

FITNESS FOR WORK AND DRUG & ALCOHOL POLICY

“At DIG PTS, we are committed to operating honestly, ethically, with integrity and full respect for the rule of Law. We are dedicated to creating a culture of respect, tolerance and diversity and providing support for our employees to reach their full potential in the workplace”.

THE POLICY

It is a requirement of all DIG PTS employees to abide by this Policy and shall not be under the influence of, or sell, distribute or possess alcohol, narcotics, synthetic narcotics, depressants, stimulants, hallucinogens, marijuana and/or other dangerous drugs (collectively referred to as mood altering substances) when reporting for work or at any workplace under the control of DIG PTS. Violation of this policy can result in disciplinary action including possible termination of employment.

In order to meet its obligations under work, health and safety legislation and provide a safe, healthy and productive workplace, DIG PTS will not allow workers affected by mood altering substances, including those reasonably suspected of being so to work or to be on any work site.

This policy is designed to protect workers themselves, fellow workers and other members of the community from injury or illness caused by the use or abuse of mood-altering substances.

DIG PTS has adopted the procedure contained in this document as a means of implementing this aim. This procedure is designed to achieve the following outcomes:

- Education of employees about the effects of alcohol and drugs and associated work health & safety issues.
- **Employee assistance** in overcoming drug and alcohol related problems.
- Ensuring employees affected by mood altering substances, or those reasonably suspected of being affected are detected so as to ensure the safety of themselves and all workers.
- To ensure that DIG PTS employees come to work and remain free from the influence of alcohol and/or drugs.
- To ensure that employees are provided with a reasonable disciplinary process where the presence of alcohol and drugs at an unacceptable level are detected.
- To provide for a reasonable program of random testing to ensure that DIG PTS employees comply with the Drug & Alcohol Policy.
- Providing a soundly based method of identifying those people under the influence of alcohol and/or drugs and assisting or disciplining them as appropriate.
- To provide a program that applies equally to all DIG PTS employees and workplaces.
- DIG Personnel and Training Solutions (DIG PTS) will implement this policy and the enclosed procedures as they see fit and reserve the right to amend the policy at any time without notice.

SCOPE

This Policy applies to all DIG PTS employees whilst engaged to any host client's workplace or project and including a workplace under the control of DIG PTS.

This Policy outlines the principles that will be used in determining fitness for duty. It also outlines the processes that will be implemented to assist all personnel including Managers and Supervisors in

making those judgements, to correctly implement this strategy and in order to enhance the standard of health and safety in the workplace.

This Policy includes measures that have been intended to deter/ correct any behaviour that might compromise the health and safety of workers and any other person while at work.

Procedures to be adopted by for controlling the risks associated with the improper use of drugs and alcohol include workforce education, counselling (including possible referral to Worker Assistance Programs), drug and alcohol testing and the subsequent action for laboratory confirmed non-negative test results.

DEFINITIONS

Collector/Technician: A person who has undertaken and completed an accredited training course that meets the Competency Standard: HLTPAT005 – 10275NAT “Collect Specimens for Drugs of Abuse Testing – Workplace Drug Testing”

Drug: Every substance or article which is a dangerous drug under and within the meaning of the Health Act 2008 or any substance, article, preparation or mixture (with the exception of alcohol) whether gaseous, liquid, solid or in any form which, when consumed or used by any worker, deprives him or her either temporarily or permanently of any of his or her normal mental or physical faculties.

Positive Result: For alcohol in breath-testing correspondence to a blood alcohol concentration of g/210L (0.02%) and above, or refusal to undergo a test.
For drugs is greater than the amount specified in the tables referred to herein at 2.8.2 or refusal to undergo a test.

Non-Negative: For drugs refers to a non-negative urine result at initial screening.

Presumptively Positive: For alcohol refers to a positive breath test result.

For Cause Testing: Testing following any incident, or as a result of observed unusual or erratic behaviour or following previous positive (alcohol) or non-negative (drugs) test results.

Worker: Worker means a person who carries out work for an MSP entity in any of the following capacities; an employee; a contractor or subcontractor; an employee of a contractor or subcontractor, an employee of a labour hire company; an out worker; an apprentice or trainee; a work experience student or a volunteer.

Heavy Mobile Equipment: Refers to large, powerful machines that are self-propelled or designed to be moved, used for construction, mining, agriculture, or other industrial tasks. Most frequently involving earthmoving, such as digging, loading, and lifting. Examples include bulldozers, excavators, cranes, wheel loaders and backhoes requiring human operation.

Fitness for Duty: Describes the physical or mental condition of a worker whereby the worker can be reasonably expected to undertake a task without incurring unacceptable risks to the health and safety of a person.

