



WHS 65 Alcohol and Other Drugs Procedure

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1 Purpose

The purpose of this procedure is to promote and maintain a safe and healthy workplace where all workers are fit for work. The misuse of alcohol and medication and the use of other drugs can have serious consequences in the workplace and Territory Generation (TGen) is committed to taking action to eliminate the risks associated with the inappropriate use of both alcohol and/or other drugs.

This procedure sets out a framework for testing, as well as detailing a process for effectively and appropriately dealing with individuals who do not meet the requirements of this procedure. Management of alcohol and other drugs will be seen in the context of an overall fitness for work framework, which includes fatigue and other factors.

2 Scope

This procedure applies to all TGen sites and to all employees, contractors and visitors working on or visiting TGen sites or who carry out activities on TGen’s behalf.

3 Roles and Responsibilities

ROLE / TITLE	RESPONSIBILITY
Chief Executive Officer	Shall ensure that: <ul style="list-style-type: none"> All Managers are aware of the requirements of this procedure and its management on sites under Territory Generation’s control. The procedure is review as required. Adequate resources are allocated for the education, training, counselling, testing and other requirements of the procedure.
General Manager People and Safety	Shall ensure that: <ul style="list-style-type: none"> The procedure is implemented across TGen. Appropriate education and training is delivered. The procedure’s application and effectiveness is reviewed. Each site selects individuals or times for random testing that are easily understood and observed by all. The procedure is applied fairly and consistently and employees who seek assistance will not be disadvantaged and that their employment rights will be safeguarded. Appropriate processes are established that ensures sensitive medical and other personal information is safeguarded.
All Managers/Site Coordinators/Lead OMT	Shall ensure that: <ul style="list-style-type: none"> All workers are/visitors are aware of the requirements within this procedure. This procedure is implemented and followed at all TGen controlled sites. Workers are advised and trained as necessary and the procedure is followed. Contractors are informed of and follow the procedure. Contribute to procedure reviews.

	<ul style="list-style-type: none"> • This procedure is implemented and managed in a way that encourages individuals to bring up concerns about their own or others fitness for work. • All workers in their area of responsibility understand and comply with the requirements of this procedure. • The fitness for work of workers/visitors under their control is monitored throughout the workday. • Prompt and appropriate action is taken whenever they believe a worker is not capable of working in a safe and effective manner. This includes: <ul style="list-style-type: none"> - Isolating a worker from the workplace and controlling any potential hazards. - Making provision for returning a worker home safely. - Keeping appropriate documentation where required. - Providing effective feedback to the worker about their performance or safety. - Assisting the worker to access support and assistance such as the Employee Assistance Program (EAP).
Safety Manager	<p>Shall ensure that:</p> <ul style="list-style-type: none"> • Alcohol and Other Drug testing is scheduled. • Facilitate Employee Assistance Programs and communicate such programs to staff • Review training on fitness for work and ensure it meets this procedure requirements • Assist in gathering statistics and reporting trends to relevant WHS meetings
Safety Consultant	<p>Shall ensure that:</p> <ul style="list-style-type: none"> • Coordinate alcohol and other drug testing, including the activities undertaken by AOD Testing Providers. • Provide advice and support to managers, supervisors and workers on the application of this procedure. • Notify the Manager of any person that returns a positive test result for alcohol, a non negative drug test result or a laboratory confirmed positive result for drugs. • Notify the Safety Manager of any employees that returns a positive test result for alcohol or a laboratory confirmed positive result for drugs. • Notify the Territory Generation employee or representative engaging a contractor of any contractors that returns a positive test result for alcohol or a laboratory confirmed positive result for drugs. • Notify the relevant manager/supervisor to arrange safe transport home or to a suitable place of rest for any workers that returns a positive test result for alcohol or an unconfirmed result for drugs. • Facilitate the provision of support to any workers that return a positive test result for alcohol or a laboratory confirmed

