



<b>APPROVED (Process Owner)</b> Branch Manager Safety & Health		Date 13/05/2008
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## PROCEDURE SUPPORTING THE WESTERN POWER ALCOHOL AND DRUG MANAGEMENT STANDARD

### CONTEXT

Western Power's duty of care requires that reasonable steps be taken to provide a workplace free of hazards and to ensure that individuals are fit for work. Fit for work means that an individual is in a satisfactory physical, mental and emotional state to perform assigned tasks competently and in a manner which does not compromise or threaten the safety and health of themselves or others. An individual may be unfit for work for a variety of reasons including the adverse effects of fatigue, stress, alcohol or other drugs and a range of physical and mental health issues.

A range of strategies supports the implementation of Western Power's Alcohol and Drug (A&D) Management Standard ("the Standard"), including the use of pre-employment and workplace A&D testing. Testing is used to act as a deterrent and to assist individuals identify and deal with related problems.

### PURPOSE

This procedure outlines the protocol for A&D testing in Western Power and the process for managing breaches of the Standard, including support for individuals requiring assistance with A&D issues.

The procedure addresses:

- the collection of samples to test for A&D;
- the management of information relating to A&D testing; and
- the fair and effective management of individuals, who breach the standard.

### SCOPE

This procedure applies to employees and contractors of Western Power. These individuals will be required to participate in the following A&D testing where appropriate:

- pre-employment;
- random;
- for cause or incident testing; and
- establishing fitness for high-risk category jobs (e.g. Commercial Drivers' Accreditation Medical).

## OBJECTIVES

The objectives of this procedure are as follows:

- a. To deter the inappropriate use of A&D that may adversely affect fitness for work and workplace safety.
- b. To conduct A&D testing in a manner that:
  - is reliable and cost effective;
  - meets Australian Standards;
  - protects the privacy and confidentiality of individuals.
- c. To inform employees and contractors as to how breaches of the Standard will be managed.
- d. To maintain a consistent and fair application of the Standard.

## RESPONSIBILITIES

### ALL MANAGERS

All Managers are responsible for:

- providing adequate resources to meet the requirements of education, training, testing and management of individuals who do not meet the Standard;
- ensuring that contractors, subcontractors and all relevant third parties are aware of, understand and comply with this procedure; and
- ensuring that formal leaders are appropriately trained and supported to implement this procedure.

### ALL FORMAL LEADERS AND CONTRACT MANAGERS

All formal leaders and contract managers are responsible for:

- keeping individuals under their responsibility informed about Western Power's A&D Management Standard and testing program and how breaches of the Standard are managed.
- assessing an individual's fitness for work and compliance with the Standard;
- ensuring the availability of individuals for testing; and

- taking appropriate action to manage individuals who may not be fit for work as outlined in this procedure and in formal training, including actions to maintain privacy and confidentiality.

## **ALL INDIVIDUALS**

All Western Power employees, contractors and subcontractors are responsible for:

- meeting Western Power's A&D Management Standard whilst present in the workplace or undertaking any activity on Western Power's behalf;
- participating in Western Power's A&D testing program;
- participating in all education and training with respect to Fitness for Work and A&D testing;
- advising their appropriate formal leader, or Western Power Contract Manager if a contractor, of any prescribed or over the counter medication that may impact on their ability to work safely.

## **HUMAN RESOURCES DIVISION**

The Safety and Health Branch and Health Services Section are responsible for:

- ensuring that education and training with respect to this procedure is available;
- managing and recording A&D test results;
- maintaining privacy and confidentiality requirements with respect to A&D test results and management information; and
- making professional support services available to individuals who require assistance to manage their A&D issues.

## **TESTING AND PROTOCOL**

Western Power as part of its duty of care will provide A&D testing to assess and promote fitness for work of individuals on its sites. The following assessment methods will be utilised.

### **ASSESSMENT METHODS**

Employees, contractors and subcontractors may have their fitness for work in relation to A&D use assessed by the following means:

- self-assessment;
- face to face discussion between formal leaders and other individuals at the start and during the work period;

- medical assessment of individuals who work in high-risk category jobs (e.g. Commercial Drivers' Accreditation, Live Line Glove and Barrier Work);
- compulsory alcohol testing by breathalyser;
- compulsory drug testing using urine analysis.