Non-Prescribed Drug: Any drug not prescribed by a medical practitioner.

Prescribed Drug: Any substance prescribed by a medical practitioner that has restriction or specific instructions associated with its use.

Shall: Indicates that a statement is mandatory.

Should: Indicates a recommendation.

Laboratory: A laboratory which has been accredited by NATA to carry out chemical analyses in conformity with the requirements of AS/NZS 4308 “Procedures for the collection, detection and quantitation of drugs of abuse in urine”.

NATA: National Association of Testing Authorities.

NIDT: Non-Instrument Drug Testing Device.

Workplace: A place where work is carried out for an MSP entity and includes any place where a worker goes, or is likely to be, while at work. A workplace includes a vehicle, vessel, aircraft or other mobile structure; and any waters and any installation on land, on the bed of any waters or floating on any waters.

REFERENCES

- The Drugs Misuse Act 1985 (as amended)
- AS3547:2019 “Breath alcohol testing devices for personal use”
- AS/NZS 4308 “Procedures for the collection, detection and quantitation of drugs of abuse in urine”
- AS 4760 “Procedures for specimen collection and the detection and quantitation of drugs in oral fluid”
- Competency Standard: HLTPAT005 - 10275NAT. Collect Samples for Workplace Drug Testing
- Work, Health and Safety Act 2012

RESPONSIBILITIES

All managers/supervisors are responsible and accountable to ensure that:

- All employees undertake work consistent with their accountabilities.
- All DIG PTS employees understand and accept their accountabilities under this Policy.
- Where there is a reasonable suspicion that workers may not meet the Fitness for Duty - Drugs and Alcohol criteria, are dealt with in accordance with this Policy.

All employees have a responsibility to:

- Attend for work in a state that does not limit their ability to safely perform their duties.
- Advise their manager/supervisor before commencing work of any factor that may influence their fitness for duty. Workers must ensure that their manager/supervisor is advised if they are taking any prescription drug or pharmaceutical product that contains a warning that:
 - the product may cause drowsiness; or
 - caution should be exercised in the operation of machinery or equipment.
- To advise their manager/supervisor at any time whilst performing work if they believe that they are unfit to continue for any reason.

A person responsible for a visitor is accountable to ensure that the visitor meets the same standards that apply to workers. Where contractors’ workers have had to travel to a workplace, this accountability includes ensuring that a suitable period for rest has been provided following the completion of the previous job and travel to the workplace.

PRE-EMPLOYMENT TESTING

ONBOARDING

DIG Personnel and Training Solutions (DIG PTS) require ALL prospective workers to undertake a urinary drug and breath alcohol test as a non-negotiable and mandatory pre-requisite to establishing an employment arrangement.

Any perspective employee who fails the pre-employment test will not be offered full registration and onboarding with the DIG PTS business and as such will not be offered any employment opportunities until the person satisfies all criteria as per testing.

The results of such testing may be considered amongst other criteria in determining the suitability in matching that worker to the task(s) required in that role.

DIG PTS reserves the right to decline an application for registration prior to commencement or completion of onboarding on the basis of a positive (alcohol) or non-negative (drugs) test result.

TESTING

DRUGS & ALCOHOL

Appointments – DIG Personnel and Training Solutions (DIG PTS) will provide and ensure responsible persons are trained and licenced to perform drug and alcohol testing for employee registration and onboarding purposes to conduct breath and urine testing.

- Urine and drug testing will be conducted in accordance with the Australian/New Zealand Standard AS/NZS 4308.
- Oral testing will be conducted in accordance with the Australian Standard AS4760.
- Alcohol testing will be conducted in accordance with the Australian Standard AS3547.

All workers whilst engaged by DIG PTS as employee and including to DIG PTS Host Employers workplace, site or project may be tested in accordance with this Policy at any time.

TESTING CRITERIA

- Testing is voluntary. However, a refusal to perform or undergo a request to test could result in further action.
- Should a breathalyser test produce a positive (alcohol) result, the employee will be stood down immediately pending a secondary test after 15 minutes. If the result of the secondary test still exceeds permissible level, they will be transported home.
- Should a urine or oral swab test conducted by a specialist drug and alcohol testing service provider produce a non-negative (drugs) result, the worker will be stood down immediately and transported home.
- Any worker refusing to undergo testing for drugs or alcohol will be deemed 'unfit for work,' and transported home at their cost.

Refusal to be tested is treated as a positive (alcohol) or non-negative (drugs) result and a breach of this policy. A report of the incident will be entered on the employee's personnel file.

DIG PTS will not be obliged to provide further work until the person undergoes a subsequent test and satisfactorily provides a negative result for drugs and alcohol.

