



Sorell Council

Alcohol and Other Drugs Policy

MP/HR/POL/014

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1 AUTHORITY & APPLICATION

Date of approval	21 August 2017
Source of approval	General Manager
Start date	21 August 2017
Related Council Documents	<p>This Policy should be considered in the context of the following policies and procedures:</p> <ul style="list-style-type: none"> • <i>Code of Conduct</i> • <i>Communications</i> • <i>Disciplinary</i> • <i>Fitness for Work</i> • <i>Issue Resolution</i> • <i>Performance Management</i> • <i>Workplace Behaviour</i>
Date of review	21 August 2020
Previous policies replaced by this Policy	N/A

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Publication of Policy	Sorell Council Intranet, TARDIS
<p>Definitions</p> <p>Term</p> <p>Alcohol</p> <p>Applicable Laws</p> <p>Authorised Functions</p>	<p>Meaning</p> <p>The intoxicating agent in beverage alcohol, ethyl alcohol or other low molecular weight alcohols in methyl and isopropyl alcohol, no matter how it is packaged or in what form the alcohol is stored, utilised or found. (The only exception is products which contain alcohol and are used for legitimate reasons in the workplace.)</p> <p>All laws in connection with the carrying out of work or the Workplace including:</p> <ul style="list-style-type: none"> • <i>Age Discrimination Act 2004 (Cth)</i> • <i>Anti-Discrimination Act 1998 (TAS)</i> • <i>Australian Human Rights Commission Act 1986 (Cth)</i> • <i>Disability Discrimination Act 1992 (Cth)</i> • <i>Fair Work Act 2009 (Cth)</i> • <i>Local Government Act 1993 (TAS)</i> • <i>Privacy Act (1988) (Cth)</i> • <i>Racial Discrimination Act 1975 (Cth)</i> • <i>Road Safety (Alcohol & Drugs) Act 1970 (TAS)</i> • <i>Sex Discrimination Act 1984 (Cth)</i> • <i>Work Health & Safety Act 2012 (TAS)</i> • <i>Employees Rehabilitation & Compensation Act 1988 (TAS)</i> <p>An Authorised Function is a function organised for a clear and defined purpose for Employees and/or Others in the Workplace – e.g. end of year/Christmas functions and retirement functions. Authorised Functions must be approved in writing by relevant Managers/Supervisors in accordance with their applicable written delegations/authority.</p>

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BAC	The blood alcohol content as measured by breath analysis on an Australian Standard compliant breath testing device when operated by an Accredited Technician and/or by laboratory analysis of a saliva sample.
Council	Sorell Council
Councillor	An elected member of Council known as a Councillor or Alderman or otherwise meeting the definition of a 'councillor' as defined under section 3 of the <i>Local Government Act 1993</i> (TAS)
Drugs	Medicine or other substance which has a physiological effect when ingested or otherwise introduced into the body and includes Illicit Drugs, OTC Drugs and Prescription Drugs.
Employee	A person who carries out work for Council as an employee of Council..
Fit For Work Limits	The limits or cut off amounts prescribed by this Policy at clause 5 (Fit For Work Limits) when a person is deemed to be unfit for work.
General Manager	The general manager of Council as appointed under section 61 of the <i>Local Government Act 1993</i> (TAS).
High Risk Work	<p>Work of the kind specified in Schedule of this Policy, provided that Schedule 1 only contains classes of employees who, after consultation with Employees, are determined to reasonably fall within the following parameters:</p> <ul style="list-style-type: none"> (a) Schedule 3 (High Risk Work Licences and Classes of High Risk Work) Table 3.1 of the Work Health and Safety Regulations 2012 (TAS); (b) 'high risk construction work' as set out in Regulation 291 of the Work Health and Safety Regulations 2012 (TAS); and/or (c) other work not contained within subparagraphs (a) and/or (b) but should reasonably be considered to be high risk work taking into consideration the nature of the work to be conducted.
High Risk Employee	Employee carrying out, or who could be reasonably expected to be available to perform High Risk Work.
Illicit Drugs	Has the same meaning as Prescribed Illicit Drug in the <i>Road Safety (Alcohol and Drugs) Act 1970</i> (TAS) and as prescribed in the <i>Road Safety (Alcohol and Drugs) Regulations 2009</i> (TAS).

