



POLICY 2119

ALCOHOL AND OTHER DRUGS POLICY

AIM

The aim of the drug & alcohol policy and subsequent procedure is to assist the Council in addressing risks to health and safety in the workplace associated with the inappropriate use of alcohol and/or other drugs. This will also assist the Council in having a process to manage the misuse of alcohol and other drugs in the workplace through training, education and where required rehabilitation.

The integration of the drug & alcohol policy and subsequent procedure into Council's Safety Management System will assist with the continual improvement of workplace safety. It will assist with the management and promotion of fitness for work of staff (including contractors and volunteers) to be part of the Council's standard

TESTING IN USE

The Council in cooperation with the relevant unions (USU, LGEA and DEPA) and the LGSA have adopted the use of oral swab testing (to be completed as per the requirements of AS4760) for drug testing as it will generally detect the presence of a substance that was consumed within a matter of hours as opposed to testing such as urine where a substance was consumed days or weeks ago. A positive result in this case may not have a bearing on whether the processes.

PERSON IS UNFIT FOR WORK

Drugs to be tested via the oral swab testing will be:

- Cocaine
- Opiates
- Amphetamine
- Methamphetamine
- THC (Cannabis)

For alcohol testing a standard breathalyser meeting the requirements of AS3547 will be used. The following cut off points for blood alcohol content (BAC) will apply:

0.02 or greater for heavy plant operators (>13.9 tonne) or truck drivers (>4.5 tonne) or mobile plant operators. This will apply only for personnel who are undertaking these specific duties at the time of any testing.

0.05 or greater for all other staff to be in accordance with relevant state legislation.

Where the person has a provisional licence (P plates) then the current BAC limits for P plates must be followed if they drive vehicles and/or trucks.

COMMON DEFINITIONS

Confirmatory test: means a second analytical test performed to identify the presence of specific alcohol and/or drugs. The confirmatory test is a retest of a second sample from an original collection if the initial test result is disputed

Negative result: a result other than a positive

Unconfirmed results: is where a potential result for drugs has been obtained on the initial oral swab and the collection is sent to a certified laboratory for further confirmation

Over the counter medication: this non prescription type medication that if consumed before a test is undertaken may influence the result shown

Non Negative: an initial positive test as yet unconfirmed by confirmatory testing by an accredited tester.

Positive: where the initial test result has been confirmed by further testing that the person is under the influence of alcohol and/or drugs above a prescribed limit as per current legislation and/or Australian standards

Prescription medication: medication that is prescribed by a doctor

Random testing list: persons will be added to this list who have either failed (tested non-negative) a test or refused unreasonably a request for a drug and/or an alcohol test. Individuals placed onto the limited random list can be targeted tested at any time, in addition to the standard random testing undertaken by the council.

Responsible person: A person who is appointed and trained in the identification of signs of impairment. The responsible person is able to make an assessment of reasonable suspicion impairment utilising the objective indicators

TYPES OF TESTING

Voluntary Testing – Workers can elect to submit to voluntary testing and seek assistance from Council to rehabilitate if they believe they have a substance abuse problem.

Random – Workers will be selected using a random number generation system.

Post Reportable Incident – certain criteria of incidents have been selected where testing will be completed, for example certain treatments by a doctor, where a vehicle has sustained damage, skylarking etc. Further information is available in the procedure and Drug Testing Flowchart 002 (Post Incident). Contractors and volunteers will be tested for post Incidents during the trial period.

Reasonable Suspicion – this is where a report has been received that a worker is exhibiting strange or unusual behaviour and there is suspicion that they may be under the influence of alcohol and/or drugs. Two Responsible persons will be involved in the determination on whether a test for alcohol and/or drugs is required. Further information is available in the procedure and Drug Testing Flowchart 003 (Reasonable Suspicion).

Targeted Random - for workers who have given a confirmed positive result for alcohol and other drugs

Testing will be undertaken by external providers who meet the current requirements contained within AS4760 and AS3547.

MEDICATION

Any worker required to undertake drug testing can choose to declare any medication taken immediately prior to the test being conducted or can declare following the initial test if an initial non-negative result is obtained. Such information is to be kept confidential and only to be used in determining if such medication has contributed to or caused a false positive.

If the drug test result is an unconfirmed result consistent with the medication disclosed then after consultation with the relevant Manager, the external provider and the person concerned, they will be returned to appropriate duties. The sample will still be sent for a confirmatory test as per the usual process. If this test shows that the result is not consistent with the medication declared then the appropriate disciplinary action may be undertaken.

If the drug test result is a unconfirmed result that is inconsistent with the medication disclosed then the person will be assessed as unfit for work and arrangements made to transport home or to a safe place.

Further information is available in the procedure and Drug Testing Flowchart 009 (Medication).

REFUSAL TO UNDERGO A TEST

Any person who refuses to undergo testing will be given the opportunity to explain their reasons, these will be discussed with the relevant manager, Human Resources and the external provider. There will be a process implemented where if the person refuses to undergo a reasonable request test three (3) times in succession, this will be recorded as a Refused test and the person will be treated as if they have provided a test result of an unconfirmed result. For further information refer to the procedure and Drug Testing Flowchart 004 (Refusal).

