



## **Alcohol and Other Drugs Policy and Procedure**

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## Revision History / Schedule

Policy Owner: Guy McMillan  
 Manager Occupational Health & Safety  
 People & Change

Date	Name	Details of change	Version	TRIM Record Number	Next review date
2004		Policy first created	1		
9/8/11	Guy McMillan	Policy revised to include testing procedures and update to new policy format and consideration to feedback from consultation processes with OHS Committees and Unions	2		

### Notes:

- This table summarises the document’s history of development and is to be completed by the person effecting the change;
- Details need to be succinct but provide enough information for users to ascertain the extent of the recorded change;
- Each change will necessitate a new version number and re-approval as per Delegated Authorities guidelines;
- The policy owner has control of the document and its content and any changes are to be authorised by that officer;
- Review date is to be a minimum of two years.

# Alcohol & Other Drugs Policy and Procedure

## 1 Background

Hunter Water is committed to providing a safe, healthy and productive workplace. To support this commitment, the Corporation has provided education programs aimed at the prevention, reduction and/or elimination of problems associated with the misuse or abuse of alcohol and other drugs which affect work performance, conduct and/ or safety. In order to ensure employee, contractor and visitor safety, wellbeing and fitness for work, Hunter Water Corporation has implemented an Alcohol and Other Drugs Testing Regime.

The 'Alcohol and Other Drugs Policy and Procedure' prohibits the consumption of alcohol during paid working hours or at a Corporation workplace, except as defined under the Approved Functions Section of this Policy. It also prohibits the possession, consumption or administering of illegal drugs and is designed to prevent persons from presenting for duty in a state where they are unable to perform their duties to an acceptable standard due to the influence of alcohol or other drugs.

Hunter Water Corporation is not attempting to dictate the personal activities of employees whilst they are off duty, however for the safety of everyone, Hunter Water Corporation is ensuring that people do not participate in the workplace under the influence of alcohol or other drugs in an altered state or where they would be deemed unfit for work.

## 2 Purpose and Objectives

The purpose of this policy is to ensure all people are fit for work, particularly in relation to the use and/or abuse of drugs and alcohol. This policy also provides a framework for testing as well as guidelines for education, rehabilitation and counselling and potential discipline arising from drug and alcohol testing.

This policy provides practical guidance to assist managers/supervisors and employees to:

- recognise the effects of the misuse or abuse of alcohol and other drugs;
- deal appropriately with work performance and conduct problems caused by misuse or abuse of alcohol and other drugs;
- protect confidentiality;
- refer affected employees to counselling services;
- provide education and information for managers/supervisors and employees on the Corporation's policy.

In addition, this policy:

- sets the workplace testing regime;
- provides guidance regarding disciplinary action following positive results; and
- provides guidelines for the supply and consumption of alcohol at General Management approved functions.

## 3 Scope

This policy applies to all Hunter Water Corporation employees, contractors, subcontractors and their employees and members of the Board of Directors whilst at Hunter Water controlled workplaces and except as specified under the Approved Functions section of the policy (section 5.5) the Corporation will not tolerate any of the above people:

- Consuming alcohol during paid working hours.
- Consuming alcohol at any Corporation premises or workplace (including meal breaks).
- Possessing, consuming or administering illegal drugs on Corporation premises or workplaces at any time (police will be informed if this is the case).
- Presenting for duty in a state where they are unable to perform their duties to an acceptable standard due to the influence of alcohol or other drugs.
- Not complying with this policy or any other Hunter Water Corporation policy.

