

DRUG + ALCOHOL



Land + Sea Civil Limited (LSC) is committed to provide, so far as is reasonably practicable, a work environment in which the safety, welfare and performance of workers is not adversely affected by the use of alcohol or other drugs which can expose workers to additional and unnecessary risk and harm.



LSC's workers must not present for work duties at risk of impairment of alcohol, a drug or drugs, a substance or substances or medication.

The possession of, use, distribution or sale of alcohol (*unless authorised under this policy*), drugs, or substances at LSC workplaces is not permitted.

Supervisors and workers are required, so far as is reasonably practicable, to ensure that no worker commences or continues duty if there are reasonable grounds to consider that the work is impaired or affected by alcohol, a drug, substance or medication.

Where a worker presents for duty and there are reasonable grounds to consider that the worker is not in a fit state to carry out their normal duties LSC reserves the right to remove the worker from the worksite and seek advice from a medical practitioner on the worker's fitness for duty.

In such cases, LSC reserves the right to complete a drug and alcohol test under the grounds of Reasonable Cause.

RESPONSIBILITIES

Senior management and the board of directors are responsible for ensuring:

- There is effective policy in place help prevent and respond to use of drugs, substances, medication and alcohol that presents risk to the company or its operations.
- A review of this policy is conducted periodically or as required.

The IMS Coordinator/H&S Manager is responsible for:

- Ensuring all offers of employment or engagement shall be contingent upon successful conformation of a negative pre-employment drug and alcohol test result.
- Appointing and co-operating with an appropriate organisation and/or personnel to conduct drug and/or alcohol testing in accordance with this policy.
- Managing disciplinary action appropriate to the circumstances of individual workers if/and when required.
- Arranging all post-accident/incident, random and reasonable cause testing.
- Recording and maintaining all drug and alcohol test results on file.
- Managing LSC's supported drug and alcohol rehabilitation programme.
- Providing information about training, referral to counseling, treatment and rehabilitation services where appropriate.

- Ensuring that all contractors and sub-contractors are aware of this policy and any variations in regard to its implementation and enforcement on the work being performed (*eg. client zero tolerance requirement*).

Managers/Supervisors are responsible for the effective implementation of this policy in the workplace. Specifically, they will:

- Lead by example in the implementation of the policy and procedure through demonstrated behaviour.
- Inform workers of the potential work-related problems that may arise from the use of drugs and alcohol.
- Manage and monitor workers whose work performance or conduct is adversely affected by the misuse or abuse of drugs or alcohol.
- Consulting the H&S Manager if they suspect that any worker is under the influence of drugs or alcohol.
- Refer workers requesting assistance for drug and alcohol related issues.
- Ensuring all workers, including contractors and sub-contractors, are aware of and comply with this policy.

Workers have the responsibility to:

- Take reasonable care for their own health and safety.

- Take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons.
- Present for work in a condition free from impairment of drugs, substances, medication and/or alcohol.
- Report to a Supervisor/Manager if there are reasonable grounds to believe that another worker's ability to work safely may be impaired.
- Comply with this policy, including agreeing to leave the workplace if directed by a Supervisor/Manager.
- Submit a sample for testing when requested by the H&S Manager and/or Company Supervisor.

MEDICATION

If a worker is using a medication, it is their responsibility to seek advice from their doctor, medical specialist or pharmacist about whether any side effects from the medication could cause risk of impairment in their job (*eg. dizziness, fatigue, drowsiness, altered perception, mood swings, or loss of coordination*).

Where a worker is on medication that may impair judgment or performance, the worker should immediately notify their Manager who will determine:

- if duties should be modified on a temporary basis; and
- if sick leave must be taken.

If the role cannot be modified, a medical review is required to determine that the medication will not:

- Affect the worker's ability to perform work duties.
- Put the worker or other persons at risk.

If medical review determines that the worker will not be able to carry out normal duties and or will be at risk of putting others at harm, after consultation with the worker, the employment or engagement may be terminated on medical grounds.

All advice received from a worker regarding the use of medication will be treated in strict confidence to protect the privacy of the worker.

