

ALCOHOL & OTHER DRUGS POLICY: QUESTIONS & ANSWERS

Q.1 Why does the Company believe there is a need for a drug and alcohol policy?

The Company has a duty of care to anticipate and address any potential threats to health and safety on its site. The abuse of alcohol and drugs can lead to a situation where employees are unfit for work and thereby endanger their own and other peoples' health and safety.

Q.2 What evidence is there that alcohol and drugs cause accidents?

The best evidence comes from road accidents. The 1997 report of the WA Parliamentary Select Committee on Road Safety reported that of the 356 drivers, motorcycle and bicycle riders killed in WA in the years 1991/92, 1993/94 and 1994/95, 62 percent had either alcohol or a performance impairing drug in their bodies at the time of death. A breakdown of the data revealed:

- * 23% of those killed had alcohol in their system
- * 22% had some other drug with a potential for impairing performance
- * 17% had both alcohol and some other performance impairing drug in their system.
- * cannabis was the predominant "other drug" detected, equating to over 40% of those who had taken drugs and 16% of all drivers and riders killed.

Whilst the report does not draw any conclusions as to what extent this alcohol and drug use was a contributing factor in these accidents, the statistics strongly support the connection between alcohol and drug use and risk of accidents.

Q.3 If there is a problem, shouldn't we test every employee every day?

The company's approach to managing alcohol and drugs in the work place relies primarily on providing information and education to promote behaviour change. The goal is to encourage employees to voluntarily modify their substance use in order to promote their own health and safety. The purpose of random testing is to act as a deterrent to inappropriate drug and alcohol use.

Q.4 Will results of testing be provided to other organisations doing reference checks?

No. The Policy clearly specifies that such information will not be provided to other organisations without the individual's consent. The only exceptions to this are if the Company has to seek professional advice (e.g., medical, legal) about the results.

Q.5 Will the police be told of positive alcohol or drug tests?

No, but we will involve the police or other appropriate authorities if a person is in possession of or is distributing drugs on site.

Q.6 Who will keep results?

The records of test results will be maintained by the HR / OHS Dept.

- Q.7 What if a Supervisor chooses to disclose test results?**
Supervisor access to such information is on a strictly “need to know” basis. They will be clearly informed that such action would contravene the Policy and expose them to disciplinary consequences.
- Q.8 Will drug and alcohol testing pick up other medical issues that I wish to keep confidential?**
The testing is only for the types of drugs specified in the Australian Standards and the Company's procedures and will not detect other medications. You should declare any medication you are taking to the Collector. You should also ask your doctor if the medicine could impair your fitness for work and advise your Supervisor that you are cleared to work.
- Q.9 Why is notification of medication required ?**
A person who is taking prescription or over the counter medication has a duty of care to ensure that they are not likely to be impaired. They should also notify their Supervisor at the time of taking the medication that they have medical clearance to continue working. The Supervisor does not need to know why or what type of medication is being taken, only that there is no potential impairment.
- Q.10 Is random alcohol and drug testing legal?**
Yes, but it requires your consent for a sample to be taken and to provide the results to your employer.
- Q.11 Is testing a condition of my employment?**
Yes. Complying with the Company's safety policies and procedures is a condition of employment.
- Q.12 What if I refuse to cooperate with the testing?**
The situation will be discussed with you and your Supervisor will try to address any concerns that you have. If you continue to refuse to be tested, you will be in breach of the Policy, issued with a written warning and refused entry to the workplace until you can prove that you are alcohol /drug free.
- Q.13 Isn't testing an infringement of my civil liberties?**
You will not be forced to take a test, however, you need to be aware that refusal will have consequences, including not being allowed on site until you can prove that you are alcohol / drug free. The Company acknowledges that the drug and alcohol policy and testing can intrude on what we do away from work. However, the Company is committed to ensuring that this occurs only to the extent necessary to ensure that safety at work is not compromised by the use of alcohol or drugs.
- Q.14 Does the Policy cover employees of other organisations? What happens if they refuse to cooperate?**
The Policy covers all visitors to the Company. If a visitor or employee of another organisation refuses to cooperate they will be denied entry to the site.

