

PROCEDURE 606

Model Alcohol and Other Drugs Policy and Procedure

To be used by sites and State Divisions seeking to negotiate a local AOD Policy with affected employees



INTENT

To comply with and maintain Workplace Health and Safety standards at Visy Sites.

Why

Alcohol and drugs are known contributors to workplace incidents and injuries.

The use of alcohol and/or drugs, including prescribed medications or other medications, can be a health and safety hazard in the workplace.

Visy is committed to providing a safe work system and safe work environment by eliminating conditions and work practices that could lead to illness or personal injury, damage to equipment or other property damage and disruption to its operations.

Maintaining a safe workplace is the responsibility of all Workers. Visy accordingly expects that the prevention of substance use or misuse is every Worker's responsibility.

Workplace health and safety legislation places an obligation on businesses or undertakings to eliminate or minimise risks to health and safety arising from their activities as far as is reasonably practicable. It also places an obligation on Workers to take reasonable care for their own health and safety, to take reasonable care that their acts or omissions do not adversely affect the health and safety of other Workers, comply with reasonable instructions and comply with reasonable policies or procedures relating to health and safety at the workplace.

This policy is a policy which must be complied with as it aims to contribute to Visy and Workers meeting these obligations.

This policy will be communicated and implemented with appropriate training to ensure the correct procedures are followed and the provisions of the *Privacy Act 1988* (Cth) and other relevant legislation is complied with.

Definitions

Term	Definition
Australian Standard AS4760	Australian Standard, "Procedures for specimen collection and the detection and quantitation of drugs in oral fluid" as amended from time to time.
Applicable Australian Standard	Means Oral Drug Screening - AS/NZ4760 "Procedure for specimen collection and the detection and quantitation of drugs in oral fluid" or any other Australian Standard which may apply.
Approved Testing Device	A device that is supplied by the Testing Agency.
Collector	A person who has been trained in collecting test specimens in accordance with the Australian Standard.
Contractor	Means any person who is on, or intending to enter upon, a Visy Site to perform work.
Corrective Action	An action implemented to eliminate the cause of a nonconformity or incident in order to prevent recurrence. The corrective action is commensurate with the severity of the non-conformity or incident.

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Term	Definition
Cut Off Limit	Means the Cut Off Limit specified in the Australian Standard AS/NZ4760.
Employee	An employee of Visy.
Employee Assistance Program (EAP)	A Visy sponsored program available to employees to obtain treatment and counselling for their alcoholism or drug dependency.
Functional Areas	Areas of the business unit that are grouped by functions, eg Paper Mill Operators, Despatch, Maintenance, Administration, etc.
HSR's	Site Health and Safety Reps to be consulted regarding any changes or implementation of the AOD Policy
Manager	Means the Manager with overall responsibility for the Health and Safety of the Visy Site.
Negative Result	A result below the Cut Off Limit.
Non-Negative Result	A result of initial screening detecting the presence of a drug
Positive Result	A result confirmed by laboratory analysis, at or above the Cut Off Limit.
Serious breach of the policy	<p>A positive result can amount to serious breach of the policy in various ways. Here are two examples:</p> <ul style="list-style-type: none">• when the test is conducted on a worker at work and is NOT a pre work self test;• when the test giving the positive result is conducted "For Cause" and relates to an incident which had the potential to or did actually result in injury to a person (including the person tested) or serious damage to plant or property.
Significant Incident	<p>Means an incident that results in, or has the potential to result in:</p> <ul style="list-style-type: none">• a fatality,• an injury to a person,• damage to any plant, equipment, building, or structure,• an uncontrolled explosion or fire,• an uncontrolled escape of gas, dangerous goods or steam; or• a Worker being unfit to attend the Worker's usual place of work, or to perform their usual duties at that place of work.
Supervisor	Means any person who has supervisory control over the activity of a Worker and includes any Manager.
Testing Agency	Means an accredited Testing Agency engaged by Visy from time to time to assist it in undertaking tests and analysing samples.
Training	Appropriate training consists of the supplier of the testing equipment and analysing samples providing instructional training that enables the Visy or Testing Agent Representative to correctly administer the testing. Training records will be retained and entered into training database and Vault.
Unsafe Condition	Means any condition under which a Visy Management Representative reasonably believes that a Worker is not fit to perform the inherent requirements of their job.
Visy Site	Means any site at which Visy is carrying out work as part of its business or undertaking.
Visy	Means Visy Industries Pty Ltd and all related corporate entities.

