

Is your business at risk?

Compliance checklist



CANADIAN FEDERATION
OF INDEPENDENT BUSINESS

In business for your business™



Are you aware that your business is legally required to take these steps in the workplace?

- Provide employees with a digital copy of the most recent version of the *Employment Standards* in Ontario poster within 30 days
- Post no smoking/no vaping signs at each entrance, exit, washroom and in company vehicles
- Post the *Health & Safety at Work – Prevention Starts Here* poster
- Post the *Occupational Health and Safety Act*
- Develop and post an *Occupational Health and Safety Policy* to be reviewed at least annually and develop/maintain a program to implement the policy (6+ employees)
- Prepare and post a *Workplace Violence Policy* to be reviewed at least annually and develop/maintain a program to implement the policy (6+ employees)
- Prepare and post a *Workplace Harassment Policy* to be reviewed at least annually and develop/maintain a program to implement the policy (6+ employees)
- Elect a Health and Safety representative (6-19 employees) or a Joint Committee (20+ employees)
- Post the WSIB's *In Case of Injury or Illness at Work* poster if you are required to register with the WSIB
- Set up a First Aid station with a fully-stocked First Aid Kit maintained at all times by a nearby First Aid-certified worker
- Train workers and supervisors in basic occupational health and safety awareness
- Create accessibility policies, train employees and take other actions to meet accessibility requirements
- Follow the 10-principle code for the protection of personal information under Canada's *Personal Information Protection and Electronic Documents Act*
- Prepare and share a *Disconnecting from Work Policy*. Workplaces with 25 or more employees must have had a written Disconnecting from Work policy in place by June 2, 2022. Your employee count must include all your Ontario workplaces.
- Prepare and share a *Employee Electronic Monitoring Policy*. Workplaces with 25 or more employees are required to have a written Employee Electronic Monitoring policy in place by October 11, 2022. Your employee count must include all your Ontario workplaces.

Recommended Action in the Workplace

A solid policy is one of the best tools for dealing with issues of intoxication in the workplace. Contact us for our Drug, Alcohol and Medication Policy template today!

Need help integrating new employees?

Ask about our employee handbook!

Health & Safety at Work

➤ Prevention Starts Here

Ontario's Occupational Health and Safety Act gives workers rights. It sets out roles for employers, supervisors and workers so they can work together to make workplaces safer.

➤ Improve Health and Safety:

- **Find out** about your Joint Health and Safety Committee or Health and Safety Representative.
- **Talk** to your employer, supervisor, workers, joint health and safety committee or health and safety representative about health and safety concerns.

Call the Ministry of Labour, Training and Skills Development at 1-877-202-0008

Report critical injuries, fatalities, work refusals anytime.

Workplace health and safety information, weekdays 8:30am – 5:00pm.

Emergency? Always call 911 immediately.

Find out more:

ontario.ca/healthandsafetyatwork



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➤ Workers have the right to:

- **Know** about workplace hazards and what to do about them.
- **Participate** in solving workplace health and safety problems.
- **Refuse** work they believe is unsafe.

➤ Workers must:

- **Follow** the law and workplace health and safety policies and procedures.
- **Wear** and **use** the protective equipment required by their employer.
- **Work** and **act** in a way that won't hurt themselves or anyone else.
- **Report** any hazards or injuries to their supervisor.

Employers must NOT take action against workers for following the law and raising health and safety concerns.

➤ Employers must:

- **Make sure** workers know about hazards and dangers by providing information, instruction and supervision on how to work safely.
- **Make sure** supervisors know what is required to protect workers' health and safety on the job.
- **Create** workplace health and safety policies and procedures.
- **Make sure** everyone follows the law and the workplace health and safety policies and procedures.
- **Make sure** workers wear and use the right protective equipment.
- **Do everything** reasonable in the circumstances to protect workers from being hurt or getting a work-related illness.

➤ Supervisors must:

- **Tell** workers about hazards and dangers, and respond to their concerns.
- **Show** workers how to work safely, and make sure they follow the law and workplace health and safety policies and procedures.
- **Make sure** workers wear and use the right protective equipment.
- **Do everything** reasonable in the circumstances to protect workers from being hurt or getting a work-related illness.

IN CASE OF INJURY OR ILLNESS AT WORK



1

Get medical help

Your employer is responsible for providing first aid. Go to the doctor or hospital if you need treatment. Your employer pays for your transportation.



2

Document

Tell your employer about your injury or illness. They investigate and keep a record of what happened.



3

Report to the WSIB

Employers must tell us within three days if an injury or illness happens. You can report by submitting Worker's Report of Injury/Illness (form 6).



4

Work together

We work with you and your employer to help you recover and return to work safely and at the right time.

Questions? We're here to help.

Call us at: 1-800-387-0750 | TTY: 1-800-387-0050

For details visit wsib.on.ca/reporting

wsib
ONTARIO

Employment Standards in Ontario

The *Employment Standards Act, 2000* (ESA) protects employees and sets minimum standards for most workplaces in Ontario. **Employers are prohibited from penalizing employees in any way for exercising their rights under the ESA.**

What you need to know

Public holidays

Ontario has a number of public holidays each year. Most employees are entitled to take these days off work and be paid public holiday pay. Visit [Ontario.ca/public_holidays](https://www.ontario.ca/public_holidays).

Hours of work and overtime

There are daily and weekly limits on hours of work. There are also rules around meal breaks, rest periods and overtime. Visit [Ontario.ca/hoursofwork](https://www.ontario.ca/hoursofwork) and [Ontario.ca/overtime](https://www.ontario.ca/overtime).

