

Alcohol and Drug Use Policy

Introduction

Capricornia Training Company has a responsibility under the *Work Health and Safety Act 2011* to provide a safe and healthy work environment for all employees. When drug or alcohol misuse occurs in the workplace, it creates a serious safety issue.

Purpose of the Policy

The purpose of this policy is to both contribute to a safe working environment, and reduce the harm that may follow dangerous use of alcohol or other drugs. The policy is also a mechanism to identify and support employees who may have dependency issues.

Scope

The Alcohol and Drug Use policy applies to all full-time, part-time, casual and temporary employees, program/course participants, visitors and contractors within CTC.

Application

Employment Engagement Officers should, as part of the initial contact and before the induction process, obtain a copy of the Host Employer's policy or Industrial Instrument regarding alcohol and substance abuse and forward to the CTC Business Development Manager to ensure there is no conflict in the intent or provisions. Where the Host Employer's special arrangements are more stringent than those of CTC and are based on safety considerations particular to that industry, then the host employer's special policy shall prevail. CTC and the host employer's policy should be communicated as part of the induction process.

In some industries, screening for drugs and alcohol may be required prior to employment. In such cases where a positive result occurs, CTC reserves the right not to proceed with the employment offer or after consultation with the Host Employer may prescribe further future testing as a condition of employment. This should be formally advised to the individual in writing. Should a later medical testing return another positive result which is not the result of a prescribed legal medication, dismissal may follow.

In the event that an employee's alcohol and drug misuse constitutes an immediate and potential hazard to the health and safety of the individual or others, the Employment Engagement Officer, Host Employer, Business Unit Manager or CTC General Manager may direct the employee to go home or to attend a medical examination. If an employee is directed to go home it is the employer's duty of care to ensure the employee does so safely e.g. drive him/her home in a company vehicle, call a cab or a relative to pick him/her up but do not allow him/her to drive him/herself home. If a cab is called and the employee does not have sufficient funds then CTC will pay and claim the money from the employee if he/she fails the subsequent test. If the employee refuses and drives his/her own car then, the Police are to be called immediately.

The employee will not be permitted to resume work until the test result is known. Any work time taken to undergo testing and await results will be on no pay and if the test result finds the employee was fit to continue work then CTC will reimburse base wages.

If there is a fitness for work issue and it is practicable, the Employment Engagement Officer /Supervisor and Employee should together develop an action plan to assist the employee to deal with the issue i.e. rehabilitation program, counseling, arrange leave, or develop a return to work program. The employee will be required to meet his/her own travel arrangements

and cost for counselling and rehabilitation. Employees will be entitled to use accrued leave entitlements for absences and while attending treatment.

Where it is reasonably assumed by the host employer or CTC that a person should undergo a test and the employee refuses, it shall be taken that the person recorded positive to the test. The company will arrange for the person to be transported home as indicated above. Salary payments will cease until a test is completed and the person will not be permitted to recommence work until he/she has submitted him/herself for testing or CTC considers on medical advice that the employee would be fit to return to work. CTC considers refusal to take a test as a serious breach of policy, and disciplinary action including dismissal may result.

Consumption

A. Workplace Possession or Consumption:

A person shall not bring any prohibited or illegal substance, including any drugs or any alcohol to the workplace, regardless of where that workplace is located.

B. When working away from home or at remote sites (e.g. camps), a strict NO ALCOHOL policy is in force, including outside of working hours. Any staff found to be drinking when in camp will forfeit their Living Away From Home Allowance and all accommodation costs will be deducted from the Employee's pay by CTC. The Employee's signed agreement to abide by this policy serves as consent to enforce these monetary penalties.

- B. Notwithstanding the above, CTC may determine that, if after investigation, the taking of drugs or alcohol at the workplace, or immediately prior to coming to work, or during a break from work is proven, then this will be viewed as serious misconduct which may justify instant dismissal, particularly where the Employee is required to drive or operate dangerous machinery. An employee will be taken to be intoxicated if the Employee's faculties are so impaired that the Employee is unfit to be entrusted with their duties, or their behaviour or impaired judgement is considered a safety risk to themselves or others.
- C. Dismissal for serious misconduct can also mean the forfeiture of some or all of the Employee's entitlements which may otherwise be due on termination of employment.
- D. Employees should also be aware that serious injury or even death that may be an outcome of an Employee's contravention of this policy, could lead to other consequences such as police pursuing a prosecution under criminal law.
- E. Colleagues of Employees who have possessed or consumed illegal substances in the workplace, who fail to mitigate the risks caused by their colleague's actions (or inactions e.g. not working when they are rostered to do so), could themselves become subject to disciplinary action.

F. Drug Consumption in the Workplace:

Illegal drugs shall not be permitted on the premises, any instance of possession or use of illegal drugs at the workplace may be reported to the Police and a full investigation undertaken as required by law. The offender will be immediately removed from the workplace and refused re-entry. Suspension or summary dismissal shall follow.

When being paid to travel to and from a work engagement, because time is being paid, the expectation is that employees will NOT be under the influence of drugs or alcohol.