## COMPULSORY A&D TESTING PROTOCOLS

Compulsory A&D testing will be undertaken as follows:

- Pre-employment Testing:** Applicants short-listed for employment will undergo a pre-employment medical assessment, which includes an A&D screening test.
- Random Testing:** Individuals selected at random will be required to undertake an alcohol or drug test. The random process will be established, and amended from time to time as appropriate by Western Power in conjunction with a third party provider.
- For Cause Testing:** Formal leaders will at their discretion initiate A&D testing:
  - as soon as possible following a significant incident, involving personal injury or damage to property, or a 'near-hit' incident with a high-risk potential for injury or damage;
  - when an individual is observed (by the formal leader or any other party) displaying erratic, unusual or dangerous behaviour that may place people and/or property at risk; and
  - when there is evidence of possible A&D use at work by individuals (e.g. drug paraphernalia, alcohol containers on work locations or in vehicles).
- Fitness for High-Risk Jobs:** Whilst an individual has a medical assessment to determine their fitness for employment, Western Power maintains the right to undertake ongoing mandatory medical fitness checks, including A&D screening. These checks are only for jobs that have been assessed as high risk in terms of their exposure to occupational hazards, such as live electrical conductors and working at heights.

## TESTING LEVELS

Individuals will be required under the Standard to maintain a Blood Alcohol Concentration (BAC) of 0.00 at all times whilst on site or undertaking work on behalf of Western Power. However, an individual may be permitted to have a BAC of up to 0.02 when presenting for work outside normal hours, following a Fitness for Work (FFW) Assessment.

Individuals will be required to return a negative drug result at the levels specified by AS/NZ: 4308-2008 *Procedures for Specimen Collection and the Detection and Quantitation of Drugs of Abuse in Urine*. The current screening cut-off levels set by AS/NZ: 4308-2008 are:

Substance	Micrograms / litre
Amphetamines	300 ug/L
Benzodiazepines	200 ug/L
Cannabis (THC)	50 ug/L
Cocaine Metabolite	300 ug/L

Opiates

300 ug/L

Following a presumptive positive screening test for one of the above drugs, the sample will be subject to confirmatory testing as set out in AS 4308-2008.

## COLLECTION OF SAMPLES FOR RANDOM A&D TESTING

An independent testing provider will ensure that individuals are breathalysed for alcohol in accordance to AS 3547-1997: *Breath alcohol testing devices for personal use*. Breathalysers will comply with the relevant Australian Standard and have clean disposable mouthpieces available as required.

All urine specimen collection and testing procedures will be in accordance with AS/NZ: 4308-2008 *Procedures for Specimen Collection and the Detection and Quantitation of Drugs of Abuse in Urine*.

### Frequency of random A&D testing

Each member of the workforce on average will be tested between two and four times per year. In some circumstances testing may be conducted more frequently to raise awareness of the Standard.

Testing may constitute a sample of individuals from one or more work sites, or all individuals from any single work site.

Individuals will be selected for testing using a method determined by Western Power in consultation with the provider.

Formal leaders will check whether individuals wish to have a witness present (e.g. a work colleague or Safety and Health Representative), that they understand the procedure and the consequences if a positive result is obtained.

Suitable facilities will be made available on location for the collection of samples.

## OTHER TESTING

Formal leaders can arrange for an individual to undergo an A&D test in the following circumstances:

### For cause testing

Formal leaders will undergo training about the signs of threats to an individual's fitness for work (e.g. effects of A&D, fatigue, medical conditions, personal problems, prescription drugs). If a formal leader determines a reason to believe an individual may be unfit for work, they will undertake the following:

- suspend the individual from work, on full pay in the initial instance.
- arrange for an A&D test by an Western Power's testing provider as soon as possible.

- provide safe passage for the individual to attend a centre for sample collection. In the event that the collection centre is closed, the individual should attend as soon as practicable when the centre re-opens.
- provide safe passage for the individual from the collection centre to their home or accommodation.

### **Incident testing**

For Cause Testing may be carried out following a significant incident. As a guide, a significant incident is any occurrence that actually resulted in, or had the potential to result in, the following consequences within the Western Power Risk Assessment Table ([DMS #3536273](#)):

- Level 3 or above consequence descriptors for Safety and Health; or
- Level 2 or above consequence descriptors for Environment and Financial.

Formal leaders will undergo training to assist them to decide on when incident testing is required.

