

Administrative Procedure

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1. Introduction

The intent of the WesCEF Drug and Alcohol Procedure is to manage the risk created by people being adversely affected by drugs or alcohol at work.

This procedure applies to all Wesfarmers Chemicals, Energy & Fertilisers ('WesCEF') employees, contractors and visitors on any WesCEF owned or operated site.

This procedure forms only one part of WesCEF's overall Fitness for Work (FFW) program. Other contributing factors to an employee's fitness for work, such as fatigue, stress, or other physical or mental health issues are beyond the scope of this procedure, and are managed through various other policies, procedures and practices.

2. Objectives

A person affected by drugs and alcohol at work introduces unnecessary risk to the business. This risk includes safety, environmental, financial and business interruption. The objectives of this procedure are to:

- a. Prevent or mitigate the risk introduced by people being affected by drugs or alcohol at work.
- b. Provide a process for drug and alcohol testing.
- c. Clearly outline the expectations for all employees, contractors and visitors.
- d. Provide a fair and consistent process for managing people who return a non-negative result for drugs or alcohol.

3. Contractors

At CSBP Kwinana Works and Kleenheat Production Facility, the Supplier shall, at their own cost, provide WesCEF evidence of an alcohol and other drugs screen for all contractors engaged in the performance of work at the WesCEF site, prior to any work commencing. A contractor is defined as the actual person or individual that performs the work on behalf of the Supplier. This person is required to be suitably trained and inducted to perform the requested task.

The screen :

- Is to be completed within 28 days prior to requesting the general site induction. The general site induction must be completed within 28 days of approval, at which time the contractor must reperform the screen and provide evidence thereof.
- Shall remain valid for 24 months (the equivalent of two annual general site inductions) at which time the Contractor must reperform the screen and provide evidence thereof.
- Must be collected by personnel trained in HLTPAT005 collect specimens for drugs of abuse testing or equivalent.

The results of the screen must be acceptable as per the thresholds stipulated in Section 7.

Independent of this, it is strongly encouraged that the Supplier have an alcohol and other drugs testing programme in place, which incorporates regular (periodic & random) screens, and provides the results to WesCEF if requested.

Where the above screening submission is unable to be met due to urgent labour hire demands, the WesCEF Production Manager or equivalent may liaise with the CSBP Medical Centre to request completion of the alcohol and other drugs screen for the Contractor.

Any deviations to this process are to be risk assessed and approval sought by the relevant WesCEF Production Manager or equivalent.

4. Assessment

WesCEF conducts a variety of drug and alcohol tests including:

- Voluntary testing
- Random testing
- Mass testing
- Post incident testing
- 'For cause' testing
- Medical surveillance

5. Deliberate Breach of Procedure

A person will be deemed to have returned a positive result and disciplinary action will apply if any of the conditions below are met:

- Refusing to undertake drug and alcohol testing when required.
- Becoming aware that testing is being conducted and vacating the workplace without undergoing testing.
- Sample tampering (e.g. sample substitution, dilution or addition of other substances, tampering with the Chain of Custody process).
- Providing false or misleading information about their FFW.
- Refusing to, or not engaging adequately in a return to work process as a result of confirmed drug or alcohol test result.

6. Privacy and Confidentiality

Information about a person's test results or their participation in a return to work program will be confidential and relevant information will only be disclosed to those people necessary to ensure a fair and consistent process. Subject to the specifics of each case, the following personnel may be notified:

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- Shift Supervisor (after hours)
- Occupational Health Nurse (OHN)
- Occupational Physician
- Person's departmental manager and supervisor
- Human Resources Consultant/Manager
- Company executives
- Health & Safety department personnel
- Induction administrators

Any alleged breaches of confidentiality associated with delivery of this procedure will be investigated in accordance with WesCEF Poor Performance and Misconduct Policy (WCEF-PO-HRS-040-03).

7. Drug and Alcohol Thresholds

A person is defined as not fit for work when they are found:

- To be at or above the drug threshold levels prescribed in Australian Standard AS4308 Procedures for the collection, detection and quantification of drugs of abuse in urine.
- To have a Blood Alcohol Content (BAC) greater than 0.02%.
- In breach of legislative requirements or specific employee contractual agreements that may require a BAC of 0.00% (e.g. Licensed Dangerous Goods Drivers and despatch operators working under the control of the Rail Safety National Law (WA) Act 2015).

7.1 Drug Testing Method

All drug testing will be completed using a urine test method, except for random testing and mass testing, where personnel have the option of selecting either a mouth swab or urine test method for initial drug screening.

All secondary testing will be completed using a urine test method.

7.2 Voluntary Testing

A voluntary test can be initiated at any time by a person unless already nominated for testing.

Where breathalyser units are installed, a voluntary test for alcohol can be conducted by any employee. A voluntary test for drugs can be initiated by making contact with the OHN.