	<p>positive result for drugs.</p> <ul style="list-style-type: none"> • Ensure the confidentiality of all information collected during drug and alcohol testing.
Project Officers/Contract Managers	<p>Shall ensure that:</p> <ul style="list-style-type: none"> • Contractors under their control are informed of and follow the procedure. • Contribute to procedure reviews
Responsible Person	<p>Shall ensure that:</p> <ul style="list-style-type: none"> • Participating in determining whether reasonable belief exists that a worker is impaired by alcohol or other drugs. • Encouraging workers to bring up concerns about their fitness for work and the fitness for work of others.
All Personnel	<p>Shall ensure that:</p> <ul style="list-style-type: none"> • This procedure is followed personally and by contractors/visitors under their control. • They contribute to procedure reviews. • They are responsible for their own health and safety while on site or within TGen vehicles and avoiding adversely affecting the health and safety of any other person. In order to fulfil this responsibility, each worker has the following obligations: <ul style="list-style-type: none"> - Presenting him or herself for work in a condition in which they are able to carry out his or her duties without risk to him or herself or others. This includes ensuring he or she is not adversely affected by alcohol or other drugs. - Notifying his or her immediate supervisor or manager of any potential impairment of his or her fitness for work. - Taking any prescription or non-prescription medication safely. This requires an individual to: <ul style="list-style-type: none"> ▪ Discuss with the prescribing medical practitioner the nature of his or her duties and any possible impact of the medication on his or her safety or performance at work. ▪ Notifying his or her immediate supervisor or manager of any medication they are taking that could affect his or her safety or performance at work. ▪ Taking medication strictly in accordance with his or her medical practitioner's recommendations or the manufacturer's instructions. ▪ Reporting any side effects to his or her medical practitioner and advising his or her immediate supervisor of their concerns. ▪ Take note of warnings or instructions on packaging. ▪ Notifying his or her immediate manager or

	<p>supervisor of any situation in which this procedure may have been breached. This includes:</p> <ul style="list-style-type: none"> ➤ Any situation in which other workers/visitors may be unfit for work. ➤ The unauthorised possession or consumption of alcohol or drugs on a work site. ➤ Any other apparent breach of the procedure. ➤ All such information will be dealt with in confidence.
AOD Testing Provider	<p>Shall ensure that:</p> <ul style="list-style-type: none"> • Provision of alcohol and other drug testing in consultation with Safety Advisors. • Compliance of testing in accordance with this procedure, contract terms and Australian Standards.

4 Definitions

Alcohol	Includes all food, beverages, medication and any other product containing alcohol.
Breath Alcohol Concentration (BAC)	The measurement of alcohol in the body, in grams of alcohol per 100 millilitres of blood and recorded as a percentage i.e. 0.00%.
Drug	Any substance, article, preparation or mixture (with the exception of alcohol) whether gaseous, liquid, solid or in any form which, may alter the fitness for work of a person.
Fit for Work	In a state (physical, mental and emotional), which enables the person to perform assigned tasks competently, and in a manner, which does not compromise the safety or health of themselves or others.
Registered Health Practitioner (RHP)	A health practitioner registered , or licensed as a health practitioner (or as a health practitioner of a particular type) under a law of a State or Territory appointed by TGen who may be responsible for receiving and reviewing laboratory results generated by an employer drug testing program and/or evaluating medical explanations for certain drug test results.
Responsible Person	A suitably trained worker, including either a Health and Safety Representative or Employee Representative who can assist with the fitness for work assessment of a worker/visitor.
Shall	Means a mandatory requirement

Should	Means an advisory requirement
TGen Worksite	Any TGen property or vehicle
Tgen Vehicle	Any TGen owned, rented, leased or hired vehicle
Year	Calendar year

5 References

- Australian Standard 3547-1997: “Breath Alcohol Testing Devices for Personal Use”.
- Australian Standard 4760-2006: Procedures for specimen collection and the detection and quantitation of drugs in oral fluid.
- Australian Standard 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine
- NT Work Health and Safety (National Uniform Legislation) Act Jan 2012
- NT Work Health and Safety (National Uniform Legislation) Regulations June 2013
- Public Sector Employment and Management Act
- Territory Generation Safety Management System.
- Territory Generation Code of Conduct.
- Territory Generation Enterprise Agreement
- Territory Generation Fair and Just Culture Procedure.
- Territory Generation’s Fitness for Work Procedure
- Safe Driving Handbook
- NT Records Management Policies

6 Records

All records relating to this procedure will be maintained in strict confidence.

Records will be maintained within TGen’s record management system as per the Records Management Procedure.

