



2016

DRUG AND ALCOHOL

This Drug and Alcohol Policy is in Draft form only with consultation to occur before it can be implemented

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DRAFT

INTRODUCTION

Bunbury Harvey Regional Council (BHRC) recognises that the inappropriate use of drugs and/or alcohol can affect a workers performance and can jeopardise their own health, safety and wellbeing, as well as that of others around them.

BHRC is committed to meeting its obligations in accordance with the *Occupational Safety & Health Act 1984* and accepts responsibility for providing a safe working environment in which the employee is not exposed to hazards.

The purpose of this policy is to ensure a safe workplace free from the effects of drugs and alcohol and is directed towards the welfare of the individual and the safety and health of other people in the workplace.

Although disciplinary action may be necessary, the focus is on preventative measures such as utilising the Employee Assistance Program, counselling options and information sessions.

A range of factors, both at the workplace and in peoples personal lives, impact on the ability to work safely. The use of alcohol and/or other drugs may only be one of them.

Alcohol and other drugs usage becomes an occupational safety and health issue if a worker's ability to exercise judgment, coordination, motor control, concentration and alertness at the workplace is impaired, leading to increased risk of injury or incidents to themselves or others.

Co-workers may be placed in difficult situations, expected to cover unsafe work practices or faced with reporting a fellow worker.

For employers, alcohol and other drugs can cause a range of problems. In some cases, their use may lead to loss of life, injury and damage to plant or equipment. Employers have a general 'duty of care' obligation to ensure that, as far as practicable, workers are not exposed to hazards and risks that could arise from workers being impaired by alcohol and/or other drugs and, where they may arise, address them through a systematic risk management process.

Workers must take reasonable care of their own safety and health and not endanger the safety and health of others at the workplace and all employees should present themselves' for work and remain, while at work, capable of performing their work duties safely. The consumption of alcohol and illicit drugs while at work is therefore unacceptable, except in relation to any authorised and responsible use of alcohol at the workplace social functions. *QMS F-018 CEO Approval (Alcohol Consumption)* will need to be filled out and signed by the CEO prior to the function.

Where a worker's capacity to work safely may be impaired, including impairment by alcohol and/or other drugs, BHRC will ensure the worker is not in a position of personal risk and does not present a hazard or risk to the safety and health of others.

The focus at the workplace will be on occupational safety and health management rather than more general concerns about personal health.

It will not be assumed that any observed impairment is caused by alcohol and/or other drug use. Other impairment factors may include fatigue, medical conditions, chemicals, heat, noise and symptoms of work-related stress.

This policy outlines the short term and long term impact of alcohol and drugs on the individual and team trust, respect, and performance. You will learn what your responsibilities are and what duty of care BHRC has to our employees.



PURPOSE

The purpose of this policy is to:

- Provide a safe workplace that promotes and protects the wellbeing of all personnel, contractors and visitors to our sites
- Promote a workplace culture that includes a responsible attitude towards the consumption of alcohol
- Provide information and education to all employees on the effects of alcohol and other drugs in the working environment and the potential impact on safety
- Introduce clear and appropriate guidelines that are supported by all employee's
- Ensure that all methods of drug and alcohol screening conforms to the Australian Standards
- Assist employees who may be experiencing a problem with drug and alcohol dependency to seek assistance and counselling
- Encourage employees to identify if they believe that they may have a problem and actively seek assistance
- Ensure the provision of an employee assistance program
- Maintain privacy of employees in regards to testing and not compromise working relationships
- Describe any disciplinary action that will be taken when a breach of this policy occurs
- Enable a responsible approach to social interaction and entertainment within the workplace

SCOPE

This policy covers all persons' including staff, management, the CEO, councillors, sub-contractors, contractors and visitors to any of the BHRC sites.

Compliance to this policy by all personnel is a requirement of employment and/or as a condition of entry to site.

This policy and relevant work procedures will be implemented to:

Meet the general 'duty of care' obligations — an employer could be found in breach of their 'duty of care' obligations to provide a safe workplace free from hazards if injury or harm occurs as a result of alcohol and/or other drug use

Prevent uncertainty when situations arise — without clear policies and supporting procedures in place it may be difficult to deal with certain situations when they arise, for example dealing with a worker impaired by alcohol and/or other drugs at the workplace

Demonstrate management's commitment to a safe workplace and informing workers and others on acceptable behaviour — having this policy also provides a means of informing workers and other people at the workplace about acceptable and unacceptable behaviour in relation to alcohol and other drug use

Facilitating peer support — the workplace is an ideal place to run effective alcohol and other drug prevention programs because the peer support network at a workplace can be used to shape behaviour. Policies that facilitate some peer involvement may be useful, as peers can pick up changes in behaviour and assist in cultural changes. Workers also have a better chance of recovery from alcohol problems if they can continue working.

CONDUCT

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, BHRC will err on the side of caution and require the person to undergo 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.

If a contractor has been employed by BHRC to carry out work required at a BHRC operated site, the contractor is obliged to comply with this Drug and Alcohol policy.

All persons carrying out work on a BHRC site have an obligation to ensure that their activities away from work do not impact on their ability to perform their duties safely while at work.

A person affected by alcohol and /or other drugs present a danger to co-workers and other persons at the workplace and should therefore:

- Present and remain fit for work during their shifts
- Avoid adversely affecting the safety and health of other persons in the workplace
- Report to their supervisor any situation that they believe could constitute a hazard to themselves or others
- Report to their supervisor any injury or harm to health of which he/she is aware that arises in the course of his/her work

RISK MANAGEMENT

The hazards and risks associated with alcohol and other drug use at the workplace will be assessed in the same way as for other occupational safety and health issues.

The Occupational Safety and Health Regulations 1996 contain a specific requirement for employers to undertake a risk management process. This involves a three-step process to:

- Identify hazards that could arise
- Assess risks of injury or harm arising from each identified hazard
- Control risks through implementation of control measures to eliminate or reduce them.

Refer to the Quality Management System for further information on Hazard Management and other relevant Policies and Procedures.

HAZARD IDENTIFICATION

The first step in the risk management process is identifying hazards or hazard factors. This involves identifying anything that may cause injury or harm to the health of people at the workplace. When assessing whether alcohol and other drug use poses a safety and health hazard at the workplace, a range of factors, some of which are outlined below, should be considered.

Even when people return a zero alcohol or drug level they may still be impaired – 'hangover' effects can endure beyond the direct presence of the drug and create risks.

Hazards or hazard factors to consider in relation to increased risks of injury or harm if workers are impaired by alcohol and/or other drugs include:

- the operation of machinery
- driving in the course of work
- situations where concentration or motor coordination is relied on to carry out a job
- the presence of hazardous substances
- performing duties as part of a team

Specific procedures will be implemented to control any risk factor noted for the above following a risk assessment. All risk assessments will be conducted with suitable qualified workers that perform the required job.

