



Drug and Alcohol Policy

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POLICY PURPOSE

McKinlay Shire Council (Council) is committed to ensuring, so far as reasonably practicable, the following ;

- The health and safety of every worker and visitor to the Council's workplaces
- Healthy and safe working conditions
- The safe operation of all equipment in the workplace.

Council has adopted a Drug and Alcohol Policy which prohibits all workers from working or conducting Council business with drugs and/or alcohol in their system at levels that exceed the tolerance levels set out in this policy.

AUTHORITY (LEGISLATION OR OTHER)

- Workplace Health and Safety Act, 2011
- Transport Operations (Road Use Management) Act 1995
- Drugs Misuse Act 1986
- Civil Aviation Regulations 1998
- Civil Aviation Act 1988

SCOPE

This policy applies to the following defined persons:

- All Council contract and award employees.
- Any person undertaking work under a contract of service with Council.
- All workers of Council as defined under Section 7 of the WHS Act 2011.

DEFINITIONS

Worker

A person is a worker if the person carries out work in any capacity for McKinlay Shire Council, including work as:

- A. an employee; or
- B. a contractor or subcontractor; or
- C. an employee of a contractor or subcontractor; or
- D. an employee of a labour hire company who has been assigned to work with Council; or
- E. an outworker; or
- F. an apprentice or trainee; or
- G. a student gaining work experience; or
- H. a volunteer.

BrAC

Breath Alcohol Concentration



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Workplace / Site

A workplace/site is any place where work is carried out by a worker for McKinlay Shire Council and includes any place where a worker goes, or is likely to be, while at work.

High Risk Worksite

The following workplaces are considered High Risk Workplaces

- All Road work, traffic control, construction and maintenance, scoping, formwork
- Water and Wastewater Plant, Buildings and Reservoirs' including any place of work where plumbing, working in a trench, confined spaces, chemical use or similar activity is being undertaken.
- Any airport work Any Parks & garden works where mowing or other maintenance work is carried out.
- Any location where child care activities are being undertaken
- All activities associated with Local Laws and pest management, including animal impounding, chemical fogging, use of firearms and handling of chemicals.

APPLIED LIMITS

The following are the applied limits of acceptable levels of drugs and or alcohol applicable under this policy and tested in accordance with section 5 of this policy:

Substance	Applicable Workplaces:	BrAC Level (% by vol.)	Comment
Illicit Drugs	All	0.0	
Prescribed Drugs	All	0.0 (Subject to Exemption)	Exemption - As prescribed by a medical practitioner -with relevant work restrictions applied as required.
Alcohol -	High Risk Worksites	0.0 BrAC	In accordance with Queensland State legislation
Alcohol -	General office and administrative duties	<0.05 BrAC	In accordance with obligations to maintain a safe workplace
Alcohol -	All Airport employees and contractors	0.0 BrAC	In accordance with MSC DAMP (Drug & Alcohol Management Plan) in accordance with CASR Part 99B and CASA DAMP reporting requirements.



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APPROVAL FOR CONSUMPTION OF ALCOHOL

This section applies to all persons identified in section 1 of this policy.

Approval from The Chief Executive Officer is required for the consumption of alcohol during normal working hours or specific workplace activities or functions.

INTRODUCTION

The primary purpose for conducting Drug and Alcohol Testing is for Workplace Health and Safety. McKinlay Shire Council (MSC) has obligations under the Work Health & Safety Act of 2011 to provide a safe work place. The implementation of this policy assists MSC to fulfil their commitment to these obligations.

The aim is to prevent persons from entering the workplace and carrying out their duties while not fit for work due to drugs or alcohol, thus placing themselves and others at risk of injury. The practice of testing for Drugs and Alcohol in the workplace has been widely adopted in many industries and has become recognised best practice in regard to fitness for work programs.

The Work Health and Safety Act 2011 identify obligations for employers and employees to ensure a safe and healthy work environment. An employee who is not fit for work due to drugs and/or alcohol can compromise these obligations.

Consistent with Council's obligation to provide a safe work place and commitment to "Everyone goes home safely", employees will be required to undergo drug and alcohol testing in the following circumstances: -

- As a component of the 'Pre-employment Medical'
- As part of a Random Testing Program 'Random Testing'
- Testing in the Case of Concern 'Test for Concern'
- Testing Following an Incident'

There will be two types of testing conducted:

- Breathalyser (Alcohol)
- Oral Fluid Sampling (Drugs)

Modern Breathalyser testing is a highly accurate and effective way of detecting blood alcohol levels for the purpose of determining fitness for work.

Oral Fluid Sampling is a simple, hygienic, non-intrusive and accurate way to test for recent / current drug use for the purpose of determining fitness for work.



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DRUG AND ALCOHOL TESTING PROCEDURE

McKinlay Shire Council has a Drug and Alcohol Testing procedure which is encompassed within the Fit for Work Procedure.

This procedure details the responsibilities and actions required for managing and conducting the required drug and alcohol testing. The intent of this policy and associated procedure is to eliminate the hazard of persons attending for work in an unfit state. For this reason MSC will provide "Self Testing" facilities for all MSC employees and allow this self-testing for alcohol, in private, to be performed prior to the employees official start time.

EMPLOYEE CONSULATION, COMMUNICATION & INFORMATION

McKinlay Shire Council will ensure that the development, implementation and continual improvement of this policy will occur in consultation with all stakeholders including employees, management, relevant unions and WH&S representatives.

Employees will be informed of their responsibility in relation to MSC's tolerance of drugs and alcohol in the workplace, and the employees' role in maintaining a safe workplace.

McKinlay Shire Council will also provide practical guidance and training to managers and supervisors for dealing with persons who may be affected by drugs or alcohol, including the disciplinary processes, and the need for maintaining strict confidentiality.

McKinlay Shire Council will communicate this policy to all new employees through the employee induction process and will also ensure that contractors, volunteers, and work experience persons are aware of McKinlay Shire Council's Drug & Alcohol Testing Procedure.

POLICY REVIEW

This Policy will be reviewed bi-annually.

ASSOCIATED DOCUMENTS (Forms)

- Form, Fit For Work Testing, Sept 2024
- DA04 - Positive Drug or Alcohol Test Interview
- DA05 - Letter One to Employee (Following First Positive Drugs or Alcohol Test Result)
- DA06 - Letter Two to Employee (Following Second Positive Drugs or Alcohol Test Result)
- DA07- Show Cause Notice (Following Third Positive Drugs or Alcohol Test Result)
- Form, Medication Declaration, Sept 2024
- Form, Fit For Work Medical Confirmation, Sept 2024

(The templates will all be accessible in document control)



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POLICY CONTENT

The Chief Executive Officer is authorised to make any decisions arising from the need at any time to interpret the meaning or application of any part or parts of this procedure.

Trevor Williams, CEO, McKinlay Shire Council

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