



City Policy

Drug and Alcohol Policy

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Policy Statement

1. The City of Albany is committed to providing the safest possible workplace and caring for the well being of its people. As part of these efforts to achieve the highest standards of safety and health, all employees are encouraged and expected to be free of alcohol or other drugs in excess of specified standards whilst at work. If employees are unable to remain free of alcohol or other drugs in excess of specified standards as outlined in the policy whilst at work, they cannot remain employees of the City of Albany.

Objective

2. This program has been designed to enable the organisation and its staff to comply with the requirements of the *Occupational Safety and Health Act 1984* in respect to drugs and alcohol in the workplace. The aim is to ensure the highest possible standards of safety and health are maintained at the City and that our people are provided with an appropriate level of protection in the workplace.
3. People affected by alcohol and/or drugs can be a safety hazard to themselves and all other persons in the workplace. Research endorsed by the International Labour Organisation (ILO) shows a strong correlation between drugs, alcohol, violence and stress, all of which undermine a business's ability to function safely and efficiently. Twenty to twenty-five per cent of accidents in the workplace involve intoxicated people injuring themselves and innocent victims.
4. The underlying principles of the City of Albany's Drug and Alcohol Policy are fairness and transparency. This includes introducing workplace alcohol and other drug testing procedures along with employee education, supervisor training, disciplinary action, and the provision of appropriate counselling and assistance where necessary.
5. The policy provides a consistent and practical approach in managing the risks of impairment which may be caused by alcohol and drug levels in excess of specified standards whilst at work.
6. This policy has been developed in consultation with employees, relevant unions and the City's management representatives. Its purpose is to:
 - (a) Provide a safe workplace that promotes and protects the well-being of all personnel working within the City of Albany;
 - (b) Promote a workplace culture that includes a responsible attitude towards alcohol consumption;
 - (c) Educate and provide information to all its employees about the effects of alcohol and other drug consumption, especially in the work environment, and their potential impact on employees regarding safety performance;
 - (d) Introduce clear and appropriate guidelines, processes and procedures that are supported by all employees and relevant unions;
 - (e) Ensure that all methods of drug and alcohol testing, and the protocols employed, conform to the Australian Standards;
 - (f) Assist employees who may experience a problem with alcohol or other drug dependency to seek assistance and counselling;
 - (g) Encourage employees to self-identify if they believe they have a problem with alcohol or other drug dependency;
 - (h) Ensure the provision of employee assistance where drugs or alcohol are identified as a problem;
 - (i) Maintain sensitivity to the privacy of employees (e.g. testing, medical conditions, results) and to not compromise good working relationships within the workplace;
 - (j) Describe the disciplinary action that will be taken when breaches of this policy occur; and
 - (k) Enable a continued responsible approach to social interaction and entertainment within the workplace (e.g. consumption of alcohol at functions).

Scope

7. The City of Albany's commitment in relation to this policy involves the development and implementation of a Drug and Alcohol Program, based on the following elements:
 - Awareness training and education;
 - An effective policy that is implemented in a fair and reasonable manner;
 - Professionally conducted sampling and testing procedures that provide the highest level of accuracy and respects the rights of the individual;
 - An employee assistance program to provide employees with support where needed;
 - A tiered approach towards taking disciplinary action; and
 - Detailed procedures to maintain confidentiality of records.
8. All existing employees will be made aware of this policy. A copy of the policy will be provided to all City employees and all existing contractors. All new employees, contractors and visitors will be informed of this policy during inductions.
9. This policy covers all employees, including staff, managers, the CEO, Executive Directors, labour-hire personnel and those contractors and visitors who enter the premises for the purpose of providing on-site services within the City of Albany.
10. Compliance with the policy by all personnel is a requirement of employment or engagement and a condition of entry to the Workplace.
11. The use of alcohol and other drugs may impair an individual's ability to function normally and can present a significant safety hazard in the workplace. Where there is a suspicion that a person's capacity may be impaired by alcohol and other drugs, the employer should err on the side of caution and require the person to undertake testing to ensure that the person is not in a position of personal risk and that the person does not present a risk to the safety and health of others.
12. If a principal engages a contractor to carry out work, the principal is considered, in relation to matters over which he has control, to be responsible for the contractor and any person employed or engaged by the contractor to carry out or to assist in carrying out the work. The principal's duties are in addition to the contractor's duties as an employer.
13. Employees also have a general duty in relation to safety at the workplace as outlined in Section 20 of the Act. Employees have an obligation to take reasonable care to ensure their own safety and health at work. Employees should ensure their activities away from work do not impact on their ability to perform their duties safely when at their workplace. An employee should educate him/herself about the effect of alcohol and other drugs on their ability to work safely.
14. A person affected by alcohol and other drugs presents a danger to co-workers and other persons at the workplace. All persons should therefore:
 - present and remain fit for work during the period spent at the workplace;
 - avoid adversely affecting the safety and health of other persons at the workplace;
 - report to their employer any situation that they have reason to believe could constitute a hazard and he/she cannot reasonably correct themselves; and
 - report to their employer any injury or harm to health of which he/she is aware that arises in the course of, or in connection with, his/her work.

Impairment Factors In The Workplace

15. Impairment is an inability to safely undertake tasks at your normal level of concentration and performance. Anyone who is impaired, no matter what the cause, should not be involved in any task in the workplace.
16. It is important to recognise that impairment can be associated with a range of factors including, but not limited to the following:
 - (a) Fatigue;
 - (b) Alcohol abuse;
 - (c) Drug use;
 - (d) Psychological (stress and anxiety, etc.);
 - (e) Physical (injury or functional fitness, etc.); and
 - (f) Workplace environmental factors (heat, dust, noise, chemicals, etc.).
17. Whilst such symptoms may suggest possible alcohol or other drug affects, many of these indicators may also be present as a result of fatigue, stress or health issues. The aim is to try to eliminate and manage all of these impairment risks to ensure that employees are provided with the safest possible working environment. This policy aims to manage human impairment caused by alcohol abuse and drug use and to minimise the hazards they pose to our people. This will be achieved by introduction of testing designed to assess whether a person's alcohol or drug levels are in excess of specified standards.

ALCOHOL

Effects of Alcohol

18. Alcohol is a depressant rather than a stimulant, affecting mainly the brain and the nervous system, although other parts of the body are involved. With alcohol intake, pulse rate, blood pressure and depth of breathing may increase, resulting in increased blood flow to the skin, which promotes the feeling of warmth and stimulation.
19. When alcohol is consumed it is rapidly absorbed from the stomach and the upper part of the digestive system into the blood stream from which it is conveyed to every part of the body. The rate of absorption depends upon the following:
 - (a) Presence of food in the stomach. The presence of food slows the absorption rate of alcohol. If alcohol is drunk on an empty stomach it will be totally absorbed within five minutes, but if drunk after a heavy meal it might take up to three hours to be completely absorbed.
 - (b) Type of alcoholic drink. The strength of the alcoholic drink can affect the rate of absorption. The more the alcohol is diluted in the drink, the more slowly it is absorbed. Stronger drinks, or those containing carbonated liquids, are absorbed more quickly.
 - (c) Rate of intake of alcohol. The blood alcohol level is determined not only by the amount of alcohol drunk, but also by the rate at which it is consumed. If alcohol is absorbed at a rate greater than about 10 grams per hour (0.01 per cent per hour) then the blood alcohol level (BAC) rises. It continues to rise in proportion to the amount of alcohol taken in excess of this rate. The belief that black coffee, cold showers or physical exercise will help sober a person is a myth, because they will not make the liver work faster.

