



SOUTHERN PORTS

ALBANY BUNBURY ESPERANCE

Drug and Alcohol Management Procedure

DOCUMENT CONTROL

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AUDIT

This Procedure shall be reviewed or revised:

- where a Risk Assessment or Audit identifies a need to review
- when legislative changes impact this Procedure
- following a significant incident involving this Procedure
- at least every two years.

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1 INTRODUCTION

1.1 Purpose

This Drug and Alcohol Management Procedure describes:

- the systematic process for identifying, managing and mitigating potentially harmful outcomes from the misuse of drugs (both legal and illegal) and alcohol in the workplace or work site; and
- the risks this may pose to an individual’s ability to work safely and competently within a Southern Ports controlled workplace or work site.

1.2 Scope

In Scope	Out of Scope
This Drug and Alcohol Management Procedure applies to all Southern Ports workers (including employees and contractors) and visitors.	Activities conducted by leaseholders on port land which are under the full control of the lessee.

1.3 Roles and Responsibilities

Roles and responsibilities for Drug and Alcohol Management are defined in [Table 1](#) below.

Table 1: Roles and Responsibilities

Role	Responsibilities
Regional Managers and Executive Leadership Team Members	<p><i>Regional Managers</i> and Executive Leadership Team Members have the following responsibilities for Drug and Alcohol Management:</p> <ul style="list-style-type: none"> • Implementation of its requirements; • Approving the minimum testing frequency rates for random drug and alcohol testing; • Approving the random selection methodologies used to select employees, contractors or visitors for drug and alcohol testing; • Ensuring the minimum testing frequency rates are achieved; and • Ensuring a disciplinary process is invoked by the relevant Supervisor and Human Resources in the event of a breach of this procedure by an employee.
Managers and Supervisors	<p><i>Managers</i> and <i>Supervisors</i> have the following responsibilities for Drug and Alcohol Management:</p> <ul style="list-style-type: none"> • Facilitating and verifying that a documented Safe Systems of Work is established, that identifies associated hazards and controls to minimise the risk to health, safety, environment and security; • Regularly monitoring and assessing the workplace for compliance; • Complying with and ensuring personnel under their supervision comply with this procedure; • Monitoring employees, contractors and visitors under their supervision for signs of drug or alcohol use; • Taking reasonable steps to ensure employees, contractors and visitors on site are both competent and in a fit state to work safely; • Reviewing requests for testing if suspected of being affected by drugs and alcohol and ensure employees, contractors or visitors undertake the test if the reasons for the test are deemed appropriate and reasonable; and • Managing employees, contractors or visitors under their supervision who record a breach as per this procedure.

Workers	<p>Workers (including Employees and Contractors) have the following responsibilities for Drug and Alcohol Management:</p> <ul style="list-style-type: none"> • Engaging with their Manager or Supervisor in the process of establishing documented Safe Systems of Work that minimise risk to health, safety and the environment; • Taking reasonable care to protect the health and safety of themselves and others, and to protect the environment; • Complying with all requirements of this procedure; • Attending work fit to safely perform their duties without risk to themselves or others; • Ensuring advice is sought regarding the taking of any prescribed or over the counter medication to determine if there is a risk to performing duties safely; and • Reporting any risks associated with drugs or alcohol relating to themselves or other individuals in their work area.
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1.4 References

1.4.1 Legislation, Standards and Codes of Practice

Legislation, Standards and Codes of Practice referenced by this Procedure are shown in Table 2 below.

Table 2: External Documents

Reference	Title
AS 3547:2019 (Amd 2:2022)	Breath alcohol testing devices
Department of Mines, Industry Regulation and Safety	Guidance Note – Alcohol and Other Drugs at the Workplace 2008
AS/NZS 4308:2008	Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine
AS/NZS 4760:2019	Procedures for specimen collection and the detection and quantitation of drugs in oral fluid
	Work Health and Safety Act 2022
	Work Health and Safety (General) Regulations 2022

1.4.2 Southern Ports Documents

Southern Ports documents referenced by this Procedure are shown in Table 3 below.