7 Objectives

The procedure is designed to achieve the following objectives:

- To create a safe and healthy work environment for all workers, free from the hazards associated with the inappropriate use of alcohol and/or other drugs.
- To foster an attitude and culture amongst workers that it is not acceptable to come to work under the influence of alcohol and/or any other drug that will prevent them from performing their duties in a safe manner.
- The assessment of individuals’ fitness for work both before their employment and during their time working for TGen.
- The provision of education and training to ensure that workers have the knowledge and skills to manage their own and others’ fitness for work.

- The provision of a range of preventative and rehabilitative measures to overcome issues that impair workers fitness for work.
- The provision of training for managers/supervisors and responsible persons so that they can recognise and effectively manage individuals who may not be fit for work.
- The establishment of processes to ensure that workers who do not meet the requirements of this procedure are dealt with in an effective, fair and constructive manner.
- The requirement for contractors to implement policies, to ensure their workers are fit for work while on TGen's sites.

8 Assessment, Education and Training of new workers

All prospective employees will be assessed for potential fitness for work issues and, if employed, will be provided with education and training to ensure that they are aware of the health and safety implications of alcohol and other drugs so they can manage their fitness for work.

8.1 Pre-employment assessment

All external applicants for employment will undergo a pre-employment medical assessment. This assessment will include a breath alcohol test and a urine screen for drugs. The following conditions apply to these tests:

- (i) Refusal to cooperate fully with the medical examination or attempts to falsify any alcohol or drug screen will result in rejection of the individual's employment application.
- (ii) Deliberate provision of false information or falsification of any test result (which is undetected at the time of employment but subsequently detected) will result in disciplinary action up to and including termination.
- (iii) A positive drug or alcohol result will be referred to a medical provider in order to assess:
 - if there is a valid reason for the person's use of the substance; and,
 - the likely risk given the nature of the role.
 - Note that if a valid reason is not given it will result in the rejection of the individual's employment application.

8.2 Education and Training

As part of the induction process (which should occur as soon as reasonably practicable but no later than three months after commencing with TGen) new employees will be provided with education and awareness training and their responsibilities under this Procedure. This education will be ongoing and flexible and will assist in providing workers with the knowledge and ability to manage their own fitness for safe work. This information will include:

- (i) A brief rationale for the procedure.
- (ii) The procedures emphasis on education, assistance and constructive disciplinary processes.
- (iii) The availability of TGen's EAP.
- (iv) The requirement for all individuals on TGen sites to comply with "for cause" and "random" alcohol and drug testing.
- (v) That the procedure is subject to regular review and adaptation.

8.3 Induction of new managers, supervisors and responsible persons

As part of their induction and training, new managers/supervisors and those new to undertaking the role of responsible person, will be provided with appropriate training to ensure they have the knowledge, skills and attitude to manage fitness for work situations.

9 Alcohol and Other Drug Screening

TGen will establish an ongoing alcohol and drug-screening program that includes the following:

9.1 Types of testing

- (i) All applicants for employment will undergo a comprehensive pre-employment medical assessment including a drug and alcohol screen.
- (ii) Random screening program on all sites to provide an effective deterrent to inappropriate alcohol and drug use.
- (iii) Managers or supervisors will arrange for cause alcohol and drug tests in the following circumstances:
 - Following specified accidents and incidents including:
 - Those categorised as medium or above on the incident reporting procedure; and/or
 - where there is reasonable cause to believe the person may be affected by alcohol or drugs.
 - Where the manager, supervisor or responsible person has a reasonable belief that a person may be impaired by alcohol or other drugs (refer to Appendix 1).
 - Any incident involving a vehicle or mobile plant
 - Where there is evidence of possible alcohol or other drug use at work.
 - For monitoring individuals who have previously tested positive in accordance with their return to work plan.

9.2 Self-testing facilities

Each site will have facilities to enable workers to self-test for alcohol.

Self-test drug and alcohol kits are made available to employees and may be obtained through a Health and Safety Advisor, a Responsible Person, Employee Representative or from the alcohol and other drug testing service provider, on a confidential basis.

9.3 Testing standards

TGen will ensure that all alcohol and drug testing is carried out in accordance with the following:

- (i) The TGen code of conduct and corporate values that requires individuals to be treated with fairness and respect.
- (ii) AS/NZS 4308:2008 'Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine' (for pre-employment medical assessments).
- (iii) AS 3547-1997 Breath alcohol testing devices for personal use.
- (iv) AS 4760-2006: Procedures for specimen collection and the detection and quantitation of drugs in oral fluid.
- (v) The instructions of the manufacturers of testing products.

