

## Definition / Description:

The purpose of the Alcohol and Other Drugs Procedure is to give effect to Albury Wodonga Health (AWH) policy in creating, fostering and supporting a safe and healthy work environment for all employees, patients, clients and visitors to the health service, which is free from the hazards associated with the inappropriate use of alcohol and/or other drugs.

## Personnel Able to Perform or Assist with Procedure:

This procedure covers all employees across all sites and workplaces of Albury Wodonga Health (AWH). For the purposes of this procedure, “employees” includes:

- Employees in every role including managers and Executive;
- All other employees as defined by Work Health and Safety legislation;
- Contractors and sub-contractors; and
- Consultants and their employees whilst working as a representative of AWH.

## Expected Outcomes:

- Promotion of a safe and healthy environment for employees and patients;
- Minimisation of the risks and costs to the organisation and individuals of inappropriate use of alcohol and/or other drugs;
- Clarification of AWH’s expectations of employees regarding alcohol and/or other drugs;
- Emphasis on the issues relating to fitness for work which relate to the use of alcohol and/or other drugs;
- Explanation of the procedures for managing employees whose fitness for work is suspected to be affected by alcohol and/or other drugs;
- Explanation of the circumstances in which alcohol and/or other drugs testing is appropriate;
- Identification of the consequences of a breach of this policy; and
- Identification of support and treatment options available for employees.

## Equipment:

Not applicable.

## Process Standards:

### Definitions

**Alcohol and Other Drugs** includes all intoxicating substances whether one or many, whether legal or illegal and whether usage is medically prescribed or recreational.

**Non-prescribed Medication:** medication which is obtained 'over the counter' and not prescribed by a registered medical or health practitioner.

**Positive result:** in relation to an alcohol and/or other drug test results means a result exceeding the cut off level for testing in urine (see [Appendix AAnnexure 1](#)), saliva (see [Appendix BAnnexure 2](#)) or blood alcohol concentrations (see [Appendix CAnnexure 3](#)).

**Prescribed Medication:** medication legally prescribed by a registered medical or health practitioner.

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**Reasonable Suspicion:** this is where a report has been received or the employee has been witnessed demonstrating signs or effects congruent with alcohol or drug use and there is suspicion that their fitness for work may be negatively impacted by alcohol and/or drugs. A reasonable suspicion will normally be formed on observation of physical signs such as slurring of speech, impairment of gross motor skills such as walking or operating machinery and impairment of fine motor skills such as operating tools. Other signs may include difficulty in comprehension, erratic behavior and/or sudden changes of mood. This is not an exhaustive list and managers should refer to the People & Culture team for assistance in recognising signs for determining a reasonable suspicion. Consideration must be given to disabilities or known impairments before determining that there is a reasonable suspicion.

## Managers Responsibilities

Managers are responsible for:

- Promoting awareness of the AWH Alcohol and/or Other Drugs Policy and its content;
- Monitoring fitness for work of staff and taking action (including to seek advice) if any concerns are identified;
- Managing application of this procedure to ensure safe conduct in their relevant work area, as well as at work social events and gatherings where alcohol is consumed;
- Encouraging employees to access help for issues relating to alcohol and/or other drugs;
- Maintaining confidentiality regarding alcohol and/or other drugs related issues within their teams;
- Keeping and maintaining appropriate records in accordance with this procedure, ensuring records are kept confidential as far as is practical.

Managers are not expected to be qualified to diagnose, provide counselling for or treat an employee's alcohol and/or other drugs issues, however it is reasonable that a manager may take action to address such an issue based on concerns over an employee's fitness for work or their wellbeing in conjunction with the People & Culture team.

## Employees Responsibilities

Employees are responsible for:

- Ensuring that they are fit for work and that they do not attend work if adversely affected by alcohol and/or other drugs;
- Not driving an AWH vehicle or using any other equipment or machinery whilst under the influence of alcohol and/or other drugs;
- Not exposing themselves, their colleagues, or patients and their families to any risk as a result of their use of alcohol and/or other drugs;
- Consulting with their healthcare provider and about the nature and effect (including side effects) of any prescribed or non-prescribed medications;
- Being knowledgeable about the possible side effects of any prescribed or non-prescribed medications that they use;
- Advising their manager about the possible side effects of any medications (whether prescribed or non-prescribed) if there is any risk that these could adversely impact on their fitness for work or safety in the workplace;

