



Fitness for Work Policy

1 Introduction

Breakaway Toowoomba Inc believes that the safety of employees at work is of paramount importance.

In order to ensure the health and safety of all individuals associated with its operations, Breakaway Toowoomba Inc will take all reasonable steps to ensure that its employees are in a fit and competent state to work safely.

2 Interpretation

"Fit for work" – an employee is fit for work if they have a blood alcohol content of 0.00 and test negative for drug use, in accordance with the levels contained in clause 4 of this policy.

"On duty" – an employee is on duty any time they are undertaking the duties and responsibilities associated with their contract of employment.

3 Responsibilities

Executive Officer

The Executive Officer is responsible for assessing the fitness for work of employees under their control while they are on duty.

If The Executive Officer suspects that an employee is under the influence of alcohol or other drug or is otherwise unfit for work the employee will be required to leave the workplace immediately. The employee must not return to work until they are able to demonstrate that they are fit for work.

3.1 Employees

Each employee is responsible for:

- (a) ensuring that they are not in an unfit state for any reason, including the adverse effects of alcohol or other drug;
- (b) notifying the Executive Officer of any concerns that their fitness for work may be impaired;
- (c) ensuring that any prescription or non-prescription medication is taken safely and in accordance with the requirements in clause 4.5 of this policy;
- (d) raising any concerns about a person's fitness for work with that person;
- (e) notifying the Executive Officer or other responsible person of any situation in which this policy may have been breached, including:
 - (1) any situation in which other individuals are believed to be unfit for work;
 - (2) the unauthorised possession or consumption of alcohol or other drugs on site or during work;
 - (3) any other apparent breach of the policy.

All such information will be dealt with in strict confidence.

Employees should also be aware that rights to workers' compensation or a common law claim may be affected if they are involved in a work related accident while under the influence of alcohol or drugs.

4 Alcohol

- 4.1 An employee must not be under the influence of or affected by alcohol while on duty. This means that all employees are expected to have a 0.00 blood alcohol content at all times they are required to undertake the duties and responsibilities associated with their contract of employment .
- 4.2 If an employee has a blood alcohol content higher than 0.00 they will be considered unfit for work until such time as the Executive Officer is satisfied that they are fit for work and they have a blood alcohol content of 0.00.
- 4.3 An employee is prohibited from operating any, machinery or equipment, including any motor vehicle, if they are under the influence of alcohol.
- 4.4 Alcohol must not be consumed anywhere on Breakaway Toowoomba Inc premises or grounds during work time. There may be occasions when alcohol may be consumed as part of a work function or other recognised work event. Where the consumption of alcohol has been properly approved by Breakaway Toowoomba Inc, employees must continue to act in a sensible and responsible manner and with due care for their own and other people's safety and well-being. Failure to act in a sensible and responsible manner or to follow any directions with regard to the consumption of alcohol may result in disciplinary action in accordance with clause 6 of this policy.
- 4.5 The unauthorised possession or consumption of alcohol at the workplace will result in disciplinary action in accordance with clause 7 of this policy.

5 Drugs

- 5.1 Employees must not consume or be under the influence of any unlawful drug anywhere on Breakaway Toowoomba Inc premises or grounds or while on duty. This means that employees are expected to return a negative urine test for the following substances in accordance with the following table.

Substance	Micrograms/litre
Amphetamines	300
Cannabinoids/THC/marijuana	50
Opiates	300
Barbiturates	200
Benzodiazapimes	200
Cocaine	300
Methadone	300
LSD	0.5

If an employee tests positive for any other substance, Breakaway Toowoomba Inc may obtain relevant expert advice to determine whether the employee will be considered unfit for work.

- 5.2 If an employee tests positive for drugs in accordance with clause 4.1 they will be considered unfit for work until such time as the Executive Officer is satisfied that they are fit for work and they return a negative drug test.

- 5.3 An employee must not cultivate, sell or supply or have in their possession or control any unlawful drug or drug taking implement anywhere on Breakaway Toowoomba premises or grounds or while on duty.
- 5.4 The uses, possession, cultivation, manufacture and distribution of an unlawful drug is illegal. If Breakaway Toowoomba Inc becomes aware that you have, or have had, in your possession or control or are cultivating or supplying any unlawful drugs or drug taking implements whether for profit or otherwise on Breakaway Toowoomba Inc premises or grounds or while they are on duty then it will notify the police and actively assist the police in their inquiries.
- 5.5 Any drugs prescribed by a medical practitioner must be used in accordance with medical advice. Any non-prescription drugs must be used in accordance with the manufacturer's recommendations. If an employee is taking prescription or non-prescription drugs which could cause drowsiness or otherwise affect their fitness for work they must advise the Executive Officer so that their ability to work safely can be monitored. If necessary, a medical opinion must be obtained.
- 5.6 The unauthorised possession or consumption of drugs at the workplace will result in disciplinary action.
- 5.7 The possession or consumption of any illegal drugs at the workplace may result in termination of employment.

