

Task/Process: Fit for Duty Policy	Department: All theatres and head office
Prepared/Revised by: Mark Lavaway/Jessica Lagoda	Approved by: Mark Lavaway / David Mucci
Date Issued: October 15th, 2018	Last Reviewed: January 14, 2026

Ed Mirvish Enterprises Limited – Fit for Duty Policy

Purpose:

The intent of the Mirvish Productions Fit for Duty Policy is to support our mission of creating and maintaining an effective safety culture, remain in compliance with all government and regulatory requirements, and ensure the health, safety and wellness of all employees. Furthermore, to ensure employees read, understand and adhere to the policy and their responsibilities under it and inform employees that they must co-operate with an investigation into a violation of this policy.

Scope:

The EMEL Fit For Duty Policy applies to all areas at:

- The Princess of Wales Theatre – 300 King St. W.
- The Royal Alexandra Theatre – 260 King St. W.
- The CAA Ed Mirvish Theatre – 244 Victoria St.
- The CAA Theatre – 651 Yonge St.
- Mirvish Productions Head Office – 322 King St. W. / Remote Work Locations

Definitions:

Competent – having the necessary ability, knowledge and skills to do something successfully (Oxford University Press).

Fit for Duty, also referred to as "Fit to Work", is defined by the Canadian Centre for Occupational Health and Safety as a "medical assessment done when an employer wishes to be sure an employee can safely do a specific job or task" (Canadian Centre for Occupational Health and Safety).

Procedure:

In pursuit of our commitment to promoting a safe and healthy workplace for all employees, contractors, customers and visitors, Mirvish Productions will develop, implement and enforce such policies and procedures that illustrate and provide a healthier, safer work environment.

Mirvish Productions understands the importance of safety to the well-being and productivity of its people, and strives to safeguard the workplace from injury and accidents through the attentiveness of employee capabilities and fit for duty status.

Mirvish Productions managers and supervisors shall monitor all employees' abilities and behaviours to ensure they are performing and conducting themselves in a safe and healthy manner.

Employees will immediately advise their supervisor if they are or suspect they are unfit for duty for any reason.

If a manager or supervisor is notified of a change in an employee's health, Mirvish Productions will take the necessary measures to accommodate the individual's needs.

If an employee is conducting themselves in an unsafe manner, Mirvish Productions will remove the employee from the situation, so as to prevent further dangers associated with unsafe actions/behaviours.

If an employee is conducting themselves in an unsafe manner in front of a co-worker, that co-worker must immediately advise their supervisor if said employee is or is suspected to be unfit for duty for any reason.

Physical Demands Analysis

All Mirvish Productions employees must be physically capable of performing their assigned job and tasks.

Competent

Mirvish Productions will ensure that all employees possess the necessary skills and abilities to perform their assigned job and related tasks. Employees must co-operate with any work modification related to safety concerns and to not transfer any work responsibilities, including control of any machinery, vehicle or equipment to any individual suspected to be unfit for duty and promptly report their concerns to their supervisor. Please refer to the EMEL Competency Policy for more information.

Prescription Drugs and Over-the-Counter Medication

Mirvish Productions requires all employees to report, to their supervisor, if they are taking prescription drugs that may affect their work. Furthermore, employees who work with heavy machinery or in “safety sensitive” work environments must notify their supervisor if they are taking prescription drugs or over-the-counter drugs. Some examples of medications or over-the-counter drugs, which may prevent the safe operation of machinery and vehicles include, but are not limited to, allergy, and cold and flu medications.

Alcohol, Cannabis, and Illicit Drugs

Mirvish Productions employees are strictly prohibited to be under the influence, or in possession, of cannabis and/or alcohol and/or illicit drugs while:

- On Mirvish Productions property;
- Operating Mirvish Productions heavy machinery or vehicles;
- Representing Mirvish Productions at client locations or functions.

For accommodations, please refer to the EMEL Medical Cannabis Policy.

Fit for Duty Assessment

The purpose of a Fit to Work medical assessment is to ascertain if an employee is medically fit to perform the job or tasks required by the organization and based on standard working conditions.