## 4 Definitions, Acronyms and Abbreviations

<b>Alcohol:</b>	Includes all food, beverages, medications and any other product containing alcohol.
<b>Authorised Organisation:</b>	An appointed organisation that can demonstrate it meets the Australian Standard requirements for collectors will be used for the collection of specimens for alcohol and other drug testing and further analysis of results will require an independent NATA Certified Collection Agency.
<b>Designated Collector:</b>	A person from the Authorised Organisation who has been trained and assessed as competent in the use of drug and/or alcohol testing equipment in accordance with the Australian Quality Training Framework (AQTF) requirements. For Drug screening the Designated Collector also needs to hold NATA certification.
<b>Drug:</b>	Every substance or article which is a dangerous drug under and within the meaning of the <i>Narcotic Drugs Act 1967 (Cth)</i> or any other substance, article, preparation or mixture (with the exception of alcohol) whether gaseous, liquid, solid, or in any other form which may alter the fitness for work of a person.
<b>Fitness for Work:</b>	Is the condition or state that enables a person to perform assigned tasks competently.
<b>Person:</b>	Who are either employees, contractors, subcontractors or employees of a subcontractor or supplier or a member of the Board of Directors.
<b>Over-the-Counter Medication:</b>	Medicines available through a pharmacy without prescription.
<b>Prescription Medication:</b>	Medication prescribed by a registered medical practitioner.
<b>Zero:</b>	For the purposes of this procedure, a zero reading for breath alcohol concentration will be taken to a second decimal point i.e. 0.00%.

## 5 Policy Statement

### 5.1 Education of Employees

The misuse or abuse of alcohol or other drugs may result in an observable decline in work performance or conduct. While it is not the responsibility of managers/supervisors to

diagnose personal or health problems, they should be aware of the common indicators that suggest that an alcohol or other drug problem may exist. Indicators could include:

- Habitual lateness
- Interpersonal problems
- Mood swings or depression
- Extended lunch breaks
- Violence
- Smell of alcohol on breath
- Frequent absences
- Forgetfulness
- Speech change
- Neglect of personal grooming
- 'Near miss' incidents
- Unsteady balance

Hunter Water Corporation commits to supporting the education of employees including:

- Information sessions on roles and responsibilities under the relevant occupational health and safety legislation;
- Provision of relevant alcohol and other drugs literature;
- Toolbox talks and divisional meetings; and
- Specialist programs presented by external representatives.

These initiatives may vary in their use and timing depending on other Hunter Water Corporation programs.

Information will be provided so that employees will be aware of the health and safety implications of alcohol and other drugs abuse. Particular attention will be given to the recognition of the early indication of such abuse.

## **5.2 Rehabilitation Principles and Guidelines**

Hunter Water Corporation recognises alcohol and other drugs dependency as a treatable and manageable condition. Any person who suspects they have an alcohol or other drug dependency condition is encouraged to seek advice and to have appropriate treatment.

Employees may seek counselling assistance through the Employee Assistance Program (EAP) as offered by the Corporation. Participation in the program is confidential. Information the employee divulges will not be passed on to anyone without their written permission. Non-confidential information for statistical purposes or confirmation of attendance is provided to the relevant Hunter Water Corporation officer.

All reasonable steps will be taken to advise contractors of appropriate organisations to consult in respect of alcohol or other drug dependencies.

If a manager/supervisor observes a decline in work performance or conduct that he or she cannot explain, the manager/supervisor should involve the employee in an initial, informal, interview on a confidential basis. It is essential that action be taken promptly. An early response to a decline in work performance or conduct addresses the problem directly and avoids appearing to condone unacceptable behaviour.

Managers/supervisors must take into account the possibility that a decline in work performance or conduct could be the result of an illness, disability, medication or the withdrawal of medication. In such cases, the use of disciplinary procedures is inappropriate.

If an employee indicates that the decline in their work performance or conduct is related to an alcohol or other drug problem, the manager/supervisor must encourage the employee to seek assistance from their treating doctor and/or other treating professionals.

Counselling by a manager must be limited to work performance or conduct issues. Counselling on personal issues is the domain of professional counsellors.

The procedures for managing conduct and work performance are outlined in Hunter Water Corporation Disciplinary Guidelines.

### **5.3 “Fitness for Work”**

To be considered "fit for work", a person must be in a state (physical, mental and emotional) which enables them to perform assigned tasks competently and in a manner which does not threaten the safety or health of themselves or others. This includes an employee presenting for work in a state where they are not under the influence of alcohol or other drugs.

