

# Drug, Alcohol and Substance Impairment Policy

*This document is a general guide and is not a substitute for professional legal advice. The contents of this document are correct at the time of writing. However, there may be subsequent changes made by the CAA Health & Safety Unit at any time with notice.*

## Purpose

The purpose of this policy is to:

- Show our responsibility and commitment to ensure a safe and healthy workplace for all staff.
- Ensure that the staff at **XYZ Ltd** (referred as the 'Company') can work in an environment free of alcohol and drug use or abuse.
- Outline the Company's expectations and requirements for creating and maintaining an alcohol and drug free work environment, and for dealing with substance abuse in the workplace.
- Provide an opportunity to staff members with a substance use problem to get well rather than provide grounds to terminate the employment.

## Scope

This policy applies at the workplace, to all staff members of **XYZ Ltd**. All individuals working at **XYZ Ltd** are expected to report fit for duty for scheduled work and be able to perform assigned duties safely and acceptably without any limitations due to the use or after-effects of alcohol, illicit drugs, non-prescription drugs, or prescribed medications or any other substance.

- Off the job and on the job involvement with alcohol or drugs can have adverse effects upon the workplace, the integrity of our work product, the safety of other staff, the well-being of our staff families, and the ability to accomplish the goal of an alcohol and drug free work environment. The Company therefore emphasises that it has zero tolerance for staff who arrive at work under the influence of alcohol or drugs, whose ability to work may be impaired in any way by the consumption of alcohol or drugs, or who consume alcohol or drugs on Company property.
- The Company strictly prohibits the use, making, sale, purchase, transfer, distribution, consumption, or possession of prohibited drugs or alcohol on company property. The Company reserves the right to conduct searches for drugs or alcohol, including, but not limited to, searches of lockers, filing cabinets, desks, packages, etc, which are on Company property or in a Company facility. Any drugs or alcohol found as a result of such a search will be confiscated and the occupant or user of the object searched will be subject to disciplinary action, up to and including termination of employment or engagement.
- The Company reserves the right to undertake random drug and alcohol testing for positions that are directly related to key safety roles. These roles include, but are not limited to, pilots, tandem parachute masters, parachute packers, riggers, vehicle drivers, ground crew and launch assistants.
- Selection of key role staff will include management and owners or directors of the company who are involved in key roles. Testing of owners or directors of the Company will be undertaken by a third party tester to maintain transparency for the Company.

## Responsibilities of Staff

It is the responsibility of all staff to identify concerns about any individual's immediate ability to perform their job, and take appropriate steps. Where necessary, they will advise a senior person who will take action such as stopping the staff member who is suspected of breaching this policy from performing his or her work, pending testing and a decision on the result including potential disciplinary action.

- If a staff member or other person arrives at the workplace, (on Company property) and there is reasonable cause to suspect that they are under the influence of alcohol or drugs, they will be stood down from the work environment. If there is any doubt about whether they are, or are not impaired, the Company will err on the side of caution in that stand down.
- Unexpected circumstances can arise when an off-duty staff member is requested to work. It is the staff member's responsibility to refuse the request and ask that the request be directed to another person if the member feels unfit due to the influence of alcohol or other drugs.
- Staff who have been prescribed medication are expected to ask their doctor if the medication will have any potential negative effect on job performance. They are required to report any potential risk, limitation or restriction for whatever reason that may require modification of duties or temporary reassignment, and provide appropriate medical verification on any restrictions in performance of their duties.
- If a staff member or contractor believes a person in a more senior position is in violation of this policy, they are encouraged to get a second opinion where possible. They are also expected to notify others such as their team leader, manager or someone in a role who can take appropriate action.
- In support of any person who may have developed or is developing addiction to a chemical substance, all employees and contractors are required to report any violation of this policy. Any staff member, co-worker, contractor or supervisor not doing so is enabling the dependence. Enabling behaviour leads to on-going health and safety concerns for an affected individual and those around him or her.

## Drug and Alcohol Testing Procedures

All testing will be performed by the use of a non-intrusive drug test (a urine test at times post incident maybe a blood test if urine is not possible) and an alcohol breath test which may be conducted by a registered medical professional.

- **Pre-employment**  
Any person who has applied to be employed or engaged in a key safety role will be tested prior to beginning that role.
- **Random testing**  
Selection of key role staff for random testing will be conducted in a clear, transparent manner and in accordance with "good faith". A random number generator will be used for selecting persons to be tested.
- **After accidents or incidents**  
Any staff employed or engaged in a key safety role who are involved in any accident or incident where serious harm did or may have resulted will, prior to continuing that role, be required to undergo an immediate test.
- **With reasonable cause during working hours**

Where there are reasonable grounds for suspecting that a staff member is impaired while at work, the staff member will be required to undergo a test. This must be a decision of at least one other person who is a senior person of the PCBU.

- Follow-up testing  
Further follow-up testing will occur for any staff member who had a confirmed positive test and was permitted to recommence work, to ensure repeat positive tests are eliminated.

## **Positive and Non-Negative Test Results Action**

Any test, performed by any person other than by a laboratory, which returns a positive result, will be known as a 'non-negative' result only. Non-negative means the initial test has indicated that there may be drugs or alcohol present in the sample.

On producing a non-negative result, a person may be withdrawn from the work place or have their duties altered. The effect of this is to take action so that a possible non-safe situation is managed. The staff member may provide an explanation for the result which will be taken into consideration.

An additional laboratory test by a third party tester, on the same sample, will then be performed to confirm the result as positive or not. The staff member has the right to undergo their own third party test if they want.

The laboratory result will be either negative or positive.

If negative, the person will be allowed to continue to perform their role.

If confirmed as positive, the staff member may be further withdrawn from the work place, have their duties altered, and/or proceeded against under the disciplinary procedure and may be subject to summary dismissal.

A staff member who has a confirmed positive test may, subject to agreement with the Company, be permitted to recommence work after having completed rehab and returned a negative test. Follow-up testing will be performed in this instance.

## **Refusal to Take or Submit a Drug and Alcohol Test**

If a staff member is selected and refuses to undertake a drug and alcohol test, he/she is required to provide an explanation for the refusal, which will be taken into consideration by the Company.

If grounds for refusal are not acceptable, that person may be subject to withdrawal from the workplace and to disciplinary procedures.

## **Disciplinary Procedure (EXAMPLE)**

The disciplinary procedure may follow a two-step progression:

1. For a positive test or refusal: a warning with an immediate 1 week withdrawal from work and/or consideration of, or direct termination.
2. For a repeat positive or repeat refusal: immediate withdrawal from work until a test is performed. Unless there are extremely extenuating circumstances, direct termination will result.

The Company reserves the right to immediately terminate employment or engagement if, for example, returning a positive test after having an accident.

## **Alcohol and Drug Training, Awareness and Rehabilitation**

The employer will ensure that all staff are provided with training and awareness regarding this drug and alcohol policy, upon their induction, including any subsequent amendments to the policy should amendments occur.

In the event of a positive test the Company will provide the affected staff member with an opportunity for rehabilitation that may include the provision of confidential support and or counseling.

## Privacy, Consent and Dissemination of information

A written consent will be obtained from the staff member prior to the test and will include the release of the results to the Company.

All drug and alcohol test results will be provided and available to the staff member upon completion of the test and the availability of the result.

All information gathered as a result of drug and alcohol testing is collected for the purpose of implementing the Company's policy and achieving its safety objectives.

The Company will hold the test results on the staff member's personnel record for 72 months.

Information may be disclosed only with the written consent of the staff member, the exception being disclosure to relevant safety regulators or authorities.

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