9.4 Alcohol and drug testing requirements

- (i) All individuals must have a 0.00 BAC reading at all times whilst on TGen controlled sites, which includes whilst on call or issuing direction or instruction on its behalf.
- (ii) Individuals must return a negative saliva screening drug test result at the levels specified by this procedure at all times whilst on site or issuing direction or instruction on its behalf.
- (iii) Managers, supervisors and employees must take appropriate action to ensure safety when they believe an individual is unfit for work.
- (iv) Through Consultation with the workforce TGen may conduct tests for substances other than those covered by this procedure. These include but are not limited to substances such as synthetic cannabis products and other amphetamine type stimulants. Where such testing is carried out, the testing procedures and cut off levels will be determined by TGen's drug testing provider.

9.5 Other breaches of the Alcohol and Other Drug Procedure

The following also constitute a breach of the Alcohol and Other Drug procedure.

- (i) The misuse of alcohol and/or other drugs that results in the possible impairment of an individual's fitness for work, attendance or behaviour.
- (ii) Refusal to submit to, or co-operate fully with the administration of an alcohol or other drug test.
- (iii) Wilfully attempting to avoid or falsify any alcohol and /or drug test.
- (iv) Whilst alcohol is permitted onsite it must be declared (to a Lead OMT/Supervisor/Regional Manager) and it must be secured and removed unopened from company premises or vehicles at the end of the working day (and those bringing alcohol on site may be subject to a BAC test).
- (v) The possession, consumption or administering of illicit drugs on the worksite, within TGen Vehicles or during scheduled working hours is prohibited.
- (vi) Attempting or actually selling or supplying prescription or non-prescription drugs in the work place (with or without the drugs being on / in company property).
- (vii) Any other alcohol or drug related behaviour that creates a risk to safety or performance or is contrary to any legal requirement.

TGen will manage these and other breaches of the procedure as set out below.

9.6 Random testing program

The Safety Manager will schedule a service provider to undertake testing.

The person being tested will require photo identification. The preferred identification is the employee ID card and for a contractor or visitor, their drivers licence.

Random testing will be carried out in a non-discriminatory manner that involves a neutral selection process. On the days of testing this will involve all employees, contractors and visitors selecting one of two marbles from a bag that the service provider will manage. A black marble will indicate that a BAC and drug test will need to be undertaken. A white marble allows an individual to commence work without a test being required.

The maximum number of times a worker is required to perform a test, excluding post incident tests and reasonable suspicion tests is five (5) per calendar year. There is no limit on the number of times a worker may be required to attend the collector to participate in the marble selection process.

9.7 Procedures for the collection and testing of saliva for drugs

TGen will ensure that that:

- (i) The collection, storage, transport and analysis of saliva samples for testing for drugs of abuse is carried out in accordance with this procedure.
- (ii) Saliva specimens will be taken by an authorised independent testing agency.
- (iii) Authorised TGen employees will be suitably trained before undertaking BAC readings to facilitate BAC testing as part of return to work plans or when approved by the CEO or relevant General Manager in response to an incident. In these instances these tests will utilise calibrated BAC reading machines /equipment.
- (iii) Testing procedures and locations will allow for the reasonable privacy and confidentiality of the individual being tested.
- (iv) On site testing is carried out in accordance with the procedures established by the manufacturer of testing equipment and any other procedures established by the site.
- (v) Where required to confirm an initial positive screening test, the sample will be prepared for dispatch to TGen's nominated laboratory for appropriate confirmatory analysis. The laboratory must be certified to the levels required by AS/NZ Standard 4760-2006.
- (vi) Where required to interpret the effect of a positive test on an individual's fitness for work, managers may access specialist advice from the laboratory, the company's medical or fitness for work provider or other sources.
- (vii) Individuals testing positive will be provided with an opportunity to explain the result and/or request a second confirmatory analysis of the saliva sample. Where the individual believes that there is a medical explanation for a positive test, TGen will arrange a review by a medical provider.

10 Management of workers with Fitness for Work Issues

10.1 General Guidelines

TGen will ensure that all concerns relating to workers fitness for work are resolved in an effective and constructive manner. In accordance with clause 33 (Fitness for Work) of the Enterprise Agreement it is acknowledged that generally, impairment should not affect job security or employment conditions. The following guidelines are used to manage fitness for work issues.

