# Drug and Alcohol Policy

Purpose & Policy

Kelly Services (Canada) Ltd. (or the “Company”) is committed to ensuring the health and safety of its employees and maintaining the Company’s reputation for providing quality services. As part of this commitment, Kelly Services (Canada), Ltd. is dedicated to maintaining a drug and alcohol-free workplace and to protect employees from the dangers caused by alcohol and drug abuse.

Kelly Services (Canada), Ltd. recognizes that, in Canada, drug or alcohol dependency is considered a disability under human rights legislation, and disability discrimination is prohibited with respect to employment. Therefore, drug and alcohol testing should be administered only in specific, limited circumstances and in a manner that is consistent with Kelly Services (Canada), Ltd. accommodation obligations.

Scope

This Policy applies to all employees of Kelly Services (Canada), Ltd. (including Permanent (Core) Employees and Kelly Temporary Employees (KTEs)) and others who perform work or provide services to, or on behalf of, Kelly Services (Canada), Ltd (collectively “employees”). This includes work or services performed on or off Company premises, including on customer, vendor, or other affiliated sites, as well as while driving or riding in a company vehicle.

**Medication:** Any drug or treatment, whether prescribed by a physician or not, taken or intended to be taken to treat any illness or injury, or to promote health generally, including, but, not limited to, prescription drugs, over-the-counter medications and formulas, herbal or naturopathic remedies, supplements and treatments, including medical marijuana.

**Reasonable Cause:** When a person in authority has objective and articulated facts sufficient to form a reasonable suspicion that a Substance might be influencing an individual’s work performance which could potentially affect his/her ability to safely perform work and/or the safety of others. Unusual or unsafe conduct or behaviour can include, but is not limited to, one or more of the following:

* Direct observation of Substance use or possession;
* The smell or odour of alcohol or marijuana;
* Loss of motor control, including staggering or an unsteady gait;
* Bloodshot eyes;
* Slurred speech;
* Erratic behaviour; and
* Shaking or tremors.

**Substance:** Anything that impairs an employee’s physical or mental abilities and performance. A Substance includes, but is not limited to, a drug, alcohol or Medication.

**Substance Abuse:** The use of any potentially impairing Substance in such a way that it adversely affects performance or safety at work.

**Substance Dependency:** Is a condition that may result when an individual’s repeated use of a Substance renders them dependent on that Substance. A Substance Dependency may result in a physical disability or mental impairment that interferes with the individual’s physical, psychological and social functioning.

Prohibitions – All Employees

Under the scope of this policy, Kelly Services (Canada), Ltd. does not tolerate under any circumstances the use of a Substance that may impair one’s ability to function in a safe and appropriate manner in the workplace. Employees who are found to be violation of this Policy may be subject to disciplinary action, up to and including termination from employment, subject only to Kelly Services (Canada), Ltd.’s legal obligations under applicable human rights legislation.

The following activities and behaviours are strictly prohibited while working on behalf of Kelly Services (Canada), Ltd.:

* Using, possessing or being under the influence of alcohol;
* Using, possessing or being under the influence of illegal drugs;
* Using, possessing or being under the influence of any drug, including a prescription drug, or chemical for any purpose other than for its intended use or by anyone other than the person to whom it has been prescribed; or
* Engaging in the manufacture, purchase, distribution, dispensation, sale, transfer or possession of any drugs, alcohol or chemicals.

Employees are prohibited from engaging in these activities on the premises of Kelly Services (Canada), Ltd. or its customers, in a vehicle supplied by Kelly Services (Canada), Ltd. or a customer, or in any way connected with the employee’s employment with Kelly Services (Canada), Ltd. or placement with a Kelly Services (Canada), Ltd. customer. Where an employee reports to work or a business-related function in violation of these prohibitions, he or she will be sent home pending an investigation. Kelly Services (Canada), Ltd. will assess the nature and severity of the violation, and may impose appropriate sanctions in its sole discretion, which may include discipline up to, and including, termination of employment.

Kelly Services (Canada), Ltd. will report to law enforcement authorities illegal drug-related employee activities, such as the sale of illegal drugs, that occur on the premises of Kelly Services (Canada), Ltd. or its customers, in a vehicle supplied by Kelly Services (Canada), Ltd. or a customer, or in any way connected with the employee’s employment with Kelly Services (Canada) Ltd. or placement with a Kelly Services (Canada), Ltd. Customer. Kelly Services (Canada), Ltd. will cooperate in any criminal investigation of such activities.

It is each employee’s responsibility to consult with his/her doctor or pharmacist regarding the proper use of any Medication and to determine if the Medication may have a negative effect on the employee’s ability to safely perform his/her job duties. Employees must only take Medication as prescribed or directed.

It is also each employee’s responsibility to confidentially report the use of any Medication that may have a negative effect on the employee’s ability to safely perform his/her job duties. The Company reserves the right to request further medical information from the employee to ascertain whether or not the employee is safely able to perform his/her job duties.