G. Alcohol Consumption at Work Functions:

Alcohol shall only be permitted at designated locations of CTC offices. Except for specific and prior approved functions, alcohol shall not be consumed by any person at the workplace unless prior approval has been given by CTC Management or the Host Employer. As a general rule CTC does not provide alcohol for employees at functions and employees are responsible for their personal purchases of alcohol in order to regulate their consumption and for their actions. Excessive consumption of alcohol is to be avoided. This is both a safety and a social responsibility. Employees over the legal limit for driving must arrange for a taxi home.

Employees are required to conduct themselves with the degree of responsibility that is consistent with the standards required of them while at work. Client, staff and business relationships can be adversely affected if the behavior of staff at functions causes offence.

H. Supply or Sale of Illegal Drugs:

If a person is found to be supplying illegal drugs in the workplace, the supplier will be immediately removed and refused

re-entry. The incident will be reported by CTC's General Manager to the Police. Suspension or summary dismissal shall follow.

I. Supply or Sale of Alcohol:

If a person is found to be supplying alcohol without prior Host Employer or CTC management approval he/she will immediately be removed from the workplace and refused re-entry. The incident will be referred to CTC management and may be reported to the Police. Suspension or summary dismissal may follow.

Practice

A. CTC can require personnel to undertake a test for alcohol and drugs when:

- Random testing is in place in accordance with this policy or a Host Employer's policy; or
- An incident or accident has occurred; or
- There is behaviour, evidence, or information that suggests a person may be under the influence of alcohol or drugs; or
- It is a prerequisite for employment at a Host Employer's workplace.

B. It is a breach of the policy:

- For any personnel to be at work or in charge of a vehicle on company or Host Employer's business while under the influence of alcohol or drugs.
- To refuse or fail to undertake a drug or alcohol test.
- When a person indicates that he or she will test positive to drugs or alcohol, that person is deemed to have tested over the legal alcohol limit until the test is undertaken.
- For any person to have unauthorised alcohol or drugs in his/her possession at any CTC or Host Employer's workplace.

A breach of the policy renders the person unfit for work until testing negative. Refusal or failure to participate in a rehabilitation program in accordance with the policy is considered to be a second breach of the policy.

C. Cut off levels:

- At work sites where the Host Employer has a special blood alcohol content policy where the BAC level is less than State law that special policy shall apply. In all other instances, State law shall apply.
- For drugs such as opiates, marijuana and amphetamines the levels set out in AS4308.

Strict confidentiality applies to all test results and only positive test results will be advised to CTC.

D. First Breach of the Policy:

- The employee will be advised of his/her responsibilities and a final warning placed on his or her file. He or she will also be required to undertake a rehabilitation program, the nature and duration of which is at CTC's Management discretion and at the Employee's expense.

If the Employee refuses treatment/counseling, dismissal may result.

E. Second Breach of the Policy:

- The Employee can expect to be stood down and or have his or her employment terminated.

Consequences of Misuse

- A. In the event that possible ongoing alcohol and/or drug misuse is affecting the employee's performance at work, performance management should commence, just as it should for any other underperformance at work.
- B. Where reasons exist to suspect an employee is in breach of this policy, CTC or the Host Employer can request the person to submit to a drug or alcohol test by a doctor / medically authorised entity.
- C. If the test result is negative then the person is free to resume his/her normal duties.
- D. Where a person has returned a positive test and there are no material mitigating circumstances such as the possible influence of prescription medications, disciplinary action which may include a first warning, suspension or dismissal may be taken. CTC reserves the right to conduct further random testing of an Employee who returns a positive result.
- E. Disciplinary action will still proceed in the case of an Employee who fails to notify his/her supervisor of taking a prescription medication that the employee could reasonably be expected to know could impair his/her performance and affect safety or fitness for work.
- F. Mismanagement of drugs prescribed for a medically diagnosed condition will be dealt with at CTC's discretion where it is within its capacity and expertise, or will be referred to a suitably qualified medical practitioner.
- G. staff are drinking when in camp and are un able to turn up for work will forfeit LAFHA and accommodation will be paid back to CTC
- H. Can you make sure that we also have something that when in camp the no alcohol policy is in force
- I. Confidential advice should be sought by CTC if staff are unsure if they are dealing with an alcohol or drug related issue.

External Assistance

The following organisations can be contacted for advice about Alcohol or Drug Counselling:

Organisation	Service	Phone
Lives Lived Well	Provides free and professional counselling to help people who are concerned about the role that alcohol and drugs play in their lives.	1300 727 957
AODS (Alcohol And Other Drugs)	Provides a range of treatment services and programs.	07 4920 5500
Gumbi Gumbi	An indigenous organisation focusing on rehabilitation from alcohol, drugs, and volatile substances in both residential and non-residential programs.	07 4922 8355
Alcohol and Drug Information Service (ADIS)	Provides information, advice, counselling and referral for alcohol and drug issues.	1800 177 833
Alcoholics Anonymous	Men and women who share their experience, strength and hope with each other that they may solve their common problem and help others to recover from alcoholism.	1300 222 222
Narcotics Anonymous	Men and women for whom drugs had become a major problem, meet regularly to help each other stay clean.	1300 652 820
Salvation Army – Capricorn Region	First Step Program - intervention and recovery for people with addiction, and their family and friends.	07 4923 5600