



DRUG AND ALCOHOL POLICY

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Responsible Officer:	Work Health & Safety Coordinator
Owner:	People and Culture
Responsible Director:	Corporate Performance
Relevant Legislation/Authority:	Privacy and Data Protection Act 2014 AS/NZS 4801 Occupational Health and Safety Management Systems Occupational Health and Safety Act 2004 (Vic) Occupation Health and Safety Regulations 2017
DOCSETID:	4542675

1. PURPOSE

The purpose of this policy is to:

- 1.1 Express the City's commitment to ensuring, so far as is reasonably practicable, the health and safety of every worker and visitor to the City's workplaces;
- 1.2 Ensure that Individuals are not under the influence of Drugs and Alcohol, or have these in their possession, while performing all duties and functions of their role;
- 1.3 List City sites that are identified as Alcohol-Free Zones;
- 1.4 Set expectations of Employee behaviour regarding Alcohol and Drug use;
- 1.5 Provide clarity on the expectations and responsibilities applicable to Drug and Alcohol training and testing, and;
- 1.6 Assist the City in fulfilling all relevant legal obligations regarding safety.

2. SCOPE

This policy applies to all Employees, volunteers or contractors engaged by the City when conducting and or representing the City in Work Hours as defined under the definitions of this policy.



3. DEFINITIONS

Accredited Laboratory means a testing facility accredited by the National Association of Testing Authorities to conduct testing under AS/NZS 4308:2008.

Alcohol means liquor as defined in the Liquor Act 1992.

Alcohol-Free Zone means a location, building or site nominated by the City that requires a BAC of 0.00 for any Individual attending the zone (see 5. Policy).

BAC means Blood Alcohol Concentration.

CEO means the City's Chief Executive Officer and includes the Chief Executive Officer's delegate.

City means the Greater Bendigo City Council, being a body corporate constituted as a municipal Council under the Local Government Act 1989 (Vic).

Confirmed Negative Result means the result from an Accredited Laboratory confirming that there is no presence of a substance

Confirmed Positive Result means the result from an Accredited Laboratory confirming that the presence of a substance being tested for exceeds the target concentration specified in AS/NZS 4308:2008.

Drug means any Illicit Drug or Medication.

Employee means a person who is directly employed by the City.

High Risk Activities includes, but is not limited to:

- High risk construction work as defined by the Occupational Health and Safety Regulations 2017
- High risk work as defined by the Occupational Health and Safety Regulations 2017
- Operating vehicles requiring a heavy vehicle licence
- Operating earthmoving equipment
- Traffic control
- Handling hazardous chemicals
- Electrical work
- Operation of chainsaws, demolition saws, stump grinders and/or wood-chippers
- Welding and/or grinding
- Operation of a fly system in a theatre

Illicit Drug means any Drug prohibited by any State, Territory or Federal law in Australia or any other laws (including foreign and international laws) to which Council is subject or which apply to the work performed by Employees and includes prescription or over-the-counter medications that are used without the necessary prescription or for purposes for which they are not intended.

Individual means an Employee, volunteer or contractor engaged by the City.



Medication means a prescription or over-the-counter medicine, which is used with the necessary prescription and for the purpose for which it is intended, which may impact upon an Employee's ability to perform their role safely or efficiently or may return a Non-Negative Result if subjected to a Drug test.

Negative Result means the result from the first test of a Drug test sample that indicates no presence of the substance being tested for.

Non-Negative Result means the result from the first test of a Drug test sample that indicates that there may be a presence of the substance being tested for.

Over the Limit means the result from a breath sample that indicates a BAC correlated with being Under the Influence of Drugs or Alcohol.

People Manager means a person who manages and supervises Employees. At the City this typically includes a CEO, Director, Unit Manager, Team Leader, Coordinator, Supervisor, or Leading Hand.

Qualified Tester means a person from the Testing Provider who has been trained and assessed as competent in the use of Drug and/or Alcohol testing equipment in accordance with the Australian Quality Training Framework (AQTF) requirements.

Reasonable Suspicion of being under the Influence of Drugs or Alcohol means where a People Manager forms the belief that an Individual shows signs of being Under the Influence of Drugs or Alcohol.

Significant Incident means an incident that did or could have resulted in serious injury or illness to people, danger to health, and/or damage to property or the environment.

Testing Provider means collecting agency as defined in AS/NZS 4308:2008 and AS 4760:2006.

Under the Influence of Drugs or Alcohol means:

- a) For all Individuals:
A Confirmed Positive Result of an Illicit Drug; or
- b) For Individuals who in their role may be required to undertake High Risk Activities or who visit an Alcohol-Free Zone (see 5. Policy):
A BAC greater than 0.00; or
- c) For Individuals not covered under (b) above:
A BAC greater than or equal to 0.05.

Under the Limit means the result from a breath sample that indicates a BAC correlated with not being Under the Influence of Drugs or Alcohol.

Work Hours means core working hours, during call-out activities, break times, the period of travel to and from work from the Individual's residence, and attendance at City functions or functions where the Individual has been invited as a City representative.

Workplaces means any premises or area where one or more Individual works, whether or not they receive any payment for that work.



