



## **STAFF REPORT ACTION REQUIRED with Confidential Attachment**

### **Random Alcohol and Drug Testing Update**

<b>Date:</b>	February 25, 2015
<b>To:</b>	TTC Board
<b>From:</b>	Chief Executive Officer
<b>Reason for Confidential Information:</b>	<ul style="list-style-type: none"><li>• This report is about labour relations.</li><li>• This report is about litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.</li><li>• This report contains advice that is subject to solicitor-client privilege, including communications necessary for that purpose.</li></ul>

### **Summary**

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The purpose of this report is to provide the Board an update further to approval received in October 2011 from the TTC Board at the time, to proceed with pursuing the introduction of random alcohol and drug testing.

### **Recommendations:**

It is recommended that the Board:

1. Receive the information provided in the confidential attachment; and
2. Authorize that the information in the confidential attachment is to remain confidential in its entirety as it contains information that is subject to solicitor-client privilege.

### **Financial Impact**

This report has no financial impact.

## Decision History

In September 2008, TTC staff recommended (in part) that the Board approve in principle a Fitness for Duty (“FFD”) Policy that would include, in addition to a variety of assistance programs and prevention measures alcohol and drug testing. This was to be limited to employees in safety sensitive, specified management and designated executive positions and such employees would be subject to reasonable cause, post incident, post violation, post treatment, applicant and random testing. The Board approved this recommendation save and except for the introduction of random testing.

Effective February 2010 Certification testing for new hires entering into a safety sensitive, specified management and designated executive (collectively referred to as “designated positions”) and for existing employees transitioning from a non- designated position into a designated position, came into effect.

Post Incident and Reasonable Cause testing for designated positions, came into effect in October 2010. Furthermore, effective October 2010, in any situation where an employee would be returning to work further to treatment received following either 1) a voluntary disclosure of a substance abuse problem, or 2) a violation of the FFD Policy that did not result in termination, such employee, whether in a designated position or not, is required to pass a “Return to Duty” alcohol and drug test. In such cases, the employee is also subject to “Post Treatment Monitoring”. In this situation, dates for testing are selected on a random basis through our independent testing service.

In October 2011, the TTC came forward to the Board, again, with a recommendation to approve the implementation of random alcohol and drug testing, [http://www.ttc.ca/About\\_the\\_TTC/Commission\\_reports\\_and\\_information/Commission\\_meetings/2011/October\\_19\\_2011/Supplementary\\_Reports/Fitness\\_For\\_Duty\\_Pol.pdf](http://www.ttc.ca/About_the_TTC/Commission_reports_and_information/Commission_meetings/2011/October_19_2011/Supplementary_Reports/Fitness_For_Duty_Pol.pdf) and the Board approved the addition of this to policy and directed TTC, when it reported back, to comment on the feasibility of including Board Members in this policy. [http://www.ttc.ca/About\\_the\\_TTC/Commission\\_reports\\_and\\_information/Commission\\_meetings/2011/November\\_23\\_2011/Minutes/index.jsp](http://www.ttc.ca/About_the_TTC/Commission_reports_and_information/Commission_meetings/2011/November_23_2011/Minutes/index.jsp).

## Issue Background

Safety of passengers and employees is of paramount concern to the TTC. Doing all it can to ensure that employees are fit for work is important to assuring the public of their safety.

## Contact

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## Attachments:

Confidential attachment: Random Alcohol and Drug Testing Update