



TAXI GURU MELBOURNE

Alcohol and other drugs policy



1. PURPOSE

1.1. As an organisation, we are committed to providing and maintaining a safe, healthy and productive workplace. We recognise the concerns of employees, members, customers and the general community with regard to the impact from the **misuse of alcohol and/or drugs**. Our aim is to ensure all employees return home safely every day and others on the roads are not negatively impacted by our actions. While we do not wish to intrude into the private lives of our employees, if alcohol or **drugs** have a direct impact on an individual's work performance or on our safety standards, it is our responsibility to intervene.

1.2. The objectives of this policy are to:

- a) reduce the likelihood of injury and damage resulting from the **misuse of alcohol and/or drugs** (including **prescription** drugs);
- b) provide employees with an understanding of the behaviour expected of them during **working hours**;
- c) ensure that employees who are consuming alcohol or other drugs out of work hours, don't do so in a way that impacts on their work – for example, through a **hangover**; and
- d) explain how incidents will be handled when an employee is demonstrating signs and symptoms that deem them **not fit for work**.

1.3 This policy applies to all employees (full-time, part-time and casuals), whether employed as heavy vehicle drivers or in some other capacity, and to contractors, sub-contractors and any other people who represent the organisation in any way – collectively referred to in this policy as 'employees'.

1.4 This policy applies in all work locations, including locations visited when driving for company purposes. Where an employee is co-located with another organisation, they will be expected to comply with this policy as well as the policy of the other organisation.

2 ALCOHOL AND DRUGS IN THE WORKPLACE

2.1 As an employer, we will take all appropriate measures to reduce the risk of harm to all employees. All employees also have a responsibility when it comes to identifying and managing risks associated with alcohol and other **drugs**. Employees should be aware of the risks unique to our working environment.

These risks include but are not limited to:

- employee fitness for work while driving on the road;
- risk taking behaviour and dangers caused by other drivers;
- use of heavy machinery and working around heavy machinery;
- handling of goods; and
- the image and reputation of our business.

The effects of alcohol and **drug** use can be long lasting, including through **hangovers**. Substance use outside of work hours may influence an employee's performance at work, including negatively impacting on their performance in the workplace and their ability to drive safely.

3 RESPONSIBILITIES- Employers

3.1 Employer responsibility overview

Under the *Occupational Health and Safety Act 2004 (Vic)*, as an employer we have a general duty of care towards employees and others who may be present in the workplace to maintain a safe working environment.



Similar duties are imposed for interstate operations under the *Occupational Safety and Health Act 1984 (WA)* and the *Work Health and Safety Act 2011* of the other states and territories.

To help meet this general duty, the employer is responsible for:

- providing a safe workplace that ensures employees and others on the road are not exposed to unnecessary risks;
- giving employees information, instruction, training and supervision to enable them to work in a safe manner;
- consulting and cooperating with employees to reduce alcohol and **drug** related harm;
- ensuring that this policy is applied on a consistent and fair basis;
- providing information and training about alcohol and **drugs** to help ensure employees are aware of the potential risks to health and safety associated with consuming these substances.

4 Employees

4.1 Employee responsibility overview

Everyone has a legal obligation to take reasonable care for their own health and safety in the workplace and for the health and safety of others who may be affected by what employees do or don't do. This includes employees not being adversely affected by alcohol or **drug** use during **working hours**. Employees should be aware of their own ability to work and ensure they comply with this policy at all times. They should carry out a self-assessment (determine if you are fit for work) and inform their supervisor if they believe they are **not fit for work**. Employees are reminded that fitness for work encompasses your physical, mental and emotional state.

Except as set out in this policy, employees must not:

- drive a vehicle while under the influence of alcohol while working;
- be **not fit for work** due to a **hangover** or the **coming down** effects of **drugs**;
- neglect to inform their supervisor of any side effects of medications that may affect their ability to work;
- **misuse** medication, for example without a **prescription** or for non-medical purposes;
- be under the influence or use **illegal drugs** at work or during **working hours** (even when offsite); or
- possess alcohol or **illegal drugs** at work.

4.2 Prescription and over-the-counter drugs/medication

Employees must inform their supervisor if they are taking any **prescription or over-the-counter drugs/medication** which has the potential to adversely affect them, before commencing work. It is important that employees make sure they understand the potential side effects of their medication, for example by asking their GP or pharmacist about side effects. Employees are not required to reveal the nature of their condition, only inform their supervisor how their performance may be adversely affected.