The provisions as stipulated in Section 2.9 shall apply as appropriate. Further refusal to undergo testing for drugs and/or alcohol will be dealt with in accordance with DIG PTS disciplinary procedures.

- The worker being tested is to complete the Drug & Alcohol Testing Consent Form in Appendix A.
- The Collector/Technician is to follow AS/NZS 4308 and AS 4760.

Any employee who has returned a laboratory confirmed positive (alcohol) or non-negative (drugs) test result in the previous twelve (12) months may be subjected to additional drug testing, in addition to the random drug testing program for the following twelve (12) months. The selection of workers to undergo

additional testing shall be at the discretion of the DIG PTS business General/Business Manager or Safety & Culture Manager.

Any employee under medical treatment and taking prescription medications are required to notify their DIG PTS Consultant and Host Employer Supervisor immediately. If the employee is required for testing purpose(s), they must also inform the Collector/Technician of the type of substances being taken and the duration of use. A medical certificate stating that the worker is fit for work and also the dose of the prescription drug prescribed must support this. All disclosures of this nature will be treated confidentially and kept on file.

RANDOM TESTING

Random testing may be carried out by DIG PTS or its Host Employer at any time. DIG PTS will ensure that these are carried out in a non-discriminatory manner that involves a neutral selection process.

Impartial selection processes will randomly select when testing is to occur, in which random groups (or workers) will be tested. All workers within the workgroup chosen will be tested. Workers selected for drug testing may be a subset of those selected for breath testing.

In the event that any worker selected for testing is not available at the scheduled time, the Collector/Technician will record this, and the General/Business Manager will investigate the circumstances relating to that worker's inability to attend on that occasion. At the discretion of the General/Business Manager or Safety & Culture Manager that worker may be included in future additional random testing. Several specific reasons for non-attendance such as refusal to test are dealt with further within this policy.

A Collector/Technician or an appointed testing service provider could carry out all tests both on and off site (where applicable and practical to do so). The persons carrying out the test(s) will perform the testing in accordance with accepted practices, the appropriate Australian Standards and within the scope of this Policy where applicable.

SIGNIFICANT INCIDENTS & FOR CAUSE TESTING

DIG Personnel and Training Solutions and its Clients (Host Employers), reserves the right to conduct testing for drugs and alcohol in accordance with this Policy on any DIG PTS employee who is involved in, or may have contributed to, any one of the following:

- an incident that necessitates a worker receiving medical treatment
- an incident that results in the death or serious injury or illness of any person
- an incident involving collision of any plant, equipment or equipment damage
- any observed, unusual or erratic behaviour
- any situation or occurrence that was/is or could be described as a near miss
- a positive (alcohol) or non-negative (drugs) test result or breach of this Policy, on their initial return to work
- any reasonable decision made by a DIG PTS Host Employer will determine and be agreed by the employee if 'for cause' testing is to be carried out.

TESTING AT THE REQUEST OF A HOST EMPLOYER MANAGER OR SUPERVISOR

In the event that there is reasonable suspicion that a DIG PTS worker may not meet the Fitness for Duty - Drugs and Alcohol criteria, the manager or supervisor of the Host shall be required to inform DIG Personnel and Training Solutions. In consult with the General/Business Manager or Safety and Culture Rep. they will coordinate or direct the worker to the appointed testing service provider for testing.

A drug and alcohol test may be administered, and the provisions of Section 2.2 apply.

In the event that it is not possible or practical to direct such a worker to the appointed testing service provider for testing, the worker will be relieved of active duty and asked to remain in an area where they present no safety risk to other staff members or the public, and/ or they shall be taken home or make arrangements for their safe transport from the workplace.

In the event that a worker has a reasonable suspicion that another worker may not meet the Fitness for Duty - Drugs and Alcohol criteria, they are requested to notify their immediate Host Employer Supervisor or Safety Rep. and provide details to support their suspicion of the worker's "fitness for duty". They must notify their DIG PTS Consultant as early as possible. Information provided will be treated as confidential and could result in the suspected person undergoing a drug and alcohol test for safety and confirmation.

DRUG TESTING IMPLEMENTATION

Drug testing under this Policy shall apply and commence on first day and any subsequent date the employee commences with DIG Personnel and Training Solutions (DIG PTS).