20. Only about 10 per cent of alcohol is eliminated unchanged from the body in urine, saliva, sweat, and expired air. This leaves about 90 per cent of the alcohol ingested to be metabolised, mainly in the liver. The blood alcohol level (BAC) starts to rise with the first drink, and continues to rise for thirty to forty minutes after the last drink. It takes this time for all the alcohol to be fully absorbed into the bloodstream. The most obvious immediate effect of alcohol is alteration of behaviour and this varies with change in the BAC. A rising BAC increases not only the incidence of accidents, but also their severity. Fifty per cent of pedestrian deaths and forty per cent of road traffic fatalities are related to excess alcohol.

Alcohol Management

21. The City of Albany recognises that the consumption of alcohol is a legal and socially acceptable custom in Australia. When used in moderation it is less likely to present problems. The misuse of alcohol, however, can have serious professional, safety, health, fitness and social implications. The City of Albany's policy is therefore to encourage its employees to maintain a responsible attitude towards the consumption of alcohol.
22. The City of Albany also recognises that alcohol abuse and dependency are treatable conditions that, with the cooperation of the individual and support from the employer, rehabilitation of affected personnel can be achieved. However, in the interest of maintaining safety in the workplace, the City of Albany will not retain employees who misuse alcohol, refuse treatment for alcohol dependency, or who fail to complete an alcohol counselling or rehabilitation program when a referral to do so is made.

Alcohol Policy

23. City employees are expected to comply with the City of Albany's Code of Conduct at all times.
24. They should carry out their duties in a professional, responsible and conscientious manner and refrain from any conduct (including alcohol abuse or substance misuse) which could adversely affect their personal work performance or the safety and well-being of others.
25. A person must not report for work or remain at work with a BAC in excess of 0.02% (Note: persons who work with machinery and/or undertake any other high-risk activity in the course of their work are advised that it is a violation of this policy to operate machinery or undertake any high-risk activity within eight hours of drinking alcohol).
26. Where a person is suspected of having a BAC in excess of the specified standard above or to be in contravention of this policy, the person's supervisor is to stop work activity and arrange for a second opinion to be made by another supervisor or manager. If the second opinion supports the first, the person is to be tested on site for the presence of alcohol (breath test) and drugs (saliva test).
27. The sale, supply, manufacture or consumption of alcoholic beverages by any person in any City of Albany Workplace is prohibited except where specifically authorised (see "Exceptions").
28. No person shall work in the Workplace or carry out any other employment-related tasks whilst having a BAC in excess of the specified standard above (or work with machinery and/or undertake any other high-risk activity in the course of their work within eight hours of drinking alcohol).
29. The level of 0.02% BAC has been set as the limit rather than zero because of the possibility of persons using medication containing small traces of alcohol. These medications (if used correctly) may result in a person's BAC being marginally in excess of 0.00% and less than 0.02% and should be recognised as exceptional occurrences.

30. A person who is in any way concerned about his or her degree of alcohol and drug use must consult with their manager before starting work. In particular, any person who suspects that his or her BAC could be more than 0.02% shall request to undertake a test on one of the City of Albany's breath testing instruments before starting work.

Exceptions

31. The controlled consumption of alcoholic beverages on site may be approved by the City of Albany's Chief Executive Officer for specific business occasions or employee functions.
32. Persons who request to be tested and record a BAC in excess of 0.02% will not be subjected to counselling or disciplinary action for a first offence.

DRUGS

Drugs Policy

33. The consumption, use, possession, sale, supply, manufacture or cultivation of any of the following substances by any person in the Workplace is prohibited:
- any illegal drug;
 - any prescription drug which is a benzodiazepine, amphetamine, barbiturate or methadone; or
 - any other prescription drug of a kind or quantity for which no prescription has been issued to the person.
34. No person shall work in the Workplace or carry out any other tasks with detectable levels of the following in their system at levels in excess of prescribed standards:
- any illegal drug;
 - any prescription drug which is a benzodiazepine, amphetamine, barbiturate or methadone;
 - any other prescription drug of a kind or quantity for which no prescription has been issued to the person;
 - any prescription drug the consumed level of which exceeds the level which the person has been prescribed to take; or
 - any prescription drug or other drug, which, in view of the nature of the drug and/or the quantity consumed, might reasonably be expected to have the potential of impairing the person's safe and efficient performance of his or her duties.
35. Without limiting the prohibitions set out above, any employee who has consumed any prescription drug or other drug (including, but not limited to, analgesics containing codeine, anti-depressants, sedatives, anti-histamines) which might reasonably be expected to have the potential to impair the employee's safe and efficient performance of his or her duties should seek medical advice about the potential effects of the drug.
36. If medical advice confirms that there is a potential to impair the employees safe and efficient performance of his/her duties, then the person should not commence work. If an employee is not able to commence work then they can take personal leave or unpaid leave as negotiated with their manager.
37. All employees are expected to consult their prescribing doctor in relation to any prescription drugs. If in any doubt, employees should inform their supervisor of the circumstances before starting work.

38. Each employee must immediately report to their manager any side effects experienced by them in connection with the use of prescription drugs or other drugs, where those side effects may adversely affect their ability to perform their duties safely and efficiently (including, but not limited to, dizziness, drowsiness, fatigue, impaired vision, impaired hearing, increased or decreased temperature, sweating, chills or unsteadiness). The employee must comply with any reasonable directions given to him or her by their supervisor/Manager.
39. Involvement in the use of illegal drugs may be determined by saliva testing procedures that apply to the City of Albany's Workplace.
40. The categories of drugs and substances prohibited by the City of Albany are listed below as per the Australian Standard AS 4308 for drugs of abuse.

Sympathomimetic amines (Amphetamine type substances)

Includes but is not limited to Amphetamines, benzylpiperazine, ephedrine methylamphetamine, pseudoephedrine, phentermine, methylenedioxyamphetamine (MDA), and methylenedioxymethylamphetamine (MDMA).

Benzodiazepines

Includes but is not limited to Alprazolam, oxazepam, temazepam, flunitrazepam, diazepam, nitrazepam, clonazepam (and/or their metabolites).

Cannabis Metabolites

Includes but is not limited to 11-nor-delta-9-tetrahydrocannabinol-9-carboxylic acid.

Cocaine Metabolites

Includes but is not limited to Benzoyl ecgonine and ecgonine methyl ester.

Opiates

Includes but is not limited to 6-acetylmorphine, codeine, morphine.

Prescribed Or Over-The-Counter Medication

41. The City of Albany does not intend to test for prescribed medication; however a person has an obligation under the OHS legislation to inform their employer if they may be impaired by medication. There are some medications (whether over the counter or prescribed) that have side effects, which may cause impairment in an individual. Often the information on the label indicates whether the medication can cause impairment or fatigue.
42. Everyone in the Workplace should be alert to the fact that some medications prescribed by doctors or available over-the-counter may affect the ability to work safely. Any person who has a prescription drug prescribed to them by a medical practitioner will not be in contravention of this policy as a result of taking that drug in accordance with the prescription, provided that:
 - If the prescription drug is a benzodiazepine, amphetamine, barbiturate or methadone, the person must not work whilst using or affected by such drug until he or she is certified by a qualified medical practitioner as being fit to perform his or her normal duties;
 - The consumed level of the prescription drug does not exceed the level which the person has been prescribed to take; and
 - The person has obtained medical advice to confirm that the nature of the prescription drug and/or the quantity consumed does not have the potential of impairing the person's safe and efficient performance of his or her duties: and

43. All persons must seek advice about their ability to work safely from their doctor for prescribed drugs, or their pharmacist for over the counter drugs. In seeking this advice they should outline the duties of their job to their doctor or pharmacist and specifically ask whether their safe performance will be affected by taking the medication.
44. A person does not have to disclose the type of medication that has been prescribed by their doctor or over the counter. The person needs to follow the instructions and if the medication affects their ability to perform a task they must advise their supervisor or manager.
45. All persons taking prescribed or over-the-counter medication must not commence duties if their doctor or pharmacist indicates that it would not be safe to do so.
46. Depending on individual circumstances and where operationally possible, persons who are unable to perform normal duties due to medication should be taken off normal duties and found suitable alternative duties or access accrued leave.
47. All persons must immediately report to their manager or supervisor any side effects experienced in connection with the use of prescription drugs or other drugs, where those side effects may adversely affect the employee's ability to perform his/her duties safely and efficiently (including, but not limited to, dizziness, drowsiness, fatigue, impaired vision, impaired hearing, increased or decreased temperature, sweating, chills or unsteadiness). In the interest of safety, the person is to then comply with any reasonable directions given to him or her by the manager or supervisor.