#### **5.3.1 Alcohol**

The acceptable levels for blood/alcohol concentration are dependent on the type of work being conducted by the employee or contractor and relevant New South Wales legislation. As a general rule, the acceptable level of blood alcohol concentration for employees and contractors is less than 0.05%. This is in line with the current legal limit for driving a motor vehicle. This level however will vary in accordance with industry codes of practice, standards and legislative requirements and all persons must comply with these and company policies of the site at which they are working which may be as low as 0.00%. For example:

- When persons are working on a Hunter Treatment Alliance site the accepted blood alcohol level is 0.00%. This level may also be applicable to other Principal controlled contractor sites.
- When working in a rail corridor or on some mine sites the accepted breath alcohol level is also 0.00% and all persons must comply with the relevant company's policy which may be as low as 0.00%.
- When driving B Doubles or operating other items of mobile plant or heavy machinery, the accepted breath alcohol level is less than 0.02%.
- If the person is a provisional driver, the relevant legislative requirements will apply if the person is driving to or from work or driving during work time.

#### **5.3.2 Other drugs**

Persons are expected to present for work in a fit state to undertake their duties safely. Therefore persons are not to present for work when a drug, over the counter or prescription medication impairs their ability to perform their role in a safe manner. Please refer to section 6.4 on the procedure for declaring prescription or over the counter medication. Section 6.2 also details the types of drugs that are screened during drug testing, and the targeted levels that would constitute a positive test result.

## 5.4 Possession or Consumption of Alcohol or Illegal Drugs

Being in possession of or consuming illegal drugs or consuming alcohol during working hours will be regarded as serious misconduct. Employees who contravene this rule may be subject to disciplinary action up to and including termination of their employment.

## 5.5 Approved Functions

In special circumstances such as the retirement of employees, Christmas parties, or other similar work functions, the General Manager of the Division may approve the moderate consumption and responsible serving of alcohol during and after working hours on Corporation property. A specified timeframe will also be nominated by the General Manager for the function. In all such circumstances permission is to be obtained from the General Manager prior to the event.

Persons are to ensure that they do not resume duty:

- With an alcohol concentration above the limits set herein;
- If they are affected by alcohol or other drugs which may lead to a safety risk or an inability to fulfil the requirements of the position;

Employees should not drive home after a work function if they above the legal limit.

# 6 Testing Procedure for Alcohol & Other Drugs

## 6.1 Testing Regimes

The types of testing that may be carried out include the following:

- **Pre-employment testing** - Potential Corporation employees will be required to have an alcohol and drug test, as part of their pre-employment medical check. Further information regarding testing for Alcohol and Other Drugs is detailed in the Recruitment & Selection Policy & Procedures
- **Random testing** - A non-discriminatory program that will randomly select when testing will occur and which random job site/group/individuals will be tested. This will be conducted by way of Hunter Water Corporation providing the names and site locations of all persons to the Authorised Organisation. The Authorised Organisation will ensure the complete random selection of persons to be tested at any Hunter Water Corporation site. The random testing could be conducted on a 24 hour x 7 day per week basis.
- **Causal testing** - Causal testing is made up of the following three components:
  1. A drug and alcohol test may be conducted for persons involved in an incident that resulted in a high potential near miss, medical treatment or a lost time injury. The requirement for testing is at the discretion of the Manager Occupational Health and Safety and the health of the person is paramount and testing may occur on a case by case basis;
  2. A mandatory drug and alcohol test when it is reported that there is reasonable belief that a person is under the influence of drugs or alcohol;
  3. Repeat drug and alcohol testing over a 6 month period for a person who has previously returned a positive test result. This will be conducted to coincide with the random testing program. If the person is at the site where the random

testing is being conducted they will automatically be part of the testing process.

## 6.2 Types of Testing

For Random and Causal Testing the preferred method of testing for the presence of alcohol is via a 'breathalyser' test. However, confirmatory testing may involve saliva testing or other methods of testing as deemed appropriate and necessary.

In screening for the presence of illegal drugs and prescription or over the counter medication, Hunter Water will use saliva testing. However, for the purpose of confirmatory testing or other requirements as may be necessary from time to time, the Corporation reserves the right to conduct testing via the Authorised Organisation appropriate to the situation.

