

# Drugs and Alcohol Policy

## 1. Purpose and Scope

- 1.1 Australian Fertilizer Corporation Limited ('the Company') is committed to taking all reasonable steps to ensure the health and safety of its workers. To help achieve this, the Company requires all its workers to be fit for work whilst on its work premises or performing work duties. The purpose of this policy is to provide a healthy and safe working environment by minimising risks and hazards that can arise from the irresponsible use of alcohol and drugs in the workplace or when performing work duties outside of the workplace.
- 1.2 The Company requires all workers to be in a state (physical and psychological), which enables them to perform assigned tasks competently, and in a manner, that does not compromise or threaten the safety or health of themselves or others.
- 1.3 This policy applies to all Company workers as defined in Subdivision 2, Section 7 of the Queensland Work Health & Safety Act 2011 ('the Act'), including employees, contractors and agents. It is also important to remember this policy applies across all work-related activities and is not just restricted to a worker's normal place of work (i.e. this policy applies to work related functions such as Christmas parties, farewell functions, company celebrations, company sponsored sporting events, business trips, working away from the office and conferences).
- 1.4 For the purposes of this policy, the term 'individual' may refer to a worker, contractor or other third party unless specified otherwise.

## 2. Responsibilities

### Responsibilities of the Company

- 2.1 The Company must provide a safe workplace, safe systems of work and eliminate hazards in the workplace, so far as is reasonably practicable. Part of the Company's duty includes taking reasonable precautions to ensure all individuals on-site are in a fit state to work so as to minimise risks, both to themselves and others.

### Responsibilities of Managers

- 2.2 If a manager has a reasonable belief that an individual is under the influence of alcohol or drugs and poses a risk to the health or safety of the individual or another person, the manager should take prompt and appropriate action, such as one or more of the following;
  - intervene if an individual is not fit for work or when performance or behaviour is affected, unsatisfactory or inappropriate;
  - provide counselling or feedback to the individual;
  - direct the individual to go home, ensuring that they have access to appropriate transport (e.g. public transport or taxi for which the individual will pay);
  - Remove the individual from the workplace (if required).

## **Responsibilities of Individuals**

- 2.3** It is the responsibility of individuals to take reasonable steps to ensure their own safety and health at work and to avoid adversely affecting the health and safety of any other person at work or while performing work duties.
- 2.4** Individuals are responsible for reporting for work and carrying out their duties in a fit and proper condition, without risk to themselves or others. Individuals must ensure, at all times when at work, that they are not under the influence of drugs, including alcohol, prescribed medication, over the counter/non-prescribed medication, and illegal substances.
- 2.5** The Company understands that many factors, both those under the control of the individual and those that are not, may adversely impact on an individual's fitness for work. As such, it is the responsibility of the individual to notify their manager of any concerns about, or potential impairment of, their fitness for work, before commencing work or otherwise immediately when the concern arises.

## **3. Prohibition**

### **3.1** Individuals must not:

- use (which includes inhale, sample, taste, inject, absorb or otherwise consume or ingest) any substance which will, or is likely to negatively affect an individual's work performance, behaviour in the workplace or impair their ability to perform their job;
- arrive at work and/or work under the influence of alcohol, drugs or illegal substances;
- be involved in the possession, sale, supply or transfer of drugs, narcotics or illegal substances in any manner, or engage in any conduct which may impair their ability or that of others to perform assigned duties or otherwise may adversely affect the Company's business or reputation;
- possess or consume alcoholic beverages during work hours whilst conducting company business or representing the Company in any capacity whether on work premises or off-site, unless it is consumed during a formal social function run by the Company or as the guest of another company; or
- cease to act responsibly at Company run functions such as Christmas parties or client entertainment events, including regarding the consumption of alcohol.

### **3.2** Individuals are expected to exercise proper judgment in this regard and to observe professional, legal, and common-sense guidelines at all times.

### **3.3** Illegal substances include but are not limited to marijuana, heroin, hashish, cocaine, ecstasy, hallucinogens, barbiturates, antidepressants, and stimulants not prescribed for current personal treatment by a registered physician.