POLICY VARIATIONS

48. The City of Albany may introduce variations or amendments to this Policy at any time. A formal Addendum will be forwarded to all employees, labour hire staff, union representatives and contractors.

RESPONSIBILITIES

49. The City of Albany considers that the use of alcohol or other drugs is primarily a health issue for individual persons, however, where a person's performance or conduct affects his/her health and safety, and/or others in the Workplace, the City is committed to appropriately managing the issue.
50. Management strategies include:
 - Providing appropriate education and training to employees;
 - Providing professional counselling support where appropriate; and
 - Implementing pre-determined disciplinary procedures if necessary.

City of Albany Managers' and Supervisors' responsibilities

51. Supervisory personnel have a responsibility for the welfare, health and safety of their team and should therefore take prompt and appropriate action whenever they have reasonable cause to suspect, or have received a report, that an individual may be affected by drugs or alcohol.
52. The City of Albany manager's and supervisor's responsibilities include:
 - Following the City's established OH&S policies and procedures at all times;
 - Conducting all risk assessments in consultation with relevant persons;
 - Implementing, monitoring and reviewing this policy in consultation with workplace delegate/representatives and the workplace OHS Committees;
 - Providing information about counselling, treatment and rehabilitation services; and
 - Maintaining strict confidentiality in relation to any employee self identifying or being referred to rehabilitation and counselling.

53. Managers and supervisors are to liaise as necessary with the Human Resources Manager or Occupational Health and Safety Officer for advice on the application of this policy. The City will ensure that all managers and supervisors are provided with an appropriate level of education and training in relation to alcohol and other drugs in the workplace. Such training will include how to effectively communicate the established disciplinary measures that can be taken in the event that a person fails to adhere to the policy.

Employees'/Contractor's responsibilities

54. City employees/contractors have a responsibility to carry out their duties safely and to refrain from any conduct, including alcohol or other substance abuse or misuse, which would adversely affect their performance and/or put at risk their health and safety or the health and safety of others in the Workplace.
55. The City of Albany employees'/contractor's responsibilities include:
- Not to consume alcohol on City of Albany premises unless sanctioned by the Chief Executive Officer;
 - Not to use, possess, sell or distribute illegal drugs in the workplace;
 - Not to commence work if they are not fit for work, or impaired by the influence of alcohol or other drugs to such an extent that may affect their ability to safely perform their duties;
 - In the case of prescription or pharmaceutical drugs, to discuss with their doctor or pharmacist whether their medication will impair them and adversely affect their ability to undertake their duties safely.
 - To take reasonable care for the health and safety of their co-workers in the workplace;
 - To co-operate with the City of Albany to enable compliance with occupational health and safety legislation;
 - To report all suspected alcohol and other drug impairment and/or use of alcohol or drugs in the workplace to their manager or supervisor;
 - Not to give any personal prescription medication to others; and
 - To discuss with their manager, supervisor or occupational health and safety representative if they are concerned about working with other persons because of a perceived safety risk due to suspected alcohol or other drug use or abuse.

EDUCATION TRAINING AND AWARENESS

The Awareness Program

56. It is essential that all persons in the Workplace are aware of the potential impact that fatigue, alcohol and other drugs may have on a person's ability to work safely and the effect on the safety of others within the workplace. Implementation of the City of Albany's drug and alcohol awareness programme will therefore commence with a drug and alcohol awareness programme which will be developed and delivered in conjunction with appropriately skilled and experienced consultants in this field.
57. The programme will be delivered to all employees of the City of Albany and supporting information will be provided for their ongoing reference. Each employee will also be provided with access to his/her personal copy of the City's alcohol and drug policy document for future reference.
58. The City of Albany will inform all employees and contractors of its specific policies and procedures in relation to fatigue management, alcohol and other drugs. This will include the policy regarding the possession or consumption of alcohol and other drugs on the City's premises.

59. On completion of the three month awareness programme, random breath and saliva testing will be introduced for City of Albany employees with a three month amnesty period in force.
60. During this period, any positive results for City of Albany employees will be communicated direct to the employee and his/her immediate supervisor, but will not be formally reported or recorded. Self-testing will also be available during this period.
61. Contractors will be required to comply with this policy on its introduction (with no amnesty).

Education and training

62. The City of Albany will provide written educational material for City of Albany employees in relation to the use and misuse of alcohol and drugs. Counselling, assistance and rehabilitation programs will be identified and promoted by the City of Albany during education sessions and induction programmes for its employees.
63. The City of Albany will provide practical guidelines and training to managers, supervisors, union delegates and elected safety representatives for dealing with employees who may be affected by alcohol or other drugs. This will include the process for applying disciplinary procedures and the need for maintaining strict confidentiality.
64. Information on the City of Albany Drug and Alcohol Policy and procedures will be made available to all new employees/contractors at their induction, in on-going training programmes and in communication with staff through information bulletins.
65. The City of Albany will provide information and training as appropriate to its employees, including managers, supervisors, union delegates and elected safety and health representatives, regarding the Alcohol and Drug Policy and procedures. This will include:
 - The effects of the misuse of alcohol and other drugs on health, safety and performance in the workplace;
 - The testing procedures outlined in this procedure;
 - Assistance for supervisors and managers to deal appropriately with persons who may be affected by the use of alcohol or other drugs or identified as having detectable levels of drugs or alcohol in their system;
 - Means of assisting people who develop problems associated with alcohol and other drugs;
 - Information enabling people with alcohol and other drug problems to seek appropriate solutions and treatment;
 - How an employee who has a drug or alcohol problem can self-disclose and receive assistance in dealing with his/her problem; and
 - The consequences for persons who fail to comply with the City of Albany's Alcohol and Drug Policy and procedures.
66. Training for managers, supervisors, OHS representatives and workplace OH&S committee members and other designated people will also include:
 - Their role and responsibility for implementing the City of Albany's Alcohol and Drug Policy and procedures;
 - How to identify and approach persons who are affected by alcohol or other drugs in the workplace;
 - Dealing with the long-term user and those intoxicated in one-off situations;
 - How to sensitively refer a person to specialist counselling and treatment and to avoid taking on the counselling role themselves;
 - Observation of people suspected of being affected by the use of a substance;
 - Types and accuracy of tests; and
 - Role and responsibility in relation to privacy and confidentiality.