Table 3: Southern Ports Documents

Reference	Title
GOVE-1688532262-1877	Code of Conduct and Ethics
D18/2501	Employee Assistance Program Procedure
D18/8748	Health and Safety Policy
D18/6208	Injury Management Procedure
GOVE-1688532262-826	Records Management Policy
D18/24902	Work Health and Safety Management Plan

1.5 Definitions

Terms used in this Procedure are defined in [Table 4](#) below.

Table 4: Definitions

Term	Definition
Blood Alcohol Concentration	Blood Alcohol Concentration is measured as grams of alcohol in 100 ml of blood.
Confirmation Testing	For 'unconfirmed' test results a sample must be sent to an accredited laboratory for confirmation testing such as Gas Chromatograph Mass Spectrometry or Liquid Chromatography Mass Spectrometry.
Drugs	Drugs encompasses all drugs set out in the relevant Australian or New Zealand standard as well as any prohibited substances.
Fit for Work	Fit for Work means an individual is able to work safely and is: not adversely affected by drugs (including medications) or alcohol; is feeling alert without the risk of fatigue; and free of any other physical or psychological conditions.
Follow-up Test – Drug	Following a first positive drug result the employee then shall present themselves for a follow-up drug screening test on their next scheduled workday/shift.
Medically Explainable	Drug result (screening or confirmatory) that is consistent with medication declared which may be prescription or over the counter. Toxicology advice may be obtained if required to assist in this determination.
Negative Result – Alcohol	Blood Alcohol Concentration is less than 0.000 g of alcohol in 100 ml of blood (000%).
Negative Result – Drug	Drug concentration is zero or below the detectable level of the test.
Positive Result – Alcohol	Blood Alcohol Concentration is greater than 0.000 g of alcohol in 100 ml of blood (000%).
Positive Result – Drug	Confirmed positive result from a laboratory-based reference assay like Gas Chromatograph Mass Spectrometry or Liquid Chromatography Mass Spectrometry.
Prohibited Substances	Substances that Southern Ports consider may compromise workplace safety; and has notified its workers are prohibited, for example solvents or inhalants.
Testing Service Provider	A contractor who has received training to conduct drug and/or Blood Alcohol Concentration testing in accordance with this procedure, the test equipment and the relevant Standard.
Testing Facility	Hospital, Medical Centre or other offsite location where testing is undertaken by a Testing Service Provider.
Tester	Testing Service Provider or an appropriately trained Southern Ports employee.
Unconfirmed Result – Drug	Drug concentration in the specimen exceeds the designated cut-off for that specific drug. Requires confirmation testing.
Workplace and Worksite	Workplace and Worksite are defined as a place, whether in a vehicle, vessel, building or other structure where employees or self-employed persons work or are likely to be in the course of their work for Southern Ports.

2 DRUG AND ALCOHOL MANAGEMENT

2.1 General Information

The Southern Ports drug and alcohol management process, including this procedure, is designed to:

- Create a safe and healthy work environment which is free from hazards that may be associated with the misuse use of drugs and alcohol.
- Provide education and awareness training to employees and contractors regarding the dangers associated with the misuse of drugs and alcohol.
- Ensure the Employee Assistance Program is available to employees as confidential and professional help for drug and alcohol related matters.
- Assist individuals who take prescription or over the counter drugs to work and function in a safe manner.
- Foster an attitude amongst all employees, contractors and visitors that it is not acceptable to present for work or visit under the influence of drugs or alcohol that may compromise their safety or the safety of others.
- Ensure persons who are in breach of the requirements of the drug and alcohol management procedure are treated in a fair and just manner.
- Establish a workplace drug and alcohol testing program that defines the maximum allowable concentrations, where applicable, of drugs and alcohol.
- Ensure that the organisation meets its legal obligations with respect to providing a safe and healthy working environment for all employees, contractors and visitors.

