



**Fire &
Rescue NSW**

POLICY NO:
CG02-002

Alcohol and Other Drugs Policy

Human Resources Directorate
Workplace Standards - Version 01

September
2013



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1 PURPOSE

Fire & Rescue NSW (FRNSW) is committed to achieving and maintaining a safe and healthy workplace, free from the hazards and risks associated with substance misuse and/or abuse, to ensure it protects the interests of FRNSW, its workers and the wider community.

This policy aims to:

1. Facilitate the health, wellbeing and safety of employees by providing training and information on the harmful effects of alcohol and/or other drugs on work performance, safety and conduct.
2. Provide employees experiencing difficulties with their use of alcohol and/or other drugs with advice and support services to assist them to manage this.
3. Promote personal responsibility in relation to the consumption of alcohol and responsible and lawful use of general medications.
4. Set a foundation of ethical and professional standards required by all employees regarding substance use.
5. Establish fair, equitable, lawful and effective measures to ensure that workers meet the standards set out in the policy.

2 SCOPE & APPLICATION

This policy will apply from 4 September 2013 with complete implementation and testing to commence 1 December 2013.

The policy will apply to all workers and all workplaces, as defined by the *Work Health And Safety Act 2011*.

A “worker” includes:

- an employee; or
- a contractor or subcontractor; or
- an employee of a contractor or subcontractor; or
- a student gaining work experience; or
- a volunteer.

A “workplace” includes a place where work is carried out for FRNSW and includes any place where a worker goes, or is likely to be, while at work including a vehicle, vessel or aircraft and any waters and any installation on land.

The policy will therefore apply to firefighters, trades and administrative staff, contractors, volunteers and employees of other businesses who may be working on behalf of FRNSW or working at a workplace.

3 LEGAL & POLICY FRAMEWORK

Under the Fire Brigades Regulation 2008 clause 18, 1 (a) (b) and (f), and 18, 2:

- (1) A firefighter must not:
 - (a) come on duty while under the influence of alcohol or a drug, or
 - (b) while on duty, consume, use or possess any alcohol or drug, or
 - (f) while off duty, enter or remain on departmental premises without authority.

- (2) The officer in charge of any departmental premises must refuse to permit a firefighter to come on duty if of the opinion that the firefighter is under the influence of alcohol or a drug to the extent that the firefighter is unable to exercise the functions of a firefighter.

The *Work Health And Safety Act 2011* requires employers to ensure a safe working environment. This extends to the use of drugs and/or alcohol in the workplace. It places responsibility on the employer to use appropriate resources and processes to eliminate or minimise the risks associated with the use and/or consumption of drugs and/or alcohol, and on workers to co-operate with any reasonable policy or procedure of the employer.

4 POLICY STANDARDS

This policy adopts the following standards relating to alcohol and other drugs:

Alcohol

- Workers must not be in the workplace with a blood alcohol concentration (BAC) of 0.02 grams or above of alcohol per 210 litres of breath (i.e. 0.02mg%)¹.
- Workers must not have in their possession any unsealed alcohol, or consume alcohol while at work or in the workplace.
- FRNSW uniformed workers must not consume alcohol while in FRNSW uniform or wearing any identifiable part of FRNSW uniform, provided that the Commissioner may grant exemptions to allow the consumption of alcohol at work or whilst in uniform at special events. In these circumstances workers must ensure that alcohol is consumed in a responsible manner, consistent with upholding the reputation and integrity of FRNSW.
- Gifts of alcohol must not be accepted under any circumstances and should be returned to the provider / gift giver. If this is not possible it should be managed in accordance with relevant policy.

¹ The BAC legal limit for a special category driver – Section 8 of the Road Transport (Safety and Traffic Management) Act 1999 defines a special category driver as the driver of a heavy motor vehicle.

- Off duty employees impaired by alcohol are not permitted in the workplace. This includes any designated station where sleeping accommodation has been made for the purposes of overnight stay.