ALCOHOL / ILLICIT DRUGS TESTING IN THE WORKPLACE

Testing agency

67. The City of Albany has engaged an independent workplace drug testing company (the "testing agency") to assist it in carrying out a continuing program of drug & alcohol testing.
68. Urine, Saliva or breath sampling may be carried out by the testing agency.
69. Each person must comply with any request to undertake testing made by a representative of the testing agency.
70. The procedures for taking of a urine sample from a person and the subsequent testing of that sample by the testing agency, are those procedures described at Annexure C. Any complaint or objection by a person in relation to the procedural steps taken by a testing agency should be put in writing to their supervisor or manager before the end of the working day or shift on which the test was conducted. The complaint or objection will be immediately referred to the City of Albany's CEO or his representative or to a contractor representative (as the case may be), who will consult with the testing agency and respond in writing to the person within seven days or, if the test was positive, at the time of the review meeting.

Methods of testing

71. The following testing methods will be employed by the City of Albany to test for the presence of:

Alcohol:

Breath testing

72. Any authorised representative of the City of Albany or the testing agency may at any time require a person to provide a sample of his or her breath for analysis of the person's BAC. The breath sample will be collected and recorded by means of a breath-testing instrument approved by the City of Albany and the testing agency. Calibration of the equipment shall be in accordance with the manufacturer's recommendations as per AS: 3547-1997. The procedures which will be followed by an authorised City of Albany officer or the testing agency in carrying out a breath alcohol test are outlined at Annexure B to this policy.

Illicit drugs or substances:

Saliva testing

73. The method of screening for non-alcoholic substances in the workplace will be saliva testing. Saliva testing is a convenient and accurate method for initial screening for drug use. It is more suitable for on-site testing as it is not invasive, easy to supervise, and samples cannot be adulterated or substituted. Saliva testing has a relatively short window of detection and will only detect drugs that are within a person's system at the time of testing due to recent drug use. Testing will be conducted to current Australian Standards or relevant legislation in accordance with the guidelines provided by the supplier/manufacturer of the testing equipment. If the result of a saliva test is confirmed as negative, the person will be fit to return to work as per normal.

Urine testing

Urine testing will be conducted by the testing agency following any positive result from an on-site saliva test. The procedures for drug testing by the taking of a urine sample from a person which will be followed by the testing agency are outlined at Annexure C to this policy. Any person selected for such a drug test may nominate another person to attend and witness the procedure. Provided that the witness undertakes to comply, and does comply, with all directions given by the representative of the testing agency, the City of Albany will allow any such witness to attend.

Pre-employment drug testing

74. All individuals who apply to work for the City of Albany may be required to provide a urine sample for testing as part of their pre-employment medical. Individuals who do not undertake the test or who do not satisfy the requirements of the test will not be offered employment.

TESTING IN THE WORKPLACE

Formal testing

“For cause” drug and alcohol testing

75. A person may be requested to provide a breath sample (for alcohol), or a saliva sample (for other drugs), to an authorised representative of the testing agency where the person:
- Arouses reasonable suspicion or cause that he/she may be affected by alcohol or other drugs;
 - Commits any act of neglect or carelessness or breach of safety requirements;
 - Displays any significant decline in work performance or work attendance or any other irrational behaviour; or
 - Has contravened the City of Albany’s Drug and Alcohol Policy in terms of alcohol or other drug use.

Post accident / serious incident drug and alcohol testing

76. If a person has been directly involved in an accident or serious incident, where his/her negligence may have contributed to the event, he/she may be requested to provide a urine or breath sample to a representative of a testing agency. Such samples should be taken at an appropriate time, but as soon as practicable after the event. In any case, samples are to be provided no more than three hours after the event. A 'serious incident' is defined as any incident involving people, property, the environment, security, “near miss”, or business occurrence which results in a lost time injury.

Random drug and alcohol testing

77. As a society we accept that driving a vehicle whilst affected by drugs and/or alcohol is unacceptable. Random alcohol breathalysing and testing for other forms of drug impairment is widely regarded throughout our society as an effective mechanism of policing and protecting road users. Similarly, working while affected by drugs and/or alcohol creates unacceptable safety risks within the Workplace. Prevention is better than cure. The City of Albany, like most other employers in Australia, has therefore adopted a policy that includes random drug and alcohol testing.
78. A person, or any group of people, may at any time and without notice be requested to provide a saliva or breath sample to an authorised representative of the City of Albany for the purpose of drug or alcohol testing. Screening may include either or both alcohol and other drug testing.

79. Random testing will be performed on the basis that the sites/dates for testing will be selected at random by the City of Albany (without prior advice to the site). All personnel and each work area will be subject to random drug and alcohol testing, including management and office workers.
80. The City of Albany will aim to have randomly tested all persons for drug and alcohol within the first six months of this policy coming into force. Thereafter, it is intended that each person will be subjected to at least one test for drug and/or alcohol per year.
81. Persons who return a negative result from random tests will be free to work as per normal.

Post rehabilitation drug / alcohol testing

82. Persons returning to work after an alcohol or other drug rehabilitation program.

Alcohol Testing

83. A person may request to be tested by an authorised officer before commencing work or recommencing work following a luncheon or function. The provision of a breathalyser test unit will be made available by the City of Albany supervisor or manager to all persons for the purpose of testing at the place of work, prior to the commencement of work. The testing facilities will be provided in a discreet area.

Drug Screening – Saliva Testing

84. The method of screening for non-alcoholic substances of dependence in the workplace will be saliva testing. Saliva testing is a convenient and accurate method for initial screening for illicit drugs. It is more suitable for on-site testing as it is not invasive, easy to supervise, and samples cannot be adulterated or substituted.
85. Cut off levels for oral drug screening via saliva tests shall be as prescribed in Australian Standard 4760:2006), which at the time of publication of this policy, were as follows:

Class of drug	Drugs	Cut-off level(ug/L)
Sympathomimetic amines (Amphetamine type substances)	Including but not limited to Amphetamines, benzylpiperazine, ephedrine, methylamphetamine, pseudoephedrine, methylenedioxyamphetamine (MDA), methylenedioxymethylamphetamine(MDMA) and phentermine	50
Cannabis Metabolites	Including but not limited to 11-nor-delta-9-tetrahydrocannabinol-9carboxylic acid	25
Cocaine Metabolites	Including but not limited to Benzoyl ecgonine and ecgonine methyl ester	50
Opiates	Including but not limited to 6 acetylmorphine, codeine, morphine	50

86. These standards will vary as the Australian Standards are amended.

Urine testing

87. Drug screening by urine testing will be carried out by the testing agency following a positive on-site saliva test. The person from whom the sample is to be taken will be escorted by a representative of the City of Albany to the testing agency, where a qualified practitioner will collect the sample with a witness present. The procedure for taking such a sample is outlined at Annexure C.
88. The sample will be sent to an accredited laboratory where confirmatory testing will occur.
89. Confirmatory laboratory drug test cut off concentration levels shall be as prescribed in Australian Standard 4308:2008), which at the time of publication of this policy, were as follows:

Compound	Cut-off level ug/L
Codeine	300
Morphine	300
6-acetylmorphine	10
Amphetamine	150
Methylamphetamine	150
Methylenedioxymethylamphetamine(MDMA)	150
Methylenedioxyamphetamine (MDA)	150
Benzylpiperazine	500
Phentermine	500
Ephedrine	500
Pseudoephedrine	500
11-nor-delta-9-tetrahydrocannabinol-9-carboxylic acid	15
Benzoyl ecgonine	150
Ecgonine methyl ester	150
Diazepam	200
Nordiazepam	200
Oxazepam	200
Temazepam	200
Alpha-hydroxy-alprazolam	100
7-amino-clonazepam	100
7-amino-flunitrazepam	100
7-amino-nitrazepam	100

90. These standards will vary as the Australian Standards are amended.

Testing accuracy and reliability

91. There is a need to ensure that the testing that is undertaken conforms and can be proven to conform to the highest possible standard of accuracy and reliability. The recognised standard that currently exists for the collection and analysis of human fluid samples for toxicological purposes in a laboratory setting is Australian Standard 4308 governing urine testing. However, while this standard is recommended and laboratories may state they conform to this standard, compliance is voluntary.