It is the responsibility of the employee to ensure they are:

- take the **prescription or over-the-counter drugs/medication** in accordance with the instructions from their GP or pharmacist, or those given on the medication pack. If these instructions are not readily available, the employee must take steps to find out including asking questions of their GP or pharmacist;
- don't **misuse the medication**, including taking more than recommended or drinking alcohol while taking the medication (if it's not advised);
- are aware of their limitations while taking the medication (e.g. side effects that affect driving ability).



4.3 This paragraph has been intentionally left blank

4.4 Illegal drugs

Illegal drugs are not permitted on workplace premises or to be used during **working hours**. If an employee is found in the possession of an **illegal drug** or is deemed **not fit for work** by a supervisor as the result of **illegal drug** consumption, this could have consequences on their employment.

Employees should be aware that the **coming down** effects of **illegal drugs** can last for several days and that this may impact on their performance at work and cause safety issues. It is the employee's responsibility to ensure they are fit for work.

The sale, distribution or manufacture of **illegal drugs** in the workplace is a criminal offence and will be referred to police for investigation and will result in instant dismissal. This includes **prescription or over-the-counter drugs/medication** that are being distributed or consumed not for medical purposes, including 'synthetic' **drugs**.

4.5 Liability and workers' compensation

The employer will not accept liability for any damage to a company vehicle, an injury to another person, or damage to property if an employee's use of alcohol and/or **drugs** contributed to the incident. The employee will be personally liable in such circumstances.

Employees should be aware that under the *Workplace Injury Rehabilitation and Compensation Act 2013* (Vic) they might not be entitled to workers' compensation if they sustain an injury whilst being under the influence of alcohol and/or **drugs**.

4.6 Returning to work after being deemed not fit for work

If an employee is sent home by a supervisor because they are deemed **not fit for work** due to alcohol and/or other drug consumption, prior to returning to work, the employee is to report to their supervisor. A medical certificate may be required from a medical practitioner prior to resuming work. Employees are required to cooperate in any investigation of such matters. Failure to cooperate or providing false information in an investigation may result in action being taken against the employee, as set out in Section 6.1 below under the heading 'Breach of this policy'.

4.7 Concerns about another employee

Employees who have concerns about any employee **not fit for work** should inform their supervisor immediately. Further information about concerning signs and symptoms are detailed in Annex B.

5 SUPERVISORS

5.1 The definition of a supervisor

Assessing and determining if an employee is impaired by alcohol or **drugs** can be a complex process but it is often necessary for it to be made immediately to protect the safety of the employee and the worksite. All managers, supervisors and employees working in a supervisory capacity (collectively referred to in this policy as 'supervisors') are authorised under this policy to determine if someone is **not fit for work**. Supervisors can make the assessment based on their observations and the conduct of the employee at the time.

Supervisors should be aware of any work-related factors that may contribute to individuals developing alcohol or drug problems, and take steps to eliminate or minimise these factors. Further information on how to determine if someone is **not fit for work** is provided at Annex B.

5.2 Prescription and over-the-counter drugs/medication

Management will ensure that no employee is disadvantaged by reporting that they are taking medication on the advice of a medical practitioner. Management will not request unnecessary information (e.g. the nature of the employee's condition). If a supervisor suspects that an employee's



ability to safely perform work (including drive a vehicle) is affected, they may take steps to address the issue, for example finding alternative duties.

5.3 Don't assume alcohol or drug use

Supervisors should not assume difficulties in talking, lack of balance or coordination are necessarily related to alcohol or **drug** use. Other causes of impairment may include head injuries, fatigue or a medical condition. When employees are demonstrating these sorts of unsafe, concerning behaviours and there is no clear sign their behaviour is definitely a result of alcohol or **drugs**, appropriate medical intervention should be sought prior to arranging safe transport home for the individual.