6 Alcohol and Drug Testing Requirements

6.1 Pre-employment testing

All potential employees of Breakaway Toowoomba Inc will undergo alcohol and other drug testing as part of their pre-employment medical examination. All offers of employment are conditional upon the satisfactory completion of the medical examination evidencing a negative result for alcohol and other drugs.

6.2 Random testing

Random testing for alcohol and other drugs may be carried out from time to time with or without notice at the discretion of Breakaway Toowoomba Inc.

Random testing may include every employee, particular employees or groups of employees randomly selected.

6.3 For cause testing

Testing may also be carried out where:

- (a) an employee is involved in an accident or incident;
- (b) an employee displays any unsafe behaviour or causes injury to any other person or commits an act of negligence or carelessness or shows disregard for safety;
- (c) there is reason to believe that an employee is affected by alcohol or drugs;
- (d) an employee who has previously tested positive is being monitored to ensure safe practice; or
- (e) evidence of alcohol or drug use at the workplace is discovered and the employee or employees concerned can be identified with reasonable certainty.

6.4 Refusal to be tested

An employee who does not co-operate fully with the administration of an alcohol or other drug test without a legitimate reason will not be able to return to work until they co-operate and provide a breath and/or urine sample for analysis.

Employees who refuse will be required to take unpaid leave until they co-operate. Refusal to co-operate may result in disciplinary action.

6.5 Interference with testing

The actual or attempted adulteration, substitution or other interference by a person with a test sample or result will result in disciplinary action which may include termination of employment.

7 Disciplinary procedures

7.1 Breakaway Toowoomba Inc may take the following disciplinary action where an employee is found to be under the influence of alcohol or other drug:

- (a) immediate termination;
- (b) final warning; or
- (c) warning.

7.2 The appropriate disciplinary action will depend on the individual circumstances of each matter. In making this decision Breakaway Toowoomba Inc will take into account factors including but not limited to:

- (a) the seriousness of the employee's behaviour;
- (b) the risk posed to the safety of the employee and others;
- (c) any previous breaches of this policy.

7.3 An employee who receives a warning will be counselled by their supervisor regarding:

- (a) the fitness for work policy and the obligations and responsibilities under it;
- (b) the serious and unacceptable nature of the person's behaviour;
- (c) the risk posed for safety of the employee and others;
- (d) the employee's responsibility to demonstrate that the problem has been effectively addressed;
- (e) the consequences for future breaches of the policy; and
- (f) the reasons why the person has used alcohol or other drugs to the extent that they are in an unfit state.

The employee will be advised that they may be monitored for a period of time to ensure that the problem has been addressed and that during this period they may be subject to periodic alcohol and drug testing.

The employee will receive a written warning which will reflect the key points covered in this process. A copy of this will be placed on their personnel file.

Employees will not be paid for the period for which they are unfit for work.

- 7.4 An employee who receives a final written warning will be counselled by their supervisor as set out in clause 7.3 above and will be required to demonstrate that the threat to work performance and/or safety has been effectively addressed before they are permitted to return to work.

The final written warning will have the effect that any further breaches of this policy may result in termination of their employment. A copy of the warning will be placed on their personnel file.

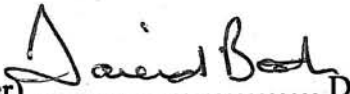
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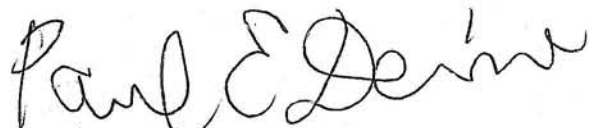
8 Fatigue

- 8.1 Breakaway Toowoomba Inc is responsible for ensuring that roster cycles are monitored and reviewed to address the potential for fatigue, especially among employees engaged in shift work and/or potentially hazardous activities.
- 8.2 Breakaway Toowoomba Inc is responsible for ensuring that shift lengths are monitored to prevent excessive time working. Provision will be made on all shifts for appropriate rest breaks during and between shifts to ensure that employees have adequate opportunity for rest.
- 8.3 Breakaway Toowoomba Inc will take all practical steps to assess and manage the work environment to minimise the impact of fatigue.

9 Variations

It is recognised that changes to this policy may be required from time to time. Any changes will, where possible, be made in consultation with employees. However, Breakaway Toowoomba Inc maintains its right to change this policy as required to comply with legal obligations or other requirements. One month's notice will be given of any variations.

Approved (Executive Officer)  Date 19.11.2009

Approved (Chairperson)  Date 19.11.2009

Please return this page only to the Executive Officer within 7 days of receipt of this Policy.

I, _____ confirm that I have received a copy of the Breakaway Toowoomba Inc Fitness for Work Policy, and that I have read and understand the contents of the Policy.

Signature

Date