POSITIVE TEST RESULTS – CITY OF ALBANY EMPLOYEES

Alcohol Testing – Prior to starting work

92. If the employee tests positive in a requested test, they should not commence work until they are fit for duty. The employee must inform their supervisor or manager.
93. If the reading is above 0.05% the employee is to wait in an amenities room until arrangements are made for transport home.
94. If the reading is between 0.02% and 0.05% the employee is to wait in an amenities room. The employee is to self test again after two hours. If the reading has fallen below 0.02% the employee may commence work. If the reading has not fallen below 0.02% then the employee is not to commence work for that shift/day. Time away from work will be taken as a sick leave (if available) or unpaid leave.

Alcohol - Breath Analysis Testing

95. Where an employee returns a positive reading to a breath analysis during that person's normal working hours the following procedure shall apply:
 - (i) Blood alcohol content readings above 0.02% and less than 0.05%:
 - The employee will be relocated to an amenities room and will not undertake any tasks;
 - The employee will be retested after two hours and if the BAC reading has fallen below 0.02% the employee can resume their normal duties; and
 - If the employee's BAC reading has not fallen below 0.02% after two hours, the employee will be sent home on sick leave (if available) or unpaid leave. In either case, a positive result will be recorded on the Confirmatory Breath Test form and the completed form will be retained in the permanent record system.

First breach - A formal letter will be issued with notification that a first warning has been recorded and outlining the consequences arising. The employee will be subject to two further screening tests over the next twelve months.

Subsequent breach - a second written warning will be issued and the employee will be offered professional counselling. The employee will be subject to two further screening tests over the next 12 months.

Third breach - the employee will receive a final written warning and will be offered professional counselling.

Fourth breach -the employee may be dismissed.

- (ii) Blood alcohol content readings of 0.05% and above:
 - The employee will be offered transport from the collection site to their home address.
 - A positive result will be recorded on the Confirmatory Breath Test form and the completed form will be retained in the permanent record system.

First breach - A formal letter will be issued with notification that a first warning has been recorded and outlining the consequences arising. The employee will be offered professional counselling. The employee will be subject to two further screening tests over the next 12 months.

Subsequent breach (including if earlier breach under (i) above) - a second and final written warning will be issued and the employee will be offered professional counselling.

Third breach (including if two earlier breaches under (ii) above) - the employee may be dismissed.

Drugs - Saliva Testing

96. Should an employee return a positive result from a saliva test, the employee will be required to attend the testing agency and provide a urine sample. The purpose of the urine test is to confirm a non-negative result and to identify the particular substance that is involved.
97. Where an employee has been referred to the testing agency for a urine drug test, the sample will be sent to an accredited laboratory for confirmation testing. The City of Albany may, at its discretion, stand down that employee. The employee will be sent home on sick leave (if available) or unpaid leave until such time as the results of the testing agencies sample analysis become known.
98. If such testing subsequently shows that the employee has not contravened this policy, then the employee will be reinstated to work with all pay and normal entitlements unaffected.
99. However, should the test results confirms that the employee has contravened this policy, then the employee will be subject to review, disciplinary and/or counselling procedures as set out in this Policy.

Drugs - Laboratory Urine Testing

100. Where an employee tests positive to a urine test the following processes will apply:
 - The employee has the right to request an independent confirmation of a positive result;
 - The employee must be sent home on sick leave (if available) or unpaid leave; and
 - The employee will be provided with a duplicate copy of the laboratory's test results.
101. If the confirmation is positive for an illegal drug, a formal letter will be issued with notification that a first warning has been recorded and outlining the consequences arising. The employee will be offered professional counselling for drug dependency.
102. In addition, the employee will be subject to two drug screens and confirmations over the following twelve months;
 - If a further positive test is taken, a second and final written warning will be issued and the employee may be referred for professional counselling; and
 - If a further positive test is taken the employee will be dismissed;

Inability to submit for testing

103. Any person who, by reason of any significant personal injury or illness, is reasonably unable to submit to any alcohol or drug test in accordance with this policy will not be treated as being in breach of this policy, however the City of Albany may require such person to submit to any alcohol or drug test at the earliest practicable time.

Transport arrangements

104. Any person who has reported to work and been required to leave the Workplace due to any breach, or suspected breach, of this policy must not drive or operate any vehicle on or from the Workplace. The only exception is where a person has registered a BAC reading of less than 0.05% and is permitted by their supervisor or manager to leave the site, in which case the person may be permitted to drive his/her private vehicle from the workplace.

POLICY BREACHES

Breach of Policy

105. A person will be considered to be in breach of this policy if he/she:
- Returns a positive test result in respect of any breath sample;
 - Returns a positive test result in respect of any urine sample;
 - Without reasonable cause, fails to attend for assessment;
 - Without reasonable cause, fails to comply with any request to provide a breath or urine sample in accordance with this policy;
 - Without reasonable cause, fails to provide all reasonable co-operation in relation to any sample collection procedure or refuses to sign/complete any sample collection documents or labels;
 - Avoids, adulterates or falsifies any breath or urine sample;
 - Substitutes for another employee or arranges, or is involved in, any such substitution;
 - Refuses to participate in any rehabilitation program, as requested; or
 - Aids or abets any person in breaching this policy.
106. Such breaches of policy will be considered to be serious misconduct on the part of the person and will be treated as such in terms of the range of disciplinary measures which will be considered.
107. In the case of refusing to undergo testing, the potential consequences will be explained to the person, and the request repeated. Further refusal to undergo testing will be deemed as a failed screening result and the person concerned will be subjected to an appropriate outcome.

Review process

108. The City of Albany will arrange with the employee a suitable time and place at which the employee and management staff will confer to review the circumstances of any of the above reported incidents. The employee will be entitled to have a representative of his or her own choosing present with the employee at such conference.
109. The City of Albany and the employee will attend such conference at which time the circumstances of the incident will be examined. The employee will be given the opportunity to respond to any allegations made against him or her and to place any evidence or information before the City of Albany which the employee considers relevant in order to show that:
- The reported positive test result should not be treated as valid; or
 - The employee had a valid reason for failing to comply with any request to provide a sample.
110. In considering any submissions made by an employee seeking the invalidation of a test result, the City of Albany will only find a test result to be invalid in circumstances where the sample collection procedures were not correctly followed and give rise to a significant and reasonable doubt in respect of the accuracy and reliability of:
- The collection process;
 - The sample security;
 - The chain of custody of the sample; or
 - The laboratory analysis of the sample.

COUNSELLING

111. Any employee who returns a positive test result may be offered counselling by a professional counsellor nominated by the City of Albany. Such counselling will address the hazards created by the use or misuse of alcohol or drugs in the workplace and any drug or alcohol dependency on the part of the employee.