Risk Factors and Risk Assessment

Risk factors to consider when assessing whether risks exist or may arise from alcohol and other drugs include:

- *Usage of alcohol and/or other drugs in relevant social groups.* If this increases, decreases or is a known problem, it may have an impact at the workplace, therefore the consumption of alcohol and illicit drugs while at work is unacceptable, except in relation to any authorised and responsible use of alcohol at the workplace social functions.

- *Patterns of alcohol and/or other drug consumption.* Different patterns of use create different risks. For example, people who use large amounts on single occasions may create different risks compared to people who are regular heavy users.
- *Type of workplace culture.* There may be a culture at work that encourages or accepts excessive consumption of alcohol and/or other drugs at the workplace. This is unacceptable and with training, supervision and counselling BHRC intends to promote a healthy attitude towards the use of alcohol and other drugs.
- *Availability of alcohol and/or other drugs.* At some workplaces, workers are more likely to be exposed to usage and therefore the risk of them being impaired may increase. In other workplaces, they may be more exposed to the consequences.
- *Inadequate job design and training.* Unrealistic performance targets and deadlines, excessive responsibility, monotonous work or low job satisfaction may, in some instances, be risk factors. Symptoms of stress are sometimes associated with poor health, including alcohol and/or other drug related problems. Inadequate training, supervision and communication may also contribute to this risk factor which we intend to identify with the help of all employees and make the relevant changes.
- *Inadequate supervision.* Jobs where there is inadequate supervision and performance management may increase the risk of alcohol and/or other drug related problems. Inadequate supervision and communication about expected roles and behaviour on the job and consequences of unacceptable behaviour may be a risk factor.
- *Extended working hours or shift work.* Illicit drugs, such as amphetamines, or prescription medication, may be taken by workers to keep awake if they are working long hours or engaged in shift work. Hours of operation will be managed to minimise this being a risk factor.
- *Interpersonal factors.* Bullying in the workplace is an unacceptable behaviour that will not be tolerated. *Please refer to the QMS006 procedure: Harassment, Discrimination and Equal Opportunity*
- *Poor working conditions.* Poor working conditions such as hot or dangerous environments may contribute to alcohol and/or other drug taking. While all care is taken to prevent exposure to such hazards it is unfortunately the environment that our workers are exposed to. Control measures will be identified following a hazard and risk assessment on the relevant sites.

Risk control: implementing alcohol and other drugs strategies

The aim of this Drug and Alcohol policy is to eliminate related safety and health risks, as far as practicable. This can be achieved through adopting several approaches suitable for the particular workplace with this policy being one factor in the control of risks.

Information, education and training about the effects of drugs and alcohol will form part of a range of strategies being developed by BHRC to maintain a safe working environment. Such strategies may include:

- Developing an alcohol and other drugs policy and supporting procedures for all levels of staff, based on a workplace hazard identification and risk assessment. This policy will outline how to deal with impaired people, both staff and visitors, in the workplace
- Communicating, to all at the workplace, the policies and procedures on alcohol and other drug usage and related issues arising and the general expectations for occupational safety and health
- Encouraging those in management positions to support the policies and procedures through direct input and consultation at the draft phase
- Providing information, education and training to workers, which includes the risks from alcohol and other drug use
- Implementing safeguards on tasks, processes and equipment that require a high level of concentration or motor coordination, where a hazard identification and risk assessment identifies a high level of risk if workers are impaired by alcohol and/or other drugs
- Identifying and responding to factors that may contribute to symptoms of stress and/or fatigue
 - Redesigning jobs

- Providing regular breaks.
- Depending on the situation, providing ready access to counselling and/or support groups early in the apparent development of alcohol and/or other drug problems

Any policies and procedures will only be implemented after full consultation with workers.

IMPAIRMENT FACTORS IN THE WORKPLACE

Impairment is the 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 that puts themselves or others at risk of harm.

Impairment can be associated with a range of factors including, but not limited to:

- Alcohol abuse
- Drug use
- Fatigue
- Stress and anxiety
- Injury or fitness level
- Workplace environmental factors:
 - Heat
 - Dust
 - Noise
 - Chemicals etc.

While some symptoms may suggest possible alcohol or drug use affects, many of the indicators may also 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 workplace. This policy aims to manage human impairment caused by alcohol and/or drug use to minimise the hazards they pose to our people. This will be achieved by the introduction of testing designed to assess whether a person's alcohol or drug levels are in excess of the specified standards.

ALCOHOL

Alcohol is a depressant drug, slowing down activity in the central nervous system, including the brain. It affects concentration and coordination, and slows the response time to unexpected situations, which could lead to risk taking behaviour, accidents, falls, injury and death, as consequences of the brain's reduced control over reaction time. After just one or two drinks, a person will feel more relaxed but will also have slower reflexes and reduced coordination and concentration. As the person drinks more, they would continue to experience the acute health effect of alcohol use which includes confusion, drowsiness, blurred vision, poor muscle control, gut irritation, diarrhoea, nausea and disturbed sleep patterns.

Your Blood Alcohol Concentration (BAC) is the measurement of the number of grams of alcohol in 100ml of blood. Alcohol affects decision-making, reaction times, speed and distance judgments, concentration and perception, balance and alertness. It can also give a false sense of confidence, which may encourage risk taking.

BAC level is difficult to assess as it is affected by a number of factors, including:

- The amount of alcohol you drink
- The period over which alcohol was consumed
- Your body mass
- Whether or not you have eaten
- Your fitness levels
- The health of your liver.

Alcohol Management

BHRC recognises that the consumption of alcohol is a legal and socially acceptable custom in Australia and when used in moderation it is less likely to present problems but the misuse of alcohol can have serious safety and health implications. BHRC encourages its employees to maintain a responsible attitude towards the consumption of alcohol.

BHRC also recognises that alcohol abuse and dependence are treatable conditions that with the cooperation of the individual and support from the employer, rehabilitation of affected persons' can be achieved.

Recognising that prevention is better than a cure, BHRC will not retain employees who misuse alcohol, refuse treatment for alcohol dependency or who fail to complete an alcohol counselling program when a referral to do so has been made.

Alcohol Policy

All persons', included the CEO, management and staff and elected members who come to our site are expected to comply with the Bunbury Harvey Regional Councils Code of Conduct at all times.

Everyone is expected to carry out their duties in a professional, responsible and conscientious manner and refrain from any conduct, including alcohol abuse or substance abuse, which could adversely affect their personal work performance or the safety and wellbeing of others.

BHRC will maintain Blood Alcohol Concentration (BAC) levels as stated in the Road Traffic Act and any employee must not report to work or remain at work with a BAC in excess of 0.05%

You will also be subject to a 0.00% BAC limits if you drive a *motor vehicle* that:

- Can carry more than 12 adults (including the driver) and at the time you are carrying passengers
- Has a gross combined mass exceeding 22.5 tonnes
- Is a specific vehicle carrying dangerous goods

***If you are required to drive heavy machinery or plant on site or off site as part of your work duties,
You will need to have a BAC reading of 0.00%***

At the discretion of the CEO, arrangements may need to be made for the person to be tested for the presence of alcohol in a breath test. Testing will be carried out by an authorised person in controlled conditions.

