Drug and Alcohol Policy Business Rules
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Drug and Alcohol Policy Business Rules

1. PURPOSE AND SCOPE
The purpose of the Drug and Alcohol Policy Business Rules is to specify the operational requirements of EP101, Drug & Alcohol Policy (Policy).

These Drug and Alcohol Policy Business Rules apply to everyone working at or attending a recognised Ergon Energy workplace. All personnel at an Ergon Energy workplace shall comply with the Drug and Alcohol Business Rules as a condition of access.

When workers and contractors are formally representing Ergon Energy at a worksite other than Ergon Energy owned workplaces, i.e. mine site, the preference is for these Drug and Alcohol Policy Business Rules to apply where they meet or exceed site requirements.

2. DEFINITIONS, ABBREVIATIONS AND ACRONYMS
The definitions in this document pertain only to matters dealt with in this document. They shall not be used to infer rights and/or obligations in any other industrial mechanism.

Adulterated Substance The intentional manipulation of a specimen in an attempt to alter the test result.

Affected by Drugs and/or Alcohol Returning an alcohol test above the defined limits prescribed by these Business Rules and/or returning a drug test result above the limits defined in AS4760-2006 – Procedures for Specimen Collection and the Detection and Quantitation of Drugs in Oral Fluid.

Alcohol Ethyl Alcohol, Ethanol

Appeal Period If a person disputes a confirmed positive saliva result, the person shall have a period of 14 days to appeal following receipt of written notification of the result. As defined in – Appeal of a Confirmed Positive Saliva Result (See Section 14.2.)

Breath Alcohol Concentration (BrAC) The units used for the expression of blood alcohol concentration in this guideline being per cent (%) with the equivalent breath concentration being expressed as the percentage of grams in 210 litres of expired breath.

BrAC Fail A BrAC fail result is a BrAC reading of 0.05% or greater. Where a person is required to undertake high risk activities a person will return a BrAC fail result if the BrAC reading is greater than 0.00%.

BrAC Pass A BrAC pass result is a BrAC reading of less than 0.05%. Where a person is required to undertake high risk activities a person will return a BrAC pass result if the BrAC reading is 0.00%.

Chain-of-Custody A series of processes to account for the integrity of each oral fluid specimen by tracking its handling and storage from point of specimen collection to final disposal of the specimen.

Collector A representative of the drug and alcohol testing service provider who has undertaken and completed an accredited training course in conducting workplace drug and alcohol testing.

Company Premises Ergon Energy sites or outside venues such as clubs, restaurants, bars and corporate boxes where social and customer functions organised by Ergon Energy are held.

Confirmed Negative A test result at or below the target concentration following confirmatory drug testing.

Confirmed Positive A test result above the target concentration following confirmatory drug testing.

Confirmatory Testing An analytical process that uses mass spectrometry to identify and quantify unequivocally a specific drug or metabolite.
Contractor  A person who carries out work under a contract for service with Ergon Energy, either as a worker of a company other than Ergon Energy or its related bodies corporate as defined in the Corporations Act 2001 (Cth).

Disciplinary Action  Action taken at the discretion of Ergon Energy in accordance with Ergon Energy’s HR000604R100. Discipline and Performance Counselling Guidelines (Reference)

Donor  A person who provides a saliva specimen to be assessed for the presence of drugs or a breath specimen for the presence of alcohol.

Drug  Any substance, article, preparation or mixture (with the exception of alcohol) whether gaseous, liquid, solid or in any form which, when consumed or used by any person, deprivates or alters the person either temporarily or permanently of any of their normal mental or physical faculties. For the purpose of these Business Rules the term shall be applied to the drugs/metabolites listed in Table 2 of Appendix 3.

Employee Assistance Program (EAP)  The EAP is provided by trained professionals operating externally to Ergon Energy. They provide counselling, information and assistance on a wide range of problems including work stress, relationship and family problems, conflict and managing change and other issues that may lead to alcohol and other drug problems.

Fit for Safe Work  Means that a person is in a state (physical or psychological) which enables them to perform assigned tasks competently and in a manner which does not threaten or compromise the safety or health of themselves or others.

Formally Representing  When a worker has been requested to attend a function/event on behalf of Ergon Energy.

High Risk Activities  Includes:

- Performing “electrical work on energised electrical equipment” as defined in Electrical Safety Regulation 2013 and/or performing the role of Safety Observer.
- Performing any “High Risk Construction Work” as defined in Section 291 of Work Health and Safety Regulation 2011.
- Performing any activity where a “High Risk Work Licence” is required as defined by Schedule 3 of the Work Health and Safety Regulation 2011.
- Operating high risk equipment that includes but is not limited to tensioning equipment, winches, cable recovery or chainsaws.
- Performing the role of Switching Coordinator, Switching Operator, Switching Operator Assistant or Access / Test Permit Recipient.
- Working in confined spaces as defined by the Work Health and Safety Regulation 2011
- Driving heavy rigid vehicles or other vehicles/vessels that require zero BrAC to operate.
- On the job direct supervision of persons undertaking any of the above mentioned tasks.

Illegal or Illicit Drugs  Every substance or article which is a dangerous drug under or within the meaning of the Drugs Misuse Regulation 1987 (Qld).

Initial Testing  An on-site saliva testing process which is used to exclude the presence of a drug or a class of drugs and/or a breath alcohol test to exclude BrAC above specified limits.

Laboratory  An independent NATA accredited place at which the analytical processes are conducted.

Misuse of Reasonable Suspicion  The use of reasonable suspicion testing which is improper, excessive or not in alignment with the inherent philosophy of the Drug and Alcohol policy and associated business rules.
Medical Review Officer (MRO)  A licensed physician appointed by Ergon Energy who may be responsible for receiving and reviewing laboratory results generated by an employer’s drug testing program and/or evaluating medical explanations for certain drug test results.

Negative Test Result  A result at or below the nominated or target concentration used for initial drug and/or alcohol testing.

Non-negative Test Result  A result that requires confirmatory testing of the specimen to unequivocally determine the presence or absence of a drug.

Non-prescribed drug Any drug legally obtained but not prescribed by a Medical Practitioner, including but not limited to over-the-counter medication.

Person/s, Personnel  Workers, Contractors and Visitors.

Prescription Drugs Any drug legally prescribed by a Medical Practitioner.

Random  A selection process where each variable in the sample has the same probability of being selected.

Reasonable Suspicion  Is an opinion that is formed as a result of an observation that is conducted with reference to Appendix 1.

Referee Specimen  A separate container of the collected second specimen or an additional specimen collected at the same time as the second specimen, which is sealed at the point of collection and subsequently transported and securely stored at the confirmatory testing laboratory for analysis in the event of the disputed analysis (AS4760:2006).

Return to work test  A saliva drug-screening test or a breath alcohol test that is conducted upon a person’s return to an Ergon Energy workplace to confirm a negative result after having tested either non-negative to initial on-site drug testing, confirmed positive in confirmatory testing or BrAC fail.

S8 Medical Prescription  A group of medications that the Commonwealth Government has classified and placed restriction on prescriptions by your Doctor and supply by your Pharmacist. These drugs have potential for abuse and diversion into the illegal drug market.

Second Specimen (Laboratory Confirmed)  A saliva specimen that is obtained by the Collector as soon as reasonably practicable from a person who has had a non-negative result to the on-site saliva drug-screening test. The second specimen will be used for confirmatory testing and split for a referee specimen.