Prohibited Drugs

- Workers must not use any prohibited drug or non prescribed steroid in any FRNSW workplace (including in any FRNSW vehicle).
- Workers must not be in the workplace with concentrations of any prohibited drug in their body systems at or above the cut-off level for that drug, as prescribed in the table below.

Class of drug	Cut off level, ng/mL
Opiates	50
Amphetamine-type stimulants	50
Δ9-tetrahydrocannabinol (THC)	25
Cocaine and metabolites	50

- Off duty employees impaired by prohibited drugs are not permitted in the workplace. This includes any designated station where sleeping accommodation or arrangements have been made for the purposes of overnight stay.

Other Drugs: Over the Counter Pharmaceuticals or Prescription Medication

If a worker is taking any form of general medication/s, such as over the counter and/or prescription medication, that carries a warning that it may impair or impact on normal functioning, they should not commence or remain at work if they believe they are unable to safely carry out their normal duties.

5 POLICY IMPLEMENTATION

5.1 Drug and Alcohol Testing

FRNSW shall conduct random, targeted and post accident / serious injury drug and alcohol testing of all workers in the workplace; and pre-employment drug testing for firefighters, as part of the Health Standards for recruitment.

Such tests are a condition of employment with FRNSW. Any refusal by a FRNSW employee to undertake a drug and alcohol test may result in disciplinary action.

Such tests are a condition of attendance at an FRNSW workplace. Any refusal by a worker on site to undertake a drug and alcohol test will result in the worker being ordered to leave the workplace.

5.2 Random Testing

Random drug and/or alcohol tests may only be approved by the Commissioner, Deputy Commissioner, Deputy Chief Executive, Director Human Resources or the Assistant Director, Workplace Standards.

Random testing may be conducted at any FRNSW workplace on a 24 hour, 7 day a week basis. A random testing schedule outlining specific dates and times for testing to be conducted will be developed from a list of FRNSW workplaces.

The timing of random testing will take into account operational factors such as regular working hours at the workplace, the staffing at the location and anticipated activity levels.

Workplaces selected for random testing will require all workers on site to be tested.

5.3 Targeted Testing

Targeted testing can be requested by any worker in circumstances where another worker presenting for work is observed to display behaviours that suggest they are a potential safety hazard. This request should be made as soon as possible to the worker's Manager/Station Commander or, if it is the Manager/Station Commander who is the subject of concern, directly to the worker's Senior Manager/Senior Officer. A Manager/Station Commander who receives a targeted test request must immediately refer the request to their Senior Manager/Senior Officer (eg. the Duty Commander).

Targeted testing can be initiated by a Senior Manager/Senior Officer in circumstances where a worker in the workplace is observed or reported to display behaviours that suggest they are a potential safety hazard. Duty Commanders will also have the capacity to administer impromptu incident ground alcohol tests using breath testing units provided by FRNSW.

Targeted testing can also be initiated by the Assistant Director, Workplace Standards, in circumstances where information received suggests possible drug and/or alcohol misuse and/or abuse in the workplace.

The decision to conduct a targeted test will not be automatic and will only be made after considering all the available information provided, and in consultation with relevant parties.

Targeted testing should be undertaken as soon as reasonably practical following a decision to do so.

5.4 Post Accident / Serious Injury

In the event of a workplace injury that is sufficiently serious as to require a worker's immediate treatment as an in-patient in hospital, a drug and alcohol test will be conducted on all workers involved.

Testing will also be conducted in the event of a workplace accident that causes serious damage, or has the potential to cause serious damage to FRNSW equipment or property.

This testing will be undertaken as soon as reasonably practical after the accident has occurred. Depending on the circumstances the workplace may be deemed 'off line' for the period of testing.

5.5 Reporting Substance Misuse

All workers have an obligation to report the abuse or misuse of alcohol and/or other drugs in the workplace. Any suspected substance misuse in the workplace should be reported to a Manager/Station Commander or Workplace Standards.