Saliva testing will screen for the following classes of drugs:

- Amphetamines;
- Opiates;
- Cannabis;
- Cocaine;
- Methylamphetamines; and
- Any other substance that may alter a person's fitness for work

The following sets out the targeted levels (cut offs) that will constitute a positive result for saliva specimen drug testing (equivalent levels will be adopted for other types of screening and substances where applicable):

Class	Laboratory Confirmatory Cut-off Levels
Amphetamine	25 ng/ml
*Opiates	25 ng/ml
Cannabis	10 ng/ml
Cocaine	25 ng/ml
Methylamphetamines	25 ng/ml

### Note

- The levels specified in the above table are drawn from AS 4760-2006 "Procedures for Specimen Collection, Detection and Quantification of Drugs in Oral Fluid" and may be varied from time to time in accordance with industry codes of practice, standards or legislative requirements.*
- The general cut off level for opiates as an indicator is 25ng/ml, however the drug 6 –Acetylmorphine which is a unique indicator for heroin is 10 ng/ml*
- These levels are standard cut off levels that may be expected on Principal Contractor sites or any other sites that Hunter Water employees may be required to attend.*

## 6.3 Standard Testing Procedure

All persons entering a Hunter Water workplace may be tested in accordance with the following procedures.

- Testing of individuals in the workplace will be conducted privately on a one-on-one basis, however the person being tested may request a witness.
- The presence of a witness, in relation to random testing or cause testing, must be *immediately* available and must not in any way affect or hinder the results of the testing. Therefore, if a preferred witness is not *immediately* available the testing is to proceed, with the individual being given the opportunity of selecting an alternate witness that is immediately available, such as a work colleague.

- Random and Causal Testing will be conducted by a designated collector authorised by Hunter Water Corporation.
- In the case of “Random Testing”, individual persons and/or work groups will be selected randomly at selected times by the authorised company conducting the testing. “Random testing” will not be used to target individuals or groups.
- The first step for all alcohol and other drugs testing is the completion of a pre-screening form provided by the Authorised Organisation. If prescription or over the counter medication is not declared, the standard processes are to be followed, see sections 6.3.1 and 6.3.2. If prescription or over the counter medication is declared the procedure set out in section 6.4.2 is to be followed.

### **6.3.1 Standard Procedure for Alcohol Testing**

- If a person returns a negative test for the presence of alcohol, that is, their result is below the ‘fit for work’ level (see section 5.3.1), no further action is required and the person is to resume their normal duties.
- Where a person returns an Unconfirmed Positive result to the presence of alcohol which exceeds the appropriate ‘fit for work’ level (see section 5.3.1) they are to be tested a second time after the lapse of 20 minutes, during which time the person is to remain in the controlled testing environment and is not to return to work, unless for example in other extreme conditions such as the necessity for the person to be transported to a hospital.
- If the person returns a negative test on their second test they can resume their normal duties. However, if the second test returns another positive reading, the person is to be arranged transport home and they are not to return to work until they can return a negative test conducted by the Authorised Organisation.
- The employee will be encouraged to contact the Employee Assistance Program (EAP) for support.
- Where a person returns an Unconfirmed Positive result to the presence of alcohol above the relevant cut off level, the sample will be sent for laboratory confirmation.
- Immediate advice regarding an Unconfirmed Positive result will be provided to the Manager Occupational Health and Safety who will also contact the Manager Human Resources and the employee’s direct supervisor.
- Disciplinary action may also be taken following a confirmed positive result (see section 6.9).
- If the laboratory confirmation shows that the result is negative, no disciplinary action is required and the person can return to full duties. The employee will also be reimbursed any leave entitlements as appropriate.

### **6.3.2 Standard Procedure for Other Drugs Testing**

- If a person returns a negative test for the presence of other drugs, no further action is required and the person is to resume their normal duties.
- Where a person returns an Unconfirmed Positive result to the presence of other drugs, the sample will be sent for laboratory confirmation.
- Immediate advice regarding an Unconfirmed Positive result will be provided to the Manager Occupational Health and Safety who will also contact the Manager Human Resources and the person's direct supervisor.
- The person will be sent home pending the results of the laboratory confirmation. Following confirmation of the results from laboratory testing, the person may return to work at the commencement of their next shift if they first return a negative test result conducted by the Authorised Organisation.
- EAP support will also be encouraged for employees.
- If the laboratory results show that the result is negative, no disciplinary action is required and the person can return to full duties. The employee will also be reimbursed any leave entitlements as appropriate.
- If the laboratory results are Positive to the presence of other drugs, disciplinary action may be taken (see section 6.9).