The sale, supply, manufacture or consumption of alcoholic beverages by any person on any BHRC site is strictly prohibited except in relation to any authorised and responsible use of alcohol at the workplace social functions.

No person shall work in the workplace or carry out any other employment related task whilst having a BAC in excess to the above provisions.

Prescribed medications, if used correctly, may result in a person recording a BAC reading and should be recognised as an exceptional occurrence and may be exempt from these limits.

When 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/Team Leader is to stop the work activity and arrange for a second opinion to be made by another supervisor or manager. If the second opinion supports the first, the CEO is to be notified.

DRUGS

Substance intoxication and conversely withdrawal can negatively affect performance in a number of ways. Impaired or altered memory, concentration, reaction times, dexterity and mood could all contribute to the risk of accidents. Although illicit drug use that impacts on workplaces is not a new issue, until recently the extent of illicit drug usage in this environment was not known.

A drug problem isn't necessarily measured by how much, how many or what type of drugs a person uses, but by how the drug affects the person's life and the lives of those around them. It's often a matter of personal perception.

There is always a level of risk when using any drug including prescription or over-the-counter medications. Drug reactions vary from person to person. It's important to follow your doctor's advice when taking prescription drugs and discuss any side-effects and how this might impact on your work.

Drug Management

BHRC recognises the detrimental effects that illicit drugs have on the safety of our operations and the general welfare, health and wellbeing of staff and will take all practical steps to ensure that all persons on site are not affected or impaired by illicit or other drugs.

The goal of managing any suspected drug-related incident is to ensure the safety and wellbeing of any person that enters a BHRC operated site.

Drug Policy

The consumption, use, possession, sale, supply, manufacture or cultivation of any illegal drug or substance by any person in the workplace is strictly prohibited.

No person shall work in the workplace or carry out any other task with a detectable level of the following in excess of prescribed standards:

- Any illegal drug
- Any prescription drug of which no prescription has been issued to that person
- Any prescription drug which in the view of the nature of the drug and/or the quantity consumed might reasonably be expected to have the potential of impairing the persons safe and efficient performance of his/her duties.

Without limiting the prohibitions set out above, any employee who has consumed any prescription drug which might reasonably be expected to have the potential to impair his/her duties should seek medical advice about the potential effects of the drug.

If medical advice confirms that there is a potential to impair the employees safe and efficient performance of duties, then that person should not commence work. If any employee is not able to commence work then they can take personal or unpaid leave as negotiated with their supervisor.

All employees are expected to consult with their prescribing doctor in relation to any prescription drugs. If there is any doubt, then the employee should inform their supervisor of the circumstances before starting work.

Each employee must immediately inform their supervisor of any side effects experienced by them in connection with the use of prescription drugs where those side effects may adversely affect their ability to perform their duties safely. Such impairment may include but not be limited to:

- Dizziness
- Drowsiness
- Fatigue
- Impaired vision
- Sweating or chills

BHRC does not intend to test for prescribed medications; however an employee has an obligation under the OHS legislation to inform their employer if they may be impaired by medication. This includes prescription and over the counter medication.

Any employee that has a prescription drug prescribed to them will not be in contravention of this policy as a result of taking that drug in accordance with the prescription.

An employee does not have to disclose the type of medication prescribed by their doctor or over the counter medication although they do need to follow the instructions given and if the medication does affect their ability to perform their task, immediately notify their supervisor.

Any employee 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.

Depending on individual circumstances and where operationally possible, employees who are unable to perform their normal duties due to medication may be taken off normal duties and found suitable alternative duties. If this is not possible, employees may access accrued leave entitlements.

RESPONSIBILITIES

Management

BHRC considers that the use of alcohol or other drugs is primarily a health issue for the individual; however where a person's performance or conduct affects his/her health and safety and/or others in the workplace, BHRC is committed to appropriately managing the issue.

Management strategies include:

- Providing appropriate education and training to employees
- Providing professional counselling support where appropriate
- Implementing pre-determined disciplinary procedure when required

Supervisor / Team Leader

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 a reasonable cause to suspect that an individual employee may be affected by drugs or alcohol.

Employees / Contractors

BHRC employees and contractors have a responsibility to carry out their duties safely and to refrain from conduct, including alcohol or 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.

BHRC employees/contractors responsibility includes but is not limited to:

- Not consuming alcohol on a BHRC operated site unless sanctioned by the CEO
- Not using, possessing, selling or distributing any illegal drug in the workplace
- Discussing with their doctor or pharmacist whether their medication may adversely impair their ability to perform their tasks safely
- Taking reasonable care for the health and safety of themselves and their co-workers
- Cooperating with BHRC to enable compliance with the OHS legislation
- Reporting all suspected alcohol or other drug impairments to their supervisor
- Not to give personal prescription medication to others
- Discuss with their manager, supervisor or CEO any concerns they may have regarding the safety risk others pose due to suspected alcohol or drug use or abuse

TESTING IN THE WORKPLACE

All persons' undergoing Alcohol or Other Drug testing must first sign the *QMS F-019 Drug Test Consent Form*

'For Cause' drug and alcohol testing

A person may be requested to provide a breath sample (for alcohol) or a saliva sample (for other drugs) by an authorised representative of BHRC for testing where the person:

- Arouses a reasonable suspicion or cause that he/she may be affected by alcohol or other drugs
- Commits an 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
- Has contravened the BHRC Drug and Alcohol policy in terms of use

BHRC may request initial sample be taken by an officer deemed competent to provide the test in the first instance. If this test is positive, a follow up test from an accredited agency will be performed and BHRC will bear the cost for testing.

Post-Accident / Incident

If a person has been directly involved in an accident or incident he/she will be requested to provide a sample for testing. Such samples should be taken as soon as practicable after the event and by an authorised agency. BHRC will bear the cost for this testing.

Random Testing

Working while affected by drugs or alcohol poses a risk to safety in the workplace and BHRC has therefore adopted a policy that includes random testing for drugs and alcohol.

A person or group may, at any time and without notice may be requested to provide a sample for testing to an officer deemed competent to provide the test and may include screening for drugs and/or alcohol. If this test is positive, a follow up test from an accredited agency will be performed and BHRC will bear the cost for testing.

All personnel are subject to random testing including Management, office workers and outside staff.

Persons returning a negative result from random testing are free to return to work as per normal.

Post Rehabilitation drug or alcohol

Persons returning to work following a drug or alcohol rehabilitation program must provide a sample to an officer deemed competent to provide the test in the first instance. If this test is positive, a follow up test from an accredited agency will be performed with the employee responsible for the cost associated with the testing. The employee will not be allowed to return to duties until a negative reading has been obtained.