Shall / Will / Must  Indicates that a statement is mandatory.

Site Manager  A manager, supervisor or person in a position of authority who is a worker of Ergon Energy and is appointed to undertake the role of on-site liaison with the testing service provider in order to implement the Drug and Alcohol policy and associated Business Rules.

Should  Indicates a recommendation.

Social Functions  Any worker social activity or celebration that is work-related or where the company is involved in the organisation or running of the activity.

Supervisor  Any person with a supervisory or management responsibility and accountability for work team members.

Testing Service Provider  The entity engaged by Ergon Energy to undertake alcohol and drug testing on behalf of Ergon Energy, in accordance with these Business Rules.

Valid Saliva Sample  The ability to produce a sufficient quantity of saliva to be used for the detection of drugs in the on-site testing device and a sufficient quantity of saliva for a laboratory confirmatory test if required.
Visit to collector Defines the process whereby a worker, contractor or visitor attends the collector to select a marble which will determine whether a valid breath sample for breath alcohol analysis and/or a valid saliva sample for oral fluid drug screening will be required.

Visitor A person seeking access to an Ergon Energy workplace without entering into an employment relationship or contract with Ergon Energy. For example, attending an Ergon Energy workplace as an invited guest of a worker or Contractor.

Worker Person having a valid contract of employment with Ergon Energy and/or is in receipt of salary or wages from Ergon Energy or its related bodies corporate as defined in the Corporations Act 2001 (Cth).

Zone A geographically located area of approximately 30 employees.

3. REFERENCES
EP01. Our Workplace Rehabilitation Policy (Policy)
EP06. Employees’ Out of Hours Conduct (Policy)
EP86. Diversity (Policy)
EP101. Drug and Alcohol (Policy)
ES000600R102. HSE Consequence Framework (Reference)
ES000703R100. Incident Classification Table (Quick Reference Guide)
ES001001R105. Drug & Alcohol Post Incident Testing (Fact Sheet) (Quick Reference Guide)
ES001001R107. Drug and Alcohol On Suspicion Testing Checklist (Reference Checklist)
ES001009. Manage Rehabilitation Case (Task)
HR000604R100. Discipline and Performance Counselling Guidelines (Reference)
HR000803R104. Special Leave Guidelines (Reference)
Ergon Energy Union Collective Agreement 2015
Health Safety and Environment Services Beacon Site
Human Resources SharePoint Site
AS 2865-2009 Confined spaces
AS 3547-1997 Breath Alcohol Testing Devices for Personal Use
AS 4760-2006 Procedures for specimen collection and the detection and quantitation of drugs in oral fluids
Corporations Act 2001
Drugs Misuse Regulation 1987
Electrical Safety Regulation 2013
Fair Work Act 2009
Information Privacy Act 2009
Privacy Act 1988
Transport Operations (Road Use Management) Act 1995
Work Health and Safety Act 2011
Work Health and Safety Regulation 2011
4. OBLIGATIONS

Everyone at an Ergon Energy workplace has a responsibility to ensure that alcohol and/or drugs do not affect their own, or others’ health and safety in the workplace.

4.1. Workers, Contractors and Visitors

Workers, Contractors and Visitors (all Personnel) shall:

- Be fit for safe work and not be adversely affected by alcohol or other drugs;
- Not consume alcohol at an Ergon Energy workplace except with Chief Executive or delegated approval;
- Use medications to the manufacturer's instructions or Doctor’s advice;
- Notify their Supervisor (or host if Visitor) if:
  - they are taking any prescribed and/or non-prescribed medication that could affect their fitness for safe work;
  - their work performance is likely to be affected by alcohol or other drug use; or
  - there is any risk to themselves or others due to the effects of alcohol or other drugs.
- Encourage other Personnel to comply with these Business Rules;
- Participate in drug and/or alcohol tests as required by the Drug & Alcohol policy and associated business rules; and
- Notify their Supervisor or other responsible person immediately if they suspect others in the workplace are behaving in a way that suggests they are impaired by alcohol and/or other drugs.

4.2. Ergon Energy

Ergon Energy shall:

- Educate its workers about the effects of alcohol and other drugs on health and wellbeing;
- Offer alcohol and other drug rehabilitation and assistance to any worker, taking into account the individual’s right to privacy and confidentiality;
- Advise workers, during induction, that testing for alcohol and other drugs is undertaken and provide information and education regarding these Business Rules; and
- Report to workers on the number and location of tests carried out.

4.3. General Managers and Line Managers

General Managers and Line Managers shall:

- Implement these Business Rules at the workplace;
- Investigate apparent breaches of the provisions of these Business Rules;
- Take appropriate actions where breaches of these Business Rules have occurred;
- Assist Supervisors and Managers in applying these Business Rules. This includes facilitating access to counselling, rehabilitation and other assistance services when required;
- Monitor the application of these Business Rules; and
- Provide advice to managers or supervisors, particularly on the privacy and confidentiality rights of workers.
4.4. Safety Coordinators, Safety Support Officers, Human Resources Representatives and Health and Wellbeing Advisors

Safety Coordinators, Safety Support Officers, Human Resources Representatives and Health and Wellbeing Advisors shall:

- Provide workers with information and education regarding these Business Rules;
- Provide advice on establishing suitable alternate duties (where possible) and/or a safe location for individuals with a confirmed failed Breath Alcohol Concentration (BrAC) result or impaired by medication;
- Document any confirmed positive results from testing for alcohol or other drugs confidentially; and
- Maintain privacy and confidentiality.

4.5. Workers Compensation Advisors

Workers Compensation Advisors shall:

- Assist in arranging alcohol and other drug support, counselling and medical advice for workers;
- Assist in the development of Suitable Duties plans as required; and
- Maintain privacy and confidentiality.

4.6. Supervisors

Supervisors shall:

- Implement these Business Rules where a reasonable suspicion has been formed that a person may be affected by alcohol and/or other drugs (see Appendix 1);
- Consult with appropriate personnel, arranging suitable alternative duties (where possible) and/or a safe location for individuals with a confirmed failed BrAC result or impaired by medication;
- Consult with appropriate personnel, arranging suitable work for workers taking prescription and/or legal medication;
- In the event of declared medication to an initial non-negative drug test, provide the worker with the option to speak with the Medical Review Officer (MRO) via contact with the Senior Occupational Health Advisor;
- Notify the Health and Wellbeing Advisor of any initial non-negative drug results or breath alcohol fail results; and
- Notify their next level manager;
- Maintain privacy and confidentiality, including acting on reports of concern about privacy and confidentiality; and
- Assist Workers Compensation Advisors in developing suitable duties plans and facilitate other actions as defined under these Business Rules.

4.7. Site Manager

Site Manager shall:

- Induct the tester(s) onto site;
- Organise a private meeting room(s) for the testing to occur;
- Be available as a point of contact for the tester and workers;
- Assist in the coordination of on-site testing;
- In the event of a non-negative drug test or failed breath alcohol test contact the worker’s supervisor;
- Assist the worker to a safe location to await the meeting with their supervisor;
- In the event of declared medication to an initial non-negative drug test and where the worker’s supervisor is not available, provide the worker with the option to speak with the Medical Review Officer (MRO) via contact with the Senior Occupational Health Advisor; and
- Maintain privacy and confidentiality

4.8. Collectors and Testing Service Providers

Collectors and Testing Service Providers shall:

- Follow the standard operating procedures detailing Ergon Energy’s requirements for the collection and testing of specimens taken for alcohol and other drugs;
- Maintain privacy and confidentiality;
- Report to Ergon Energy on the number and locations of tests conducted; and
- Act in a respectful and professional manner.

