

# 2020 Drug and Alcohol Policy

## General Policy



### PURPOSE

1. North Burnett Regional Council (Council) aims to provide and maintain a workplace environment that not only protects the health and safety of all workplace participants whilst at work, but also facilitates a productive workplace. The consumption of drugs and/or alcohol can impair a workplace participant's ability to perform work in a safe manner and can also lead to unacceptable behaviour towards others.
2. The purpose of this Policy is to reduce the likelihood of injury, damage and/or other negative effects of alcohol and/or drug use, by prohibiting all workers from working or conducting Council business with drugs and/or alcohol in their system in excess of the tolerance levels set out in this policy.

### SCOPE

3. This Policy applies to all North Burnett Regional Council employees and Councillors, and any other person who perform work for Council, including labour hire personnel, apprentices, and trainees, persons gaining work experience, volunteers, consultants, contractors, elected members, sub-contractors and their employees.
4. Nothing in this Policy is intended to create an employment relationship between the Council and its workers.

### DEFINITIONS

| Term                                    | Definition  |
|---|---|
| <i>Alcohol</i>                          | means any alcoholic beverage, including but not limited to liqueurs, spirits, wine, or beer.  |
| <i>Business Hours and Hours of Work</i> | means a worker's ordinary hours of work for the Council and includes times worked on overtime and attending to call-outs or other matters requiring attendance at Council workplaces outside of a worker's ordinary working hours.  |
| <i>Contractor</i>                       | includes a contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company assigned to work for Council, a work experience student, or a volunteer.   |
| <i>Council</i>                          | Means North Burnett Regional Council  |
| <i>Drugs</i>                            | means any mind altering or legally controlled substance unless it is prescribed by a doctor and used in accordance with medical directions. This includes any drugs listed in the Drugs Misuse Act 1986 (QLD) or similar legislation and any drugs listed in the Australian Standard AS/NZS 4308:2008 which prescribes the procedures for the collection and quantitation of drugs of abuse in urine and listed in the Australian Standard AS/NZS 4760:2019 which prescribes the procedures for the collection and quantitation of drugs of abuse in oral fluids. The Council may also include drugs other than those listed in Australian Standards 4308:2008 and 4760:2019 such as those drugs referred to as "designer drugs", including (but not limited to) synthetic cannabinoids and herbal highs, as well as other synthetic drugs such as opioids, hallucinogens, piperazines, stimulants and sedatives. |
| <i>Employee</i>                         | means a Local government employee—<br>(a) the chief executive officer; or<br>(b) a person holding an appointment under section 196 of the Local Government Act 2009.  |

| <b>Term</b>             | <b>Definition</b>   |
|-------------------------|---|
| <i>Manager</i>          | includes persons appointed to positions with the title or function of Supervisor, Team Leader, General Manager, and Chief Executive Officer.  |
| <i>Tolerance levels</i> | means:<br>for Alcohol: A confirmed breath alcohol concentration reading of greater than zero micrograms (0.00) of alcohol per litre of breath constitutes a positive test.<br><br>for Drugs: A confirmed drug test reporting levels of drug or metabolites that exceed designated cut-off levels constitutes a positive test. Cut-off levels will conform to the relevant Australian Standard/New Zealand Standard, where such a standard has been issued in relation to the drug concerned. (For more detailed information on this refer to the Council's Drug & Alcohol Testing and Management Procedure. |
| <i>Workers</i>          | includes all Council employees, contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company assigned to work for Council, a work experience student, a volunteer and councillors.   |
| <i>Workplace</i>        | means a place where work is carried out for the Council and includes any place where a worker goes, or is likely to be, while at work and may include performing work for Council from their private residence under agreed arrangements.   |

## **POLICY**

### **OBJECTIVES**

5. For Council to provide and maintain a workplace environment that not only protects the health and safety of all workplace participants whilst at work, but also facilitates a productive workplace.
6. To reduce the likelihood of injury, damage and/or other negative effects of alcohol and/or drug use

### **PRINCIPLES**

7. Council is committed to:
  - a) Contributing positively to the health and wellbeing of workers;
  - b) Providing a work environment that is free from the negative impact of drugs and alcohol;
  - c) Improving the health and safety of all workers and the general public, with whom we interact extensively every day;
  - d) Maintaining the privacy of workers and their rights as private citizens.
8. The Council's interests regarding this Policy and its application are restricted to:
  - a) The workplace health and safety, behaviour, and performance of Council workers;
  - b) The health and safety of the general public; and
  - c) The public perception of council and the conduct of council business.

