



## POLICY - ALCOHOL AND DRUGS

ID No: FBCNW-10-15

Version: 3.0

Applies to: All staff, contractors, and volunteers

Applicable Legislation:

- Work Health and Safety Act 2012 (Tas)
- Fair Work Act 2009 (Cth)

Contractual Obligations:

- FBC Enterprise Agreement

Drugs, alcohol, and other substance abuse in the workplace is, as with any health and safety risk, everyone's responsibility.

Employees unfit for work due to alcohol or other drug use put themselves and other people in the workplace at risk of harm. This is the case whether the drugs were taken outside of work or in the workplace.

Under Tasmanian health and safety legislation, you are responsible for your own physical health. You need to:

- be fit enough to do your job,
- be well enough to do your job, and
- not be under the influence of alcohol or drugs or use alcohol or illegal drugs while at work.

This includes the misuse of medicines prescribed by a doctor or available from a pharmacy.

If you or one of your co-workers is impaired at work you need to address the situation. You could talk about it with your supervisor or manager or speak with a safety representative.

If you need to take prescription medicines, ask your doctor about their effects on your work. If they will affect your ability to perform your tasks speak with your manager.

### Our Approach

Family Based Care Association Tasmania (FBC) recognises its Duty of Care to provide a safe workplace with all risks managed as low as reasonably practicable. This Duty of Care applies equally to our clients. Our staff must therefore be fit for work.

Staff are responsible for ensuring the health and safety of themselves and others by ensuring that they are not, due to the consumption of alcohol, drugs, or other substances, unfit for work and do not risk their personal safety or the safety of any other person, in the workplace. Staff must present for work able to undertake their normal work activities to an acceptable standard.

FBC reserves the right to request an employee make themselves available for testing by a suitably qualified Medical Practitioner, or other health professional, for the presence of alcohol or other drugs.

## Guiding Principles

- All matters pertaining to the use or abuse of alcohol or other drugs discovered or otherwise disclosed will be dealt with confidentially and will not be disclosed, outside of the investigating team, without consent.
- All staff have a responsibility to ensure they are fit for work particularly in relation to the use and/or abuse of alcohol and other drugs.
- Should staff prove themselves unfit for work due to the influence of alcohol or other drugs such behaviour will be considered Serious Misconduct (as defined under the Fair Work Act) and a breach of our Code of Conduct.
- An investigation will be conducted to determine if any disciplinary action is to be taken. This investigation shall be consistent with an employee's terms and conditions of employment.
- Procedures for dealing with allegations of serious misconduct will be fair, observe principles of natural justice, and will be conducted expeditiously allowing sufficient time for the staff member to understand, consider, and respond to the allegations.
- In situations where allegations of serious misconduct are made and proven against a staff member, resulting disciplinary action may include termination of employment.
- An employee who is having problems with alcohol or other drug use must adhere to a program recommended by Alcohol and Drug Services, or another recognised treatment agency, in order to maintain their continued employment with FBC.
- An employee who, after formal investigation of the allegations, is found to be illegally using or stealing client medications or alcohol will have their employment terminated.
- An employee who, after formal investigation of the allegations, is found to have provided care whilst under the influence of alcohol or illicit drugs is legally liable for any damage resulting to property or person and may also be subject to termination.
- An employee who is required, in their normal course of duty, to provide support for a client in the way of community social integration, transport etc is not to consume alcohol or illicit drugs within 8 hours of providing that support.
- Employees are not to consume alcohol or other drugs which may affect their fitness for work at any time when providing such support.

FBC's 'Fitness for Work' Procedures will apply in dealing with employees who are affected by alcohol and other drugs in the workplace.

An investigation will be conducted in accordance with the FBC's Policy – Discipline – FBCNW-10-21.

Authorised by:



Date:

15/11/2021

A/ President of the Board