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- Taking appropriate action to ensure that any prescribed or non-prescribed medications that they are taking do not affect their fitness for work or ability to safely carry out their work;
- Seeking advice as soon as possible where they are concerned about their health, or where they have a problem with the misuse of alcohol and/or other drugs;
- Complying with requests for alcohol and/or other drugs testing and understanding that refusal to undertake a test may be dealt with as a potentially positive test result; and
- Raising issues with the relevant manager or People and Culture team member as appropriate, when they are aware or suspect that a colleague's fitness for work may be adversely affected by alcohol and/or other drugs or have a problem with the misuse of alcohol and/or other drugs, while observing the need for confidentiality.

## Access to Drugs and Medications

Employees in many roles at AWH facilities involve access to drugs and medications. Such roles are a position of responsibility to ensure these substances are securely stored, not subject to loss, unauthorized access or misuse, and used only under appropriate medical supervision and in accordance with the law.

Allegations of the misuse or misappropriation of drugs and medications, whether for gift, sale or for personal use, will be taken seriously and investigated as an allegation of misconduct in accordance with the Albury Wodonga Health Code of Conduct, and the relevant Award and /or EBA. AWH may report the matter to police.

## Managing an employee who appears to be affected by Alcohol or Other Drugs

All AWH employees are expected to attend work fit for work, physically and mentally capable of performing their work duties, activities and responsibilities. Employees are expected to ensure their out of work activities do not render them unfit for work, with the exception of accident, illness or injury.

Where an employee appears to be adversely affected by alcohol and/or other drugs whilst at work, the employee's manager will approach the employee and request to speak to them in private. The employee will be provided with an opportunity to provide an explanation of their presentation for work before determining a course of action.

Where the employee denies being affected by alcohol and/or other drugs but the manager remains concerned about the employee's fitness for work, the manager or person in charge may obtain a second opinion from a member of the People & Culture team.

If reasonable suspicion persists, the manager, in conjunction with People & Culture, will direct the employee to cease work immediately. AWH may, where they see fit, direct the employee for alcohol and/or other drugs testing (see [Drug and Alcohol Testing](#) below). If the employee refuses to undertake testing, this may be taken as a positive result.

The employee will be sent home immediately on full pay in the following circumstances:

- where the employee's refusal is dealt with as a potentially positive result;
- where the employee acknowledges that they are affected by alcohol and/or other drugs;
- where testing confirms that the employee is unfit for duty.

The manager will arrange for the employee's safe transport home and AWH will bear the cost. Suspension on full pay will only apply for the shift the employee was sent home from. It is

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recommended that the follow-up meeting to review this matter be handled urgently to avoid loss of pay or disadvantage for the employee.

The manager, in conjunction with People & Culture, will request a meeting with the employee on the next day, or as soon as is practicable afterwards. The manager, in conjunction with People & Culture, may instigate disciplinary action depending on the circumstances and seriousness of the situation in accordance with the relevant Award and / or EBA.

The employee may only return to duty where a meeting with an appropriate manager and a member of People & Culture has taken place and AWH considers that the employee is fit to return to work. AWH may require the employee to provide a medical clearance indicating they are fit to return to their normal duties prior to allowing the employee to resume work.

Where the employee believes that they are fit for work but the manager believes that the employee is unfit due to the effects of alcohol and/or other drugs, the final decision in this regard will lie with the Chief of People & Culture ~~for an independent assessment of the facts~~. Prior to an employee's return to work, the health service may require the employee to provide a medical clearance indicating they are fit to return to their normal duties.

In each case the manager and employee may agree on a strategy plan to deal with any broader issue suspected or identified. The strategy plan will depend on the seriousness of the issue and the significance of the impact on health and safety, along with the advice provided from People & Culture regarding the individual circumstances.

Inappropriate behaviour including aggression in the process will not be tolerated and will be dealt with as a disciplinary matter.

## Confidentiality

AWH is committed to a supportive environment in which issues regarding fitness for work and misuse of alcohol and/or other drugs can be discussed and resolved with dignity, sensitivity and a strong regard for individual privacy. Any action taken will remain confidential as far as is practical. While appropriate records should be placed on the employee file, steps should be taken to ensure that these also remain confidential. Details of activity that is illegal or reportable to external registration boards or authorities will be shared in accordance with legislative and mandatory reporting requirements.

