

# DRUG AND ALCOHOL POLICY

## ADMINISTRATIVE POLICY



### 1 Scope

This policy applies to all workers and Councillors, who carry out work in any capacity for Rockhampton Regional Council including work as an employee, contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company assigned to work for Council, an apprentice or trainee, work experience student, volunteer or Councillor.

The Rockhampton Airport Drug and Alcohol Management Plan is excluded from this policy. The DAMP applies to all Council employees or contractors participating in a Safety Sensitive Aviation Activity at Rockhampton Airport.

### 2 Purpose

The purpose of this policy is to support Council's commitment to maintain a safe and efficient working environment for all workers and Councillors.

### 3 Related Documents

#### 3.1 Primary

Nil

#### 3.2 Secondary

*Anti-Discrimination Act 1991*

*Australian Human Rights Commission Act 1986 (Cwth)*

*Human Rights Act 2019*

*Industrial Relations Act 2016*

*Information Privacy Act 2009*

*Local Government Act 2009*

*Local Government Regulation 2012*

*Right to Information Act 2009*

*Transport Operations (Road Use Management) Act 1995*

*Work Health and Safety Act 2011*

*Work Health and Regulation 2011*

Breath Alcohol Testing Devices (AS/NZS 3547:2019) Australian/New Zealand Standard

Code of Conduct

Code of Conduct for Councillors in Queensland

Complaints Management Policy

Council's Certified Agreement/s

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Discipline Procedure

Drug and Alcohol Procedure (Councillors)

Drug and Alcohol Procedure (Workers)

Non-Work Related Injury Policy

Procedure for Specimen Collection and the Detection and Quantitation of Drug in Oral Fluid (AS/NZS 4760:2019) Australian/New Zealand Standard

Procedure for Specimen Collection and the Detection and Quantitation of Drugs in Urine (AS/NZS 4308:2023) Australian/New Zealand Standard

Relevant Australian Standards

Rockhampton Airport Drug and Alcohol Management Plan

Workplace Bullying, Discrimination and Sexual Harassment Policy

Workplace Health and Safety Policy

#### 4 Definitions

To assist in interpretation, the following definitions apply:

CEO	Chief Executive Officer A person who holds an appointment under section 194 of the <i>Local Government Act 2009</i> .
Contractor	A person, organisation or entity that performs a specific act or acts including the provision of services and/or materials to another person, organisation or entity under an agreement enforceable by law.
Council	Rockhampton Regional Council
Councillor	The Mayor and/or a Councillor/s of Council, within the meaning of the <i>Local Government Act 2009</i> .
DAMP	Rockhampton Airport Drug and Alcohol Management Plan
EAP	Employee Assistance Program A confidential, professional counselling service available to Council employees.
Employee	Local government employee: (a) The CEO; or (b) A person holding an appointment under section 196 of the <i>Local Government Act 2009</i> .
Fit for Work	A state (physically, mentally and emotionally) to perform assigned tasks competently and in a manner which does not compromise or threaten the health, wellbeing and safety of themselves or others in the workplace.
Impairment	A symptom of reduced quality, strength or effectiveness of a worker due to the affects of drugs or alcohol consumption whilst performing their usual duties.
Random	Having no specific pattern, purpose or objective.
Reasonable Suspicion	An objectively justifiable suspicion based on specific facts or circumstances that justifies a request for testing at the time. The facts or circumstances are not necessarily medically based and are consistent with the published potential effects of being under the influence of drugs and/or alcohol.
Reasonable Suspicion Testing	Testing undertaken following a report of reasonable suspicion.

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Volunteer	Any person, who of their own free will, offers to undertake un-paid work for Council and is accepted as a volunteer by the CEO and/or their authorised delegates.
Worker	Employee, contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company assigned to work for Council, an apprentice or trainee, work experience participant or a volunteer.
Work Hours	Any time where a worker is at their usual workplace, or at another workplace and is claiming remuneration, including time where the on-call allowance is received.
Workplace	A place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.

## 5 Policy Statement

Workers and Councillors are not to present themselves for work if they have consumed alcohol and/or other drugs where they may be at risk of impairment during work hours.

Alcohol and illicit drugs must not be consumed at any Council workplace, in any Council owned vehicle or plant, or at any time as a worker of the Council or as a Councillor whilst undertaking their respective duties. An exception for the consumption of alcohol may be made for special occasions or locations as determined by the CEO or Mayor and where the provision of hospitality is within the bounds of normal customary hospitality.

Workers or Councillors should not remain at the workplace if they become impaired, or there is a risk of impairment, by alcohol and/or other drugs.

### 5.1 Awareness and Training

Council recognises that it is important to develop a workplace culture, through awareness and training where employees are prepared to encourage each other to be safe and fit for work. All employees must be made aware of this policy and the Drug and Alcohol Procedure upon commencement of employment and annually thereafter.

All other workers and Councillors must be made aware of the components of this policy and the relevant Drug and Alcohol Procedure that may affect them whilst performing work in any capacity for Council.

### 5.2 Employee Assistance

Council recognises drug and alcohol dependency as a treatable condition. Workers or Councillors who suspect they have an issue with drugs and/or alcohol are encouraged to seek advice regarding appropriate treatment options. Council offers employees and Councillors the services under the EAP.

### 5.3 Prescription and Pharmacy Medication

If Council suspects that a worker's or Councillor's ability to safely perform work is impaired (or likely to be impaired), Council may take steps to address the issue in accordance with this policy and associated procedures.

Where a worker or Councillor is taking prescription and pharmacy medications for a legitimate medical purpose, the worker or Councillor will not breach this policy by attending work or duties subject to guidelines listed in the relevant Drug and Alcohol Procedure.

### 5.4 Drug and Alcohol Testing Triggers

Consistent with Council's obligation and commitment to ensuring a safe workplace, workers and Councillors may be required to undergo drug and alcohol testing in the following circumstances in accordance with the relevant Drug and Alcohol Procedure:

- (a) As part of a random testing program;
- (b) In a case of reasonable suspicion; and/or
- (c) Post incident.

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## 5.5 Testing Methods

All drug testing undertaken will comprise of either a urine or saliva test.

Urine testing will be conducted in accordance with Australian Standard 4308:2023. Saliva testing will be conducted in accordance with Australian Standard 4760:2019.

Alcohol testing will be conducted in accordance with current random breath testing procedures in Queensland (Australian Standard AS 3547:2019).

## 5.6 Responsibilities

Detailed responsibilities are contained in the relevant Drug and Alcohol Procedure.

## 5.7 Breaches of Policy

Disciplinary action may be taken in accordance with the actions detailed in the relevant Drug and Alcohol Procedure and Discipline Procedure for breaches of this policy including, but not limited to:

- (a) The recording of a positive result from a drug and/or over the limit for alcohol;
- (b) If found to have deliberately masked a substance;
- (c) If found to have deliberately evaded testing;
- (d) The falsification of medication information or details;
- (e) Tampering with a sample for drug and/or alcohol testing; or
- (f) Refusing to comply with any requirements of this policy.

## 6 Review Timelines

This policy is reviewed when any of the following occur:

- (a) An investigation into a high potential incident or serious accident identifies that drugs and/or alcohol were the major contributing factor/s;
- (b) The related information is amended or replaced; or
- (c) Other circumstances as determined from time to time by the Council.

## 7 Document Management

Sponsor	Chief Executive Officer
Business Owner	Deputy Chief Executive Officer
Policy Owner	Manager Workforce and Governance
Policy Quality Control	Legal and Governance



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