

DRUG & ALCOHOL POLICY

PURPOSE

The purpose of conducting Alcohol and Drug Testing in the workplace is to promote Workplace Health and Safety. The aim is to deter employees from entering into the workplace and carrying out their duties whilst affected by alcohol and/or a drug, thus placing themselves and others at risk of injury. This or a similar procedure has been widely adopted in many industries and has become standard practice in responsible organisations.

SCOPE

This Drug & Alcohol Policy applies to all employees of the Shire of Quairading, including contractors, volunteers and work experience students and is in addition to any legal requirement each has under Western Australia and Federal law regarding the consumption of alcohol and drugs.

INTRODUCTION

Workers affected by alcohol or a drug at work may endanger themselves, other workers and the public. Risks associated with driving of vehicles and plant, construction and supervision of hazardous work areas increases as a result of alcohol or drug misuse. Ordinary workers, supervisors, managers and the Council may suffer legal consequences if a worker causes or contributes to injury to any person or damage to property while affected by alcohol or a drug at work. Also, there is a risk that casual use of alcohol or drugs may result in mistakes, productivity losses and offend internal and external customers.

Whilst the priority is health and safety, it is important to properly manage both suspected and apparent cases of employees being affected by alcohol and/or drugs at work. Certain medical conditions and prescription drugs can produce behavioural changes similar to the effects of consuming alcohol or illegal drugs. The underlying reasons for consuming alcohol or any drug may include anxiety, depression and stress, marital, family and other relationship problems, financial and legal difficulties, compulsive gambling, bereavement and other life difficulties.

Drugs are generally administered via injection, ingestion, inhalation or smoking. Upon entering the blood stream, they are rapidly broken down and distributed by metabolic processes throughout the body. Many drugs and drug metabolites are excreted in oral fluids and urine, making them easily detectable by drug screening procedures.

Modern breathalyser testing is highly accurate and simple to carry out for detecting the presence of alcohol.

Oral fluid sampling is a simple, non-intrusive and accurate way to screen for recent/current drug use for the purpose of determining fitness for work.

The presence of a drug is confirmed in a two-step process:

- The initial oral fluid test (sometimes known as the Screening Test) is carried out on site and is designed to indicate the presence of drugs in the donor's system.
- The Confirmatory Test is carried out by an accredited provider, utilises either oral fluid or urine and is designed to confirm the identity and quantity of individual drugs in the donor's system.

POLICY

1 Testing Regime

The components of the Shire of Quairading's testing regime are explained as follows:

1.1 Pre-Employment Testing

Prospective Council employees will be required to undergo a drug test compliant with the relevant Australian and New Zealand Standards as part of their pre-employment medical examination.

1.2 Random Testing

It is Council's intention that all Council employees be tested a minimum of once in any twelve (12) month period. The selection process of staff to be tested will be determined by the Chief Executive Officer and the method for selection may be varied at their discretion. For the purposes of confidentiality, the Chief Executive Officer and an appointed staff member who has undergone training in the correct use of the testing equipment utilised by the Shire (collector) will be the only employees with knowledge of the staff members selected for testing (donors). The collector will then arrange with the nominated donors, suitable times and locations to perform the tests.

Random testing of workplaces may be carried out at any working time/s and on any working day/s. Random testing will not occur during authorised functions, where the consumption of alcohol has been approved by Council or its delegates, and where other documented risk management strategies have been implemented prior to the function to ensure the health and safety of Council's employees, visitors and the public.

1.3 Challenge Testing or Test for Concern

Testing may be required if, based on evidence received by a Health & Safety Representative (HSR), a Supervisor, Executive Manager or the Chief Executive Officer, there are any grounds for concern that an employee may not be fit for work due to the influence of drugs and/or alcohol.

An employee has the right to submit a case for testing to their HSR or Supervisor, if they have any grounds whatsoever that another employee may not be fit for work due to being affected by drugs or alcohol during work hours. This is the employee's right to attempt to protect their own safety and the safety of others in their team.

A test for concern can only be approved by a Health & Safety Representative, Executive Manager or Chief Executive Officer.

While there will be no penalty for those who submit a claim, which is later proved to be unfounded, any employee involved in a history of claims where the validity is questionable, will be investigated further and dealt with according to Council's disciplinary process.

If an employee tests negative for Drugs and Alcohol under a test for concern and continues to exhibit "Reasonable Grounds" that they may not be fit for work, the employee may be required to undergo a fitness for work assessment by a qualified health care professional.

1.4 Incident testing

If any employee is involved in an incident or accident which:

- a) resulted in a serious or dangerous event (injury or death, damage to or loss of plant),
- b) involves high risk construction activities e.g. traffic control,
- c) occurred while operating any Shire owned vehicle or equipment (plant),
- d) in the opinion of the Supervisor/Health & Safety Representative, had the potential to result in a serious/dangerous event (near miss),

the employee will be subject to testing and the resulting procedures.