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Term	Definition
Visy Management Representative	Means any employee of Visy with relevant authority to conduct an alcohol or other drug testing after successfully completing the appropriate training.
Worker	Means an Employee, a Contractor or any other person performing work at Visy. By way of example, this will include customers conducting audits or inspections, Inspectors, union officials exercising right of entry and external auditors or lawyers required or permitted to enter a Visy Site.

Scope

This policy covers the activities of all Workers at a Visy Site. If a Worker refuses to abide by this policy prior to entry to the Visy Site then that Worker must be refused entry.

Confidentiality and Privacy

1. All information gathered as a result of drug/alcohol testing is collected for the purpose of implementing this policy and achieving its objectives.
2. All information obtained in the course of the application or enforcement of this policy will be managed in accordance with Visy's Privacy Policy and in compliance with privacy laws.

Drug Testing Procedure - Saliva

1. Visy representatives shall be trained to conduct oral sample testing. Visy may also engage an approved testing agency to conduct sample testing.
2. A Worker must comply with any reasonable request made by a Visy representative or Testing Agent representative to provide a saliva sample.
3. Saliva sampling will be carried out in accordance with the Testing Agency's procedures.

Alcohol Testing Procedure - Breath

1. Visy representatives will be trained in conducting sample testing.
2. A Worker must comply with any reasonable request made by a Visy representative or Testing Agent representative to provide a breath sample.
3. Breath sampling by Visy representatives will be carried out in accordance with the procedure described in **Schedule 1**. Breath sampling conducted by the Testing Agency will be in accordance with their procedures.

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Objections and Grievances

1. Any Worker who objects to the selection process for a Random Test must undertake the test and then pursue the objection in accordance with either the Corporate Grievance Procedure or the grievance procedure outlined in the respective registered industrial agreement.
2. Any Worker who objects to the procedure adopted by the Testing Agency must pursue the objection in accordance with either the Corporate Grievance Procedure or the grievance procedure outlined in the respective registered industrial agreement.

Prescription Drugs

1. A Worker must inform Visy if they reasonably believe that they may be impaired by medication they are taking. The onus is on a Worker to ensure that they are not working while they may be in breach of this policy.
2. Ignorance of the effect of medication a worker is taking, and that it may result in a non-negative result, is not an acceptable excuse.
3. If a Worker is required to take medication, he/she must discuss their daily activities and obtain advice about their ability to work safely from a qualified person such as:
 - a) their doctor (for prescribed drugs); and/or
 - b) their pharmacist (for over the counter drugs).
4. If the doctor or pharmacist advises a Worker that it would be unsafe to commence work, the Worker must:
 - a) not commence work; and
 - b) promptly advise their supervisor.
5. The Manager shall discuss the issue with the relevant Corporate HSE Manager or the Visy Group Manager Safety and Environment.
6. Following discussion with the HR & HS Manager, discussions will be held with the appropriate management representatives to ascertain whether arrangements can be made for the Worker to be provided with suitable alternative duties. Prior to these discussions, the supervisor will discuss with the Worker how much information the Worker wishes to impart to management representatives. The supervisor must comply with the Worker's stated wishes.
7. If it is not possible to find suitable alternative work, the Worker will be transported home and required to access accrued leave.

When Testing May Be Carried Out

1. Testing can occur under the following circumstances;
 - a. a Manager initiating testing without notice ("**Random Testing**")
 - b. a Worker voluntarily ("**Worker Self Testing**")
 - c. a Visy Management Representative following a Significant Incident ("**Testing for Cause**")
 - d. a Visy Management Representative ("**Challenge Testing**")
 - e. a Visy Management Representative following a positive result ("**Fitness to Return to Work Testing**")

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- f. a Visy Management Representative on a random basis, following a positive result only (“Ongoing Fitness for Work Testing”)
2. All testing procedures will comply with the Australian Standard and will be administered by the Testing Agency staff trained in the correct procedures for undertaking alcohol and drug testing. Visy representatives will only conduct alcohol breath testing in accordance with Schedule 1.

