

# Drugs and alcohol policy and procedures

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NWSS policy on drugs and alcohol and the procedures for workplace testing.

## 1.0 Drugs and alcohol policy and procedures

### Introduction:

North West Support Services (NWSS) is committed to providing a safe and healthy work environment for all of its clients, employees and visitors. The purpose of this policy is to ensure that all NWSS employees, volunteers and contractors understand the workplace rules relating to alcohol and other drugs.

Providing direct support to people who are disabled, vulnerable and disadvantaged carries a high level of responsibility for which a “Zero Tolerance” to alcohol and drugs is required when working.

“Zero Tolerance” means that NWSS will actively address and manage the use of alcohol and drugs in the workplace whether that is through counselling, support, formal warnings or, depending on the circumstances, termination of employment. Employees should expect that if they fail an alcohol or drug test there will be a process put in place to address the issue based on the individual’s circumstances.

Whilst NWSS accepts that a person has a private and social life away from work it is unacceptable for an employee to arrive at work under the influence of alcohol, drugs or other substances, which may affect that person’s fitness for duty and impair their ability to work safely. NWSS has identified the effects of drugs and/or alcohol use as a major risk to health and safety in the workplace.

In this policy the term employee means employee, volunteer and contractor.

### Scope:

This policy will apply to every employee and it applies to any person while they are at the workplace or away from the workplace but conducting work on behalf of NWSS, or using company vehicles and equipment at any time.

### Testing Regime:

NWSS may test breath and saliva to detect the presence of unlawful or unauthorized substances in an individual’s body. Testing will occur under the following circumstances:

- Randomly for all employees
- When there is a reasonable suspicion that there has been a violation of this policy
- Post-accident/incident testing may be conducted where there is a reasonable belief that drugs and/or alcohol may have been involved as a contributing factor in situations where there has been a significant incident

### Testing Equipment

Equipment used will meet professional standards and be regularly calibrated according to the manufacturer’s directions.

### Random Testing Procedure:

1. Two members of the Management Team will visit the workplace unannounced and request that the staff on shift submit to an alcohol and drug test.
2. The employee will be provided with an explanation of the process and a drug and alcohol testing form to sign.
3. The test will be carried out according to the manufacturer's directions for hygiene and accuracy.
4. The results will be shown to the employee.
5. A management team member will sign the drug and alcohol testing form.
6. If there is a positive result, the employee will be asked to step down from their shift and a process (disciplinary or otherwise) will commence within twenty-four hours. The employee will not be paid for the shift.
7. If an employee returns a positive test, alternate transport home will be arranged such as a taxi.

#### **Directed Testing Procedure**

1. A member of the Management Team will visit the workplace and direct the employee(s) to submit to an alcohol and drug test where there has been an accident/incident or suspicion of breach of this policy.
2. The employee will be provided with an explanation of the process and a drug and alcohol testing form to sign.
3. The test will be carried out according to the manufacturer's directions for hygiene and accuracy.
4. The results will be shown to the employee.
5. A management team member will sign the drug and alcohol testing form.
6. If there is a positive result the employee will be asked to step down from their shift and a process (disciplinary or otherwise) will be commenced within twenty-four hours. The employee will not be paid for the shift.
7. If an employee returns a positive test, alternate transport home will be arranged such as a taxi.

#### **Consent for Testing and Failure to Cooperate**

- This policy, that has been distributed to all employees and referred to in the Induction Package, gives the organization the right to test for drugs and alcohol during work hours
- Employees must submit to a drugs or alcohol test if requested. Failure to submit to a test will be taken as a positive result with appropriate disciplinary action to follow which may include a formal warning or up to termination of employment

While the quality of the testing equipment is comparable to that used by Police and recalibrated as per the manufacturer's recommendations, NWSS recognises that the results cannot be used in a court of law for a criminal matter. The results will only be used by NWSS to determine if this policy has been breached and as the basis for disciplinary or other action. Repeated positive readings will result in disciplinary action, which might include dismissal. If a breach of this policy is deemed to be serious misconduct NWSS may summarily dismiss the employee.

NWSS offers employees the chance to undertake private and confidential alcohol tests by arrangement with the General Manager to help them gauge how long it takes their body to reach a zero reading after social drinking. This opportunity is handy for people who might like to know how they read for an early morning shift after social drinking the night before. The information from this test will not be recorded or stored by NWSS and is only for worker information purposes.

NWSS will provide information and assistance to persons seeking help for alcohol and/or drug related problems. No one will be disadvantaged in the workplace as a result of undertaking a counselling or rehabilitation program.

#### **Obligations Under This Policy:**

It is the responsibility of all employees to stay alert to and monitor the work performance of fellow employees to ensure their fitness for duty and ability to carry out the job safely.

