

<b>Policy Name:</b>	<b>Alcohol &amp; Drugs</b>
<b>Policy Number:</b>	<b>5.08</b>
<b>Date:</b>	<b>February 2023</b>

## **POLICY STATEMENT:**

JC Steele believes that a healthy and productive work force, safe working conditions free from the effects of drugs and alcohol, and maintenance of the quality of products and services provided by JC Steele are important not only to the company, but also to its employees and the general public.

We conclude that the abuse of drugs and alcohol creates a variety of workplace problems including injuries on the job, increased absenteeism, increased financial burden on health and benefit programs, increased workplace theft, decreased employee morale, decreased productivity and a decline in the quality of products and services. Due to JC Steeles' strong concerns in this area, the following comprehensive policy applies to all JC Steele employees and contractors.

## **PROCEDURES:**

### **1. Recruitment Policies**

- a. No person will be employed who is known to currently abuse, promote or sell illegal drugs.
- b. Illegal drugs are those substances recognised as a drug and/or defined as illegal under federal, state or local laws, including, but not limited to:
  - Marijuana / THC
  - Heroin / Opiates
  - Amphetamines & Meth Amphetamines
  - MDMA
  - Cocaine
  - Hallucinogens
  - Hashish
  - Synthetic drugs
  - Depressants not prescribed by physician for treatment of a current condition
  - Stimulants not prescribed to the employee by physician for treatment of a current condition
  - Abuse of prescription medications.

### **2. Use or Possession of Alcohol, Narcotics and Other Controlled Substances**

- a. No employee may possess drugs, narcotics or other controlled substances on company premises during working hours, including break or meal periods.

- b. The possession, distribution and/or consumption of alcoholic beverages on company premises is prohibited without management approval.
- c. Violation of this policy is cause for immediate disciplinary action up to and including termination of employment.

### **3. Employees Deemed to be Under the Influence of Alcohol, Narcotics or Other Controlled Substances**

- a. Employees are prohibited from reporting to work or performing their job assignments under the influence of alcohol, narcotics or other controlled substances at any time.
- b. Any employee who displays evidence of alcohol use, such as the smell of alcohol on the breath, will be immediately removed from the company premises. Appropriate action will be taken based on employment history and repeated violations.
- c. Management may require an employee to be tested for drug or alcohol influence during any work shift. JC Steele may organise this through an accredited person or doctor for the collection and testing of samples. This may occur on a random basis or be based upon reasonable suspicion due to:
  - Investigation of possible employee impairment.
  - An incident or subsequent investigation of accidents /near misses in the workplace.
  - Any onsite injury.
  - Incidents of workplace theft.
  - Maintenance of safety for employees and the general public.
  - Maintenance of productivity, quality of products or services or security of property or information.
- d. "Reasonable suspicion" is defined as whenever an employee's observed behaviour, productivity levels, attendance records, demeanour, damage to property, security violation, injury to self or others, inability to perform their duties in a satisfactory or safe manner or any other unusual behaviour or circumstance raises the question about the employee's physical condition and/or fitness to perform his or her job.
- e. JC Steele respects all employees' right to privacy. Any medical information collected about an employee will only be disclosed to relevant persons in confidence for the purposes of managing health & safety risks.

### **4. Testing**

Managers may require any employee to be tested for drug or alcohol influence during any work shift. JC Steele may organise this through an independent specific service provider or require a team member to visit an appropriate medical clinic, for the collection and testing of samples "upon

reasonable suspicion", for the following purposes:

- Investigation of possible employee impairment.
- An incident or subsequent investigation of accidents /near misses in the workplace.
- Any onsite injury.
- Incidents of near misses.
- Incidents of workplace theft.
- Maintenance of safety for employees and the general public.
- Maintenance of productivity, quality of products or services or security of property or information.