Termination notice and pay

In most cases when terminating employment, employers must give employees advance written notice of termination or termination pay instead of notice. Visit [Ontario.ca/terminationofemployment](https://www.ontario.ca/terminationofemployment).

Vacation time and pay

There are rules around the amount of vacation time and pay employees earn. Most employees can take vacation time after every 12 months of work. Visit [Ontario.ca/vacation](https://www.ontario.ca/vacation).

Leaves of absence

There are a number of job-protected leaves of absence in Ontario. Examples include sick leave, pregnancy leave, parental leave and family caregiver leave. Visit [Ontario.ca/ESAGuide](https://www.ontario.ca/ESAGuide).

Minimum wage

Most employees are entitled to be paid at least the minimum wage. For current rates visit [Ontario.ca/minimumwage](https://www.ontario.ca/minimumwage).

Other employment rights, exemptions and special rules

There are other rights, exemptions and special rules not listed on this poster, including rights to severance pay and special rules for assignment employees of temporary help agencies.

Subscribe to our newsletter and stay up to date on the latest news that can affect you and your workplace. Visit [Ontario.ca/labournews](https://www.ontario.ca/labournews).

Learn more about your rights at:

[Ontario.ca/employmentstandards](https://www.ontario.ca/employmentstandards)
1-800-531-5551 or TTY 1-866-567-8893

 @ONTatwork  @OntarioAtWork  @Ontarioatwork

HEALTH AND SAFETY POLICY

The employer and senior management of Bad Apple Brewing are vitally interested in the health and safety of its workers. Protection of workers from injury or occupational disease is a major continuing objective.

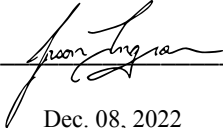
Bad Apple Brewing will make every effort to provide a safe, healthy work environment. All employers, supervisors and workers must be dedicated to the continuing objective of reducing risk of injury.

Jason Ingram as employer, is ultimately responsible for worker health and safety. As president (or owner/operator, chairperson, chief executive officer, etc.) of Bad Apple Brewing, I give you my personal commitment that I will comply with my duties under the Act, such as taking every reasonable precaution for the protection of workers in the workplace.

Supervisors will be held accountable for the health and safety of workers under their supervision. Supervisors are subject to various duties in the workplace, including the duty to ensure that machinery and equipment are safe and that workers work in compliance with established safe work practices and procedures.

Every worker must protect his or her own health and safety by working in compliance with the law and with safe work practices and procedures established by the employer. Workers will receive information, training and competent supervision in their specific work tasks to protect their health and safety.

It is in the best interest of all parties to consider health and safety in every activity. Commitment to health and safety must form an integral part of this organization, from the president to the workers.

Signed:  _____
Date: Dec. 08, 2022

For more information: www.labour.gov.on.ca/english/hs/

ANTI-VIOLENCE POLICY FOR Bad Apple Brewing

Bad Apple Brewing committed to providing a work environment in which all workers are treated with respect and dignity. Violent behaviour in the workplace is unacceptable from anyone. Workplace violence will not be tolerated from any person in the workplace including customers, workers and supervisors, associates or business affiliates. Workers and supervisors are expected to uphold this policy and work together to prevent workplace violence.

Workplace violence can be defined as the exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker. It can also include:

- an attempt to exercise physical force against a worker in a workplace, that could cause physical injury to the worker; and
- a statement or behaviour that a worker could reasonably interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

Examples of workplace violence can include, but are not limited to:

- verbally threatening to attack a worker;
- leaving threatening notes at, or sending threatening e-mails to, a workplace;
- shaking a fist in a worker's face;
- wielding a tool in a threatening manner;
- hitting, pushing or trying to hit or push a worker;
- throwing an object at a worker;
- sexual violence against a worker;
- kicking an object the worker is sitting or standing on, such as a bench or ladder

The definition of workplace violence is broad enough to include acts that would constitute offences under Canada's Criminal Code.

Workplace violence is not conditional on an intent to hurt. For example, pushing a co-worker who loses balance and falls, injuring himself, would still be considered workplace violence even if the intent was not to hurt the co-worker.

Workers are encouraged to report any incidents of workplace violence to Jason Ingram 519-476-7908. An investigation into the incident(s) will be undertaken immediately along with any additional steps necessary to resolve the problem.

Bad Apple Brewing is committed to investigating reported incidents of workplace violence in a prompt, objective, and sensitive manner, taking necessary corrective action and providing appropriate support for victims. No individual shall be penalized in any way for making a complaint or giving evidence in a workplace violence investigation. Management pledges to investigate and deal with all incidents and complaints of workplace violence in a fair and timely manner, respecting the privacy of all concerned as much as possible. Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action or as otherwise required by law.

The business may wish to provide more information about how incidents and complaints will be investigated and/or dealt with and can refer to the complaint form provided in “Appendix A” of this document.

Every worker must commit to work in compliance with this policy and any supporting program.

Some provincial legislations require that a “program” also be implemented to support a business’s anti-violence policy; business owners must ensure that they review the relevant legislation to confirm, and as required, further review any program elements/components that must be included as part of the program. Even if not specifically required by the respective legislation, having a complementary program in place is suggested.

The following is an example of a text that could be further included in this policy if a program is put in place, and businesses can refer to the “Workplace violence program elements” found in “Appendix B” included in this document.

There is a workplace violence program that implements this policy. It includes measures and procedures to protect workers from workplace violence, a means of accessing immediate assistance and a process for workers to report incidents or raise concerns. Businesses may wish to specify and expand upon the components of the workplace violence program here.