Test	Description
Random Testing	<p>A Manager may, at any time and without notice, require a random sample of Workers on a Visy Site, or any part of a Visy Site, to be tested.</p> <p>It will be the obligation of the Manager to attempt to achieve an even distribution of Random Tests over all parts of the Visy Site under that Manager’s control in any 12 month cycle.</p> <p>Workers to be tested will be selected by a random method determined by the testing Agency. The area nominated for testing and the names of those Workers selected will be kept confidential until the Workers selected have been tested.</p>
Worker Self Testing (Applies to Alcohol breath testing only)	<p>Workers may self-test ‘without prejudice’.</p> <p>If, as a result of the test, a Worker notifies his/her supervisor that he/she will not be commencing work, he/she will be transported home.</p> <p>In the case of Employees, their absence will be recorded as sick leave (employees should, however, be aware that continued sick leave will result in the employee’s absentee record being addressed under the Company’s absenteeism policy).</p> <p>If a Worker is asked to attend work for an unscheduled/unplanned shift and the Worker requests a ‘self test’ prior to entering the operational area and the ‘self test’ is positive, then the Supervisor/Manager is to organize for the Worker to be taken home. The positive result of the ‘self test’ is not recorded as the Worker was called out to work for an unscheduled/unplanned shift.</p>
Testing for Cause	<p>As soon as practicable following a Significant Incident, all Workers involved (whether directly or indirectly) may be required to undertake a drug and alcohol test. This will generally include every person on the crew or shift or work area, including supervisors and managers</p> <p>Confirmatory testing will be undertaken following all Non-Negative Drug Test Results if requested by the individual.</p>
Challenge Testing	<p>A Manager may require a Worker to undergo a drug and/or alcohol test if the Manager identifies the Worker as being in an Unsafe Condition. This request may be prompted by notification from another Worker regarding the Worker’s condition.</p> <p>The Worker will be required to cease work immediately and may either:</p> <ul style="list-style-type: none"> • elect to leave site (in which case, the Visy Management Representative will arrange safe transport for the Worker and the Worker will be required to access accrued leave [on the first occasion]); or • consent to a drug and/or alcohol test (in which case, if the test yields a Non-Negative Result, the Visy Management Representative will ensure that the Worker is transported home in a safe manner and the Worker will be required to access accrued leave). The disciplinary procedure described below will apply. <p>The worker shall return a Negative result prior to returning to duty.</p>

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Test	Description
Fitness to Return to Work Testing	<p>If a Worker has tested positive to alcohol or drugs, prior to returning to work, he/she must undergo a further test for the same substance.</p> <p>The results of this subsequent test must be negative before the Worker will be permitted to recommence work.</p> <p>The disciplinary procedure described below will apply.</p>
Ongoing Fitness for Work Testing	<p>If a Worker returns a positive test to either drugs or alcohol, he/she shall be required to submit to monthly random tests for six months. No prior notification will be given to the individual before he/she will be required to undertake the test.</p> <p>The disciplinary procedure described below will apply.</p>

First Positive Test or “Unsafe” Condition

1. If a Worker:
 - a) has previously been in an Unsafe Condition, self-tests and goes home (accrued leave); or
 - b) produces a Positive Result- ; or
 - c) has been assessed by the Visy Management Representative and/or supervisor as being in an Unsafe Condition but refuses to undertake a test,then that Worker will be suspended for the remainder of the shift (with the exception of circumstances covered under Prescription Drugs).
2. In the case of an Employee, the suspension will be "with pay" provided that the Employee:
 - a) reports for work on the next shift in a safe condition to work (as outlined above, where an individual has tested positive to either alcohol or drugs, he/she will be required to undergo a further test before returning to work); and
 - b) agrees to take part in a discussion with the Employee Assistance Program (EAP) provider, Management; and
 - c) outlines to Management's satisfaction what they intend to do to prevent a recurrence (this may include engaging in counselling where appropriate).If the employee refuses to take part in a discussion with the EAP provider then the suspension will be "without pay".
3. Employee will receive a first warning if Visy determines that this is appropriate in the circumstances. However, if Visy determines that this is a case of serious breach of the policy then the Employee may attract a more serious sanction, up to and including termination of employment.
4. The Supervisor and the Employee, in consultation with the Visy Management Representative, will agree to a period, which will be a minimum of 6 months and maximum of 12 months (**First Positive Result Period**) and if during this period the Employee does not provide a Positive Result and has fully complied with any other actions (such as attendance at counselling sessions) agreed upon between the Employee and their Supervisor, then this will be acknowledged and noted as part of the follow up. The employee will then revert to the previous disciplinary level (i.e. a first Positive Test will revert to a clean slate status).
5. A Contractor who produces a first Positive Result will be required to demonstrate a commitment no less stringent than that which would apply for an Employee under clause 4 above in order to be permitted back to work at the Visy Site.