COMPANY SOCIAL EVENTS

On occasion, LSC will host or attend social functions, where the responsible alcohol consumption may be permitted (*eg. a Christmas party, leaving drinks or similar*). Alcohol consumption shall only be permitted at company events with prior approval from the company's management. Workers should monitor and restrain their alcohol consumption at authorised company events, and monitor and restrain the alcohol consumption of other workers and guests to the extent that they are reasonably able to. At no time should a worker be intoxicated at a company event or otherwise behave in a manner that is inappropriate.

**Any updates made and the most recent version of this policy can be accessed on the LSC SharePoint*



EDUCATION/TRAINING

All LSC workers will be advised of the existence and content of this policy.

Training workshops for Managers and Supervisors will also be made available where appropriate. These workshops focus on:

- Understanding LSC's policy
- Drug, substance, medication and alcohol trends and their adverse effects
- Use/misuse/abuse/dependency
- Signs and symptoms to recognise substance misuse or abuse
- Reasonable cause for testing
- Understanding the testing scope
- How long substances can be detected after use

CONFIDENTIALITY AND PRIVACY

The collection, storage, use, dissemination and destruction of tests, data from tests and information relating to test results will be dealt with in accordance with the Privacy Act 2020 and the Health Information Privacy Code 2020.

Information relating to a worker will be disclosed on a "need to know" basis only to those who require it in the context of their job. Information relating to a worker will not be disclosed to any other agency other than where there is an applicable exception pursuant to the Privacy Act 2020.

The HR Manager will hold the information in a secure filing system. The information shall be destroyed three calendar months after termination of employment with LSC.

TESTING

Testing will be carried out in accordance with the AS/NZ AS4308:2008 "Procedures for Specimen Collection and the detection and quantisation of drugs of abuse in urine" (as amended, revised or replaced).

Testing will occur in the following circumstances:

Pre-employment testing

All new appointments are required to provide a negative drug test.

Client requirement or request

All workers are required to provide a negative drug and alcohol test before working on LSC clients' sites as per LSC's clients' policy requirements.

Post-event testing

All workers may be subject to alcohol and/or drug testing following an event, incident or accident regardless of whether harm actually resulted. This includes where a worker is injured in the workplace, or an employee's actions or inaction result in injury to someone else (whether directly or indirectly) and for "near miss" events.

An event, incident or accident includes (but shall not be restricted to) damage to a vehicle, property, plant or equipment.

Post-Event Testing Procedure

- Workers will be notified as soon as possible if they are required to complete a drug or alcohol test.
- Post-Event Testing must occur within 24 hours of the event.
- If the worker does not require medical attention:
 - The Health and Safety Manager will call the TDDA direct line – 0508 DRUGTEST to organise an appointment for the worker to complete a post event drug and alcohol test.
 - The worker will be escorted by LSC staff to the drug and alcohol testing venue.
 - Testing will be carried out in accordance with the AS/NZ AS4308:2008 "Procedures for Specimen Collection and the detection and quantisation of drugs of abuse in urine".

- If a worker is injured and requires medical attention or hospitalisation:
 - The Health and Safety Manager will call the TDDA direct line – 0508 DRUGTEST to organise a van to attend the medical centre or hospital that the worker has been admitted to.
 - A TDDA tester will collect the sample at the medical centre/hospital
 - Testing will be carried out in accordance with the AS/NZ AS4308:2008 "Procedures for Specimen Collection and the detection and quantisation of drugs of abuse in urine".

RANDOM TESTING

Due to the potentially hazardous aspects of the LSC's work, random testing may be conducted for anyone employed or engaged in a Safety Sensitive Position. Random test selection means that some workers may not be picked to be tested at all; some workers may be tested once; other workers may be tested more than once. The selection process for random testing will be completed by an independent qualified provider.

REASONABLE CAUSE TESTING

A worker will be requested to submit to an alcohol and/or drug test where their actions, appearance, behaviour or conduct reasonably causes their employer or Supervisor to suspect that drugs, substances, medication or alcohol may impact upon their ability to work effectively or safely.

Reasonable cause is an honest and reasonable opinion that a worker is under the influence of alcohol or drugs that may be based on direct or indirect evidence, provided it is obtained from a credible and reliable source. This includes another staff member, or member of the public.

