

Category	Work Practice	CEO Approved	<i>Lindsay</i>
Version	3	CEO Approval date	March 2019
Implementation date	01 December 2009	Next review date	March 2021

Why do we need this policy?

We want to provide a clear statement with regards to our zero tolerance approach to alcohol and drugs in the workplace to prevent any uncertainty. workers, need to know what is classed as acceptable and unacceptable behaviour with regards to drugs and alcohol in the workplace.

Who is this policy for?

This policy relates to all people entering an Identitywa workplace. A workplace also includes a family home if providing support to people in their homes.

People entering a workplace include:

- Identitywa workers, including contractors
- Board members
- Visitors
- Consultants and other stakeholders

It does not include people we support who choose to consume alcohol and/or drugs in their home environment.

What do we want to achieve with this policy?

We want workers to understand the health and safety obligations required by them and by the organisation. We want workers to have the confidence there is a clear policy to support them if and when they face a certain situation, such as a colleague impaired by alcohol.

Policy

Legal responsibilities – Identitywa and workers

The Occupational Safety and Health Act 1984 clearly outlines the obligations that both employer and worker have with regards to ensuring a safe and healthy work environment.

As an employer, Identitywa has general duty of care obligations which include:

- Providing a workplace and safe system of work so workers are not exposed to hazards.
- Providing workers with information and instruction to enable them to work in a safe manner.
- Ensure information disclosed by a worker is treated confidentially.

Where there may be a risk of injury or harm to people resulting from the use of alcohol and/or other drugs, Identitywa will assess and take measures to eliminate or reduce the likelihood of any injury or harm occurring.

Each worker must take reasonable care to:

- Ensure their own safety and health at work and that of others are not adversely affected.

- Report to their manager any situation that they have reason to believe could constitute a hazard and they cannot reasonable correct themselves. This includes not being able to work safely due to alcohol and/or other drugs. It may also include the legitimate use of prescription and non-prescription drugs that may impair the capacity to work safely.
- Report to their manager any injury or harm to health of which they are aware that arises in the course of, or in connection with, their work.

Under the Misuse of Drugs Act 1981 (WA)

Zero Tolerance

Identitywa takes a zero tolerance approach with regards the use of alcohol and/or drugs at the workplace. This includes the following scenarios:

- A worker consuming alcohol and/or drugs during their working hours.
- A worker consuming alcohol and/or drugs at any Identitywa's workplace
- A worker possessing, consuming or administering illegal or other non-prescribed drugs on Identitywa's premises or work sites.
- A worker presenting themselves for duty in a state where they are unable to perform their duties to acceptable standards due to the influence of alcohol or other drugs.

Where a worker is on prescribed medication which may impair their judgement or performance they must notify their manager and may be required to take personal leave.

Alcohol and drug testing

Identitywa may require workers who may have direct contact with people we support to undergo alcohol and drug testing, including:

- Random testing;
- Pre-employment testing;
- Post accident or incident testing – where there is potential for an individual's alcohol or drug use behaviour to have resulted in the accident or incident;
- Testing a worker deemed unsafe – where the potential exists for a worker to endanger their own safety or the safety of others.

Workers who refuse to participate in, or cooperated fully with, an alcohol or drug test will be counselled and encouraged to participate. If the person continues to refuse without legitimate cause, they will be deemed unfit for work and will not be permitted to continue at work. While under suspension for refusing to submit to an alcohol and drug test, workers will not receive payment for the time not at work.

Definitions

Worker

A person who carries out work in any capacity for a person conducting a business, including work as:

- an employee;
- a contractor or sub-contractor;
- an employee of a contractor or sub-contractor;
- a student gaining work experience, trainee or apprentice; or
- a volunteer

Workplace

Any place where a worker is or likely to be during the course of their work. This includes attendance at off-site locations during the course of work.

Supporting Procedures

The following procedures support this policy.

Events involving alcohol consumption

Events involving alcohol consumption are at the discretion of the CEO. Identitywa has a duty of care to ensure that where alcohol is served or provided at functions, the items below are followed:

- The function has a designated start and finish time.
- Food must be served alongside alcohol.
- Non-alcoholic drinks must be provided.
- Workers must make alternative transport arrangements if they, or others, believe they are over the limit or in no fit state to drive.
- People who appear intoxicated will not be served further alcohol.

If workers are representing Identitywa at functions where alcohol is served they must:

- Consume alcohol responsibly.
- Uphold an appropriate standard of behaviour.

People we support consuming alcohol

We recognise that some people we support may want to drink alcohol in their home environment and/or at social functions.

If an individual has the capacity to make the decision to consume alcohol then we support their decision, however to ensure it is an informed decision we provide advice and information regarding safe alcohol consumption. Workers need to do the following:

- Provide medical advice regarding the possible effects alcohol will have on the medication the individual is taking.
- Encourage the individual to understand the implications of consuming alcohol and to consume alcohol in a responsible manner.
- If the individual is unable to make their wishes known either because they do not have the decision making or communication capacity, workers need to obtain permission in writing from their family or carer.

Breach of the Alcohol and Drug Policy

A breach of this policy by an Identitywa worker is considered serious and may lead to disciplinary action and termination of employment. A worker who breaches this policy will be managed as per Identitywa's Performance Management policy and procedure.

The Legal and Regulatory Requirements we have to follow

- Misuse of Drugs Act 1981 (WA) - identifies offences concerned with prohibited drugs and plants in relation to premises.
- Occupational Safety and Health Act 1984. - Identitywa's general 'duty of care' obligations for safety and health fall under this act.
- Road Traffic Act 1974 - identifies offences relating to driving a motor vehicle while under the influence of alcohol and/or drugs.
- Workers' Compensation and Injury Management Act 1981 - disallows compensation

for a worker if alcohol and/or drugs are involved in the worker's disablement, unless the incident results in death or permanent disablement.

Other related documents

- Code of Conduct
- Duty of Care Policy
- Fitness for Work Policy and Procedure
- Mobile Phone Use Policy and Procedure
- Occupational Safety and Health Policy
- Performance Management Policy

Do you need to know more?

The Department of Health provides information about alcohol-related issues and Australian Government policy: <http://www.alcohol.gov.au/>

There are some good, easy read documents on the internet which may help you explain the effects of alcohol to a person you support.

Links to a selection are given below:

- Reduce your risk
- Standard drinks guide
- Alcohol - Information for Service Users

Please contact the Policy Officer if you have any questions regarding policies, procedures and/or review details. If you would like to be involved in our policy development programme please also use the contact details below:

- Telephone: (08) 9474 3303