Policy GR140 – Drug and Alcohol Policy

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1. **Purpose**
2. To ensure that the use of drugs or alcohol does not compromise a Worker’s ability to do their work without detriment to their health and safety or that of others, or to the environment.
3. To set a Terra Industrial NZ Ltd minimum standard for the control of the risks posed by drug and alcohol use in the workplace and to require all Workers to manage those risks.
4. **Definitions**
   1. **Employee** – a Terra employee.
   2. **Incident** – any event where injury or property damage occurs or where there is a near miss in relation to injury or property damage. For avoidance of doubt, this includes a motor vehicle incident.
   3. **Worker** – any Employee, agency employee, volunteer or contractor working at any Terra facility or at any applicable Terra work operation.
5. **Scope**

This policy applies to all Workers, however Rehabilitation applies only to Employees.

1. **Education**

Where relevant and appropriate, the policy will be supported by educational material and training.

1. **Testing**
2. We conduct tests for the presence of drugs and/or alcohol in a person’s system. Where the test is positive, the level may indicate that the person presents an increased risk of causing harm to themselves and/or others. Testing will be performed at the Company’s expense by; a registered provider, a registered medical practitioner or, in relation to saliva testing only, by a Company Health and Safety Advisor who has been trained to do so.
3. Situations where testing will be conducted are:
   1. As part of a **pre-employment** or **role change** medical assessment.
   2. **Post Incident**. A Worker who is involved in an incident must be tested post incident, consistent with the Company H&S Standard “H&S Incident Response Levels.” Where, due to the nature of the incident, it is not possible to conduct a test immediately following the incident (eg. where the person is seriously injured or is incapable of testing), the test must be conducted at the first practicable opportunity.
   3. **Reasonable Cause**. Where a Worker’s actions, appearance, behaviour or conduct suggest that he or she may be affected by drugs or alcohol and thereby poses a risk to safety. Appendix A offers information on reasonable cause indicators. Reasonable cause also arises where credible information provided to the Company indicates that a Worker may be under the influence of drugs or alcohol (eg. arrest by police, tip off etc). Where it has reasonable cause, the Company reserves the right to test all Workers on a site.
   4. **Random**.All Workers are subject to random testing. At Terra, this involves the random selection of Workers from all those present at a Terra site on the day that the testing provider turns up. Where the site has 10 or less Workers, all Workers will be tested.
   5. **Follow-up**. This will occur as part of rehabilitation to ensure that the Employee has returned a negative test result or results and is fit to resume normal duties.
4. Where an alcohol test is conducted, it will be a breath/alcohol test for all tests except random. In most instances, however, where there is clear evidence of alcohol consumption which may affect the Worker’s ability to work safely, that Worker will be instructed to not attend work until the next day and, for an Employee, the Company’s disciplinary process will be followed.
5. For post-incident and reasonable cause testing, the method could be a saliva test administered by a person trained to do so or could be a urine sample administered by the Company’s contracted external provider.
6. Where the drug testing method is a urine sample, the Worker will be given up to three hours to provide the sample, failing which it will be treated as a failed test. Where the waiting time extends into non-work time, an Employee will be paid at their normal rate for that extra time.
7. The initial testing method for random tests (except when on rehabilitation) will be saliva.
8. **Rehabilitation (Employees only)**
   1. We recognise that drug and/or alcohol dependence is an illness. Where, at any time, an Employee requests assistance, the Company will provide assistance through a suitable rehabilitation programme. Such programme may be provided by a specialist external provider.
   2. Where an Employee has provided a non-negative result under a random test, the Company may offer assistance through a suitable rehabilitation programme. If the Employee declines an offer of rehabilitation, he/she will be suspended without pay until two negative test results have been provided, at the Employee’s expense, not less than one week apart. The Employee will thereafter be subject to follow-up testing at times of the Company’s choosing for the following six months.
9. **Third Party Requirement**

Where a Terra customer or supplier requires an Employee who attends their site to undergo drug and/or alcohol testing of any kind, the Employee must comply with that organisation’s requirements.

1. **Prescription Medication**

Where an Employee is prescribed and takes medication which could negatively impact on their ability to work safely, including driving, that person has a duty to discuss it with their manager at the earliest opportunity. Similarly, all other Workers are encouraged to discuss this with their relevant Terra contact person at the earliest opportunity.