In accordance with the Canadian Centre for Occupational Health and Safety, a Fit for Duty request shall be made by an employer in any or all of the following situations:

- A significant change (physical, environmental, etc.) in working conditions has occurred; The job has been modified and the returning worker is still receiving physiotherapy or rehabilitation, or both;
- There has been a change in the employee's health (i.e. returning to work after recovering from a serious illness or injury);

- A medical condition may limit, reduce or prevent the employee from performing a new or current job or task effectively (i.e. musculoskeletal conditions which may limit mobility);
- A medical condition is likely to make it unsafe to perform the job (i.e. a person may unpredictably become unconscious in a hazardous situation);
- A medical condition may make it unsafe for themselves, co-workers, or the public (i.e. where driving is essential to a job but the person is subject to unpredictable and sudden unconsciousness);
- A medical condition may be made worse by the job (i.e. excessive physical exertion by a person with a heart condition).

Supervisor(s) Roles and Responsibilities:

- Ongoing performance management to ensure safe operations and effectiveness of the work environment;
- Recognizing when an employee's situation requires it being expedited to Human Resources Department.
- Taking immediate steps to investigate any possible violation of the standards set out under this policy;

Human Resources Department Roles and Responsibilities:

In conjunction with Mirvish Production's Policies and Procedures the HR Representative or designate will be responsible for:

- Consistent administration of the policy;
- Resolution of any questions of interpretation;
- Supporting supervisors in meeting their responsibilities;
- Coordinating development and delivery of employee education and supervisor training programs; and
- Assisting in any investigation or meeting, as required and providing direction on the determination and administration of any disciplinary action.

Fit for Duty Assessment Procedure:

1. Employer requests a medical assessment/examination for an employee.
2. Employee takes the request to a qualified medical practitioner.
3. The medical practitioner will perform a medical assessment, including some or all of the following:
 - a. Eyes and ears;
 - b. Respiratory system;
 - c. Heart and other organs;
 - d. Blood pressure and pulse;
 - e. Musculoskeletal system;

f. Neurological system;

g. Cognitive abilities.

4. Upon completion, the medical practitioner will provide a Functional Abilities Form to report one of three conditions to the employer:

a. Fit;

b. Unfit;

c. Fit subject to work modifications.

5. Where an employee has been reported "Fit subject to work modifications", Mirvish Productions will take the necessary measures to accommodate and modify their job, job duties and responsibilities on a case by case basis.

Evaluation:

Management will evaluate the EMEL Fit For Duty Policy annually and monitor and ensure the ongoing compliance of staff.

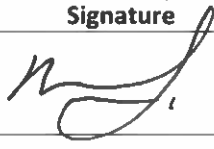
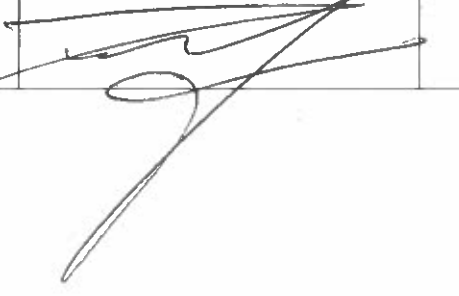
Revisions:

Revision Made	Revision Made By	Date
Title of Policy in Scope now reflects actual title of this policy. "Cannabis" was added to the Alcohol and Illicit Drugs section.	Emily Knight	October 2, 2019
Adding "CAA" to the "CAA Ed Mirvish Theatre" and updating the address Renaming our Head Office, adding our address and including the option for remote working Basic grammatical and spelling changes Adding the use of our 'Functional Abilities Form' for medical practitioners to submit reports Edits Made to of the supervisor's role and responsibilities	Mark Lavaway, Jessica Lagoda & Ashley Heng	November 14, 2023
Added 'Please refer to the EMEL Competency Policy for more information.'	Mark Lavaway, Jessica Lagoda, Katelyn Doyle	January 22 nd , 2025

Added 'For accommodations, please refer to the EMEL Medical Cannabis Policy.'		
Basic grammatical changes		
Addition of 'cognitive abilities' to Fit for duty assessment section.	Mark Lavaway, Jessica Lagoda, Becky Rodmell	January 14, 2026
Basic grammatical changes		

Approvals:

The following individuals have read and approved the policy herein:

Name and Title	Signature	Date
Mark Lavaway Director of Labour Relations and Business Development		FEB 09 2026
David Mucci Managing Director		FEB 09 2026