

# League Engineering Services Drug and Alcohol Policy

## Alcohol and Other Drugs Testing Procedure

Workplace health and safety is a vital part of our business. League Engineering Services and its employees have a responsibility to ensure that they do not put themselves or others at risk of harm in the workplace.

The consumption of alcohol on company premises or work sites, or in other locations whilst representing the company or carrying out company business, is prohibited, unless specifically approved for a company authorised function. Approval can only be given by the Operations Manager or his nominee.

The consumption of illegal drugs on company premises or work sites, or in other locations whilst representing the company or carrying out company business, including travelling to, from and for work is prohibited.

This policy is specifically intended to include the consumption of alcohol or illicit drugs prior to working hours and during working hours, which would have the effect that, if tested, the individual would return a positive result.

League Engineering Services will strive to eliminate risks in the workplace resulting from the inappropriate use of alcohol and other drugs.

## Purpose

This procedure describes the implementation of League Engineering Services Alcohol & Other Drugs Policy.

Its purpose is to ensure that employees have an understanding of the effects of alcohol and other drugs in the workplace and that consumption of any prohibited substance may lead to risk that must be reported to their supervisor / team leader.

## Definitions

BrAC	Breath Alcohol Content
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Confirmatory Testing	Conducted by a Laboratory that is accredited to AS/NZS 4308 or AS4760
Independent Collecting Agency	An accredited external entity appointed to carry out Alcohol and Other Drugs screening – Frontline Diagnostics
Employees	Includes full-time, part-time and casual staff, contractors, consultants and visitors

## Testing

To ensure the health, safety and welfare of employees, testing for alcohol and other drugs will be undertaken to assist in determining fitness for duty.

## Alcohol

All testing for alcohol will be by breath testing to measure BrAC using a device which complies with Australian Standard AS 3547 - Breath alcohol testing devices for personal use. Employees are required to have a BrAC level of less than **0.02%**.

League Engineering Services employees are supervised and managed by our client's on site team and will adhere to all Drug and Alcohol testing policies and procedures. Testing will be carried out by Drug and Alcohol testing companies independent of League Engineering Services.

## Other Drugs

League Engineering Services will conduct Drug testing in both oral and urine samples in accordance with the relevant Australian Standards. Testing will be carried out by Drug and Alcohol testing companies independent of League Engineering Services.

Oral fluid screening will be in accordance with the target concentrations stated in the Australian Standard AS 4760 - Procedures for specimen collection and the detection and quantitation of drugs in oral fluid.

Class of Drug	Target Concentration (µg/mL)
Opiates	50
Amphetamine-type stimulants	50
Cannabis (THC- parent)	25
Cocaine and metabolites	50

Urine Screening Drug testing will be in accordance with the cut-off levels stated in the Australian Standard AS/NZS 4308 - Procedures for the collection and detection and quantitation of drugs of abuse in urine.

Class of Drug	Cut-off level (µg/L)
Amphetamine type substances	300
Benzodiazepines	200
Cannabis metabolites	50
Cocaine metabolites	300
Opiates	300

An authorised Field Collection Officer from an independent collection agency will conduct oral fluid or urine screening in either a suitable room designated for the purpose or a mobile clinic provided by the independent collection agency.

## Responsibilities

### Education and Training / Employee Awareness

League Engineering Services is committed to making all employees and staff aware of their responsibilities in respect of:

- I. Alcohol and Other Drugs Policy
- II. Effects of drugs and alcohol in the workplace

### Compliance with this Procedure

All employees, contractors and visitors are required to comply with the provisions of this procedure.

### Company Authorised Functions

The consumption of alcohol is not permitted on League Engineering Services premises or work sites, unless by specific approval by the Director, or his nominee for company authorised functions. During such functions, employees should practice common sense and consume alcohol in moderation. Such functions are to occur at the end of the working day. As part of its overall risk management systems, League Engineering Services will complete a risk assessment in respect of any company authorised functions, including what forms and volumes of alcoholic beverages are served, and how employees will return home.

