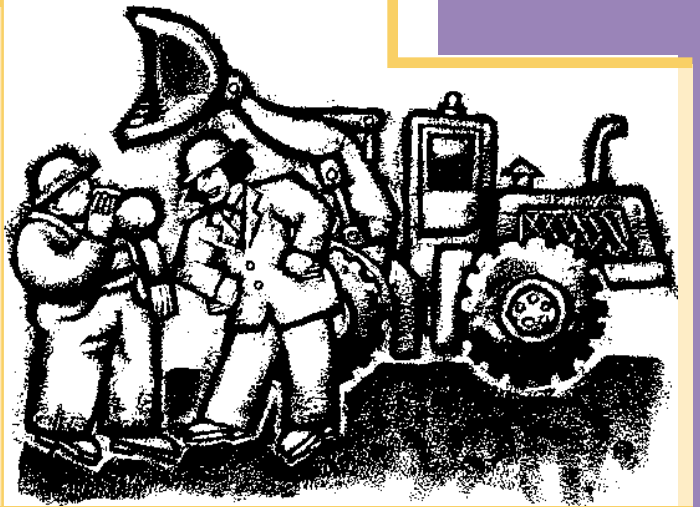
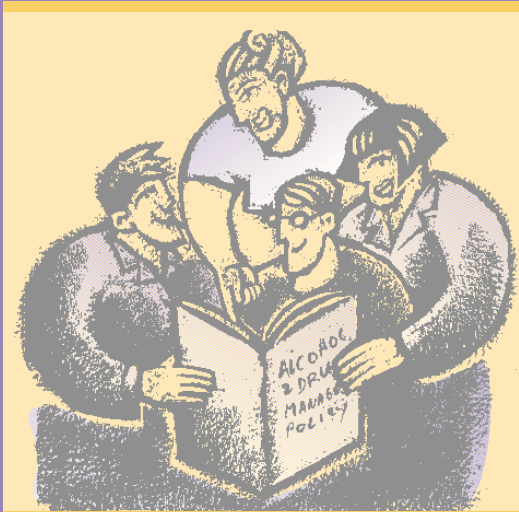


Guidelines for

Drugs, Alcohol & the Workplace



February 2001

WorkCover Corporation of South Australia

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Drugs, Alcohol and The Workplace

A guide to developing a workplace
drug and alcohol policy and procedures

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the permission of the:

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1 Introduction

This guide aims to assist employers establish a workplace drug and alcohol policy and program so that the issue can be dealt with ethically, legally and to the benefit of both the company and the employee.

The harmful use of drugs and alcohol in the workplace is a reflection of general community use, adding costs to injuries, absenteeism, lost production, workers compensation and rehabilitation. It is estimated that the direct cost to industry through sickness and death from drug and alcohol abuse is \$3.7 billion per year¹.

The International Labour Organisation (ILO) estimates that:

- 20-25 per cent of all occupational injuries are a result of drug and alcohol use
- 62 per cent of harmful drug and alcohol users are in full time employment, which means about 300,000 workers in Australia
- 3-15 per cent of fatal injuries are related to drug and alcohol use.

Harmful drug and alcohol use can create a range of problems in the workplace.

Employees with drug and alcohol problems can cause injury to themselves and others, can lose their job or family and damage their physical and mental health.

Workmates of a drug or alcohol user can be faced with an increased risk of injury and disputes, covering for colleagues poor work performance and the need to “dob in” a mate for their own good. Consequences which employers are faced with include lateness and absenteeism, lost time and reduced production and work quality as a result of incidents and injuries. There may also be losses associated with inefficiency and damage to plant, equipment and other property.

The workplace is an ideal place to run effective drug and alcohol prevention programs because the peer support network in a workplace can be used to shape behaviour. Workers have a better chance of recovery from drug and alcohol problems if they are still working.

Duty of care

Drug and alcohol use in the workplace is covered by the *(South Australian Occupational Health, Safety and Welfare Act 1986)*.