Methods of Testing

The following test methods will be employed by BHRC:

Alcohol

Any authorised representative of BHRC, including an agency, may at any time require a person to submit to a breath test for analysis of the persons BAC reading. The sample will be collected and recorded by means of a breath testing instrument approved by BHRC and a urine test by the testing agency. Calibration of all equipment will be in accordance with the manufacturer's recommendations as per AS 3547:1997 Breath Alcohol Testing Devices.

Illicit drugs

Saliva Testing

The method of screening for non-alcoholic substances in the workplace will be via a saliva test. Saliva testing is a convenient and accurate method for initial screening for drug use. Saliva testing has a relative short window of detection and will only detect drugs that are within a person's system at the time of the test. Testing will be conducted to comply with current Australian Standards or relevant legislation in accordance with the guidelines provided by the manufacturer for the testing of equipment.

Urine Testing

Urine testing will be conducted by an authorised agency appointed by BHRC. All testing will be carried out in accordance with *AS 4308 - Recommended Practice for the Collection, Detection and Quantitation of Drugs of Abuse in Urine*.

Pre-Employment Testing

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

POSITIVE TESTING

Alcohol Testing

Testing will comply with *AS 3547:1997 Alcohol Breath Testing Devices*

If an employee test positive in a requested test, they should not commence work until they are fit for duty and the CEO must be notified.

Where an employee returns a positive reading above 0.05% the employee is then required to undertake a secondary test by an accredited agency, BHRC will provide safe transport to the testing facility. If the second test returns a reading above 0.05% the employee is to wait until arrangements can be made for safe transport home. The employee will be sent home on sick leave (if available) or unpaid leave. The positive result will be recorded on the *QMS F-020 Confirmatory Notice* and the completed form will be retained in the personnel file.

Where an employee returns a reading under 0.05% the employee may return to normal duties assuming that it is not operating heavy vehicle or plant.

If the employees normal duties at work is to operate heavy vehicle or plant then a BAC of 0.00% **must** be maintained at all times.

If an employee's normal duties of work is to operate heavy vehicle or plant and they have a BAC above 0.00% the employee is then required to undertake a secondary test by an accredited agency, BHRC will provide safe transport to the testing facility. If the second test returns a positive reading, the employee is to wait until arrangements can be made for safe transport home. The employee will be sent home on sick leave (if available) or unpaid leave. The positive result will be recorded on the *QMS F-020 Confirmatory Notice* and the completed form will be retained in the personnel file.

Drug Screening – Saliva (Fit for Work)

Testing will comply with *AS 4760:2006 Procedures for specimen collection and the detection and quantitation of drugs of abuse in oral fluid*

The method of screening for non-alcoholic substances in the workplace will be saliva testing in the first instance. This testing is considered non-invasive and convenient and suitable for a worksite. The test will be carried out by an officer deemed competent to provide the test. If this test is positive, follow up testing will be required.

Drug Screening – Urine (Recreational Drug Use)

Testing will comply with *AS/NZS 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine*

Following a positive on site saliva test, a urine sample will be taken for testing by an accredited agency with the BHRC bearing the cost for testing and BHRC will also be responsible for the safe transport to the testing facility. The purpose of this test is to confirm the detection of drugs in the sample and to identify the particular substance that was used.

After the urine test, the employee will be taken home on sick leave (if available) or unpaid leave until such time as the results of the test become known.

If testing shows that the employee has not exceeded the limits for illicit drugs as listed in this policy, then the employee will be reinstated to work with all pay and entitlements unaffected.

If the test confirms that the employee has exceeded the allowable limits for illicit drugs, the employee will be subject to a review, disciplinary action and/or counselling and will not be permitted to return to work until a negative result from a BHRC authorised agency has been submitted. Costs involved in repeat testing will be the responsibility of the employee.

The positive result will be recorded on the *QMS F-020 Confirmatory Notice* and the completed form will be retained in the personnel file.

Confirmatory laboratory drug test cut off concentration levels shall be as prescribed by Australian Standards which at this time are as follow:

Saliva fluid device cut off levels:

<i>Class of Drug</i>	<i>Cut Off Level (ug/L)</i>
<i>Opiates</i>	<i>50</i>
<i>Amphetamine Type Stimulants</i>	<i>50</i>
<i>Cannabis</i>	<i>25</i>
<i>Cocaine and Metabolites</i>	<i>50</i>

Urine cup cut off levels:

<i>Class of Drug</i>	<i>Cut Off Level (ug/L)</i>
<i>Amphetamine Type Stimulants</i>	<i>300</i>
<i>Benzodiazepine</i>	<i>200</i>
<i>Cannabis Metabolites</i>	<i>50</i>
<i>Cocaine and Metabolites</i>	<i>300</i>

(ug/l is the symbol for micrograms per litre or one millionth of a gram per litre.)

These levels may vary as the Australian Standards are amended. This information was provided by the Australian Drug Foundation www.adf.org.au

BREACHES - ALCOHOL

First Breach

A formal letter will be issued with notification that a **verbal** warning has been recorded and outlining the consequences arising from having a positive test. The employee will be subject to two further screenings in the next twelve months which must return a negative result.

Second Breach

A formal letter will be issued with notification that a **written** warning has been recorded and the employee will be offered professional counselling. The employee will be subject to two further screenings in the next twelve months which must return a negative result.

Third Breach

A formal letter will be issued with notification that a **second** written warning has been recorded and the employee will again be offered professional counselling. The employee will be subject to two further screenings in the next twelve months which must return a negative result.

Fourth Breach

A formal letter will be issued with notification that a **final** written warning has been issued and that the employee may at this time face dismissal.

BREACHES – ILICIT DRUGS

First Breach

A formal letter will be issued with notification that a **written** warning has been recorded and the employee will be offered professional counselling for drug dependency. The employee will be subject to two further screenings in the next twelve months which must return a negative result.

Second Breach

A formal letter will be issued with notification that a **second** warning has been recorded and the employee will again be offered professional counselling for drug dependency. The employee will be subject to two further screenings in the next twelve months which must return a negative result.

Third Breach

A formal letter will be issued with notification that a **final** written warning has been issued and that the employee may at this time face dismissal.

BREACHES – POLICY

A person is considered to have breached this policy if he/she:

- Returns a positive breath test result
- Returns a positive urine test result
- Without reasonable cause, fails to attend an 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 cooperation in relation to any sample collection procedure or refuses to sign/complete any sample collection documentation
- 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
- Aids or abets any person in breaching this policy

Such breaches of this policy will be considered to be serious misconduct on the part of the employee and will be treated as such in terms of the range of disciplinary measures of which will be considered.

In the case of refusing to undergo testing, the potential consequences will be explained to the employee and the request repeated. Further refusal to undergo testing will be deemed as a positive result and the employee concerned will be subjected to an appropriate outcome as above.

REVIEW PROCESS

BHRC will arrange with the employee a suitable time and place at which the employee and management can review the above reported incidents. The employee will be entitled to have a representative of his/her choosing, present with the employee at such meetings.