5.6 Recall / On Call Arrangements

It is the responsibility of all employees to ensure they adhere to the Alcohol and Other Drugs Policy and do not commence work if impaired by alcohol and/or other drugs.

In circumstances where an employee is recalled to duty and has consumed alcohol (and believe they are 0.02 or above); and/or medications that carry a warning (and believe they are unable to safely carry out their normal functions) they must not commence duty.

5.7 Retained Firefighters

In circumstances where a Retained Firefighter has been alerted to an incident and has consumed:

- alcohol (and believe they are 0.02 or above); and/or
- medications that carry a warning (and believe they are unable to safely carry out their normal functions); and/or
- prohibited substances;

they must not respond to the incident.

5.8 Accidental Exposure

If an employee believes they may have inadvertently been exposed to substances listed on the testing device, they must disclose this information to Workplace Standards within 24 hours of the exposure in order to avoid the provisions of any positive test result as outlined in the Alcohol and Other Drug Testing Procedures.

Any disclosure of accidental exposure will require the employee to submit to a drug test prior to resuming work.

If an employee fails to disclose accidental exposure and is subject to random, targeted or post accident testing, they may be subject to the provisions of any positive test result as outlined in the Alcohol and Other Drug Testing Procedures.

5.9 Counselling and support services

This policy seeks to facilitate the health, safety and welfare of all employees by providing a wide range of support services and programs available to individuals experiencing dependency problems and FRNSW is committed to providing comprehensive rehabilitation support through these channels for its employees.

FRNSW is committed to educating, assisting and supporting employees to deal with alcohol and/or other drug problems, through support services, counselling and assistance.

Information on how to access counselling and rehabilitation services is available from Workplace Standards or Health & Safety.

5.10 Positive Test Results

Procedures for the management of situations where a positive test result is recorded are presented in the Alcohol and Other Drug Testing Procedures.

5.11 Confidentiality

Confidentiality in relation to the misuse or abuse of alcohol and other drugs is fundamental to protecting the privacy of individuals and in encouraging employees' acceptance of prevention and treatment measures. Maintaining confidentiality is the responsibility of all employees and management of FRNSW.

All test results are treated as confidential. FRNSW will only use personal or health information for the purposes for which it was collected.

Any employee, contractor or consultant who has access to information about testing results, or another person's self identification or participation in counselling or a rehabilitation program, is obliged to maintain that information in confidence and not to disclose it to anyone else unless authorised to do so by FRNSW's policies or procedures, the law and/or the person to whom the information relates.

Any employee, contractor or consultant who becomes aware of a breach of confidentiality in relation to these matters is encouraged to report such breaches to the Assistant Director, Workplace Standards.

Breaches of confidentiality will be considered a breach of this policy and will be investigated. If the breaches are found to have occurred, disciplinary action may be taken.

6 ROLES AND RESPONSIBILITIES

6.1 Fire & Rescue NSW

FRNSW will:

1. Create an awareness of the impact of the misuse and/or abuse of alcohol and/or other drugs amongst employees.
2. Create an awareness of the policy amongst all workers.
3. Develop and administer policies and procedures that respect employee rights, are positive in their intent, and comply with the law.
4. Establish and maintain programs to assist employees with alcohol and/or other drug abuse or dependency problems.

6.2 Managers

Managers will:

1. Administer the policy in a manner that is fair and consistent, and in accordance with the Alcohol and Other Drugs - Procedures Guide.
2. Actively support employees through any program aimed at managing alcohol and/or other drug abuse or dependency problems.
3. Communicate the policy such that all workers are made aware of the policy's principles, standards and procedures.

6.3 Employees

Employees will:

1. Ensure personal knowledge and understanding of the policy's principles, standards and procedures.
2. Adhere at all times to the policy.
3. Comply with all lawful directions concerning drug and alcohol testing conducted under this policy.
4. Participate in and support FRNSW sponsored drug and alcohol training, education and information programs.