The Act requires:

- employers to ensure the health, safety and welfare at work, of their employees by provision of a safe working environment and safe systems of work (Section 19)
- protection of the public from risks to health or safety arising from or in connection with the activities of those at work or the use or operation of various types of plant (Section 3)
- employers to prepare and maintain policies relating to occupational health, safety and welfare at the workplace (Section 20)
- employees to take reasonable care of the health and safety of others and to co operate with employers in their efforts to comply with occupational health and safety requirements and to ensure they are not, by use of alcohol or a drug, in a state which may endanger their own safety or the safety of any other person at work.

2

Drugs and Alcohol in the Workplace



Occupations and alcohol

The harmful use of alcohol can be found at all levels in organisations from the boardroom to the shopfloor, in community service, manufacturing, retail and business sectors.

Harmful alcohol use is more prevalent in some industries than others, indicating environmental and cultural influences in addition to workplace stressors as possible contributing factors.

The highest rate of alcohol consumption is among administrative and executive staff. Other heavy drinking occupations include mine workers, salespersons, clerical staff, professionals, transport workers, tradespeople and labourers.

Causes

Genetic factors, unemployment and boredom have been linked to the harmful use of drugs and alcohol. Stressors at home and at work can also contribute to the extent to which drugs and alcohol are used. These may include:

- shiftwork
- high risk of personal injury or illness at work
- dirty, noisy work environment
- poorly designed, difficult to use equipment
- tight deadlines (eg, transport industry)

- fear of losing job
- conflict with peers or supervisor
- discrimination or prejudice
- peer pressure
- marital or personal relationship problems
- financial problems.

Extent of drug use

Illegal drug use is not a major factor in Australian workplaces with the exception of the transport industry where amphetamine use has been reported by some drivers². A survey conducted by the Victorian Occupational Health and Safety Commission found cannabis use was reported by seven per cent of workers.

In 1991, 32 per cent of the adult population had tried marijuana, eight per cent amphetamines, seven per cent hallucinogens, five per cent barbiturates, two per cent heroin, two per cent ecstasy and three per cent inhalants³.

There is also a range of medications which can affect performance as seriously as illegal drugs or alcohol. These include pain relievers, sleeping pills, tranquillisers, cough medicine and anti-histamines. Many of these commonly used medications can have an adverse effect on performance, particularly when mixed with alcohol.

Chemicals used in workplaces, such as solvents and pesticides, can also have a negative affect on performance, which may be worsened if the employee has used alcohol or other drugs. Information and training needs to be provided so any adverse effects which may result are considered.

3 Drug and Alcohol Policy and Program Development

The first step for employers in dealing constructively with drug and alcohol problems in their workplace is to formulate a policy.

A workplace drug and alcohol policy should be a written document which applies to all workers at the workplace. It should be developed by management and workers or their representatives (HSR or union) working together. To be effective it needs to have the total commitment of management.

The workplace occupational health and safety committee can be used to help develop and monitor the implementation of the policy. If there is no health and safety committee in the workplace it may be a good time to establish one. It is the responsibility of the employer to administer the policy.

The aim of any workplace policy and procedures should be prevention, education, counselling and rehabilitation and it should be a part of an organisation's overall occupational health and safety strategy.

The focus of the policy should be to reduce or eliminate the hazards associated with alcohol and drug use in the workplace in a way that is consistent and fair to all employees. The aims and objectives of the policy, the need for provision of information in relation to it and those persons covered by it need to be clearly stated.

Workplace stressors

During the development of the policy it may help to identify the cultural and workplace stress factors which can contribute to harmful substance use and aim to reduce those stress factors. Look at the organisation's general health, safety and welfare systems, management style, training provided, work practices, shift work and deadlines, equipment design and equity principles.

In particular look at measures for the safe handling, storage and use of hazardous substances. Exposure to chemicals such as solvents and pesticides can affect performance in a way which is similar to the action of some drugs and can make the effects of drugs and alcohol more potent.