2.2 Prescribed Limits for Drugs and Alcohol

2.2.1 Working While Affected by Drugs and Alcohol

Southern Ports employees, contractors and visitors shall be fit for work or visit and not present with:

- A Blood Alcohol Concentration that is greater than the equivalent of 0.000 g of alcohol in 100 ml of blood, which may be expressed as 0.000%;
- Oral fluid levels of drugs which are greater than the applicable confirmatory target concentrations for those drugs set out in [AS/NZS 4760:2019 Procedures for specimen collection and the detection and quantitation of drugs in oral fluid](#), as amended from time to time;
- Urine levels of drugs which are greater than the applicable confirmatory target concentrations for those drugs set out in [AS/NZS 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine](#), as amended from time to time;
- Oral and urine levels of other drugs that may not be set out in the relevant Australian Standard, but which Southern Ports:

Considers may compromise workplace safety; and

Has notified its employees, contactors and visitors are prohibited (Prohibited Substances).

2.3 Education and Awareness

Education and awareness sessions shall be provided to Southern Ports employees and contractors.

Drug and alcohol awareness sessions are designed to educate employees and contractors on the:

- Requirements of the Southern Ports drug and alcohol management procedure;
- Effects of drugs and alcohol on fitness for work and the associated detrimental health effects; and
- Resources available for obtaining assistance for drug and alcohol related problems.

All visitors to Southern Ports locations shall be made aware of the drug and alcohol management process, including this procedure, prior to or upon arrival at the workplace or work site via a visitor induction and the Southern Ports website.

2.4 Employee Assistance Program

The Employee Assistance Program is provided to Southern Ports employees and their immediate family for work or personal issues including matters related to drugs and alcohol. Employee Assistance Program services are confidential and provided free of charge. Contractor personnel should be provided with access to Employee Assistance Program services through their own employer.

This procedure also encourages employees to attend the Employee Assistance Program under the [Registering a Positive Result](#) section of this document.

2.5 Drug and Alcohol Consumption on Site

Drugs and alcohol shall not be consumed by Southern Ports employees, contractors, or visitors during working hours, at the workplace or when required to attend site at short notice (on call).

2.5.1 Alcohol at Company Functions

At management's discretion, the amount of alcohol provided to employees or contractors during out-of-hours company functions shall be limited. A Southern Ports designated responsible function host shall also ensure that low alcohol drinks, non-alcoholic beverages and sufficient quantities of food are provided. The function host shall also take reasonable steps to ensure that attendees leave the function safely.

It is the responsibility of all Southern Ports employees and contractors to ensure that they do not breach the terms contained in this procedure by reason of having attended a company function.

2.5.2 Drugs and Alcohol whilst Travelling on Company Business

When travelling on company related business Southern Ports employees, contractors and visitors shall ensure that their drug and alcohol consumption does not compromise the health and safety of themselves or others.

2.6 Possession of Drugs or Alcohol

Southern Ports employees, contractors and visitors found in the workplace to be in possession of the following shall be subject to disciplinary action:

- Alcohol;
- Illegal drugs; or
- Prohibited Substances

2.7 Prescription and Over the Counter Drugs

The use of prescription or over the counter (legal) drugs may affect an individual's ability to perform tasks safely or productively. It is the intention of this procedure to assist individuals who take prescription or over the counter drugs to work and function in a safe manner.

No employee, contractor or visitor shall be in breach of this procedure regarding the taking of prescribed or over the counter drugs so long as:

- Where the drugs are prescription drugs, the individual has a current and valid prescription for the drugs which is supported by medical documentation;
- The drugs are declared at the time of the test; and
- The drugs are taken in accordance with the prescribed or recommended dosage.

There are several types of drugs which may affect safety and performance, these include but are not limited to:

- Hypnotics and sedatives;
- Anti-depressants;
- Antihistamines;
- Stimulants and appetite suppressants; and
- Analgesics and codeine.

It is the individual's responsibility to ensure that if they are taking prescribed or over the counter medication, they have asked their doctor or pharmacist if there is a risk it could affect their ability to perform their job safely. If the advice is that performance or safety could be compromised, then they should inform their *Supervisor* to arrange a safe and suitable working arrangement or seek appropriate information to ensure that they or others are not placed at risk. This could range from appropriate alternate duties that may be undertaken, the individual needing to take sick leave or the individual being reviewed by the company occupational physician.