DISCIPLINARY ACTION OUTSIDE OF THE PRESCRIBED BREACH PROCESS OUTLINED IN THIS POLICY

112. Unless there are other extreme factors to be considered (such as previous disciplinary record, or the seriousness of the breach or related circumstances), the City of Albany will not normally regard a first offence as a matter justifying dismissal.
113. Where the City of Albany has determined that a lesser sanction than dismissal is warranted in relation to a particular breach of the policy, employees should be aware that any repeated or other breach of this policy by an employee may be such as to warrant the dismissal of the employee by the City of Albany.
114. In all instances when a employee is found to be involved in the possession, use, supply, cultivation, dealing in or trafficking of an illegal drug while on duty, careful consideration will be made as to whether the individual should be retained or have his/her appointment terminated.
115. Under the Corruption and Crime Commission Act, the Chief Executive Officer has an obligation to report suspected misconduct to the Corruption and Crime Commission. The Chief Executive Officer may also refer matters to the WA Police.

SELF-IDENTIFICATION

116. Any employee who is in any way concerned that they are affected by alcohol and/or drugs must inform their manager or supervisor before starting work. In particular, any employee who suspects that his or her BAC could be more than the 0.02% BAC limit should request a test using one of the City of Albany breath testing instruments before starting work.
117. Where an employee takes such a test and records a blood alcohol level in excess of the applicable 0.02% limit, the employee should report the result to his/her supervisor. The employee will remain on pay, but will not be permitted to enter operational areas. The employee must remain on site until either a sufficient period of time has elapsed to enable the employee to register a reading below 0.02% and resume normal duties, or the end of the shift, whichever is sooner.
118. Employees who record a BAC level in excess of 0.02% will be counselled as to the requirements of this policy, but in the case of voluntary tests, the employee will not normally be subject to disciplinary action. A record will be kept of all voluntary tests and employees who are considered to be abusing this mechanism over a period of time will be subject to counselling and disciplinary action as appropriate.
119. An employee who requests help for alcohol abuse will be appropriately counselled and provided with specific assistance and treatment. Strict confidentiality will be maintained and efforts will be made to facilitate the member's attendance at treatment and counselling sessions as appropriate.
120. Self-referral for drug abuse counselling is a one-time procedure that enables employees who feel they may be drug dependent, or who have had past drug involvement, to seek assistance in overcoming that involvement. A request for voluntary self-referral may only be made if the employee concerned has not previously reported involvement in the illegal use of drugs.

121. Information as to the employee's illegal use of drugs derived directly or indirectly from self-referral will not be used to initiate disciplinary action against the employee concerned. An employee is not to be granted self-referral unless the employee consents to undertake counselling as required.
122. In all cases of approved retention following self-referral, continued retention is conditional upon no further involvement with the illegal use of drugs.

ASSISTANCE FOR ALCOHOL / DRUG ABUSE PROBLEMS

123. Personnel with a problem relating to alcohol, or other drug, abuse may approach any of the following people within the City of Albany for confidential advice and assistance:
 - Immediate manager or supervisor;
 - Any senior manager;
 - Safety representative;
 - A Union representative.

Rehabilitation

124. The City of Albany encourages any person who is having difficulty controlling their use of alcohol or other drugs to self-identify and enter into a recognised drug and/or alcohol rehabilitation programme. If an employee of the City of Albany self-identifies, the City of Albany will be supportive and assist the employee in returning to work after a rehabilitation programme has been successfully completed. An employee who self-identifies should notify their manager, an OHS representative, Human Resources Manager or the Occupational Health and Safety Officer. The employee's immediate manager or supervisor will be informed that the employee may be required to be removed from their work role and is to be provided with alternative duties where required pursuant to an agreed return to work plan.
125. The employee shall then consult their own doctor to engage a recognised drug and/or alcohol rehabilitation provider. The City of Albany will require evidence from such a provider that the employee has commenced treatment and will require regular reports of compliance and attendance with the treatment/programme.
126. The City of Albany will require that the programme and the provider have:
 - (i) a record of success in dealing with people with alcohol or drug problems;
 - (ii) the capacity to identify when an employee is ready to return to work and the level of responsibility to which the employee can return;
 - (iii) a willingness to provide a reasonable estimate of the time required for the employee to be suitable for return to work. If this is considered to be unachievable in the short term, the provider is to submit a written statement to that effect to the City of Albany.
127. A return to work plan will be arranged and agreed to along the lines of existing return to work programmes and can be gradual or total (depending on the advice of the provider, the employee's doctors and the criticality of the work performed by the employee).

CONTRACTORS AND LABOUR HIRE PERSONNEL

128. Generally, contractors and labour hire personnel are bound by the same principles contained in this procedure as the City of Albany employees. Contractors may lose contracts if they fail to adhere to the requirements of this policy.
129. The requirement for contractors and labour-hire personnel to participate in an alcohol and other drugs testing programme, and the procedures which will apply in the event of a confirmed positive test for alcohol or other drugs being recorded, will be incorporated into relevant contractor agreements and induction programmes for contractors and labour-hire personnel.

130. Contractors or labour-hire personnel who take or sell illegal drugs (i.e. involved in the illegal use of drugs on City of Albany premises or in their vehicles, will be removed from the premises immediately and their employer informed.
131. If a contractor or labour-hire person is known to be, or strongly suspected of being affected by alcohol or other drugs during working hours, a City of Albany manager or supervisor will notify the person's employer and arrange for breath and/or drug testing to be undertaken.
132. Should either test be positive, the following processes will apply:

Contractors/Labour-Hire Personnel – Breath Analysis Testing (positive)

133. Where a contractor or labour-hire person returns a positive reading to a breath analysis during his/her normal working hours:
 - (i) Blood alcohol content readings above 0.02% and less than 0.05%
The person will be instructed to leave the City of Albany's workplace and the contracting company/employer will be informed.
 - (ii) Blood alcohol content readings above 0.05%
134. The contracting company/employer will be notified and travel arrangements may be made for the safe transport of the person from the City of Albany Workplace. The contracting company/employer will be required to meet or reimburse the City of Albany for any travel costs incurred. The person or contracting company/employer will be responsible for the removal of any vehicle and/or equipment left on site.

Contractors/Labour-Hire Labour – Drug screening (positive)

135. If a contractor/labour-hire person returns a positive reading for drug screening during his/her normal working hours, the person will be asked to leave the workplace. The contracting company/employer will be notified, and travel arrangements may be made for the safe transport of the person from the workplace. The contracting company/employer will be required to meet or reimburse the City of Albany for any travel costs incurred.
136. The person or contracting company/employer will be responsible for the removal of any vehicle and/or equipment left on site.

Refusing a Test

137. If the person refuses to undergo testing and/or attend for assessment, the consequences will be explained to the person, and the request repeated. Further refusal to undergo testing will be deemed as a failed screening result and the person will be asked to leave the workplace and his/her employer notified. Travel arrangements may be made for safe transport of the person from the workplace however the contracting company/employer will be required to meet or reimburse the City of Albany for any travel costs incurred.

RECORD KEEPING AND CONFIDENTIALITY

Records

138. Records will be maintained on employees who are interviewed regarding misuse of alcohol and/or use of illicit drugs. The privacy of any records relating to work performance and counselling, treatment or rehabilitation must be protected.

139. The following practices will be applied to the treatment of records:

- Case notes generated by discussions between an employee and his/her counsellor are confidential and will not be shown to anyone within the organisation;
- For organisational purposes, counsellors will record only the fact that an employee was counselled and the date;
- Following a formal interview relating to a decline in work performance, a formal written record will be prepared by the manager or supervisor and a copy given to the employee;
- If an employee's work performance due to the misuse of alcohol or other drugs does not improve, and the employee is unwilling to undertake counselling or treatment, the existing documents relating to work performance will be included in the on-going personnel, performance management or discipline action and a copy placed on his/her personal file; and
- Work performance reports will only refer to an employee's personal problems contributing to their misuse of alcohol or other drugs if the employee has given permission for such problems to be taken into account in the management of work performance issues.