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Second Positive Test or “Unsafe” Condition

1. An Employee who produces a Positive Result whilst a first Positive Result Period is in effect will be suspended with pay pending the Employee's return to work.
2. On the Employee's return to work the Employee will be required to discuss the test result with Manager. The Employee will be advised of their right to have a witness. Appropriate counselling will again be offered. The Employee will receive a second warning on this occasion if Visy determines that this is appropriate in the circumstances. However, if Visy determines that this is a case of a serious breach of the policy then the Employee may attract a more serious sanction, up to and including termination of employment.
3. The Supervisor and the Employee, in consultation with the Manager, will agree to a period, which will be a maximum of 12 months (**Second Positive Result Period**) and if during this period the Employee does not provide a Positive Result and has fully complied with any other actions (such as attendance at counselling sessions) agreed upon between the Employee and their Supervisor, then this will be acknowledged and noted as part of the follow up. The employee will then revert to a clean slate status.
4. A Contractor who produces a second Positive Result will be required to demonstrate a commitment no less stringent than that which would apply for an Employee under clause 3 above in order to be permitted back to work at the Visy Site.

Third positive test

1. An Employee who produces a Positive Result whilst a Second Positive Result Period is in effect will be suspended with pay pending the outcome of a meeting at which the Employee will be required to show cause on why they should not be terminated. If the Employee is not terminated as a result of that show cause discussion, they will remain on a random testing program for a period between 12 to 24 months as determined by discussions with their manager.
2. At any stage of this procedure, the Employee may raise concerns under either the Corporate Grievance Procedure or the grievance procedure outlined in the respective registered industrial agreement.
3. A Contractor who produces a Positive Result whilst a Second Positive Result Period is in effect will be removed from site and not permitted to return to any Visy sites.

Refusal to Undertake a Test

1. Failure without reasonable cause to undergo testing shall be deemed as a Positive Result.
2. As a minimum, this will result in the refusal being treated in the same manner as a positive test result.

Evading, Falsifying or Adulterating a Test

1. A Worker who evades, adulterates or falsifies a test will be guilty of:
 - (a) gross misconduct being the act of dishonesty; and,
 - (b) be deemed to have produced a Positive Result.
2. A Worker who or aids or abets another Worker to evade, adulterate or falsify will be guilty of gross misconduct.
3. Either of these situations may result in termination of employment or in the case of a contractor, removal from all Visy sites.

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Employee Assistance Programme

A Visy sponsored Employee Assistance Programme (**EAP**) is available to employees who take responsibility for their actions and who are willing to obtain treatment and counselling for their alcoholism or drug dependency. Through the EAP service, employees can be referred to community based specialist support services, where appropriate.

The EAP service is confidential.

Details of the EAP service are available from Management or by contacting the HR representative or National HSE Manager.

Schedule 2 contains the details of Visy's EAP and other support service contact details.

Employee Safe Transport

Visy Managers and Supervisors shall ensure, so far as possible, that no person with a Positive Result or a Non-Negative Result for alcohol or drugs will be required or permitted to drive. Where possible, Visy shall arrange for the person to be collected or transported home, with the staff member later returning to work for collection of any vehicle.

Employee Personal Files

All information related to any test results shall be retained on file in the employee's personal record.