4. PRINCIPLES

The City is committed to ensuring, so far as is reasonably practicable, the health and safety of all Individuals and visitors to the City's workplaces by:

- 4.1 Ensuring that no person's health and safety is adversely affected by any Individual working while Under the Influence of Drugs or Alcohol;
- 4.2 Ensuring that no alcohol to be consumed during work hours or on work premises without Director approval;
- 4.3 Providing healthy and safe working conditions;
- 4.4 Ensuring the safe operation of all equipment in the Workplace;
- 4.5 Contributing positively to the health and wellbeing of Individuals;
- 4.6 Providing a work environment that is free from the negative impact of Drugs and Alcohol;
- 4.7 Improving the health and safety of all Individuals and the general public, with whom we interact extensively every day; and
- 4.8 Maintaining the privacy of Individuals and their rights as private members of the community.

5. POLICY

Individuals who are Under the Influence of Drugs or Alcohol during Work Hours present a potential risk to the safety of themselves, other Individuals, and members of the public. Individuals have a responsibility to not be Under the Influence of Drugs or Alcohol during Work Hours.

It is City policy that no Alcohol shall be consumed by Individuals during Work Hours or on work premises without Director approval.

Alcohol-Free Zones are specifically:

- Adam Street Depot
- Heathcote Depot
- Eaglehawk Landfill
- Goornong, Heathcote and Strathfieldsaye Transfer Stations
- All Maternal Child Health Centres
- All City operated Childcare Centres
- All client and/or customer private residences
- Livestock Exchange
- MacKenzie St Nursery
- School Crossings

The City is committed to supporting Individuals through provision of access to professional counselling in relation to Drugs and Alcohol via the Employee Assistance Program (EAP). Details regarding the City's EAP are available from the People & Culture SharePoint page.

Employees are encouraged to access the EAP to assist with psychological or general support needs. Individuals are expected to be adequately rested prior to attending work in order to support and proactively manage fatigue, stress and encourage good mental health.

Employees are encouraged to regularly take their leave and other entitlements so as to maintain a healthy work/life balance that supports their fitness for work.



6. DRUG AND ALCOHOL TRAINING AND TESTING

6.1 Training

The City will deliver extensive Drug and Alcohol training, informed by a Drug and Alcohol risk assessment, with the identified relative risk levels as low, medium and high:

Risk Level	Description
Low	No elevated Drug and Alcohol risk identified. A base level risk remains.
Medium	Limited elevated Drug and Alcohol risk factors identified.
High	Multiple or significant elevated Drug and Alcohol risk factors identified

Training will be delivered through multiple channels required to accommodate the risk level outlined above. All training regardless of risk level is mandatory and it is the Individual's responsibility to ensure that training is completed and renewed as outlined in the Drug and Alcohol Procedure.

6.2 Testing

Individuals must have the capacity to perform their duties safely. The City will conduct Drug and Alcohol testing of Individuals under the circumstances described in the supporting Drug and Alcohol procedure to ensure that the objectives and principles of this policy are met.

The City will conduct random Drug and Alcohol testing in accordance with the Drug and Alcohol risk assessment

Random and under-suspicion testing will assess the following:

- Alcohol
- Cannabis/Delta-9-THC
- Cocaine
- Methamphetamines
- Amphetamines
- Opiates

Depending on the circumstances and results of testing, the Individual may be subject to appropriate disciplinary measures as determined by the Managing Misconduct Procedure.

Individual test results constitute personal information under the relevant legislation. As such, test results and disclosure of Drugs and Alcohol, and medication will be dealt with in accordance with the principles outlined in the Privacy and Data Protection Act 2014.



7. ROLES AND RESPONSIBILITIES

The WHS Team within the People & Culture Unit can provide advice on this policy and will facilitate training specific to this policy where required.

Role	Responsibilities
People Manager	To ensure no Individual commences or continues duty if appearing to be affected by Drugs, Alcohol or other substances and; To undertake mandatory training in relation to this policy
Individual	To present for work in a condition that does not conflict with the purpose of this policy, To undertake mandatory training in relation to this policy and; Responsible for any criminal penalty that results from being under the influence of Drugs or Alcohol in the workplace
WHS Team	To promote all training in relation to this policy, To arrange, orchestrate and record testing as outline in this policy, To review the Drug and Alcohol policy, procedures and associated documentation and; To arrange EAP support where required
Senior HR Advisors	To provide advice to Individuals and People Managers in relation to matters referred under Reasonable Suspicion for being under the Influence of Drugs or Alcohol, To manage any referrals made under the Procedure for Management of Issues, Concerns and/or Complaints and; To manage any referrals applicable to the Managing Misconduct Procedure

8. RELATED DOCUMENTS

Employees are encouraged to access the related internal documents, which are available on the intranet and/or external resources.

These include:

- [City of Greater Bendigo Drug and Alcohol Risk Assessments Report](#) (DOCSETID 4542674)
- [Drug and Alcohol Procedure](#) (DOCSETID 4542676)
- [City of Greater Bendigo Code of Conduct](#) (DOCSETID 3603208)
- [Managing Misconduct Procedure](#) (DOCSETID 2172947)



- [Procedure for the Management of Issues, Concerns and/or Complaints](#) (DOCSETID 1822684)

Further information or advice on this policy should be directed to People and Culture.

9. HUMAN RIGHTS COMPATIBILITY

The implications of this policy have been assessed in accordance with the requirements of the Victorian Charter of Human Rights and Responsibilities.

10. ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this, such a change may be made administratively. Examples include a change to the name of a Business Unit, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be made through consultation with the staff Consultative Committee and with the approval of EMT or where required, resolution of Council.

11. DOCUMENT HISTORY

Date Approved	Responsible Officer	Unit	Change Type	Version	Next Review Date
<i>Dec 2021</i>	<i>NH</i>	<i>People & Culture</i>	<i>Development</i>	<i>1</i>	<i>Dec 2023</i>