5.4 Suspicion an employee possesses alcohol and/or illegal drugs

If a supervisor suspects that an employee has alcohol or **illegal drugs** in their possession at work, they may take any or all of the following steps:

- investigate the matter to attempt to determine whether the employee does have such substances in their possession;
- request the employee to open their locker, bag, or vehicle or to empty their pockets or jacket for the purpose of locating any alcohol and/or **illegal drugs**.
- should an open container of alcohol be found, the supervisor is to dispose of the alcohol immediately (unopened alcohol is permitted);
- should **illegal drugs** be found, the supervisor is to inform the police; and
- upon request, some or all employees may be required to undergo a medical examination in order to test for the presence of alcohol and/or **illegal drugs** (this cost will be borne by the company).

5.5 When an employee may be intoxicated, hungover or coming down from drugs

Supervisors should be proactive if they suspect, or another employee suspects, someone in the workplace is intoxicated, has a **hangover** or is **coming down** from **drugs**, thereby making the employee **not fit for work**.

It is the responsibility of supervisors to make themselves aware of the signs and symptoms and remember that fitness for work encompasses the physical, mental and emotional state of an employee (further information is provided in Annex B). If anyone is unsure of these signs and symptoms, they are to request assistance from their immediate supervisor.

Concerning signs of intoxication, **hangover** or **coming down** include engaging in unsafe work practices and diminished or impaired work performance. If you have **reasonable suspicion** (see Annex B) that an employee is **not fit for work** you must:

- stop the employee from carrying out further work;
- remove the employee from any position of risk (if this isn't possible due to the individual becoming threatening or violent, remove all other people from the area, shut down machines and remove keys from vehicles where possible and, if required, call the police); and
- organise suitable transport for the employee to their residence at the expense of the organisation;
- inform the individual that they will not be allowed to return to work until *deemed fit* to perform their duties safely and productively. Inform them again of this requirement after the incident to ensure they remember. If a medical certificate is required prior to returning to work, this must be explained before the employee returns – with reasonable time to visit a doctor. Offer them information on assistance and support services (See Annex C).

5.6 Managing the return to work process

When an employee returns to work, following being sent home because they have been deemed **not fit for work**, the supervisor must assess whether they are now fit for work.



If the supervisor suspects the employee has a medical condition or an ongoing problem with alcohol and/or **drugs**, they can require the employee to bring a medical certificate into work to prove they are fit for work.

5.7 This paragraph has been left intentionally blank

5.8 Refusal

If an employee refuses to undertake reasonable corrective action to improve their performance and behaviour in the workplace (e.g. seek medical treatment) or refuses to go home when told by a supervisor, this will be considered a 'breach of this policy' – as set out in Section 6.1 below.

5.9 This section has been left intentionally blank.

6 DISCIPLINARY ACTION

6.1 Breach of this policy

Employees must comply with this policy at all times. If an employee is found to have breached this policy, they may be subjected to disciplinary action in accordance with the company's Disciplinary Policy.

In circumstances where an employee's behaviour may involve a breach of any Australian laws or international laws that we are subject to, the employer will notify the police or other relevant authority.

6.2 Agents, contractors or casual employees

Agents, contractors or casual employees who are found to have breached this policy will be subject to a review of their contractual terms and conditions and may have their contracts terminated.

REVIEW

Date Developed	
Date Revised	
Revised By	
Revision Frequency	<i>Every three years</i>



Annex A

DEFINITIONS

“coming down” – the experience of various unpleasant physical and/or psychological effects following the consumption of drugs. The specific “coming down” effects will depend on what and how much was taken and how your body responded. The “coming down” effects of drugs can sometimes last for several days, following the initial ‘high’.

“drugs” –refers to all legal and illegal substances, including performance and image enhancing drugs (such as steroids), pharmaceutical substances, “illegal drugs” and ‘new psychoactive substances’ or ‘synthetic’ drugs.

“hangover” – the experience of various unpleasant physical and/or psychological effects following the consumption of alcohol. The specific effects of a hangover will depend on what and how much was drunk and how your body responded. The effects of alcohol can sometimes last for several days, even following your body reaching a zero blood alcohol concentration.

“illegal drugs” –includes any drug prohibited by State or Commonwealth law in Australia. For the purposes of this policy, marijuana is considered an illegal drug as well as ‘synthetic’ drugs. In this policy, “illegal drugs” also includes the “misuse” of prescription or over-the-counter drugs including steroids, which are used without the necessary prescription or for non-medical purposes.