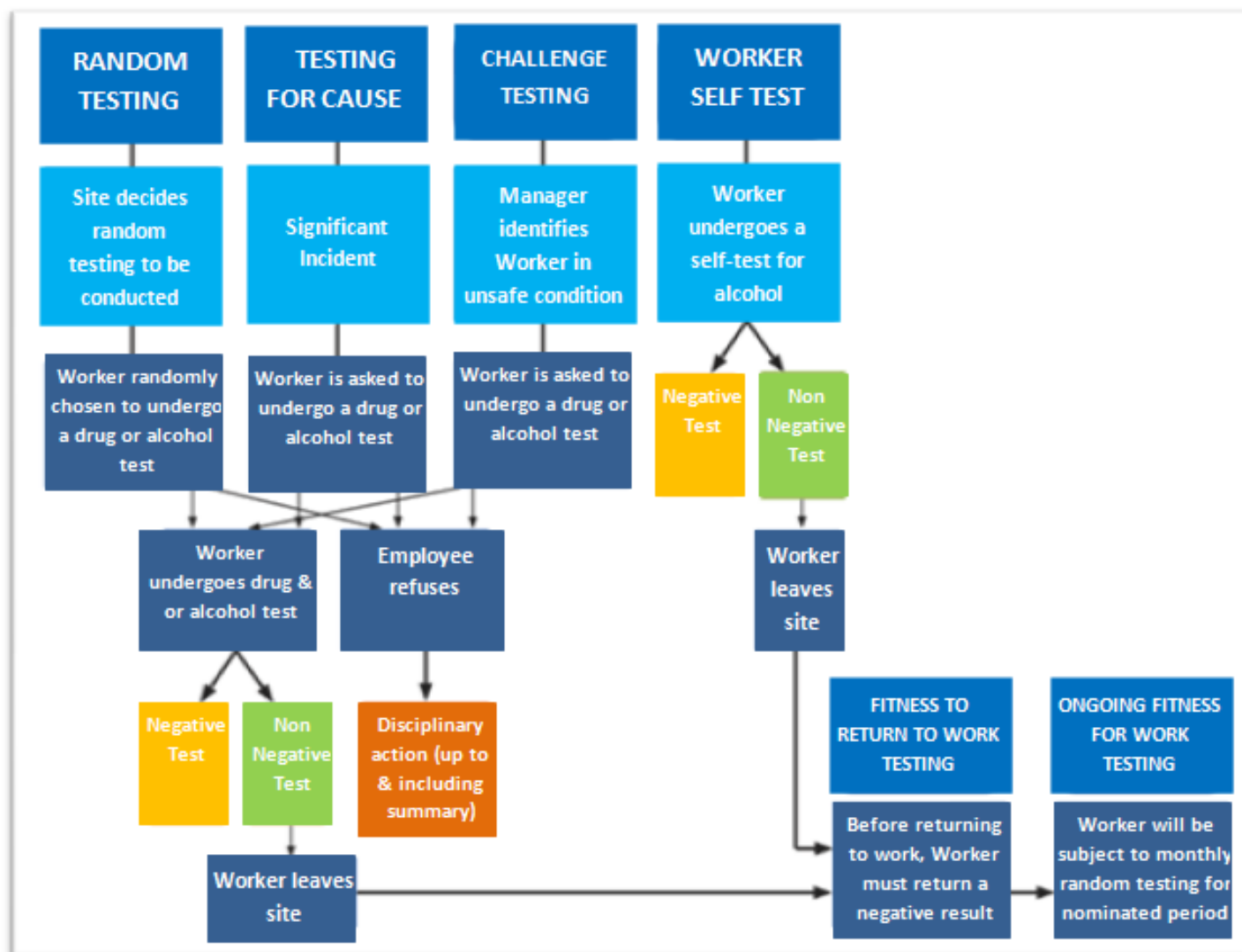
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Summary of Testing Process



