

DRUG AND ALCOHOL POLICY

RM8 /CD number	CD17376		
Policy owner	People and Culture		
Adoption date	18 September 2019	Scheduled review date:	18 September 2021

POLICY STATEMENT

Banyule City Council (Council) is committed to a safe, healthy and productive workplace, and is focused on eliminating risks associated with the adverse effects of alcohol and drug use. In accordance with this commitment Employees should not be impaired by Alcohol and/or Other Drugs (AOD) when at work, undertaking work, or on Council's premises. All Employees should be in a fit condition to perform their duties without compromising the safety of themselves, their colleagues and members of the community.

PURPOSE AND OBJECTIVES

- Ensure Employees are fit for work and carry out their duties in a safe manner unimpaired by drugs or alcohol.
- Assist Employees at all levels in understanding how the use (and/or abuse) of these substances can impact health, safety and work performance of individuals and their colleagues.
- Provide appropriate support to Employees who identify with health problems related to the use of alcohol or drugs.
- Ensure the health and safety of Employees and members of the community is not compromised.

This Policy should be read in conjunction with Council's Drug and Alcohol Procedures document, Guidance on BAC levels for Roles/Activities/Sites, Code of Conduct, and Managing Conduct and Performance Policy.

SCOPE

This Policy applies to all Council Employees (including casual's, interns and apprentices), contractors, labour hire, agency staff, volunteers, and students on work-placement. This policy is not limited to the workplace or work hours, and extends to work related functions and events. For example, work lunches, conferences, Christmas parties and functions.

This Policy may not cover all potential situations relating to Employees being fit to work. Where the procedure is silent in these situations it is expected Employees will be guided by Councils Code of Conduct and, in particular the Working Together Working Better Values.

DEFINITIONS	
Alcohol	The intoxicating constituent in a beverage (e.g. beer, wine and spirits).
Blood Alcohol Concentration (BAC)	Refers to the amount of alcohol present in the bloodstream.
Causal (Testing)	Periodic testing of Employees may also be undertaken for a period of two years following completion of a rehabilitation program or following a confirmed positive test result for the misuse of AOD.
Council Vehicle	A vehicle owned or hired by Council and is used to conduct council business
Drugs	Refers to all legal and illegal substances such as pharmaceutical and psychoactive substances or synthetic drugs.

Dry Site	A Council worksite that requires .00 BAC for all Employees on-site whether working at the site or visiting.
Employee Assistance Program (EAP)	A program incorporating established procedures for the referral to specialist counselling service of Employees with personal, family, or work related concerns problems which may impact upon work performance, health, or quality of life.
Fit for Work	That the Employee is in a fit and proper condition to work safely and legally.
Incident (testing)	Following an incident or where an Employee may have breached or has breached safety precautions or procedures
Not fit for work	An individual whose physical, mental or emotional state is adversely affected and they are therefore unfit to perform their duties satisfactorily or safely.
Reasonable Suspicion	A supervisor has an opinion that there are reasonable grounds to believe that an individual is impaired by alcohol or drugs and is therefore not fit for work.
The Council Designated Medical Practitioner	A medical practitioner/s selected by Council.
Under the Influence	An Employee who, due to the use of alcohol or drugs, is not acting in their full conscious state of mind and is unfit to perform their duties safely and productively. This includes impaired performance related to coming down from a drug or experiencing the effects of a hangover.
Working Hours	The time between the commencement and the conclusion of work activities on behalf of the Council on any one working day. Normal working hours shall include lunch or other meal breaks and Council business conducted away from the Council's premises, when recalled to work, and includes travel to and from work when the Employee is using a Council vehicle.
Visitor	Any person who attends any workplace of the Council who is not an Employee or contractor.
Workplace	Means any site owned, leased, administered or controlled by Council.

POLICY

All Employees have a duty of care while at work to take reasonable care for their health and safety and that of others who may be affected by their acts or omissions. Specifically:

- Employees are to present Fit for Work and not under the undue influence of drugs or alcohol.
- Employees are to be compliant with the relevant BAC level requirements as outlined in Guidance on BAC levels for Roles/Activities/Sites (CD17381).
- Employees may not consume alcohol on Council premises, or in the course of employment, without approval for an authorised function has been gained by the CEO (or their delegate).
- Employees must not sell, share or be in possession of illegal drugs in the workplace,
- To assist Council in supporting all Employees and maintain a safe workplace, Employees who suspects a colleague is unfit for work as a result of alcohol or drug use should immediately raise these concerns with their Supervisor or Manager, People and Culture, so that assistance can be provided.
- Where an Employee is suspected to be unfit for work/impaired as a result of alcohol or drug use or had an incident in the workplace they may be tested in accordance with this Policy, Drug and Alcohol Procedures (CD17375) and CD17381.
- Following a confirmed non-negative drug and/or alcohol test, Employees may be required to undertake further testing in accordance with this Policy, CD17375 and CD17381.

