

DOB ENTERPRISES PTY LTD

DOB Drug and Alcohol Policy  
IMS-506-01-POL

## Revision History

Date	Rev	Modified By	Changes Made, Review History	Reviewed by	Approved by
27.04.18	0	Sunette Opperman	Creation	S Rupert	S Rupert
14.01.19	1	Sunette Opperman	Addition of process testing after negative	S Rupert	S Rupert



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## Purpose of this policy

This policy is to ensure that our employees and staff behave in safe, fair, and respectful way without bias or discrimination and in accordance with legal requirements. Employees and staff are expected to adhere to policies, procedures, and directives as issued by the company from time to time. Where employees do not meet standards set out by the company, these employees will receive a fair, consistent approach to addressing their behaviour and performance issues.

## Alcohol and other Drugs Policy

DOB Enterprises Pty Ltd trading as Watchout Training and Traffic Control, MBC Nursing, MBC Recruitment and Macquarie Labour Hire, is committed to providing a safe and healthy working environment. This policy applies to all personnel, on-hired staff, contractors employed by DOB, contractors in charge of DOB equipment, and any visitors to DOB's offices, sites, client homes, client sites or client facilities. DOB has obligations to ensure the health, safety, and welfare of its workers and people in our workplaces. Similarly, employee and workplace participants have an obligation to care for their own health and safety as well as the health and safety of those of others. This obligation includes an obligation to cooperate with an employer to ensure a safe environment.

Employees, contractors, and other staff members are expected to arrive at work **fit** for duties. This means that workers are expected to refrain from possessing, soliciting, selling, distributing, consuming, arriving, and working under the influence of alcohol and other drugs. Employees, contractors, and other staff members **may not** consume, possess, sell, solicit, or distribute alcohol or other drugs in any company operational areas and/or vehicles or while performing any activities or duties for DOB.

## The Risks of Alcohol and other drugs

DOB is aware of the risks of alcohol and other drugs in the workplace. These risks are addressed in the Risk Register maintained by our IMSR/WHS Manager. Some risks include:

- o Hazards to workplace participants
- o Risk of drug dependence on workplace performance
- o Legal risks of possession, consumption, distribution, or sale of illicit substances in the workplace
- o Higher rate of incidents, workplace violence, and interpersonal problems
- o Increased rate of workplace misconduct

DOB has **a zero-tolerance** policy to alcohol and other drugs in the workplace. Directors and managers are responsible for ensuring compliance with this policy. Workers will not be treated harshly, unfairly or unjustly by this policy.

DOB may perform pre-employment drug and alcohol tests.

DOB may perform random drug testing at any time without prior warning.

DOB may also perform reasonable drug and alcohol testing as part of a WHS investigation.

DOB employees may also self-nominate for testing.

DOB will use individuals who are certified to collect specimens for testing. Initial tests may be done via breath, urine, or saliva. Secondary testing may include breath, urine, saliva, blood, or hair



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testing. All testing, handling of materials, evaluation of results, and subsequent actions will be taken according to the Alcohol and Other Drugs Testing Procedure.

DOB will provide awareness programs for workers on the effects of alcohol and other drugs in the workplace. These programs will endeavour to make people aware of the dangers to themselves and others of alcohol and other drugs, their obligations as workplace participants, DOB's obligations towards them, assistance and counselling that is available for employees, and possible ramifications of using alcohol and other drugs in the workplace. Managers may receive additional training on how to manage employees who are under the influence of or who have disclosed an issue with alcohol and other drugs.

DOB will provide reasonable assistance, to any worker who requests it. There will be no reprisals against workers who request this assistance, however, the worker will be required to have a clear independent drug test before returning to site/employment. Employees who would like to access assistance may contact their direct supervisor, the WHS representative, or the Director.

DOB encourages workers to vocalise any and all concerns they have about their safety in the workplace.

DOB will handle all disclosures confidentially and take the matters disclosed seriously.

**Workers should:**

Refrain from using, selling, distributing, soliciting, producing, and being under the influence of alcohol and other drugs in the workplace, in work vehicles, and while performing work duties.

Workers who are not fit for duties should inform their supervisors that they will be unable to attend work at the earliest convenience.