## Alcohol and Other Drug Testing

All employees must participate in alcohol and/or other drugs testing if requested to do so.

Managers may request that employees undertake alcohol and/or other drugs testing in the following circumstances:

- On reasonable suspicion that the employee may be adversely affected by alcohol and/or other drugs while performing or available to perform their duties; and / or
- Following an incident, accident, near-miss or another safety event involving an employee, patient, visitor or AWH property, provided that it is reasonably practicable to conduct a test and that suitable testing conditions exist; and / or
- As deemed necessary by the Chief of People & Culture or the Chief Executive Officer.

If the employee participates in the test and has a positive result, this will result in the employee being sent home at the manager's discretion, and a drug test result will be subject to confirmatory laboratory

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testing. Appropriate disciplinary action or further investigation procedures will result in conjunction with People and Culture for a positive result.

Refusal to take a test may be dealt with as a potentially positive result and if so, will result in the employee being sent home at the manager’s discretion on the basis of the behaviour demonstrated by the employee and reasonable suspicion of alcohol or drug use. Appropriate disciplinary or further investigation procedures will result in conjunction with People & Culture.

Testing will be completed by an independent external party to AWH who is suitably accredited to complete the test relevant to detect the alleged alcohol or other drug use. In some circumstances where an individual has ~~perpetually proven to have a problem with~~ had issues with fitness for work due to alcohol and/or drugs it may be necessary to monitor in a random or consistent manner. The testing will be held confidentially with only relevant staff aware. Testing may include breath testing for alcohol, oral fluid and/or urine drug screening, where cut of thresholds to make a positive result are set out in Annexure’s 1, 2 and 3.

The employee may be requested to undertake a test at the commencement of their next shift and demonstrate a negative result. A decision will be made by the Chief of People & Culture as to whether an employee’s refusal to undertake testing at that time will be treated as a positive result.

Where an employee receives a positive test result the employee will not be permitted to return to work until a safe period sufficient time has passed to ensure that the employee is again fit for work. The employee may be required to provide a medical clearance indicating they are fit to return to their normal duties. The employee will be able to access their Personal Leave in these circumstances.

Where an employee receives a negative test result they will be allowed to return to work immediately and will be paid for all work missed during the testing process and whilst waiting for results.

All costs related to testing will be borne by Albury Wodonga Health.

## Special Considerations for Medications

### Prescribed Medications

An employee affected by medications prescribed to them by their medical practitioner will not be in contravention of this ~~policy~~procedure, provided that:

They have met all of the responsibilities attributed to them above, under Roles and Responsibilities, i.e. they have:

- Consulted with their healthcare provider and are knowledgeable about the possible side effects of any prescribed medications; and
- Advised their manager about the possible side effects of any prescribed medications if there is any risk that these could adversely impact their fitness for work or safety in the workplace; and
- Taken appropriate action to ensure that the prescribed medications that they are taking do not adversely affect their fitness for work or safety in the workplace; and
- Used the prescribed amounts of the medication; and
- Provided their manager with the original prescription or other evidence that the medicines are prescribed.

### Non-prescribed Medications

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An employee affected by non-prescribed medications will not be in contravention of this policy procedure, provided that:

They have met all of the responsibilities attributed to them above, under Roles and Responsibilities, i.e. they:

- Are knowledgeable about the possible side effects of any non-prescribed medications;
- Have advised their manager about the possible side effects of any non-prescribed medications if there is any risk that these could adversely impact their fitness for work or safety in the workplace; and
- Have taken appropriate action to ensure that the non-prescribed medications that they are taking do not adversely affect their fitness for work or safety in the workplace; and
- They have used the recommended amounts of the non-prescribed medication.

## Work Social Events

Employees are permitted to consume alcohol in reasonable amounts at work social events and approved management functions, remaining aware of and in control of their behaviour at all times. All employees have a responsibility for their own safety at work sanctioned events and are expected to adhere to normal standards of appropriate workplace behaviour, particularly in relation to inappropriate behavior, workplace violence, bullying and harassment, including sexual harassment.

