1996 c. 19).

Toxicology

In the case of a drug or alcohol dependency, a therapeutic approach may be more appropriate than mere disciplinary action. The diagnosis is made by a qualified health professional. However, because safety is a concern, tolerance for this disorder is limited and serious penalties, including cancellation of a licence or certificate may be imposed following the first violation of this policy.

Supervision and confidentiality

Employees or contract workers who occupy a *safety-sensitive position* and are being treated to resolve their drug or alcohol addiction must be supervised so that the LPA can ensure that they are pursuing their treatment activities to prevent a relapse and that they are not compromising safety.

Employees or contract workers who are dependent on drugs or alcohol must receive treatment from a professional organization that specializes in substance addiction treatment and is recognized by the LPA.

A worker from this organization must periodically submit a report to the LPA, according to pre-established terms and conditions, regarding the supervised employee's compliance with the therapeutic agreement. Should the employee's non-compliance present a safety risk, the person in charge of supervision shall immediately notify the LPA that the individual is unfit for work and could compromise safety.

Supervision is based on a detailed and extensive therapeutic agreement describing all rehabilitation activities, such as abstinence, participation in support group meetings, counselling, medical and psychiatric treatment, and drug and alcohol testing. This agreement shall be signed by the employee, pilot or holder of a certificate, the LPA and treatment organization. This agreement calls for the regular transmission of information to the LPA, in accordance with the requirements of this policy.

The LPA does not expect to receive confidential personal, medical or psychiatric information. Rather, it expects designated or certified health professionals, and specialized treatment organizations, to provide the following information:

- Current ability to occupy a safety-sensitive position
- Probable length of absence from work
- Recommendations regarding modification of duties
- Supervision requirements to prevent a relapse
- Probable length of the supervision period
- Compliance with therapeutic agreement

Employee assistance program

Any employee or contract worker with a drug or alcohol addiction is responsible for seeking help from a professional organization specializing in addiction treatment and for paying the costs involved. This organization must be recognized and approved by the LPA.

LPA employees are encouraged to get involved in the employee assistance program offered by Pro-Act by calling the telephone number posted on bulletin boards in the workplace.

The Laurentian Pilotage Authority does not reimburse its employees or its service providers' employees for any type of treatment they undertake.