- (i) The company will become involved if an individual's behaviour or state has the potential to impact on safety or performance. In such cases, managers and supervisors will manage these situations regardless of whether they resulted from activities during work times or otherwise.
- (ii) The company will confidentially discuss any suspected fitness for work problem with the individual concerned. Individuals have the right to be accompanied at any such discussion by a work colleague or another appropriate support person.
- (iii) The company will refer employees for appropriate medical or other professional assessment where there is concern about an individual's ongoing fitness for work.
- (iv) TGen recognises alcohol and other drugs dependency as a treatable and manageable condition. Any person who suspects they have an alcohol or other drug dependency condition is encouraged to seek advice and to have appropriate treatment.
- (v) The company will require individuals with fitness for work problems to provide evidence acceptable to its specialist medical or fitness for work advisers that the problem has been satisfactorily resolved prior to the individual returning to work. The evidence required will be agreed upon by the person being tested, specialist medical or fitness for work advisers once the return to work plan is developed.

- (vi) No deduction of salary or leave will occur until after receipt of a confirmed positive result subject to the appeals process. Employees who are unable to work because they cannot comply with the conditions of this procedure shall apply for leave for any time they are unable to work. Applications for leave will only be processed after receipt of a confirmed positive result for drugs or a BAC positive result. The employee will nominate the leave type when the supervisor advises them of the test result. TGen may also grant additional personal leave, in accordance with the TGen Enterprise Agreement, for reasonable absences from work when receiving approved assistance.

Subject to the general guidelines, managers and supervisors will follow the below steps when managing an employee who is unfit for work.

10.2 Prescribed and non-prescribed medication

Territory Generation recognises some workers, contractors or visitors take prescribed drugs and/or non-prescribed drugs (e.g. over-the-counter medication) that may affect their fitness for safe work.

Individuals using these medications should:

- Advise their Medical Practitioner or Pharmacist of the type of work they do at the time of obtaining the prescription or medication and obtain relevant information about the possible side effects;
- If affected, advise their Supervisor and/or Line Manager that they are taking medications and there may be possible side effects;
- Take the medications only as prescribed or instructed; and
- Take note of warnings or instructions on packaging.

Workers, contractors and visitors are provided with the option to confidentially disclose prescribed and over the counter medication to the collector if they return a non-negative result to initial drug testing. There is no requirement to disclose medication prior to providing a saliva sample.

The medical declaration will only be used by the laboratory to determine whether the stated medication is consistent with the level of drug(s) detected in the laboratory result.

Workers, contractors and visitors are not required to disclose medications if they do not wish to, however, for the laboratory to determine if a non-negative result obtained during initial on-site testing is related to medication they will need to be advised of this information.

The person will only be asked to disclose medication if they return a non-negative result to initial drug testing. In the absence of this information the laboratory would be unable to provide advice on non-illicit substances and the result will be treated as a confirmed positive as per this procedure.

10.3 Procedures for managing workers who return a positive alcohol or drug test

Managers and supervisors will undertake the following action when an individual is deemed unfit for work for any reason.

- (i) Failed breath alcohol content test – following a failed breath alcohol test the employee, contractor or visitor:
- a. If the BAC reading is between 0.00% to 0.05% in the initial test then the person will be asked to wait for 20 minutes and then retested.
 - b. If after the initial test the BAC reading is above 0.00% the person will be asked to leave site and return either the following day or their next shift.
 - c. Any person who has failed an initial test or secondary test will need to return a pass result before recommencing work.
 - d. If after the second test the person has a BAC reading of 0.00% then the person will have a discussion with their supervisor/OMT Lead regarding fitness for work and then they may return to work.

- (ii) Failed drug test – following a non-negative drug test the employee, contractor or visitor:
 - a. A return to work test will be taken no less than 24 hours after the initial test. The individual will need to return a negative test result before commencing work. Where the individual is taking medication and is required to continue the medication for health reasons, a return to work test is not appropriate and the individual should remain off site until the laboratory results have been received.
 - b. Confirmed Positive Drug Test – where an individual has remained off site following an initial non-negative drug test and the laboratory returns a confirmed positive result, the worker will be required to work with a provider to develop a return to work plan, and as part of that plan return negative test results before recommencing work.
- (iii) If any individual returns a non-negative drug test or a BAC reading of above 0.05% TGen has a responsibility to provide safe transport to the person home or alternatively a suitable place of rest. Visitors or contractors may be charged for any costs associated with returning them to their home or place of rest.
- (iv) In cases where an immediate danger exists as a result of an individual's state (e.g., drug over dose or potential for self-harm), the manager or supervisor will take appropriate action, which may include contacting the police and / or appropriate medical assistance.