Testing for Alcohol and Other Drugs (AOD)

Where required saliva and/or breath testing will be used. Saliva and breath testing is noninvasive and used to detect recent use, therefore focused only on whether the Employee is fit for work.

Testing may be undertaken for the following reasons; pre-employment, Reasonable Suspicion, Incident and Causal.

RESPONSIBILITIES

Employee Responsibilities

- Arrive at work unimpaired by alcohol or other drugs and carry out your normal work activities without exposing yourself or others to health and safety risks.
- Comply with legal BAC where this is required and/or in compliance with the Victorian Road Rules, or other legislation or regulations. Employees are to refer to the Guidance on BAC levels for Roles/Activities/Sites for full clarification
- Clarify with your doctor or pharmacist if the medication you have been provided could impair your ability to safely perform your role. Advise your manager or supervisor if you or your doctor believes your prescribed/over-the-counter (OTC) medication may affect your work or you are experiencing unexpected side effects. This information will be managed confidentially.
- Report any concerns to your supervisor immediately if you think alcohol or other drug use by another Employee may affect theirs and/or others safety. This information will be managed confidentially.
- Comply with any drug and alcohol testing as required by the organisation in line with this Drug and Alcohol Policy and the related Drug and Alcohol Procedures document.
- Immediately notify your supervisor of any change in your license or permit for vehicles/plant that may affect your ability to undertake your allocated tasks.

Manager, Supervisor Responsibilities

- Ensure all Employees and contractors under their supervision are aware of the terms of this Policy.
- Ensure appropriate action is taken in the event of an issue arising.
- Provide and maintain a safe working environment that is without risks to the health and safety of Employees, as is reasonably practicable.
- Manage any change in an Employee's work performance that may be due to alcohol or other drug use issues.
- Instruct an Employee to stop their work immediately and, if necessary, remove them from the workplace where it is suspected an Employee is impaired due to alcohol and/or drugs, and there is a perceived risk to the individual or others. Where this situation arises request a drug/alcohol test immediately via the Manager, People & Culture or People & Culture Business Partner.

People and Culture Responsibilities

- Provide drug and alcohol training sessions (online or face to face).
- Ensure drug and alcohol is listed as an item in the Corporate Induction Checklist.
- Manage any notification/advice from Employees regarding alcohol/drug dependency in accordance with the Procedures.
- Manage any breaches of the Policy and Procedure in accordance with Council's Managing Conduct and Performance Policy
- Provide EAP for staff where necessary.
- Ensure testing results are managed confidentially.

**Independent Contractors and Agency Labour Hire Employees, Students, Interns
Apprentices and Volunteers**

- Must comply with this policy

BREACHES OF THIS POLICY



Failure to comply with this Policy including returning a non-negative drug and/or alcohol test or refusal to participate in a drug and/or alcohol test as directed will be managed in accordance with Council's Managing Conduct and Performance Policy. Any action taken will include consideration of the circumstances, frequency of the occurrence and the role and impact of the breach on the duties carried out by the position.

DISPUTES

Any dispute raised should be addressed in accordance with the Dispute Prevention & Settlement Procedure provisions of the Enterprise Agreement.

RELATED DOCUMENTS

- CD17375 Drug and Alcohol Procedure
- CD17381 Guidance on BAC levels for Roles/Activities/Sites
- CD5104 OHS Policy and Guidelines
- CD5196 Managing Conduct and Performance Policy (Including Disciplinary Guidelines)
- CD15753 Code of Conduct and Working Together, Working Better values
- CD5376 Fleet Policy and Guidelines
- CD5081 Incident/Injury Illness Reporting Form/Elumina online portal

Internal Use Only:	
Responsible Manager:	 Fiona Lynch Acting Manager, People and Culture
Approval:	 Geoff Glynn Acting Chief Executive Officer