2.7.1 *Notification of Prescription and Over the Counter Drugs*

Some medication that a doctor may prescribe, or components of some medications that are available over the counter, may produce an unconfirmed drug screening test result in tests carried out under this procedure. When undertaking a drug test the individual must advise the tester **prior to the test** if they are taking over the counter or prescription drugs.

2.8 Testing for Drugs and Alcohol

All Southern Ports employees and contractors within Southern Ports controlled workplace or work site shall submit to testing in the circumstances outlined in this section. Visitors shall also be subject to testing. Positive results must be managed in accordance with the [Registering a Positive Result](#) section of this document.

Substances that may be included for on-site testing regimes include but are not limited to:

- Synthetic cannabinoids
- Methamphetamines
- Amphetamine type substances
- Benzodiazepines
- Cannabis metabolites
- Cocaine metabolites
- Opiates
- Alcohol

The testing process may be undertaken as follows:

- Alcohol Breath Test only;
- Alcohol Breath Test and Oral Fluid test; or
- Alcohol Breath Test and Urine Drug Test.

2.8.1 Alcohol

Breath testing for alcohol shall be conducted by the appropriately trained personnel or Testing Service Provider (onsite or at a testing service facility) using an electronic breath analysis device that has been calibrated and certified by an accredited testing agency. Breath specimen collection and testing shall be performed in accordance with recognised breath testing practices and the device manufacturer's instructions.

If an initial test of an individual's breath sample is greater than 0.000%, they shall be required to wait 15 minutes, at which time a follow-up test shall be conducted. During this period the individual should not leave the testing facility **and is not permitted to drink liquids or smoke**. The second breath test result shall be the result recorded.

An individual shall record a confirmed positive test result if the follow-up test exceeds 0.000%, in which case the positive result shall be managed as per the [Registering a Positive Result](#) section of this procedure.

2.8.2 Drugs

All oral fluid or urine specimen testing shall be conducted by the appropriately trained personnel or Testing Service Provider (onsite or at a testing service facility) using an approved device and method in accordance with the relevant Australian Standard and the manufacturer's instructions.

If the initial test result of an individual's oral fluid is unconfirmed (see definition) a further oral fluid sample is required to be sent for confirmation testing (see definition).

If the initial test result of an individual's urine specimen is unconfirmed (see definition) a urine specimen sample is required to be sent for confirmation testing (see definition).

All confirmation oral fluid or urine specimen samples shall be collected by the appropriately trained personnel or Testing Service Provider (onsite or at a testing service facility) and forwarded to an accredited laboratory for analysis set out in [AS/NZS 4760:2019 Procedures for specimen collection and the detection and quantitation of drugs in oral fluid](#) and [AS/NZS 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine](#).

2.8.3 Unconfirmed Drug Screening Result – Southern Ports Employee

If the drug screening test result is **unconfirmed** and **consistent** with the medication declared, then:

- The employee, the employee's *Supervisor* and a *Human Resources Representative* shall be notified verbally and by written means.
- The employee shall be allowed back to work, provided they do not appear to be adversely affected and are fit for work.

If the drug screening test result is **unconfirmed** and **inconsistent** with the medication declared, or if the drug screening test result is **unconfirmed** and **no medication has been declared** prior to the test, then:

- The employee, the employee's *Supervisor* and a *Human Resources Representative* shall be notified verbally and by written means.
- The *Supervisor* shall instruct the employee to leave the workplace or work site and not return until the confirmation test result has been returned.
- Transport is to be arranged for the employee from site to home (or to their accommodation). If relevant, the employee's vehicle shall remain where it is unless private arrangements are made for its collection.

Employees who are sent home awaiting a confirmation test result shall be on their normal base rate of pay until the confirmation test result has been returned.

2.8.4 Unconfirmed Drug Screening Result – Contractors and Visitors

If the drug screening test result is **unconfirmed** and **consistent** with the medication declared, then:

- The individual, the individual's Southern Ports Contact and the individual's company shall be notified verbally and by written means.
- The individual shall be allowed to return to work, provided they do not appear to be adversely affected and are fit for work.