Where an employee has returned a breath alcohol fail result and/or a confirmed positive drug result, additional fitness for work testing will be required. The number, frequency and duration of the additional testing will be documented in the employees return to work plan.

10.4 Non-negative Result with declared medication

Where a worker declares to the testing service provider prior to initial testing that they are currently taking medication for a medical condition they will still be required to undertake an initial on-site saliva test. If the initial result is negative, the person shall return to normal duties and no further action is required. If the initial result is non-negative, the collector will obtain a sample for laboratory analysis and the worker will be provided with the option to speak with the Registered Health Practitioner as outlined below.

If the confirmatory test returns a result consistent with non-illicit substance it will be deemed as a negative result and no further action will be taken.

If the confirmatory test returns a result consistent with illicit substance it will be deemed as a positive result and the worker will be managed in accordance with this procedure.

Where a worker chooses not to declare medication prior to initial testing and returns a non-negative result, they will then be asked by the collector if they are taking any prescribed or over the counter medication and will be provided with the option to disclose this information. If the worker elects to confidentially disclose this information, the following will occur:

The site manager will be informed of the non-negative result. The site manager will ensure the worker remains in a safe area within the workplace while the following occurs:

- Should the result returned be non-negative to the drug class Opiates the worker will be given the option to contact a Registered Health Practitioner (RHP). The RHP will have a confidential discussion with the worker about the nature of the non-negative result, their use of medication and their current fitness for work. The RHP will then provide advice to Human Resource Manager on the worker's fitness for work. The outcome of this discussion will determine if the worker can remain at work or is to be removed from the workplace.
- Where an RHP cannot be contacted in a timely manner or should the result returned be non-negative to a drug class other than Opiates the following process will take place:

- The worker will be removed from the workplace and provided with safe transport home. Following a non-negative initial drug test a return to work test will be undertaken no less than 24 hours after the initial test. The individual will need to return a negative test result before recommencing work. Where the individual is taking medication and is required to continue the medication for health reasons a return to work test is not appropriate. The worker will be provided the opportunity to speak with the RHP at earliest opportunity or remain off site until the confirmatory results have been received.

In all instances the collector will obtain a second specimen as soon as practicable after identifying a non-negative result. The second specimen will be sent to the testing service provider's laboratory for confirmatory testing.

If the confirmatory test returns a result consistent with non-illicit substance, it will be deemed a negative result and no further action will be taken.

If the confirmatory test returns a result consistent with illicit substance, it will be deemed a positive result, and the person will be managed in accordance with this procedure.

The worker's supervisor will be required to enter special leave for the period of absence if results returned from the laboratory are consistent with non-illicit substance. If the result is consistent with an illicit substance Personal Leave or Leave Without Pay will be entered for any time lost.

10.5 Appeal of a Confirmed Positive Saliva Result

If a person disputes a confirmed positive result, the person shall have a period of 14 days to appeal following receipt of written notification of the result.

A written notice of appeal must indicate whether the person wishes to request that the test is conducted by the testing provider or at an alternative laboratory. A worker should not be disadvantaged until the final outcome of the appeal process is reached. If the referee specimen has been deemed invalid the confirmatory result will be deemed invalid and treated as a negative result.

Failure by the worker or their representative to lodge an appeal within the 14 days appeal period is considered to be the equivalent of not appeal being lodged.

A positive confirmatory test of the referee specimen will be treated in accordance with the process for confirmed positive results. A negative or invalid confirmatory test for the referee specimen will be treated in accordance with the process for a confirmed negative result.

10.6 Disciplinary Action

Workers who have failed a breath alcohol content test or have returned a confirmed positive test for drugs will be managed in accordance with TGen's Disciplinary process with consideration to TGen's Fair and Just Procedure.

11 Privacy and Confidentiality

The use of information gained as a result of an alcohol or other drug test will be strictly limited to purposes consistent with this procedure.

Throughout the drug testing process confidentiality will be maintained at all times. The testing service provider will be the only entity able to match a specific saliva sample with a specific person.