6.4 Workers

Workers will:

1. Comply with the policy's principles, standards and procedures.
2. Comply with all lawful directions concerning drug and alcohol testing conducted under this policy.

6.5 Test Refusal / Interfering / Substituting test results

Any employee who refuses to submit to a test; evades or wilfully delays the procedure; interferes with a test sample or test result; or substitutes or attempts to substitute a sample; will be subject to disciplinary action.

An employee, contractor or consultant who does anything to introduce, substitute or alter the concentration of alcohol or any prohibited drug in the employee's saliva and/or breath;

- (i) before submitting to a breath analysis, or
- (ii) before providing a sample of saliva or breath, or
- (iii) during the process

will be subject to disciplinary action.

7 MONITORING AND REVIEW

Annual reviews of this policy and accompanying procedures guide will be conducted to determine their effectiveness and appropriateness.

8 TRAINING AND SUPPORT

Information and education for employees is available via the Workplace Standards intranet site. A checklist is available to assist managers understand their roles and obligations under this policy and the procedures guide.

9 DOCUMENT CONTROL

Policy Manager	Assistant Director, Workplace Standards
Contact No	02 9265 2826
Document type	Policy
Applies to	<input checked="" type="checkbox"/> Permanent Firefighters <input checked="" type="checkbox"/> Retained Firefighters <input checked="" type="checkbox"/> Administrative and Trades Staff <input checked="" type="checkbox"/> Contractors and Consultants <input checked="" type="checkbox"/> Volunteers
Status	Approved
Security	Unclassified
File Reference	NFB/09732 -2
Document Control	Insert here variations as made, including date of variation
Review Date	December 2014
Rescinds	In Orders 1997/20 Drug and Alcohol Policy
Copyright	© State of New South Wales through Fire & Rescue NSW

9.1 Related documents

Document	Description
Alcohol and Other Drugs Testing Procedures (Policy no. CG02-003)	Details procedures followed for: random, targeted and post accident / serious injury drug and alcohol testing; the management of test results; and the reporting of concerns by managers and staff.
Support Services Referral Form	Provides a list of treatment services across metropolitan and regional NSW.



**Fire &
Rescue NSW**

POLICY NO:
CG02-003

Alcohol and Other Drugs Testing Procedures

Human Resources Directorate
Workplace Standards – Version 01

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1 Purpose

This document establishes the processes to be followed in applying the Fire & Rescue NSW (FRNSW) Alcohol & Other Drugs Policy (AOD Policy). It sets out the drug and alcohol testing procedures used to monitor policy effectiveness and to ensure a safe working environment for all workers.

2 Scope and application

The policy and these procedures will apply to all workers and all workplaces, as defined by the *Work Health And Safety Act 2011*.

The policy and these procedures will therefore apply to firefighters, trades and administrative staff, contractors, volunteers and employees of other businesses who may be working on behalf of FRNSW or working at a FRNSW workplace.

3 Policy Implementation

The policy will apply from 4 September 2013 with these procedures and testing to commence 1 December 2013.

With the exception of immediate incident ground alcohol testing conducted by FRNSW senior officers using breath testing units provided for that purpose, FRNSW drug and alcohol testing will be contracted to an external testing agency, accredited to Australian Standards, as an on-site test collection service provider. Testing will be conducted as follows:

- breath testing for alcohol using a device that meets either AS 3547, Breath alcohol testing devices for personal use; or NMI R 126, Pattern Approval Specifications for Evidential Breath Analysers;
- saliva testing for drugs, using a testing device that complies with the relevant Australian Standard.

Workplace Standards will monitor FRNSW drug and alcohol testing to ensure:

- procedures are being adhered to and any issues arising from the random testing program are appropriately addressed;
- FRNSW workers understand the requirements of the AOD Policy and these procedures; and
- approximately 10% of FRNSW workers are tested annually.