Reasonable cause can be based on, but is not limited to:

- Any instance where it is suspected that alcohol, a drug or substance or medication may be involved.
- Observing a person using or possessing alcohol or a drug or substance in the workplace.
- Physical signs and symptoms consistent with alcohol, drug, substance or medication use.
- Fights, assaults, disregard for or violations of established safety, or other operating procedures.
- Observable changes in mood or conduct towards self or others, which is deemed to display a change in usual behaviour or behaviour which is out of character.
- Deterioration of the worker's work performance which could result in increased risk.
- Finding paraphernalia associated to drug, alcohol or substance misuse at a workplace or on a person.

Rumour is **not** reasonable cause.

Workers who cannot supply at the time of test

- Workers who cannot supply a sample during their appointment with TDDA must complete a test within the next 24 hours at the closest TDDA.
- LSC Management will be sent a notification from TDDA about the workers inability to supply a test at the time that the van was onsite.
- The Health and Safety Manager will make a booking on Imperan once they have received the notification.
- LSC Management will then notify the worker of the time and place for the appointment to carry out the test.
- The appointment time can change but it must be performed within the 24 hour timeframe.

POSITIVE TEST RESULTS /REFUSAL TO CONSENT

Disciplinary action will apply when:

- A worker receives a positive drug test
- A worker receives a positive alcohol test
- A worker refuses, fail or neglects to undertake any drug or alcohol testing when requested by LSC.

Disciplinary action does not necessarily require a drug and/or alcohol test, for example if the worker is observed supplying a drug or alcohol to another person in the workplace.

Non- Negative Test Result Procedure

Following an on-site screening test, if a non-negative test is received, the following process will occur:

1. All LSC property is to be handed over if advised by management.
2. The worker will be informed of the result and that they are immediately stood down on pay until confirmation test results have been received from the laboratory.
3. Suitable arrangements will be made to get the worker home safely.
4. If results return as a negative test the worker can return to work.
5. If results return as a positive test the positive test result procedure below will apply.

Positive Test Result Procedure

Following receipt of a positive alcohol test or positive drug test, the following process will follow:

1. A meeting is to be held within five working days of a positive drug/alcohol test confirmed by laboratory between the worker's Manager, the worker and a representative (if applicable) to discuss the test results.
2. The outcome of the meeting may include:
 - A written warning contingent on returning a negative drug test before returning to work.
 - Offer of counseling assistance and rehabilitation.
 - Disciplinary action, including the possibility of instant dismissal.

REHABILITATION

Voluntary

Workers who believe that they may have a problem with drug, substance, medication or alcohol consumption should contact Chantelle Vare who, after consultation, may arrange suitable leave or alternate duties. Counseling services may also be offered to workers undergoing disciplinary action for being under the influence of illicit drugs or alcohol whilst at work.

Company referred

Current employees returning a positive test for the first time, who want to continue employment, may be given the opportunity to join LSC supported drug and alcohol rehabilitation programme. Failure to take part or complete the programme may result in disciplinary action, including instant dismissal.

LSC reserves the right not to offer rehabilitation in situations where it elects to take disciplinary action up to and including dismissal.

Factors influencing whether rehabilitation will be offered to an employee as an alternative to taking disciplinary action may include but are not limited to:

- Demonstrated performance and contribution to the company.
- The nature of the role.
- Attendance record, sickness patterns and general demonstrated work commitment.

- How the employee's substance misuse was identified (eg. self-declared, presenting unfit for work, testing positive in a post-accident or incident test).
- The employee's response/explanation to the substance misuse.
- The nature of the substance.
- The levels detected.

Rehabilitation plan

- A rehabilitation plan may be developed with the worker.
- This will include:
 - A decision on who funds the rehabilitation.
 - Rehabilitation duration.
- A rehabilitation contract will be signed.
- The worker will be required to take their leave entitlement or be subject to leave without pay until they:
 - Have returned a negative drug /alcohol test.
 - Are considered fit to return to work.
- Follow-Up Testing
 - On completion of the rehabilitation the worker will be subject to an agreed number of follow up test.
 - On completion of the rehabilitation program, the worker will be required to undergo up to six randomly administered alcohol and/or drug tests over a six-month period following the treatment phase and will agree to this in writing.
 - These tests may look for the presence of any amount of the drug (i.e. it is not restricted to cut-off levels).
 - A second positive test outside the treatment period may result in disciplinary action up to and including dismissal.



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