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Infringing Workplace Behaviour	Any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.
Manager/Supervisor	A person at the Workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.
Negative Test Result	A result that indicates that a specimen did not exceed specified Fit For Work Limits
Nominated Council Delegate	General Manager or nominated delegate
Non-Negative Test Result	A test result that exceeds the specified Fit For Work Limits or that indicates the result was adulterated (tampered with), substituted or invalid.
Other Persons at the Workplace	Any person, other than a Councillor, at the Workplace who is not an Employee including visitors and ratepayers.
OTC Drugs	'Over the Counter' Drugs available to persons without a prescription.
Policy	This Alcohol and Other Drugs Policy including the 'Application and Authority'.
Powered Mobile Plant	Plant or equipment that is provided with some form of self-propulsion which is ordinarily under the direct control of the operator.
Prescription Drug	Drug prescribed by an individual person's treating medical practitioner for a medical condition.
Procedure	The Alcohol and Other Drugs Procedure including the 'Application and Authority'.
Random Testing	Testing performed to assess Fit For Work Limits by the Testing Organisation on Employees and Other Persons at the Workplace who are chosen on a "neutral-selection" basis without advance notice. Random Testing is conducted by selecting for testing a random number of participants determined by Council from the total number of participants in the random pool.
Rehabilitation Program	A program offered and run by reputable organisation directed at addressing Alcohol and/or Drug abuse with its purpose being to rehabilitate program participants
Testing Organisation	An organisation that offers services for Alcohol and/or Drug testing in the Workplace conducted in accordance with applicable Australian Standards. This organisation is chosen at Council's discretion.

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Worker	A person, other than a Councillor, who carries out work in any capacity for Council, including work as: <ul style="list-style-type: none"> (a) an Employee; (b) a contractor or subcontractor; (a) an employee of a contractor or subcontractor; (b) an employee of a labour hire company who has been assigned to work at Council; (c) an outworker (d) an apprentice or trainee; (e) a student gaining work experience; or (f) a volunteer.
Employee with Prescribed Limits	An Employee who is carrying out, or who could be reasonably expected to be available to perform work of the kind specified in Section 4 (Requirements) of this Policy, provided that Section 4 (Requirements) 4 only contains classes of employees who, after consultation with Workers, are determined to reasonably fall within the categories of Employees who have their maximum allowable BAC prescribed by: <ul style="list-style-type: none"> a) This Policy and a BAC of 0.00% b) accreditation requirements of their position; c) licensing requirements of their position; and/or d) other express regulation
Workplace	A place where work is carried out for Council.
Training	Council will provide all persons covered by this Policy with appropriate training so they are made aware of their responsibilities and obligations under the Policy.
Amendment	Council retains the sole discretion to vary, terminate or replace this Policy from time to time. Council will consult before amendments are made and will notify and train those the amendments apply to.
Interpretation of Policy	(a) The singular includes the plural and vice versa.

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	<p>(b) A reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacements or re-enactments of any of them.</p> <p>(c) A reference to policy or procedure means any approved policies or procedures of Council unless otherwise stated.</p> <p>(d) 'Including' and similar expressions are not words of limitation.</p> <p>(e) A reference to a document (including this document) is to that document as amended, novated or replaced unless otherwise stated.</p> <p>(f) Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.</p> <p>(g) Examples used in this Policy are for illustrative purposes only and are not intended to be exhaustive and depending on the circumstances may or may not amount to Infringing Workplace Behaviour.</p> <p>(h) Unless expressly provided for this Policy is not in any way incorporated as part of any enterprise agreement and does not form part of any Employee's contract of employment and any applicable enterprise agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.</p> <p>(i) It is not intended that this Policy impose any obligations on the Council or those covered by it that are unreasonable or contrary to the operation of Applicable Laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner that an objective third party would consider to be fair and reasonable taking into account and in the context of all the relevant Applicable Laws, operational and personal circumstances.</p> <p>Questions relating to the interpretation, application or enforcement of this Policy should be directed to a person's Manager/Supervisor.</p>
<p>Reporting of Breaches</p>	<p>Persons covered under paragraph 3 (Coverage) must reasonably report breaches of Infringing Workplace Behaviour (including those determined by self declarations of being unfit for work as per clause 8.1) as follows:</p>