3.1 Drug testing

An oral screening test using a testing device that complies with Australian Standards will be used to detect a range of substances including:

- Opiates (eg. morphine, heroin, codeine).
- Amphetamine type substances (eg. speed, ecstasy).
- Cannabis metabolites (eg. marijuana).
- Cocaine metabolites (eg. cocaine).

Any test reading taken for substances listed on the testing device **below the cut-off level** is considered **negative**.

Any test reading taken for any substances listed on the testing device **at or above the cut-off level** is considered '**non-negative**', and will require further analysis (confirmatory analysis) at an approved laboratory unless the worker elects to accept the screening test result as a **positive** result.

- Any test result (screening or confirmatory) **below** the cut-off level in the table below will be considered **negative**.
- Any screening test result at or above the cut-off level in the table below will be considered **non-negative**.
- Any confirmatory test result at or above the cut-off level in the table below will be considered **positive**.

Class of drug	Cut off level, ng/mL
Opiates	50
Amphetamine-type stimulants	50
Δ9-tetrahydrocannabinol (THC)	25
Cocaine and metabolites	50

3.2 Alcohol testing

An alcohol test will be considered a positive result, where a worker undertakes a breath test that indicates a **blood alcohol concentration (BAC) at or above 0.02 grams** of alcohol per 210 litres of breath (0.02mg%).

- Any reading **below 0.02**, the test result is considered **negative**.
- Any reading of **0.02 or above** the worker will be required to undertake a second test, after a period of 20 minutes.
- If the reading for the second test is **0.02 or above**, the test will be considered a **positive** result.

4 Roles & Responsibilities

4.1 Workers

- All workers have a work health and safety obligation to report unsafe work practices; this extends to the misuse and/or abuse of substances in the workplace.
- Workers must participate in the testing process and adhere to any direction given as part of the testing process.
- For drug testing purposes and to ensure the integrity of samples, workers who are to be tested must:
 - Sign chain of custody forms as requested to do so by the tester.
 - Provide a sample of saliva for the purposes of a drug test.
- For alcohol testing purposes and to ensure the integrity of samples, workers who are to be tested must:
 - Provide a sample of breath as directed to do so by the tester.
 - If the reading is 0.02 or above undertake a second test as requested, after a waiting period of 20 minutes.
- Workers must leave the workplace if directed to do so, noting that anyone who records a BAC reading of 0.05 or above should not drive.

4.2 Managers / Station Commanders

- Where a Manager or Station Commander suspects drug or alcohol misuse and/or abuse in the workplace; or where a serious accident or injury occurs in the workplace; they must report the matter to Workplace Standards and/or their Senior Manager/Senior Officer (eg. Duty Commander) as soon as practical.
- Managers and Station Commanders are responsible for assisting in the facilitation of the drug and alcohol testing process by:
 - Providing an appropriate room suitable for drug and alcohol testing.
 - For Random Testing - ensuring that all workers are present for testing, and remain so for the duration of the testing process.
 - In the event a worker leaves prior to testing (i.e. due to sickness or emergency), making a notation on the roster, timesheet or occurrence book and inviting the worker to sign the notation.
 - For Random Testing - informing each worker of their obligation to undertake a drug and alcohol test, and personally undertaking the same test.
 - If appropriate, arranging to have the worker returned home safely (ie: arranging transport for someone who has registered a positive test result).

4.3 Senior Managers / Senior Officers

- A Senior Manager or Senior Officer who receives a report and/or who suspects a worker or group of workers of drug or alcohol misuse and/or abuse must decide whether to:
 - immediately arrange a targeted test; or
 - take such other immediate action as they consider necessary, if any, and then refer the matter to Workplace Standards.

This decision will only be made after considering all the available information provided, and in consultation with relevant parties.

