

# Drug & Alcohol Policy

## *Drugs Misuse Act 1986*

### 1. POLICY STATEMENT

Townsville City Council (**Council**) is committed to ensuring so far as reasonably practicable the health and safety of every worker and visitor to the Council's workplaces, to ensuring healthy and safe working conditions, and to the safe operation of all equipment in the workplace.

Council has adopted a Drug and Alcohol Policy which prohibits all workers from working or conducting Council business with drugs and/or alcohol in their system in excess of the tolerance levels set out in this policy.

### 2. PRINCIPLES

Council is committed to:

- Contributing positively to the health and wellbeing of employees;
- Providing a work environment that is free from the negative impact of drugs and alcohol;
- Improving the health and safety of all workers and the general public, with whom we interact extensively every day;
- Maintaining the privacy of employees and their rights as private citizens.

The council's interests regarding this Policy and its application are restricted to:

- The workplace health and safety, behaviour and performance of Council workers;
- The health and safety of the general public; and
- The public perception of council and the conduct of council business.

### 3. SCOPE

This policy applies to all workers who are engaged in Council work in any capacity, in Council workplaces and in business hours/hours of work.

Nothing in this Policy is intended to create an employment relationship between the Council and its workers.

### 4. RESPONSIBILITY

The Chief Executive Officer shall issue an Administrative Directive and a Procedure to workers for the implementation of this Policy.

Each worker is responsible for ensuring their own compliance with this Policy.

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Each worker is responsible for ensuring their own safety and the safety of others and if a worker feels unsafe working with another person because they suspect that person is affected by drugs or alcohol, the worker must refer the matter to a Supervisor or Manager.

Supervisors and Managers are responsible for:

- monitoring their staff, and investigating situations which may be in breach this Policy; and
- taking appropriate steps to deal with the Employee/Worker if the Supervisor/Manager:
  - a) Observes a Worker using drugs or alcohol or finds evidence of usage; or
  - b) Detects the odour of alcohol on a Worker; or
  - c) Suspects a Worker is working with drugs and/or alcohol in their system in excess of the tolerance levels set out in this policy (for example through abnormal or erratic behaviour); or
  - d) Learns from a reliable or credible source that the Worker has consumed drugs or alcohol in breach of this policy.
- The Chief Executive Officer, Directors, General Managers, Team Managers and Supervisors are responsible for ensuring this policy is understood and adhered to by all.

## 5. DEFINITIONS

**Alcohol** – means any alcoholic beverage, including but not limited to liqueurs, spirits, wine or beer.

**Business Hours and Hours of Work** – means a worker’s ordinary hours of work (for the Townsville City Council) and includes time worked on overtime and attending to call-outs or other matters requiring attendance at Council workplaces outside of a worker’s ordinary working hours.

**Contractor** – includes a contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company assigned to work for Council, a work experience student or a volunteer.

**Drugs** – means any mind altering or legally controlled substance unless it is prescribed by a doctor and used in accordance with medical directions. This includes any drugs listed in the *Drugs Misuse Act 1986* (QLD) or similar legislation and any drugs listed in the Australian Standard AS/NZS 4308:2008 which prescribes the procedures for the collection and quantitation of drugs of abuse in urine and listed in the Australian Standard AS/NZS 4760:2019 which prescribes the procedures for the collection and quantitation of drugs of abuse in oral fluids. The Council may also include drugs other than those listed in Australian Standards 4308:2008 and 4760:2019 such as those drugs referred to as “designer drugs”, including (but not limited to) synthetic cannabinoids and herbal highs, as well as other synthetic drugs such as opioids, hallucinogens, piperazines, stimulants and sedatives.

**Employee** – means a *Local government employee*—

- (a) the chief executive officer; or
- (b) a person holding an appointment under section 196 of the *Local Government Act 2009*.

**Manager** – includes persons appointed to positions with the title or function of Supervisor, Team Manager, General Manager, Principal, Director and Chief Executive Officer.

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**Tolerance levels - means:**

for Alcohol: A confirmed breath alcohol concentration reading of greater than zero micrograms (0.00) of alcohol per litre of breath constitutes a positive test.

for Drugs: A confirmed drug test reporting levels of drug or metabolites that exceed designated cut-off levels constitutes a positive test. Cut-off levels will conform to the relevant Australian Standard/New Zealand Standard, where such a standard has been issued in relation to the drug concerned. (For more detailed information on this refer to the Council's Drug & Alcohol Testing and Management Procedure).

**Workers** – includes a Council employee, contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company assigned to work for Council, a work experience student or a volunteer.

**Workplace** – means a place where work is carried out for the Townsville City Council and includes any place where a worker goes, or is likely to be, while at work. With a 'place' including;

- a) a vehicle, vessel, aircraft or other mobile structure; and
- b) any waters and any installation on land, on the bed of any waters or floating on any waters. (*Work Health and Safety Act 2011*).

It is recognised that the responsibilities of certain employees may from time to time require them to perform work for Council from their home under specified, agreed circumstances and for limited periods.

**6. POLICY**

Workers are prohibited from:

- a) Working or conducting Council business with drugs and/or alcohol in their system in excess of the tolerance levels set out in this policy;
- b) Using, possessing, distributing or consuming drugs or alcohol on Council property during work time, that is not in the course of your employment (e.g. employees required to serve alcohol under Responsible Service of Alcohol Licence);
- c) Driving a Council vehicle with drugs and/or alcohol in their system in excess of the tolerance levels set out in this policy;
- d) Using or consuming drugs or alcohol when off-duty if it would result in the worker reporting to work or performing duties with drugs and/or alcohol in their system in excess of the tolerance levels set out in this policy;
- e) Using or consuming drugs or alcohol at social events and work related functions held during business hours/hours of work, where the worker attending is representing Council.

**7. LEGAL PARAMETERS**

*Drugs Misuse Act 1986 (QLD)*

*Work Health and Safety Act 2011*

**8. ASSOCIATED DOCUMENTS**

Code of Conduct for Staff

Townsville City Council (Field and Other Employees) Certified Agreement 2019

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Townsville City Council (Local Government Officers) Certified Agreement 2019  
Townsville City Council (Trades Employees) Certified Agreement 2019  
Fatigue Management Administrative Directive and Procedure  
Motor Vehicle Administrative Directive and Procedure  
Responsible Operation of Council Vehicles and Equipment Administrative Directive  
Social Staff Functions Administrative Directive  
Work Health and Safety Policy and Procedure  
Australian Standard AS/NZS 4760:2019  
Australian Standard AS/NZS 4308:2008

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