

# Drugs and Alcohol Policy

<b>Policy No:</b>	HR-007
<b>Adopted By:</b>	Chief Executive Officer
<b>Date Adopted:</b>	18 June 2025
<b>Review Date:</b>	June 2028
<b>Version No:</b>	2
<b>Responsible Officer:</b>	HR Manager

## Purpose

The purpose of this policy is to outline clear expectations regarding the consumption of drugs and/or alcohol that may impair an employee's ability to perform their duties safely and lead to unacceptable behaviour.

## Commencement of Policy

This Policy will commence on adoption by the Chief Executive Officer (CEO). It replaces all other Drugs and Alcohol policies (whether written or not).

## Application

This policy applies to all employees and contractors of Murweh Shire Council (MSC). It does not form part of an employee's contract of employment.

## Policy

### Responsibilities

Workers must not:

- Attend work while under the influence of drugs and/or alcohol;
- Consume or use illegal drugs and/or alcohol during work hours;
- Sell or distribute alcohol and/or drugs at work;
- Possess alcohol and/or illegal drugs at work.

If a worker believes another employee is under the influence of drugs or alcohol during work hours, they are required to report it immediately to their manager or supervisor.

### Drug and Alcohol Testing

Employees must be fit to perform their duties in a safe and effective manner. Testing will be conducted in the following circumstances:

#### 1. Pre-employment Medical Testing

All new employees commencing with MSC will undergo pre-employment drug testing. A positive result for illicit drugs may influence Council's decision to proceed with the recruitment process. Refusal to undertake a drug test may draw an adverse inference from Council.

#### 2. Reasonable Suspicion

If a worker's behaviour or actions give rise to reasonable suspicion of being under the influence of drugs and/or alcohol, immediate testing may be required. Reasonable suspicion may be based on, but not limited to, the following:

- Admission of being under the influence;

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- Unexplained changes in speech, movement or appearance;
- Erratic behaviour or mannerisms;
- Odour of alcohol or bloodshot eyes;
- Possession of drugs and/or alcohol.

### 3. Post-Incident Testing

Workers may be required to undergo drug and/or alcohol testing following any significant workplace incident.

### 4. Random Testing

Random drug and alcohol testing will be conducted by the Council without prior notice. A worker or a group of select workers may be required to undergo testing.

## Testing Methods

Testing will be conducted by a qualified independent collector in accordance with Australian Standards. Workers undergoing testing may request to have a support person or union representative accompany them.

## Refusal to Undertake Testing

Refusal to take a drug and/or alcohol test or tampering with a sample will be considered a breach of this policy. Workers who refuse or tamper with a test will be immediately stood down without pay until they agree to take the test. Employees may also be required to show cause via a disciplinary process.

## Drug Test Outcomes

- **Negative Result**  
Indicates the worker is fit for duty and may resume normal duties.
- **Non-Negative Result (Declared Medication)**  
If a worker has declared medication prior to testing and the non-negative result aligns with that declaration, they will be considered fit for work. Medical confirmation may be required within 48 hours. The sample will be sent to an accredited lab for verification.
- **Non-Negative/Positive Result (No Medication Declared)**  
If no medication is declared or the result does not match the declaration, the worker will be stood down without pay pending confirmation testing.
- If the lab test is negative, the worker may return to work with pay restored.
- If positive, the stand-down without pay continues until a negative result is received.

MSC will work with the employee on a suitable return-to-work plan if needed. Disciplinary action, including a requirement to show cause, may also apply.

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## Alcohol Test Outcomes

- **Negative Result (0.00 BAC)**  
A BAC of 0.00 indicates the worker is fit for duty and may resume work.
- **Non-Negative Result (Above 0.00 BAC)**  
A BAC above 0.00 is over the limit. The worker must remain at the testing facility and undergo a second test after 20 minutes.
- If still over the limit, the worker will be stood down without pay.
- If unfit to drive, MSC will arrange safe transport home

## **Return to work**

The worker may return to work the following day, however, will be required to provide a negative result.

Any confirmed positive alcohol test (BAC over 0.00) will be considered a breach of this policy and may result in an employee having to show cause via a disciplinary process.

## Confidentiality

All test results will be handled confidentially, and samples will be destroyed as per applicable laws and regulations.

## Prescription and Pharmacy Medications

If a worker is taking prescribed or over-the-counter medications, they must:

- Seek medical advice on whether the medication may impair their ability to work safely;
- Inform their supervisor if the medication may impact their performance;
- Provide a certificate from their doctor stating that they are fit to work while taking the medication (considering the employee's position requirements);

Workers are not required to disclose the condition being treated or the specific medication.

## Breach of Policy

Any confirmed violation of this policy, including possession, sale, or distribution of illegal drugs or alcohol, will be reported to authorities as appropriate. If a contractor breaches the policy, the responsible individual will be notified, and the contract may be suspended or terminated.

## **Audit and Review**

This policy shall be reviewed every **three years** or as required due to changes in legislation.

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## Definitions

**Impaired by the effects of alcohol or drugs** means a worker is unable to perform work safely due to the effects of alcohol or drugs, with specific BAC limits as defined by relevant transport regulations.

**Drugs** include both illegal substances and prescription/pharmacy medications as defined below.

**Illegal drugs** include any drug prohibited by law under any Australian or international regulations.

**Prescription and Pharmacy Medications** include substances prescribed by a medical professional or legally available over the counter for legitimate health reasons.

## References

*Local Government Act 2009*

*Local Government Regulation 2012*

*Work Health and Safety Act 2011*

*Industrial Relations Act 2016 (Qld)*

## Version Control

Version No.	Date	Approved	Amendment
1.0	dd/mm/yyyy	CEO	

## Approval

Chief Executive Officer	Bruce Scott		
Date:	18/06/2025	Signature:	