If the drug screening test result is unconfirmed and inconsistent with the medication declared, or if the drug screening test result is unconfirmed and no medication has been declared prior to the test, then:

- The individual, the individual's Southern Ports Contact and the individual's company shall be notified verbally and by written means.
- The individual shall be instructed to leave the workplace or work site and not return until the confirmation test result has been returned.
- Transport is to be arranged for the individual from site to home (or to their accommodation). If relevant, the individual's vehicle shall remain where it is unless private arrangements are made for its collection.

2.8.5 Negative Confirmation Test Result - All

If the laboratory confirmation test returns a negative result:

The parties previously notified of the unconfirmed test result shall be notified of the negative result, verbally and by written means.

- The individual may return to work or visit at Southern Ports workplace or work site.

2.8.6 Positive Confirmation Test Result - All

An individual shall be deemed to record a **positive test if**:

- The onsite drug screening test result is unconfirmed for one or more drugs AND the test is confirmed by an accredited laboratory using the target concentrations for drugs specifically stated in [AS/NZS 4760:2019 Procedures for specimen collection and the detection and quantitation of drugs in oral fluid](#) and [AS/NZS 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine](#);
- The laboratory confirmation result shows levels of drugs being inconsistent with the medication declared or by the dosage stated by the individual during the initial onsite drug screening; or
- In relation to a Prohibited Substance, the laboratory result shows levels of drugs which has been determined by an accredited laboratory as being reliable proof of ingestion of the drugs.

An individual who records a positive test result shall be recorded and managed as per the [Registering a Positive Result](#) section of this procedure.

2.8.7 Changes to Testing Requirements

If there are any changes or additions to the types of drugs being tested, employees and contractors should be notified. Notifications should occur prior to the commencement of the new or modified testing requirements being implemented.

Management reserves the right to amend this procedure at any time.

2.8.8 Random Testing

A random drug and alcohol testing program shall apply to all employees, contractors and visitors within Southern Ports controlled workplace or work site.

The random selection methodology shall consider the following principles for random testing:

- Testing of both day and night shifts, weekdays, weekends and public holidays;
- Testing on different days and/or different times of the day; and
- Testing based on a selection of employees, contractors and visitors, work areas or blanket testing.

As a minimum, bi-monthly random drug and alcohol testing is completed at each Port and the Perth office. Additional random testing shall be determined by the appropriate *Regional Manager* or Executive Leadership Team member or their delegate.

Regional Managers and Executive Leadership Team members reserve the right to increase the number of tests being conducted across the workplace or work site (e.g. increase testing during major shut-down activities in line with the increased number of personnel on site). They also reserve the right to implement blanket testing (i.e. testing of all personnel in one or more defined work group(s) which may be over a defined period). Testing may be limited to an alcohol only test or a combined alcohol breath test and an Oral or Urine drug test.

A number of random selection methodologies may also be used including the security access card system or the "bag and marble" system. These may also be altered under the discretion of the *Regional Manager* or the Executive Leadership Team member or their delegate.

2.8.9 *Post Incident Test*

Individuals directly involved in a significant incident or near miss shall be tested for drugs (which may include Prohibited Substances) and alcohol where it is practicable to do so. Significant incidents may include but are not limited to:

- Vehicle accidents or damage;
- Incidents resulting in injuries requiring medical treatment;
- Property and equipment damage; or
- Reportable near miss incidents.

The **Post Incident Test** shall be taken as soon as practicable after the incident occurred. The *Supervisor* shall escort the individual to the testing facility, or the testing may be conducted on site by appropriately trained personnel. If there is an unconfirmed test result from a **Post Incident Test** then this information shall be made available, if required, for any subsequent investigation.

2.8.10 *Testing if Suspected of Being Affected by Drugs or Alcohol (For Cause Test)*

Any individual who has reason to believe an employee, contractor, or visitor (a suspected person) is affected by alcohol or drugs (e.g. where a suspected person is observed to be acting with aggressive, erratic or dangerous behaviour that raises concerns) shall notify the suspected person's supervisor in the first instance, who may then initiate alcohol or drug testing (which may include Prohibited Substances) in relation to the suspected person.

The request for testing must state the reasons for the request and be endorsed by the *Supervisor* requesting the test. The testing shall be implemented provided the reasons given by the individual for requesting the test are considered appropriate by the suspected person's *Supervisor*. The *Supervisor* shall escort the suspected person to the testing facility, or to where testing is conducted on site by appropriately trained personnel.

