



POLICY MANUAL

WORKFORCE

3.5 FITNESS FOR WORK (IMPAIRMENT, DRUGS & ALCHOL) POLICY

Distribution Elected members, All Employees, Contractors, Visitors, Volunteers

Responsible Officer Chief Executive Officer

Date adopted 21 October 2020

File Reference 132

Purpose

The Shire of Goomalling is committed to providing a safe, healthy and productive workplace for all. An employee's fitness for work may be adversely affected by the effects of fatigue, stress, injury/illness, alcohol or drugs. These factors may cause impairment or deficiencies in the employee's work performance and can be a contributing factor in workplace accidents or incidents.

The Shire of Goomalling will not tolerate attending work under the influence or in possession of alcohol or drugs and will take action where this occurs.

Objective

This policy aims to:

- Provide a safe work environment and a safe system of work for employees, contractors and visitors.
- Minimise the risk of injury to employees, contractors or visitors in the workplace.
- Minimise the risk of damage to the employer's property or that of its customers.
- Minimise risk of disruption to operations and productivity as a result of illness, injury or damage to property caused by consumption of drugs or alcohol.
- Provide a framework for dealing with the issue of fitness for work.

Scope

This policy applies to

- a) All employees, directors, contractors performing work at the Shire of Goomalling workplaces or where work is performed (eg a customer's premises).
- b) All visitors to the Shire of Goomalling workplaces
- c) All Shire of Goomalling workplace sponsored functions.

Standard

All employees engaged by the Shire of Goomalling are required to be “fit for work” at all times. Any employee who the Shire of Goomalling reasonably considers is unfit for work will not be permitted to commence or continue work and will be required to leave the premises.

The Shire of Goomalling will take reasonable steps to ensure employees are in a fit state to work safely and to minimise risks to both themselves and others in the workplace

This policy is part of a broader Health and Wellbeing Program provided by the Shire to its employees.

The situations in which the Shire of Goomalling may reasonably consider that an employee is unfit for work include, but are not limited to:

1. Exhibiting a physical, mental or emotional state that potentially compromises a safe work environment.
2. Presenting for work with a level of alcohol and/or drugs (prescription or otherwise) in their system which is in excess of the cut off prescribed in this policy or in excess of that allowed by law.
 - a. Employees need to have a Blood Alcohol Concentration (BAC) level of 0.00 whilst in the workplace.
 - b. Employees are prohibited from having any other illegal drugs detected in their system; eg Cannabis, methamphetamines (“speed” or “Ice”) or MDMA (“Ecstasy”) or any other illicit drug.
 - c. Employees are prohibited from attending the workplace whilst taking prescription drugs at excessive levels or where adversely affected by prescription drugs.

Definitions

Alcohol	Alcohol means ethyl alcohol or ethanol.
Drug	Any substance that may result in psychological or behavioural changes that cause impaired work performance. In this context, the term ‘substance’ includes, but is not limited to, alcohol, intoxicating products, Prescription Drugs, Non-Prescription Drugs, legal and illegal/illicit Drugs, whether naturally occurring or synthetic.
Duty of Care	a responsibility owed to another person because of a relationship between the two people.
Fit for work	refers to an individual’s functional capacity (physically, mentally and behaviourally) to perform assigned tasks competently and in a manner which does not compromise or threaten the safety or health of themselves or others.
Illicit or illegal Drugs	Illegal / Illicit Drugs includes all drugs identified as such by AS/NZS 4308 or drugs which have been synthetically designed to be outside the detection limits of AS/NZS 4308 and are not considered Prescription Drugs or Non-Prescription Drugs.

Impairment	The alteration of an individual's normal physical and/or mental function which results in diminished ability to safely undertake tasks at the normal level of concentration and performance.
Prescription Drugs	Prescription Drugs includes medications and other substances, both naturally occurring and synthetic, that cannot be legally purchased without a prescription from a registered medical practitioner.
Non-prescription Drugs Or Over the Counter(OTC)	Non Prescription Drugs include medications and other substances, both naturally occurring and synthetic, as sold legally over the counter, by a registered medical practitioner (ie pharmacist) without a physician's prescription.

Roles & Responsibilities

- The Shire of Goomalling has a duty of care to provide a safe workplace to its employees, as per safety and health legislation and common law.
- The employer/direct manager is responsible for making the decision as to whether an employee is fit for work and removing any impaired employee from possible harm.
- The employer and direct manager are responsible for ensuring the privacy of any drug/alcohol suspected incidents.
- All employees have a corresponding duty of care to take reasonable care so as not to expose themselves or their fellow employees to unnecessary risks. This duty extends to notifying their immediate supervisor if they reasonably suspect that another employee may be a risk because they are unfit to work.
- The employee is responsible for advising of any drug use, adhering to this policy and following directions with regard to drug/alcohol testing procedures as outlined.

Legislation

[Occupational Safety and Health Act 1984](#)

[Occupational Safety and Health Regulations 1996](#)

Australian Standards

AS4760; Procedures for specimen collection and the detection and quantitation of drugs in oral fluid.

AS/NZS 4308; Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine

Document Links

Strategic Community Plan 2018

Objective 4: Civic Leadership

Procedures Manual

Fitness for Work (Drug, Alcohol & Impairment) Procedure

Local Law

Nil

Delegation

Nil

Review History

Version	Review date	Minute no.	Notes
1	September 2015	1 092015.SM	
2			Formerly 4.38 Alcohol & Other Drugs
2.1	21 October 2020	269. OM211020	Formerly 2.4 Goomalling Fitness for Work (Drugs, Alcohol & Impairment) Policy 2019 Rev 1