“misuse of alcohol and/or drugs” – when these substances aren’t used responsibly. For example, being intoxicated at work; having alcohol in your blood while working as a professional driver; drinking too much out of work hours and having a “hangover” at work; taking illegal or ‘synthetic’ drugs outside or inside work hours; not taking medication in accordance with health practitioner guidelines; and not being aware of how medication may be affecting you and your ability to work and then not declaring it to your supervisor.

“misuse of medication” – refers to the consumption of any prescription drug without a prescription. It also refers to the consumption of either prescription drugs or over-the-counter medication which isn’t in accordance with the doctor or pharmacist’s instructions, or those on the medication pack.

“not fit for work” –an individual whose physical, mental or emotional state is adversely affected and they are therefore unfit to perform their duties satisfactorily or safely is not fit for work. An employee may become not fit for work because they are intoxicated or because they have a “hangover”, are “coming down” from a drug or are experiencing negative side effects from medication.

An employee may become not fit for work because they are intoxicated or because they are “hungover”, coming down from a drug or are experiencing negative side effects from medication.

“prescription and over-the-counter drugs/medication”–drugs/medication that, by law, must be prescribed by a medical practitioner or available only from pharmacies.

“reasonable suspicion” – a supervisor has an opinion that there are reasonable grounds to believe that an individual is impaired by alcohol or drugs and is therefore not fit for work.

“working hours” – refers to the hours the employee is working for the organisation. This term also includes lunch breaks and layovers. Or as described by your employer in your contract.



Annex B

SIGNS AND SYMPTOMS

Supervisors need to watch out for the signs and symptoms of an employee being not fit for work. It may be difficult to determine whether the employee is not fit for work due to alcohol or drugs, or some other reason such as a medical condition. Therefore, supervisors are encouraged in the first instance not to focus on why the employee is unfit but the actual signs and symptoms, and how they determine if the person is not fit for work. This will also assist in minimising conflict and managing the situation in a calm and professional manner.

Fitness for work encompasses an individual's physical, mental and emotional state. Even if the individual does not have alcohol or drugs in their system, they may still have a hangover or be coming down from a drug. In either case, they are not fit for work.

The time to raise the possible causes of the concerning signs and symptoms is when the employee has recovered and you have made a time to discuss the incident with them. It is reasonable for a supervisor to infer that a person's condition may have been the result of alcohol and/or drugs if there is no medical explanation for the presenting symptoms.

Below are symptoms supervisors should look out for to help determine if an employee is not fit for work. Less concerning symptoms will need to be present in conjunction with other symptoms for an employee to be deemed not fit for work. For example, blood shot eyes would not be a reason to send an employee home, but blood shot eyes in conjunction with uncoordinated movement, irritability and fatigue, might be. However, fainting on its own (irrespective of the cause) would be a reason to send an employee home.

Physical Symptoms
Shakiness
Bloodshot eyes
Dilated pupils
Uncoordinated movements, loss of balance and problems walking
Irregular breathing
Slow reactions and responses
Vomiting
Slurred speech
Hyperactivity
Fainting
Fatigue

Psychological Symptoms
Unclear judgement/confusion
Aggression
Loss of memory
Depression
Irrational behaviour
Hallucinations
Anxiety
Irritability
Appearing 'high' or drunk by laughing or talking more than usual



Annex C ASSISTANCE AND SUPPORT

Being a professional driver can have many challenges. If you feel like you're struggling, it's important to take advantage of the many free services that could help you get back on track, including:

DirectLine

Confidential alcohol and drug telephone counselling and referral to treatment services.

T: 1800 888 236 (24 hours a day, 7 days a week)

Beyond Blue

Support for depression, anxiety and other mental health problems.

T: 1300 22 4636 (24 hours a day, 7 days a week)

www.beyondblue.org.au (chat online or email 24 hours a day, 7 days a week)

Hello Sunday Morning

Be supported by other people who want to cut back or stop drinking alcohol through an online forum.

www.hellosundaymorning.org

Txt the Effects

Text the name of a drug, it doesn't matter if it's a slang name or not, and get an instant text back with its effects. Standard SMS costs apply.

SMS: 0439 TELL ME (0439 835 563) (24 hours a day, 7 days a week)

1800 Ice Advice

The help line – 1800 Ice Advice will direct users and families to the treatment and support services they need and provide general information about ice and its effects.

T: 1800 423 238 (24 hours a day, 7 days a week)