The suspected person may request to have a support person of their choice involved in the process. The test shall be taken by the suspected person as soon as practicable after the concerning behaviour is notified to the suspected person's supervisor.

A suspected person may be removed from site based on observed behaviour, regardless of the outcome of the alcohol or drug test. Southern Ports employees who are sent home in accordance with this clause shall be put on annual or personal leave pending an investigation of the observed behaviour.

2.8.11 Self-Testing

Individuals are encouraged to regulate their own fitness for work by electing to undertake a self-test prior to attempting to enter the workplace. If any individual returns a positive alcohol or drug test result, they shall not enter the workplace or work site and must inform their supervisor they are not fit for work. If applicable, the individual's private vehicle should remain where it is unless suitable alternative arrangements are made for its collection from the workplace.

A positive result from a self-test shall not be subject to disciplinary action unless unacceptable levels of absenteeism result.

Self-Testing - Alcohol

Self-testing for alcohol may only be done at a designated test facility and must be performed prior to the start of shift and before attending the workplace or work site.

Self-Testing - Drugs

Self-testing for drugs that are set out in the relevant Australian Standard may be done voluntarily off site at the individual's own expense or by requesting a drug screen test which must be undertaken by an accredited Testing Service Provider (for which no records will be kept).

If the test returns a positive result, the individual shall not attend the workplace or work site until a negative result is returned.

2.8.12 Refusal to Test or Sign the Consent Form

Refusal by an individual to submit to or cooperate fully with the administration of a drug or alcohol test, including refusal to sign the testing consent form, shall result in the individual's supervisor and in the case of Southern Ports employee an appropriate representative from the Human Resources department being called upon to counsel and encourage the individual to take the test. If the individual still refuses to undertake a test, the refusal shall be considered as serious misconduct and managed in accordance with the [Registering a Positive Result](#) section of this document.

Failure to present to, or avoidance of, a drug or alcohol test without a reasonable explanation shall be treated as a refusal to test and be managed in accordance the [Registering a Positive Result](#) section of this document.

If a visitor refuses to submit to a drug or alcohol test, they shall be required to leave the workplace or work site immediately.

On their next intended visit, the visitor will undergo a breath alcohol test and will be required to present a test certificate from an accredited laboratory stating their oral fluid or urine sample has been tested for the presence of drugs of abuse in accordance with the relevant standards, with a negative result. This negative drug test certificate is to be no older than 28 days.

2.8.13 Failure to Provide a Urine Sample

If an individual is unable to provide a urine sample immediately upon being requested to do so in accordance with this procedure, they shall be given access to approximately 600mL of water over a three (3) hour period and shall not leave the testing facility until a urine sample is provided.

Failure to provide a sample within six (6) hours of being requested to do so, without a valid medical reason, shall be considered as serious misconduct and managed in accordance the [Registering a Positive Result](#) section of this document.

If a visitor is unable to provide a urine sample, they shall be required to leave the workplace or work site immediately.

On their next intended visit, the visitor will be required to present a test certificate from an accredited laboratory stating their oral fluid or urine sample has been tested for the presence of drugs of abuse in accordance with the relevant standards, with a negative result. This negative drug test certificate is to be no older than 28 days.

2.9 Registering a Positive Result

Contractors are expected to manage their own workforce in compliance with their approved drug and alcohol procedure. Providing that it meets or exceeds this procedure, where this is not the case, they must apply the following process as a minimum.

2.9.1 First Positive Result

Where an employee returns a positive result for alcohol, prohibited substances or drug use not notified or medically explainable the following shall apply:

First Positive Result - Alcohol

If the alcohol test is positive the employee, the employee's *Supervisor* and a *Human Resources Representative* shall be notified verbally and by written means. The *Supervisor* shall:

- 1) Instruct the employee they are required to leave site and not to return to work that day/shift.
- 2) Arrange transport for the employee from site to home (or to their accommodation). If relevant, the employee's vehicle shall remain where it is unless private arrangements are made for its collection.
- 3) Instruct the employee they shall be required to submit to alcohol testing and produce a test result below the prescribed limit at the commencement of their next workday/shift.
- 4) Encourage the employee to seek medical assistance or counselling (i.e. through the Employee Assistance Program) - this shall occur through formal discussions with the *Human Resources Representative*

Employees who are sent home in accordance with this clause shall be put on leave.