Confidentiality

140. Confidentiality is fundamental to dealing with problems in the workplace that are related to the misuse of alcohol and other drugs in order to protect the privacy of individuals and to encourage employees' acceptance of prevention and treatment measures.

141. The practices the City of Albany will follow to ensure that the highest levels of confidentiality are maintained are:

- Conversations relating to work performance being affected by alcohol or other drugs will be conducted in private;
- All documentation relating to the implementation of this policy will be kept confidential;
- All positive test results will be placed on a "Medical in Confidence" file assigned to the individual concerned; and
- The City of Albany will ensure that all counsellors providing services to their employees are aware of the confidentiality requirements relating to client information.

142. The City of Albany respects the rights of employees to privacy in matters relating to the use of counselling services, and will communicate those rights to employees. The practices to be implemented are:

- Information relating to counselling must be treated as confidential;
- Psychologists are bound by their code of conduct to respect the confidentiality of information obtained in the course of their work. They may disclose such information to others only with the consent of the client or the client's legal representative except in those cases where failure to disclose information would result in a clear danger to the individual or another person; and
- Counsellors who are not psychologists are not required to be registered with a professional association and therefore may not be bound by a code of conduct.

143. In view of these requirements, it would clearly be improper for anyone in the organisation to request an employee's personal information from a counsellor without the appropriate consent. Any breaches of confidentiality may result in disciplinary action.

144. Employees may wish to have their manager liaise with their counsellor. In this case, the employee must give written permission for the information to be disclosed. The information that can be disclosed in such circumstances shall only be work-related, in order to support the most effective management of a performance-related problem and the reintegration of the employee into the workforce.

145. A manager may wish to know, for example, whether counselling is progressing satisfactorily, whether adjustments are needed to the employee's work and whether the counselling is likely to lead to an improvement in performance. A counsellor can provide this information without divulging information of a personal nature.
146. The City of Albany will take all reasonable steps to ensure that the test results concerning any sample provided by the employee, any investigations in relation to such test results, and participation in counselling or rehabilitation services will to the extent practicably possible remain confidential between the employee and his or her manager. However, the City of Albany may need to disclose the outcome of such test results and investigations in order to conduct any review or to give effect to any disciplinary measures.

CONCLUSION

147. The City of Albany has developed a fair, transparent, and responsible policy to meet its obligations under Australian Occupational Health and Safety Legislation to ensure that it provides a safe workplace for all of its employees, visitors, and contractors.
148. The co-operation and support of all workers both paid and unpaid, visitors, contractors, and union representatives in the implementation of this policy is essential to ensure that City of Albany operations and the work environment at the City are free from the deleterious and unwelcome effects of alcohol abuse and drug misuse. The effective implementation of this policy will ensure a safer and more productive workplace which will benefit all who work within or visit our workplaces.

Legislative and Strategic Context

149. The City of Albany has an obligation under the *Occupational Safety and Health Act 1984* to ensure that it provides a safe workplace for all of its employees, visitors and contractors. Associated documents:
 - *Misuse of Drugs Act 1981*;
 - *Road Traffic Act 1974*; and
 - *Workers Compensation and Rehabilitation Act 1981*.
150. This policy relates to the following elements of the [City of Albany Strategic Community Plan 2023](#)
 - a. **Key Theme:** 5. Civic Leadership
 - b. **Strategic Objective:** 5.2 to provide strong, accountable leadership supported by a skilled and professional workforce.
 - c. **Strategic Initiative:** 5.2.2 Develop contemporary service delivery and staff development programs.

Review Position and Date

151. This policy and procedure is to be reviewed by the Manager Human Resources annually.

Associated Documents

152. Misuse of Drugs Act 1981;
153. Road Traffic Act 1974; and
154. Workers Compensation and Rehabilitation Act 1981.

Definitions

155. In this policy, unless the context otherwise requires:

Alcohol. The intoxicating constituent of wine, beer, spirits and other alcoholic drinks.

Alcohol misuse. Alcohol misuse means the consumption of alcohol that has the effect of:

- adversely affecting job performance;
- contributing to misconduct or unacceptable behaviour; or
- adversely affecting the fitness or health of the individual.

Blanket testing. Is a method of testing where during a period of time all staff, visitors and contractors will be tested in the workplace.

Blood Alcohol Content (BAC). BAC means the level of alcohol in the blood expressed either in terms of milligrams per 100 millilitres of blood or as a percentage of this.

Contractor. A person or firm (excluding an Employee) that undertakes a contract to provide goods or services for the City of Albany.

Drug. A drug is any chemical substance or compound, organic and/or inorganic, derived from a natural source or by synthetic formulation which, when taken by an individual, may modify one or more of the physiological, biochemical or psychological functions of that individual.

Drug incident. A drug incident is an occurrence where there is reason or evidence to suspect illegal use of a drug or drugs and is a notifiable incident as defined below.

Employee. An employee means any servant, agent, officer or other personnel of the City of Albany

Illegal use of drugs. The illegal use of drugs includes the use of any drug which is inconsistent with, or is unrelated to, its designed use. In the case of prohibited or restricted drugs (as defined by Commonwealth or State laws in Australia) illegal use of such drugs includes use without the authorised prescription by a legally qualified medical, dental or veterinary practitioner. 'Use' in this context includes possession, purchasing, selling, dealing in or administering the drug to oneself.

Notifiable Incident. An incident that raises a reasonable suspicion that an offence may have been committed within the workplace that is against the criminal law of the Commonwealth, or State law and involves an employee, an employee of a stakeholder, a contractor or sub-contractor.

Positive test result. Is a finding by the approved accredited laboratory that confirms:

- The presence of a prohibited substance or associated metabolites in a sample provided by a person, or otherwise reveals the use by the person of a prohibited substance; and
- If there is a cut-off level for that substance or associated metabolites, that the cut-off level of the substance or associated metabolites has been exceeded.

Prescription drug. Prescription drug means a substance that has been prescribed and supplied by an authorised person in accordance with the Poisons Regulations 1965.

Prohibited Substance Testing Programme. A programme for conducting urinalysis (or any other test determined to be appropriate) for the purpose of deterrence and the detection of prohibited substances.

Urinalysis Programme. A programme or periodic prohibited substance testing where the retention of an employee previously involved with the illegal use of drugs has been approved.

Workplace. Workplace means all of those areas of the City of Albany's operations, including premises where an employee works or is likely to be during the course of their hours of work, or any place at which an employee is likely to be working in the course of carrying out their duties, in connection with the City of Albany.

ANNEXURE A

Guidelines to responsible drinking

The best approach to preventing the abuse of alcohol is to follow some simple guidelines to responsible drinking. The following definitions from the National Health and Medical Research Council of Australia provide guidance on the personal consumption of alcohol:

Standard drink.

A standard drink is a beverage containing 10 grams of alcohol. For example:

- (a) 285 ml (10 oz) of full strength (4.9 per cent alcohol) beer;
- (b) 375 ml (13 oz) of light strength (3.5 per cent alcohol) beer;
- (c) 100 ml (4 oz) of wine (12 per cent alcohol);
- (d) 60 ml (2 oz) of fortified wine (20 per cent alcohol); or
- (e) 30 ml (1 oz) of spirits (40 per cent alcohol).

Low risk drinking.

Low risk drinking occurs when an individual limits their consumption of alcohol to the following:

- males—not more than 4 standard drinks per day with **at least 2** alcohol free days per week;
- females—not more than 2 standard drinks per day with **at least 2** alcohol free days per week.