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	<p>For breaches by</p> <p>a) an Employee (other than the General Manager), or other Employees, the report must go to the reporting person's applicable Manager/Supervisor;</p> <p>b) an Other Person at the Workplace, to the General Manager; and/or</p> <p>c) the General Manager the report must go to the Mayor (or if unavailable to the next appropriately delegated Councillor) and</p> <p>as otherwise required or permitted by Applicable Laws.</p>
Breach of Policy	<p>Persons covered under paragraph 3 (Coverage) who engage in Infringing Workplace Behaviour may (as is appropriate and as applicable) be subject to appropriate disciplinary action in accordance with Disciplinary Policy and Procedure (Employees), or removal from the Workplace or termination of services (Employees [other than Employees] and Other Persons at the Workplace). Infringing Workplace Behaviour may also amount to breaches of Applicable Laws:</p> <p>(a) exposing individuals to legal proceedings; and</p> <p>(b) making Council vicariously liable for conduct of others.</p> <p>(*See section 10 (Breach of this Policy for more explanation)</p>

2 PURPOSE

The aims of this Policy are to:

- (a) recognise Council's commitment to providing a safe and healthy workplace for Employees and Other Persons at the Workplace whose health or safety could be at risk through exposure to, or the use of, Alcohol and other Drugs;
- (b) recognise that the use of Alcohol and other Drugs can affect a person's capacity to safely carry out work;
- (c) implement strategies that Council can use to limit, manage and control the risk of Alcohol and other Drugs in the Workplace;
- (d) provide a fair and flexible approach to Alcohol and other Drugs matters which takes into consideration the individual, operational and environmental circumstances; and

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- (e) operate with any Applicable Laws or policies and procedures.

3 COVERAGE

- (a) This Policy covers and applies to Employees and Other Persons at the Workplace in relation to:
 - (i) behaviour at the Workplace;
 - (ii) the performance of work for or in connection with Council; and
 - (iii) conduct outside the Workplace or working hours if the acts or omissions:
 - (A) are likely to cause serious damage to the relationship between Council and Employees or Other Persons at the Workplace;
 - (B) are incompatible with an Employee's or Other Person at the Workplace's duty to Council; or
 - (C) damage or are likely to damage Council's interests or reputation.
- (b) This Policy is to be read and applied in conjunction with Council's Fitness for Work Policy.
- (c) For the avoidance of doubt this Policy does not cover or apply to a Councillor.

4 REQUIREMENTS

- (a) Employees and Other Persons at the Workplace must comply with this Policy.
- (b) Employees and Other Persons at the Workplace are required to meet their duty of care obligations and to be accountable for their own safety and the safety of others at the Workplace.
- (c) Employees must present for work in a state where they are not under the influence of Alcohol or Drugs and must not exceed the Fit For Work Limits.
- (d) Employees and Other Persons at the Workplace (unless otherwise notified in writing) are required to adhere to lawful and reasonable directions, policies

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and procedures regarding compliance with this Policy.

- (e) Managers/Supervisors are required to promote this Policy within their area of responsibility and take reasonable steps to ensure that any potential breaches of this Policy are identified, taken seriously and acted upon appropriately.
- (f) Employees and Other Persons in the Workplace must not possess, sell, distribute or consume Illicit Drugs in the Workplace.
- (g) Employees and Other Persons in the Workplace must not sell or distribute Prescription Drugs in the Workplace to any other person.
- (h) Employees and Other Persons in the Workplace are only permitted to possess or consume Prescription Drugs in the Workplace in accordance with a prescription/ other medical authority and where it does not represent an unreasonable health and safety risk.
- (i) Employees and Other Persons in the Workplace must not sell, or unless a designated First Aid Officer, distribute OTC Drugs in the Workplace to any other person.
- (j) Employees and Other Person in the Workplace must not possess, sell, distribute or consume Alcohol in the Workplace except where such possession, sale, distribution or consumption is:
 - (i) related to or in connection with an Authorised Function;
 - (ii) in the case of possession, where the Alcohol is not intended for consumption at the Workplace or during working hours and is not in fact consumed at the Workplace or during working hours; or
 - (iii) with the permission of the General Manager.

5 FIT FOR WORK LIMITS

5.1 Alcohol

- (a) All Employees must have a BAC which does not exceed 0.00 grams of Alcohol per 100 millilitres of blood at work.

5.2 Illicit Drugs

- (a) Employees must not have Illicit Drugs present in their system at any time

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during which they are at work and/or carrying out work.

5.3 Prescription Drugs and/or OTC Drugs

- (a) Employees must not have any OTC Drugs and/or Prescription Drugs present in their system at any time during which they are at work and/or carrying out work in any quantity which renders them unfit for work and/or affects the Employees ability to perform work safely.