The Formal leader will follow the procedure as in “For cause testing”.

### **Self testing**

Western Power will make self-test equipment available at no cost. Alternatively, individuals can self-test at a designated collection point provided by the third party provider. Western Power will cover the cost of these tests. Individuals who test positive on a self test should advise their formal leader, who will take the following action:

- Advise the individual that they will be required to produce a negative test result before they can return to work. Employees of Western Power may be granted sick leave until a negative test result for the individual is returned.
- Follow the procedure as in “For cause testing”.

### **Testing as part of ongoing medicals**

Employees who work in high-risk category jobs (e.g. Commercial Drivers’ Accreditation, Live Line Glove and Barrier Work) will be advised that A&D testing is part of their periodic routine medical assessment.

### **BREACHES OF THE STANDARD**

The following constitute breaches of Western Power’s Alcohol and Drug Management Standard:

- avoiding or refusing to co-operate fully with the administration of an A&D test;
- returning a positive confirmatory alcohol or drug test result for all types of testing, excluding a self-initiated test (a positive test is one that is in excess of Western Power’s Standard);
- wilfully attempting to falsify any alcohol or drug test;

- consuming or possessing any unauthorised alcohol or drugs whilst undertaking work or in Western Power plated vehicles or on Western Power sites; and
- attempting to sell or supply alcohol or drugs (either for medication or recreational use) on a Western Power property or work place.

## **MANAGEMENT OF POSITIVE TEST RESULTS**

Formal leaders will manage individuals in a fair, effective and constructive manner, ensuring that all parties take appropriate action as outlined in this procedure. Training and education will be provided so that they have the skills necessary to manage breaches of the Standard. Should a breach occur, formal leaders will advise individuals about how they will be managed and explain that there is ready access to counselling support and professional rehabilitation services.

### **First positive**

The first time an individual returns a positive confirmatory test result the formal leader will:

- discuss the positive result with the individual who may request a representative to be present;
- reinforce the duty of care, fitness for work and safety aspects of Western Power's A&D Management Standard;
- explain the repercussions of any further breach of the Standard;
- provide a copy of the laboratory A&D test results;
- suggest that the individual accesses professional assistance to address the problem;
- give a verbal warning;
- decide whether to grant sick leave for the absence period,
- require the individual to leave the workplace, and
- arrange transport for the individual to their home or accommodation.

In the event of a positive result for cannabis, the individual shall undertake weekly drug testing at an authorised testing centre. The individual will not be permitted to recommence work until a negative result is achieved. The individual is required to return test results that indicate a continuing decline in the drug level. This may continue for a maximum period of up to six weeks, at which time a second breach may be recorded if drug levels have not declined to meet the Standard.

In the event that the positive result is not for cannabis, the individual will present themselves within 48 hours at an authorised testing centre and undergo a further urine or breath test. If the test is positive, it will be treated as a second positive. Only if the test is negative will the individual be able to resume work.

### **Second positive**

The second time an individual records a positive confirmatory test result within any 24-month period the formal leader will:

- discuss the second positive result with the individual who may request a representative to be present;
- reinforce the duty of care, fitness for work and safety aspects of the A&D Management Standard;
- provide a copy of the laboratory A&D test results;
- explain that any further breach of the Standard will result in disciplinary action and may include termination of employment;
- make a formal offer to provide professional assistance to the individual to help modify their personal alcohol or drug taking behaviour to meet the Standard;
- give the individual a final written warning and decide the appropriate leave arrangements for the absence period (e.g. annual leave or unpaid leave);
- require the individual to leave the workplace, and
- arrange transport for the individual to their home or accommodation.

In the event of a positive result for cannabis, the individual shall undertake weekly drug testing at an authorised testing centre. The individual will not be permitted to recommence work until a negative result is achieved. The individual is required to return test results that indicate a continuing decline in the drug level. This may continue for a maximum period of up to six weeks, at which time a third breach will be recorded if drug levels have not declined to meet the Standard.

In the event that the positive result is not for cannabis, the individual will present themselves within 48 hours at an authorised testing centre and undergo a further urine or breath test. If the test is positive, it will be treated as a third positive. Only if the test is negative will the individual be able to resume work.

Alternatively the individual may submit a written plan that demonstrates to Western Power's satisfaction that the problem is being effectively assessed and addressed. Western Power will make professional assistance available to the individual for this purpose.