The employee will be given the opportunity to respond to any allegations levelled at him/her and will have the opportunity to provide any evidence they consider to be relevant in order to show that employee had a valid reason for failing to comply with any request to provide a sample or that a positive test should not be treated as valid.

BHRC will only find the test invalid where the sample collection procedure was not correctly followed and 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
- The laboratory analysis of the sample

EXCEPTIONS

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 to this policy will not be treated as being in breach of this policy although they may be required to submit to any alcohol or drug test at the earliest practicable time.

Prescribed medications, if used correctly, may result in a person recording a BAC reading and should be recognised as an exceptional occurrence and may be exempt from these limits.

CONTRACTORS

All contractors/labour hire personnel required to enter a BHRC operated site are bound by the same principles in this policy as any BHRC employee.

A contract may be cancelled at any time as the CEO sees fit if the contractor is found to be in breach of this policy.

There is a requirement for all contractors to participate in an alcohol and other drug testing program and the same consequences will apply in the event of a positive test result.

Contractors who take or sell illegal drugs or are involved in the use of illegal drugs on a BHRC operated site or in a BHRC vehicle, will be removed from the premises immediately and their employer will be notified.

If a contractor is suspected to be under the influence of alcohol or other drugs during working hours, the BHRC CEO will be informed and the contractor's employer will be notified that the contractor is to undergo a drug and alcohol screening test.

In the first instance this testing will be completed on site by a person authorised to conduct the test. Failure of this test will require the contractor to undergo further testing at a BHRC approved agency and this cost will be the responsibility of the contractor's employer.

BHRC will arrange for the contractor's employer to arrange for the safe transport to the testing facility.

The contractor will not be permitted to return to work until a negative result from a BHRC authorised agency has been submitted. Costs involved in repeat testing will be the responsibility of the contractor's employer.

BHRC reserves the right to terminate the contract at any time after the initial breach.

In the event that the contractor refuses to comply with the request to submit to drug and alcohol screening test, the BHRC CEO will be notified and the consequences of failing to provide a sample will be explained to the contractor. Further refusal to undergo testing will be deemed as a failed screening result and the consequences as stated above will apply.

ASSISTANCE FOR ALCOHOL/DRUG DEPENDENCY

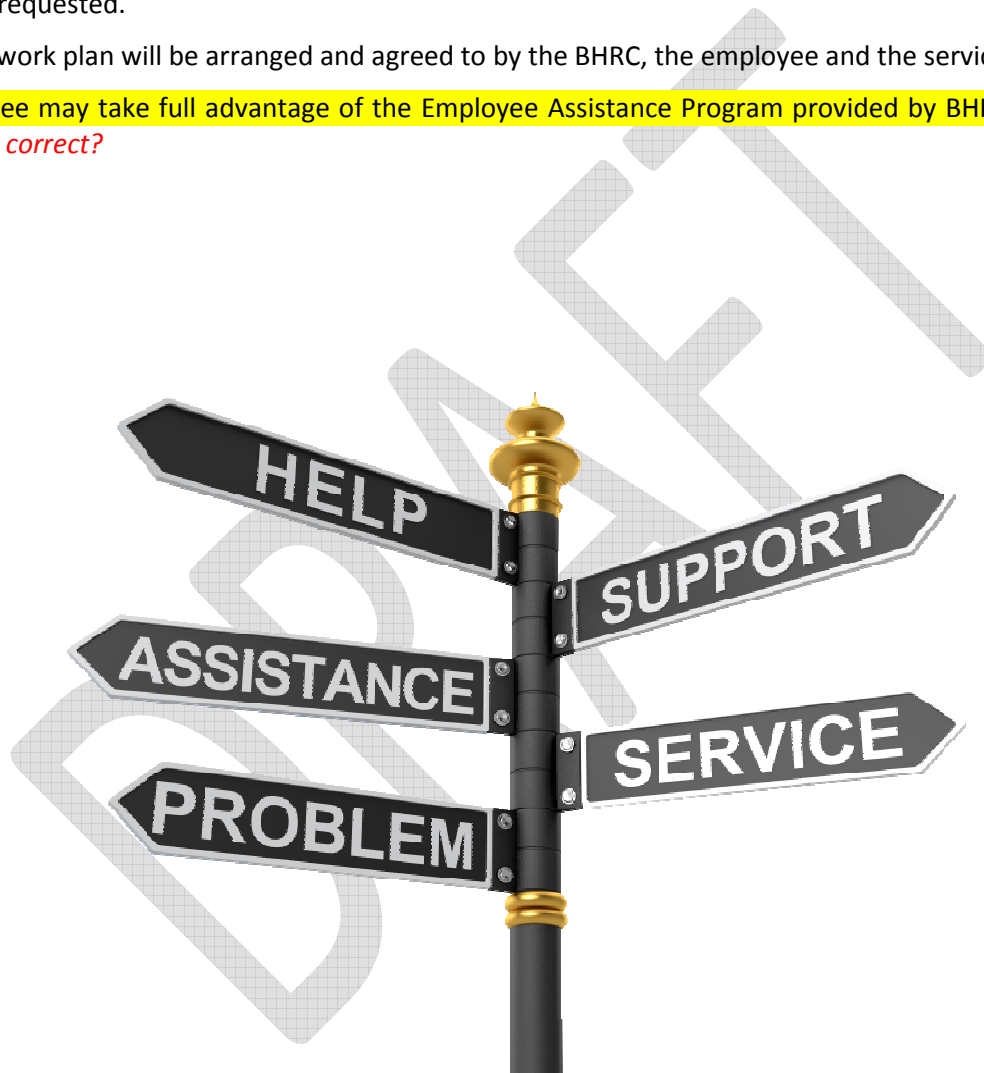
Personnel with a problem relating to alcohol or drug abuse may at any time approach their immediate supervisor/team leader or the CEO and request assistance.

The employee shall then consult their own doctor to engage in a recognised alcohol or drug rehabilitation program. BHRC will require evidence from said provider that the employee has commenced treatment and will require regular reports of compliance and attendance.

BHRC will require the provider has the capacity to identify when the employee is ready to return to work and the responsibility to which the employee can return. An estimate of time required for the employee to return to work will also be requested.

A return to work plan will be arranged and agreed to by the BHRC, the employee and the service provider.

The employee may take full advantage of the Employee Assistance Program provided by BHRC in conjunction with LGIS. *Is this correct?*



RECORD KEEPING

Records will be maintained on employees who are required to undergo drug and alcohol screening. All records are confidential and are to be treated in accordance with the BHRC Record Keeping Plan and will be filed on the employees personnel file.

CONFIDENTIALITY

Confidentiality is fundamental to dealing with problems in the workplace that are related to the misuse of alcohol and/or drugs in order to protect the privacy of the individual and to encourage acceptance of prevention and treatment measures.