5. EDUCATION AND TRAINING

Ergon Energy will provide all workers with an education program on alcohol and other drugs issues in the workplace and their responsibilities under these Business Rules.

This education will assist in providing workers with the knowledge and ability to manage their own fitness for safe work.

The education program will be on-going and flexible.

All personnel will have access to on-line information to recognise symptoms and behaviours associated with the misuse of alcohol and other drugs including support mechanisms. Additionally, all personnel will participate in mandatory on-line training (T0521 and T0531) that covers all aspects and application of these Business Rules.

Collectors and testing providers will be trained and certified to AS3547:1997 and AS4760:2006. All drug and alcohol collectors will participate in Ergon Energy Generic Contractor Worker Induction (GCWI) training.

6. COUNSELLING AND SUPPORT

6.1. Employee Assistance Program (EAP)

Ergon Energy provides a confidential Employee Assistance Program (EAP) through an external service provider. This counselling service is available to all workers and their immediate family members free of charge, as the costs for the service are covered by Ergon Energy.

An individual is entitled to an initial five (5) sessions with the possibility of a further five (5) sessions if it is deemed necessary by the treating psychologist.

The EAP provider can be contacted on 1800 604 640 or via the EAP Beacon site.

6.2. Worker Support

Ergon Energy recognises that some people may require support for alcohol or drug related issues. If a worker believes he or she requires assistance, or where Ergon Energy considers...
an individual may require assistance, that worker will be encouraged to obtain support through:

- EAP Counsellors;
- Community Health Services;
- Support groups or other specialist services;
- A doctor; and/or
- A Workers Compensation Advisor.

Any worker who participates in a treatment or rehabilitation program to manage an alcohol and/or drug related issue shall utilise personal leave or annual leave as required in accordance with Ergon Energy’s Union Collective Agreement 2015.

6.3. Rehabilitation / Support

Ergon Energy will, where business requirements allow, offer an appropriate rehabilitation program in accordance with Ergon Energy’s EP01, Workplace Rehabilitation Policy (Policy) and ES001009, Manage Rehabilitation Case (Task).

7. PRIVACY AND CONFIDENTIALITY

The use of information gained as a result of an alcohol or other drug test will be strictly limited to purposes consistent with these Business Rules.

Throughout the drug testing process confidentiality will be maintained at all times. The testing service provider will be the only entity able to match a specific saliva sample with a specific person.

Subject to the operational reporting requirements of these Business Rules, Ergon Energy will ensure that worker, contractor and visitor information is kept confidential and secure. All documentation and requests for disclosure will be handled according to relevant legislation. Information will only be used for the purpose of determining fitness for safe work, assignment of appropriate duties or rehabilitation processes.

Ergon Energy will only release information to a third party as required by law and with the written permission of Legal Counsel after the individual concerned has been advised. Records of test results will not be passed on by the company to any future Employer (except in the case of a transmission of business where the workers transfer their employment to the new owner).

Records of the test results of Contractors will be kept secure and not passed on to any person other than their Employer’s nominated representative.

Ergon Energy will take all reasonable steps to respect the privacy and confidentiality of individuals participating in testing. The behaviour and actions of all parties involved will be under close scrutiny with regards to maintaining the privacy and confidentiality of individuals being tested. Concerns about privacy and confidentiality should be reported to their Supervisor, HR Representative or Right to Information and Privacy Officer. Breaches of confidentiality are considered a serious matter and will be treated in accordance with Ergon Energy’s HR000604R100, Discipline and Performance Counselling Guidelines (Reference).

Where relevant to an incident investigation, the records will only be referenced in the investigation. These records will be kept in accordance with regulatory requirements.

8. IDENTIFICATION OF PERSONS AFFECTED BY ALCOHOL OR OTHER DRUGS

Identification of persons affected by alcohol or other drugs can occur as a result of:

- Voluntary disclosure by the person affected;
9. PRESCRIBED AND NON-PRESCRIBED DRUGS

Ergon Energy recognises some workers, contractors or visitors take prescribed drugs and/or non-prescribed drugs (e.g. over-the-counter medication) that may affect their fitness for safe work.

Individuals using these medications should:

- Advise their Medical Practitioner or Pharmacist of the type of work they do at the time of obtaining the prescription or medication and obtain relevant information about the possible side effects;
- If affected, advise their Supervisor and/or Line Manager that they are taking medications and there may be possible side effects;
- Take the medications only as prescribed or instructed; and
- Take note of warnings or instructions on packaging.

Workers, contractors and visitors are provided with the option to confidentially disclose prescribed and over the counter medication to the collector if they return a non-negative result to initial drug testing. There is no requirement to disclose medication prior to providing a saliva sample.

The medical declaration will only be used by the laboratory to determine whether the stated medication is consistent with the level of drug(s) detected in the laboratory result. Workers, contractors and visitors are not required to disclose medications if they do not wish to, however, for the laboratory to determine if a non-negative result obtained during initial on-site testing is related to medication they will need to be advised of this information. The person will only be asked to disclose medication if they return a non-negative result to initial drug testing. In the absence of this information the laboratory would be unable to provide advice on non-illicit substances and the result will be treated as a confirmed positive as per these business rules.

Ergon Energy will not be informed of any details that relate to a worker’s medication.

10. TESTING FOR ALCOHOL AND OTHER DRUGS

It is a condition of entry to Ergon Energy workplaces that all workers, contractors and visitors can be tested for alcohol and other drugs.

The types of testing that a person may be required to participate in include random testing, post-incident testing, on-suspicion testing, return to work testing and fitness for work testing.

The person being tested will require photo identification. The preferred photo identification is the employee ID card and for a contractor or visitor, their driver’s licence.

Testing will be conducted by a suitably trained, qualified Collector who is authorised by Ergon Energy. The Collectors are to follow a breath alcohol or saliva drug screening collection protocol in accordance with AS3547:1997 and AS4760:2006.

Any Worker, contractor or visitor who is requested to undergo testing and refuses such a request will not be allowed to continue work and will be treated the same as a person having returned a confirmed positive test result as per Section 12.2.4 of these Business Rules. Ergon Energy will provide appropriate advice so personnel fully understand the consequences of refusing to undertake a test.
In the event where Ergon Energy employees are on sites not controlled by Ergon Energy the following shall apply:

Ergon Energy’s drug and alcohol policy and business rules will apply when:
- the PCBU does not have a drug and alcohol policy and business rules in place; or
- the PCBU does have a drug and alcohol policy and business rules in place but they are deemed to be less stringent than Ergon Energy’s drug and alcohol policy and business rules.

The PCBU’s drug and alcohol policy and business rules will apply when:
- the PCBU does have a drug and alcohol policy and business rules in place and they are deemed to be more stringent than Ergon Energy’s drug and alcohol policy and business rules.

An agreement (e.g. connection agreement) may be made between Ergon Energy and the PCBU clarifying the conditions of entry including the drug and alcohol policy and business rules to be complied with. The conditions must not be less stringent than Ergon Energy’s drug and alcohol policy and business rules. The conditions in the agreement should be communicated to the workers scheduled to perform work on the site prior to them attending.