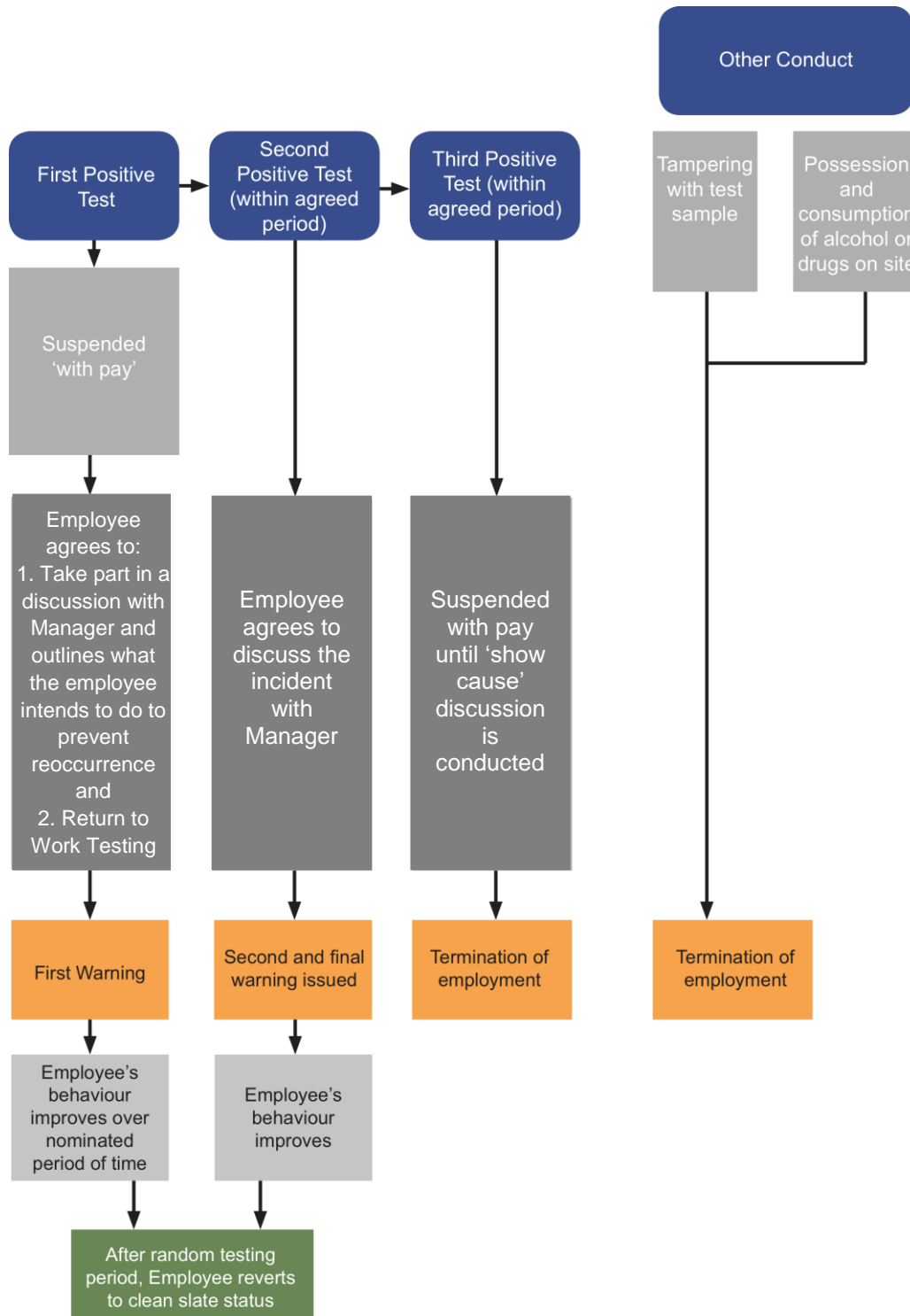
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Summary of Disciplinary Procedure



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Responsibilities

The responsibilities for the following personnel are:

Employees

- a) Inform Visy if they reasonably believe that they may be impaired by medication they are taking. The onus is on a Worker to ensure that they are not working while they may be in breach of this policy.
- b) Comply with the site procedure
- c) Report any problems associated with complying to procedure to their supervisor

Management

- a) Seek random sample of Workers on a Visy Site, or any part of a Visy Site, to be tested. It will be the obligation of the Manager to attempt to achieve an even distribution of Random Tests over all parts of the Visy Site under that Manager's control in any 12 month cycle
- b) Ensure compliance with the procedure in their areas of responsibility
- c) Actively manage any breaches of this procedure through performance management process