BHRC will ensure that the highest level of confidentiality is maintained by:

- Ensuring conversations relating to work performance being affected by alcohol or other drugs are conducted in private
- All documentation is kept confidential and treated as such
- All positive test results to be placed on a "Medical in Confidence" file assigned to the employee
- Ensuring that any BHRC approved counselling or treatment service provider is aware of confidentiality requirements relating to client information

BHRC respects the rights of the employee to privacy in matters relating to the use of counselling services and will implement practises to maintain this privacy. Such practices include:

- 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 and may not disclose any information without the consent of their client except in those cases where failure to disclose information will result in a clear danger to the individual
- Counsellors who are not psychologists may not be bound by a code of ethics and as such will be made aware of the employees right to confidentiality

It would therefore clearly be improper for anyone in the organisation to request an employee's personal information from a service provider without the appropriate consent. Any breach of this confidentiality clause may result in disciplinary action.

Any employee that wishes to have a supervisor or team leader liaise with their counsellor must give written permission prior to the supervisor/team leader contacting the counsellor. Only work-related information may be disclosed in such circumstances in order to support the most effective management of integration back into the workforce.

A supervisor may wish to know whether counselling is progressing satisfactorily and if any adjustments need to be made to the employers work and whether the counselling is likely to lead to improvements. A counsellor can provide this information without divulging information of a personal nature.

BHRC will take all reasonable steps to ensure that the test results, investigation information and participation in counselling or rehabilitation services will remain confidential between the employee and employer. However BHRC may need to disclose the outcomes of results and investigations in order to conduct a review, effect disciplinary measures or in the event of an insurance claim.

Add Procedure for sample collection – alcohol, once the machine has been purchased

Add Procedure for sample collection – drug, once the machine has been purchased

DRAFT

SAMPLE ONLY
CEO APPROVAL
(ALCOHOL CONSUMPTION)

Approval sought for:	<input type="checkbox"/> Business Function <input type="checkbox"/> Employee Function
Function Details:	
Date:	
Venue:	
Time:	
Frequency:	Daily: <input type="checkbox"/> Weekly: <input type="checkbox"/> Monthly: <input type="checkbox"/> Other: <input type="checkbox"/> <div style="display: flex; justify-content: space-around; font-size: small;"> Mon Tue Wed Thu Fri Sat Sun </div> <p style="text-align: center; font-size: x-small;"><i>(Circle which ones)</i></p>
Approved By: Name: TONY BATTERSBY CEO Bunbury Harvey Regional Council	
Signature:	
Approval Dates: _____ to _____	

SAMPLE ONLY

DRUG TEST CONSENT

I realise that Bunbury Harvey Regional Council (BHRC) has an obligation under the *Occupational Safety & Health Act 1984* to provide a safe working environment for all employees, contractors and visitors.

BHRC recognises that the inappropriate use of drugs and/or alcohol can affect a workers performance and can jeopardise their own health, safety and wellbeing, as well as that of others around them.

I understand that pursuant to the BHRC Drug and Alcohol policy, I am required to undertake a Drug and/or Alcohol screening test when requested.

I hereby consent to the test/s as determined by BHRC for the purpose of determining the use of alcohol or illicit drugs.

I agree that the testing will be carried out by a person authorised to conduct the test and that further testing from an external agency may also be required.

I am unaware of any medical condition that may affect the results of this test.

I have carefully read the foregoing and fully understand its contents. I acknowledge that my signing of this consent is a voluntary act on my part and that I have not been coerced into signing this document by anyone.

I understand that a refusal to sign this form for consent or the return of a positive result means that I may be subject to disciplinary actions as set out in the BHRC Drug and Alcohol policy.

NAME:	
SIGNATURE:	
DATE:	

OFFICE USE:

TEST CONDUCTED	
<input type="checkbox"/> ALCOHOL	<input type="checkbox"/> OTHER DRUGS

NAME:	
SIGNATURE:	
DATE:	

FOLLOW-UP TESTING REQUIRED	
<input type="checkbox"/> NO, TEST RESULT WAS NEGATIVE	
<input type="checkbox"/> YES, CONFIRMATORY TESTING REQUIRED	

SAMPLE ONLY

CONFIRMATORY NOTICE

NOTICE OF TEST RESULTS: POSITIVE

NAME:	
DATE:	

Bunbury Harvey Regional Council would like to confirm that the Drug and/or Alcohol test that you took was confirmed POSITIVE.

In accordance with the Drug and Alcohol Policy, this permanent record will remain on your personnel file.

DATE OF TEST:	
TEST CONDUCTED: <i>(Tick)</i>	
<input type="checkbox"/> ALCOHOL	<input type="checkbox"/> OTHER DRUGS
POSITIVE RESULT: <i>(Tick)</i>	
<input type="checkbox"/> BREATH <input type="checkbox"/> URINE	<input type="checkbox"/> BREATH <input type="checkbox"/> URINE
ACTION TAKEN:	

For any positive test, attach a copy of the certificate of the breath analysis, or the report of the urine or blood sample analysis to this notification.

For any refusal/failure to undergo testing, provide an outline of the circumstances involved (including names of witnesses).

You must give a copy of this notification to the employee who is the subject of this notification. This information is collected and dealt with in accordance with the *Privacy and Personal Information Protection Act 1998*.

SIGNATURE:	
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INFORMATION ON ALCOHOL AND OTHER DRUGS

It is essential that all people at the workplace are aware that alcohol and other drugs may impact on their ability to work safely and may affect the safety of others.

Workers can only take 'reasonable care' when they understand the effects of alcohol and other drugs and the safety and health risks that could arise. Therefore, where there may be risks arising from alcohol and/or other drugs usage, employers must provide information, instruction and training in relation to safety and health at the workplace, as with other hazards and risks. Similarly, workers should inform themselves of the effects of alcohol and other drugs on their ability to work safely.

1. Alcohol

Alcohol is the most commonly used drug in Australia. Alcohol is a depressant drug that slows brain activity responses and impairs co-ordination. The effects of alcohol vary according to:

- Gender
- Body size and weight
- State of health
- Development of tolerance and dependence
- The amount and strength of alcohol and the way it is consumed
- The presence of food in the stomach when drinking
- Environmental and psychological factors
- Whether alcohol is used with other drugs or substances.

Alcohol consumption may impair work performance. 'Hangovers' from alcohol may also decrease work performance, increase hazards or increase time off work. That is, somebody may be impaired, even with a zero blood alcohol level. A raised blood alcohol level while at work may increase the likelihood of incidents. Alcohol consumption can lead to:

- Delayed reaction time
- Impaired coordination, memory and other cognitive functions
- Decreased ability to concentrate and communicate.

In some cases, alcohol consumption may lead to an increased likelihood of violent or aggressive behaviour. Regular heavy consumption of alcohol can lead to a range of psychological, social and medical problems, and is associated with poor work performance and attendance. Alcohol dependence is also likely to lead to deterioration of skills and interpersonal difficulties.