Where a voluntary test is initiated prior to entering the worksite and the test result is positive, the employee:

- Will be deemed unfit for work however will not be subjected to disciplinary action.
- Will be required to notify their supervisor of their non attendance in line with the WesCEF Leave Policy (WCEF-PO-HRS-050-03).
- May be unable to drive home and alternate transport methods are to be sourced.
- May be referred to the Occupational Physician for mandatory review.

The employee will be required to undertake a drug and alcohol test on their next rostered shift, which will be undertaken by the WesCEF Medical Centre for Kwinana based workers (or Shift Supervisor if after hours). The employee will be deemed unfit for work until they provide a negative test result (this remains the responsibility of the employee).

If an employee produces a second positive result, disciplinary action may occur.

Any person who self tests prior to entering the workplace after being called in to work when not rostered on (and is not being paid an oncall allowance) will not face any adverse action and will not be required to undertake a drug and alcohol test on their next rostered shift.

Voluntary testing is not offered at regional locations. If the employee has FFW concerns, they should contact their local medical facility and not present to work.

7.3 Random Testing

Employees, contractors and visitors to WesCEF sites may be subject to random testing at any time.

7.4 Mass Testing

Mass testing may be performed at any WesCEF site at any time. Mass testing involves the targeted testing of an entire shift, all occupants of a building or buildings, an entire contracting group, an entire worksite or any other discrete work group.

7.5 Post Incident Testing

Post incident testing for drugs and alcohol may be required for any employee, contractor or visitor following a health and safety event. To initiate the test, the person's manager or supervisor should inform the OHN or CSBP Shift Supervisor and arrange for them to attend the WesCEF Medical Centre (if nearby) for the test. If the site is distant from Kwinana, a qualified health professional will conduct the testing. The OHN will notify the person of the nearest testing facility.

Following a vehicle related event where the person was the driver or operator, all employees, contractors or visitors must self-initiate and undergo post incident testing for drugs and alcohol. To initiate the test, the involved person must attend the WesCEF Medical Centre or report to CSBP Shift Supervisor (if nearby) for the test. If the site is distant from Kwinana, a qualified health professional will conduct the testing. The involved person must immediately advise their manager or supervisor who will advise the OHN and advise the nearest testing facility to be attended.

Testing is to be conducted as soon as is reasonably practicable post incident.

7.6 'For Cause' Testing

Any person can raise concerns about any other person's FFW at any time, which shall be investigated by an appropriate manager or supervisor.

Where a manager, supervisor or safety representative has reasonable grounds to believe an employee, contractor or visitor is not FFW due to alcohol and/or other drugs a 'for cause' test is required. To initiate a 'for cause' test, the person's manager or supervisor should inform the OHN or CSBP Shift Supervisor and arrange for them to attend the WesCEF Medical Centre (if nearby) for the test. If the site is distant from Kwinana, a qualified health professional will conduct the testing. The OHN will notify the person of the nearest testing facility.

7.7 Medical Surveillance

Personnel are required to undertake a drug and alcohol test as part of the pre employment medical (PEM) assessment prior to commencing work with WesCEF.

Certain roles such as Dangerous Good Licenced Drivers and rail despatch operators working under the control of the *Rail Safety National Law (WA) Act 2015* are required to undertake periodic medicals, including drug and alcohol testing.

8. Management of Non-Negative Results

If the initial drug screening test indicates that a drug is present, this will be classified as a non-negative test result. Every testing method has the potential to produce a false positive and hence the result will only be treated as positive once confirmation is received from a follow up laboratory test.

When a non-negative result is returned using the mouth swab test, the person being tested must also provide a urine sample. Urine samples will be sent to a NATA accredited laboratory for confirmatory testing.

Testing for alcohol is completed using a breathalyser and if the initial test returns a result above the limits stated in this procedure, a second breath test will be required (administered not less than ten minutes after the initial screen test) using the same breathalyser. The second breathalyser test is deemed to be the confirmed test result.

8.1 Employees

All employees with a non-negative drug screening test result or confirmed positive alcohol test will have their site access card deactivated (where applicable) and/or be stood down. The employee will be informed of this by the person conducting the test.

The OHN/ Shift Supervisor, or other medical facility if an employee is distant from Kwinana, will contact the employee's direct supervisor and one-up manager by telephone to inform them that their employee has returned a non-negative result. This will be followed up with an email to the supervisor and manager.

If employees are unable to transport themselves from site legally and safely, and have been unable to arrange their own transport, the company will make arrangements for the employee to be sent home via suitable transport.

The employee will be required to undertake a drug and alcohol test on their next rostered shift, which will be undertaken by the OHN, Shift Supervisor (if after hours at CSBP) or qualified health professional (if distant from Kwinana). The employee will be deemed unfit for work until they provide a negative test result.

Employees not near Kwinana are required to present a negative test result (in writing), that has been facilitated by a qualified health professional, to their supervisor, the OHN or delegate prior to returning to work.

The employee and the employee's direct supervisor and one-up manager will be informed by telephone or email of the confirmed result, regardless of whether it is positive or negative.

