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Parent Policy(s): [Fit for Work Policy](#)

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## 1 PURPOSE

The purpose of this procedure is to provide a safe and healthy working environment for employees, contractors, visitors and customers. Unfit for work issues including drug and alcohol related issues will be managed in a manner that focuses on education and rehabilitation.

## 2 SCOPE

This procedure applies to all employees and contractors of GWMWater. In all cases support will be provided and every reasonable effort will be made to accommodate any impairment.

Where an individual is identified as being potentially unfit for work an assessment will be undertaken and a subsequent meeting with the individual will be conducted. GWMWater will take appropriate actions to reduce or eliminate the risk. The individual will be provided with appropriate support options and self-disclosure will be encouraged.

Staff may be deemed unfit for many reasons, such as :-

- a) Fatigue
- b) Stress
- c) Medical conditions
- d) Alcohol and Drugs
- e) Exposure to extreme weather conditions, chemicals and noise

## 3 RESPONSIBILITIES

All employees and contractors of GWMWater have a responsibility to and must:

- a) be fit for work
- b) able to perform their work competently
- c) function in a manner that does not threaten the health and safety of themselves or others
- d) notify their immediate supervisor/ manager, **People, Talent and Culture** if having difficulty managing personal use of drugs or alcohol
- e) notify immediate supervisor/ manager before coming into work if diagnosed with a contagious illness, or been in contact with another person who has a contagious illness
- f) notify immediate supervisor/ manager, **People, Talent and Culture** or the OH&S Officer if exposed to industrial chemicals, extreme heat, stress, fatigue or other contributing factor to being unfit for work
- g) discuss with the treating doctor outlining normal duties, where an employee is on a prescribed medication that has side effects, or has an illness that may impact on their ability to undertake a job, then advise supervisor or manager

- h) request a certificate from the doctor that indicates the level of impairment, if any
- i) discuss with a pharmacist the known side-effects of any over the counter medications
- j) notify immediate supervisor/manager, **People, Talent and Culture** or the OH&S Officer if someone is observed as being not fit for work
- k) not buy, sell, manufacture, be in possession of or use illegal drugs while engaged in GWMWater works or on Corporation premises

## 4 METHOD

### 4.1 Consumption of alcohol at work functions

Alcohol may not be consumed or brought into the workplace without the prior consent of the Managing Director.

All employees must maintain a blood alcohol concentration (BAC) of less than 0.05. The Australian Alcohol Guidelines may be referred to for information about standard drinks.

The following categories must have 0.00 BAC:

- a) operators of mobile plant (that legally require the operator to have a BAC 0.00)
- b) probationary or learner drivers
- c) truck or bus drivers

### 4.2 Employee/contractor appearing not fit for work

The immediate supervisor or manager must regularly assess the employee's/contractor's physical, mental and emotional capacity to undertake their normal duties. This assessment may take the form of observations and /or conversations. If there are concerns that an employee is not fit for work, the immediate supervisor/manager must direct the employee/contractor to immediately cease work and conduct an assessment in a non-intrusive manner, based solely on observation and conversation.

If assessment confirms the initial concerns, then the assessment must be discussed with the employee's manager or contractor's employer. The assessor and manager must meet with the employee to advise them of the observations and provide them with an opportunity to respond. Principles of procedural fairness must be followed in every assessment.

The privacy of the employee/contractor must be maintained at all times and the matter is not to be discussed with anyone other than the immediate supervisor/manager, employer, **People, Talent and Culture** or OH&S Officer.

### 4.3 Employee/contractor deemed not fit for work

If the assessment confirms that an employee is not fit to commence or continue work the manager in conjunction with **People, Talent and Culture** may:

- a) request the person undertake a drug and alcohol test
- b) provide alternative safe duties where available and appropriate
- c) make arrangement for the employee to work from home where **appropriate (not appropriate for staff or contractors who have failed drug or alcohol tests)**
- d) provide access to leave

- e) provide flexible work arrangements
- f) encourage the employee to voluntarily leave the workplace
- g) referral of employee to Employee Assistance Provider or counseling service

Where an employee has been provided with alternative safe duties (if suitable duties are available) a discussion must be held with the employee to agree on a reasonable period for which the alternative duties should apply.