For more information about appropriate management of hazardous substances refer to the specific legislation contained in the Occupational Health, Safety and Welfare Regulations, 1995 - Part 4: Hazardous Substances, or contact WorkCover Corporation or the Department for Administrative & Information Services. (See Resources & Services section).

Information and training

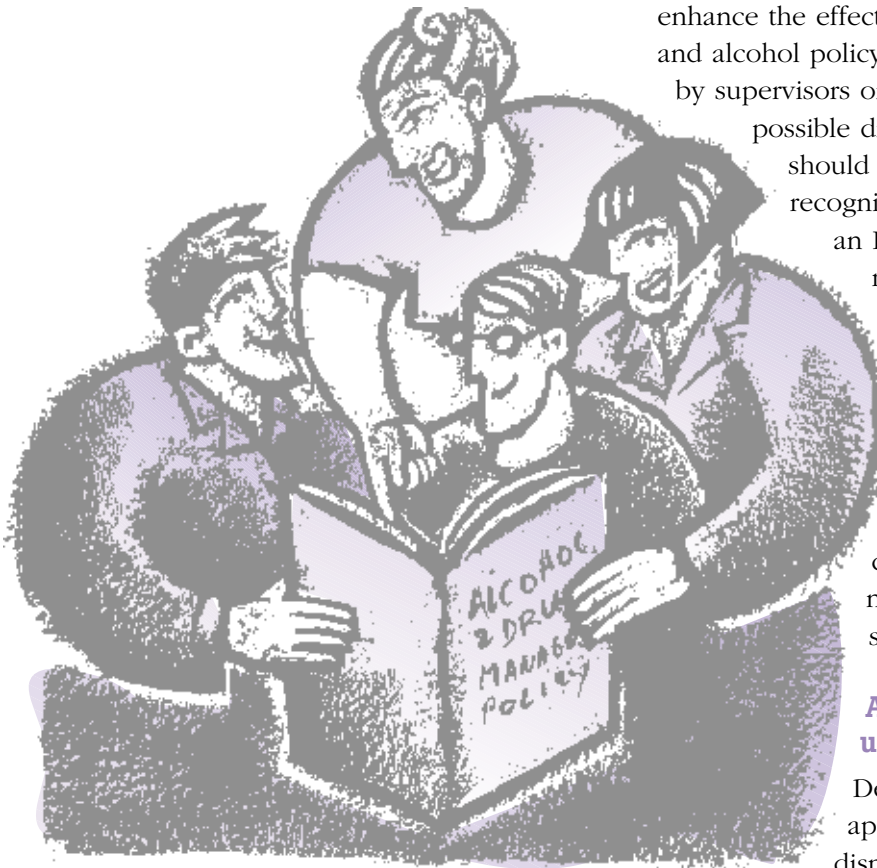
It is important to develop a workplace culture through the provision of information and education, so all workers are aware of the issues associated with harmful drug and alcohol use and how it may impact on individual health and safety.

The policy should be well publicised within the workplace and provide for a suitable training and education program for all staff.

Include details of the policy in induction and on-going training. Post the policy on noticeboards and include on electronic networks for all staff to refer to.

Training should cover:

- what constitutes harmful drug and alcohol use
- dealing with the long term user and those intoxicated in one-off situations
- the effects of alcohol and drug use on health, safety and work performance
- general statistics on workplace drug and alcohol use and related injuries and incidents
- the consequences for employees who fail to comply with company drug and alcohol guidelines.



enhance the effectiveness of a workplace drug and alcohol policy. Workers who are identified by supervisors or themselves as having a possible drug or alcohol problem should be assisted through recognised counselling, treatment or an EAP. (See page 6 for more detail)

Workplaces that use an EAP often show indirect benefits with a reduction in injuries, sick leave and absenteeism. A workplace drug and alcohol policy complements an EAP and is not intended to replace such a scheme.