It is unacceptable for any AWH employee to consume alcohol and/or other drugs during, or immediately prior to, the employee's period of work, unless the drugs are medication (whether prescribed or non-prescribed) which an employee is taking to treat a diagnosed medical condition in compliance with this procedure. Where alcohol is served at a sanctioned work function/event, employees required to return to a shift immediately after the function must abstain from alcohol consumption.

Alcohol will be served in keeping with the Responsible Service of Alcohol principles, i.e. alcohol is not to be provided to people less than 18 years of age or to anyone who is, or appears to be, intoxicated or who has indicated that for medical reasons they are unable to consume alcohol, and is accompanied by non-alcoholic options and, in the usual case, food.

Employees are expected to take responsibility when they will be driving a vehicle and ensure that they have a safe and lawful means of travelling home.

## Contravention of this Policy

Employees are considered to be in contravention of this policy, when:

- They admit to being adversely affected by alcohol and/or other drugs while performing or available to perform their duties;
- They receive a positive result to an alcohol and/or other drugs test;
- They refuse to undertake testing for alcohol and/or other drugs and management decides to treat the refusal as a likely positive result;
- They interfere with the integrity of any alcohol and/or other drugs test;
- They refuse to refrain from work when requested to on suspicion of being adversely affected by alcohol and/or other drugs; or

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- They return to duty without the manager's approval or before the agreed timeframes having been sent home or suspended due to suspicion of or actually being adversely affected by alcohol and/or other drugs.

Employees found to be in contravention of this procedure will not be permitted to work at any time that they are adversely affected by alcohol and/or other drugs, when their fitness for work is in doubt, or when a test result is awaited.

In accordance with the Albury Wodonga Health Code of Conduct, employees in contravention of this policy may be subject to disciplinary action, which may result in summary dismissal in cases of serious misconduct.

### Support for Employees and their Treatment

Albury Wodonga Health will endeavour to support employees whose health and wellbeing are affected by alcohol and/or other drug use. Employees are encouraged to approach their manager or People and Culture on a confidential basis if they are experiencing difficulties with alcohol and/or other drug use.

AWH encourages all employees affected by their own or somebody else's use or misuse of alcohol and/or other drugs to make use of the Employee Assistance Program (EAP). Employees and their family members are able to refer themselves to the service which is voluntary and completely confidential. There is no requirement to speak with a manager to access the EAP. The EAP can provide:

- Telephone counselling;
- Free face-to-face counselling sessions; and
- Referral to appropriate drug and alcohol treatment centre or plan.

In the event of an employee believing that they would benefit from additional (i.e. more than three) face-to-face counselling sessions, AWH may agree to support the employee by funding these.

The employee can make a request for this support to one of the Safety & Wellbeing Team members in People & Culture. Where the employee wishes to protect their confidentiality, the request can be made by the EAP counsellor to one of the Health & Wellbeing Team members in People & Culture, who will attempt to obtain approval of further funding from the relevant senior management without revealing the identity of the employee.

Employees are entitled to utilise accrued paid Personal Leave to attend a drug and alcohol program where they provide a doctor's certificate or other proof of attendance. Employees may access other accrued paid leave entitlements, e.g. Annual Leave, Flexible Leave and Long Service Leave, for such purposes wherever possible. The employee may also request access to flexible work arrangements to enable their treatment and managers will consider these against the needs of the business.

AWH expects that an employee receiving support for an alcohol and/or other drugs treatment or support program would actively participate. Where treatment has formed part of a strategy agreed between the employee and the health service, non-participation by the employee may result in the commencement or progression of a disciplinary process.

Albury Wodonga Health's Employee Assistance Program can be confidentially accessed at <https://www.eapcounselling.com.au> or by phoning 1300 364 273.

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Nurses and students of nursing can also access the Nursing and Midwifery Health Program at [www.nmhp.org.au](http://www.nmhp.org.au) for support.

## Professional Registration and Licensing Requirements

Employees who are registered health professionals are bound by the Health Practitioner Regulation National Law Act 2009, as in force in each state and territory, which includes requirements for mandatory notifications. Employees are expected to be aware of and comply with the mandatory notification requirements applicable to their profession.

Employees are obliged to notify Albury Wodonga Health of any restrictions or requirements placed on their registration or scope of practice in this regard and AWH will not allow employees to practice outside of these.

An employee found or suspected to have been affected by alcohol and/or other drugs while at work or on duty or on-call may be reported to the relevant professional registration board for investigation and further action.