In any event, the individual will only be permitted to resume work after a negative test result has been achieved.

### **Third positive**

The third time an individual records a positive confirmatory test result within any 24-month period, the formal leader, pending an investigation of the incident or occurrence, will immediately suspend the individual from work. Formal disciplinary procedures will be invoked. Each case will be reviewed on its own merits, but unless there are significant mitigating circumstances, the individual's employment will be terminated.

## **CONTRACTORS WHO TEST POSITIVE**

In the case of a contractor or subcontractor testing positive in the workplace, arrangements will be made by the Western Power formal leader, or contract manager, to safely transport the individual from Western Power's premises to their home or accommodation. The individual will not be permitted to perform work for Western Power or to enter Western Power's premises until a negative result has been achieved.

All breaches by contractors for positive test results will be referred to the contracting company, who will be expected to apply the same disciplinary standards, as a minimum. The cost of testing to provide a negative result shall be at the cost of the individual or contracting company and shall be conducted by an approved testing centre.

## **REFUSAL TO TEST**

Refusal by an individual to submit to or cooperate fully with an A&D test will be treated as a positive test result. The individual concerned will not be permitted to return to work until they have returned a negative test result. Any associated absence from work will not be paid.

## **MISCONDUCT**

Western Power's disciplinary process may be warranted in certain circumstances where an employee's actions in relation to A&D are considered to be misconduct. This includes the following:

- the possession, distribution, sale, purchase, or consumption of illegal substances;
- the unauthorised consumption, sale or supply of alcohol;
- the possession sale, distribution, or consumption of prescription drugs except as properly prescribed;
- the use of alcohol or other drugs such that a person's work performance or ability to work safely may be jeopardised;
- refusal to take an A&D test;
- breaches of confidentiality; and
- tampering with an alcohol or drug test sample.

## **COUNSELLING AND SUPPORT SERVICES**

All employees will be offered the opportunity to seek appropriate confidential and professional counselling and rehabilitation services when the need arises. These services will be provided either through Health Services or an external provider. Formal leaders can contact Health Services to determine appropriate services.

## WESTERN POWER REFERENCES

### Western Power Policy and Procedures

The following Western Power policies are accessible via the Policies Register ([DMS# 3447665](#))

- Safety and Health Policy
- Employee Assistance Policy
- Injury Management and Rehabilitation Policy
- Discipline and Termination Policy

The Western Power Fatigue Management Standard is accessible via [DMS #2850731](#).

## EXTERNAL REFERENCES

### Legislations

#### Occupational Safety and Health Act (WA) 1984

- Section 19: Western Power's general duty of care to ensure the safety and health of employees.
- Section 23D: Western Power's duty of care to ensure the safety and health of contractors.
- Section 19: Western Power's duty of care to ensure the safety and health of third parties.
- Section 21: Employee's duty to ensure their own safety and the safety of fellow workers.
- Sections 23D & 20: Contractor's duty to ensure their own safety and the safety of fellow workers.

#### Misuse of Drugs Act 1981

- Section 5: Offences concerned with prohibited drugs and plants in relation to premises and utensils.
- Section 7: Offences generally concerned with prohibited plants.

#### Road Traffic Act 1974

Covers offences relating to driving a motor vehicle or mobile equipment while under the influence of alcohol or other drugs.

#### Workers' Compensation and Rehabilitation Act 1981

Provides that a worker will not be entitled to compensation if alcohol or other drugs have been involved in the worker's injury in certain circumstances.

**Mines Safety and Inspection Act (WA) 1994**  
**(Applicable for work undertaken by Western Power on mine sites)**

- Section 9: Western Power's general duty of care to ensure the safety of its employees.
- Section 15: Western Power's general duty of care to ensure the safety of its contractors.
- Section 12: Western Power's general duty of care to ensure the safety of third parties.
- Section 10: Employee's duty of care to ensure their own safety and the safety and health of their fellow workers.
- Section 15A: Contractor's duty of care to ensure their own safety and the safety of their fellow workers.

**Australian Standards**

- AS/NZS 4308:2008: Procedures for Specimen Collection and the Detection and Quantitation of Drugs of Abuse in Urine.
- AS 3547:1997: Breath alcohol testing devices for personal use.

**AMENDMENT AUTHORISATION & APPROVAL**

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