### **6.4 Prescription or Over the Counter Drugs/Medication**

The following section outlines the procedures for disclosing use of prescription or over the counter drugs/medication generally and during a screening test.

The use of prescription or over the counter drugs/medication may impact upon a person's ability to perform safely or efficiently. There are several types of drugs, which may increase risk, including:

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

People who are using prescription or over the counter drugs/medication should take all reasonable steps to:

- Discuss with the prescribing medical practitioner/pharmacist the nature of their duties and ascertain any possible side effects of the medication which may increase risk to their safety at work. Hunter Water Corporation may also seek guidance from a medical practitioner.
- Take any medication strictly in accordance with the recommendations of the medical practitioner and/or the manufacturer; and
- Report any side effects of any medication to their medical practitioner.

In addition to the above, persons using prescription or over the counter drugs/ medication which they believe, or have been informed, could affect their safety or performance at work must take all reasonable steps to notify their supervisor of the side effects and possible safety issues associated with the prescription or over the counter drugs/ medication.

The supervisor should consider if the person has a limitation in carrying out normal duties. If the supervisor considers the person may have a limitation, the supervisor may seek further medical information from the person's medical practitioner and/ or a medical practitioner of Hunter Water Corporation's choice. This medical advice can only be obtained by the Supervisor if they have the person's written consent to do so. Otherwise this medical information must be arranged by the Hunter Water Corporation Manager OHS.

If it is determined through the above process that there is a limitation for the person performing their full duties, appropriate suitable duties will be provided if available. If the limitation or restriction has been advised by a medical practitioner, the person will not be permitted to return to their full duties until medical advice/ clearance is obtained.

Further, an employee may be entitled to access sick leave for times when unable to work due to the affects of the prescription or over the counter medication.

#### **6.4.1 Disclosure during the Testing Process**

- Prior to undergoing a screening test, the person is encouraged to advise the testing officer if they are taking prescription or over-the-counter drugs/ medication. If this is the case the person is required to fill out a pre-screening form.
- If drugs are detected during the screening test, the person will be required to identify any prescription or over the counter drugs/ medication if they have not already done so. The person does not have to state the medical condition, but must state the type of medication, the dosage and confirm that they are consuming those drugs as prescribed or directed (some over-the-counter drugs are in the same drug group type as those that are being tested and therefore may show up as an Unconfirmed Positive Result in the Screening Test). This information will only be shared by the Authorised Organisation if necessary with the Hunter Water Corporation Manager OHS.

#### **6.4.2 Testing Process following Disclosure of Medication**

Once the person has filled out the pre-screening form, the screening process can commence as follows:

- If a person returns a negative result following the screening test no further action is required and the employee is to resume their normal duties.
- If a person returns an Unconfirmed Positive Result the procedure outlined in 6.3.2 will apply.
- When a person returns an Unconfirmed Positive Result from a screening test, and has provided a declaration stating that prescription or over the counter medication is being used, laboratory confirmation testing will always be undertaken. The purpose of such testing is to confirm the accuracy of the declaration made by the person.

- Subject to the paragraph below, if the person's laboratory confirmation test results show levels of drugs at or above the Cut off Levels as amended and updated, the test will be regarded as a Confirmed Positive Result as per section 6.8 below and disciplinary action may be taken as per section 6.9 below.
- If the laboratory confirmation test results are consistent with the person's declaration of prescription or over the counter medication, both in type and quantity, and was appropriately notified and discussed and was being taken in accordance with directions, the results will not be deemed or treated as a Positive result.

## **6.5 Tampering with an Alcohol or Drug Sample**

Tampering with an alcohol or drug sample will lead to disciplinary action, which may result in termination of employment.

## **6.6 Refusal to Undertake a Test**

Refusal by a person to submit or cooperate fully with the administration of Testing will be treated in the same manner as any other refusal to comply with Hunter Water Corporation policies and/or procedures and as detailed herein.

Refusal will result in the person being counselled on the spot as to the consequences of the refusal. The person will then be directed to undergo the test. If the person continues to refuse to undertake the test, as a minimum, the refusal will be treated prima facie as a Confirmed Positive Result as per section 6.8 below and further actions will occur as follows:

1. Disciplinary action will be taken in accordance with section 6.9 below.
2. The employee will be arranged transport home.
3. The employee will be suspended without pay for refusal of duty in accordance with the stand down provisions of the Hunter Water Corporation Enterprise Agreement.
4. A negative test will need to be provided by the Hunter Water Corporation Authorised Organisation before the person will be able to return to work.