Where the Police attend as a result of an accident/incident, if applicable, their testing procedures will have precedence over Council's testing procedures. However, where only limited testing is conducted, Council procedures may supplement the Police testing procedure.

1.5 Specific Task Routine Testing

Employees may be required to undergo drug and/or alcohol testing prior to commencing specific tasks. This could include, but is not limited to:

- High risk tasks,
- Operating Shire plant,
- Participating in/conducting Shire events involving children.

When drug and/or alcohol testing in preparation for specific tasks, **all** staff undertaking the task must be tested equally. No individual employee may be singled out for specific task testing.

1.6 Testing Procedure

All Council employees must, when required as described under sections 1.2 to 1.5 of this policy, undergo drug and/or alcohol testing.

1.6.1 Any and all drug and alcohol testing is to be supervised by a Collector, who will ensure that each donor completes and signs the Drug & Alcohol Testing Consent Form & Declaration (Appendix 1) prior to testing and will certify that each test is self-administered by the Donor in accordance with the manufacturer's instructions relevant to each method of testing.

1.6.2 Drug and alcohol screening is to be carried out in such a way as affords privacy and confidentiality to each employee. The Collector will make every effort to contact each employee directly to facilitate the testing. It is acknowledged that it may be necessary to make contact through an employee's Supervisor or Executive Manager and that explanation may be necessary for the absence from work while the testing is being carried out.

1.6.3 All possible efforts will be undertaken to avoid situations in which a Collector will be assigned to supervise the drug and alcohol screening of an employee with whom they have a known personal relationship or friendship to minimise the possibility of collaboration to falsify test outcomes.

2 Results Treatment

In the event that a drug and/or alcohol screening test conducted for the reasons listed in section 1, other than 1.3, returns a negative result, no further steps are taken, and the staff member may return to/commence their work.

2.1 Positive Alcohol Screening

- 2.1.1** Should an alcohol screening test for any of the reasons listed in section 1 return a result above 0.00g/100ml, it is considered a positive result and the employee will be stood down from work for the day. Where a positive result is of a level that precludes the employee from making their own way to their usual residence, the Shire will ensure suitable transportation for the employee. The employee is expected to present at their usual place of work at the beginning of the next working day and produce a negative screening test result in order to commence work.
- 2.1.2** An official warning will be issued to the staff member and noted in their employee file.
- 2.1.3** A second positive alcohol screening result within a 2-year period will lead to further disciplinary action that may include but is not limited to a second official warning, the requirement to undergo alcohol abuse counselling sessions and/or dismissal.
- 2.1.4** A third positive screening result within a 2-year period will result in dismissal.
- 2.1.5** An employee who has produced a positive screening test result may be subject to more frequent random selection for alcohol screening under section 1.2.
- 2.1.6** An employee stood down from work as a result of a positive alcohol screening may use the following leave options:
- accrued annual leave
 - accrued RDO
 - leave without pay.
- 2.1.7** Where incident testing in accordance with 1.4 produces a positive alcohol screening result, the Chief Executive Officer will determine, based on the severity and impact of the incident or accident, the disciplinary measures to be taken, which may include but is not limited to a final warning being issued, mandatory counselling and/or training, performance management and dismissal.

2.2 Non-Negative Drug Screening

- 2.2.1** Where the drug screening method used indicates the presence of a drug in the donor sample in line with the relevant manufacturer's instructions and level limits compliant with Australian and New Zealand Standard 4760 – 2019 (Appendix 3), the screening test result is considered non-negative. The employee will be stood down from work for the rest of the workday.
- 2.2.2** A non-negative screening test result requires confirmation by an accredited testing facility. The employee's Supervisor or Executive Manager will ensure that the employee is immediately transported to an accredited testing facility to provide a sample for confirmation through laboratory testing at the Shire's expense.
- 2.2.3** The staff member will remain stood down until the confirmatory test results are received by the Shire. The test results will be provided to the employee after receipt.
- 2.2.4** An employee stood down from work as a result of a non-negative drug screening may use the following leave options:
- accrued annual leave
 - accrued RDO
 - leave without pay.

2.3 Confirmed Positive Drug Test

- 2.3.1** Where laboratory testing results in a confirmed positive, an official and final warning will be issued and recorded in the employee's file. The employee will be required to undertake drug counselling with the Shire's assistance (e.g. finding a service, paid leave for the duration of counselling sessions). The employee is expected to present at their usual place of work at the beginning of the next and every subsequent workday until a negative screening test result is produced and the employee is allowed to resume their work.
- 2.3.2** A second confirmed positive drug test result within a 2-year period will result in dismissal.
- 2.3.3** An employee who has produced a confirmed positive drug test result, for a 6-month period following their return to work after a confirmed positive result, will be subject to a high frequency of random selection for drug screening.
- 2.3.4** An employee who continues to be stood down from work as a result of a confirmed positive drug test may use the following leave options:
- accrued annual leave
 - accrued RDO
 - leave without pay.
- 2.3.5** Where incident testing in accordance with 1.4 produces a confirmed positive drug test result, the Chief Executive Officer will determine, based on the severity and impact of the incident or accident, the disciplinary measures to be taken, which may include but is not limited to a final warning being issued, mandatory counselling and/or training, performance management and dismissal.

