



Shire of Tammin

Drug & Alcohol Policy

RESPONSIBLE OFFICER

Manager of Finance & Corporate Services

OBJECTIVE

The Shire of Tammin and its works must take reasonable care not to endanger the safety of themselves or others (including members of the public) in the workplace.

Alcohol and other Drug usage becomes a work health and safety issue at the workplace if the usage could impair a workers ability to exercise judgement, coordination, motor control, concentration and/or alertness, or otherwise could create a safety risk.

SCOPE

This policy applies to all employees of the Shire of Tammin.

POLICY

Policy Statement:

The Individual's Responsibility - Under the *Work Health and Safety Act 2020 (WA)* (WHS Act), workers must take reasonable care of their own safety and health and not endanger the safety and health of others at the workplace.

The consumption of alcohol and/or Drugs (meaning illicit and/or unprescribed drugs) while at work is prohibited, except in relation to any authorised and responsible use of alcohol at workplace social functions. It is explicitly forbidden for any individual to drive Council vehicles or operate any machinery following consumption of alcohol, regardless if authorised and responsible use of alcohol occurs.

Reporting Requirements:

Workers must report to the Local Government any situation where they genuinely believe that a fellow worker may be affected by alcohol and/or other Drugs in the workplace.

Workers must also report any situation they observe in the workplace where a fellow worker appears to be impaired in their ability to exercise judgment, coordination, motor control, concentration and/or alertness, or otherwise appears to be impaired so as to create a potential safety risk. This reporting requirement applies regardless of whether the worker knows or suspects that the impairment has occurred because of alcohol or Drug use, or as a result of Medication, or for another reason. Ensuring safety in the workplace is the primary consideration.



Shire of Tammin

Drug use and Medication use on the premises:

Drugs (Illicit and Unprescribed)

Workers who buy, take, or sell Drugs on Local Government premises may be found to have engaged in serious misconduct. Such behaviour may result in disciplinary action up to and including dismissal.

Prescribed and Over-the-Counter Medication

Workers who:

- a) Have been prescribed Medication by a medication practitioner: and/pr
- b) Take over-the-counter Medication

which could interfere with their ability to safely and lawfully carry out their role, including by producing impairment, must immediately inform their line manager or Human Resources and disclose any effects or side effects that such Medications cause or may cause.

If a worker has made a previous disclosure of Medication use, but begins to take an additional or different Medication, or a changed dosage of previously disclosed Medication, the worker must update their previous disclosure in light of the changed circumstances.

Medicinal Cannabis

In addition to these requirements (above), any worker who has been prescribed Medicinal Cannabis must immediately inform their line manager or Human Resources, and provide any further information that is requested, such as the composition of the Medicinal Cannabis, its dosage, effects and potential side-effects (including actual or potential impairments), and the intended duration and times of use.

Consumption of Alcohol on the premises

Except in situations where the Local Government holds a function on the premises and alcohol is provided, workers must not consume alcohol in the workplace.

Workers who are directed by the Shire to attend events/functions as paid workers, where alcohol is being served, must not consume alcohol unless written permission has been granted by the CEO prior to attending.

Workers who attend events in their own time but while wearing a Shire uniform or badge must be aware of the perception that they are representing the Shire and ensure their behaviour is consistent with standards expected in the Shire's Code of Conduct.



Shire of Tammin

Drug and Alcohol Treatment Programs

Where a worker acknowledges that they have an alcohol and/or Drug problem and are receiving help and treatment, the Local Government will provide assistance to the worker.

The Local Government:

- will allow a worker to access any accrued personal or annual leave so that they may undergo treatment, and
- will allow a worker who has exhausted any accrued personal leave or annual leave access to leave without pay so that they may undergo treatment, and
- will provide access to Employee Assistance Program, and
- will take steps to return a worker to their employment position after completion of the treatment program, if practicable in the circumstances.

Where a worker acknowledges that they have an alcohol and/or Drug problem and are receiving help and treatment, the line manager or members of senior management, will review the full circumstances and recommend on a course of action to be taken. This may include redeployment to suitable alternative employment, unpaid leave or possible termination from employment if the worker is unable to safely carry out the inherent requirements of their role.

Managers responsibilities – consumption of alcohol at work sponsored functions

Managers are required to:

- Encourage workers to make alternative arrangements for transport to and from work prior to the function.
- Ensure that the following is made available: water, soft drinks, low alcohol drink options, tea/coffee and food.
- Assist the worker with safe transport home, including contacting a family member or arranging a taxi if the manager believes the person may be over the BAC 0.05 limit.
- Appoint a delegate to oversee the remainder of the function if the manager must leave early.



Shire of Tammin

Alcohol and Other Drug Screening/Testing

The Local Government will perform alcohol and other Drug screenings throughout the year as required. Such Drug screening may include screening for substances that may be components of Medications.

Testing will be administered by a suitably qualified person appointed by the Local Government and be conducted in accordance with the relevant Australian Standards:

- AS 3547-1997: Breath alcohol testing devices for personal use
- AS 4760-2006: Procedures for specimen collection and the detection and quantitation of drugs in oral fluid
- AS/NZ 4308: Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine.

The circumstances in which Local Government may perform alcohol and other Drug testing, including for substances that may be components of Medication, are as follows:

Pre-employment Screenings: As part of the recruitment selection criteria, preferred candidates for employment positions may be required to attend a medical assessment which includes drug and alcohol testing.

Random Testing: Will be performed periodically throughout the year by a suitably qualified person or contractor appointed by the Local Government. Random testing will be performed on any worker, or select group of workers, on a random day.