Continued refusal to undertake testing in accordance with specific causal testing or random testing will result in disciplinary action up to and including termination of employment.

Contractors who refuse to undertake a test will be asked to leave the site and will not be permitted back on the site until they have undergone a screening test and returned a negative result from the Hunter Water Corporation Authorised Organisation. The contract manager will also need to manage any non-conformance in accordance with the Hunter Water Corporation Contractor Management Policy.

## **6.7 Avoidance of a Random Test**

If a person has presented for work and avoids a random screening test then they will be treated prima facie as a Confirmed Positive Result and further as per the conditions set out in section 6.6 above, unless:

- The person presents a medical confirmation that they were unable to attend/partake in the random screening; or
- There is a genuine family emergency that required them to leave the site; or
- There is a pre-arranged reason (with Manager consent) for the person to leave the site.

## 6.8 Process Following a Confirmed Positive Result

The following steps are to be taken for a Confirmed Positive Result:

1. The person tested and the supervisor (or respective employer) will be informed of the result;
2. The person will be required to undergo testing for a period of 6 months as detailed at 6.1; and
3. For employees, a disciplinary discussion will take place which will include consideration as to the level of disciplinary action that should be taken. See Section 6.9 below.

Further, if an employee returns a confirmed positive result or has been deemed prima facie as a confirmed positive result and it is identified the person is undergoing medical treatment/support/rehabilitation specific to alcohol and other drugs, the employee will be able to access available sick leave entitlements upon presentation of a confirmatory medical certificate. If employees exhaust all sick leave entitlements, consideration will be given to accessing other paid leave entitlements.

## 6.9 Disciplinary Procedures

This section describes the types of disciplinary action that may be required following a Positive Result from test screening. Any discipline taken will be in accordance with Hunter Water Corporation's Disciplinary Guidelines.

Where an employee:

- a) Records a Confirmed Positive Result from screening tests for alcohol or other drugs; or
- b) Refuses to undertake a screening test; or
- c) Tampers with a screening test sample; or
- d) Avoids a random or causal screening test; or
- e) Breaches this policy in any demonstrated way;

Hunter Water has discretion to take the appropriate disciplinary action for breach of this policy.

All the circumstances, including the employee's full work history, will be taken into account when considering what, if any disciplinary action should be taken. Disciplinary action may include termination of employment taking into account the seriousness of the breach.

The following sets out a guide to the action which may be taken when employees return a Positive result to an alcohol or other drugs test. In circumstances where the breach is of a more serious nature, Hunter Water Corporation has the discretion to take action which does not conform with the guide below, e.g. where there has been a serious breach to other safety policies, or the employee's conduct endangers the safety of others.

### 1. First Positive Result

Following the first Confirmed Positive result, a Written Warning may be issued to the employee stating that the behaviour is regarded as serious misconduct and is a breach of this policy and therefore unacceptable. The employee will be encouraged to seek

assistance through the EAP and will be required to undergo random and/or cause testing for a period of six months.

## **2. Second Positive Result**

Following the second Confirmed Positive result, a Final Written Warning may be issued to the employee for further serious misconduct which is in breach of this policy and therefore unacceptable. The employee will be required to attend EAP counselling or other medical assistance and will be required to undergo random and/or cause testing for a period of six months

## **3. Third Positive Result**

If a third Confirmed Positive result is returned, serious disciplinary action, up to and including termination of employment may occur.

## **6.10 Records and Documentation**

Alcohol and other drug test records (the “test records”) will be kept in the employees personnel file and maintained in accordance with legislative and other State requirements. Test records for contractors will be forwarded to their respective employers.

Records of any disciplinary action taken as a result of breaches to this policy will be maintained on the employee’s personnel file for the life of the person’s employment, as employees are required to be fit for work throughout their employment with Hunter Water Corporation, and these records may be taken into account in future disciplinary meetings/ actions.

