



## 3.05 FITNESS FOR WORK (IMPAIRMENT, DRUGS & ALCOHOL) POLICY

Distribution:	Elected Members, All Employees, Contractors, Visitors, Volunteers
Responsible Officer:	Chief Executive Officer
Date Adopted:	September 2015 – Version 1 – Resolution 092015.SM
Last Review:	March 2024 – Version 4 – Resolution 032024 767

### Purpose

The Shire of Goomalling is committed to providing a safe, healthy and productive workplace for all. An employee contractor and/or volunteer'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, contractor and/or volunteer'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, volunteers and visitors.
- Minimise the risk of injury to employees, contractors, volunteers 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, volunteers 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

#### Definitions

<b>Alcohol</b>	<i>Alcohol means ethyl alcohol or ethanol</i>
<b>Drug</b>	<i>Any substance that may result in psychological or behavioral 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</i>



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	<i>Drugs, legal and illegal/illicit Drugs, whether naturally occurring or synthetic.</i>
<b>Duty of Care</b>	<i>A responsibility owed to another person because of a relationship between the two people.</i>
<b>Fit for Work</b>	<i>refers to an individual's functional capacity (physically, mentally and behaviorally) to perform assigned tasks competently and in a manner which does not compromise or threaten the safety or health of themselves or others.</i>
<b>Illicit or illegal drugs</b>	<i>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.</i>
<b>Impairment</b>	<i>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</i>
<b>Prescription Drugs</b>	<i>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</i>
<b>Non-prescription Drugs or Over the Counter (OTC)</b>	<i>Non-Prescription Drugs include medications and other substances, both naturally occurring and synthetic, as sold legally over the counter, by a registered medical practitioner (i.e.: pharmacist) without a physician's prescription</i>

All employees, contractors and volunteers engaged by the Shire of Goomalling are required to be "fit for work" at all times. Any employee, contractor or volunteer 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, contractors and volunteers 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, contractor or volunteer 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, contractors and volunteers need to have a Blood Alcohol Concentration (BAC) level of 0.00 whilst in the workplace.
  - b. Employees, contractors and volunteers are prohibited from having any other illegal drugs detected in their system; e.g. Cannabis, methamphetamines ("speed" or "Ice") or MDMA ("Ecstasy") or any other illicit drug.



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- c. Employees, contractors and volunteer are prohibited from attending the workplace whilst taking prescription drugs at excessive levels or where adversely affected by prescription drugs.

## **Roles and Responsibilities**

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- 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, contractors and volunteers 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, contractor or volunteer may be a risk because they are unfit to work.
- The employee, contractor and volunteer 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**

*Work Health and Safety Act 2020 and associated Regulations*

*Australian Standards:*

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

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

### **Resource Documents**

Strategic Community Plan 2018 – Objective 4: Civic Leadership

Procedures Manual – Fitness for Work (Drug, Alcohol & Impairment) Procedure

### **Local Law**

Nil

### **Delegation**

Not Applicable