

SUBJECT: <i>DRUGS AND ALCOHOL POLICY</i>	FILE NO:	PER/0500
ADOPTED BY COUNCIL ON: 20 August 2009	MINUTE NO:	309.08.09
AMENDED BY COUNCIL ON:	MINUTE NO:	

Introduction

The Flinders Council endeavours to provide a safe workplace for all employees, the use of either alcohol or drugs puts the individual concerned and those around them at risk of incident or injury.

Employees who have an alcohol or drug problem can seek confidential assistance, from the General Manager, who will assist the employee getting the support and guidance to overcome the addiction.

Objectives

The primary objective of this policy is to ensure that employees of Council are not a danger to themselves or others because of use of drugs or alcohol.

Identification

Council employees are **not** permitted to work under the influence of alcohol or drugs unless those drugs have been prescribed by a physician. If an employee is prescribed a drug that has side effects that will impact on that employee's ability to safely perform their role, they must inform their manager immediately.

1. Establishing the Problem

Managers should be aware that the misuse of drugs or alcohol by employees may come to light in various ways. The following characteristics, especially when arising in combinations may indicate a personal problem that may be associated with the use of drugs or alcohol:

Absenteeism

- instances of unauthorised leave
- frequent Friday and/or Monday absences
- leaving work early
- lateness (especially on returning from lunch)
- excessive level of sickness absence
- strange and increasingly suspicious reasons for absence
- unusually high level of sickness for colds, flu, stomach upsets
- unscheduled short-term absences, with or without explanation.

High accident level

- at work
- elsewhere, such as driving, at home.

Work performance

- difficulty in concentration
- work requires increased effort
- individual tasks take more time
- problems with remembering instructions or own mistakes.

Mood swings

- irritability
- depression
- general confusion.

2. Misconduct

An employee's alcohol or drug problem may come to light as a mitigating factor in a disciplinary interview. It should be treated as a mitigating factor for certain "less serious" disciplinary offences, such as poor timekeeping or lateness, provided the person is prepared to undergo treatment.

3. Self-referral

In some instances, employees may seek help and advice themselves.

4. Intervention

Managers who feel an employee's unsatisfactory performance may be drug or alcohol related should advise the General Manager and arrange to hold a meeting with the employee.

5. Treatment

Where employees acknowledge that they have a problem and are given help and treatment, this will be on the understanding that:

- While they are undergoing treatment, they will be on sick leave and will be entitled to any paid sick leave entitlements or the option of applying for a period of unpaid sick leave.
- Every effort should be made to ensure that on completion of the recovery program employees are able to return to the same or equivalent work. However where such a return would jeopardise either a satisfactory level of job performance or the employee's recovery. The Council would request advice from a medical practitioner and if necessary may consider the option of suitable alternative employment, or terminating the employment contract on the grounds of ill health.

6. Relapse

Where an employee, having received treatment, suffers a relapse, the Council will consider the case on its individual merits. Medical advice will be sought in an attempt to ascertain how much more treatment/rehabilitation time is likely to be required for a full recovery. At the Council's discretion, more treatment or rehabilitation time may be given in order to help the employee recover fully.

If, after an employee has received treatment, recovery seems unlikely, the Council may be unable to wait for the employee any longer. In such cases, dismissal may result but in most cases a clear warning will be given to the employee beforehand and a full medical investigation will have been undertaken.

7. Serious misconduct caused by alcohol or drugs

Intoxicated employees

If an employee is known to be, or strongly suspected of being, intoxicated by alcohol or drugs during working hours, the General Manager will be consulted. Arrangements will be made for the employee to be escorted home and told to return the following day in a fit state for work, the employee will not be paid for the remainder of the working day. In these circumstances the Council may require that the employee concerned is tested by blood, breath or swab testing for alcohol or drugs.

Disciplinary action will take place when the employee presents in a fit state to work.

Consumption of alcohol on the premises

Alcohol must not be brought on to Council premises, unless approval has been given by the General Manager and this would only occur in special circumstances such as approved Council functions.

Drug abuse on the premises

Employees who take drugs which have not been prescribed by a medical practitioner, in the absence of mitigating circumstances, be deemed to be committing an act of gross misconduct and will thus render themselves likely to be summarily dismissed as will any employee believed to be buying or selling drugs, or in possession of unlawful drugs.

8. Awareness

All staff are encouraged not to cover up for an employee with an alcohol or drug problem, to do so would compromise the safety of the employee concerned and those around them.

Employees who have an alcohol or drug problem can seek confidential assistance from their manager, or from the General Manager, who will assist the employee getting the support and guidance to overcome the addiction.

Related Legislation, Regulations and Policies

Workplace Health and Safety Act 1995

Workplace Health and Safety Regulations 1998

Municipal Officers (Tasmania) Award 2002

Municipal Employees (Country Councils Tasmania) Award 2003

Local Government (Community Services) Tasmania Award 2002

Responsibility

The responsibility for ensuring that this policy is adhered to is the responsibility of all staff. The General Manager is to ensure that the policy is adhered to.