Approaching a worker under the influence

Designated persons who should approach workers who are displaying signs of being under the influence of alcohol or other

drugs may include managers, supervisors, health and safety representatives and fellow workers. They should all be appropriately trained in the most effective method of approach. Care needs to be taken when making this judgement in case the worker is ill or injured, taking prescribed medication which may produce side effects or in some other form of distress, which may account for their behaviour.

The approach taken when dealing with an employee whose work performance appears to be affected by alcohol or other drugs depends on:

- the workplace culture and structure
- the rapport between the person and employee
- the communication skills of the designated person
- the position of the employee
- the personality of the employee
- whether it is a case of long term harmful use, or a 'one-off' situation.

- workplace and personal lifestyle stressors that can contribute to drug and alcohol use
- personal stress reduction methods
- ways of dealing with harmful alcohol and drug use
- who to approach in the workplace for assistance with a drug or alcohol problem
- skills for managers, supervisors, health and safety representatives and OHS committee members in identifying drug and alcohol use and in how to manage the issues in their workplace
- the legal position (rights and penalties) of staff and management in relation to drug and alcohol use and drug testing
- the counselling, treatment and rehabilitation services available in the workplace and externally. Post contacts with phone numbers on noticeboards.

Employee assistance programs (EAPs)

EAPs exist to provide a confidential service to assist employees resolve personal issues which may affect their work performance, such as financial or marital difficulties. Their use can

Options for approaching the employee include:

- by their supervisor or more senior manager
- by a person designated in the workplace policy
- by a fellow employee or peer.

The policy should state the chain of responsibility for making approaches if initial contact produces a negative or hostile response.

When approaching an intoxicated employee it can be more effective and less confronting to talk in terms of their approach to safety and general work performance rather than their apparent alcohol or drug use.

Counselling procedure

The procedure for the counselling and if necessary, discipline of employees whose work performance indicates there may be a problem at work with alcohol or drug use, should be consistent with existing awards, agreements and other established counselling and disciplinary measures which apply in the workplace.

The outline below is a sample counselling procedure which can be adapted by organisations with no formal procedure or those wishing to revise their methods. This procedure uses a series of four interviews to assist an employee to recognise their harmful alcohol or drug use, and take steps to address the issues contributing to their behaviour.

It is recommended that in line with quality human resource practice, an essential part of the interview process includes the maintenance of confidential records.

Interview one

The first interview should be held between the employee and supervisor where the following is discussed:

- Details of unsatisfactory work performance.
- The standard of performance required.
- The employee should be asked if there are any workplace factors contributing to poor work performance.
- The employee should be offered professional counselling (through an EAP if one is available) with time off work to attend.

- An agreement should be reached about the time it will take for the employee to return to satisfactory performance.

If in reviewing performance it is found that the employee has regained satisfactory performance there is no need to go any further. An essential part of the interview process is to maintain confidential records.

Interview two

The second interview should be held between the employee, supervisor and health and safety or other employee representative. At the second interview:

- Any additional details of unsatisfactory performance and the standard of performance required should be stated.
- Inform the employee that they risk discipline and possible dismissal for failing to improve performance.
- Repeat the offer of assistance through professional counselling.

If in reviewing performance it is found that the employee has regained satisfactory performance no further interviews will be required subject to continued good performance.

Interview three

Interview three should be held between the employee, supervisor and health and safety or union representative. At the third interview:

- All details of unsatisfactory performance should be stated.
- Inform the employee that they risk losing their job if their performance continues to be unsatisfactory.
- Repeat the offer of professional counselling.

The performance of the employee should then be reviewed on an on-going basis.

Interview four

Interview four should be held between the employee, a health and safety or union representative and the supervisor with the authority to take disciplinary measures and terminate employment. It is convened to arrange appropriate disciplinary measures which may include termination of employment.