6 PRESCRIPTION DRUGS AND/OR OVER THE COUNTER DRUGS

6.1 Fitness for work

- (a) The use of some OTC Drugs and/or Prescription Drugs may impact on a Employee's' ability to perform work safely.
- (b) Employees who are using OTC Drugs and/or Prescription Drugs must take reasonable steps to reduce the risk of the Drugs impacting on their ability to safely perform work including:
 - (i) discussing with the prescribing medical practitioner and/or pharmacist the nature of their duties and ascertain any possible side effects of the OTC Drugs and/or Prescription Drugs which may increase risk to their safety at work;
 - (ii) taking any Prescription Drugs strictly in accordance with the recommendations of the medical practitioner and/or pharmacist;
 - (iii) taking any OTC Drugs strictly in accordance with the recommendations of the manufacturer of the OTC Drugs; and
 - (iv) reporting any side effects of any OTC Drugs and/or Prescription Drugs to their medical practitioner and seek advice from their medical practitioner.
- (c) Employees must advise Human Resources or their Manager/Supervisor if they are taking any OTC Drugs and/or Prescription Drugs which may render them unfit for work and/or affect the Employees ability to perform work safely.
- (d) If an Employee's Manager/Supervisor considers that an Employee may be unable to perform work safely as a result of being affected by OTC Drugs and/or Prescription Drugs the Manager/Supervisor will:

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- (e)
 - (i) Immediately notify Manager HR, Customer & Community Services or Human Resource Officer.
 - (ii) Human Resources will assign suitable alternative duties to the Employee in conjunction with the Manager/Supervisor; and will
 - (iii) seek further clarification from the Employee's treating medical practitioner as to whether the Employee can perform work safely, which the Employee must obtain or in the alternative provide authority for Council to obtain on their behalf; and/or
 - (iv) direct the Employee not to attend work until they are no longer affected by the OTC Drugs and/or Prescription Drugs and/or provide a clearance from their medical practitioner indicating they are able to perform work safely.
- (f) In accordance with the Applicable Laws an Employee may be entitled to access personal leave entitlements for a period during which they are not able to attend work due to the effects of OTC Drugs and/or Prescription Drugs.

6.2 Disclosure of OTC Drugs and/or Prescription Drugs

- (a) If an Employee is required to participate in Drug testing, prior to participating in the test, the Employee, if they are using, taking or have recently taken or used OTC Drugs and/or Prescription Drugs, must disclose this and is required to complete and sign a disclosure detailing the OTC Drugs and/or Prescription Drugs they are using, taking or have taken or used recently.
- (b) If the test returns a Non-Negative Test Result and the Employee has not disclosed that they are taking or have recently taken OTC Drugs and/or Prescription Drugs prior to the test, the Employee will be asked if they are taking or have recently taken OTC Drugs and/or Prescription Drugs. If the answer is "yes", the Employee will be required to complete and sign a disclosure detailing the OTC Drugs and/or Prescription Drugs they are taking or have taken recently.

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7 WHEN COUNCIL MAY CONDUCT TESTING

7.1 Pre-employment testing

Council may require Employees to participate in an Alcohol and/or Drug test before appointing the Employee to carry out work for Council to determine whether the Employee can complete the inherent requirements of the proposed work.

7.2 Random testing

Council may, at its absolute discretion, conduct Random Testing to determine Fit For Work Limits at any time immediately before the Employee commences work or during a period of time which the Employee is carrying out work.

7.3 Causal testing

- (a) Council may require an Employee to participate in testing for Alcohol and/or Drugs if the Employee has been involved in a Workplace incident which is a:
- (i) lost time injury;
 - (ii) incident whilst driving any motor vehicle;
 - (iii) incident whilst operating any item of Powered Mobile Plant;
 - (iv) notifiable incident under the Applicable Laws; or
- (v) near miss which, had it eventuated, would have been a notifiable incident under the Applicable Laws.
- (b) Council may require an Employee to participate in testing for Alcohol and/or Drugs where it is suspected by a Manager/ Supervisor on reasonable grounds that an Employee has consumed/used/taken Alcohol and/or Drugs beyond Fit For Work Limits or is adversely affected by the consumption of Alcohol and/or Drugs at any time immediately before the Employee commences work or during a period which the Employee is carrying out work, such testing must have the prior approval of the General Manager. In such cases, for the purposes of maintaining the integrity of the process, the Manager/ Supervisor who has suspected on reasonable grounds that an Employee has consumed/used/taken Alcohol and/or Drugs beyond Fit For Work Limits or is adversely affected by the consumption of Alcohol and/or Drugs will also be required to participate in testing for Alcohol and/or Drugs.