TAMPERING

Any person found to be tampering or have tampered with a test in will be dealt with as per the current disciplinary procedures that the Council has in place.

EMPLOYEE ASSISTANCE PROGRAM (EAP)

EAP will be available under current guidelines for employees to seek support and assistance in regards to alcohol and/or drug use.

DISCIPLINARY MEASURES

Persons who have provided a result that is a unconfirmed result (including refusing to undergo a test) will in most instances be suspended for an initial 24 hours and will have to provide a negative result before they can return to work. If the subsequent result from the confirmatory test is a positive, then the person may face further disciplinary action as determined by the relevant Director and HR. The person will also be placed onto the limited random testing list.

The person who has been suspended will be able to access leave entitlements that they are entitled to as per the current award or contract.

Continual positive results and/or refusal to undergo tests will result in further disciplinary action being considered and undertaken.

Any person who has been suspended an initial test result of a non negative that now is deemed a negative after the confirmatory test has been completed will have all time lost reimbursed with no penalty.

Further information is available in the procedure and Drug Testing Flowchart 008 (Disciplinary Action).

REHABILITATION

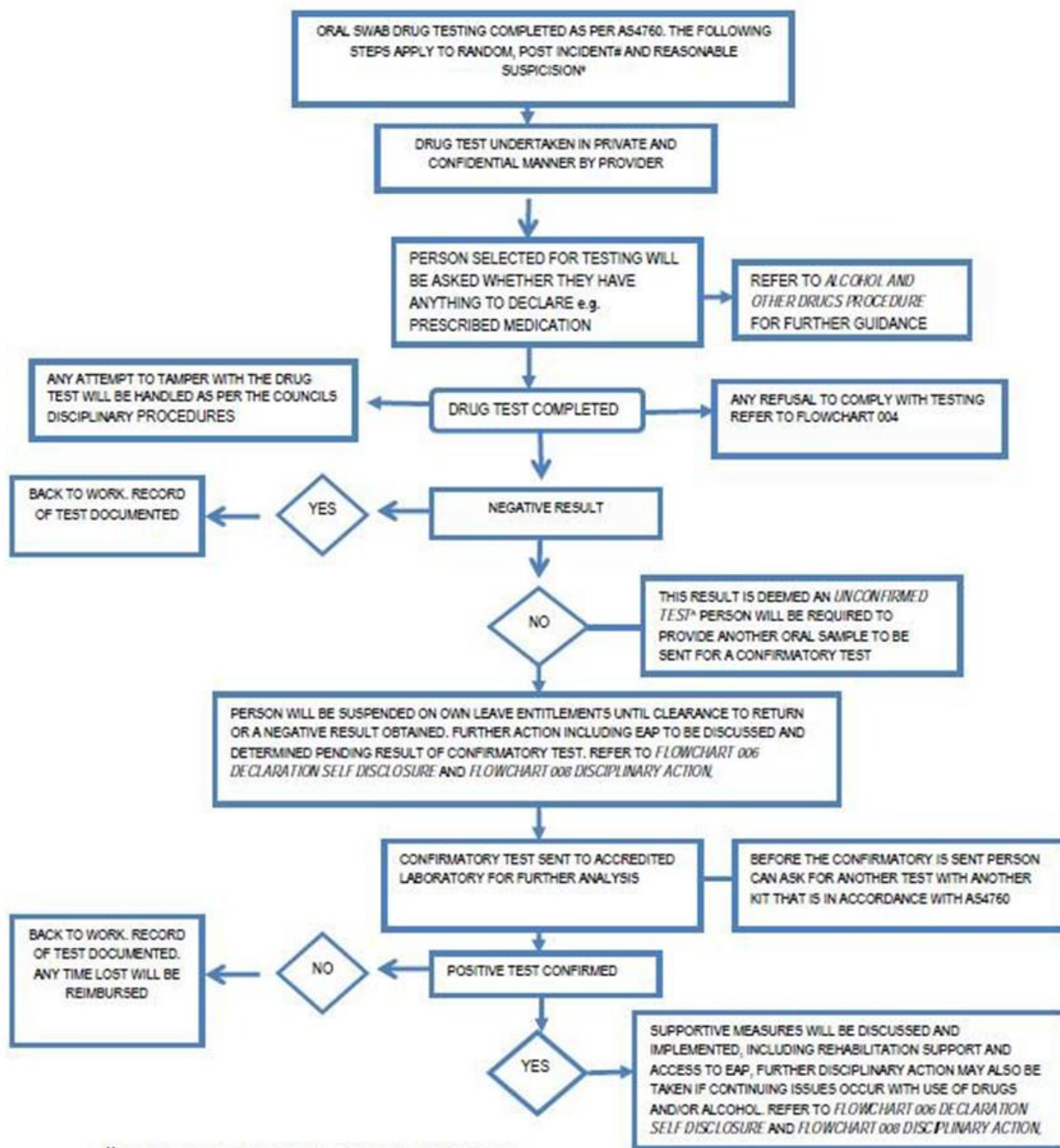
Workers who have declared that they have a problem with the use of drugs (illegal and legal) and/or alcohol will be provided assistance by the Council as per the current EAP arrangements or as determined appropriate by their Director. This will involve the development of a confidential Drug & Alcohol Rehabilitation plan that will outline general treatment steps, assistance to be sourced, personnel to be involved etc. The plan will be used to assist the person to be able to present themselves at work in a state there is no impairment to them working safely.