4 Employee Assistance Programs (EAPs)

The main aim of an EAP is to restore the job performance of the individual.

An EAP is a confidential service provided to assist employees resolve personal issues which may be affecting their work performance such as marital, relationship and financial or work problems which are contributing to the harmful use of drugs and alcohol. The main aim of an EAP is to restore the job performance of the individual.

Establishing an EAP may not be appropriate for many small workplaces although it is recommended that all workers with drug and alcohol problems are referred for professional help.

Below is an outline of how to establish and run an EAP.

Establishing an EAP

An EAP should be established by management in consultation with their employees or the union. It is management's responsibility to administer an EAP. Agreement should be reached and documented about the following issues:

- sick leave benefits for EAP clients
- referral procedure
- disciplinary provisions
- confidentiality

Organisations can establish in-house counselling services or refer employees to external counselling services provided by either private consultants or community based health services and other organisations. Organisations with less than 2000 employees usually employ external counselling services.

EAP counsellors should have skills in psychological assessment, counselling, referral and a general understanding of workplace culture and dynamics. Psychiatrists, nurses, clinical psychologists and social workers may have suitable qualifications to be EAP counsellors.

Employers can assist employees in accessing the EAP by displaying and distributing lists of EAP counsellors and their specialist areas. Employees always have the right to a counsellor of their choice from outside the organisation.

A supervisor who believes that an employee's work performance is raising safety or production concerns can suggest that they see an EAP counsellor. The employee is free to reject the offer.

Confidentiality

The credibility of an EAP depends on a code of strict confidentiality. EAP counsellors may inform employers that an employee will be attending a counselling session between certain times. No other information about an employee's personal problems may be passed to any person without the written permission of the employee.

An employee can be referred to an EAP by a supervisor, through a company Health Service or Human Resources department, or on their own initiative. Employees can refer themselves to a counsellor by contacting the counsellor personally.

Employees visiting a counsellor during working hours should follow the guidelines and procedures established for their workplace. They should advise their supervisor that they are using the service but do not have to give the reason for the visit. If they use the service outside of working hours they do not have to tell anyone.



Publicity and training

All employees should be made aware of the EAP and how to make use of its services. Information booklets and/or brochures and videos should be made available explaining EAP policy and procedures and the range of assistance offered. Posters in the workplace are a useful reminder of the existence of the services of the EAP.

All on-going training courses such as supervisor skills courses, staff inductions and management development courses should include modules about the functioning of the EAP.

Evaluation

Evaluation of an EAP is essential to ensure that it is meeting the needs of the organisation.

Data should be kept about:

- the on-going costs of running the EAP
- accident and injury rates
- absentee and sick leave rates
- production statistics.

A confidential survey of employees can establish:

- the numbers of employees using the service
- the type of problems they present with
- the rate of success in improving individual's work performance.

5 Testing



Drug and alcohol testing should only be introduced where employers, workers and unions agree that it will be effective and should be a part of the drug and alcohol policy and program. Testing may be appropriate where the impact of drug and alcohol use could result in loss of life or major disruption. For example, employers and workers may determine that there is a need for employees working in the following high risk areas to be tested:

- operators of dangerous machinery.
- pilots
- air traffic controllers
- plant operators
- military personnel
- transportation drivers
- operators handling toxic substances

Limitations

Drug testing as a means of preventing accidents and injuries has a number of limitations. Except for alcohol ingestion, a test will not determine when the drug was taken. A positive test for drugs and alcohol is not in itself evidence of impairment of ability to perform.

The reliability of testing can be poor with variable accuracy rates and therefore be subject to legal challenge. Workers have the legal right to refuse to be tested. If a worker refuses to be tested it cannot be assumed that they are intoxicated (Refer Chapter 3 process).

Acceptance of testing

Testing of employees at work, for the presence of alcohol or other drugs, should be considered within the context of the development and implementation of an AOD policy and procedures. It should also be coupled with an associated awareness raising and education process in the workplace affected, including access to counselling or an EAP.

