



INTERNAL CORPORATE POLICY DOCUMENT

Policy Name	Drug and Alcohol
Folder ID:	16245
Version:	2
Responsible Department:	Governance, Risk and Communications
CEO Authorisation:	29 April 2026
Authorisation Date:	29 April 2026
Last revised date:	22 July 2022
Next review date:	This Policy shall be reviewed every 3 years, or on significant change to legislation or as Council deems appropriate.
Applicable Legislation:	Work Health & Safety Act 2012 (SA) Work Health & Safety Regulations 2012 (SA) Fairwork Act 2009 Local Government Act 1999 (SA)
Related Policies:	Employee Conduct Policy Hazard Management Policy Risk Management Policy LG Safe Work Health and Safety Policy LG Safe WHS Hazard and Risk Management Standard
Related Documents:	WHS Drug & Alcohol Procedure Employee Rights Document Manager's Guide (for the implementation of the Policy & Procedure) Drug and Alcohol Policy Frequently Asked Questions (FAQ) Sheets Fit for Work Observation Form Substance Use for Cause Testing Record Employee Rights Acknowledgement Form Australian Standard AS 4760 and AS/NZS 4308 WHS Contractor Management Procedure

1. **PURPOSE**

The City of Port Lincoln, as part of its commitment to provide a safe workplace, recognises its obligation to identify reasonably foreseeable hazards that could give rise to health and safety risks. The City of Port Lincoln expects all Workers to work in a safe manner and provide themselves in a fit state for work. The purpose of this policy is to reduce exposure to unacceptable risk and or injury caused by illegal/illicit Drugs and/or alcohol, or prescribed/unprescribed medications which impair a workers ability.

2. **SCOPE**

This Policy applies to all Workers as defined in the Work Health and Safety Act 2012 (SA) and detailed below. The Policy applies at all times while a worker is carrying out work for Council, regardless of the location, and while attending Council work-related functions, except where alcohol consumption has been approved by Council.

Examples include when representing Council at conferences, training events, business trips, using Council plant and equipment, attending Council work-related events, driving for work purposes, as well as at the usual place of work.

3. DEFINITION:

A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as—

- (a) an employee; or
- (b) a contractor or subcontractor; or
- (c) an employee of a contractor or subcontractor; or
- (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or
- (e) an outworker; or
- (f) an apprentice or trainee; or
- (g) a student gaining work experience; or
- (h) a volunteer; or

4. (I) A PERSON OF A PRESCRIBED CLASS PRINCIPLES

The City of Port Lincoln is committed to ensuring the work performance and safety of all workers is not impaired or impacted due to a worker's use of illegal/illicit drugs and/or, prescribed or not prescribed use of medication and/or alcohol usage, and the following principles are fundamental to achieving this.

Zero tolerance to Illegal / Illicit Drug use;

Restrictions on operating Plant & Equipment whilst taking medication, where the medication carries a warning that it may affect the ability to operate Plant & Equipment.

Zero tolerance to alcohol whilst working (0.00%) or operating Council vehicles during work hours;

Workers subject to legislation requiring a 0.00% limit of alcohol (e.g. specific licence classes), must maintain 0.00% whilst at work or undertaking work.

Zero tolerance to alcohol (0.00%) for workers whilst on call.

Zero tolerance to the sale, transfer or possession of Illegal / Illicit Drugs, at work or whilst working.

Workers must present fit for duty and promptly disclose any impairment that could impact safety or performance.

- Alcohol may only be consumed at sanctioned functions with prior approval. Council expects safe and responsible use of alcohol at work-related functions, and zero tolerance to the use, sale, transfer or possession of illegal/illicit drugs at work-related functions. Workers must at all times:
 - o Behave professionally.

- o Not use Council vehicles when over the limit of alcohol set out in this Policy.

Observe responsible service of alcohol laws.

The City of Port Lincoln acknowledges that the most successful approach to controlling the use of Illegal / Illicit drugs, medication and alcohol within the workplace include a positive and supportive culture within the organisation. Accordingly, the City of Port Lincoln is committed to providing access to support, including but not limited to:

- General education for Workers and Line Managers on the effects of Illegal / Illicit Drugs, Medication and/or alcohol in the workplace and other drug-related matters; and
- The Employee Assistance Program for Council employees.

5. POLICY FRAMEWORK

The policy framework for the monitoring of drugs and alcohol in the workplace is to:

- Identify reasonably foreseeable hazards and associated risks, with regards to Illegal / Illicit Drugs, medication, and alcohol.
- Provide established procedures for intervention where Illegal / Illicit Drug use and / or alcohol abuse is suspected or identified and assist affected Council employees to receive treatment with a view to rehabilitation.
- Ensure confidential consultation between all relevant stakeholders.
- Ensure Workers receive suitable and adequate information, training and supervision.

Establish a process for drug and alcohol testing and the confidential and secure management of results including pre-employment screening, incident and reasonable cause testing, random testing and testing as part of a management plan.

- Provide an appropriate process for managing drug and / or alcohol use in the workplace and referrals to People and Culture where appropriate.

Ensure all records are maintained, registered and recorded consistent with workplace policy and privacy laws.

6. BREACHES OF THE POLICY

All Workers must comply with this Policy and the related procedures.

Non-compliance with this Policy will be treated seriously by Council.

A breach of the Policy by employees may lead to disciplinary action up to and including termination of employment as per the Council's disciplinary processes and/or, Employee Code of Conduct. Where failure to provide a sample, or instances of declining to test, or provision of non-negative results are apparent, these matters will be referred to People and Culture for management.