Persons who have been found to have a positive result from a drug and/or alcohol test and who have not declared that they may have consumed a drug and/or alcohol or who have presented themselves to work in a state that is not safe to do so, will also have a confidential Drug & Alcohol Rehabilitation plan implemented.

Further information is available in the procedure and Drug Testing Flowchart 006 (Declaration)

If you have any questions or concerns please discuss with your Director, Human Resources and/or union representative.

GENERAL DRUG TESTING FLOWCHART 001

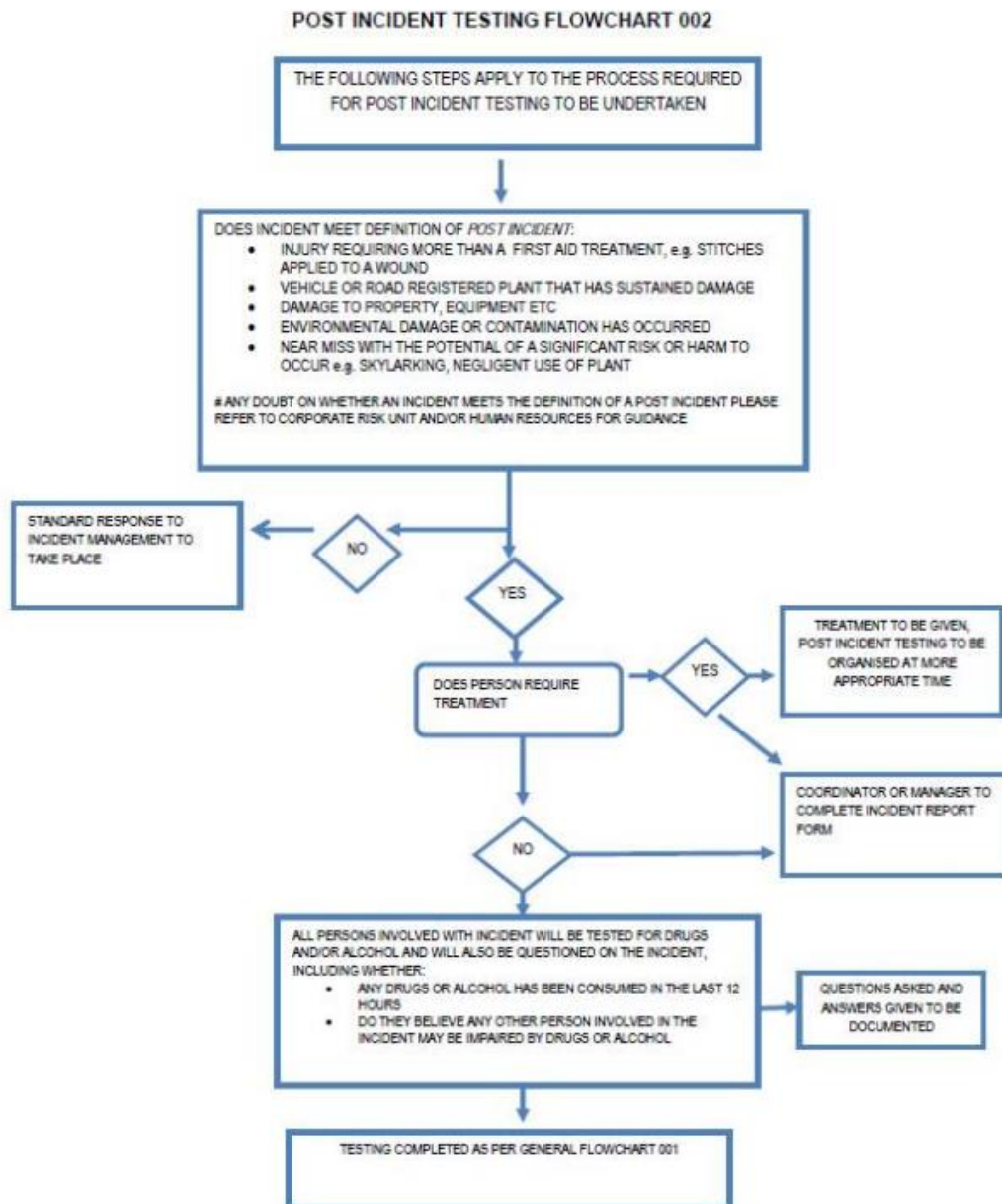


REFER TO FLOW CHART 002 FOR FURTHER INFORMATION

* REFER TO FLOW CHART 003 FOR FURTHER INFORMATION

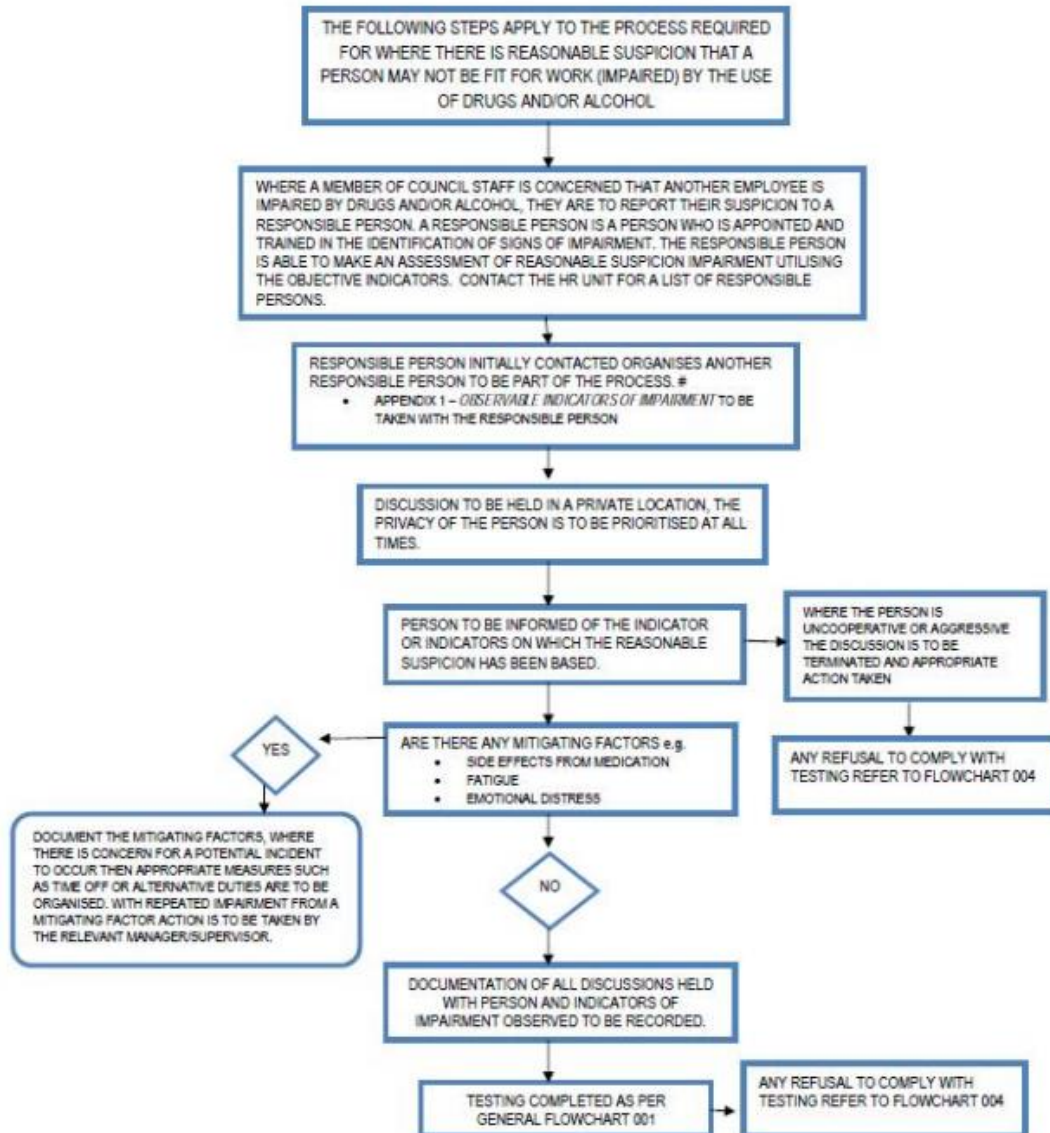
^ AN UNCONFIRMED TEST IS AN INITIAL RESULT FROM AN ORAL SWAB TEST THAT IS NOT A NEGATIVE RESULT AND NEEDS FURTHER TESTING AT A CERTIFIED LABORATORY TO BE CONFIRMED AS EITHER A POSITIVE OR A NEGATIVE RESULT BY THE COMPLETION OF A CONFIRMATORY TEST