## Related Policies and Documents

Work Health and Safety Legislation (WHS ACT 2011, WHS Regulation 2011)
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### Types of testing

Testing will be conducted in the following circumstances:

- Pre-employment
- Random
- Suspected Impairment
- Post Incident
- Return to Work

### Pre-employment testing

All applicants in the final stages of employment are drug and alcohol tested prior to being offered employment at League Engineering Services.

### Random Testing

Random testing will be conducted at all League Engineering Services sites, with a frequency determined by the Operations Manager. No prior notice will be given of Random Testing.

If there are more people on site than the number of people to be tested, a random draw will be conducted using either an online randomising site, a marble draw or another method as determined by the Operations Manager.

### Suspected Impairment/Challenge testing

If it is suspected that an employee, contractor or visitor on site 'unfit' for duty, a fitness for work assessment can be undertaken or an alcohol or other drug test carried out.

If an employee suspects a co-worker is working or attempting to start work 'unfit' for duty, the employee must notify the Operations Manager either directly or by advising the immediate supervisor.

### Post Incident

An alcohol and other drug test can be carried out after an incident or accident at the discretion of management or as stated in the Incident Management Procedure.

## Return to work

Where an employee has previously received a positive test result positive, and therefore was in breach of League Engineering Services Alcohol and Other Drugs Policy, he/she shall be required to undergo subsequent testing as set out in their return-to-work plan.

If an employee has been absent from work for an extended period of time, a return-to-work drug test may be requested.

## Voluntary Disclosure

Employees are required to notify League Engineering Services if they have a drug or alcohol issue. In such circumstances, the employee shall not be subject to disciplinary action if the drug screening result requires further testing or alcohol test is positive, providing that they have disclosed the issue prior to the independent collection agency arriving onsite. In situations where employees have voluntarily disclosed issues to Management, Drug and Alcohol counselling will be organised by League Engineering Services.

## Testing Procedures

### General

League Engineering Services employees who return a positive result for alcohol or drugs will have the details recorded on their personal file. They may also be required to undergo one or more interventions, including counselling, performance management and/or external counselling.

League Engineering Services will assist an employee in dealing with any drug and alcohol issues that are identified. The emphasis will be on professional counselling and rehabilitation through an Employee Assistance Program (EAP) or Drug and Alcohol Counselling Services.

### Alcohol Testing

An authorised person from an independent testing agency or an individual appointed by management who has been trained to use the testing equipment will undertake breath alcohol testing. Alcohol testing equipment will be tested and recalibrated according to the manufacturer's instructions.

If an employee returns a result at or above the prescribed BrAC for the worksite, they will be re-tested again after 20 minutes.

If this result is still above the site BrAC limit, the employee will be stood down from all duties and suitable transport home will be arranged. If the employee refuses and drives himself/herself home, it must be noted on a report.

The employee will not be permitted to return to site until a negative BrAC reading is returned.

The employee will be dealt with in accordance with the League Engineering Services disciplinary policy and guidelines. All positive alcohol test reports will be placed on the employee file.

## Drug Screening

An authorised Field Collection Officer from an independent collection agency will conduct screening in either a suitable room designated for the purpose or a mobile clinic provided by the independent collection agency. The screening will be conducted in accordance with the guidelines stated in the Australian Standard

If an employee returns a negative result, they will be permitted to return work.

If an employee undertakes an oral test and returns a result that requires further testing an oral fluid sample will be sent to an accredited laboratory for **confirmatory testing**.

If an employee undertakes a urine test returns a result that requires further testing, a urine sample will be sent to an accredited laboratory for **confirmatory testing**.

If the result requires further testing for an illegal drug or a drug that has not been declared, the employee will be sent home pending the confirmatory result.

If the employee has declared a prescribed or over the counter medication that is consistent with the result indicated on the screen, the Operations Manager or his delegate will discuss **fitness for work** as outlined in the section, below, **Employees Taking Pharmaceutical Medicines**.

## Confirmed Negative results

If the result of the confirmatory testing is negative, the employee will be permitted to return to work without loss of ordinary time earnings.

## Confirmed Positive results

If the result of the confirmatory testing is positive, the employee will not be permitted to return to work until a negative result is returned. They are to utilise their own leave (e.g. annual, long service) or take unpaid leave whilst they are off work and they will be dealt with in accordance with the League Engineering Services disciplinary policy and guidelines. All positive drug test result reports will be placed on the employee's file.