Results of causal tests following a safety related incident (e.g. high potential near miss, lost time or medical treatment injury) may be made available to WorkCover and other agencies if requested and necessary.

Employees may obtain a copy of a testing receipt to be made available by the provider immediately at the time of testing and may make a written request addressed to the Manager Occupational Health and Safety to obtain a copy of their confirmatory testing records.

## **6.11 Confidentiality**

Any person that comes into contact with confidential information in respect to this policy must not disclose any of this information to another party except where:

- A disclosure is necessary in the course of official duties as per Hunter Water Corporation’s Code of Conduct; or
- A disclosure is made with the consent of the Individual to whom the information relates; or
- A disclosure is otherwise permitted under relevant legislation.

## 7 Summary of Responsibilities

### 7.1 Employee Responsibilities

These responsibilities apply to all persons defined herein and those covered by the scope of this policy, regardless of their role or position, including employees engaged on a casual or contract basis, contractors, employees working outside normal hours, employees required to be on stand-by and members of the Board of Directors.

Persons must take responsibility for ensuring the health and safety of themselves and of others. In particular, employees must act responsibly by:

- Ensuring that they do not, by the consumption of alcohol or other drugs, endanger their own safety or the safety of any other person, including customers or clients, in the workplace. Persons must present for work able to undertake their normal work activities to an acceptable standard;
- Attending and resuming work unimpaired by alcohol or other drugs and notifying their manager/supervisor if aware that their work performance or conduct could be adversely affected or if there is a risk to the safety of themselves or others as a result of the effect of a prescribed or non-prescribed drug. All persons should find out from their doctor or pharmacist what effects a drug prescribed for their consumption has on their work performance;
- Taking action to resolve their own alcohol or other drug-related problems;
- Consulting with their manager/supervisor, occupational health and safety or union representative if they have genuine reason to believe that a person is under the influence of alcohol or other drugs and may pose a risk to the health and/or safety of the person and all others including the public;
- Conforming with all of the regulations enforceable under the Road Transport Act;
- Complying with related policies of other companies when working on their site (this may include testing).

### 7.2 Hunter Water's Responsibilities

Hunter Water is responsible for:

- Determining the drug and alcohol policy and procedure for the Company;
- Authorising the use of workplace drug and alcohol testing;
- Appointing an Authorised Organisation to conduct drug and/or alcohol testing;
- Maintaining an Employee Assistance Program Provider and referring Corporation employees requesting assistance for drug and alcohol related issues;
- Taking measures to achieve a workplace culture that supports health, safety and welfare including the personal effects of the misuse of drugs and alcohol;
- Reducing the effects on the workplace of the misuse or abuse of alcohol and other drugs and related costs, including absenteeism, accidents and low productivity;
- Informing employees of the potential work-related problems that may arise from the misuse or abuse of alcohol and other drugs and of their responsibilities in relation to workplace safety, conduct and performance;
- Providing guidelines to managers/supervisors for dealing with employees whose work performance or conduct is adversely affected by the misuse or abuse of alcohol and other drugs;
- Ensuring all contractors are aware of and comply with this policy; and
- Providing information about referral to counselling, treatment and rehabilitation services where appropriate.

## 8 Related Documents

- *Occupational Health and Safety Act 2000 (NSW) or as otherwise superseded.*
- *AS 4760 Procedures for Collection, Detection and Quantification of Drugs in Oral Fluid.*
- *AS/NZS 4308 Recommended Practice for the Collection, Detection and quantification of drugs of abuse in urine.*
- *AS/NZS 3547 Breath Alcohol Testing Devices For Personal Use;*
- *Hunter Water Corporation Disciplinary Guidelines.*
- *Hunter Water Corporation Enterprise Agreements.*
- *Hunter Water Corporation Personal/ Carer's Leave Policy.*
- *Hunter Water Corporation Contractor Management Policy.*
- *Hunter Water Corporation Recruitment and Selection Policy & Procedure; and*
- *Privacy and Personal Information Protection Act 1998 (NSW).*

## 9 Approval

Effective date: 25 <sup>th</sup> August 2011	Review date: 25 <sup>th</sup> August 2012
Policy approved by:	
Name: Dean Taylor	Position: Relieving Managing Director
Date: 25 <sup>th</sup> August 2011	