ALCOHOL BREATH TEST – BELOW 0.05

Workers with a blood alcohol concentration less than 0.05:

- Will be temporarily stood aside and asked to undertake a second test within 30 minutes of the first, provided nothing is taken by mouth during the intervening period.
- Workers will be taken home if the second reading is 0.05 or higher at their own expense.
- If the blood alcohol is less than 0.05 then the workers Manager in consultation with relevant Safety, People and Culture Manager may approve selected duties after an assessment of the risks associated with the work. Such work will not include driving, operating and/or working near mobile equipment, operating machinery, undertaking maintenance work, or training in relation to the same. If no such duties are available, the worker will be stood down and transported home.
- Prior to returning to work a negative test result must be obtained.
- The worker will be given the opportunity to dispute the breathalyser reading through either providing a blood or urine specimen, which will be transported to and tested at a NATA approved laboratory.
- Repeated breaches of the alcohol standards will be dealt with in accordance with DIG PTS Employee Code of Conduct Policy and disciplinary procedures which may result in termination of current and all future engagements.

ALCOHOL BREATH TEST – 0.05 OR GREATER OR REFUSAL TO UNDERGO A TEST

Workers with a blood alcohol concentration of 0.05 or greater are automatically considered unfit for work and will be stood down immediately:

- The worker will be provided with transport or asked to arrange their own transport. Workers shall be advised not to drive themselves home. If the worker elects to drive themselves home the Police will be informed as a Duty Of Care.
- If the worker requests a second confirmation test and the concentration drops below .05, the Supervisor/Manager or Safety, People and Culture Rep. may consider suitable duties that does not include driving or working near any mobile equipment, operating machinery, undertaking maintenance work or training in respect of the same. If no suitable duties are available, the worker will be sent home, and the above provisions will apply.
- Prior to returning to work, a negative test result must be obtained.
- Workers who refuse to have a breath test or leave the site without providing a breath test will be treated in the same manner as a worker having a blood alcohol concentration of 0.05 or greater.
- Workers who fail to expel sufficient air from the lungs into the test unit to give an appropriate sample will be treated as having refused a breath test.

- Workers will be counselled and a record of discussion entered on their personal file. Counselling will take place between the worker, their nominated representative and the workers immediate Supervisor or Manager as soon as possible after the breach.
- Repeated breaches of the alcohol standards will be dealt with in accordance with DIG PTS disciplinary procedures. This may result in termination of employment.
- The worker will be given the opportunity to dispute the breathalyser reading through either providing a blood or urine specimen which will be transported to and tested at a NATA approved Laboratory.

PAYMENTS

Casual employees will not be paid or entitled to payment for time should they be 'stood down'.

TEST RESULTS – DRUG TESTING

Presumptive Non-Negative at Initial Screening

Workers who have returned a presumptive non-negative result at initial screening shall:

- Have the relevant DIG PTS Consultant or Manager informed that a presumptive non-negative result has been returned by an employee.
- Be transported (if requested/disputed), to an appointed testing service provider for testing.
- Be stood down and be offered transport home.
- Be advised that they should not be in charge of any motor vehicle. If this advice is refused and they elect to drive, DIG PTS would have an obligation to report the matter to the Police.
- Be recorded to the individual's employee file with DIG Personnel and Training Solutions.
- Be retested on their next rostered shift. If negative, proceed to work after information session with their manager or supervisor.
- If a worker presents with a further presumptive non-negative result prior to the initial laboratory results being available, the worker shall be stood down until the results become available and not be entitled to any payments.
- If the laboratory results confirm the non-negative result. The employee will be responsible for all costs associated with laboratory testing.

DISPUTE OF LABORATORY CONFIRMED NON-NEGATIVE

In the event of a dispute, the worker has fourteen (14) days to appeal the decision in writing. The worker has the option to access the referee sample and request in writing, for that sample to be retested again.

- The worker requesting confirmation or repeated testing is responsible for all costs incurred, even in the event of a negative or invalid result.

NEGATIVE RESULTS

If the approved laboratory analysis of a sample returns a negative result, any reference to the presumptive non-negative test on the worker's personnel file will have additional notes inserted to reflect that confirmed results of the laboratory.

REFUSED TEST

Testing is voluntary, however, to ensure that this Policy is complied with, any employee/worker engaged by DIG Personnel and Training Solutions (DIG PTS)or contractor who refuses voluntary drug and/or alcohol testing shall be immediately stood down/off hired and removed from the site and shall be considered to have returned a laboratory confirmed non-negative test result.

The production of a Medical Practitioner's Certificate indicating a negative test will not exonerate the refusal. Any worker shall be subject to disciplinary action in accordance with DIG PTS disciplinary procedures.

TAMPERING

Any worker, who provides a false sample or interferes with a urine sample so as to prevent detection of a drug, will be considered to be engaging in serious and wilful misconduct and shall be subject to disciplinary action in accordance with DIG PTS disciplinary procedures which may include being deregistered from the business.

Edwin Davey - Managing Director

Signed: 