Workers should liaise with their Supervisor should they not be willing to comply with the type/frequency of testing in place at a site not controlled by Ergon Energy. Supervisors or Managers may be able to arrange alternative duties or substitute workers attending the site.

10.1. Testing Instruments and Readings

Alcohol

Breath Alcohol Concentration (BrAC) testing will be conducted using a breathalyser that meets AS3547:1997. Equipment used for BrAC testing must be calibrated in accordance with AS3547:1997.

A BrAC fail test will require a second test 30 minutes afterwards to confirm BrAC.

The second reading will be the official BrAC level recorded and will be treated as a confirmatory test.

Only the words PASS or FAIL will be recorded by the Collector during the testing process. Ergon Energy will not be advised of the actual reading obtained during Breath Alcohol Concentration testing.

Note: The second reading may not necessarily show a lower reading as the individual may still be in the absorptive phase with the breath alcohol concentration rising.

Other Drugs

On-site initial drug testing will be conducted through the collection and analysis of a saliva specimen using a saliva testing device that meets AS4760:2006. Testing may include, but is not limited to, screening for the following classes of drugs:
- Amphetamines;
- Methamphetamines;
- Opiates;
- Cannabis; and
- Cocaine.

Appendix 3 lists the drug types and their associated cut-off levels to confirm a result as positive.

All collection and transportation processes will be in accordance with AS4760:2006.
If an individual returns a non-negative result to the initial on-site saliva drug test, the Collector will obtain a second specimen. The second specimen is divided into two samples within the collection device, one is used for confirmatory testing and the second is used as a referee sample. These samples will be secured, appropriately packaged and dispatched to the testing service provider’s laboratory in accordance with industry best practice.

10.2. Testing Criteria

The person being tested for drugs other than alcohol is to complete and sign a workplace approved Chain of Custody Form.

Refusal to complete and sign this form will be treated as a refusal as per Section 12.2.4. Ergon Energy will provide appropriate advice so personnel fully understand the consequences of refusing to sign.

A Chain of Custody Form will respect the individual’s confidentiality. It is noted that a medical declaration is optional, not compulsory.

The testing service provider will communicate initial on-site results to the nominated Site Manager using the following terminology:

- Breath Alcohol Results
  - PASS
  - FAIL
- Drug Test Results
  - Negative
  - Non-negative to opiates
  - Non-negative to drug class other than opiates (this includes the remaining drug classes including THC (Cannabis), Amphetamines / Methamphetamines, Cocaine)

The testing service provider will communicate confirmatory testing results to Ergon Energy’s HSE Culture and Health Manager using the following terminology only:

- Confirmed Negative result
- Result consistent with a non-illicit substance (consistent with medication) – deemed as a Confirmed Negative
- Result consistent with an illicit substance – deemed as a Confirmed Positive result

Any saliva specimen taken as part of these Business Rules will be for the sole purpose of drug testing and will not be used for any other purpose such as DNA profiling. Specimens that require testing away from the workplace are subject to strict chain of custody protocols under the control of a laboratory operating according to industry best practice and in accordance with AS4760:2006.

10.3. Providing a Valid Sample

A person who is unable to produce a valid saliva sample during the initial drug screening process who identifies that they have a medical condition will be treated as returning a non-negative result until they are able to provide a medical certificate indicating that the person suffers from a medical condition that prevents them from producing saliva – such as Dry Mouth Syndrome.

The person will be provided with the option to speak with the MRO who will have a confidential discussion with the worker about the nature of their medical condition and their current fitness for work. The MRO will then provide advice to the HSE Culture and Health
Manager on the worker’s fitness for work. The outcome of this discussion will determine if the worker can remain at work or is to be removed from the workplace.

The result will be recorded as non-negative and removed from any record once the medical certificate is produced. Persons who are unable to produce a medical certificate in a reasonable timeframe will be treated as returning a confirmed positive drug test.

10.4. Random Testing

Random on-site testing is to take place on any Monday through Friday that is not a gazetted public holiday; referred to here-in as a “valid date”. Testing is only to take place after the start and commence before the end of an individual’s shift.

All Ergon Energy work locations have been divided into geographically segregated zones of a similar size. The details of each zone including where they are located, the average number of persons typically residing in the zone and the Site Manager responsible for the zone are published on the D&A Beacon page.

Every calendar year, a computer generated randomiser will be used to select a series of valid dates for testing at each zone. The testing service provider will retain and store the list of valid dates for each zone. Actual times for testing will be generated by the testing service provider with minimal warning to workers.

The testing service provider will attend the zone on the valid dates and use the two marble selection process to determine who is required to undergo testing on the day. Every worker, contractor and visitor who is present in the zone on the day and time of testing will be required to participate in the marble selection process. The testing service provider will present each person with an opaque bag that contains two marbles; one coloured marble and one white/clear marble. Selection of the coloured marble will indicate that testing is required. Selection of the white/clear marble will indicate that testing is not required. Therefore each person will have a 50% chance of performing a test on the day.

One test equates to either a valid breath sample for breath alcohol analysis or a valid saliva sample for oral fluid drug screening.

Workers, contractors or visitors who select the coloured marble will provide the collector with either:

- A valid breath sample for breath alcohol analysis (one test); OR
- A valid saliva sample for oral fluid drug screening (one test); OR
- Both a valid breath sample for breath alcohol analysis AND a valid saliva sample for oral fluid screening (two tests).

A copy of the results will be provided to the worker, contractor or visitor at completion of the testing. Workers are strongly encouraged to retain their copy for future reference.

Ergon Energy will request that the testing service provider performs an equal number of drug and alcohol tests over a calendar year. The testing service provider will determine which test or combination of tests will occur at each zone.

The maximum number of times a worker is required to perform a test, excluding Suitable Duties Plans as per Section 17, post incident tests and reasonable suspicion tests, is four (4) per calendar year. There is no limit on the number of times a worker may be required to attend the collector to participate in the marble selection process.

There are no restrictions on the combination of tests that a worker may undergo (e.g. the combination of tests for a worker could be four (4) breath alcohol tests OR four (4) oral fluid drug screening OR one (1) breath alcohol test AND three (3) oral fluid drug screening OR any other possible combination.).
It is the workers responsibility to keep a copy of their results as evidence of number of times tested. Alternatively confirmation of the number of times a worker has been tested may be verified by the testing service provider’s head office.

In the situation where a worker has declared the maximum number of tests and this cannot be verified by either the worker or the service provider; i.e. the service provider’s records indicate that the person has NOT performed four (4) tests and the worker cannot produce four copies of their results; the worker will be required to complete further testing prior to the start of their next shift.

Visitors and contractors will be included in the random testing conducted on Ergon Energy sites.

The testing of contractors in the workplace will be in line with the testing regime for all Ergon Energy workers.

10.5. Post Incident Testing

If a Class 1 incident as defined in ES000703R100. Incident Classification Table (Quick Reference Guide), or the following types of ‘People Impact’ Class 2 incidents occurs in the workplace, the individual(s) involved shall be subject to testing by the testing service provider as soon as practicable for alcohol and/or drug use:

- Injury or illness requiring admission to hospital
- Electrical shock from HV electrical energy
- HV switching operator error resulting in unanticipated energisation

Responsible Managers should consider the nature of the work being performed at the time of the incident when selecting individual/s to be tested. Refer to ES001001R105. Post Incident Testing Fact Sheet (Quick Reference Guide) for further information.

