

# Alcohol and drug management in higher risk workplaces

## IMPLEMENTATION

### Aim

To ensure that drugs and alcohol do not impact the safety of those working in higher risk work areas and to meet the primary duty of care requirements of the [Work Health and Safety \(WHS\) Act 2012 \(SA\)](#) Sections 19 and 28.

### 1 Objective

- 1.1 To ensure that workers are advised of their WHS responsibilities to take reasonable care for their own health and safety and not adversely affect the health and safety of other people [WHS Act, 2012: section 28].

### 2 Scope and application

2.1 This process applies to:

- all persons who undertake University of Adelaide activities that are inherently high or very high risk (i.e. the activity is high or very high risk prior to controls being implemented. Examples would include working with hazardous chemicals, working with hazardous plant or equipment, working with large or potentially dangerous animals);
- all persons who access University of Adelaide facilities where inherently high or very high risk activities may be undertaken (e.g. laboratories, workshops, field sites, etc).

### 2.2 Exclusions

This process does not apply to anyone undertaking inherently low risk activities whilst working in inherently low to medium risk areas. Where there are concerns regarding the behaviours of staff in low to medium risk areas please seek advice from your HR Advisor.

NOTE: This policy is not intended to exclude or impinge on the operation of the policies or procedures of student placement providers, research partner organisations or other organisations with whom we may have co-located staff or students.

### 3 Process: Working in higher risk areas

Person Responsible	Actions
3.1 Supervisors	<ul style="list-style-type: none"> <li>❑ Ensure that only appropriately trained and suitably informed individuals have access to workplaces where higher risk activities occur.</li> <li>❑ Ensure that staff, students, contractors, volunteers and visitors are aware that it is unacceptable to the University for higher risk activities to be carried out by those who are unfit due to being affected by drugs or alcohol.</li> <li>❑ Ensure that students are made aware if a workplace, classroom or field activity is higher risk either through the information provided to them or via signage or both.</li> <li>❑ Monitor and appropriately supervise staff, students, contractors, volunteers and visitors who are undertaking higher risk activities or who have access to higher risk work places.</li> </ul>

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3 Process: Working in higher risk areas (Continued)

Person Responsible	Actions
<p><b>3.2 Staff, students, contractors, volunteers and visitors working in higher risk areas</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Ensure that you do not enter or undertake work in a higher risk area if you are unfit to undertake higher risk work due to drugs or alcohol.</li> <li><input type="checkbox"/> Report immediately to your supervisor any concerns that you have regarding any person attending at or working in a higher risk workplace who in your opinion is unfit to undertake work. (If your concern relates to your supervisor please report the matter to their line manager).</li> </ul>

4 Process: Managing concerns regarding drug or alcohol impairment in higher risk areas

Person Responsible	Actions
<p><b>4.1 Supervisors/ Person in control of the area or activity</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Take all reasonable steps to enquire about any concerns reported to you to establish what evidence, information, facts or circumstances exist to support the concern.</li> <li><input type="checkbox"/> Direct the staff, students, contractors, volunteers and visitors to immediately stop undertaking higher risk activities or working in a higher risk area if you have a reasonably held belief (see definitions) that the person may be a risk to themselves or others due to drugs or alcohol.</li> <li><input type="checkbox"/> Raise your concerns promptly with the Head of School or Branch and explain why you have a reasonably held belief (see definitions) that the person may currently be a risk to themselves or others in undertaking higher risk work due to drugs or alcohol.</li> </ul>
<p><b>4.2 Head of School or Branch</b></p>	<ul style="list-style-type: none"> <li><input type="checkbox"/> Determine based on the information presented to you whether there is enough evidence or information for you to have a reasonably held belief that the person may be a risk to themselves or others in undertaking higher risk work due to the effect of drugs or alcohol.</li> <li><input type="checkbox"/> Meet with the person you reasonably believe to be a risk to themselves or others and discuss your concerns. Ensure that the person understands the serious nature of the issue and the potential outcomes.</li> <li><input type="checkbox"/> Seek assistance as required from the appropriate source (HR advisor, Student Affairs or the contract manager)</li> <li><input type="checkbox"/> Depending on the outcome of the meeting you may:                         <ul style="list-style-type: none"> <li><input type="checkbox"/> be satisfied that the individual can return to their work (in which case you should communicate this to their supervisor)</li> <li><input type="checkbox"/> determine that further action is required; or</li> </ul> </li> <li><input type="checkbox"/> Take one or more of the following further actions, commensurate with the severity of the risk and/or repeated nature of the issue, where you have determined that further action is required:                         <ul style="list-style-type: none"> <li><input type="checkbox"/> Require the individual to leave the higher risk workplace and report back to you (or someone acting in your position if you are absent) prior to recommencing any further higher risk work.</li> <li><input type="checkbox"/> For staff members, agree a leave of absence to enable them to seek medical or other forms of assistance.</li> <li><input type="checkbox"/> Direct the individual to undergo a drug and/or alcohol test and to remove themselves from the workplace until the results are available. (refer to 5.1)</li> <li><input type="checkbox"/> Refer the matter to the Area Manager where you believe that further action is required.</li> </ul> </li> </ul> <p>Note: With any of the above steps you should consider whether the provision of access to a taxi is warranted to mitigate the risk to themselves or others when travelling.</p>