Subject to the operational reporting requirements of this Procedure, TGen will ensure that worker, contractor and visitor information is kept confidential and secure. All documentation and requests for disclosure will be handled according to relevant legislation. Information will only be used for the purpose of determining fitness for safe work, assignment of appropriate duties or rehabilitation processes.

TGen will only release information to a third party as required by law and with the written permission of Legal Counsel after the individual concerned has been advised. Records of test results will not be passed on by the company to any future Employer (except in the case of a transmission of business where the workers transfer their employment to the new owner).

Records of the test results of Contractors will be kept secure and not passed on to any person other than their Employer's nominated representative.

TGen will take all reasonable steps to respect the privacy and confidentiality of individuals participating in testing. The behaviour and actions of all parties involved will be under close scrutiny with regards to maintaining the privacy and confidentiality of individuals being tested. Concerns about privacy and confidentiality should be reported to their Supervisor or HR Representative. Breaches of confidentiality will be dealt with in accordance with TGen's disciplinary processes.

Where relevant to an incident investigation, the records will only be referenced in the investigation. These records will be kept in accordance with regulatory requirements.

12 Procedures for the Responsible Supply and Consumption of Alcohol

TGen will ensure that if alcohol is supplied and consumed it will be done so in accordance with the following:

- (i) No alcohol will be supplied or consumed on TGen work sites.
- (ii) No alcohol will be consumed within TGEN vehicles
- (iii) Alcohol will be supplied in a responsible manner at company sponsored functions. This will include:
 - Ensuring that no one should feel pressured to drink or be made to feel embarrassed by a decision not to drink.
 - Ensuring the prominent availability of alcohol free and low alcohol drinks.
 - Restricting the availability of spirits and other high alcohol content drinks.
 - Providing appropriate food to be consumed with drinks (e.g., non-salty, protein based snacks).
 - Instructing those serving drinks (TGen and catering staff) to cease serving alcohol to any individual who may be adversely affected by alcohol.
 - Ensuring the availability of alternative transport home.
 - Ceasing serving of alcohol a reasonable period prior to the end of the function.

13 Data Collection and Measurement

TGen will ensure that it collects appropriate information to demonstrate that the Alcohol and Drug Procedure has been effectively implemented and managed. This may include information such as:

- (i) The number of applicants who underwent pre-employment alcohol and drug testing.
- (ii) The number and results of alcohol and drug test carried out for all of the different testing types (random, for cause etc.).
- (iii) The numbers of individuals disciplined or terminated for breaches of the Procedure.
- (iv) The numbers of individuals who were referred or used the EAP to address fitness for work issues.
- (v) The number of education and information programs conducted.
- (vi) The number of individuals who have / have not attended the required education and training.

Data may be used (but not limited) to inform changes to this procedure and other health and wellness programs.

14 Management of Contractors

TGen will ensure that all contractors comply with their obligation to actively manage their employees' fitness for work whilst on TGen's sites.

14.1 Information to be provided to contractors

Territory Generation will provide contractors with the following information:

- Written information on the requirements of the Alcohol and Drug Procedure.
- A written statement detailing:
 - The contractor's obligations.
 - Procedures to measure and evaluate compliance.
 - The consequences of failure to comply.

14.2 Requirements for contractors

Contractors will be required to:

- Establish an Alcohol and Drug procedure with requirements at least to the same standard as this procedure.
- Conduct appropriate education and training programs for all their employees on Territory Generation's sites.
- Conduct an alcohol and drug-testing program.
- Establish appropriate disciplinary and management procedures for employees who breach the procedure.
- Undertake drug and alcohol testing as per this procedure whilst working for TGen or on TGen sites.

14.3 Verification

Territory Generation will verify that contractors are meeting obligations under the Alcohol and Drug Procedure by:

- Requiring contractors to collect data and report on their management of these issues.
- Conducting reviews and audits of the contractor's procedures and practices.

15 Employee Assistance Program

TGen will ensure that all eligible employees and their families have access to a confidential and professional Employee Assistance Program (EAP). This is to address and resolve work and personal issues that might impact on their wellbeing and fitness for work. In addition, the EAP will also provide support and advice for managers and supervisors to assist them in evaluating and addressing fitness for work issues.

The [EAP Quick Guide](#) provides information on eligibility, service limits, confidentiality and availability.

