

DRUG AND ALCOHOL POLICY

PURPOSE

The purpose of this policy is to assist in the prevention of workplace impairment resulting from the use of alcohol, other drugs or substances and the potential impact on the health and safety of our working environment.

It is agreed that such impairment may adversely affect a person's ability to safely perform a task, Impairment and misuse of these substances increases the likelihood of injuries and even death of both the user and his/her Co-workers.

This policy, aims to:

- a) Promote the safety and well being of workers and to minimise problems at work arising from alcohol, other drug or substance misuse.
- b) Make known to workers the harmful effects of excessive consumption of alcohol, other drugs or substances.
- c) Encourage safe and sensible drinking habits and a drug-free lifestyle.
- d) Provide specific guidance to staff who are responsible for implementing this policy.
- e) Comply with all relevant New South Wales legislation.

SCOPE

This policy and its procedures apply to all workers, whether an employee or a sub contractor of Ryan Wilks Pty Ltd and all externally supplied personnel. Compliance by Employment Agencies is also required.

DEFINITIONS – For the purpose of this Policy, the following definitions apply:

“Alcohol Misuse” means the use of beer, distilled liquor or any other beverages which contain the chemical ‘alcohol’ as the intoxicating agent, to the extent that it has an adverse effect on the user’s judgment, health, personal or professional behaviour, community, or the company.

“Drugs” means any of the substances listed in Appendix A. “Drugs” may also include any other legal or illegal substances which result in unsafe impairment of an individual’s judgment, health, personal or professional behaviour. Note however that this definition does not restrict the ‘socially acceptable’ consumption of drugs such as caffeine, paracetamol or nicotine unless the use of these substances adversely affect the user’s judgment, health, personal or professional behaviour.

“Employer” means the employer or its assigned representative.

“Illegal Drugs” are those controlled substances, which include, but are not limited to, depressants, stimulants, opiates, and cannabis.

“Illegal Use of Drugs” means the use of drugs which are illegal or which are being used without a valid medical prescription or other uses authorised by law.

“Prescribed Drug” means a drug for which an individual possesses a valid medical prescription from a qualified medical practitioner which authorises use of that drug.

“**Substance Misuse**” is the use of legal and /or prescribed drugs or alcohol or any other substances to the extent that it has an adverse effect on the user’s judgment, health, personal or professional behaviour, family, community or the company, and/or any use of an illegal drug.

“**Worker**” is defined as an employee, sub contractor, volunteer and any other class of person within the workplace.

“**Workplace**” is defined as any location where a worker is or should be conducting business on behalf of Ryan Wilks Pty Ltd, including company-owned or leased vehicles and accommodation facilities.

“**Under The Influence**” means that the worker is affected by drugs, as defined in this policy, in any detectable or observable manner. The symptoms of influence are not necessarily confined to those consistent with misbehaviour, nor to obvious impairment of physical or mental ability, such as slurred speech or difficulty maintaining balance. A determination of influence can be established by such means as a professional opinion, a scientifically valid test, or by a person’s objective observations.

RESPONSIBILITIES

The Employer will ensure that all workers understand the importance of these procedures and will ensure that they adhere to this policy.

The Employer is responsible for the safety and welfare of all individuals under their control, including:

- a) The fair and consistent application of this policy and consistent implementation of these procedures.
- b) Ensuring adequate resources are allocated for the education, training or counselling referrals and other requirements of these procedures.
- c) Monitoring and controlling the use and consumption of alcohol at sponsored events.

Employer will have the day to day responsibility to:

- a) Ensure that all individuals in the workplace are fit to commence work and perform allocated tasks.
- b) Ensure that all individuals in the workplace understand and comply with this policy.
- c) Identify and take the appropriate action when a person is believed to be under the influence of alcohol, other drugs or substances. All workers are responsible for ensuring their own safety and health at work and to avoid adversely affecting the safety and health of any other person.