CONFIDENTIALITY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED



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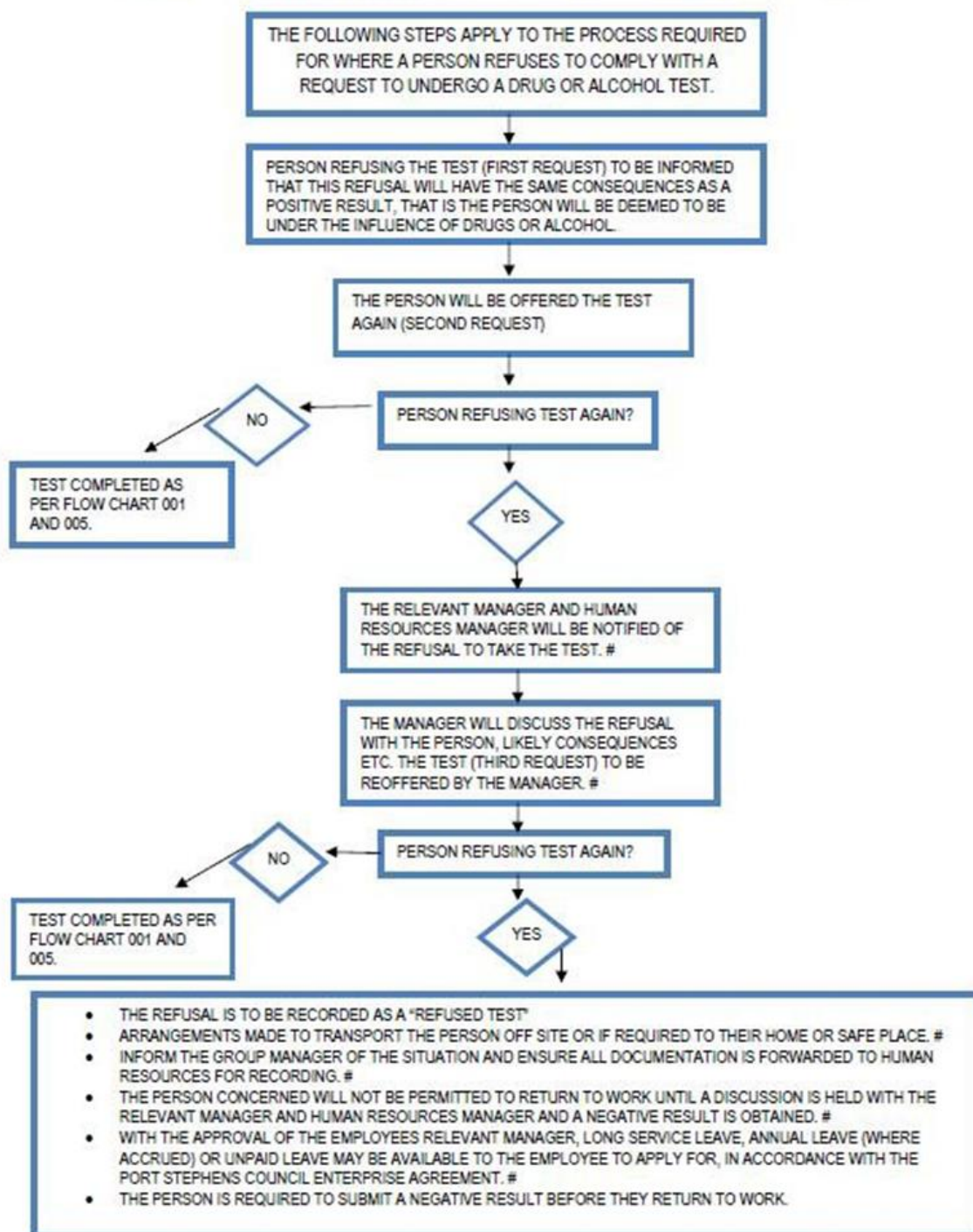
REASONABLE SUSPICION FLOWCHART 003



A REPRESENTATIVE FROM THE HUMAN RESOURCES SECTION IS TO BE CONTACTED, IF NOT ALREADY NOTIFIED, TO ASSIST IN THIS PROCESS AND BE THE SECOND RESPONSIBLE PERSON