HSE Manager & Management

- a) Ensure procedure is current and changes are communicated with all personnel at site.
- b) Ensure procedure is compliant with Australian Standards
- c) Ensure the procedure is incorporated in the Management Review process
- d) Ensure information regarding positive tests is maintained in employees personal file

Management Team

- a) Review recommendations to policy and procedure
- b) Approval of policy and procedure
- c) Ensure legislative and regulatory compliance is maintained
- d) Ensure resources are compliant with Australian Standards, there is adequate supply and that adherence to this procedure is enforced for all personnel at site

Supervisors

- a) Ensure all team members are aware of and understand the requirements of the procedure
- b) Ensure all compliance with the procedure in their area of responsibility
- c) Actively manage any breaches of this procedure through performance management

Workers

- a) Inform Visy if they reasonably believe that they may be impaired by medication they are taking. The onus is on a Worker to ensure that they are not working while they may be in breach of this policy.
- b) Comply with the site procedure
- c) Report any problems associated with complying to procedure to their supervisor

Corrective Action

Non-compliances are addressed with the General Manager and will involve determining a course of action to amend the non-compliances through consultation with affected parties.

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ANNEXURES

Schedule 1 - Sample Collection Procedures for Breath Alcohol Tests if conducted by Visy representative

Schedule 2 - Sample Collection Procedures for Saliva Drug Tests

Schedule 3 - Professional Counselling, Assistance and Rehabilitation Services

Schedule 4 – Alcohol and Other Drugs Testing Form if conducted by Visy Representative

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Schedule 1

Sample Collection Procedures for Breath Alcohol Tests conducted by Visy representatives

1. The Collector will complete part of the Breath Alcohol Test Form with the Worker's details and will then ask the Worker to sign certifying that the details on the Form are correct and that the Worker is willing to submit to the breath alcohol test.
2. The procedures for conducting the breath analysis will be explained by the Collector and will be in accordance with the operating manual for the Visy breath analysis machine.
3. The Worker will be asked to blow into a mouthpiece attached to the breath analysis machine.
4. The results from the machine will be recorded on the Breath Alcohol Test Form and if the test is positive, printouts of the readings will be attached to the Breath Alcohol Test Form.
5. If the test is positive both the Collector and the Worker will sign the Breath Alcohol Test Form and the Worker will also sign a statement that he/she will not drive a motor vehicle, perform safety-sensitive work or operate machinery if the reading is above 0.05% BAC for administration Workers including Sales; 0.02% BAC for Workers operating machinery and/or mobile equipment; 0.00% for employees governed by Road Transport Legislation. Transport home will be provided for the Worker.
6. The Manager or their delegate and the Visy Manager designated to receive drug and alcohol test results will be informed of any Positive Result in respect of Employees as soon as possible after the test has been completed.

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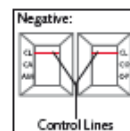
Schedule 2

Sample Collection Procedures for Saliva Drug Tests

The following procedures are to be used for the collection of samples to be analysed in accordance with Australian Standard AS 4760 "Procedures for specimen collection and the detection and quantitation of drugs in oral fluid".

Any departure from the specified sample collection procedures shall not invalidate a drug test result provided that the procedures followed do not cast doubt on the accuracy and reliability of the collection process with due regard to sample security and chain of custody requirements.

1. On arrival at a private room by the Worker selected for a drug test, the Collector, being a representative of Visy, will request to see identification, or else a Supervisor will verify the identity of the Worker. If the Worker's identity cannot be established unequivocally, then the Collector will not proceed with the collection.
2. The Collector will complete part of the Saliva Drug Test Form with the Worker's details and will then ask the Worker to sign certifying that the details on the Form are correct and that the Worker is willing to submit to the oral test.
3. The Worker will be asked to wash their hands. After this step the Worker being tested will remain in the presence of the Collector and will not have any access to water, soap or other materials that might be used to adulterate the sample.
4. The Worker being tested will provide the sample onto a certified drug wipe saliva collection device.
5. The authorised Visy representative shall:
 - Check the expiry date of the device stamped on the foil pack.
 - Check the foil for damage. If any damage is seen, if moist inside or the control lines are stained already, the testing device shall be discarded.
 - Only open the foil pack immediately prior to use.
6. Follow the written directions supplied with the sampling device to administer and interpret the test results.
7. Both the Collector and the Worker shall keep the sample in view at all times prior to reading the final test result.
8. **Negative Result**
 - **Negative result = No drug consumption**
 - The test is valid when both control lines (CL), one on each strip, turn red. The test is negative for the drugs when no other red lines appear.