To adhere to this policy each individual has the following obligations:

- a) Ensure that when he/she is required for work that he/she is not under the influence of drugs or alcohol.
- b) To notify the Employer of any prescribed drugs that may affect his/her ability to work safely.
- c) To notify his/her Employer of any situation where other individuals may be under the influence of alcohol, drugs and other substances or if consumption of such, on the work site is occurring.

ALL DRUGS

The primary concern is the effect of drug consumption on the individual's job performance and the health and safety of the individual and his/her colleagues.

This policy recognises that, where addiction is a factor, it may be an illness for which treatment and rehabilitation may be successful, given the full Co-operation of the individual.

Reporting to work or working while under the influence of drugs is prohibited.

The consuming of drugs during normal work hours is prohibited. Where this occurs or is believed to be occurring, established procedures might result in disciplinary action, which may include dismissal.

ALCOHOL

The consumption of alcohol at Company sponsored functions (both on and off site) will be controlled and monitored by the Employer for the event. Where this not possible to control (eg. customer events) then all practical steps are to be taken to ensure that either designated drivers or taxis are arranged for transport at the individual's expense. The excess consumption of alcohol will not be encouraged.

ILLEGAL DRUGS

By definition these drugs are deemed to be illegal and therefore cannot be tolerated in any form in the workplace. Reporting to work or working while under the influence of drugs, or the consumption during work hours is prohibited. The manufacture, possession, distribution, sale or purchase of illegal drugs on work premises or during work hours is absolutely prohibited. Violations of the policy will result in disciplinary action, which may include termination.

Notification to the Police will occur.

LEGAL DRUGS, PRESCRIPTION DRUGS AND OTHER SUBSTANCES

The use of legally prescribed drugs or other substances that may affect job performance must be reported to the Employer.

The individual must at the time a drug is prescribed, inform the medical practitioner of the type of work that he/she conducts and obtain advice on the possible affect that the drug may have on his/her ability to carry out those tasks.

Individuals are responsible for determining the possible impairment affects of any other substances they may ingest, or otherwise come under the influence of, and report that information to the Employer.

A worker may be permitted to work even when under the influence of a legal drug or other potentially impairing substance, if it has been determined, at the sole discretion of the Employer, that the worker will not pose any threat to the safety of themselves or others at the workplace. Alternatively, suitable or restricted duties may be arranged.

In matters relating to prescribed drugs where it is determined that it is not safe for the person to work normally or in other duties, then the person will be required to stand down until the use of the prescribed drugs is no longer required. This shall be without pay, as this should be an anticipated issue.

Substance abuse of a prescribed drug or other legal substance will be treated as if it was an illegal drug.

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TESTING

Ryan Wilks Pty Ltd reserves the right to test all workers or prospective workers as follows:

- a) To detect alcohol, illegal or other drug, and/or substance use when there is reasonable belief that a worker is using or is under the influence of drugs,
- b) As part of a Pre Employment Medical,
- c) When a worker has been involved in an accident or unsafe work practice,
- d) As part of a follow-up to counselling or a rehabilitation program for illegal drug use,
- e) Prior to return to work following a previous positive test,
- f) Randomly and without prior warning,

Testing will be carried out by an appropriately trained person. All tests showing a positive result, indicating the presence of a drug or drugs, will be confirmed by retesting the specimen or by testing a further sample. If the retest confirms the original positive result, then the person will be stood down without pay while a laboratory retest is conducted and the results returned.

Where a positive result occurs during a pre employment medical, the Company management reserves the right to end the recruitment process at this stage or if it agrees to a retest then this will be at the individuals cost.

The cost of retests would normally be borne by the Employer except when:

- a) A positive test result is received from a test conducted as part of a rehabilitation program,
- b) A return to work test is required,
- c) The test involves non-workers such as contractors or agency casuals,

Where an individual refuses to undergo a test, it will be deemed that the person has tested positive for drugs and the actions detailed in this procedure will apply. Repeated refusal will result in normal management counselling and disciplinary action as detailed in this procedure.