Bad Apple Brewing , as the employer, will ensure this policy and the supporting program is implemented and maintained. All workers and supervisors will receive appropriate information and instruction on the contents of the policy and program including any changes and/or updates.

If a worker needs further assistance, he/she may contact Jason Ingram 519-476-7908 . Additionally, more information can be found at <https://www.ontario.ca/laws/statute/90o01>

Each province has different and specific requirements under Occupational Health and Safety and/or Employment Standards in regards to workplace anti-violence legislations. Business owners are encouraged to carefully review these and discuss with a CFIB Business Counsellor.

Businesses wishing to incorporate a more stringent and/or substantial anti-violence policy into their workplace could also refer to CFIB’s template for a policy on psychological and sexual harassment in the workplace and complaints procedure mechanism, offered specifically to Québec members, which in keeping with related Québec’s provincial requirements is more broadly detailed. Business owners can request an English version of this Quebec-specific policy template for comparison purposes by contacting CFIB Business Resources.

Dec . 08, 2022

Bad Apple Brewing Company reserves the right to amend this policy at any time.

APPENDIX A – ANTI-VIOLENCE COMPLAINT FORM

Name of complainant: _____

Position: _____

Address: _____

Telephone: _____

Description of complaint:

Time(s) of occurrence of facts and most recent occurrence:

Name(s) of alleged harasser(s):

Detailed description of facts:

Frequency:

Name(s) of witness(es):

Signature:

Date:

APPENDIX B - WORKPLACE ANTI-VIOLENCE PROGRAM ELEMENTS

The workplace violence program should clearly indicate the roles and responsibilities of employers, supervisors, workers and others in the measures, procedures and processes.

The program should include the workplace violence definition from the applicable Occupational Health and Safety legislation and should clearly indicate the actions or behaviours that are covered by it.

An assessment of risks arising from the nature of the workplace and the type and conditions of work should guide the development of the workplace violence program. The assessment should take circumstances specific to the workplace and that are common to similar workplaces into account, and the risks should be reassessed as often as is necessary to ensure the related policy and program continues to protect workers.

Specific elements that should be covered include:

- Measures and procedures to control the risks of workplace violence identified in the risk assessment as likely to expose a worker to physical injury.
- Measures and procedures for accessing immediate assistance when workplace violence occurs or is likely to occur.
- Measures and procedures for workers to report incidents of workplace violence to the employer or supervisor.
- How the employer will investigate and deal with incidents or complaints of workplace violence.

In addition to the key elements above, a workplace violence program could also include information to support compliance with legislative requirements, such as: measures and procedures for assessing risks of workplace violence; procedures for reviewing the workplace violence policy and maintaining the workplace violence program; and any specific training plans.

A workplace violence program could also include additional measures, procedures and processes, depending on the circumstances of a particular workplace. The following are examples:

- Posting of a code of conduct for anyone in the workplace, setting out expectations on behaviour in the workplace and consequences of violating those expectations;
- Information about any Employee Assistance Program (EAP) or a “peer helper program” and their role in workplace violence situations;
- Workplace violence awareness training;
- Regular monitoring of the workplace for violence issues.

AGREEMENT – Bad Apples Brewing ANTI-VIOLENCE POLICY

We are pleased to welcome you to the **Bad Apple** team.

This is a good opportunity to provide you with a copy of the Anti-Violence Policy, which will help you get off to a good start. The objective is to give you an overview of the business and the human resources practices of our company, and to ensure the efficiency of our operations and the harmony of our team.

All employees, whether seasoned or new, may occasionally need to consult the Anti-Violence Policy. This document is intended as an easy-to-use reference tool containing the answers to your main concerns. Should any of your questions remain unanswered, please feel free to contact **Jason Ingram** 519-476-7908.

All the **Bad Apple** policies are evolving documents that may be adapted as appropriate to reflect cultural and organizational changes as well as the modifications that are constantly being made to government regulations. We here at **Bad Apple** are committed to maintaining open and transparent communication with all employees and will provide updated policies (where applicable) in a timely manner.

ACKNOWLEDGEMENT OF HAVING READ AND UNDERSTOOD THE ANTI-VIOLENCE POLICY.

I, _____, attest that I have read the Anti-Violence Policy and its various components, including the following:

I acknowledge having received all the relevant information that I need in order to have a good understanding of the content and scope of this policy.

Employee – Print Name

Employee – Signature

Date

Employer – Print Name

Employer – Signature

Date

The original copy is given to the employee and the employer retains a photocopy for their files.

ANTI-HARASSMENT POLICY FOR Bad Apple Brewing

Bad Apple Brewing is committed to providing a work environment in which all workers are treated with respect and dignity. Workplace harassment will not be tolerated from any person in the workplace, including customers, clients, supervisors, workers, volunteers and members of the public, as applicable.

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace that is known or ought reasonably to be known to be unwelcome.

Harassment can include such things as verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts about any of the prohibited grounds.

Sexual harassment means:

- a) engaging in a course of vexatious comment or conduct against a worker in a workplace because of sex, sexual orientation, gender identity or gender expression, where the course of comment or conduct is known or ought reasonably to be known to be unwelcome,
- OR
- b) making a sexual solicitation or advance where the person making the solicitation or advance is in a position to confer, grant or deny a benefit or advancement to the worker and the person knows or ought reasonably to know that the solicitation or advance is unwelcome.