All employees that have a confirmed positive result will be required to meet with the WesCEF Occupational Physician (or delegate if unavailable) prior to returning to work, who will determine the employee's FFW.

An employee will only be permitted to return to work once all of the conditions below have been met:

- Employee produces a negative result.
- Employee has met with the WesCEF Occupational Physician (or delegate).
- WesCEF Occupational Physician (or delegate) has provided their advice on the ongoing risk the employee presents to the Division.
- FFW breach has been formally reviewed by Human Resources.
- Permission has been provided by the Senior Manager associated with the area in which the person is employed.

8.1.1 Review by Occupational Physician

All employees that have a confirmed positive result will be referred to the company's Employee Assistance Program (EAP) provider for assessment. An assessment report will be provided to the WesCEF Occupational Physician (or delegate).

All employees that have a confirmed positive result will also be required to meet with the WesCEF Occupational Physician (or delegate) prior to returning to work, who will provide an opinion on the employee's FFW.

The WesCEF Occupational Physician (or delegate) will provide a written summary of their assessment when one or more of the following criteria exist:

- The positive test result relates to illicit drug use.
- Previous history of drug and alcohol breaches.
- Underlying FFW issues.
- When requested by the business.

If the Occupational Physician is unable to complete the Occupational Physician Assessment in a timely manner, a verbal report shall suffice and be deemed to hold the same authority as the written report. The Occupational Physician Assessment shall be completed as soon as practicable.

8.2 Contractors and Visitors

Contractors or visitors with positive results will be denied access to site and referred to their employer for management. Further access to WesCEF sites is at the sole discretion of WesCEF management.

If a decision is made by WesCEF management to permit the person to recommence work on a WesCEF site, that person is required to participate in a formal return to work program approved by the WesCEF Occupational Physician and facilitated by the WesCEF Medical Centre. Any costs incurred by WesCEF in this process will be charged to the person's employer.

9. Prescribed Medication

Some prescribed medications or over the counter substances may have the potential to adversely affect a worker's capacity for work.

A worker shall:

- Have a diagnosed medical condition for which the medication is indicated. The worker shall not seek to be prescribed medication when there is not a diagnosed medical condition, or when there are safer approved treatment options available.
- Seek medical practitioners who act in accordance with expected safe practice of prescribed medication.
- Take the medications only as prescribed or instructed.
- Obtain written confirmation from the prescribing medical practitioner and/or pharmacist as to whether a substance has the potential to affect their FFW.
- Declare the medication to the WesCEF Medical Centre to be assessed whether it presents a risk for work and/or driving. Confidentiality will be maintained with respect to the declared use of medications.
- Notify their supervisor if the prescribed medication could impact their FFW.

It is the responsibility of the employee, contractor or visitor to declare the use of these medications to the OHN or Shift Supervisor (if after hours) and/or their supervisor prior to their drug test.

Where an employee returns a positive confirmatory test result, and the substance detected:

- Does not match the declared medication or,
- Is not in-line with the prescribing medical practitioners recommendations or,
- Is not for the diagnosed medical condition for which the medication is indicated.

the test will be considered to be a positive test result.

10. Disciplinary Process

Where a WesCEF employee returns a confirmed positive result, they will be subject to disciplinary action up to and including termination of employment as per the WesCEF Poor Performance and Misconduct Policy (WCEF-PO-HRS-040-03). The Occupational Physician's Assessment, if applicable, will be taken into consideration when assessing the seriousness of the breach.

The WesCEF Occupational Physician should be informed of the outcomes of any disciplinary process.

10.1 Seriousness of breach

The seriousness of the FFW breach will be assessed following the receipt of the Occupational Physician Assessment and may be considered when determining the appropriate level of disciplinary action. A violation (e.g. deliberately consuming drugs or alcohol at a time or in such quantity that an employee would knowingly be unfit for work when presenting at the workplace) is likely to result in more serious disciplinary consequences.

Similarly, a person that returns an exceedingly high reading for drugs or alcohol and that in the opinion of the WesCEF Occupational Physician (or delegate) represents a serious risk to the business, will also likely be subjected to more serious disciplinary consequences.

11. Retest Regime

Where any employee has had a confirmed positive result, and it is not consistent with previously declared prescribed medication, they will be subjected to a return to work testing program as determined by the WesCEF Occupational Physician. This testing program shall consist of random or scheduled testing and will continue for as long as the WesCEF Occupational Physician considers necessary.

An exception to the above is where an employee has been terminated following a positive test result in accordance with Section 10 Disciplinary Process.

12. Reporting

Under the Rail Safety National Law (WA) Act 2015, certain occurrences are required to be notified to the Office of National Rail Safety Regulator. This includes cases where a Rail Safety Worker breaches the Drug and Alcohol Procedure. Reporting is required as per WesCEF Notifications of Incidents to External Authorities Procedure -WA & NT (WCEF-PD-CMP-000-26).