1. **Search**

We reserve the right to search any property, premises or vehicles which the Company owns, leases or occupies. This includes the use of specialist drug detection dogs. Where such search suggests the presence of illicit drugs in a Worker’s personal property, the Worker’s permission will be sought before any search of that private property occurs.

1. **Failed Test**
2. Where a saliva test provides a non-negative or invalid result, a second saliva test will be requested. If that result is also non-negative or invalid, it will provide reasonable cause for a breath test (for alcohol) and/or a urine sample (for drugs) to be requested.
3. Where an Employee fails a urine or breath/alcohol test, it will be treated as Serious Misconduct.
4. Where any other Worker fails a urine or breath/alcohol test, that person’s Employer will be informed and appropriate actions taken.
5. **Refusal / Tampering**
6. A refusal to undertake a drug/alcohol test will be treated as Serious Misconduct, being a failure to comply with a lawful instruction.
7. A refusal to give approval for a search of personal property, in accordance with clause 9, will also be treated as a failure to comply with a lawful instruction.
8. Any tampering or attempted tampering with a test specimen or with the testing process will be treated as Serious Misconduct, being a breach of a Company health and safety policy.
9. **Alcohol and Work-Related Activities**
10. Except as provided for in clause 12.2, alcohol is not permitted to be provided or consumed on Company premises or sites.
11. Alcohol may be provided and consumed at a customer function held on a Company site for the purpose of launching a new product or such similar promotion activity, including the opening of a new branch, and where the function has been approved in advance by the CEO or the relevant Executive General Manager. For each such event, the Host Responsibility requirements will apply.
12. Alcohol may be consumed at a Company-sanctioned event, including a social club function, held on premises where the premises owner/operator holds a Bar Licence (eg a hotel or restaurant).
13. Where a Company-related event is held in a public location (eg a park), the Company will not provide alcohol for consumption at that event, nor is a Company social club permitted to do so. Where an employee chooses to bring and consume their own alcohol at such event, the employee should be mindful of the Company’s Code of Conduct as specified in the Employee Handbook.
14. A Worker who has consumed alcohol at a Company event or otherwise must not return to work duties that day and must not drive a Company vehicle that day.
15. A Worker who is designated with a safety-related role for a Company event (e.g. emergency warden or first aider) or who is required to operate a motor vehicle or machinery as part of the event (e.g. demonstrating) must not consume alcohol (or prescription drugs which may impair performance) until their duty is over.
16. **Confidentiality**

Information relating to any testing or rehabilitation may be disclosed to an external party only with the written consent of the employee or as required by law.

1. **Audit and Review**

Progress and results from workplace drug and alcohol testing will be audited and reviewed on a regular basis.

**Related Documents**

GG-HSE-CG083 - Management of Drugs and Alcohol

Employee Handbook - Code of Conduct

Host Responsibility – Functions at Work (Intranet)

Reasonable Cause Record

Rehabilitation Plan Agreement

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| **Authorised** | Garry Lund  General Manager People & Culture | 1 January 2020 |

### Revision Log

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| Date | Amendments |
| 02 May 2018 | Initial issue. Total replacement of previous unreferenced policy. |
| 1 Jan 2020 | Update to reflect change of Company name and key roles. |
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**Appendix A**

**Reasonable Cause Indicators** (list not exhaustive)

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| excessive lateness  absences, often on Monday, Friday or in conjunction with holidays  increased health problems or complaints about health  violent behaviour  outbursts, anger, aggression, argumentative  change in personality  change in alertness – difficulty with attention span or concentration  change in appearance – clothing, hair, personal hygiene  reduced energy  feigning sickness or emergencies to get out of work early  going to the toilet more than normal  defensive when confronted about behaviour  constricted or dilated pupils  runny nose  twitching  yawning  sniffing / sniffles  excessively active  non-negative saliva test | dizziness  slurred speech  smell of alcohol  slowed and/or uncoordinated motor skills  bloodshot / red / watery eyes  reduced short term memory  reduced ability to perform tasks requiring concentration and co-ordination  intense anxiety or panic attacks  diminished learning and memory, perception, judgement  irritability  signs of possible depression  visible needle marks  inability to speak clearly  drowsiness  sweaty / flushed skin  scratching  involuntary eye movements  nausea or vomiting  possession of a substance that has the appearance of a drug or alcohol  possession of drug paraphernalia  3 or more injuries or high potential (HiPo) incidents at work, as recorded in Vault |