Inform management if they are taking prescription medication that may impact their behaviour or decision-making abilities. Workers should also be aware that some standard prescription medications may produce a positive result for drug testing. Workers are encouraged to disclose that they are taking medications; if they are subjected to a random test, they will be given an opportunity to disclose that in writing. Any and all such disclosures shall be taken seriously and handled confidentially and privately.

Be aware of their actions as well as the actions of those around them. If a worker suspects that a co-worker is under the influence of alcohol or any other drug at work, they should raise this issue immediately with a supervisor. This can create an uncomfortable situation for workers, but workers should remember that they have a duty of care to protect the safety of everyone at a worksite.

Request help from their immediate manager, the WHS representative, or the Director if they would like to access a counselling or assistance program.

**In the event that someone is found to be in breach of this policy, DOB may:**

- Consider the nature of the offense and the environment in which it occurred
- Consider the actual and potential risks that occurred or may have occurred as a result of the breach
- Consider the nature of the breach (i.e. Is this part of a pattern or a one-off event)
- Consider any mitigating factors
- Arrange for secondary testing in the event that a workplace participant returns a not-negative result on an initial test.-

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- Initiate the Disciplinary Procedure laid out in the Disciplinary Procedure Policy.

Where a worker presents for duty and appears not to be in a fit state to carry out their normal duties DOB reserves the right to remove the worker from the workplace and seek advice from a medical practitioner on the worker's fitness for duty.

Supervisors and workers are obliged to ensure that no person commences or continues duty if that person appears affected by alcohol, illegal drugs or medication that may lead to a health and safety risk.

Refusal to undergo testing for drugs and alcohol will result in immediately suspension without pay.

### Drug and Alcohol Procedure

The Drug and Alcohol Procedure will be used in conjunction with the DOB Drug and Alcohol Policy and will:

- Provide a framework to reduce the costs to DOB of drug and alcohol use in the workplace;
- Identify, assess and control any contributing factors in the workplace to harmful drug or alcohol use;
- Provide workers with access to information and education regarding drug and alcohol use; and
- Provide access to counselling and support services to workers who have problems with drugs or alcohol.

### Responsibilities:

At DOB, the Person Conducting the Business or Undertaking is responsible for ensuring that:

- DOB provides a workplace where there is an effective, ethical and equitable mechanism in place to prevent and respond appropriately to the unsafe use of drugs and alcohol;
- All workers are trained and familiar with the Drug and Alcohol Procedure; and
- Review of this procedure is conducted as required.

Supervisor(s)/Manager(s) are responsible for:

- Referring workers requesting assistance for drug and alcohol related issues;
- Informing workers of the potential work-related problems that may arise from the use of drugs and alcohol;
- Informing workers of their responsibilities in relation to workplace safety, conduct and performance
- Managing and monitoring workers whose work performance or conduct is adversely affected by the misuse or abuse of drugs or alcohol;
- Providing information about referral to counselling, treatment and rehabilitation services where appropriate;
- Appointing and co-operating with an appropriate organisation and/or officer of a State or Federal Authority to conduct drug and/or alcohol testing if/when required;
- Managing Disciplinary Action appropriate to the circumstances of individual workers if/and when required;
- Ensuring all workers, including contractors are aware of and comply with this procedure.

**Workers, including volunteers and contractors**, are not to undertake any work for DOB whilst under the influence of alcohol or other drugs.

Workers who are aware of any change in the behaviour of co-workers and have grounds to believe that person's ability to work safely may be impaired, have a responsibility to report it to their supervisor or the Health and Safety Representative so action may be taken immediately.

If a worker is required to take prescribed medication and is concerned about the health and safety effects of this medication he/she must discuss the concerns with his/her manager who will determine if there is a need to modify duties on a short-term basis, or if sick leave must be taken.