- For Targeted Testing on the incident ground (only) – the Senior Officer may administer an alcohol test using the breath testing unit provided by FRNSW and, if a worker refuses to comply or records a BAC of 0.02 or greater, direct the worker to immediately leave the incident ground. The Senior Officer may then arrange for further targeted testing of the worker by the external testing agency, and must arrange for such testing if the worker requests this.
- For all other Targeted Testing – the Senior Manager or Senior Officer should contact the Authorised Test Collection Agency hotline to arrange for testing to be conducted (contact details are available on the Workplace Standards intranet page).
- For all testing – the Senior Officer responsible will inform Communications that testing is to take place and, if appropriate, that the station/workplace will be “off line” until the testing is concluded.
- Senior Managers/Senior Officers are responsible for assisting in the facilitation of the drug and alcohol testing process by:
 - Taking all necessary action(s), including notification of Workplace Standards, following the removal of a worker from the workplace due to their test result(s) or their failure to undertake a drug and/or alcohol test.
 - Informing employees of their obligation to undertake a drug and alcohol test and, in the event of any testing at their own workplace, personally undertaking the same test.

4.4 Workplace Standards Branch

Workplace Standards will:

- Prepare the random testing schedule in consultation with the testing agency for approval by the Commissioner or Deputy Commissioner or Deputy Chief Executive or Director Human Resources or the Assistant Director Workplace Standards, and arrange targeted and post accident / serious injury testing.
- Provide advice in relation to drug and/or alcohol reports, and determine if testing is an appropriate strategy.
- Arrange for a test collection service provider to conduct testing as requested or as per the random testing schedule, which should include:

- workplace location details;
 - phone contact details of the Manager or Station Commander responsible for that location;
 - dates and times testing is required;
 - a list of workers / roster for each location; and
 - drug and alcohol test results summary sheet.
- Ensure all information, where a positive test is recorded, is documented in the Workplace Standards Complaint Notification System, including all relevant documentation.
 - Confidentially record and store all results as per record keeping guidelines.

4.5 Test Collection Service Provider

The external testing agency will:

- For Random Testing - attend the location and inform the Manager/Station Commander that their location has been selected for random testing.
- Set up the testing process.
- Obtain a list/roster of all workers on duty from the Manager/Station Commander and compare attendance with the list/roster provided by Workplace Standards.
- Make a notation of any discrepancies on the list/roster.
- Check worker ID and list / roster of workers.
- Provide Drug and Alcohol Testing forms.
- Conduct testing and document test results.
- Provide Workplace Standards with test results, chain of custody forms, testing summary and associated documentation.
- Send non-negative results to an approved laboratory for confirmatory analysis.
- Provide Workplace Standards with confirmatory results in writing (via email).

5 Test Results

All test results will be recorded by the test collector and provided to Workplace Standards. The test collector, at the time of testing, will inform all workers of their individual test results.

The test collector will also inform the Manager/Station Commander of any test results that will require the removal of the worker from the workplace, so that appropriate action can be taken.

The test collector will also immediately contact the relevant Senior Manager/Senior Officer if the Manager/Station Commander records a test result that requires the

removal of the Manager/Station Commander from the workplace, so that appropriate action can be taken.

Results for samples sent to an approved laboratory for further confirmatory analysis will be received by Workplace Standards within 24 – 48 hours and a full copy provided to the worker immediately thereafter.

All test results will be recorded by Workplace Standards as per record keeping guidelines.

5.1 Negative Test Results

Where a negative test result for alcohol and/or or drugs is recorded, the worker may return to the workplace and resume work.

5.2 Non-Negative Test Results

The term 'non-negative' refers only to the drug testing process. If the test reading indicates a presence of one or more of the substances listed on the testing device, it will be deemed a 'non-negative' result.

Any non-negative test result will be considered a positive result if the worker elects to accept the screening test as positive. In such a case there will be no confirmatory laboratory test performed and the worker will be subject to the provisions of a positive test result as outlined in these procedures.

If however the worker elects to contest the screening test's non-negative result, then the sample will be submitted for further analysis by an approved laboratory to determine a confirmatory result. The analysis of the sample in a laboratory incorporates highly sensitive Gas/Liquid Chromatography, which is considerably more sensitive and specific than screening devices, and produces quantitative results as opposed to simply an indication of whether readings exceed the 'cut-off' levels.