## Preventing Discrimination

Drug and/or alcohol addiction has been held by the Federal Court to come within the definition of “disability” under federal equal opportunity legislation. Therefore it is unlawful to discriminate against a person on the basis of impairment. It is lawful however to take reasonable management action in a reasonable way in order to protect the health and safety of people at a place of work and therefore meet the employer’s obligations relating to duty of care under work health and safety legislation.

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**Annexures:**

1. Positive Urine Drug Screen Results
2. Positive Oral Fluid Drug Screen Results
3. Positive Breathe Tests for Alcohol

**Related AWH Documents:**

[Albury Wodonga Health Alcohol and/or Other Drugs Policy](#)

**Other Relevant Information:**

Australian Standard – AS4308 – Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine

Australian Standard – AS4760 – Procedures for specimen collection and the detection and quantitation of drugs in oral fluid

Australian Standard – AS3547 – Breath alcohol testing devices for personal use

[National Association of Testing Authorities](#)

**Commonwealth Legislation:**

Health Practitioner Regulation National Law Act 2009, as in force in each State

Disability Discrimination Act 1992

**State and Territory Legislation:**

Health Practitioner Regulation National Law (NSW) No 86a;  
Health Practitioner Regulation National Law (Victoria) Act 2009

Work Health & Safety Act 2011 (NSW)

Occupational Health & Safety Act 2004 (Vic)

**References:****Contact Point**

Work Health Safety & Wellbeing Committee

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## POSITIVE URINE DRUG SCREEN RESULTS

Where a urine drug screen result indicates the presence of one or more drugs or substances in the sample above the level specified below, further confirmatory testing may be required.

Where confirmatory testing indicates the presence of one or more drugs or, the sample is considered to be a positive result at or beyond the cut off level set out below.

Compound	Cut-off level µg/L
Codeine	300
Morphine	300
6-Acetylmorphine*	10
Amphetamine	150
Methyl amphetamine	150
Methylenedioxymethylamphetamine	150
Methylenedioxyamphetamine	150
Benzylpiperazine*	500
Phentermine*	500
Ephedrine*	500
Pseudoephedrine*	500
11-nor-delta-9-tetrahydrocannabinol-9-carboxylic acid	15
Benzoyllecgonine	150
Ecgonine methyl ester	150
Diazepam	200
Nordiazepam	200
Oxazepam	200
Temazepam	200
α-hydroxy-alprazolam	100
7-amino-clonazepam	100
7-amino-flunitrazepam	100
7-amino-nitrazepam	100

\*These drugs may be optionally tested within each class and the specified cut off levels shall apply.

Source: Australian/New Zealand Standard: Procedures for specimen collection and detection and quantification of drugs of abuse in urine AS 4308:2008

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## POSITIVE ORAL FLUID DRUG SCREEN RESULTS

Where an oral fluid drug screen result indicates the presence of one or more drugs or substances in the sample above the level specified below, further confirmatory testing may be required.

Where confirmatory testing indicates the presence of one or more drugs or substances, the sample is considered to be a positive result at or beyond the cut off level set out below.

Compound	Cut-off concentration ng/mL
Amphetamine	25
Methylamphetamine	25
Methylenedioxymethylamphetamine	25
Methylenedioxyamphetamine	25
9-tetrahydrocannabinol	5
Cocaine	25
Benzocgonine	25
Codeine	25
Morphine	25
6-Acetylmorphine*	10
Oxycodone	20

Source: Australian/New Zealand Standard: Procedures for specimen collection and detection and quantification of drugs of in oral fluid AS 4760:2019.

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## POSITIVE BREATH TESTS FOR ALCOHOL

A breath-test will be considered positive if the employee submits a test greater than 0.050% blood alcohol concentration (BAC). If a result greater than 0.050% BAC is returned the test is to be re-administered (the second testing) 15 minutes after the initial test.

The employee must not commence or recommence regular duties on any occasion they have returned a breath-test result of greater than 0.050% BAC on the second testing.

~~Where the law, a local work procedure, a clinical guideline or policy for a craft group or profession, or any other regulatory instrument imposes a more stringent requirement to an employee in any particular situation, such as a 0.00% BAC, then this more stringent requirement applies under this procedure and overrides the cut off level otherwise provided for.~~

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