2.4 Confirmed Negative Drug Test

- 2.4.1** Where a laboratory test produces a confirmed negative result for drugs, the employee may immediately resume work.
- 2.4.2** An employee who was stood down for any period of time following a non-negative drug screening result, after receiving a confirmed negative result through laboratory testing, shall be paid for the period they were stood down as if they had worked their scheduled hours, including all allowances they would have been entitled to, had they worked. Any annual leave or RDO accruals used during that period will be restored to the employee's accrual balances.

2.5 Refusal to Test

Should an employee refuse a request to undergo testing for any of the reasons as stated in section 1 or should an employee refuse to comply with the requirement for confirmation through laboratory testing as set out in section 2.2.2, the outcome will be considered the same as if it had been a positive alcohol screening as in 2.1 or a confirmed positive drug test as in 2.3. The relevant sections will be applied accordingly.

3 Documentation, Confidentiality and Disclosure of Information

3.1 Documentation

Any records relevant to drug and alcohol screening carried out by the Shire of Quairading in accordance with this Policy will be stored securely and will remain confidential. An employee may request and obtain a copy of their own test records if they wish to do so. Documentation relating to test results will be held indefinitely.

3.2 Confidentiality and Disclosure of Information

The testing procedure for drugs and alcohol will be conducted so as to respect the privacy of the donor, but also to maintain standards required. Personal information relevant to this procedure will be safeguarded to protect the privacy of all donors, and only information required to be recorded shall be kept on file, with access limited to those required to have access to such information. Results of post incident tests will only be made available to third parties that are legally required to be informed as necessary, and the employee in question will be notified of this disclosure.

STATUTORY ENVIRONMENT

Work Health & Safety Act 2020

Work Health & Safety Regulation 2011

Transport Operations (Road Use Management) Act 1995 Local Government Act 1995

Workplace Relations Act (Federal and State)

AS/NZS 4760-2019 Procedures for specimen collection and the detection and quantification of drugs in oral fluid.

APPENDICES

Appendix 1 - Rehabilitation providers

Appendix 2 - Drug Classes Cut Off Levels

Record of Policy Review						
Version	Author	Council Adoption	Resolution	Reason for Review	Next Review Date	CEO Signature
01	Marion Haeusler	April 2025	157-24/25	New Policy to replace Drug & Alcohol Policy & Testing Procedure	April 27	<i>Nickie Mess.</i>

Appendix 1 – Rehabilitation Providers

QUICK REFERENCE ON HOW TO STOP DRUG ABUSE

- 1 Admit that you have a serious problem with alcohol and drugs.
- 2 Throw out all the alcohol and drugs that you have. Then, get help. Talk to DRUG-ARM Information Line Tel: 1300 656 800 or one of the agencies listed in the document.
- 3 Face up to and try and do something about the problem that may have caused you to turn to drugs.
- 4 Don't be discouraged, you can beat alcohol and drugs.
- 5 Talk to a good friend who you can trust and ask them to help you stay drug free.

ALCOHOL & DRUG SERVICES

24/7 Alcohol and Drug Support Line

Free Call 1800 198 024

Here For You

'Here For You' is a statewide confidential, non-judgemental, telephone service for anyone concerned about their own or another person's alcohol and other drug use and/or mental health issues.

Call Here For You on 1800 here4u **(1800 437 348)** from 7am to 10pm every day.

Wheatbelt Alcohol and Drug Services

Northam Phone – Free Call **1800 447 172**

Lifeline

131 114

Quairading Health Service

08 9645 2222

York Hospital

08 9641 0200

Appendix 2 – Drug Classes Cut Off Levels

The reason for Drug & Alcohol Testing at the Shire of Quairading is SAFETY.

Please remember that the Shire of Quairading does not wish to interfere with what employees do in their own time but is concerned about an employee's state when they present themselves to work and the impacts of any drug or alcohol use on the employee's safety and that of others in the workplace.

A positive test result will not apply to those whose confirmatory test results are below (or zero) against the Australian Standard cut off levels for drugs in oral fluid (saliva) as provided in the table below. An employee will only receive a positive result if they test on or above these cut off levels.

DRUG CLASS	AS/NZS 4760:1900 CUT OFF LEVELS FOR IMMUNOASSAY SCREENING IN ORAL FLUID SAMPLES
Cannabinoids	15ng/ml
Amphetamines and Methamphetamines	50ng/ml
Opiates	50ng/ml
Cocaine	50ng/ml
Oxycodone	40ng/ml