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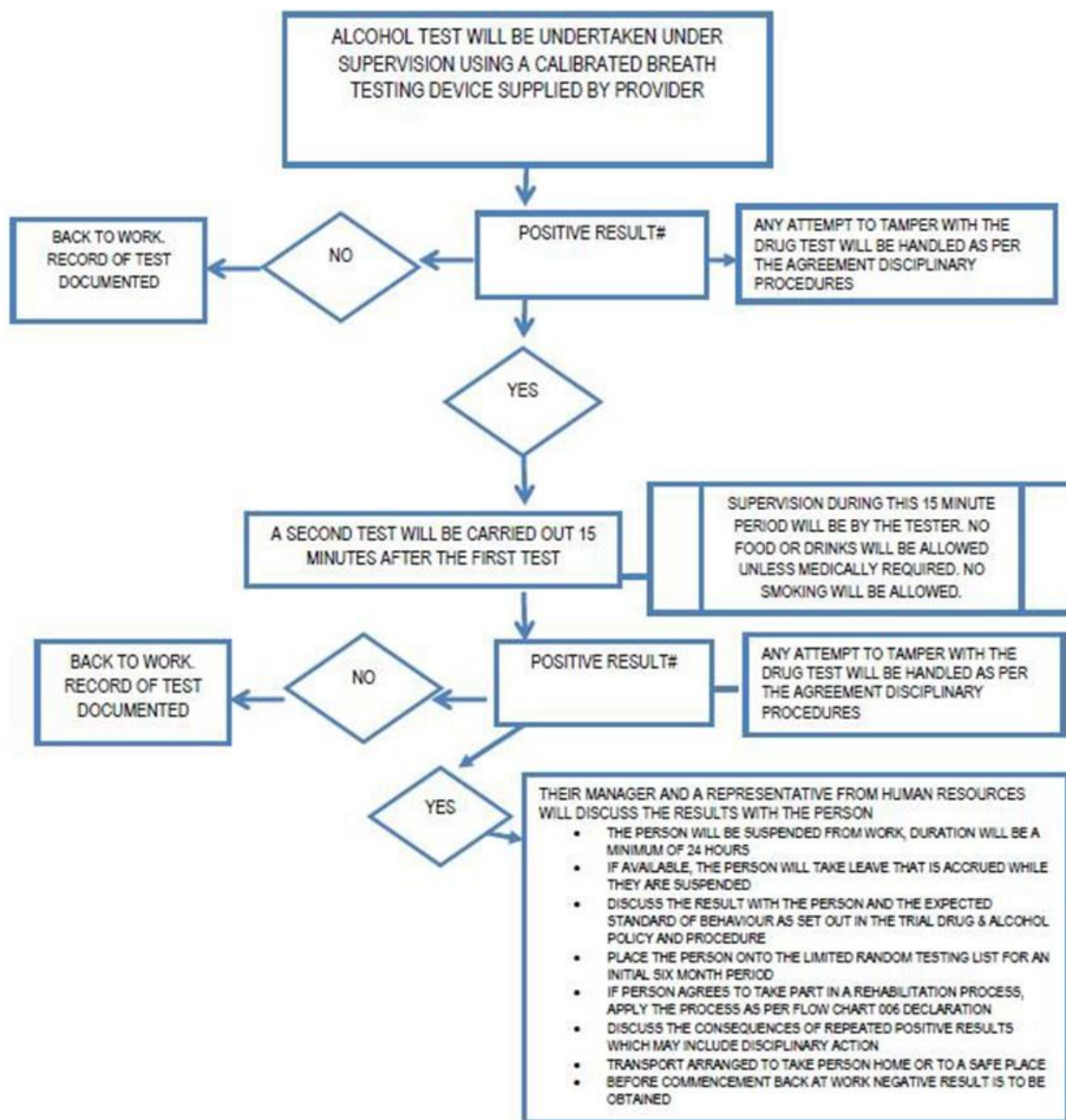
REFUSAL TO UNDERGO A DRUG OR ALCOHOL TEST FLOWCHART 004