2. Cannabis

Marijuana consists of dried flowers and leaves of the cannabis plant and may be smoked or eaten in food. It is the most commonly used illicit drug in Australia. Marijuana is also known as 'grass', 'mull', 'weed', 'dope' and 'ganja'. Marijuana, hashish and hashish oil come from this plant.

Tetrahydrocannabinol (THC) is the major psychoactive compound that gives the user a 'high' and affects the mood and perception of the user. Hashish is made from the resin of the cannabis plant. Hashish is stronger than marijuana and is usually mixed with tobacco for smoking.

Hashish oil is a liquid extract and is the most potent cannabis product. It is usually added to 'joints' (cigarettes) or cooked in food and eaten.

As with alcohol, the effects of cannabis will vary from person to person depending on:

- Individual weight and height, general health, mental health and vulnerability to mental health problems and mood
- The way in which the cannabis is taken or ingested
- The amount or concentration of cannabis taken

- Whether the drug is mixed with other drugs
- The experience and regularity of use.

Cannabis use promotes a feeling of wellbeing and relaxation in the majority of users. Somebody impaired by cannabis may exhibit:

- Signs of tiredness
- Difficulty in concentration
- Lack of interest
- Poor coordination
- Confusion
- Clumsiness
- Glazed eyes
- Impaired judgement
- Slowed reaction times.

Cannabis consumption may lead to psychological dependence and paranoia. When mixed with alcohol, there is an increased risk of accidents.

Somebody who is vulnerable to mental health problems is at increased risk of experiencing mental health problems if they use cannabis.

Cannabis use can cause respiratory problems and make pre-existing problems worse.

3. Opioids

The following drugs are opioids:

- Opium (illegal)
- Morphine (on prescription or illegally obtained)
- Heroin (illegal, also known as 'smack', 'skag', 'hammer', 'h', 'gear', 'slow' and 'horse')
- Pethidine (on prescription or illegally obtained)
- Methadone (on prescription or illegally obtained)
- Codeine (on prescription or illegally obtained).

These types of drugs relieve pain and use produces a feeling of euphoria and wellbeing. However, users can develop a tolerance and dependence very quickly. If large amounts of opiates are consumed, adverse physical effects include nausea, vomiting, constipation, drowsiness, reduced vision and respiratory depression. Overdose can be fatal. Other effects include poor appetite, lack of emotion, apathy and indifference.

People who are dependent on opioids will spend more and more time and energy acquiring drugs and, consequently, less time on other behaviours, such as those related to work, family and recreation.

If somebody is injecting drugs, and sharing needles and/or injecting equipment, there is an increased risk of blood borne virus, such as HIV and Hepatitis C.

Methadone is used to treat heroin dependant people and is only legal within a treatment program. Methadone maintenance treatment is recognised as an effective method for treating opioid dependence and reducing the harm associated with illegal opioid use. During the early stages of methadone treatment, the ability to drive a car or operate heavy machines may be impaired.

4. Stimulants

Stimulants are drugs that elevate the mood and increase wakefulness but may have a variety of negative effects such as agitation, fatigue, convulsions and dependence.

Amphetamine type stimulants

Amphetamine type stimulants (ATS) may be obtained illegally or on prescription. They include the various forms of speed, including methamphetamine (ice) and dexamphetamine, which is prescribed for attention deficient hyperactivity disorder (ADHD) but commonly abused.

ATS are known by many names, including 'speed', 'goey', 'fast', 'whizz', 'shabu' and 'ice'.

Use of amphetamines promotes a feeling of wellbeing and energises the user, making sleep difficult. In higher doses, it may result in increased pulse rate and blood pressure, anxiety, confusion, insomnia, loss of appetite and, in some cases, psychosis.

Prolonged methamphetamine use is associated with dependence, extreme paranoia, argumentativeness, loss of appetite and hyperactivity. In severe cases, users may be impaired by hallucinations, delusions or increased likelihood of violent or aggressive behaviour.

MDMA

Ecstasy is the common name for methylenedioxy methamphetamine (MDMA). It is available in tablet, capsule and powder form and usually ingested in tablet form, but can be injected or snorted.

Effects include increased blood pressure. The ability to regulate body temperature is impaired and, in an environment with high temperatures, this can result in increases in body temperature that is life threatening. Other effects include dehydration, nausea and anxiety.

High doses can lead to convulsions and hallucinations. Other drugs such as amphetamines are often used with ecstasy.

Cocaine

Cocaine hydrochloride is a white powder that is also known as 'coke'. The effects of cocaine are similar to ATS. Consumption of large amounts of cocaine may cause chest pain, a heart attack or psychosis. Regular use can result in cocaine dependence.

5. Hallucinogens

Hallucinogens are a group of drugs that can change a person's perception. Hallucinogens include substances such as phenylcyclidine (PCP). The most common hallucinogens available in Western Australia are lysergic acid diethylamide (LSD) and magic mushrooms (containing psilocybin) which grow in the South West but are seasonal. LSD is also known as 'trips' or 'acid'.

Consumption of hallucinogens may lead to illusions and hallucinations, poor perception of time and distance, panic, paranoia, possible drowsiness, hyperactivity, confusion, inability to concentrate, loss of memory and insensitivity to pain and anxiety.

The gross distortions in perception that can occur can place the user at serious risk of injury, accident and sometimes mental health problems, both acute and chronic.

6. Volatile substances (solvents and inhalants)

Volatile substances are commonly known as inhalants or solvents. A wide variety of commonly occurring household and industrial products can be inhaled to produce a 'high'. The most commonly used volatile substances are butane gas, chrome, paint thinner, petrol and glues. As with alcohol, volatile substances are classified as a 'central nervous system depressant'.

Deliberate inhalation of solvents, along with unintentional inhalation occurring, for example, when working with solvents, may lead to intoxication and/or impair the ability to work safely. Employers who require workers to work with solvents must consult national exposure standards and conduct risk assessments and address identified risks. Deliberate inhalation should be responded to in the context of this guidance note.

Onset of intoxication can be rapid and severe, with increased risk of injury. Effects are short term, and recovery, like intoxication, is relatively rapid. Effects include headache, sore eyes, drowsiness, disorientation, double vision,

anxiety, dizziness, tiredness, nausea, poor coordination, slowed reaction time and, in higher doses, reduction in muscle strength.

Intentional and unintentional long-term inhalation of solvents may be a serious health hazard. For example, inhaling excessive amounts of toxic substances such as leaded petrol can damage the brain and nervous system, liver, kidneys and bone marrow. Death can, in rare cases, result from arrhythmia (irregular heart beat) or suffocation.

7. Medications

Everyone at a 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. Prescribed and over the counter medications can also be misused for the purposes of intoxication.

Prescription medication

Workers taking medication should find out how it may affect them by consulting their doctor. During this consultation, they should explain their work duties to the doctor in order to determine if their ability to work safely will be impaired by the medication.

Any directions or warnings on the medication should also be read carefully and followed.

Side effects that could affect work performance may include, but are not limited to, drowsiness, being less alert, tiredness, difficulty in concentration, slowed reaction times and decreased physical coordination.