The behaviour need not be intentional in order to be considered harassment but may be offensive and or intimidating. Such action may also engender fear or mistrust, and thereby compromise an individual's dignity or sense of self-worth. Any act of harassment committed by or against any employee, volunteer, client or any other individual is unacceptable conduct and will not be tolerated. Managers, supervisors and workers are expected to adhere to this policy and will be held responsible by the employer for not following it.

Bad Apple Brewing is committed to investigating reported incidents of harassment in a prompt, objective and sensitive manner taking necessary corrective action and providing appropriate support for victims. No individual shall be penalized in any way for making a complaint or giving evidence in a harassment investigation.

Workers are encouraged to report any incidents of workplace harassment to Jason Ingram 519-476-7908. An investigation into the incident(s) will be undertaken immediately along with any additional steps necessary to resolve the problem. Information provided about an incident or about a complaint will not be disclosed except as necessary to protect workers, to investigate the complaint or incident, to take corrective action, or as otherwise required by law.

If a worker needs further assistance, he/she may contact Jason Ingram 519-476-7908. Additionally, more information can be found at <https://www.ohrc.on.ca/en/ontario-human-rights-code>

Each province has different and specific requirements under Health and Safety, Human Rights and/or Employment Standards in regards to anti-harassment policies. Business owners are encouraged to carefully review these and discuss with a CFIB business counsellor.

AGREEMENT - Bad Apple Brewing ANTI-HARASSMENT POLICY

We are pleased to welcome you to the Bad Apple Brewing Team

This is a good opportunity to provide you with a copy of the Anti-Harassment Policy, which will help you get off to a good start. The objective is to give you an overview of the business and the human resources practices of our company, and to ensure the efficiency of our operations and the harmony of our team.

All employees, whether seasoned or new, may occasionally need to consult the Anti-Harassment Policy. This document is intended as an easy-to-use reference tool containing the answers to your main concerns. Should any of your questions remain unanswered, please feel free to contact **Jason Ingram**
519-476-7908

And last comment, all the **Bad Apple** policies are evolving documents that may be adapted as appropriate to reflect cultural and organizational changes as well as the modifications that are constantly being made to government regulations. We here at **Bad Apple** are committed to maintaining open and transparent communication with all employees and will provide updated policies (where applicable) in a timely manner.

ACKNOWLEDGEMENT OF HAVING READ AND UNDERSTOOD THE ANTI-HARASSMENT POLICY

I, _____, attest that I have read the Anti-Harassment Policy and its various components, including the following:

I acknowledge having received all the relevant information that I need in order to have a good understanding of the content and scope of this policy.

Employee – Print Name

Employee – Signature

Date

Employer – Print Name

Employer – Signature

Date

The original copy is given to the employee and the employer retains a photocopy for their files.

DRUGS, ALCOHOL AND MEDICATION POLICY FOR Bad Apple Brewing

I. POLICY STATEMENT

Bad Apple Brewing (hereinafter the “**Company**”) is committed to promoting the health, safety and wellness of its employees, contractors and the public. The Company recognizes and accepts the responsibility to provide Workers with a safe, healthy and productive work environment. Workers have the responsibility to report to work capable of performing their tasks productively and safely (i.e., mentally and physically fit to perform assigned tasks). Impairment from Drugs, whether legal or illegal, Alcohol and Medications can have serious adverse impact on the workplace. The Company has established this Policy in order to balance our respect for individuals with the need to maintain an impairment-free work environment.

II. APPLICATION

The present Policy applies to all employees, [contractors and subcontractors] (hereinafter collectively referred to as the “**Workers**”). *Please subtract the mention to “contractors and subcontractors” if not applicable.*

III. RESPONSABILITIES

All Workers share responsibility for maintaining a safe and productive Alcohol and Drug free workplace.

All Workers are required to perform their job safely and in strict compliance with all applicable rules, policies and procedures. In addition, every Worker is required to:

- Read, understand and fully comply with this Policy. Any questions on policy details, interpretation or implementation are to be referred to Jason Ingram 519-476-7908
- Report for work fit for duty and remain fit for duty while on Company business;
- Immediately advise their supervisor of any worker suspected to be not fit for duty;
- Take appropriate action to minimize any safety risk and advise his/her supervisor accordingly;

It is the Manager and/or Supervisor’s responsibility to:

- Observe Worker performance and document any negative changes or problems;
- Not to transfer any Worker responsibility including control of any machinery, equipment or vehicle to a Worker suspected to be not fit for duty;
- Guide Workers who seek assistance for a personal problem to the appropriate resource/department (i.e. Human Resources, Employee Assistance Program) while maintaining confidentiality;

IV. COMPANY STANDARDS

To minimize the risk of unsafe performance due to impairment from alcohol, prescription or over-the-counter medication, or other drugs and substances, whether legal or illegal, all Workers are required to adhere to the following standards.

A. Alcohol

The following are strictly prohibited while on Company property, operating a Company vehicle or equipment, during working hours, at Company sponsored events, and whenever a Worker is representing the Company or conducting Company business:

- Reporting for duty or remaining on duty while being under the influence of alcohol
- Consuming alcohol during the workday including meals or other breaks
- Possessing, distributing, offering or selling alcoholic beverages

On an exceptional basis for Company-sponsored social events, alcohol may be served on Company premises or outside of the Company premises with the explicit approval of **Jason Ingram** (eg. Christmas party). Workers who are permitted to consume alcohol on such occasions are required to exercise moderation and good judgment, and to avoid operating a motor vehicle with a blood alcohol level above the legal standard.