## Confirmatory Testing – Urine

Where a test result requires further testing, chain-of-custody procedures must be followed as stated in the Australian Standard. Two samples, (A) & (B), will be prepared. The (A) and (B) samples will be prepared, sealed with tamper-proof tape and signed by the collector and the employee for despatch to a nominated laboratory for confirmatory testing. Sample (A) will be tested by the laboratory.

Sample (B) will be stored for 3 months and is the property of the donor. This sample can have an initial test if the donor disputes the result (This needs to be submitted in writing and should be sent to an independent laboratory), which will be paid for by the employee, unless the test result is negative, in which case League Engineering Services will cover the cost of the test.

The laboratory must be appropriately accredited to the Australian Standard AS/NZS 4308.

### **Confirmatory Testing – Oral Fluid**

Where a test result requires further testing, chain-of-custody procedures must be followed as stated in the Australian Standard. Two samples, a 'secondary' specimen and a 'referee' specimen will be prepared. The two samples will be prepared, sealed with tamper-proof tape and signed by the collector and the employee for despatch to a nominated laboratory for confirmatory testing. The secondary sample will be tested by the laboratory. The referee sample will be kept for 6 months (or as stated by the laboratory). The laboratory must be appropriately accredited to the Australian Standard AS 4760.

### **Fitness for Work**

Fitness for work means that an employee is in a state (physically, mentally and emotionally) that enables him/her to perform assigned tasks competently and in a manner that does not compromise or threaten his/her own safety or health or that of others. Any employee presenting for work who appears to be unfit for work may be required to undertake a Fitness for Work Assessment.

### **Employees Taking Pharmaceutical Medicines**

An employee who is taking a prescribed pharmaceutical medicine or over-the-counter pharmaceutical medication that may impact their performance must consider their own circumstances. They should review the potential for the medicine to have an impact on their ability to perform their job safely. If in doubt, they should consult with their personal doctor or pharmacist. In the event that an employee is taking a legal substance that may or may not impact their fitness for work, they must notify the Operations Manager of what the substance is and their dosage so that Management can make an informed decision on how to manage the issue. Information will be treated confidentially.

If after advice from their doctor or pharmacist, they believe the medicine may affect their own or others' safety at work, they should seek an alternative medicine from their doctor. If no alternative medicine is available, they should:

- I. Provide a certificate from the treating medical practitioner
- II. Discuss the circumstances with their manager/supervisor

Together, the employee and their manager/supervisor will make an assessment of the likely effect on the employee's ability to carry out their duties based on the doctor's advice and the particular circumstances of the individual employee. During this discussion, the manager/supervisor will

maintain the employee's right to privacy. The employee is not required to disclose the nature of the medicine or the reasons for its use. Based on the circumstances and discussions with the employee concerned, a decision will be made by the manager on whether the employee is safe to carry out their duties (**Fitness for Work**). Options considered will be:

- Alternative duties to reduce the safety risk identified,
- Standing the employee down for that shift. Should the latter be required assistance will be given to the employee to ensure they arrive home safely.

## Management of Employees

### Refusals

If an employee refuses to undertake an alcohol or other drug test, they will be treated as if they returned a positive result. The employee will not be permitted to start work without consenting to an alcohol and other drug test and they will be dealt with in accordance with League Engineering Services's disciplinary policy and guidelines. The employee must be given the chance to explain why they are refusing the test. This information shall be recorded.

### Tampering with Samples

Any attempt to falsify any alcohol and/or other drug test will constitute serious misconduct and may involve disciplinary procedures and will be dealt with in accordance with League Engineering Services Disciplinary Policy and Guidelines.

### First Positive

On the first occasion, the employee will be offered transport home by the company. The employee is to utilise their own leave NOTE: Further breaches of this policy could lead to termination of employment.

### Second Positive

On the second occasion, the employee will be offered transport home. The employee is to utilise their own leave. The employee is required to seek counselling from the company EAP provider.

### Third Positive

On the third occasion, failing extenuating circumstances, the employee will be summarily dismissed.