Employees shall be issued a written warning outlining the expectations and consequences of a further breach of this procedure and the requirement to submit to regular testing. A copy shall be kept on the employee's personnel file (maintained by the Human Resources department).

First Positive Result - Drugs (including Prohibited Substances and Non-declared Medication)

If the confirmation drug test is positive the employee, the employee's *Supervisor* and a *Human Resources Representative* shall be notified verbally and by written means.

The *Supervisor* shall:

- 1) Instruct the employee they shall present themselves for a follow-up drug screening test on their next scheduled workday/shift.
 - a) If the follow-up test is negative the employee shall be able to resume their normal duties.
 - b) Where the follow-up drug screening test is unconfirmed **AND** the laboratory confirmatory test result is confirmed positive the follow-up drug screening test shall be treated as a second positive.
- 1) The *Supervisor* shall encourage the employee to seek medical assistance or counselling, (i.e. through the Employee Assistance Program).
- 2) The employee shall be issued with a written warning outlining the expectations and consequences of a further breach of this procedure and the requirement to submit to a minimum of six tests over a period of six months.
- 3) A copy of the result shall be kept on the employee's personnel file (maintained by Human Resources). Upon request, the employee shall be provided with a copy of their laboratory test results.

Employees who are sent home in accordance with this clause shall be put on annual or personal leave for a maximum period of up to 12 calendar days from the date of the first test. If a negative screening result or confirmatory laboratory test is not provided within 12 calendar days, any further absence beyond those days shall be unpaid leave.

2.9.2 **Second Positive Result**

If an employee records a second confirmed positive test result for alcohol or drugs, within 12 months of the first confirmed positive test result for either alcohol or drugs, they shall be subject to disciplinary action up to and including possible termination of employment.

2.9.3 **Medicals**

If an employee returns a positive alcohol or drug result for a pre-employment medical, then that person shall not be appointed to that position. If the individual is currently employed and undertaking a periodic medical, then the test result shall be regarded as a confirmed positive test result under this procedure.

2.9.4 **Visitors**

If a visitor records a positive alcohol test result, they shall be required to leave the workplace immediately. The visitor's vehicle should remain where it is unless suitable alternative arrangements are made for its collection from site. The visitor must submit to alcohol testing at the commencement of the next intended visit.

If a visitor records a positive confirmation test the next visit will require the provision of a negative drug test certificate. This test certificate must be from an accredited laboratory stating their oral fluid or urine sample has been tested for the presence of drugs of abuse in accordance with the relevant standards with a negative result. This negative drug test certificate is to be no older than 28 days.

2.9.5 **Duration of Positive Results**

If an employee does not have a repeat positive drug or alcohol result within 12 months from the date of the first positive result, previous results shall be considered null and void.

2.9.6 **Serious Misconduct**

If an employee is found to have deliberately breached this procedure, instant dismissal may apply. Examples of such deliberate actions include, but are not limited to:

- Knowingly providing false or misleading information;
- Sample tampering or equipment tampering, such as sample substitution, dilution or addition of adulterant substances;
- Recording a Blood Alcohol Concentration of greater than 0.050%;
- Recording a confirmed positive result for more than one substance;
- Refusing to provide a sample within 6 hours of being instructed to do so in accordance with this procedure;
- Refusing to comply with testing procedures in accordance with this procedure; or
- Knowingly operating a vehicle under the influence of any illegal substance, drug or alcohol.

2.10 **Record Keeping**

Drug and alcohol confirmed positive test records shall be kept in a secure location maintained by Human Resources.

The laboratory used to conduct testing of samples from the site collecting agency in line with the relevant Australian Standard shall maintain all records in a secure location in accordance with the National Pathology Accreditation Advisory Council Guidelines or equivalent.

The Safety & Security team shall report the testing frequency data and number of positive results regularly. This shall be de-identified data only.