Where an employee has left the workplace, discussion must be held to ascertain how long the employee will be absent and if any support options where appropriate are required.

The employee must not return to work without this discussion taking place. Advice and support may be sought from **People, Talent and Culture**.

Where a contractor is deemed not fit for work, they must be directed to immediately cease work and their employer notified.

Where an employee or contractor agrees to leave the workplace, safe transport must be arranged for them.

#### 4.4 Alcohol and Drug Testing

Employees and contractors can be breath tested for alcohol and saliva tested for drugs when:

- an incident has occurred, or where an employee or contractor have breached safety procedures. If out of hours the Duty Manager must gain the Manager **People, Talent and Culture's** approval prior to arranging any testing.
- where there are reasonable grounds based on observations by the responsible manager of any abnormal conduct or behavior which may involve the misuse of alcohol or drugs. Repeat testing for a person that has previously tested positive will occur over a period of time (6months)
- random testing

All testing will be carried out by an accredited testing technician. All testing must be authorised by the Manager **People, Talent and Culture**.

Staff and contractors are able to take a support person to the testing. A management representative may also attend

If an employee or contractor refuses to undertake a test for alcohol or drugs when required to do so by an accredited testing technician in accordance with this procedure, the employee's behavior will be treated as misconduct and addressed through the managing and investigating misconduct procedure. Contractors will be ordered to cease operations immediately, removed from site and their manager notified if applicable.

Employees who fail drug and alcohol tests will be investigated in accordance with the

Managing and Investigating Misconduct Procedure and may be subject to appropriate Disciplinary Action. However, the focus will be on education and rehabilitation.

The selection of staff for random testing will be managed by People, Talent and Culture. Staff will be identified by employee number or a lottery type process (colored marbles).. At smaller work sites all staff will be tested.

All non-negative results will be sent to Racing Analytical Services Ltd, 400 Epsom Road Flemington 3031 for further analysis and confirmation of results.

The employee and employer representative will be given a copy of the results.

#### 4.5 Leave arrangements

When an employee has been deemed as not fit for work and has left the workplace, personal or other leave must be taken for the duration of the absence unless a WorkCover claim for compensation has been or will be made.

Depending on the illness or situation of the employee they may be asked to remain away from the workplace for an extended period of time. This will be on the advice from medical or health authorities.

Where an employee is working from home they will not be required to make leave arrangements and will be paid their normal salary.

#### 4.6 When an employee refuses to leave the workplace

When an employee has been directed to leave the workplace and will not voluntarily do so, senior management and/or People, Talent and Culture must be notified immediately. The employee will then be directed to leave or face disciplinary action.

#### 4.7 Persistent Misconduct

Where there has been serious willful misconduct, illegal activity or continued occurrences without improvement despite remedial action, disciplinary action must occur. Refer to Managing and Investigating Misconduct Procedure and Disciplinary Action Procedure and seek advice from People, Talent and Culture.

#### 4.8 Confidentiality

All information gained by any person involved in this process in accordance with this procedure must be treated as confidential. Such information must not be disclosed except in accordance with this procedure or otherwise in the proper performance of the person's duties.

All people involved must be advised that all discussions held during the investigation must be treated confidentially.

Documents created during this process must be kept confidential and be securely stored. The Corporation will treat any improper disclosure of such information as misconduct and

such misconduct will be dealt with in accordance with the Managing and Investigating Misconduct Procedure.

## 5 DOCUMENTATION

### 5.1 References

- a) Victorian Public Sector Code of Conduct
- b) *Occupational Health and Safety Act 2004*
- c) Australian Alcohol Guidelines
- d) *Road Safety Act 1986*
- e) *Privacy and Data Protection Act 2014 (Victoria)*
- f) [Managing and Investigating Misconduct](#) Procedure
- g) [Disciplinary Action Procedure](#)
- h) [Incident Reporting and Investigation Procedure](#)

### 5.2 Records

- a) Investigation Records
- b) [Record of Disciplinary Action](#)

## 6 DEFINITIONS

The reader is directed to the corporation's [standard definitions](#).