Hazardous drinking.

Hazardous drinking is drinking that significantly increases the risk of harm to an individual. It occurs when the consumption of alcohol is as follows:

- Males—four to six standard drinks per day;
- Females—two to four standard drinks per day.

Harmful drinking.

Harmful drinking is drinking that will lead to harm to an individual in the near future. It occurs when the consumption of alcohol is:

- Males—over six standard drinks per day;
- Females—over four standard drinks per day.

The physical effects provoked by repeated alcohol abuse are seen in heavy drinkers who may suffer loss of appetite, repeated infections, gastrointestinal problems, vitamin deficiencies, skin conditions and sexual impotence. Progressive degeneration of the liver can occur, along with brain damage, and disorders of the heart and circulatory system. In severe cases, there may be memory loss, confusion, disorientation and hallucinations. As well as the physical effects caused by alcohol abuse, behavioural changes become apparent as the drinker attempts to manage their life around hangovers, ill health, family disputes, increased incidence of accidents, disciplinary problems and poor work performance. The alcohol abuser will usually build-up a tolerance to alcohol and will need increased amounts to produce the same effects that others achieve with a lesser amount.

Effects on the body.

Even responsible drinking can have immediate effects on the body. The liver becomes less efficient after only a few weeks of responsible drinking, though this condition can be reversed by abstinence.

Chronic effects of alcohol

In addition to alcoholism and disturbed behaviour, there are many types of problems that can be related to excessive alcohol consumption. Such problems include physical illnesses of various types, social problems such as driving offences, marital disorder, work impairment or loss of employment.

Major complications of alcohol misuse

Physical	Liver damage (cirrhosis), impotence, heart failure, epilepsy, delirium tremens, gout, nerve damage (peripheral neuritis).
Behavioural	Aggressiveness, irresponsibility, suspiciousness, anxiety, schizoid reactions
Social	Home -separation, divorce, family violence. Work -inefficiency, absences, dismissal. Legal -30 per cent of serious crimes, 50 per cent of gaol admissions, high percentage of traffic offences.
Addictive	'Alcoholism' -in which alcohol dominates decisions and behaviour.

Hangover

The hangover is a disorder of the central nervous system resulting in a variable level of restlessness, irritability, depression, sleeplessness, confusion, tension, palpitations, sweating, tremulousness (shakes) and nausea. These effects will last until the nerve cells have readjusted to their resting level of activity. The hangover state produces a definite deterioration in performance and may have serious safety implications at work.

ANNEXURE B

Sample collection procedures for breath alcohol tests

- The collector will complete part of the Breath Alcohol Test form with the employee's details and will then ask the employee to sign certifying that the details on the form are correct and that the employee is willing to submit to the breath alcohol test.
- The procedures for conducting the breath analysis will be explained by the collector.
- The employee will be asked to blow into a mouthpiece attached to the breath analysis machine.
- The results from the machine will be recorded on the Breath Alcohol Test form.
- If the test is positive, printouts of the readings will be attached to the Breath Alcohol Test form.
- Both the collector and the employee will sign the Breath Alcohol Test form.
- The employee will also sign a statement that he/she will not drive a motor vehicle, perform safety-sensitive work or operate machinery within the workplace area if the BAC reading is above 0.02%.
- Where an employee has registered a BAC reading of less than 0.05% and he/she is permitted by their supervisor or manager to leave the site, the employee may be permitted to drive his or her private vehicle from the workplace site.
- The designated manager from the City of Albany will be informed of any positive breath alcohol tests as soon as possible after the test has been completed.

ANNEXURE C

Sample collection procedures for drug tests

- The following procedures are to be used for the collection of samples to be analysed in accordance with Australian Standards AS 4308 “Recommended Practice for the Collection, Detection and Quantitation of Drugs of Abuse in urine” (and are subject to change to meet changing Australian Standards).
- Any departure from the specified sample collection procedures will not invalidate a drug test result provided that the procedures followed do not cast doubt on the accuracy and reliability of the collection process with due regard to sample security and chain of custody requirements.
- On arrival at the office or designated area by the employee selected for a drug test, the collector (being a representative of a testing agency) will request to see identification or else the identity of the employee will be verified by an officer of the City of Albany. If the individual’s identity cannot be established unequivocally, then the collector will not proceed with the collection.
- The employee will be asked to wash their hands. After this step the individual being tested will remain in the presence of the collector and will not have any access to water, soap or other materials that might be used to adulterate the sample.
- The employee being tested will provide the sample into a collection beaker in a stall, toilet cubicle or otherwise partitioned area that allows for individual privacy. The employee will then hand the beaker to the collector.
- Upon receiving the sample, the collector will determine that there is sufficient sample to enable all required testing to be performed. In the event that there is insufficient urine for testing an additional sample will be collected. The normal amount of urine required is approximately 60 ml.
- At this time the collector will also check the validity of the sample by ensuring that the temperature of the sample is between 33°C and 38°C (90°F and 100°F) when measured within 4 minutes of the sample being passed into the beaker. The temperature will be measured using a device separate from or part of the collection beaker.
- After the sample has been provided to the collector and sealed in its security case, the employee is permitted to wash his/her hands.
- If the validity of the sample cannot be established, or if it is suspected that the sample may have been adulterated or substituted, then another specimen will be collected as soon as possible using the above procedures. Both samples will be forwarded to an accredited laboratory for testing in accordance with the analysis requirements set out in the Australian Standards AS 4308.
- Immediately after the sample is collected, the collector will inspect the urine sample to determine its colour and look for any indication of contaminants. Any unusual findings will be noted on the Drug Test form -a copy of which will be given to the employee whose sample has been collected for drug testing.

- Both the collector and the employee will keep the sample in view at all times prior to it being sealed and labelled.
- The sample will be transferred from the collection beaker into two bottles in approximately equal proportions. The second bottle will be referred to as the referee sample.
- The collector will request the donor to observe the transfer of the sample into the bottles, the placement of the tamper proof seals or equivalent devices over both bottle caps and down the sides of the bottles, as well as the placement of both bottles into a container that will also be sealed in front of the employee whose sample is being collected for drug testing.
- Prior to the samples being sealed in a container, the donor will initial the identification seals on each bottle to certify that it is the sample collected from him or her. The identification seals will also list two unique identifiers and the date of the collection.
- All the information contained on the identification seals will be entered onto the Drug Test form and will be signed by both the collector and the employee whose sample is being tested, certifying ownership of the sample provided as well as giving consent for the sample to be tested in accordance with the City of Albany's Drug and Alcohol Policy and the Australian Standards AS 4308. The employee will be given a copy of the Drug Test Form at the end of the sample collection and sealing procedures for his/her records.
- Information will be provided to the employee on the identity of the laboratories performing the analysis, the employee's rights and responsibilities relating to the drug test and the name of the designated the City of Albany's Manager receiving the results.
- Once the employee has been given their copy of the Drug Test form, he/she is permitted to leave the drug control room.
- The samples collected will be sent to a laboratory for testing in accordance with the Standards recommended in AS 4308.
- The designated manager from the City of Albany will be informed of any positive drug test results as soon as possible after the test results are known.

Annexure D S31- Exceptions

CEO Approval (Alcohol consumption)

Approval sought for: Business occasion

Employee function

Function details:

Date:

Venue:

Time of function:

Frequency e.g. Weekly Monthly etc:

Description:

Approved by:

(Must be approved by your Manager or Supervisor)

ED Authorisation:

CEO approval:

Approval dates: to

Please return completed form to Human Resources.