## **4. Taking Prescribed or Legal Non-Prescribed Medication**

### **4.1** Individuals must ensure that while taking any prescription or legal non-prescription medication, they will not compromise their safety or the safety of others. This requires the individual, among other things, to;

- discuss with their prescribing medical practitioner and/or pharmacist, the nature of their duties and ascertain if there are any side effects of the medication which may adversely

affect their performance or behaviour or their, or another individual's safety at work;

- take any medication strictly in accordance with the medical practitioner's or manufacturer's recommendations; and
- report any medication or side effects from taking that medication that may adversely affect their safety or performance at work, to their manager. Any information provided will be treated confidentially. Failure to report may result in disciplinary action.

**4.2** Individuals are also encouraged to notify their manager or supervisor if they have reason to believe another individual to be under the influence of drugs or alcohol at work.

## **5. Drug or Alcohol Dependency**

**5.1** If an individual has a drug or alcohol related problem or is aware that another individual may have a drug or alcohol related problem, they are encouraged to advise their manager. Any such information will be treated confidentially. The Company may, at its discretion, seek out specialised counselling, treatment and rehabilitation for individuals on terms it deems reasonable.

**5.2** Depending on the nature of any drug or alcohol related problem, for health and safety reasons the Company may be required to cease, limit or restrict the work performed by the individual (especially if they perform high risk work and it is considered that their drug or alcohol related problem may impair their ability to safely perform the position) or stand the employee down pending any review, counselling, treatment and rehabilitation that may occur.

## **6. Drug & Alcohol Testing**

**6.1** The Company recognises that an individual's fitness for work may be affected for a variety of reasons including the adverse effects of fatigue, stress, alcohol or prescribed medication, over the counter or non-prescribed medication and illicit substances. These factors can lead to major deficiencies in an individual's work performance, can be a contributing risk factor in workplace health and safety incidents and may adversely affect the Company's business and reputation

**6.2** The Company reserves the right to request individuals to undergo drug and alcohol testing in appropriate circumstances including, but not limited to, instances of serious or repeated breaches of this policy.

**6.3** Drug testing may involve oral fluid testing undertaken in accordance with AS/NZS 4760:2019, conducted by a third party engaged by the Company, at its expense.

**6.4** If it is established that there are reasonable grounds to believe an individual is not fit for work (for any of the above reasons, among others), the manager will ask the individual to step aside to a safe location to discuss the situation in confidence.

**6.5** It will be at the manager's discretion, as to what action will be taken to ensure that no person is placed at risk. This may necessitate the individual being asked to stand down until such time as the affected individual is fit for work.

**6.6** If an individual, when required to submit to a drug and alcohol test, does not agree to the test, an explanation of the due processes and potential outcomes must be provided and the individual will be stood down (if a Company employee), or access to the site or Company premises withdrawn (if a contractor or agent), until they agree to a drug and alcohol test.

**6.7** Refusal to undertake a drug and alcohol test, without reasonable excuse will be deemed to be a

positive test result. If an individual refuses a test, disciplinary action will be taken.

- 6.8** In the case of a contractor or agent, the Company contract manager/delegate must notify the contractor/agent employer of the reasons why the individual has been asked to vacate the Company site or premises.

## **7. Retest**

- 7.1** Retests may be conducted in order to validate a sample or test result, or to ensure there is no recurrence of a breach of this policy.
- 7.2** Retests may be incorporated into an individual's performance management plan, in the form of a testing regime. Testing regimes allow for the monitoring of non-compliant individuals and is a form of relapse prevention.

## **8. Management of Positive Test Results**

### **Declared Medication**

- 8.1** Some legal prescription and non-prescription drugs may return a positive reading on a drug and alcohol test (e.g. Panadeine Forte may display as positive for opiates).
- 8.2** An individual must disclose to the drug and alcohol tester that the individual has consumed any legal prescription or non-prescription drugs prior to undergoing the test.
- 8.3** If the drug and alcohol tester is unsure whether the declared medication is consistent with the test result and/or of the impact of the medication on the individual's ability to be fit for work, the tester must contact the testing coordinator and/or delegate.
- 8.4** If the test result is consistent with the declared medication, and there is sufficient evidence that the medication is not considered to adversely affect the individual's performance, the individual may be able to return to work after consultation with the relevant manager.
- 8.5** An individual's test results will be kept by the Company and its external tester in confidential storage.