FOR CONTRACTORS THEIR EMPLOYER IS TO BE CONTACTED TO ASSIST IN THIS PROCESS

CONFIDENTIALITY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED

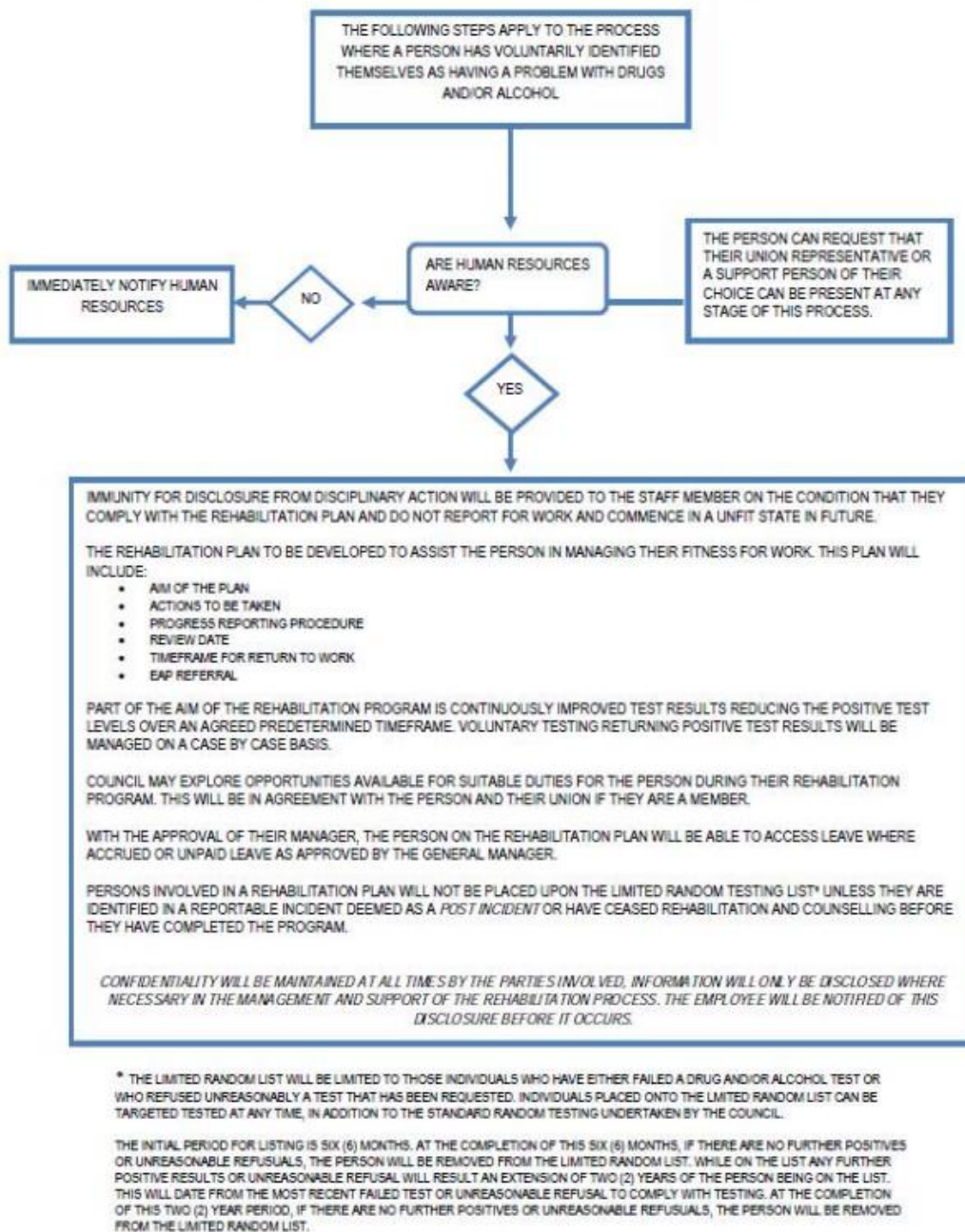
ALCOHOL TESTING FLOWCHART 005



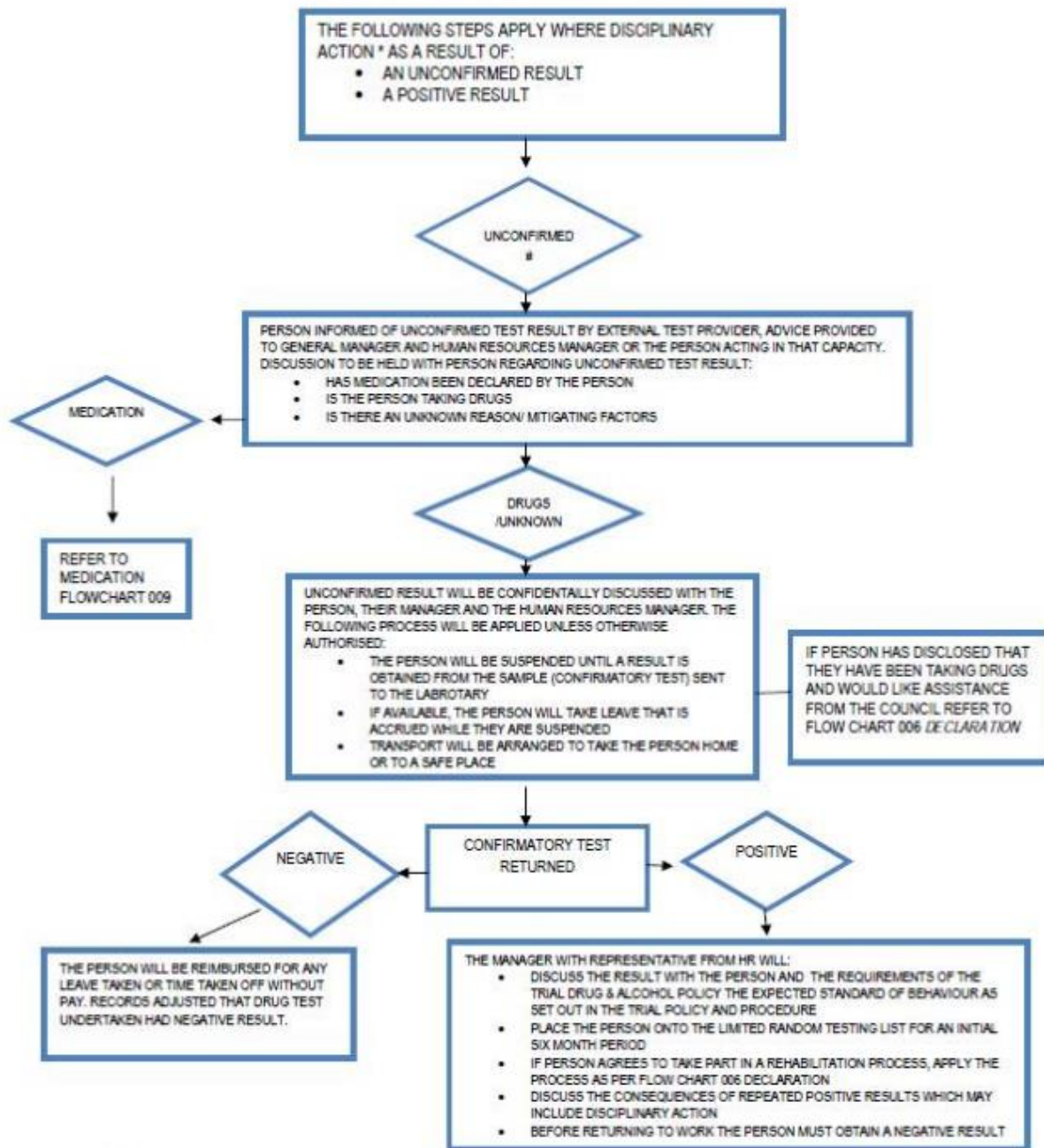
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0.05 OR GREATER BLOOD ALCOHOL CONTENT (BAC) FOR ALL OTHER STAFF TO BE IN ACCORDANCE WITH RELEVANT STATE LEGISLATION.
WHERE THE PERSON HAS A PROVISIONAL LICENCE (P PLATES) THEN THE CURRENT BAC LIMITS FOR P PLATES MUST BE FOLLOWED IF THEY ARE DRIVE VEHICLES/TRUCKS.