Volunteers/work experience participants may have their access rescinded.

Contractors and subcontractors may have their access removed and/or cancellation of Contract in accordance with the terms of the Contract Agreement.

Where the activities potentially represent criminal activity, these matters may be referred to SAPOL and/or site access removed.

7. ROLES & RESPONSIBILITY

7.1. *Chief Executive Officer, General Managers and Executive Managers (Executive)*

- The City of Port Lincoln's Executive Team are accountable for:
 - Assisting Council meet its legislative duties in relation to the use and/or misuse of drugs and/or alcohol in the workplace.
 - Approving appropriate resources including reasonably practicable budgetary expenditure necessary for ensuring that the workplace is free of drugs and/or alcohol.
 - Ensuring that Line Managers are provided with appropriate training and support as needed.
 - Ensuring consultation occurs with key stakeholders and other Persons Conducting a Business or Undertaking (PCBU), as required.
 - Ensuring Council functions are managed in line with this policy and the principles of Responsible Service of Alcohol, including:
 - Specifying start and finish times
 - Having non-alcohol and low-alcohol beverages available
 - Making food available
 - Provision of RSA and RSO's where appropriate and in accordance with the legislation
 - Appropriate Alcohol licence/s.

7.2. *Line Managers*

Line Managers have a responsibility to model and promote the Policy and are accountable for:

- Ensuring that Workers are provided with information, training and supervision necessary to ensure compliance with this policy and associated procedures.
- Ensure Workers are supported and can undertake awareness programs / information sessions which address the potential effects of Illegal / Illicit drugs, medication and / or the excessive use of alcohol on their performance in the workplace and on their own health.
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- Ensuring that they are aware of and operate consistent with the worker obligations in the Work Health and Safety Act (SA 2012), and
- Not impact theirs or other safety, in the workplace, and
- Provide themselves in a fit state for work.

7.3. *WHS & Risk*

The WHS & Risk team will provide support to Line Managers and workers with regards to implementation of this policy and the supporting procedures and are responsible for:

- Monitoring and advising on legislative change; and
- Providing relevant reports and information to the Executive Team and WHS Committee as required; and
- Provision of the necessary facilities, resources and qualified personnel to undertake and facilitate testing
- Undertake or arrange testing of workers, as necessary to ensure compliance with this policy
- Provide training, signage and information on Council policy and procedure requirements to people leaders, event planners, hiring managers, contractor managers and contract facilitators to ensure communication is shared with all workers.
- Manage non-negative testing results; referring
 - non-negative tests results for employees/ work experience to People and Culture;
 - non-negative test results for contractors/subcontractors to the relevant contracting company
 - non-negative test results of volunteers to the volunteer manager

7.4. People and Culture Team

The People and Culture team will:

- Ensure suitable arrangements are in place to facilitate pre-employment drug and alcohol testing for job candidates
- Facilitate the management of any employee disciplinary outcomes as referred from WHS & Risk team, due to non-negative test result or failure to submit a specimen or failure to undertake a test.

7.5. Volunteer Manager

The Volunteer Manager will:

- Ensure that all volunteers are educated and informed of the requirements of this policy and associated procedures to ensure compliance, and
- Ensure appropriate testing and management is provided to ensure a safe workplace; and
- Manage any non-conformances to this policy/procedure

7.6. Contract and contractor managers

Contract and Contractor Managers will

- Ensure provision for all contracts to stipulate the requirements of Council policy and associated procedures
- Ensure that all contractors are educated and informed of the requirements of this policy and associated procedures to ensure compliance, and
- Ensure appropriate testing and management is provided to ensure a safe workplace, and
- Manage any non-conformances to this policy/procedure

7.7. Workers

Workers are accountable for:

- Submitting to testing as per this policy and associated procedures
- Ensuring they do not endanger themselves or others in the workplace.
- Providing themselves in a fit state for work
- Ensuring that they are able to fulfil the requirements of the role
- Complying with the requirements of this policy and the supporting procedures.
- Adhering to the requirements of Council's Employee Conduct Policy and their employment obligations, or, their Contract of Service (or Contract for Service) with Council.
- Participating in training and consultative processes when required.

7.8. WHS Committee

- The WHS Committee's function is to:
- Provide advice to Executive on the contents of the policy; and
- Monitor the incident statistics and refer issues to the Executive Team.

8. EMPLOYEE ACKNOWLEDGEMENT

All Council employees will be given a copy of this policy and associated Procedure. Council Employees will be consulted and notified of any amendments to this policy and the associated Procedure.

All employees will be required to sign an affirmation statement confirming having read the policy and willingness to abide by the policy.

If any Council employee has difficulties or questions regarding this Policy or the associated Procedure they should discuss this with their Line Manager, the WHS & Risk team or the People and Culture team.

Council employees must sign the statement below confirming that they have read, understood and agree to abide by this policy and related procedure, and they understand that adherence to this policy is a requirement of workers of CoPL. The signed original will be held in the Council employee's Personnel file, volunteers or contractors file. Where signed electronically, the evidence of that acknowledgement will be stored in Council's approved records management system.

I,.....(Worker full name), have read, understood this policy and the WHS Drug and Alcohol procedure and by signing this acknowledgement, I understand that I am confirming that I agree to abide by this policy and the related procedure/s

..... (Signature)

...../...../..... (Date)