Acceptance of and co operation with testing by employees in high risk areas is more likely with these structures in place.

Procedure

Testing should be conducted according to a rigorous set procedure which includes:

- split samples. The subject of the test must receive a sample which they can have independently tested.
- chain of custody. The time, place and each person who handles samples must be documented.
- the use of accredited laboratories for testing
- confidentiality

6

Setting Out a Workplace Drug and Alcohol Policy

Use the headings and tips below to format a drug and alcohol policy and procedures that are relevant to your workplace.

Policy

Statement

Use the information contained in this guide to introduce and discuss the problem of drug and alcohol use in the workplace and the need for development of a policy statement for the organisation. State a commitment to provision of a safe, healthy and productive workplace by management and willingness to consult with employees or their representatives. Consider the stress factors in the workplace that could contribute to harmful drug and alcohol use.

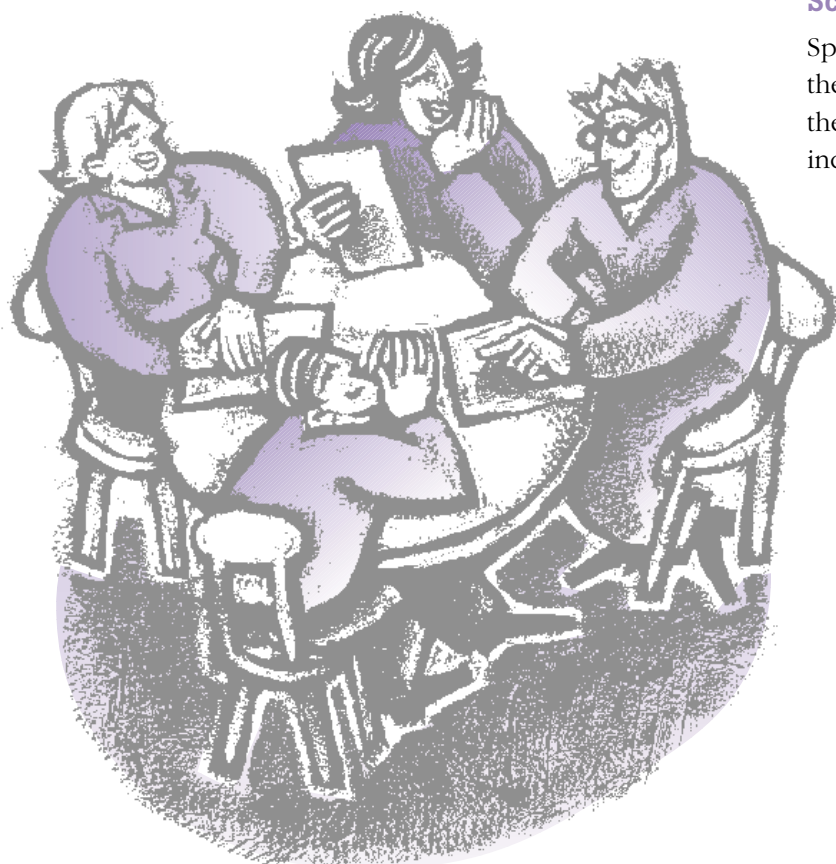
Objectives

Clearly state the aims and expected outcomes and standards of behaviour arising from the policy. For example to:

- maintain a safe and healthy work environment
- reduce the costs of alcohol and other drug use to the organisation and to individuals
- address the workplace factors which may contribute to harmful drug and other drug use
- link action on alcohol and other drug issues with other occupational health and safety initiatives
- provide access to information on alcohol and other drug use and to encourage those with problems to seek assistance.

Scope

Specify the name of the company, the branch, the physical location and the staff covered by the policy. The policy will apply to all individuals in the organisation.



Procedures

Responsibilities

Spell out the responsibilities for the employer and employees and the code of behaviour required by staff of all levels and sections.