CONFIDENTIALITY WILL BE MAINTAINED AT ALL TIMES BY THE PARTIES INVOLVED

DECLARATION – SELF DISCLOSURE FLOWCHART 006



DISCIPLINARY ACTION FLOWCHART 008

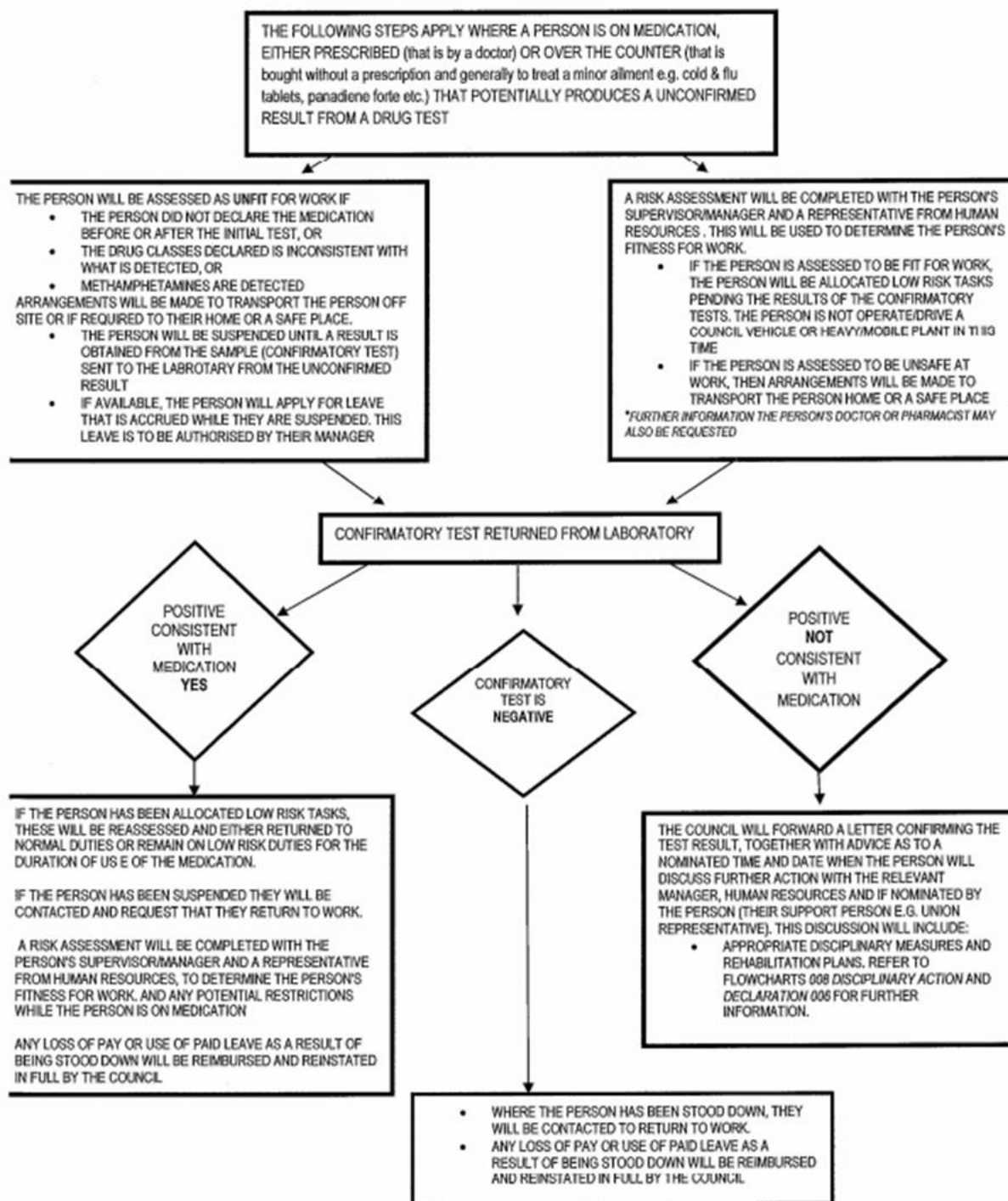


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PERSONS ON MEDICATION WITH UNCONFIRMED RESULT FLOWCHART 009



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Contact	WHS//Risk Manager
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