B. Medications

All Workers are expected to use prescribed and over-the-counter medications responsibly. The intentional misuse of medications (for example, using the medication other than as prescribed, using someone else's prescribed medication, or combining medication and alcohol use against direction) while on Company property, operating a Company vehicle or equipment, during working hours, at Company sponsored events, and whenever a Worker is representing the Company or conducting Company business, is prohibited.

Furthermore, Workers are required to investigate through their doctor or pharmacist whether a medication can affect safe operation and take appropriate steps to minimize associated risk and to advise their Manager or Supervisor consequently.

C. Drugs and other Substances

The following are strictly prohibited while on Company property, operating a Company vehicle or equipment, during working hours, at Company sponsored events, and whenever a Worker is representing the Company or conducting Company business:

- Reporting for duty or remaining on duty while being under the influence of any drugs, whether legal (eg. cannabis) or illegal;
- Consuming legal or illegal drugs during the work day including meals or other breaks;

- Possessing, distributing, offering or selling drugs, whether legal or illegal;

Workers who are on-call are expected to be fit for work in compliance with these standards. If an unexpected situation arises where a Worker is requested to perform unscheduled services and is unable to report to work due to impairment from alcohol, medication or drugs, whether legal or illegal, the Worker must decline the call or request. *Insert this section only if applicable.*

D. Professional Assistance

Any Worker who is unable to comply with the Drugs, Alcohol and Medication Policy or thinks he presents signs of an addiction to alcohol, drugs, whether legal or illegal, or medication should seek assistance from a representative in the Human Resources department, their Supervisor or Manager or the Employee Assistance Program (EAP) which may be reached 519-476-7908.

V. PREVENTION AND INVESTIGATION PROCEDURES

A. Investigation

The Company will conduct an investigation into any suspected or confirmed violation of this Policy. A Worker may be held out of service with or without pay, depending on the circumstances, while the investigation is being conducted.

The Company reserves the right to investigate any situation where there are reasonable grounds to believe that alcohol or drugs, whether legal or illegal, are present on Company premises or that other misconduct has occurred.

B. Alcohol and Drug Testing

Drug and alcohol testing will only be required if there are reasonable grounds for testing, or if there has been an accident or near miss or significant incident affecting persons and/or property damage.

If a prescription drug is required by a physician or medical professional that may have the potential for impairment, drowsiness or reduced alertness, the Worker must immediately report this to their supervisor or manager. The supervisor or manager must take appropriate steps to ensure that the Worker and the workplace are safe.

i. Reasonable Grounds for Testing

Testing for the presence of drugs and alcohol when a Supervisor or Manager suspects a worker is unfit for duty due to impairment can be required of the Worker in the circumstance of reasonable grounds. Reasonable grounds include, but are not limited to, information established by the observation of the Worker's conduct or other indicators, such as the physical appearance of the Worker, his or her attendance record, speech, behaviour, and/or body odours which suggest the Worker, is under the influence of a substance prohibited by this Policy (including withdrawal symptoms). The Worker will not be permitted to return to work until verified negative test results have been received. If the Worker refuses to comply, it will be considered misconduct and a violation of this Policy. Any individual failing to cooperate with reasonable suspicion testing may be subject to discipline, up to and including termination of employment.

ii. Post-Accident/Post-Incident Testing

Testing may be conducted following an accident or following an incident at the workplace where safety precautions were violated and/or careless acts were performed which resulted in, or substantially increased the risk of, injury or harm to any person or damage to property or the physical environment. As soon as possible, following an accident or incident, the Worker shall submit to tests for substances prohibited by this Policy, unless there is clear evidence that the accident and/or incident could not have been contributed by the Worker, but by an unsafe condition (i.e., structural or mechanical failure which the Worker could not have foreseen or prevented.)

VI. POLICY VIOLATIONS

The Company may discipline or terminate the employment of a Worker who fails to comply with the Drug, Alcohol and Medication Policy, including failure to report for a test, delaying testing, or refusing to submit to a test. The appropriate consequences depend on the facts of the case, including the nature of the violation, the existence of prior violations, the response to prior corrective assistance programs, and the seriousness of the violation and applicable laws.

VII. DEFINITIONS

Alcohol - means the intoxicating agent in beverage alcohol, ethyl alcohol, or other low molecular weight alcohols including methyl and isopropyl. It includes but is not limited to beer, wine and distilled spirits.

Alcohol and Drug Test - a test administered using technologies such as oral fluids, urine testing and hair samples analyzed by qualified personnel; in the case of urine laboratory test, samples are analyzed by an approved laboratory.

Company Business – refers to all business activities undertaken by Workers while performing duties, whether conducted on or off Company premises.

Company Premises – includes but is not necessarily restricted to all land, facilities, mobile equipment and vehicles owned, leased, or otherwise directly controlled by the Company.

Drug – means any substance which may, depending on the context, include alcohol, legal drugs, illegal drugs or medications, the use of which has the potential to change or adversely affect the way a person thinks, feels or acts. For the purposes of this Policy, drugs of concern are those that inhibit a worker's ability to perform his or her job safely.

Worker - any person engaged in work at the workplace and includes contractors and subcontractors.

Employee Assistance Programs or EAP - external services designated by the company to help workers who are experiencing personal problems such as alcohol and drug abuse. These programs may be available to contractors or subcontractors through their own employment relationships but are not offered by the Company. *Insert only if applicable.*

Fit for Duty - means that a worker can safely perform assigned duties without any limitations resulting from, but not limited to the use or after-effects of legal or illegal drugs, alcohol, and/or medication.

Medication – refers to a drug obtained legally, either over-the-counter or through a doctor's prescription.