Any testing, if undertaken, will form part of the Single Incident Management Framework.

10.6. Testing as a Result of Reasonable Suspicion

If a Supervisor has a reasonable suspicion that a person at work is impaired by alcohol or other drugs, they can initiate testing through the testing service provider as outlined in these Business Rules. ES001001R107. Drug and Alcohol On-Suspicion Testing Checklist (Reference Checklist) provides direction to assist with this process. If other workers, contractors, visitors or the general public suspect an individual at work is impaired by alcohol or other drugs, they should advise a supervisor, Ergon Energy representative (e.g. Contract Administrator) or a Safety Coordinator. Appendix 1 lists typical symptoms displayed by a person impaired by alcohol or drugs.

In the event that it is not possible or practical for the individual in question to undertake testing, a supervisor may direct them not to perform any further work. The individual will remain in an area where they present no safety risk to themselves or others until they can be tested. Alternatively, Ergon Energy will make arrangements for their safe transport home or suitable place of rest, including relocation of vehicle and/or return to site later.

If a person is removed from duties and the testing service provider is not available, the person will not be disadvantaged, overall or financially. In the event of overtime the worker will receive a minimum payment applicable under the industrial agreement or the overtime worked, whichever is the greater.

Similarly, if the worker is working overtime and is subsequently tested on site and returns a fail result and / or an initial non-negative result and is removed from further duties, the worker will receive payment for all the time actually worked. Where the worker returns a negative reading from the confirmatory test the worker will receive a minimum payment applicable under the industrial agreement or the overtime worked, whichever is the greater.
Misuse of reasonable suspicion testing will be treated as harassment and managed in accordance with Ergon Energy’s EP86. Diversity (Policy).

10.7. Return to Work Testing

Return to work testing will be undertaken in the following circumstances:

- Failed Breath Alcohol Test – Following a failed breath alcohol test a return to work test will be undertaken at the beginning of the individual’s next shift. The individual will need to return a pass result before recommencing work.

- Non-negative Drug Test – Following a non-negative drug test a return to work test will be undertaken no less than 24 hours after the initial test. The individual will need to return a negative test result before recommencing work. Where the individual is taking medication and is required to continue the medication for health reasons, a return to work test is not appropriate and the individual should remain off site until the laboratory results have been received.

- Confirmed Positive Drug Test – Where an individual has remained off site following an initial non-negative drug test and the laboratory returns a confirmed positive result, the worker will be required to return a negative test result before recommencing work.

10.8. Fitness for Work Testing

Where a worker has returned a breath alcohol fail result and/or a confirmed positive drug result, additional fitness for work testing may be required. The number, frequency and duration of additional testing will be documented in the worker’s suitable duties plan.

10.9. Voluntary Self Testing

Self-test kits for breath alcohol will be made available to workers at designated locations within the office or depot (e.g. near first aid kits). These self-test kits will be restocked as the need arises. Workers have the responsibility to present fit for work and self monitor their condition. The self-test kits are to be used as an indicator only and should not be relied upon as a definitive measure of their ability to attend work, drive a vehicle or perform other tasks.

Self-testing kits are not to be used as an alternative to performing a test through the testing service provider. Results obtained from a self-test cannot be compared to results obtained from the testing device used by the testing service provider.

A person who believes they are not fit for work due to intoxication shall promptly advise Ergon Energy at the first opportunity of their absence and its expected duration. The worker shall apply for Personal Leave in accordance with the Ergon Energy Union Collective Agreement 2015. A worker should contact their Supervisor, if they require assistance with transport home or access to support and/or counselling services.

Results of a person’s voluntary self-test will not be recorded, and will not be used in any performance management process. Personnel are not required to divulge the result of any self-tests.

10.10. Pre-employment Testing

Screening and detection protocols associated with the Ergon Energy recruitment process are not subject to these Business Rules.
11. TEST RESULTS

11.1. Test Results – Alcohol Testing

Where a worker, contractor or visitor returns a BrAC result of greater than 0.00% but less than 0.05% they will be asked by the testing service provider if they are involved in high risk activities.

11.1.1. Pass Test Result to Alcohol

Workers and contractors involved in high risk activities who return a BrAC reading of 0.00% will have a pass result and shall commence or return to normal duties.

Workers, contractors and visitors not involved in high risk activities who return a BrAC reading of greater than 0.00% but less than 0.05% will be deemed to have a pass result.

11.1.2. Fail Test Result to Alcohol

A person will be treated as having a BrAC fail test result when they;

- Return a BrAC reading above 0.00% when required to undertake high risk activities;
- Return a BrAC reading of 0.05% or greater regardless of their scheduled activities for the shift;
- Refuse to undergo a BrAC test; or
- Leave the workplace to avoid testing.

*Note - Where a worker states they are unable to attend for alcohol testing due to operational requirements (e.g. outage conditions) this would need to be verified and approved through their Level 3 supervisor or above as appropriate.*

This person will be deemed to be unfit for safe work. In the interest of the welfare of this person and the public in general, Ergon Energy will provide its workers:

- Transport home, or alternatively to a suitable place of recovery; and
- Where an Ergon Energy worker’s vehicle is located at the workplace, Ergon Energy will offer to transport the vehicle or provide return transport to the site later.
- A wellbeing check from the EAP provider

The person will also be advised that they should not drive with a BrAC over the prescribed legal limit.

The worker will then be managed as per Section 15 of these Business Rules and will also be required to participate in return to work testing at the commencement of their next shift.

When a Contractor returns a BrAC fail test result, the Contractor’s site representative and/or the Contractor’s Employer shall be informed as soon as possible and a subsequent written report be sent to the Contractor’s designated Manager. The relevant Ergon Energy representative will liaise with the individual’s Employer regarding transport home.

In the case of a Visitor, if their breath result is 0.05% or greater their site access will be removed. Alternative safe travel arrangements will be arranged at the Visitor’s expense.
11.2. Test Results – Initial Drug Testing

11.2.1. Negative result to the Initial Test

Persons who return a negative result to the saliva drug-screening test shall:

- Commence or return to normal duties; or
- If a Visitor, be admitted to, or remain at the worksite.

11.2.2. Non-negative Result to the Initial Test

If a person returns a non-negative result to an on-site initial saliva drug test, they are not permitted to remain at the worksite and they shall be required to provide a second specimen to confirm the result. For management of persons who have returned a non-negative result and have declared medication please see 12.2.3 below. For management of persons who have been unable to supply a valid saliva sample for testing and have declared a medical condition refer to Section 11.3 above. The collector will obtain the second specimen as soon as practicable after identifying a non-negative result in the initial on-site saliva drug test in accordance with AS4760:2006.

A Chain-Of-Custody Form is to be completed by the collector and the donor for all confirmatory and referee specimens that are dispatched by the collector.

The confirmatory and referee specimens will be dispatched to the testing service provider’s laboratory for analysis in accordance with AS4760:2006. The collector shall ensure the confirmatory specimen is suitable for all required laboratory testing to be performed, including the provision of a separate referee specimen. The referee specimen is to be tested in the event of additional laboratory analysis being required or requested by the individual under the appeals process.