Q.15 Does this cover contractors? Will they be subject to testing whilst on THE COMPANY sites?

Yes. The Company is accountable for everyone on the site and thus responsible for safety, all visitors will be required to agree to undergo testing if required.

Q.16 Will Managers and Supervisors be tested and subject to the same management procedures?

Yes, all employees will be treated equally.

Q.17 Will staff in the office be tested?

Yes.

Q.18 How will individuals be chosen for random testing?

The General Manager will approve the method used for random selection. This will be via a computer based random selector, which selects individuals or groups from the list of employees transferred from payroll records. Once selected an employee cannot be removed from the list of people to be tested and will be tested on the next suitable shift. Individuals will be chosen and scheduled to attend a mobile test facility for random drug testing. Groups of employees will be chosen to be tested for alcohol and this will usually take place at the start of shift. The majority of contractors will be tested on entry to the site.

Q.19 Who will conduct the tests?

Only trained and authorised people will carry out alcohol breath testing or collect urine samples for drug testing. These will either be specially trained the company employees / contractors or from an independent, professional testing agency.

Q.20 Will the testers get tested?

Yes. They are employees / contractors on Company sites and are subject to all the requirements of the Policy.

Q.21 How often will random testing take place?

This will be determined in consultation with the Site Manager but, to be effective, random testing should be sufficiently frequent to create a credible deterrent.

Q.22 How much notice will management have of random testing?

The Specialist OH&S will know in advance - otherwise the Supervisors of that area or group will know the time the test commences (alcohol) or the day the test is scheduled (drug).

Q.23 How can I be sure the laboratory won't confuse my results with some one else?

The labs that do the testing are the same one's that carry out many medical tests. They have very detailed procedures to ensure that samples are not contaminated, mixed up or lost. These procedures are referred to as the "chain of custody" and involve comprehensive documentation of all stages in

the collection and analysis process. These procedures are also audited by NATA (National Australian Testing Authority) to verify quality control.

Q.24 Will the collector actually watch me pass the urine?

Typically this is not required for random tests provided the collector takes adequate precautions. For example, they may ask you to empty your pockets and leave bags and coats outside. An observed sample is usually only required where there is evidence that the individual has tried to tamper with the sample or to substitute another person's urine.

In most situations, adequate security is provided by using a secure collecting facility such as a toilet where hot water taps cannot be used, toilet cisterns "blued" and the room searched to ensure samples have not been secreted. If this is done, the person can provide the sample behind a closed door.

Q.25 What happens if I can't give a sample?

The collectors are accustomed to stage fright! You will be given a drink and asked to remain in the area until you can provide a sample.

Q.26 Will we be given feedback on the results of testing?

After a random test, individuals detected with A& or OD in their system will be confidentially informed and given the opportunity to explain the situation. They will also be offered professional assistance to address any issue.

A summary of the results of testing (i.e., number of people tested, how many positives, what type (alcohol or drugs) etc. will be made public through the Site OHS Committee in a way that does not identify individuals.

Q.27 Who else knows the test results?

If positive, your Supervisor is provided with a written advice. Your manager will be informed. The person conducting the test will record the results for reporting purposes and Personnel will retain the record of results.

Q.28 What help is available for individuals who may have problems?

The Company has an established Employee Assistance Programme (EAP), to provide professional counselling for employees and their immediate family members. This is available for any personal or work issue that is of concern and not just alcohol or drug issues.

Q.29 What are the "prescribed limits" for EAP support?

The EAP provides for free access to the Company's EAP for professional assistance where ongoing support is required.

Q.30 Will Contractors be able to access to the EAP for support in the management of A&OD issues?

The Company has a contract that only covers the Company's employees. Contractors will be able to access a similar service but they will need to arrange that themselves.

Q.31 Why were the particular levels chosen for the urine drug tests?

These are the levels laid down by the Australian Standard (AS4308-2001). At these levels we can be sure that a test result is reliable.

Q.32 Do these levels indicate that a person is impaired?

No, a positive test result at these levels indicates the presence or absence of the drug in the urine. The relationship between these levels (and blood alcohol content) and potential impairment is not straight forward. However there is sufficient evidence to link the presence of drugs with a high risk of accidents (refer Q.2).