Reasonable Grounds - includes objective information established by observations of a Worker's conduct or other indicators such as physical appearance, attendance record, circumstances surrounding accidents or near misses in the workplace, presence of alcohol, drugs and drug paraphernalia in the vicinity of the Worker or an area where the Worker works.

AGREEMENT – Bad Apple Brewing DRUGS, ALCOHOL AND MEDICATION POLICY

We are pleased to welcome you to the Bad Apple team.

This is a good opportunity to provide you with a copy of the Drugs, Alcohol and Medication Policy, which will help you get off to a good start. The objective is to give you an overview of the business and the human resources practices of our company, and to ensure the efficiency of our operations and the harmony of our team.

All employees, whether seasoned or new, may occasionally need to consult the Drugs, Alcohol and Medication Policy. This document is intended as an easy-to-use reference tool containing the answers to your main concerns. Should any of your questions remain unanswered, please feel free to contact Jason Ingram 519-476-7908

All the Bad Apple policies are evolving documents that may be adapted as appropriate to reflect cultural and organizational changes as well as the modifications that are constantly being made to government regulations. We, name of business, are committed to maintaining open and transparent communication with all employees and will provide updated policies (where applicable) in a timely manner.

ACKNOWLEDGEMENT OF HAVING READ AND UNDERSTOOD THE DRUGS, ALCOHOL AND MEDICATION POLICY

I, _____, attest that I have read the Drugs, Alcohol and Medication Policy and its various components, including the following:

I acknowledge having received all the relevant information that I need to have a good Understanding of the content and scope of this Policy.

Employee – Print Name

Employee – Signature

Date

Employer – Print Name

Employer – Signature

Date

The original copy is given to the employee and the employer retains a photocopy for their files.

In Ontario, all businesses with 25 or more employees on January 1 of any year, must put a Disconnecting from Work Policy in place before March 1 of that year. For 2022, the deadline for implementing a policy is June 1, 2022.

In all other provinces, there is no requirement to have a Disconnecting from Work policy; however, you may wish to implement one to help employees achieve a good work-life balance which can aid in retention.

Information for businesses in Ontario

How to count your employees

All employees are included in the count, regardless of whether they are full-time, part-time, casual, temporary, permanent. If they are employed by the business on January 1st, they must be counted. A business must look at the total number of employees they have (NOT per location) to determine if a policy is required.

Example: Joe owns 3 bakeries, one has 7 employees, and two have 12 employees each, for a total of 31 employees. Because the business has more than 25 employees, they must put in place a Disconnecting from Work policy for all employees.

When the number of employees changes throughout the year

If on January 1st you have fewer than 25 employees, you are not required to put a policy in place. Even if your number of employees increases to more than 25 over the course of the year, you are not required to put the policy in place. If on the following January 1st you have more than 25 employees, you will need to put the policy in place.

If you have more than 25 employees on January 1st, you must put a policy in place. Later in the year, even if the number of employees you have drops below 25, you must keep the policy in place. On the following January 1st, if you still have fewer than 25 employees, then you will not be required to have a policy in place for that year.

Giving a copy of the policy to your employees

All employees must be provided with a copy of the policy within 30 days of it being created, 30 days of it being changed (if an existing policy is updated), or 30 days of being hired in the case of new employees. The policy may be provided as a printed copy, as an attachment to an e-mail if the employee can print it, or as a link to an online document providing the employee has reasonable access to the document and is able to print it.

Updating the policy

You are not required to update the policy every year, however you should review the policy annually and make any necessary changes.

Record-keeping requirements

You must keep a copy of every Disconnecting from Work policy required by the *Employment Standards Act* for 3 years after the policy is no longer in effect.

This page can be discarded before giving the policy to your employees

DISCONNECTING FROM WORK POLICY

Bad Apple recognizes the need for employees to disconnect entirely from work to maintain a healthy work-life balance.

Whether an employee is working traditional business hours, working remotely, or has a flexible working arrangement, this policy is in line with best practices to support an employee's right to disconnect.

The term "disconnecting from work" is defined in the *Employment Standards Act* as: "not engaging in work-related communications, including emails, telephone calls, video calls or the sending or reviewing of other messages, so as to be free from the performance of work." *(Taken from the Ontario Employment Standards Act. This should be modified for businesses in other jurisdictions)*

Bad Apple encourages employees to disconnect from all forms of work-related communications upon completion of their scheduled workday/shift, during lunch breaks, while on vacation, and during statutory holidays.

While you may receive emails outside of your regular hours of work, you are not expected to check or respond to them outside of your regular working hours.

We do acknowledge that there may be special circumstances where communication after working hours may be required; however, we are committed to ensuring that these circumstances are an exception and not a regular occurrence. These situations may include but are not limited to:

- Shortage in staffing levels/fill in for someone who is sick
- Sensitive deadlines
- Managing a crisis or unforeseeable circumstances
- Business or operational reasons requiring contacting an employee outside of working hours

If your manager requires you to work overtime, this policy will not come into effect until your overtime shift is completed.

Optional additional clauses:

Employees should activate their out-of-office notification and update their outgoing voicemail message when they are not scheduled to work, to communicate they will not be responding until the next scheduled workday.

Employees should add a footer to their e-mails indicating that they only respond to messages during their regular working hours and will reply when they are next scheduled to work.

If a matter is urgent, a Text Message will be used to get your immediate attention, with the subject line/opening line: Bad Apple Team

Communications regarding scheduling and calling in sick are exempt from this policy.