Appendix 1- Observation of Persons Suspected of Alcohol and/or Other Drugs**CHECKLIST – FITNESS FOR WORK**

Using the following information, tick the signs that you believe indicate a person may have a fitness for work problem. Use the space underneath each to describe the behaviour of concern.

Attendance problems

Variation in performance

A decline in work quality and quantity

Improbable explanations and excuses

An increase in safety incidents and accidents

Health issues

Complaints from others

Emotional / behavioural changes

Psychological changes

Abnormal behaviour

RECOGNISING FITNESS FOR WORK PROBLEMS

Supervisors need to be able to recognise when an employee has fitness for work problems. Sometimes this may be obvious with individuals behaving very differently to normal as a result of fatigue, intoxication, mental illness or other causes. However this is not typically the case. The more usual situation is that there will be a gradual

deterioration in behaviour or performance over weeks or even months. This section will assist you to recognise these situations.

Some or all of the following behaviours are often observed in individuals with fitness for work problems:

ATTENDANCE PROBLEMS

These typically begin on an infrequent basis and get worse. They include missed days, especially if a pattern develops (e.g. first day back), being late for the start of work and unexplained absences during the day.

VARIATION IN PERFORMANCE

These include changes in the pace of work, efficiency, productivity and reliability. They often are small and infrequent to start with but become larger and more frequent over time.

A DECLINE IN WORK QUALITY AND QUANTITY

This includes missed deadlines, work poorly done, an increased number and seriousness of mistakes, a lack of attention to detail and so on.

IMPROBABLE EXPLANATIONS AND EXCUSES

Employees with fitness for work problems often have (or report) unusual reasons to account for their poor attendance, behaviour or performance.

INCREASE IN SAFETY INCIDENTS / ACCIDENTS

There is often an increase in minor incidents or “near misses” which may or may not result in injuries or damage to property and equipment.

HEALTH ISSUES

This may show up as increased time off work or frequent, minor health issues. Alternatively the person may often complain of pressure and stress, either at home or work.

COMPLAINTS FROM OTHERS

These may be from co-workers, customers or the public. This may involve work output and quality, or inappropriate behaviours or attitudes.

EMOTIONAL / BEHAVIOURAL CHANGES

These include irritability, anger, suspiciousness and over-reaction to real or imagined criticism or conflict. However they can also include other things such as fluctuations in confidence and/or morale, or withdrawal and avoidance of contact with others at work.

PSYCHOLOGICAL CHANGES

These include an inability to concentrate, excessive fatigue or sleepiness and obvious impairment such as slurred speech or hand tremor. Other signs include difficulty in recalling instructions, frequent requests to repeat instructions, decreased ability to handle complex tasks or difficulty in recognising mistakes.

ABNORMAL BEHAVIOUR

This includes coming to work in an abnormal state (agitated, distressed, incoherent, etc.) or deterioration in appearance or personal hygiene. A very serious sign is repeated risk-taking or self-harming behaviour.

OTHER POSSIBLE INDICATORS

This can include frequent complaints about money, low pay, high living costs and unexpected expenses. This can result in frequent borrowing or attempted borrowing from others. Other signs include evasiveness on the subject of personal affairs.

These signs may be due to a variety of causes. Supervisors should be aware that most individual's exhibit some of these from time to time and that isolated incidents may NOT indicate a serious problem. However if there is a relatively enduring change, typically over weeks or months, then fitness for work issues should be considered.

Appendix 2- Table of Drug Types and Levels

TABLE 1: INITIAL ON-SITE TEST TARGET CONCENTRATIONS (Table 3.1 AS4760-2006)

Compound	Target Concentration (ng/mL)
Opiates (e.g. Morphine)	50
Amphetamines	50
Cannabinoid (THC)	25
Cocaine	50

TABLE 2: CONFIRMATORY TEST TARGET CONCENTRATIONS (Table 5.1 AS 4760-2006)

Compound	Target Concentration (ng/mL)
Morphine	25
Codeine	25
6-Acetyl morphine	10
Amphetamine	25
Methylamphetamine	25
Methylenedioxymethylamphetamine	25
Methylenedioxyamphetamine	25
9-tetrahydrocannabinol	10
Cocaine	25
Benzoylcegonine	25
Ecgonine methyl ester	25

NOTES

1. These targets represent the undiluted oral fluid concentration