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- (c) Where Council requires testing as a result of either 7.3(a) or 7.3(b) the Employee will be stood down without loss of pay until the requisite testing process is completed.

7.4 Prescribed testing

Council may require an Employee to participate in a series of scheduled or random tests for Alcohol and/or Drugs over a period of time determined by Council as part of:

- (a) a rehabilitation program;
- (b) return to work program; and/or
- (c) any action taken in accordance with the Fitness for Work Policy

if an Employee has previously returned a test from an Alcohol and/or Drugs test which exceeds the Fit For Work Limits.

7.5 Compliance testing

- (a) Council will require an Employee to participate in testing for Alcohol and/or Drugs if Council is required or permitted to undertake testing in accordance with Applicable Laws.

8 VOLUNTARY TESTING

8.1 Self-declaring unfit for work

- (a) Employees who choose to voluntarily report themselves as unfit for work will notify the appropriate person as identified in clause 1 (Authority & Application)
- (b) For Employees absences from work arising from self-declaration will be treated as personal leave (i.e. sick leave) if the Employee has available accruals of such leave. If not, the Employee may be permitted to avail themselves of any accrued annual leave, RDOs or TOIL.
- (c) For Workers other than Employees the appropriate person as identified in clause 1 (Authority & Application – Reporting of Breaches) will determine in their discretion, subject to any contractual obligations, how to deal with the absence.
- (d) Unreasonable repeated or patterns of absence arising from self-declaring will

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result in:

- (i) the Employee being referred to the EAP;
- (ii) the Employee being assessed and/or other action in accordance with Council's Fitness for Work Policy;
- (iii) the Employee being subject to the appropriate remedy applicable in Clause 1 (Authority & Application – Breach of Policy); or
- (iv) a combination of some or all of the above (if applicable).

9 AUTHORISED FUNCTIONS

9.1 Guidelines for Authorised Functions

- (a) A Nominated Council Delegate may approve the moderate consumption and responsible serving of Alcohol during Authorised Functions.
- (b) Employees who:
 - (i) are over the age of 18; and
 - (ii) who are not the holder of a provisional drivers licence and intending to drive after the Authorised Functionmay consume Alcohol in moderation at Authorised Functions if Alcohol is made available and consumption of Alcohol is authorised by Nominated Council Delegate.
- (c) Authorised functions shall be conducted outside of working hours or, if during working hours, Employees will be directed not to return to work if they consume Alcohol which may cause them to exceed Fit For Work Limits or if they are otherwise adversely affected by Alcohol.
- (d) Authorised functions shall be supervised by a Nominated Council Delegate who shall be responsible for;
 - (i) control of Alcohol distribution at the function;
 - (ii) ending distribution of Alcohol at the designated time;
 - (iii) determining whether an Employee is able to return to work if they have consumed Alcohol; and

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- (iv) offering and arranging transport for Employees who may be unable to return home safely (i.e. unable to drive) which may be at the Employee's own expense unless payment by the Council is specifically authorised by the relevant Manager/Supervisor or Mayor (or their nominated delegate).
- (e) If Alcohol is being offered at an Authorised Function, soft drink, water and other non-Alcohol alternatives will also be made available.
- (f) Authorised functions may occur at the Workplace or at a public location.
- (g) Employees are required to comply with reasonable directions regarding conduct and behaviour at Authorised Functions, in the same way as if the Employee was performing work. Such directions include, but are not limited to:
 - (i) leaving the Authorised Function;
 - (ii) organising their own, or accepting an offer of, safe transport home;
 - (iii) not returning to work after consuming Alcohol; and
 - (iv) ceasing consumption of Alcohol.
- (h) Alcohol will not be displayed or offered at an Authorised Function in a manner which encourages excessive consumption.
- (i) Alcohol drinking contests or games of any sort which involve the consumption of Alcohol are strictly prohibited at Authorised Functions.

10 BREACH OF THIS POLICY

10.1 Failure to comply with Fit For Work Limits

- (a) If an Employee fails to comply with Fit For Work Limits Council will, at its discretion and having regard to the circumstances, take appropriate disciplinary action in accordance with Council's Disciplinary Policy.
- (b) If an Employee or Other Person at the Workplace fails to comply with Fit For Work Limits Council will, at its discretion and having regard to the circumstances, take appropriate action in accordance with its contractual, legislative or other obligations which may include removal from the Workplace

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or termination of services.