Signature

Date

AGREEMENT - Bad Apple Brewing DISCONNECTING FROM WORK POLICY

We are pleased to welcome you to the | Bad Apple team.

This is a good opportunity to provide you with a copy of the Disconnecting from Work Policy, which will help you get off to a good start. The objective is to give you an overview of the business and the human resources practices of our company, and to ensure the efficiency of our operations and the harmony of our team.

All employees, whether seasoned or new, may occasionally need to consult the Disconnecting from Work Policy. This document is intended as an easy-to-use reference tool containing the answers to your main concerns. Should any of your questions remain unanswered, please feel free to contact name and telephone number.

All the Bad Apple | policies are evolving documents that may be adapted as appropriate to reflect cultural and organizational changes as well as the modifications that are constantly being made to government regulations. We here at Bad Apple are committed to maintaining open and transparent communication with all employees and will provide updated policies (where applicable) in a timely manner.

ACKNOWLEDGEMENT OF HAVING READ AND UNDERSTOOD THE DISCONNECTING FROM WORK POLICY

I, _____, attest that I have read the Disconnecting from Work Policy and its various components, including the following:

I acknowledge having received all the relevant information that I need in order to have a good understanding of the content and scope of this policy.

Employee - Print Name

Employee - Signature

Date

Employer - Print Name

Employer - Signature

Date

The original copy is given to the employee and the employer retains a photocopy for their files.

Guidance on the Electronic Monitoring Policy

In Ontario, all businesses with 25 or more employees on January 1st of any year, must put an Electronic Monitoring Policy in place before March 1st of that year. For 2022, the deadline is October 11th, 2022. This policy does not supersede existing employment standards rules or privacy legislation.

In all other provinces: there is no requirement to have an Electronic Monitoring Policy in place; however, you may wish to implement one, especially if you do any kind of electronic monitoring (attendance tracking, GPS on company vehicles, security cameras, etc.). Businesses in BC, AB, and QC should review current employment standards rules and privacy legislation to determine if any conflict could exist.

Information for businesses in Ontario

How to count your employees

All employees as of January 1st are included in the count, regardless of whether they are full-time, part-time, casual, temporary, permanent. A business must look at the total number of employees they have (NOT per location) to determine if a policy is required.

Example: Joe owns 3 bakeries, one has 7 employees, and two have 12 employees each, for a total of 31 employees. Because the business has more than 25 employees, they must put in place an Electronic Monitoring policy for all employees.

When the number of employees changes throughout the year

If on January 1st you have fewer than 25 employees, you are not required to put a policy in place. Even if your number of employees increases to more than 25 over the course of the year, you are not required to put the policy in place.

If you have more than 25 employees on January 1st, you must put a policy in place. Later in the year, even if the number of employees you have drops below 25, you must keep the policy in place.

Every year on January 1st, recount your employees to determine if you are required to put an Electronic Monitoring Policy in place.

Giving a copy of the policy to your employees

All employees must be provided with a copy of the policy within 30 days of it being created, 30 days of it being changed (if an existing policy is updated), or 30 days of being hired in the case of new employees. The policy may be provided as a printed copy, as an attachment to an e-mail if the employee can print it, or as a link to an online document providing the employee has reasonable access to the document and is able to print it.

While you do not require employee consent, it is important to have reasonable explanations for your monitoring activities

Updating the policy

You are not required to update the policy every year, however you should review the policy annually and make any necessary changes.

Record-keeping requirements

You must keep a copy of every Electronic Monitoring policy required by the *Employment Standards Act* for 3 years after the policy is no longer in effect.

If you do not monitor your employees

You must put a policy in place stating that the business does not electronically monitor its employees. Indicate the policy could change in the future and reasonable notice of monitoring practices will be provided to all staff.

This page can be discarded before giving the policy to your employees

ELECTRONIC MONITORING POLICY

For businesses that **DO NOT** monitor employees electronically

If you do not electronically monitor your employees at present, copy the policy in the box below on company letterhead and have the employee sign in acknowledgment.

ELECTRONIC MONITORING POLICY

Through this Electronic Monitoring Policy, **Bad Apple** confirms it does not electronically monitor its employees.

All **Bad Apple** policies are evolving documents that may be adapted as appropriate to reflect cultural and organizational changes as well as the modifications that are constantly being made to government regulations. We at **Bad Apple** are committed to maintaining open and transparent communication with all employees and will provide updated policies (where applicable) in a timely manner.

ACKNOWLEDGEMENT OF HAVING READ AND UNDERSTOOD THE ELECTRONIC MONITORING POLICY

I, _____, attest that I have read the Electronic Monitoring Policy.

Employee - Print Name

Employee - Signature

Date

Employer - Print Name

Employer - Signature

Date

The original copy is given to the employee and the employer retains a photocopy for their files.

ELECTRONIC MONITORING POLICY

For businesses that DO monitor employees electronically

Bad Apple is committed to maintaining a transparent and fair workplace. Through this Electronic Monitoring Policy, Bad Apple will communicate the company's intent to monitor its employees, provide information about the categories of data collected, inform employees about how their data will be secured and used, and clarify workplace privacy expectations when using company IT assets.

This policy contains references to the policies, procedures, and practices that will be followed by Bad Apple when collecting, using, or disclosing the personal information of an identifiable individual that is a present, future, or former employee of Bad Apple.

This policy applies to any directors, officers, managers, employees, other representatives, consultants, and independent contractors of Bad Apple.

Bad Apple only uses electronic monitoring practices which are reasonable and conducted only as necessary for employment-related purposes.