The referee specimen will be stored in accordance with AS4760:2006, at the testing provider’s laboratory and shall remain the property of the donor until the expiry of the appeal period or a lodged appeal has been settled. Following expiration of the appeal period, the referee specimen will be destroyed in accordance with the testing service provider’s operation manual and without reference to the donor or Ergon Energy.

A person who returns a non-negative result may have their access or attendance at an Ergon Energy site refused.

In the interest of the welfare of the person and the public in general, Ergon Energy will offer to provide its workers:

- Transport home, or alternatively a suitable place of rest, or
- Where an Ergon Energy worker’s vehicle is located at the workplace Ergon Energy will offer to transport the vehicle or provide return transport to site later.
- A wellbeing check from the EAP provider.

The person will also be advised that they should not drive under the influence of illicit substances.

For Contractors, the relevant Ergon Energy representative will liaise with the individual’s Employer regarding transport home.

For a Visitor who returns a non-negative result, Ergon Energy will offer to make safe travel arrangements at the Visitor’s expense.

Following a non-negative drug test a return to work test will be undertaken no less than 24 hours after the initial test. The individual will need to return a negative test result before recommencing work.
11.2.3. Non-negative Result with declared medication

Where a worker declares to the testing service provider prior to initial testing that they are currently taking medication for a medical condition they will still be required to undertake an initial on-site saliva test. If the initial result is negative, the person shall return to normal duties and no further action is required. If the initial result is non-negative, the collector will obtain a sample for laboratory analysis and the worker will be provided with the option to speak with the Ergon Energy Medical Review Officer as outlined below.

If the confirmatory test returns a result consistent with non-illicit substance it will be deemed as a negative result and no further action will be taken.

If the confirmatory test returns a result consistent with illicit substance it will be deemed as a positive result and the worker will be managed in accordance with Section 14 of these Business Rules.

Where a worker chooses not to declare medication prior to initial testing and returns a non-negative result, they will then be asked by the collector if they are taking any prescribed or over the counter medication and will be provided with the option to disclose this information. If the worker elects to confidentially disclose this information, the following will occur:

The site manager will be informed of the non-negative result. The site manager will ensure the worker remains in a safe area within the workplace while the following occurs:

- Should the result returned be non-negative to the drug class Opiates the worker will be given the option to contact one of Ergon Energy’s Medical Review Officers (MRO). The MRO will have a confidential discussion with the worker about the nature of the non-negative result, their use of medication and their current fitness for work. The MRO will then provide advice to HSE Culture and Health Manager on the worker’s fitness for work. The outcome of this discussion will determine if the worker can remain at work or is to be removed from the workplace.

- Where an MRO cannot be contacted in a timely manner or should the result returned be non-negative to a drug class other than Opiates the following process will take place. The worker will be removed from the workplace and provided with safe transport home. Following a non-negative initial drug test a return to work test will be undertaken no less than 24 hours after the initial test. The individual will need to return a negative test result before recommencing work. Where the individual is taking medication and is required to continue the medication for health reasons a return to work test is not appropriate. The worker will be provided the opportunity to speak with the MRO at earliest opportunity or remain off site until the confirmatory results have been received.

In all instances the collector will obtain a second specimen as soon as practicable after identifying a non-negative result. The second specimen will be sent to the testing service provider’s laboratory for confirmatory testing.

If the confirmatory test returns a result consistent with non-illicit substance, it will be deemed a negative result and no further action will be taken.
If the confirmatory test returns a result consistent with illicit substance, it will be deemed a positive result, and the person will be managed in accordance with Section 14 of these Business Rules.

In line with HR000803R104. Special Leave Guidelines (Reference) the worker’s supervisor will be required to enter special leave for the period of absence if results returned from the laboratory are consistent with non-illicit substance. If the result is consistent with an illicit substance Personal Leave or Leave Without Pay will be entered for any time lost.

11.2.4. Refused Test and / or Intentional Leaving of the Test Site at the time of Testing

Personnel who refuse to undergo drug testing stated in these Business Rules (initial screening, confirmatory or return to work) shall be treated as having returned a confirmed positive test result and the process for confirmed positive results of these Business Rules will apply. Ergon Energy will ensure that personnel fully understand the consequences of refusing to undertake a test and will be provided with appropriate advice.

A person, who after being notified of their requirement to be tested, that intentionally leaves the Ergon Energy workplace to avoid being tested, will be treated as having returned a confirmed positive test result.

Contracting personnel or Visitors who refuse testing or intentionally avoid testing may have their access to an Ergon Energy workplace refused permanently.

Where a worker states they are unable to attend for drug or alcohol testing due to operational requirements (e.g. outage conditions) this would need to be verified and approved through their Level 3 supervisor or above as appropriate.

Where a person is unable to produce a valid saliva sample, as outlined in Section 10.3, they may also be treated as returning a confirmed positive result.

11.2.5. Tampering

A worker who provides a substituted specimen or interferes with a saliva specimen in an attempt to prevent detection of a drug will be treated as having returned a confirmed positive test result and the process for confirmed positive results of these Business Rules will apply.

Any Visitor under reasonable suspicion regarding the substitution of or tampering with a saliva specimen shall be removed from the workplace. The provision of a further specimen from the Visitor is required before entry to the workplace will be considered.

A Contractor or Visitor who attempts to substitute or tamper with a sample may have their access to an Ergon Energy workplace refused permanently.

The donor and collector shall witness at all times the collection, and if applicable initial testing, until labelling and sealing of the specimen(s) is complete.

The collector shall adopt an accepted process to ensure the risk of interference and adulteration of collected saliva specimen(s) is minimised.

If the testing laboratory confirms the presence of an adulterated substance within the specimen, the specimen will be classified as invalid for further testing, will be treated as having returned a confirmed positive test result and the process for confirmed positive results of this Policy will apply.
12. CONFIRMED NEGATIVE RESULTS
Where a person obtains a confirmed negative result (at or below the target concentration following confirmatory testing) the following steps will apply:

12.1. Worker
If the laboratory analysis of the confirmatory saliva specimen returns a confirmed negative result, no notes or documentation will be placed on the worker’s personnel file, and no deduction of leave or pay will occur and the worker will not be disadvantaged.

12.2. Contractor
If the laboratory analysis of the confirmatory saliva specimen returns a confirmed negative result, a copy of the report shall be sent to the Contractor concerned, Ergon Energy and the Contractor’s Employer or the Employer’s representative on-site.

12.3. Visitor
If the laboratory analysis of the confirmatory saliva specimen returns a negative result, the Visitor will be advised accordingly and will be permitted to access Ergon Energy sites in accordance with usual practice.

13. CONFIRMED POSITIVE RESULTS – DRUG TEST

13.1. A confirmed positive result
A confirmed positive result is determined by the laboratory analysis of the second specimen returning a result above the target concentration list in Appendix 3 Table 2 Confirmatory Test Target Concentrations. The result will be provided by the testing service provider within two days of receipt at the laboratory. The result will be advised to the HSE Culture and Health Manager who will in turn advise the supervisor that a result is consistent with an illicit substance. The supervisor will then inform the worker of the result and the subsequent actions that will occur.

13.2. Appeal of a Confirmed Positive Saliva Result
If a person disputes a confirmed positive result, the person shall have a period of 14 days to appeal following receipt of written notification of the result.

A written notice of appeal must indicate whether the person wishes to request that the test is conducted by the testing provider or an alternate laboratory. The alternate laboratory must be a NATA accredited laboratory.