Confirmatory results may take between 24 – 48 hours. These quantitative results, which will be provided to the worker, will be the final determinant.

Where the screening test result indicates a non-negative result to either the opiates, amphetamine type substances or benzodiazepine drug classes, a worker who has undertaken random or post accident / serious injury testing may remain at work prior to obtaining a confirmatory result, but only if the worker :

- voluntarily discloses the use of medications (such as codeine and/or cold and flu tablets) on a Medical Declaration Form; and/or
- provides a current prescription for any pharmaceutical medications.

A worker who records a 'non-negative' result (whether they elect to accept this as a positive result or otherwise) and who does not satisfy either of the above conditions

will be relieved of duty and directed to leave the workplace. In these circumstances the worker will only be permitted to return to the workplace if:

- the confirmatory result indicates the use of legally obtained over the counter and/or prescription medication/s; and/or
- in the case of 'prescription only medication', the worker is able to produce evidence of a current prescription in their own name.

If a confirmatory result indicates the sample provided by the worker is negative to prohibited substances, the worker will be re-credited any sick leave deducted as a consequence of a non-negative screening result.

If a confirmatory result indicates the sample provided by the worker is positive at or above the cut-off level for a prohibited substance, the worker will be subject to the provisions of a positive test result as outlined in these procedures.

No prohibited drug will be considered legal medication.

5.3 Medical Declaration Form

A worker who returns a non-negative test result may elect to complete and sign a Medical Declaration Form indicating that the non-negative result is due to specified over-the-counter and/or legally obtained prescription medications.

The Medical Declaration Form will be forwarded to Health and Safety Branch for retention. If the confirmatory test reveals that false or misleading information was provided on the Medical Declaration Form, then disciplinary action will be taken, which may include dismissal.

5.4 Positive Test Results

- (i) On the first (1st) occasion, where a worker tests positive to drugs or alcohol in the workplace, or elects to accept a non-negative result as a positive result, they will be immediately relieved of duty and directed to leave the workplace and, if an employee:
 - Placed on sick leave;
 - Provided access to support services if requested or required; and
 - Immediately required to undertake a 'return to work drug and alcohol test' when they next start work.
- (ii) Where a worker tests positive to drugs or alcohol in the workplace, on a second or any subsequent occasion they will be subjected to the conditions listed above. The matter will also be addressed with written advice to the worker reminding them of required professional expectations and standards; and warning against a repeat of the behaviour.

Any worker who tests positive will be subject to ongoing 'no notice' targeted testing for 12 months following the test result. This is in addition to any further occasions where their workplace may be subject to random drug and/or alcohol testing.

Workplace Standards will provide a written copy of all positive test results to the worker.

5.5 Assessment of Positive Test Results

This policy is designed to be primarily non-punitive, however, in serious or serial cases of abuse each matter will be assessed on a case by case basis and individual factors and circumstances will be taken into consideration to determine the appropriate action, including whether or not to commence disciplinary action.

5.6 Return to Work Testing

A worker who has recorded a positive test result for a prohibited substance/s and/or an alcohol test result of 0.02 or above will be required to immediately undertake a drug and/or alcohol test when they next start work. The worker will not be permitted to remain in the workplace until a negative result is obtained.

6 Pharmaceuticals / Medications

These guidelines are not intended to restrict any authorised medical practitioner, medical professional, paramedic, pharmacist, or medical assistant from prescribing medications for medicinal purposes. Some prescriptions or 'over the counter' medications may affect work performance and the ability to work safely.

If a worker is taking any form of general medication/s, such as over the counter and/or prescription medication, that carries a warning that it:

- (i) may impair or impact on normal functioning;
- (ii) cause drowsiness; and/or
- (iii) may affect users when driving or operating heavy machinery;

they should not commence or remain at work if they believe they are unable to safely carry out their normal duties.