- (c) In considering the appropriate action Council recognises that Alcohol and other Drug abuse can be successfully managed and is committed to reasonably assisting Employees who suffer from these problems, whilst holding them responsible for their actions and ensuring the safety of all Employees and Others in the Workplace.
- (d) Possible disciplinary or other action for Employees and/or responses for a failure to comply with Fit For Work Limits may include (but not limited to):
 - (i) exclusion from carrying out a particular type of work/ duties for Council;
 - (ii) written warning;
 - (iii) requirement to undergo prescribed testing for Alcohol and/or Drugs as per 7.4 of this Policy;
 - (iv) referral or direction to participate in EAP, action under Fitness for Work Policy, return to work program and/or a Rehabilitation Program;
 - (v) direction not to attend work (stand down) which may be with or without pay where specified in the applicable industrial instrument;
 - (vi) direction to return home at their own cost by the safest available alternative method to them driving their own or work vehicle; and/or
 - (vii) termination of employment;
 - (viii) a combination of any of the above or part thereof.

10.2 Other breaches and actions leading to action by Council

- (a) Council will, at its discretion and having regard to the circumstances, take appropriate action in accordance with Section 10.1(a) and/or 10.1(d) (Employee), or 10.1(b) (Employee other than Employee, or Other Person at the Workplace) against any Employee who:
 - (i) refuses to participate in testing in accordance with this Policy;
 - (ii) fails to disclose use of Prescription or OTC Drugs;
 - (iii) avoids or attempts to avoid participating in Random Testing carried out

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- in accordance with this Policy;
- (iv) tampers or attempts to tamper with a test sample;
- (v) lies or is dishonest in the conduct of any testing procedure or investigation arising out of a breach or an alleged breach of this Policy;
or
- (vi) fails to comply with a direction or the guidelines for Authorised Functions set out in Part 9 of this Policy (Authorised Functions).

11 REFERRAL TO EAP/REHABILITATION

- (a) To facilitate appropriate health outcomes and ensure that Employees are able to work in a manner that is not a risk to themselves, other Employees or Others in the Workplace, Council will, at Council's discretion and as reasonably appropriate in the circumstances, provide confidential support and assistance to Employees committed to addressing the abuse or inappropriate use of Alcohol and/or Drugs.
- (b) For the purposes of 11(a) above, Council may refer Employees to the EAP and/or a Rehabilitation Program. Council may agree in writing to fund the cost of an Employee's participation in a Rehabilitation Program.
- (c) If Council has offered an Employee support and assistance in accordance with this part of the Policy, and the Employee has refused Council's support and assistance or refused to participate in a Rehabilitation Program, and the Employee is subsequently directed to participate in a Rehabilitation Program in accordance with 10.1(d)(iv) above, the Employee may be required to fund their participation in the Rehabilitation Program themselves.

12 PRIVACY AND CONFIDENTIALITY OF EMPLOYEES

12.1 Alcohol and Illicit Drug testing results

- (a) Council will reasonably monitor a Testing Organisation responsible for carrying out testing to ensure appropriate standards of privacy and confidentiality are maintained.
- (b) Test samples will only be used for the purpose of testing for the presence of

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Alcohol and/or Drugs in an Employees' system in accordance with this Policy.

12.2 Retaining records

- (a) Council will retain copies of test results and documents related to testing.
- (b) Access to copies of test results and documents incidental to testing will be made available to the Employee to whom such records relate and/or their chosen authorised representative upon request from the Employee and/or as required or permitted by the Applicable Laws.

12.3 Use and release of personal information

- (a) Council will not use personal information collected from Employees in a manner that contravenes the Applicable Laws or this Policy.
- (b) Personal information obtained in the process of conducting Alcohol and Illicit Drug testing in accordance with this Policy shall not be released to any person not involved or connected with the testing process or a disciplinary process (including a referral to a Rehabilitation Program) commenced resulting from the testing process, unless the release of the personal information is authorised by the Employee, except:
 - (i) in accordance with or as required by the Applicable Laws;
 - (ii) if the personal information is necessary or relevant in relation to a dispute between Council and/or the Employee in which case the information can be released as is reasonably necessary for the purposes of resolving the dispute.



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General Manager

SCHEDULE 1

HIGH RISK WORK

Division	Unit	Role/ Function/ Employees
Engineering & Regulatory Services	Engineering Division	Development Engineer Project Engineer Engineering Officers
	Works Division (Depot)	Works Division – all employees
	Regulatory Services	Regulatory Services – all employees

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