5 Process: Drug and/or alcohol testing

Person Responsible		Actions
<p><b>5.1</b></p> <p><b>Head of School or Branch</b></p>	<p>After undertaking the steps in 4.2 if you have determined that there is a reasonably held belief that the individual is currently putting themselves or others at risk:</p> <ul style="list-style-type: none"> <li>□ Direct the individual to see one of the <a href="#">University's pre-arranged medical practitioners</a> who will undertake any tests they deem necessary in order to determine if the individual constitutes a risk to themselves or others working in a higher risk workplace. Provide the individual with the "<a href="#">Fitness for higher risk work assessment</a>" information sheet contained in Appendix A to inform them and to enable the medical practitioner to complete the form. Arrange for transportation where required.</li> <li>□ Seek advice from the appropriate source (HR Advisor, Student Affairs or the contract manager) if the individual was in the opinion of the medical practitioner unfit to undertake higher risk duties due to drugs and/or alcohol.</li> <li>□ Discuss the results of the assessment with the individual and their supervisor after the results have been received.</li> <li>□ Arrange to take appropriate short term action where the individual was in the opinion of the medical practitioner unfit to undertake higher risk duties due to drugs and/or alcohol or where the results of the testing are subject to a delay. This may include: <ul style="list-style-type: none"> <li>□ having the individual sent home in an appropriate manner,</li> <li>□ putting measures in place to ensure that the individual does not return to the higher risk workplace or activity.</li> </ul> </li> <li>□ Work with the appropriate source of advice (HR Advisor, Student Affairs or the contract manager) to determine longer term actions that may include one of more of the following: <ul style="list-style-type: none"> <li>□ providing access to counselling or other forms of support</li> <li>□ arranging for the individual to take an appropriate period of leave to allow them to seek medical or other assistance</li> <li>□ establishing a return to work or remain at work plan which may include further assessment or testing to monitor compliance</li> <li>□ counselling the individual regarding their conduct</li> <li>□ referring the matter to the Area Manager, where you believe that further disciplinary action may be required. e.g. staff, student or to the contract manager to manage under the terms of the contract).</li> </ul> </li> <li>□ Treat any information received through this process sensitively and with an appropriate level of confidentiality.</li> </ul>	
<p><b>5.2</b></p> <p><b>Staff, students, contractors, volunteers and visitors working in higher risk areas</b></p>	<ul style="list-style-type: none"> <li>□ Comply with any direction made by a Head of School or Branch to undertake a drug and/or alcohol test via a fitness for higher risk work assessment.</li> <li>□ Comply with any reasonable direction of the Head of School or Branch where the results of the testing are subject to a delay.</li> <li>□ Comply with any reasonable direction of the Head of School or Branch in relation to actions that result from a fitness assessment by a medical practitioner.</li> </ul>	
<p><b>5.3</b></p> <p><b>Area Manager</b></p>	<ul style="list-style-type: none"> <li>□ Consider any referrals from a Head of School or Branch.</li> <li>□ Seek advice from the appropriate source (HR Advisor, Student Affairs or the contract manager) as appropriate.</li> </ul>	

**6 Performance Measures**

Human Resources will use performance measures to assist in identifying areas of success and/or where corrective action is required to meet the objectives and targets of this process.

The level of compliance with the chapter and effectiveness will be determined during the internal audit process.

**7 Definitions**

**Alcohol**

Alcohol under this procedure means alcohol in any form including but not limited to alcoholic drinks, industrial alcohol, ethanol or the consumption of any food or other substance containing alcohol.