This should include:

- when it is considered appropriate to consume alcohol
- acceptable standards of work performance
- appropriate use of prescribed drugs
- prohibition of being under the influence of illegal drugs at work
- acceptable (if any) blood alcohol levels.

Roles

Specify whose task it is to:

- monitor work performance
- approach an intoxicated employee
- impose a disciplinary measure
- keep records
- evaluate the policy and the EAP.

Chemical hazards

Summarise the procedures for preventing exposure to the harmful effects of chemicals used in the workplace, such as solvents and pesticides, in line with regulatory requirements.

EAP

Provide details of how the EAP works and how it can be accessed by staff either through their supervisor or on their own initiative.

Special circumstances

Some high risk duties or professions may need special requirements. Identify all critical positions with regard to safety and any other special requirements. Specify type of workers subject to special:

- drug and alcohol testing
- training
- disciplinary measures for breaches.

Testing

If drug and alcohol testing is used specify the following:

- the type of tests used
- accuracy of those tests
- circumstances when tests are carried out
- right of refusal
- legal rights of those tested.

Discipline

Specify the grounds for transfer, demotion or dismissal for breaches of the policy and the number of warnings staff will be given before discipline is imposed.

7 Resources & Services

Below are some organisations which offer drug and alcohol counselling and assistance in SA.

AA

Alcoholics Anonymous,
AA House
18 Third Street, Brompton 5007, SA
Tel: (08) 8346 4004 (9.30am to 4.30pm)
Tel: (08) 8346 3255 (24 hour service)
Self-help, information

DASC (Drug & Alcohol Services Council)

Alcohol & Drug Information Service
161 Greenhill Road, Parkside 5063, SA
Toll free 1300 131 340 or 1800 422 599
*24 hour Telephone counselling,
assessment, referral*

Lifeline

Tel: 13 11 14 or (08) 8202 5820
24 hour face to face counselling service

Narcotics Anonymous

PO Box 479, Norwood SA 5067
Tel: (08) 8231 4233

*Program based on abstinence from drugs.
Regular support groups conducted.*

Below are organisations which can assist with advice on policy development, OHS practices and EAPs.

OCAR Services (Occupational Consultancy Assessment & Referral Services)

5th Floor, 111 Gawler Place, Adelaide 5000, SA
Tel: (08) 8231 9111
Country callers: 1800 882 715

Assessment, counselling & referral service for employed people with drug or alcohol related problems. Provide education, supervisor training & occupational consultancy.

WorkCover Corporation

Customer Centre, Ground Floor
100 Waymouth Street, Adelaide 5000 SA
Tel: 13 18 55
Toll Free 1800 188 000 (country)
Information on safe work

Workplace Safety Management division
9th Floor, 100 Waymouth Street, Adelaide 5000
Tel: (08) 8238 5645

Specialist advice on policy development and alcohol and other drugs.

Department for Administrative & Information Services (DAIS)

DAIS inspectors are responsible for the enforcement of the occupational health and safety legislation and promotion of healthy and safe work practices to enhance productivity in the workplace. They are located in the Adelaide metropolitan area and four country offices.

Workplace Services, Level 3, 1 Richmond Road, Keswick 5035 SA
Tel: (08) 8303 0400
Facsimile: (08) 8303 0277

Country Offices

Berri
30 Kay Avenue, Berri, 5343
Tel: (08) 8595 2199
Facsimile: (08) 8595 2190

Mount Gambier
Level 1, 11 Helen Street, Mount Gambier, 5290
Tel: (08) 8735 1190
Facsimile: (08) 8735 1195

Port Pirie
Level 1, SGIC Building, 104 Florence Street, Port Pirie, 5540
Tel: (08) 8638 4778
Facsimile: (08) 8638 4785

Whyalla
Level 1, 15 Darling Terrace, Whyalla, 5600
Tel: (08) 8648 8151
Facsimile: (08) 8648 8168

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