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**Reasonable Suspicion:**

1. Approaching a worker who may be under the influence:
  - o Only a person approved by DOB Director should approach a worker who may be under the influence. "Reasonable Suspicion" should be assessed before approaching any worker who is suspected of being under the influence;
  - o Care needs to be taken when making this judgement in case the worker is ill or injured, taking prescribed medication or in some other form of distress, which may account for their behaviour;
  - o When approaching an apparently intoxicated worker it can be more effective and less confronting to talk in terms of their approach to safety and general work performance rather than their alcohol or drug use;
2. As far as is reasonably practicable discuss the matter with the worker in a private location away from other people;
3. It will then be explained to the worker that they have been approached for a breach of the Drug & Alcohol Policy;
4. It will be made clear that there is Reasonable Suspicion that the worker is impaired by drugs and/or alcohol;
5. The worker will be given the opportunity to explain the observed behaviour;
6. After speaking with the worker, if Reasonable Suspicion is no longer held and no further action is required, the worker can return to duty;
7. It will be clearly explained to the worker that refusal to submit to Reasonable Suspicion testing is a violation of this Procedure, which can lead to discipline, up to, and including, termination of employment;
8. Where Reasonable Suspicion is confirmed, the worker will be advised that they are to leave the workplace;
9. Suitable arrangements will be made to get the worker home safely;
10. If drug or alcohol testing is not to be carried out:
  - o The worker will be informed that they are to return to work unimpaired by drugs or alcohol on his/her next scheduled work period;
  - o The worker must report to their direct DOB Supervisor upon return to work before returning to their work duties;
  - o A meeting will be arranged upon the worker's return to the workplace between the worker and relevant DOB Team to enable consultation to occur regarding any monitoring and management of the worker, or disciplinary action, as per the applicable HR policy and procedure;
11. Drug or alcohol testing:
  - o Workers who are suspected of being under the influence of illicit drugs or alcohol whilst at work and deny this will be provided with the opportunity to undergo suitable testing by a medical professional. This testing will include blood and urine tests;
  - o Testing will be carried out in accordance with the AS4308:2008 "Procedures for Specimen Collection and the detection and quantisation of drugs of abuse in urine";
12. All health and medical information will be treated as strictly confidential and will be stored in accordance with the National Privacy Principles established by the Privacy Act 1998 (Commonwealth).



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### **Self-Nomination/ Self-declaration:**

Individuals who are concerned about pre-existing lifestyle choices may choose to self-declare and volunteer for testing. The testing will occur as per normal guidelines, namely in confidence and with respect. However, in the event they obtain a "non negative" and this result is subsequently confirmed as a positive result then they will be excluded from disciplinary action only and on the proviso that they participate in a sanctioned drug and alcohol rehabilitation program and can demonstrate compliance with the program. Individuals will be stood down from work on approved leave (subject to leave entitlements) until they are cleared to return to work, if the individual has no leave entitlements, this period will be unpaid. If persons continue to self-declare and achieve confirmed "positive" results they will be subject to DOB's disciplinary process.

### **Disciplinary Action:**

Workers whose behaviour has placed the safety of themselves and others at risk will be subject to disciplinary procedures in accordance with the relevant award and/or employment agreement.

This process will involve the conduct of an interview between the manager, worker and union representative (if applicable) or health and safety representative (if applicable), a discussion of the unacceptable behaviour, verbal warning initially followed by written warning if the behaviour continues.

If drug and alcohol testing has been conducted on an individual and a non negative test result is returned, the individual will be sent for external independent blood and urine testing at their own cost. This must be done within a three (3) month period. The individual will be suspended without pay until a clear test is provided. The person will be submitted for further random testing for the following twelve (12) months.

If the individual again tests positive for either a drug or alcohol screening test within twelve (12) months; or refuse, attempt to avoid, or falsify a drug or alcohol test, they will be terminated.

### **Secondary Testing:**

Secondary/ blood/ urine testing, if a person has tested non-negative MUST be completed by a certified external independent tester such as a pathology lab. Home tests will not be accepted under any circumstances. Original test results must be sent directly from the test facility to DOB Enterprises Pty Ltd's WHS Manager via email [sunette@mbcrecruitment.com.au](mailto:sunette@mbcrecruitment.com.au) or postage-

attn

Sunette Opperman

WHS Manager

PO BOX 1405

Port Macquarie NSW 2444.

Results brought in by the individual will not be accepted.

### **Support Services:**

Workers who believe that they may have a problem with illicit drug or alcohol consumption should approach *the DOB Director or WHS Manager*, who, after consultation may arrange suitable leave or alternate duties.



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