PROCEDURE FOR DEALING WITH IMPAIRMENT AND POSITIVE TEST RESULTS

General action when it is believed that an individual is impaired by drugs:

- a) That person will be isolated from the workplace and will not be allowed to drive or operate any other machinery,
- b) The Employer will be informed and where practicable arrangements for testing may be made,
- c) Once testing has been completed and a positive result is obtained, or in the absence of testing, the individual will remain isolated from the workplace,
- d) The employer may seek to interview the employee subsequent to the incident,
- e) When the Employer deems the employee fit to return to work, the Employer may re-engage the employee,

- f) Where testing is undertaken:
- The limits shown in Appendix A will be taken as a positive result. (e.g. A breath alcohol reading of 0.02% or greater will be regarded as a positive test.)
 - And an individual registers a level reading less than those specified in Appendix A, (e.g. a breath alcohol readings of less than 0.02%), the Employer has the right to move the individual from his regular work if he/she considers that a significantly increased risk exists. This shall be at the wage or fee rates applicable to the new tasks.

Should, in the opinion of the Employer, a worker appear to be significantly impaired to effect productivity or pose a risk to himself and other employees, due to drugs or the after-effects of drug consumption (such as 'a hangover'), the Employer may remove the employee/sub contractor from his/her regular duties until such time as he/she is free of these affects. This time shall be unpaid or at the rate applicable to the alternate duties assigned.

First Occasion of Impairment of Positive Test Results and where the Employer may wish to retain the employee on an ongoing basis, the Employer should implement the following:

The worker may be counselled by the Employer with a focus on:

- a) The obligations of all parties under the Drug and Alcohol Workplace Policy,
- b) The unacceptability of the worker's state of behaviour,
- c) The risk that such action creates for the worker and his/her fellow workers,
- d) The worker's responsibility to demonstrate that the problem will be effectively addressed,
- e) The worker may be notified that he/she will be specifically tested during the future rounds of random testing,
- f) The worker may receive a formal warning,
- g) The worker will not be paid for the period that he/she is stood down,

Second Occasion of Impairment or Positive Test Results:

The worker will receive notice of termination effective immediately.

COUNSELLING AND REHABILITATION

A worker who voluntarily seeks help will be encouraged to access counselling and rehabilitation programs. The cost of such rehabilitation will be borne by the individual.

The rehabilitation process may be monitored by the Employer if a return to workplace is being considered.

A worker who successfully completes a rehabilitation program shall provide the Employer with documentation to that effect.

CONFIDENTIALITY

The Employer will make every reasonable effort to maintain the confidentiality of worker information obtained pursuant to this policy. Such information will be disclosed only to those persons having legitimate need for such information in the performance of their duties or in connection with referral for counselling, treatment, or rehabilitation and only the express written authorisation of the worker.

APPENDIX A

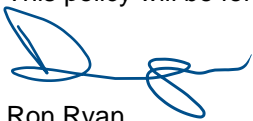
The limits shown below are those that indicate beyond reasonable doubt a positive result and these limits will be applied for all tests that are conducted as per AS 3547 Alcohol & AS/NZS 4308 Drugs (Urine).

Amphetamines	300ug/1
Cannabinoid's THC (Marijuana)	50ug/1
Opiates	300ug/1
Barbiturates	Not on testing device
Cocaine	300ug/1
Methadone	Not on testing device
Benzodiazepines*	200ug/1
Alcohol	0.02%

*ug/1: milligrams/litre

The term 'Benzodiazepines' is the generic name of a number of widely used prescribed drugs, more commonly known by names such as Valium, Librium, Serapax, Mogodon, Rohypnol and Temazepam.

This policy will be formally reviewed again May 2025



Ron Ryan

General Manager

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