A worker will not be disadvantaged until the final outcome of the appeal process is reached. If the referee specimen has been deemed invalid then the confirmatory result will be deemed invalid and treated as a negative result.

Failure by the worker or their representative to lodge an appeal within the 14 day appeal period is considered to be the equivalent of no appeal being lodged.

The referee specimen shall be analysed in accordance with AS4760: 2006.

Ergon Energy will meet any upfront costs of testing in the first instance for the worker on the first occasion in any 12 month period; any subsequent requests within the 12 month period will result in all upfront costs being paid by the worker where the original confirmatory test comes back positive.

A positive confirmatory test of the referee specimen will be treated in accordance with process for confirmed positive results.
A negative or invalid confirmatory test result for the referee specimen will be treated in accordance with processes for confirmed negative result.

13.3. Tests Confirm the Presence of Morphine

If the laboratory analysis confirms the presence of Morphine (in the absence of 6-acetyl morphine – i.e. indicator of Heroin) the person shall be required to provide proof within a reasonable timeframe that they hold a legitimate S8 medical prescription for the drug(s) in question. A doctor’s certificate for medical clearance stating the person is fit for work must be held. The person must be managed as part of Ergon Energy’s rehabilitation plan, which clearly specifies the duties they are able to perform.

If the person fails to provide proof of an S8 Medical Prescription the specimen will be considered positive and will be dealt with in accordance with process for confirmed positive results.

13.4. Support

Workers having confirmed positive results will be offered support as outlined in Section 6. Counselling and Support.

13.5. Application for Leave

No deduction of pay or leave will occur until after the receipt of a confirmed positive result subject to the appeals process. In the instance of workers returning a negative result, Special leave can be used in accordance with HR000803R104. Special Leave Guidelines (Reference).

Workers who are unable to work because they cannot comply with the condition of these Business Rules shall utilise Personal Leave in accordance with the Ergon Energy Union Collective Agreement 2015 for time they are unable to work.

Applications for leave will only be processed after the receipt of a confirmed positive result for drugs or a BrAC fail result.

14. MANAGEMENT OF PERSONS WITH A CONFIRMED POSITIVE RESULT OR BREACH OF THE BUSINESS RULES


Workers have an obligation to present themselves fit for duty, carry out their duties safely and to refrain from any conduct that could adversely affect their performance and/or place at risk the health and safety of themselves or others in the workplace.

Workers having a BrAC fail or confirmed positive result (drugs) will be managed in accordance with Ergon Energy’s HR000604R100. Discipline and Performance Counselling Guidelines (Reference) and with consideration of the ES000600R102. HSE Consequence Framework (Reference), subject to the following:

Workers who have a BrAC fail or confirmed positive test (drugs) result and where there are no issues of serious misconduct, will:

- For an initial BrAC fail or confirmed positive (drugs) result be offered support and counselling through EAP and receive disciplinary counselling and education, with a discipline note placed on the worker’s file in the first instance;
For a second BrAC fail or confirmed positive (drugs) result within 15 months from an initial BrAC fail or confirmed positive test (Drugs) result in similar circumstances as described above, be issued with a formal written warning; and

For a third BrAC fail or confirmed positive (drugs) result within 15 months from the initial BrAC fail or confirmed positive test (drugs) result in similar circumstances as described above, be dealt with in accordance with Ergon Energy’s HR000604R100. Discipline and Performance Counselling Guidelines (Reference) which may include termination.

Test results may form part of any discipline process however no individual test results will be recorded on individual personnel files.

Testing service providers will only keep records in accordance with legislative requirements.

All workers will be provided with substantive, procedural fairness and natural justice.

All workers have the option to have an appropriate support person at any stage of any disciplinary process.

14.2. Confirmed Positive Result - Contractor

A copy of the confirmed positive test report shall be sent to the Contractor concerned, Ergon Energy and the Contractor’s Employer or the Employer’s representative on-site.

The Contractor will advise an Ergon Energy representative of remedial action taken.

The Contractor may be required to show cause demonstrating why the Contractor’s worker should be allowed to return to the Ergon Energy workplace.

A Contractor’s worker who returns a second confirmed positive result within 12 months from the first confirmed positive result may be refused access to the site at the discretion of Ergon Energy. The Contractor’s worker may be refused access to any or all Ergon Energy sites.

At its discretion, Ergon Energy may seek reimbursement of the costs incurred by Ergon Energy from the Contractor’s Employer for all testing subsequent to initial alcohol or other drug tests.

14.3. Confirmed Positive Result - Visitor

A record will be kept of the Visitor’s name and that person will be required to return a negative result before future access to the site may be granted.

A Visitor who returns a second confirmed positive result may be refused access to any or all Ergon Energy sites at the discretion of Ergon Energy.

15. SOCIAL FUNCTIONS

Ergon Energy recognises the benefits associated with workers socialising and that such occasions may be accompanied by the consumption of alcohol. Any social function organised by Ergon Energy is deemed to be held on company premises and all workplace standards still apply.

Level 1 Managers or approved delegate will be accountable for social functions held within their area of responsibility. All workers will comply with Ergon Energy’s EP06. Employees’ Out of Hours Conduct (Policy).

Workers attending other functions as a representative of Ergon Energy, must maintain their responsibilities under Ergon Energy’s EP06. Employees’ Out of Hours Conduct (Policy) as well as complying with any additional requirements set by the hosting organisation.
Where workers are required to return to normal work activities or required to be on standby they shall report for work not adversely affected by alcohol or other drugs.

16. SUITABLE DUTIES PLANS

Fitness for work will be determined by a negative return to work test however where workers require additional assistance a suitable duties plan can be developed. The purpose of the plan is to provide assistance to the worker in the management of their fitness for work and to assist the supervisor with the management of the worker (if required).

The extent of the plan will be determined on the advice of the workers treating practitioners including their General Practitioner and/or the EAP provider and may include; medical assessment, counselling, additional testing, management of relapse and review. The plan will be signed by the worker, their supervisor, the treating practitioner(s) and the Worker’s Compensation Advisor.

Repeated relapses while participating in the suitable duties plan may be considered a performance management matter.

17. FURTHER INFORMATION

Further information or assistance (e.g. counselling service details, drug fact sheets, health information) with these Business Rules can be obtained from your Supervisor, Safety Coordinator/Support Officer, HR Representative, Health and Wellbeing Advisor and Ergon Energy SharePoint site.

18. AUDIT AND REVIEW

18.1. Policy Review

The review of these Business Rules is to take place as per Business Cyclic Review.

Special attention is to be made to the incident/accident reporting system and the alcohol and other drugs related questions within investigations and any subsequent actions/control measures/countermeasure introduced and the final outcome on personnel, practice and business parameters.

Any changes to these Business Rules will require the Health, Safety and Environment Group to review in consultation with union delegates and key stakeholders. Version control is to be applied.

18.2. Audit and Review of Actual Performance

Managers together with Health, Safety and Environment Group are to ensure that alcohol and other drugs risk control measures, incident reporting and response process are in place, followed and audited on a regular basis.
19. APPENDICES

19.1. Appendix 1 – Observation of Person Suspected of Alcohol and/or Drug Use

A person may be reasonably suspected of being ill or under the influence of alcohol and/or prescriptive or illegal drugs where the person is demonstrating one or more of the following medical symptoms or behaviours. Workers displaying these symptoms may require medical treatment. Care shall be taken, as some of the symptoms outlined below are similar to those for the onset or occurrence of a heart attack, stroke or other illnesses. Therefore, these symptoms are listed as a guide only as to symptoms that may be exhibited when a person may be affected by alcohol or other drugs.