Drug testing will screen for the following classes of drugs:

- Methamphetamines and Amphetamines
  - Opiates / Methadone
  - Benzodiazepines
  - Buprenorphines
  - Cannabis / THC
  - Cocaine
  - MDMA; and
  - Any other substance that may alter a person's fitness for work e.g. prescription medication not being used as per prescribed guidelines for a condition requiring current treatment
- a. JC Steele's independent service provider will conduct random drug testing via oral saliva swab and / or urine testing. Where a person returns a 'non-negative' result to the presence of drugs, a second drug test will be administered either by the tester or by a secondary medical facility. The 2<sup>nd</sup> sample will be sent to an authorised laboratory using a chain of custody method for further analysis and confirmatory testing. Alcohol testing will be conducted using a Breath Testing Machine. All employees must produce an alcohol breath testing result of 0.02 or less. Any employee operating machinery must produce an alcohol breath test result of 0.00.
- b. Any person selected for testing who refuses to provide a saliva, urine or breath sample for testing will be suspended without pay until such times as they are able to agree to a drug and alcohol test. The employee may elect to visit their own doctor for a drug and alcohol test or ask JC Steele to recall the independent testing service provider. Any costs associated with an employee refusing to be tested on the nominated day will be borne by the employee, and where required, will be deducted from the employee's next pay. Any employee refusing to consent to a test will be automatically subject to regular testing for a period of twelve (12) months.
- c. Any employee who provides a 'non-negative' saliva or urine sample will be suspended without pay until such time as the confirmation results have been received from the independent laboratory. If the results return negative, the employee will be paid for the time they have been unable to attend work.
- d. Any employee who returns a confirmed positive result will face disciplinary action, which may include termination of employment. If termination of employment does not automatically occur, any subsequent test failure will result in immediate termination of employment.

- e. An employee will not be allowed to return to work until such time as they are able to provide a urine sample which provides a negative result. Any employee who is unable to return to work within three months of the positive drug test result may have their employment terminated.
- f. Any employee who records a result of 0.02 or higher during random alcohol breath testing will be removed from site and suspended without pay. The employee will not be able to return to site until such time as they are able to produce a result of 0.01 or less. Employees who record a result of 0.02 or higher will face disciplinary action which may include termination of employment.
- g. Any employee who returns a confirmed positive result for a drug test will automatically be included in all random drug testing for a period of twelve (12) months. Any employee who returns a confirmed positive result for a drug test will be tested on a regular basis for a period of twelve (12) months. The costs of these tests will be borne by the employee. If the employee tests negative throughout this twelve (12) month period, they will return to the 'random pool' for future testing.

Any employee who returns an unsatisfactory alcohol breath test result will be included in all future random alcohol testing for a period of twelve (12) months and will be required to undergo regular alcohol testing (which may be a daily requirement). If the employee tests negative throughout this twelve (12) month period, they will return to the 'random pool' for subsequent testing.

## **5. The Selling, Soliciting or Dealing of Illegal Drugs**

- a. Any employee who is found to be a seller or who is involved in the sale, solicitation or dealing of illegal drugs or controlled (non-prescription) drugs will be deemed to have engaged in serious misconduct and may be summarily dismissed.

## **6. Employee Assistance**

- a. All current employees who recognise their need for counselling or medical assistance due to dependence upon drugs or alcohol may voluntarily contact their manager or the Managing Director and receive confidential assistance in determining options available and ways in which JC Steele will support their recovery. Support is available from a number of service providers including the Australian Drug Information Network (ADIN.com.au). JC Steele will endeavour to support the employee in any reasonable way possible, including time off for rehabilitation.

## **7. Search**

- a. JC Steele will take whatever measures are necessary to find out if alcohol or illegal drugs are located on or being used on the company's premises.
- b. JC Steele reserves the right to inspect any bag or package taken from or brought into the company's premises. This includes suspicion of alcohol or illegal drug use. If any employee refuses to submit to a search (package only) after the reason for the search has been fully explained, the employee will be removed from service and may face termination of employment for insubordination.

## **8. Work Functions**

- a. Employees are reminded that at times alcohol may be provided at some work functions, subject always to approval of the Managing Director. Advance notice will be provided regarding such occasions, to enable employees to organise to get home from the function safely. It is the responsibility of each employee to take responsibility for their own actions and be aware of alcohol limits if intending to drive. Drink driving is a crime and puts employees and the JC Steele business at risk.
- b. From time to time, as a result of a work function, alcohol may be kept on the JC Steele premises. It is against JC Steele policy for any staff member to consume any company owned alcohol without the express approval of the Managing Director.
- c. Under no circumstances is any employee under 18 years of age to consume alcohol at work or at any JC Steele function. No employee is permitted to provide alcohol to an underage employee under any circumstances.
- d. Under no circumstances is any JC Steele employee allowed to consume alcohol while on medication which may adversely affect them should the two be combined.
- e. Any employee who has consumed an alcoholic beverage at work may not, under any circumstances, operate tools or machinery.