### **POLICY STATEMENT**

9. North Burnett Regional Council is committed to ensuring so far as reasonably practicable the good health and safety of every employee, contractor and visitor to the Council's workplaces including ensuring healthy and safe working conditions, and safe operation of all equipment in the workplace.
10. Council has adopted this Drug and Alcohol Policy to extend and strengthen the broad-based work health and safety programs in place to secure the highest level of health and safety in Council workplaces.
11. This Policy prohibits all employees and contractors covered by the scope of this policy from working or conducting Council business with drugs and/or alcohol in their system in excess of tolerance levels (detailed in the Drug and Alcohol Testing and Management Procedure).

## **ROLES AND RESPONSIBILITIES**

### **Council responsibilities**

12. Council is responsible for the adoption, amendment and repeal of the Policy and the Chief Executive Officer is responsible for the development and amendment of any associated procedures and guidelines relevant to the Policy.
13. Council is also responsible for:
  - a) Appointing an Authorised Organisation to conduct drug and/or alcohol testing
  - b) Maintaining an Employee Assistance Program Provider.

### **Managers responsibilities**

14. Managers are responsible for:
  - a) Ensuring all employees and contractors are aware of and comply with this policy
  - b) Monitoring staff, and investigating situations which may be in breach this Policy; and
  - c) Taking appropriate steps to deal with a Worker if they:
    - Observe a Worker using drugs or alcohol or finds evidence of usage; or
    - Detect the odour of alcohol on a Worker; or
    - Suspect a Worker is working with drugs and/or alcohol in their system in excess of the tolerance levels set out in this policy (for example through abnormal or erratic behaviour); or
    - Become aware from a reliable or credible source that the Worker has consumed drugs or alcohol in breach of this policy.

### **Worker responsibilities**

15. Workers are prohibited from:
  - a) Working or conducting Council business with drugs and/or alcohol in their system in excess of the tolerance levels set out in this policy;
  - b) Using, possessing, distributing, or consuming drugs or alcohol on Council property during work time, that is not in the course of your employment (e.g. employees required to serve alcohol under Responsible Service of Alcohol Licence);
  - c) Driving a Council vehicle with drugs and/or alcohol in their system in excess of the tolerance levels set out in this policy;
  - d) Using or consuming drugs or alcohol when off-duty if it would result in the worker reporting to work or performing duties with drugs and/or alcohol in their system in excess of the tolerance levels set out in this policy;
  - e) Using or consuming drugs or alcohol at social events and work-related functions held during business hours/hours of work, where the worker attending is representing Council.
16. Each worker is responsible for ensuring their own safety and the safety of others and if a worker feels unsafe working with another person because they suspect that person is affected by drugs or alcohol, the worker must refer the matter to a Manager.
17. All individuals covered by the scope of this policy must take responsibility for ensuring the health and safety of themselves and of others. In particular, employees must act responsibly by:
  - a) ensuring they meet their duty of care responsibilities to both fellow employees and members of the public by not being impaired by the effects of illegal drugs or alcohol whilst on duty. Persons must present for work able to undertake their normal work activities to an acceptable standard
  - b) attending and resuming work unimpaired by alcohol or other drugs and immediately notifying their manager/supervisor if aware that their work performance or conduct could be adversely affected or if there is a risk to the safety of themselves or others as a result of the effect of a prescribed or non-prescribed drug. All persons should find out from their doctor or pharmacist what effects a drug prescribed for their consumption has on their work performance
  - c) taking action and responsibility to resolve their own alcohol or other drug-related problems
  - d) consulting with their manager/supervisor, workplace health and safety representative if they have genuine reason to believe that a person is under the influence of alcohol or other drugs and may pose a risk to the health and/or safety of the person and all others including the public.

## APPLICABLE LEGISLATION AND REGULATION

18. Applicable legislation and regulation:

- a) Work Health and Safety Act 2011 (Qld)
- b) Drugs Misuse Act 1986 (Qld)
- c) Transport Operations (Road Use Management) Act 1995
- d) Australian Standard AS/NZS 4760:2019
- e) Australian Standard AS/NZS 4308:2008

## RELATED DOCUMENTS

19. Related documents are:

- a) Code of Conduct
- b) Employee Disciplinary Policy
- c) Drug and Alcohol Testing and Management Procedure

## RESPONSIBLE OFFICER

People and Performance Manager

## APPROVAL DATE

4 February 2021

## REVIEW DATE

February 2025 (Standard four year term)

## REVISION HISTORY

| Version | Meeting or Authorising Officer | Approval Date   | History        |
|---------|--------------------------------|-----------------|----------------|
| 1       | Chief Executive Officer        | 4 February 2021 | Revised Policy |
|         |                                |                 |                |
|         |                                |                 |                |