Antihistamines prescribed or purchased over the counter for allergies or as cold medicine, can cause drowsiness.

'Over the counter' medication

Workers should ask their doctor or pharmacist about the short and long term effects of medication and whether or not their ability to perform their work duties safely may be impaired.

Workers should always be alert to the fact that commonly taken medications can cause drowsiness and impair the ability to work safely.

It is also advisable that workers inform their employer regarding any medication they are taking so that the implications for work safety can be assessed. It is not relevant for the employer or anyone else at work to be advised why the worker is taking medications.

8. Combining drugs

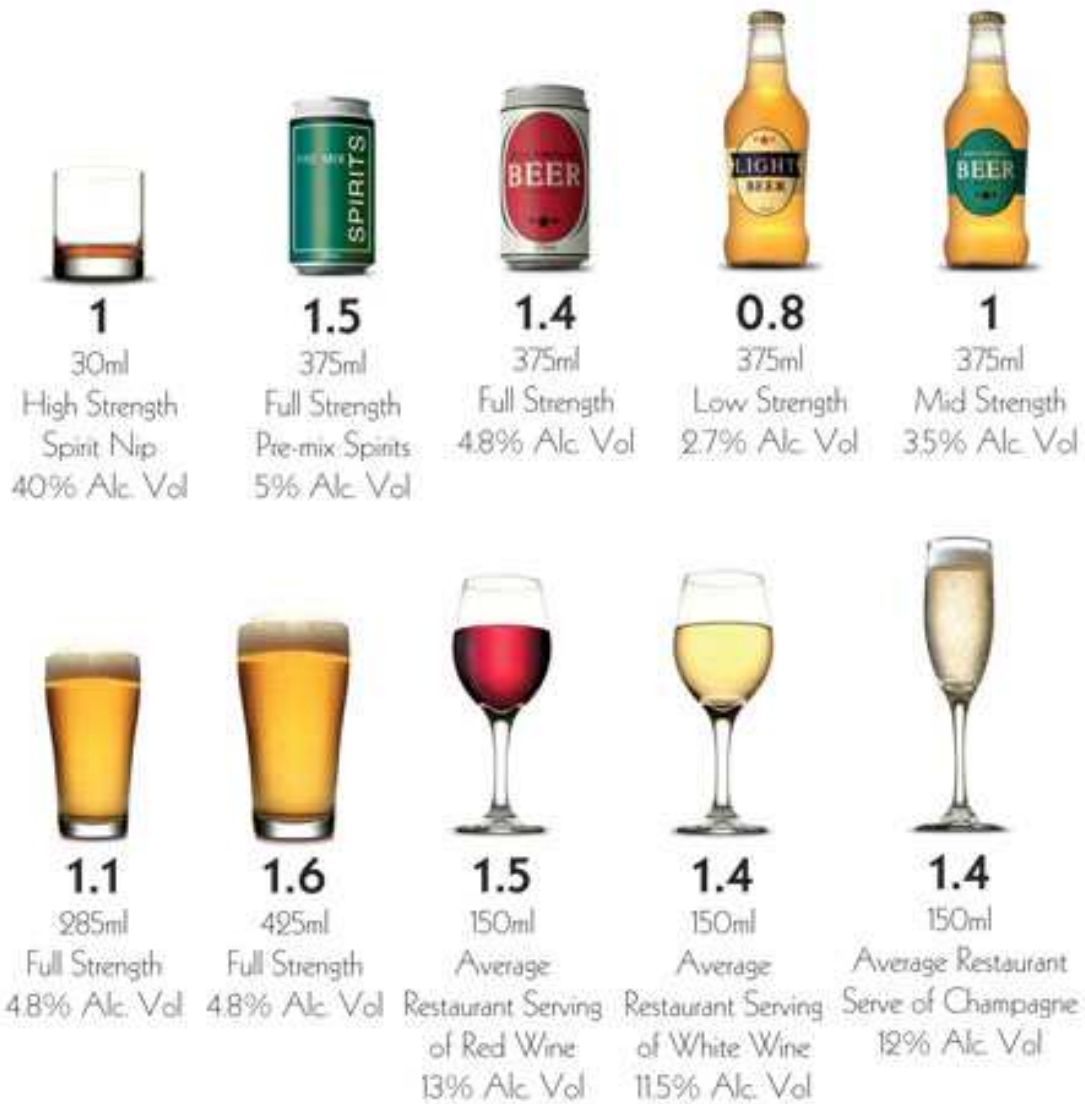
Combining different drugs may increase the intensity or completely alter the effect of a drug. It is advisable for workers to seek advice from their doctor or pharmacist about any possible side effects arising from mixing drugs.

Combining medication and alcohol may also alter the side-effects of medication and affect a worker's ability to work safely. Sleeping tablets mixed with alcohol, for example, may impair judgment or coordination.

Mixing illicit drugs that depress the central nervous system and alcohol can also increase the risk. For example, combining cannabis and alcohol significantly increases the risk of accidents to higher levels than occurs with either drug alone.



HOW MUCH IS A STANDARD DRINK?



These are only an approximate number of standard drinks.
Always read the container for the exact number of standard drinks.

LEGISLATION AND OTHER REFERENCES:

- *Local Government Act 1995*
- *Local Government Act (Functions and General) Regulations 1996*
- *Equal Opportunity Act 1984*
- *Freedom of Information Act 1992*
- *Misuse of Drugs Act 1981*
- *Road Traffic Act 1974*
- *Liquor Licensing Act 1988*
- *Workers' Compensation and Injury Management Act 1981*
- *Occupational Safety & Health Act 1984*
- *Occupational Safety and Health Regulations 1996*
- *AS 3547:1997 Breath Alcohol Testing Devices*
- *AS 4760:2006 Procedures for specimen collection and the detection and quantitation of drugs of abuse in oral fluid*
- *AS 4308 - Recommended Practice for the Collection, Detection and Quantitation of Drugs of Abuse in Urine.*
- *AS/NZS 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine*

FURTHER INFORMATION:

- Office of Road Safety ors.wa.gov.au
- Australian Drug Foundation www.adf.org.au

FURTHER READING

- *Quality Management System*
- *QMS006: Harassment, Discrimination and Equal Opportunity*
- *Code of Conduct*

FURTHER ASSISTANCE:

- Employee Assistance Program

For a confidential, non-judgmental conversation with a professional, experienced, drug and alcohol counsellor, call:

- Alcohol and Drug Information Service on 9442 5000. Country callers can telephone 1800 198 024
- Parent Drug Information Service on 9442 5050. Country callers can telephone 1800 653 203
- See also Drug and Alcohol Office www.dao.health.wa.gov.au

For a comprehensive guide to the help available in Western Australia, see the Directory of Alcohol & Other Drugs Services in Western Australia. This lists a range of services that can provide access to information, counselling, support, advice and referral. It can be found at www.dao.wa.gov.au

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