Upon Reasonable Belief: Screening may be conducted if a person covered under this policy shows signs of being affected or impaired by alcohol and/or Drugs, or impaired by Medication. When a worker is suspected of being affected or impaired at work, primary consideration must be given to the safety of the individual and of others.

Testing After a Workplace Health and Safety Incident: If a person covered under this policy is involved in a workplace incident, they shall be required to submit to alcohol and other Drug screening immediately following the incident.



Shire of Tammin

Identification of Impairment and Testing

If the Local Government has reasonable grounds to believe that a worker is affected by Drugs and/or alcohol, or impaired by Medication, it will take steps to address the issue.

Reasonable grounds may include, but are not limited to, where a worker's coordination appears affected, has red or bloodshot eyes or dilated pupils, smells of alcohol, acts contrary to their normal behaviour, or otherwise appears to be affected by Drugs and/or alcohol, or impaired by Medication.

If the Local Government suspects that a worker is under the influence of Drugs and/or alcohol, or impaired by Medication, it may pursue any or all of the following actions:

- Direct a worker to attend a medical practitioner and submit to a medical assessment to determine whether the worker is fit to safely perform their duties;
- Require that a worker undergo Drug and alcohol testing administered by a suitably qualified person or contractor appointed by the Local Government;
- Direct a worker to go home (worker may access paid leave), until such time they are fit to attend work.

In circumstances where the consumption of Medication is, in the option of the Local Government impacting a workers:

- Ability to perform their tasks safely, effectively and/or efficiently;
- Fulfilment of the required workplace health and safety standards applicable to workers at law and/or under applicable policies;
- Judgement, coordination, motor control, concentration and/or alertness

the Local Government may request further information from the medical practitioner conducting the assessment about the effects and proper usage of the prescription of pharmacy drugs being taken.

Directions relating to Medical Assessment

The Local Government may direct the worker to go home prior to or following the medical assessment until it can be established that they are fit to undertake their duties.

If a worker refuses to attend a medical assessment or refuses to submit to an alcohol or other drug test (including for any substance that may be contained within Medication), the refusal shall be treated as a non-negative result and the worker will be immediately directed to go home.

Refusal to attend a medical assessment or refusal to go home constitutes a breach of this policy and may result in disciplinary action being taken against the worker, up to and including the termination of employment.



Shire of Tammin

The following steps are to be taken where a worker who has submitted to a medical assessment returns a non-negative test result for alcohol and/or drugs (including for a substance which may be contained within Medication):

- the worker who has been tested and the supervisor (or respective employer) will be informed of the result
- the worker will be directed to attend confirmation screening at a certified laboratory
- In the event the non-negative test is confirmed to be positive for alcohol or other Drugs by a certified laboratory:
- the worker who has been tested and the supervisor (or respective employer) will be informed of the result
- in the case of alcohol and/or Drugs, a disciplinary discussion and any disciplinary consequences will take place in accordance with the disciplinary policies and procedures of the Local Government
- In the case of a non-negative test confirmed to be positive for a substance that may be contained within Medication:
- Any further medical assessment may be directed to determine whether the positive result is the result of Medication, the effects and side-effects of the Medication (including whether it produces any impairment or other safety-related issue), and any other relevant matter;
- The consequences of a positive test result for a substance contained within Medication will be determined in accordance with all applicable legislation, including the *Work Health and Safety Act 2020 (WA)*;
- any disciplinary discussion and/or disciplinary consequences will take place in accordance with the disciplinary policies and procedures of the Local Government.

Education, Training, and Awareness

- Workers who recognise that they have a Drug and/or alcohol problem, or that they are at risk of developing one, are encouraged to come forward so that they can be assisted to get the appropriate help.
- The Local Government engages the services of an external Employee Assistance Provider who can provide the Local Government's workers with free and confidential counselling.

Consequences of Breaching this Policy

A worker engaged by the Local Government who breaches the provisions of this policy may face disciplinary action including possible termination of employment.

A worker who is under the influence of, or impaired by, alcohol and/or other Drugs at the workplace or who breaches any provision of this policy, may face disciplinary action, including termination of employment.

A worker who is impaired by Medication at the workplace or who breaches any provision of this policy, may face disciplinary action, including termination of employment.



Shire of Tammin

Any disciplinary action will be determined in accordance with the Local Government’s applicable policies and all application legislation, including the WHS Act.

DEFINITIONS

AOD: Alcohol and other Drugs.

Drugs: Any illicit or unprescribed drugs including (but not limited to) amphetamines, benzodiazepines, cocaine, methamphetamines, opiates, and cannabinoids including THC (Tetrahydrocannabinol).

Medication: Medication prescribed by a health practitioner registered under the Health Practitioner Regulation National Law (HPRNL), such as a General Practitioner, and including Medicinal Cannabis and over-the-counter pharmacy medication.

Medicinal Cannabis: means cannabis usage (including all cannabinoids) that occurs solely at the direction of a medical practitioner who has prescribed a form of medical cannabinoid to treat a diagnosed medical condition, including by alleviating its symptoms. The prescribing medical practitioner must be registered under the HPRNL (e.g. a General Practitioner or medical specialist).

Non-Negative: Where initial AOD screening indicates that a sample has show signs of containing alcohol or other drugs.

Worker: Any worker, contractor, volunteer or elected member.

Pathwest: A laboratory that is certified to process AOD samples.

Premises: Admin Office, Depot, Waste Facility and any other location that the employer directs the worker to attend.

RELEVANT LEGISLATION/ LOCAL LAW

Work Health and Safety Act 2020 (WA) (WHS Act)

Office Use Only				
Relevant Delegations				
Council Adoption	Date		Resolution #	
Reviewed/Modified				
Reviewed/Modified				