



OSTA

Ottawa Student
Transportation
Authority

Alcohol, Drugs, Tobacco, Firearms and/or Weapons on Contracted Vehicles

Effective Date: September 23, 2019

Policy Code – Version: T3 – V3

Policy Name: Alcohol, Drugs, Tobacco, Firearms and/or other Weapons on Contracted Vehicles

Approved by motion of Board on 28/09/2015

Modified by motion of the Board on 23/09/2019

Cross Reference

H12 – Smoke-Free Workplace;
T13 – Student Discipline on Contract Vehicles;
T14 – Transportation Services

Related Forms

Policy Statement

1. Individuals who drive contracted passenger vehicles transporting students, including bus and van drivers, and other staff who drive such passenger vehicles from time to time, are conducting safety-sensitive work. Consequently, there is zero-tolerance for any individuals who are not fit for work, and who perform any functions that may put the safety of students, or the public, at risk due to impairment from the use of legal or illegal drugs, alcohol, or other mood or mind-altering substances.
2. Every contracted Operator shall have a policy that governs the use and abuse of drugs and alcohol for any staff who may operate a vehicle contracted to OSTA for the purposes of transporting students, and which must cover the following elements:
 - a. Requirements for reporting “fit for work” and assessment procedure and training thereof;
 - b. Mandatory drug and alcohol testing where cause exists for requiring testing, following an accident or near accident, as part of a return to work program for individuals who have undergone substance abuse treatment, or as may be permitted otherwise under Ontario law;
 - c. Reporting of suspicion of impairment and/or actual impairment
 - d. Process for investigating allegations of impairment
 - e. Conditions of suspension and/or termination due to drug or alcohol use and impairment in violation of the Operator’s policy.

3. The presence of alcohol, drugs and/or firearms in contracted vehicles shall be grounds for removal of the contracted/subcontracted driver or student from service for the Ottawa Student Transportation Authority.
4. Students possessing tobacco products and/or e-cigarettes on board a contracted vehicle may lose their transportation privileges.
5. Students and drivers shall respect OSTA's and the school board(s) no smoking policies.

Procedure

1. Definitions:

Mood or mind-altering substance includes but is not limited to, alcohol, cannabis, illicit drugs, recreational drugs, prescribed and non-prescribed medication that has the potential to change or adversely affect the way a person thinks, feels, behaves and/or diminishes the workers ability to perform their job competently and in a safe manner.

Fit for work means a person is able to perform the duties of the job competently and in a safe manner.

Impairment refers to a limitation resulting from the use of a mood or mind-altering substance(s) that negatively affect the person's ability to carry out the requirements of the job in a safe and competent manner.

Safety-sensitive work refers to any work in which an individual has a direct role in an operation where impaired performance could result in a significant error, incident or failure to adequately respond to an incident, and could affect the health, safety or security of the individual, students or other persons.

2. Ministry of Transportation's zero-tolerance policy for alcohol and cannabis is as follows:

As of July 1, 2018, drivers of vehicles requiring an A-F class license, vehicles requiring a Commercial Vehicle Operator's Registration (CVOR) and road building machines are prohibited from having any presence of alcohol in their blood when behind the wheel of these types of vehicles. These drivers are also prohibited from having any presence of cannabis in their system as well as other drugs that can be detected by an oral-fluid screening device.

If police determine that you have the presence of cannabis or alcohol in your system and/or that you are impaired by any substance including illegal drugs, prescription drugs or over the counter medications, you will face severe consequences and potential criminal charges.

If a police officer is satisfied that you are legally authorized to use cannabis for medical purposes, you will not be subject to Ontario's zero-tolerance drug requirements for young, novice and commercial drivers. However, you can still face penalties and criminal charges if a police officer determines that your ability to drive has been impaired. Even if you have been authorized to use cannabis

or another drug by a health care professional, it is your responsibility to ensure you are not impaired while driving.

3. OSTA holds all drivers of small school purpose vehicles, ie Van drivers, which only require a G License, and do not operate under a within a CVOR, to the same standards of fitness for work as other drivers.
4. Indicators of impairment include:
 - Odour/Smell** of alcohol, cannabis or other mood- or mind-altering substances on breath, in vehicle or on clothes.
 - Unusual Actions:** Hiccapping, belching, crying, inappropriate laughing
 - Attitude:** Excited, indifferent, combative, sleepy, nervous, overly talkative, insulting or profane, uncooperative
 - Balance/walking:** Unsteady, swaying, staggering, stumbling, slow or fast-moving
 - Speech:** confused, stuttered, slurred, deliberate, mumbled
 - Appearance:** Flushed face, eyes glassy/bloodshot/watery, disheveled or untidy, shaking/trembling hands, red or runny nose.
5. All OSTA Operators, school board employees and parents/guardians who have reasonable grounds to suspect driver impairment are required to report immediately to the Ottawa Police Service. Students must not be loaded into vehicles when there is a reasonable suspicion of driver impairment.
6. Any driver for whom school board staff, OSTA staff, or Operator staff have reasonable grounds to suspect impairment, will be removed from their OSTA route and will only be reinstated with a clean drug test. This includes the odour/smell of cannabis.
7. Any charge, under either federal or provincial legislation, relating to allegedly impaired driving will result in immediate removal from all OSTA routes.
8. Any driver for whom parents/guardians or students have reasonable grounds to suspect impairment, will be removed from their route pending further investigation. The Operator will be responsible to ensure the driver is "fit for work" prior to reinstating the driver to their route.
9. Students who, while being transported on contracted vehicles, are in possession of alcohol, drugs, tobacco, e-cigarettes, firearms and/or other weapons will be dealt with under the terms of the applicable member board Safe Schools policy by the school they attend.
10. Drivers who, while providing service to students of member school boards under contract with the Ottawa Student Transportation Authority, are in possession of alcohol, drugs, firearms and/or other weapons or have such and related items in their vehicle while transporting students, will be immediately removed from their contract route.
11. The Ottawa Student Transportation Authority shall maintain a log of all driver incidents and reference this log whenever driver incidents occur.