Q.33 Why doesn't the Company use other methods to directly assess impairment (e.g. saliva or computer testing)?

Our advice is that such testing is not yet widely accepted as accurate and reliable. This of course may change in the future at which time it will be considered.

Another problem is that some assessments only test physical impairment whereas we know that some drugs (e.g., stimulants) may temporarily improve physical performance but also change the person's mood, making them more aggressive and risk taking.

Q.34 Can my Supervisor test me any time he/she wants?

No. Your Supervisor will need reasonable cause to test you. The test must also be authorised by the Superintendent or Manager. An authorised tester / collector must conduct the test.

Q.35 Will post incident testing occur after every incident?

No. The Supervisor will decide to initiate a test where there is reason to suspect that A & or OD may have been a contributing factor. The test must also be authorised by the Superintendent or Manager.

Q.36 What if I believe my Supervisor is affected by alcohol or drugs?

You should inform your Manager, (if not available, the General Manager) of your concerns. They will assess the situation and decide if testing is required. They will not tell your Supervisor who raised the concerns about their fitness for work.

Q.37 How will I be dealt with if I test positive at work?

On the first and second occasion you will be counselled and referred to professional assistance to address the situation. If you have a third positive result you will be dismissed unless there are extenuating circumstances.

Q.38 If there are no specific disciplinary actions associated with a first or second positive test result, is dismissal for a third unreasonable?

An employee will be advised of the potential consequences of a second or third positive result during discussions at the time of a first positive result being recorded. This will be reinforced during discussions on a Second occasion by requiring the person to develop a rehabilitation plan as described in Section 10 of the A&OD Procedure. Under these circumstances a person will know well in advance of the consequence of a third positive result.

Q.39 How long does a positive result remain active?

A positive result will remain on an employee's file throughout their employment, however it cannot be used in relation to the A&OD policy after 12 months.

Q.40 What if I get called out after hours?

If you are called out and concerned about your fitness for work, you should inform the Supervisor and request them to assess you before you go on to the job. If you are over the limit, this will not be an offence under the Policy if you have informed the Supervisor of your concern.

Q.41 Can these tests produce “false positive” results?

Yes the initial drug tests can produce false positives. However, these are rare and there is a range of measures in place to detect these including;

- * automatic retesting of all positive samples;
- * confirmatory testing by the gas chromatography / mass spectrometry method which will eliminate false positives.

Q.42 Can taking prescription drugs make me test positive?

Yes. For example, on the initial test, codeine can cause a positive result for opiates (the class of drugs that includes heroin). However, these results are subject to a second round of testing that will identify which specific drug is involved. It will not be an offence if you are positive as a result of using drugs as prescribed and where you have provided your Supervisor with a medical clearance to work.

Q.43 Can I retain a portion of the sample for retesting?

You can ask for a "split sample". This means the sample is split into two and one is tested and the second securely stored at the lab. If you wish to seek a second assessment, you can ask that the stored sample be tested at another suitable laboratory of your choice.

Q.44 If I ring in and can not come in to work due to alcohol or drugs – how will this be treated?

This will be regarded as a self initiated test – self-initiated testing is not regarded as a positive result – providing you do not start work. However, repeated absences due to self-management may be seen as a performance issue and dealt with as such.

Q.45 If I am positive as a result of a self initiated test, is this an offence?

Under the Policy, a positive self initiated test is not an offence and transport will be arranged to take you home. However, repeated such occurrences due to self management may be seen as a performance issue and dealt with as such.

Q.46 Will I be retested more often if I have a positive test?

Yes. This is to help you stay alcohol and drug free at work and to help management be sure that the problem has been addressed.

Q.47 Will I be exposed to blood borne illnesses by the testing procedures?

No. All equipment that you will be in contact with during breath testing and urine collection is sterilised and used only once.

Q.48 Where can I self test for Drug or Alcohol before starting work?

You can self test at the gatehouse.

Q.49 What is an acceptable form of personal identification when presenting for a drug test?

Your company site access card is preferred, if this is not available ie for visitors, then a driver's license or similar ID.