The proper use of such Medication is not grounds for disciplinary action but may necessitate modified duties or reassignment during the course of treatment. Any information disclosed will be considered and treated as confidential. Please note that Kelly Services (Canada), Ltd. has the same expectations of those employees who use medical marijuana as those who use all other types of Medication.

Under no circumstances will Kelly Services (Canada), Ltd. permit an employee to work where the Company, in its sole direction, has determined that the employee’s use of a Medication has impaired the employee’s ability to perform his or her work safely and competently, or has otherwise rendered the employee unfit to perform work.

Drug and Alcohol Testing – Permanent Employees

Kelly Services (Canada), Ltd. does not conduct pre-employment drug or alcohol testing of candidates being considered for hire as a permanent employee. Similarly, Kelly Services (Canada), Ltd. does not conduct random drug or alcohol testing of its permanent employees.

Kelly Services (Canada), Ltd. may require a permanent employee to undergo drug or alcohol testing, or both, where there is Reasonable Cause to suspect that the employee has consumed Substances in violation of this policy. This may be the case, for example, where there are observations by supervisors or co-workers of behaviour that reasonably suggests that an employee may be impaired by a controlled Substance, alcohol or an inhalant.

Kelly Services (Canada), Ltd. may also require a permanent employee to undergo drug or alcohol testing, or both, following accidents or other incidents involving unsafe or dangerous behaviour, which reasonably suggest that impairment by a controlled Substance, alcohol or an inhalant may have been a contributing factor.

Where a permanent employee is assigned to work on a customer site that is subject to a customer’s own valid drug and alcohol testing policy, the permanent employee may be required to undergo drug and alcohol testing prior to entering the customer site in accordance with the customer’s policy, and may be subject to periodic testing for the duration of the assignment. Should an employee test positive for controlled Substances, alcohol or inhalants in violation of this policy, the employee may be subject to discipline up to, and including, termination.

If it is determined that the employee has a drug or alcohol dependency, the employee cannot return to work until he/she has successfully completed a Substance Abuse Program to the satisfaction of Kelly Services (Canada), Ltd., and he/she has entered into a rehabilitation agreement with Kelly Services governing his/her continued employment, which may include any (or all) of the following actions, or any other condition appropriate to the situation:

* temporary removal from his/her position;
* assessment by a qualified medical practitioner to determine the need for a further structured treatment program;
* adherence to any recommended treatment and aftercare program;
* remain Substance-free and have satisfactory performance upon return to duty;
* successful completion of a return to duty test;
* ongoing unannounced testing for a duration of his/her agreement;
* adherence to any rehabilitation conditions or requirements; and/or
* no further policy violations during the monitoring period.

Drug and Alcohol Testing – Temporary Employees

All drug and alcohol testing provisions applicable to Kelly Services (Canada), Ltd. permanent employees also apply to Kelly Temporary Employees, subject to the following amendments and additional provisions.

Where a Kelly Temporary Employee is assigned to a safety-sensitive position at a customer site and the customer has a valid drug and alcohol testing policy in effect, the Kelly Temporary Employee may be required to undergo either pre-employment or pre-placement drug or alcohol testing as required under the customer policy.

Similarly, where a Kelly Temporary Employee is assigned to a safety-sensitive position at a customer site and the customer has a valid drug and alcohol testing policy in effect, the Kelly Temporary Employee may be subject to periodic or random testing throughout the duration of the assignment.

Kelly Temporary Employees may be subject to any other provisions of a valid drug and alcohol policy in effect at a customer’s site.

Customer Policies – General

Whenever drug or alcohol testing is required under the terms of a customer’s policy, Kelly Services (Canada), Ltd. will work with the customer to seek to ensure that any testing is done, so far as possible, in a manner consistent with this policy. Kelly Services (Canada), Ltd. will also take reasonable steps to ensure that any testing and handling of test results is done in a manner that protects confidentiality and the privacy interests of employees of Kelly Services (Canada), Ltd. to the greatest extent possible, except where limited disclosure is necessary for related health and safety concerns or where required or permitted by law.

Getting Help with a Substance Abuse Problem

Alcohol and drug dependencies are treatable illnesses and early intervention greatly improves the probability of a lasting recovery. Employees who suspect that they have a Substance Dependency (or emerging alcohol or drug problem) are strongly encouraged to seek medical and/or professional advice and follow an appropriate treatment program before their job performance is affected. To get help with a Substance Abuse problem, visit the Canadian Centre on Substance Abuse Web site at [www.ccsa.ca](http://www.ccsa.ca) for a list of treatment organizations in your province or territory.

Permanent employees of Kelly Services (Canada), Ltd. may also communicate with Shepell-fgi, our EAP provider.

If Kelly Services (Canada), Ltd. becomes aware that an employee is suffering from a Substance Dependency, the Company will accommodate employees in accordance with its obligations under the applicable human rights legislation.

Contact

If you have questions regarding this policy, consult your manager for further guidance.

If you are a Manager and need assistance interpreting the policy, contact your Human Resources Business Partner.

For Kelly Temporary Employees contact your local Kelly Services representative.