

# Drugs and alcohol

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## 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.

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 can 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.

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.

## Applicability

### When

- applies at all times during the provision of services or when acting on behalf or for NWSS.

### Who

- applies to all employees.

## Documents relevant to this policy



[Work Health and Safety Act 2012 \(Tas\) \(legislation\)](#)



## Testing regime and equipment

NWSS may test breath and saliva to detect the presence of unlawful or unauthorised 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.

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 test will be carried out according to the manufacturer's directions for hygiene and accuracy.
3. The results will be shown to the employee.
4. The employee and each Management Team member will sign a statutory declaration on the results.
5. If there is a positive result, the employee will be asked to step down from their shift and a disciplinary process will commence within twenty-four hours, the employee will not be paid for the shift.
6. 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 an 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 test will be carried out according to the manufacturer's directions for hygiene and accuracy.
3. The results will be shown to the employee.
4. The employee and each Management Team member will sign a statutory declaration on the results.
5. If there is a positive result the employee will be asked to step down from their shift and the disciplinary process will be commenced within twenty-four hours. The employee will not be paid for the shift.
6. 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 organisation 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.

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

NWSS offers employees the chance to undertake private 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.

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.

## Employee obligations

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 employees to comply with this policy at all times. OH&S legislation requires that employees assist employees in meeting their OH&S obligations. Employees should notify Management Team members if they suspect an employee is unable to carry out their 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 rehabilitation advice to employees 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, the drugs concerned 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 decision will 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 should be stood down and discontinued from the workplace for that shift. Should the latter be required, all assistance will be given to the employee or contract worker to ensure they arrive home safely. In such circumstances an employee may use any available sick leave to cover their absence.

## 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 taking prescription drugs must have them in the original container that identifies the individual by name and specifies the drug, dosage, prescription date and the prescribing physician.

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:
  - a. whether the drug could affect their ability to safely perform their duties
  - b. 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 referred to the EAP for assistance. The EAP shall determine, to what extent, if any, the employee requires treatment and/or rehabilitation. If the employee does not require treatment, the EAP and the Management Team will work together regarding the employee’s compliance with any recommended program.
- Any employee’s participation in the EAP will also require the consent of the employee to release any and all EAP records to NWSS’ designated Medical Professional for the purpose of managing the employee’s leave from work and aftercare monitoring.
- Use or prospective use of the EAP does not exempt or excuse a violation of the policy. If any employee volunteers to participate in the EAP after a violation of the policy, such action will not affect NWSS’ right to administer a disciplinary procedure up to, and including, termination of employment.
- If an employee is selected for testing under the policy, and subsequently requests an EAP referral, NWSS shall delay referral to the EAP until the results of the test have been confirmed. If the results are negative, then referral shall continue in accordance with EAP process. In the event the test is positive, then the employee shall be treated in accordance with the normal disciplinary procedures.
- The EAP treatment program will involve random testing and any test failure shall be reported to NWSS. An employee who has a positive test will be subject to a disciplinary procedure, up to, and including, termination of employment.