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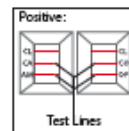
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9. **Non-Negative Result**

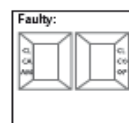
- **Non-Negative result = Drug consumption**

- o The test is valid when both control lines (CL), one on each strip, turn red. The test is positive for a drug, when one or more red test lines appear.



10. **Invalid Result**

- The test is invalid when either one or both the control lines (CL) do not turn red. Repeat the analysis using a new testing device.



Note: The test is also non negative, when the test lines are stained faintly or only partially red.

If the test is non negative this will be written on the Alcohol & Other Drugs Test Form and both the Collector and the Worker will sign this form

Non Negative samples are required to be sent for confirmatory testing by external testing agency

Chain of Custody requirements are outlined in a separate procedure.

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Schedule 3

Professional Counselling, Assistance and Rehabilitation Services

Visy has contracted the services of a professional Employee Assistance Program (EAP) provider, **IPS Worldwide**, to assist Employees with counselling, advice and rehabilitation for drug and alcohol related difficulties.

Any Employee can seek assistance from the Employee Assistance Program by self-referral or referral through their Manager. **IPS** can be contacted from anywhere in Australia on

1300 36 67 89

(for emergency after hours contact 1 800 45 1138)

Employees who have entered a rehabilitation program will be encouraged and assisted to take responsibility for the management of their own recovery program.

For information on the EAP Program, contact your Manager or site OHS person.

Free confidential advice, assistance and information is also available from the following:

National	Family Drug Support Hotline	1300 368 186
NSW	Alcohol and Drug Info Service (ADIS)	9361 8000 (metro) 1800 422 599 (regional)
VIC	Australian Drug Foundation	03 9278 8100
QLD	ADIS	3236 2414 (metro) 1800 177 833 (regional)
WA	ADIS	9442 5000 (metro) 1800 198 024
SA	Drug and Alcohol Services South Australia	1300 13 1340

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Schedule 4 – Alcohol and Other Drugs Testing Form if conducted by Visy Representative

Instructions

Use this form to record Alcohol & Other Drugs Testing results or details of the person who refuses to undergo alcohol or other drug testing when required.

A positive test includes:

Alcohol – a Breath Alcohol Concentration (BAC) which confirms:

- a) 0.05% or higher BAC for any Worker not required to enter the operational area of the site
- b) 0.05% or higher BAC for authorized Visitors
- c) 0.02% or higher BAC for Workers who enter the operational area of the site, includes PME drivers who operate only within operational areas
- d) 0.00% BAC if Worker governed by Road Transport Legislation, includes PME registered with Vic Roads and driven on road

Drug – a drug wipe saliva collection device which confirms the presence of a drug

Worker Information

Name: First Name: Last Name:

Access Card No:

Employer:

Background Information:

Any medication:
☐ No
☐ Yes
 Any alcohol today:
☐ No
☐ Yes

If Yes, please state:
 What:
 When it was last taken:

Test Information

Time & Date of Test: Time: Date:

Location of Test:

Reason for Test: ☐ Random ☐ Worker Self Testing ☐ Testing for Cause ☐ Challenge Testing ☐ Fitness to Return to Work

Collectors Name:

Testing Results

☐ Breath Alcohol Testing
☐ Breath Alcohol Concentration (BAC) _____%
 Attach BAC print out to this form

☐ Drug Testing
 Positive / Negative (circle the result)

Refusal to Undergo test:

☐ YES – state who witnessed this refusal
 Witness to refusal is:
 Reason for refusal:

Declaration:

I, _____ (Worker), hereby declare that the details on this form are correct.

Workers Signature Date
 Collectors Signature Date

Copy of Alcohol & Other Drugs Testing Form is to be stored in Workers personnel file