Describe how and in what circumstances employees are electronically monitored. You may choose to have separate policies for different employee groups - i.e., one for drivers, one for office staff) or have separate sections within the same policy for different employee groups.

Electronic monitoring could include, but is not limited to:

- *Electronic card access to business*
- *Electronic monitoring of attendance (check-in/check-out)*
- *Trackers on work phones e.g., GPS, tracking how long calls take*
- *GPS on company vehicles*
- *Internet/computer usage monitoring*
- *Surveillance cameras*

Note: surveillance, especially cameras, is considered invasive. It is important to consider less invasive means, and have a good reason to dismiss those means, before resorting to cameras.

Identify the purposes for which the electronic monitoring may be used, for example:

- *Safety and security*
- *Payroll purposes*
- *Quality assurance*
- *Ensuring direct routes are taken to aid with gas efficiency*
- *Ensuring computers are only used for work purposes*

Identify the situations when employees will be monitored, for example:

- *When travelling*
- *During working hours*
- *Only in certain areas of the business (surveillance cameras)*

Expectation of Privacy in the Workplace

Bad Apple is committed to protecting and respecting the privacy of our employees, and for that reason we have taken, and will continue to take, measures that protect the privacy of personal information held by the business.

As part of our business operations, we hold and use certain personal information pertaining to our employees. Personal information is retained only for so long as is necessary for the purpose(s) set out above. When no longer required, we will destroy, erase or de-personalize the information. Legal requirements may necessitate our retaining some or all the personal information for a period of time that is longer than we might otherwise hold it.

We will continue to keep in place security measures to protect the personal information held by us from unauthorized use, access, disclosure, distribution, loss, or alteration. Access to personal information will be restricted to our authorized personnel who require the information to perform their duties properly. In addition, access will be limited to only that information that is strictly necessary for the performance of those duties

We will disclose personal information if a law, regulation, search warrant, subpoena or court order legally authorizes us or requires us to do so.

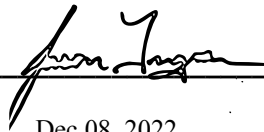
Personal Use of Company Assets

Monitoring employee computer usage is an essential part of enforcing company policies, maintaining a respectful work environment, and ensuring that IT assets that are owned and managed by Bad Apple are used safely and appropriately.

Bad Apple recognizes that its employees may occasionally desire to use company systems for personal tasks during their workday. This may include non-work web browsing, making personal phone calls, or sending emails from personal accounts.

Occasional personal use is permitted; however, Bad Apple reserves the right to monitor personal use of company assets to the same extent that it monitors business use. Employees must operate under the assumption that all traffic over company networks is monitored and conduct themselves accordingly.

Signature of Business Owner:



Date policy created:

Dec 08, 2022

Date of most recent update:

Dec 08, 2022

AGREEMENT - Bad Apple Brewing ELECTRONIC MONITORING POLICY

We are pleased to welcome you to the Bad Apple Brewing team.

This is a good opportunity to provide you with a copy of the Electronic Monitoring Policy, which will help you get off to a good start. The objective is to give you an overview of the business and the human resources practices of our company, and to ensure the efficiency of our operations and the harmony of our team.

All employees, whether seasoned or new, may occasionally need to consult the Electronic Monitoring Policy. This document is intended as an easy-to-use reference tool containing the answers to your main concerns. Should any of your questions remain unanswered, please feel free to contact name and telephone number.

All the Bad Apple Brewing policies are evolving documents that may be adapted as appropriate to reflect cultural and organizational changes as well as the modifications that are constantly being made to government regulations. We here at Bad Apple are committed to maintaining open and transparent communication with all employees and will provide updated policies (where applicable) in a timely manner.

ACKNOWLEDGEMENT OF HAVING READ AND UNDERSTOOD THE ELECTRONIC MONITORING POLICY

I, _____, attest that I have read the Electronic Monitoring Policy and its various components, including the following:

I acknowledge having received all the relevant information that I need in order to have a good understanding of the content and scope of this policy.

Employee - Print Name

Employee - Signature

Date

Employer - Print Name

Employer - Signature

Date

The original copy is given to the employee and the employer retains a photocopy for their files.

APPENDIX A: EXAMPLES OF EMPLOYEE MONITORING

A statement of all methods that you use to monitor employees electronically must be outlined in your Electronic Monitoring Policy. You must also indicate why you are doing the monitoring, and the situations when the monitoring will take place. Here are few examples:

- **Delivery Service:** You are a delivery service, and you are monitoring employee movement through GPS during the work period. You will need to outline the use of information, such as determining better routes for delivery or discipline an employee not working during the work period. You must also indicate when the monitoring is taking place, for example: if employees use the vehicle to travel to and from the work base, are they being monitored at that time, or just during work hours?
- **Grocery Store:** Your employees should be made aware that you have electronic sensors at each cash register, which allows you to track and monitor grocery scan speeds. Advise why you need this data (training purposes, measure productivity) and when the sensors are in use (all the time, only during certain hours of the day)
- **Computer Use:** While an employee is working, you can track their website history, which includes the use of personal equipment if it's being used for work purposes. Your policy needs to include employees working from home, on a hybrid model, or work from the employer's workplace. You must advise why you are tracking, and when - is the tracking software disabled during non-work hours when it is used on personal equipment?
- **Emails and Chats:** You have monitoring abilities on your employees' emails and online chats. A description should be provided of the program, purpose, and times you monitor your employees. An example of purpose is to ensure company equipment is being appropriately utilized, during company times.

This page can be discarded before giving the policy to your employees