If a worker uses, possesses, sells or distributes a prescription medication in the workplace which has not been prescribed by a medical practitioner for the individual, it will be treated as a breach of the policy.

7 Reporting Substance Misuse

Where a worker suspects substance misuse and/or abuse in the workplace they should report this to Workplace Standards or their Manager/Station Commander, who will in turn report this to their Senior Manager/Senior Officer. Where it is a Manager/Station Commander suspected of substance misuse and/or abuse, the worker may report this to their Senior Manager/Senior Officer or directly to Workplace Standards.

All reports of substance misuse and/or abuse will be reviewed and assessed. The identity of workers who report substance misuse will remain confidential. Any worker who makes a knowingly false or vexatious notification will be subject to disciplinary action.

7.1 Self Disclosure

Workers who believe they may have a substance misuse problem are encouraged to seek qualified support and assistance to manage their situation.

Employees may self disclose substance misuse and/or abuse to the Workplace Standards Branch or the Health & Safety Branch.

Any disclosure of prohibited substance misuse and/or abuse will be considered and assessed by Workplace Standards.

Self disclosure (of a drug and/or alcohol dependency) needs to occur outside of any compulsion the employee may feel should a random drug and alcohol test be underway at their workplace (i.e. it will not be accepted as a means to avoid the consequences of a drug or alcohol test).

The employee will be required to undertake an assessment of their fitness for duty and a drug and/or alcohol test. Where applicable, they will be referred to appropriate support services (see Point 8). They may also be subject to ongoing no-notice targeted testing for a period of 12 months, however they will not be subject to disciplinary action as a result of a positive drug and/or alcohol test result if they are genuinely participating in an approved rehabilitation/support program.

7.2 Reporting Accidental Exposure

Workers who believe they may have inadvertently been exposed to substances listed on the testing device must disclose this information to Workplace Standards within 24 hours of the exposure in order to avoid the provisions of any positive test result as outlined in the Alcohol and Other Drug Testing Procedures. This must not coincide with random testing.

Any disclosure of accidental exposure will require the worker to submit to a drug test prior to resuming duty. If the test result indicates a non-negative, the worker will be

relieved of duty and directed to leave the workplace until a return to work drug and alcohol test is conducted and a negative result is obtained.

If a worker fails to disclose accidental exposure and is subject to random, targeted or post incident/serious injury testing, they will be subject to the consequences of any positive test result.

8 Support Services

FRNSW provides support services for drug and alcohol dependency issues. Any employee experiencing substance dependency issues may contact the Health & Safety Branch for further information. Such contact will be kept in confidence and will not be treated as self disclosure unless the employee specifically requests this.

There are a wide range of support services available for employees to access, including:

- Access to the Employee Assistance Program (EAP) which provides counselling, education and support for FRNSW employees and family members.
- GP referral and mental health care plans, which can provide tailored treatment interventions and access to substance-specific treatment services.
- Appropriate referral pathways to external treatment service providers for individualised treatment (that offer strategies and assistance with rebuilding coping skills & resilience).
- Chaplains.

How can employees access these services?

- Through referral to support services by the Health & Safety (EAP Co-ordinator), Health & Safety Branch.
- By contacting their GP to arrange a mental health care plan.
- By contacting EAP directly.

More information is provided on the Workplace Standards and Health & Safety Intranet sites.

9 Document control

Policy Manager	Assistant Director, Workplace Standards
Contact No	02 9265 2826
Document type	Policy
Applies to	<input checked="" type="checkbox"/> Permanent Firefighters <input checked="" type="checkbox"/> Retained Firefighters <input checked="" type="checkbox"/> Administrative and Trades Staff <input checked="" type="checkbox"/> Contractors and Consultants <input checked="" type="checkbox"/> Volunteers
Status	Approved
Security	Unclassified
File Reference	NFB/09732-2
Document Control	Insert here variations as made, including date of variation
Review Date	December 2014
Rescinds	In Orders 1997/20 Drug and Alcohol Policy
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