It is the responsibility of all workers to comply with this policy at all times. WH&S Legislation requires that workers assist employees in meeting their WH&S obligations. Workers should notify management team members if they suspect a worker is unable to carry out his/her duties safely due to the effects of alcohol or drugs. This will assist the management team to

maintain a safe work environment and allow for early assistance with counselling and, if required, rehabilitation advice to workers who may have a problem with substance abuse.

**Code of Conduct:**

In line with the Code of Conduct the following prohibitions are part of this policy:

- It is strictly prohibited to possess, consume, sell, manufacture or distribute any illicit drugs or substances on or in a NWSS workplace. Contravention may lead to disciplinary action up to and including summary dismissal
- The consumption, sale or distribution of alcohol on or in a NWSS workplace is strictly prohibited and contravention of this may lead to disciplinary action up to and including summary dismissal
- Bringing onto a NWSS workplace alcohol or illicit drugs is strictly prohibited. Contravention may lead to disciplinary action up to and including summary dismissal unless specific company approval has been granted and those conditions are strictly adhered to such as with work sponsored social events and management team approved programmatic arrangements for clients.
- In the case of prescribed medication the employee must advise NWSS if they believe that the medication they are taking or the lack of this medication may endanger them or others or impact on their ability to do their work effectively. In this circumstance the employee must, upon request, supply a copy of the prescription, and the appropriate usage leaflet. Failure to comply with this policy may lead to disciplinary action up to and including summary dismissal.
- Where an employee advises that they are taking prescription medication an assessment will be made of the information on the usage leaflet, with regard to the particular tasks, responsibility, equipment and vehicles involved. A discussion will then be made with the workers to determine if they are able to work safely while taking or not taking their prescribed medication. Further clarification or guidance may be sought from the treating medical practitioner if there is any dispute or concerns related to the prescription medication. A decision will then be made by the Management Team on whether an employee or contract worker is safe in the workplace; whether they can be given safe alternative work, or are not fit to work. A full time or part time employee who is injured or ill can access personal leave. If it is determined that the employee is not fit for work all assistance will be given to the employee or contract worker to ensure they arrive home safely.

**Prescription Drugs and Other Medication:**

The normal use of over-the counter medications and the legal use of prescription drugs are generally not prohibited by this policy, provided they were lawfully obtained and are not consumed at a frequency or quantity greater than the dosage prescribed or otherwise recommended on the medication's label.

Employees must only use prescription drugs, which are prescribed to the individual by a doctor, pharmacist and/or health care professional.

- When a doctor, pharmacist, or health care professional prescribes a drug for an employee or contractor, the employee is required to ask the doctor, pharmacist, and/or health care professional: (1) whether the drug could affect their ability to safely perform their duties; and (2) whether the drug may register on a standard workplace drug test

**Employee Assistance Program:**

- At NWSS, our employees are our greatest assets. We support the health and well being of our workforce to enable employees to be productive and successful on the job. To help employees with personal problems that may interfere with their work, the company provides an Employee Assistance Program ("EAP") in most areas of operation
- An employee, who has a drug and/or alcohol problem and voluntarily comes forward to seek assistance, will be eligible for initial rehabilitation treatment without risk of termination unless there are other behavioural, performance, or

misconduct issues, or a violation of this policy

- Employees who advise NWSS of such an issue through the Management Team shall be offered EAP for assistance. The EAP and the employee shall determine, to what extent, if any, the employee requires counselling, treatment and/rehabilitation
- If, as part of the process it is agreed that the employee will seek counselling, support, treatment or rehabilitation then the employer will be able to request the employee provide updates of ongoing attendance and advise of completion or non-completion of the program
- Use or prospective use of the EAP does not exempt or excuse a violation of the policy. This will be taken into account but, this may not be sufficient mitigation if the matter is sufficiently serious and therefore such action will not affect NWSS' right to administer a disciplinary procedure up to, and including, termination of employment.
- An employee that is actively seeking support through a counselling, treatment or rehabilitation program may still be subject to random workplace drug and alcohol testing. An employee who has a positive test in this circumstance may be subject to a disciplinary procedure. However, NWSS will consider the employees ongoing commitment to continue to seek support, treatment and rehabilitation in any determination

**DRUG AND ALCOHOL TEST RECORD FORM**

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Sample type/s: \_\_\_\_\_

I consent to the to the collection and testing of my specimen/s for alcohol using an onsite device. I understand that the test is being performed as part of NWSS' Drugs and alcohol policy and procedures.

Signature: \_\_\_\_\_

**Collector:**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

**Witness:**

Name: \_\_\_\_\_

Signature: \_\_\_\_\_