### **Positive Test Result**

- 8.6** The presence of any detectable amount of an illegal substance on, or in, personnel is strictly prohibited.
- 8.7** A positive drug test is returned if the amount of drug detected in the body is at least that of the cut-off level in the AS/NZS 4760:2019.
- 8.8** A blood alcohol test returns a positive result if blood alcohol concentrations are at least 0.02 BAC.
- 8.9** An individual returning a blood alcohol result of 0.05 BAC or higher is deemed to suffer from significant performance impairment.
- 8.10** Where an individual has provided a positive drug and alcohol test result without reasonable excuse, the tester will contact the individual's manager and/or contractor employer. The individual will be asked to notify their manager of their inability to present for work.
- 8.11** If a Company employee has a positive drug and alcohol test result, the employee may be stood

down pending a further investigation.

- 8.12** If a contractor/agent has a positive drug and alcohol test result, the individual's access to the site or Company premises may be withdrawn.
- 8.13** Following a positive test result, a further laboratory test to confirm the result may be conducted. The testing coordinator or delegate will notify the individual and his or her manager of the second laboratory results, once received.

## **False Positive Tests**

- 8.14** In cases where the second laboratory confirmed results are not consistent with first test results, the individual may be reimbursed for leave taken, after due consultation between the individual's manager, the Company and the contractor's employer (if applicable).

## **9. Follow Up Actions for Non-Compliance**

### **Disciplinary Action Employees of the Company**

- 9.1** Any breach of the provisions outlined in this policy may result in disciplinary action. The Company's Discipline Policy also applies to any breaches of this Policy and the Discipline Policy may apply independently of this clause 9 for any breach of this Policy.
- 9.2** Employees of the Company may be suspended pending proper investigation into alleged breaches of this policy (including the breach of a client policy).
- 9.3** The following will be taken into considering in determining the necessary disciplinary outcome (among other things):
- The individual's history of fitness for work (including records of verbal and written warnings).
  - The reason for the positive test result (eg. prescribed medication, recreational illicit substance taking, etc).
  - The level of risk involved.
  - The results of the drug screen test or breathalyser test.
  - Any relevant matters raised by the individual.
  - Any other matters the Company considers relevant.
- 9.4** Disciplinary action for breaching this policy could include (among other things) one or more of the following:
- Suspension.
  - A verbal warning.
  - A written warning.
  - A final written warning.
  - Termination of employment with notice or pay in lieu.
  - Summary dismissal.

- 9.5** Any records of disciplinary action resulting from a breach of this policy will be filed in the employee's personnel file.

## **Rehabilitation Management Plan**

- 9.6** If it is deemed appropriate that an individual return to work after a positive drug and alcohol test result, a Rehabilitation Management Plan may be developed to manage and ultimately resolve the fitness for work issue. The Company has the right to reject a Rehabilitation Management Plan should it not meet the Company's requirements.
- 9.7** A Rehabilitation Management Plan should include the following:
- The aim of the plan;
  - The responsibilities/actions to be taken by the individual;
  - The treatment plan (if relevant);
  - Liaison between the individual, line manager and testing coordinator (or delegate) in relation to progress test reporting;
  - Time frames for return to work and key rehabilitation milestones eg. testing regime; and
  - The management of relapses.

## **Returning a Negative Test Result**

- 9.8** If the Company determines it appropriate for the individual to return to work after a positive drug and alcohol test result, prior to the individual actually returning to the workplace, they will need to provide the Company with a confirmed negative sample from an accredited testing laboratory.

## **10. Confidentiality**

- 10.1** All reasonable efforts consistent with safety, practicality and legal requirements will be maintained to help protect an individual's privacy.
- 10.2** An individual's fitness for work information will only be disclosed to those persons who have a legitimate need to know.
- 10.3** All records and test results will be securely stored by the Company. These records shall be stored in compliance with the relevant legislative requirements. Copies will also be retained on an individual's personnel file. Fitness for work records may also be subject to audits from time to time.

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