**Area Manager**

The Area Manager in this procedure is defined as per the Enterprise Agreement. The term is collectively used to mean Deputy Vice-Chancellors, Vice-Presidents, Pro Vice-Chancellors, Executive Deans, Director Human Resources, Chief Executive of External Relations (and a person acting in these positions) and Institute Directors as defined in the Enterprise Agreement.

**Drugs**

Drugs in this procedure means any drug whether prescription drugs, non-prescription drugs and illicit drugs.

**Fit/Fitness for higher risk work**

An individual's ability to undertake work that is inherently high or very high risk at a point in time without the risks to themselves or others being exacerbated by drugs and/or alcohol.

**Higher Risk Activities**

Any activity that has an inherent safety risk of high or very high prior to any controls being put in place as documented within the risk assessment.

**Higher Risk Area**

Any laboratory, workshop, room, area, field site or other location where higher risk activities are being undertaken or that contains anything that has an inherent safety risk of high or very high prior to any controls being put in place as documented within the risk assessment. (E.g. hazardous chemicals, dangerous animals, hazardous biological material, radioactive substances, hazardous plant or equipment, etc.)

**Reasonably held belief**

Evidence or information which appears reliable discloses facts or circumstances which are collectively of such weight and persuasiveness as to convince a person of ordinary intelligence, judgement and experience that it is reasonably likely.

**8 Useful information and resources**

8.1	<p><b>University related documents</b>  <a href="#">HSW Policy</a>  <a href="#">Code of Conduct</a>  <a href="#">Behaviour and Conduct Policy</a>  <a href="#">Privacy Policy</a></p>
8.2	<p><b>Related Legislation</b>  <a href="#">WHS Act 2012 (SA) and WHS Regulations 2012 (SA)</a></p>
8.3	<p><b>Useful Web-links and resources</b>                      University's <a href="#">Employee Assistance Program (EAP) Provider</a>  <a href="#">SafeWork SA</a></p>

## FITNESS FOR HIGHER RISK WORK ASSESSMENT

**Information for individuals directed to undertake a fitness for higher risk work assessment.**

The University has a duty of care to all staff, students, titleholders, contractors, volunteers and visitors to not allow them to injure themselves or others while undertaking higher risk activities due to being unfit due to the presence of drugs or alcohol.

Where a Head of School/Branch has agreed that there is a reasonably held belief that an individual may be unfit due to the presence of drugs or alcohol to undertake higher risk activities they are permitted under the University's [Drugs and alcohol in higher risk workplaces](#) handbook chapter to direct an individual to undertake a medical examination to determine if the individual is fit to undertake work.  
(Refer to the HSW [Drug and Alcohol Handbook](#) website for information on making the appointment and the optional locations.)

The University has arranged for its medical contractor to determine such an individual's fitness for work and certify the individual fit for work using this form. No other medical information beyond what is captured on this form will be provided to the University through this process by the medical practitioner.

If you have been directed by a Head of School/Branch to attend a fitness for duty assessment you must do so immediately. Failure to do so may be considered failure to comply with a reasonable direction and will be managed as such through the appropriate conduct process.

<b>Name of individual being referred:</b>		<b>Date of referral:</b>
<b>Type of higher risk activities being undertaken:</b>		
<b>Concerns/observed behaviour:</b>		
<i>I have referred the above individual for a medical fitness for duty assessment to undertake the above higher risk work due to my reasonably held belief that the individual is affected by drugs or alcohol to the extent that they may constitute a risk to themselves or others during the conduct of higher risk activities. This has been done in accordance with the University of Adelaide's HSW Policy and Procedures. I hereby authorise and will ensure payment by the University of any testing required to determine the information required below.</i>		
<b>Name of School/Branch:</b>		
<b>Referred by (Name of Head of School/Branch):</b>		<b>Signature:</b>
<b>Email: (for result to be returned)</b>		
<b>Contact number:</b>		
<b>TO BE COMPLETED BY THE MEDICAL PROVIDER</b>		
<b>Medical Practitioner Name:</b>	<b>Provider number:</b>	<b>Date of assessment:</b>
In my medical opinion the individual named above is: (please check the appropriate box)		
<input type="checkbox"/> currently fit to undertake the higher risk activities as outlined above <input type="checkbox"/> <b>NOT</b> currently fit to undertake the higher risk activities as outlined above as they would be a risk to themselves or others		
If the individual is currently unfit is this due to the presence of drugs or alcohol?    Yes / No / Result Pending		
<b>Comments:</b>		
<b>Signature:</b>		<b>Date:</b>

(The completed form is to be emailed back to the Head of School/Branch by the Medical Practitioner, using the Head of School/Branch email address provided above)

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