<table>
<thead>
<tr>
<th>Physical Symptoms and Behaviours</th>
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<tbody>
<tr>
<td>Flushing</td>
</tr>
<tr>
<td>Bloodshot eyes</td>
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<td>Confused</td>
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<tr>
<td>Slow reactions</td>
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<tr>
<td>Slurred speech</td>
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<tr>
<td>Smells of alcohol</td>
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<td>Loss of inhibitions</td>
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<td>Vomiting</td>
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<td>Trembling</td>
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<td>Threatening manner</td>
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<td>Convulsions</td>
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<table>
<thead>
<tr>
<th>Work Behaviours</th>
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<tr>
<td>Non or reduced attendance at work evidenced by:</td>
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<tr>
<td>• Absenteeism such as excessive sick leave; taking of unauthorised leave; frequent minor illnesses; improbable excuses for absences; lateness of arrival; and/or</td>
</tr>
<tr>
<td>• On-the-job absenteeism such as continued absences from office, desk, or worksite; frequent trips to coffee room or toilet; late returning from lunch/shift.</td>
</tr>
<tr>
<td>Continuous non-compliance to Ergon Energy Health and Safety Standards evidenced by:</td>
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<tr>
<td>• Incidents on the job; near misses; or incidents off the job that affect work performance.</td>
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<tr>
<td>Effects on clients and customers as evidenced by:</td>
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<tr>
<td>• Clients commenting on behaviour or action; and/or loss or threatened loss of business.</td>
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<tr>
<td>Diminished quality of work evidenced by:</td>
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<tr>
<td>• Difficultly recalling instructions or job details and/or giving misunderstanding instructions;</td>
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<tr>
<td>• Slow to learn new jobs; unreliability; and/or reduced levels of concentration.</td>
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<tr>
<td>Diminished quantity of work evidenced by:</td>
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<tr>
<td>• Missed deadlines or jobs taking more time than expected and/or decreased productivity.</td>
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<tr>
<td>• Unable to sustain effort and/or spasmodic work pace.</td>
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<tr>
<td>Effects on work team evidenced by:</td>
</tr>
<tr>
<td>• Over-reaction to real or imagined criticism; wide mood swings in morale, moody and unpredictable;</td>
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<tr>
<td>• Borrowing money from co-workers and/or complaints from, or avoidance of, co-workers;</td>
</tr>
<tr>
<td>• Involved in arguments and/or physical fights</td>
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</table>
19.2. Appendix 2 – Legislative Requirements (Information only)

Workers and other must ensure they comply with general and specific legal requirements related to the duties or positions they undertake.

In accordance with Section 79 of the Transport Operations (Road Use Management) Act 1995 Qld, these requirements include, but are not limited to, the following:

s79 Vehicle Offences Involving Liquor or Other Drugs

(2AA) Offence of driving etc. while relevant drug is present in blood or saliva.

Any person who, while a relevant drug is present in the person’s blood or saliva –

(a) drives a motor vehicle, tram, train or vessel; or
(b) attempts to put in motion a motor vehicle, tram, train or vessel; or
(c) is in charge of a motor vehicle, tram, train or vessel;

Is guilty of an offence and liable to a penalty not exceeding 14 penalty units or to imprisonment for a term not exceeding 3 months.

(2B) Offence of driving etc. particular motor vehicles while over no alcohol limit but not over general alcohol limit.

Any person who, while the person is over the no alcohol limit but is not over the general alcohol limit –

(a) drives a motor vehicle to which this subsection applies; or
(b) attempts to put such a motor vehicle in motion; or
(c) is in charge of such motor vehicle;

Is guilty of an offence and liable to a penalty not exceeding 14 penalty units or to imprisonment for a term not exceeding 3 months.

(2C) Motor vehicles to which subsection (2B) applies. Subsection (2B) applies to the following motor vehicles –

(a) a truck, a bus, an articulated motor vehicle, a B-double, a road train;
(b) a vehicle carrying a placard load of dangerous goods;
(c) a tow truck which is licensed or should be licensed under the Tow Truck Act 1973 while it operates as a tow truck under that Act;
(d) a pilot or escort vehicle that is escorting an oversize vehicle;
(e) a vehicle that has, or is required to have, a taxi service licence or limousine licence under the Transport Operations (Passenger Transport) Act 1994;
(f) a vehicle while it is being used by a driver trainer or give driver training.
19.3. Appendix 3 – Table of Drug Types and Levels

TABLE 1: INITIAL ON-SITE TEST TARGET CONCENTRATIONS (Table 3.1 AS4760-2006)

<table>
<thead>
<tr>
<th>Compound</th>
<th>Target Concentration (ng/mL)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opiates (e.g. Morphine)</td>
<td>50</td>
</tr>
<tr>
<td>Amphetamines</td>
<td>50</td>
</tr>
<tr>
<td>Cannabinoid (THC)</td>
<td>25</td>
</tr>
<tr>
<td>Cocaine</td>
<td>50</td>
</tr>
</tbody>
</table>

TABLE 2: CONFIRMATORY TEST TARGET CONCENTRATIONS (Table 5.1 AS 4760-2006)

<table>
<thead>
<tr>
<th>Compound</th>
<th>Target Concentration (ng/mL)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Morphine</td>
<td>25</td>
</tr>
<tr>
<td>Codeine</td>
<td>25</td>
</tr>
<tr>
<td>6-Acetyl morphine</td>
<td>10</td>
</tr>
<tr>
<td>Amphetamine</td>
<td>25</td>
</tr>
<tr>
<td>Methylamphetamine</td>
<td>25</td>
</tr>
<tr>
<td>Methylenedioxymethamphetamine</td>
<td>25</td>
</tr>
<tr>
<td>Methylendioxamphetamine</td>
<td>25</td>
</tr>
<tr>
<td>9-tetrahydrocannabinol</td>
<td>10</td>
</tr>
<tr>
<td>Cocaine</td>
<td>25</td>
</tr>
<tr>
<td>Benzoylecgonine</td>
<td>25</td>
</tr>
<tr>
<td>Ecgonine methyl ester</td>
<td>25</td>
</tr>
</tbody>
</table>

NOTES
1. These targets represent the undiluted oral fluid concentration
Ergon Energy will only test for illicit drug use in the compounds listed in this Table.

TABLE 3: STREET NAMES ILLICIT DRUG USE

<table>
<thead>
<tr>
<th>CANNABIS</th>
<th>Grass, marijuana, dope, weed, mull, herd, bucket, cone, joint, yandi, hooch, pot, mary-jane, skunk, hydro.</th>
</tr>
</thead>
<tbody>
<tr>
<td>ECSTASY</td>
<td>XTC, E, eccy, pills, love, love drug, hug drug</td>
</tr>
<tr>
<td>AMPHETAMINE</td>
<td>Speed, fast, go fast, goey, G, uppers, wiz, pep, tabs (In Queensland the terms are often interchangeable with Methamphetamine)</td>
</tr>
<tr>
<td>METHAMPHETAMINE</td>
<td>Ice, meth, speed (In Queensland most speed is methamphetamine), crystal meth, shabu, glass, base, oil.</td>
</tr>
<tr>
<td>HEROIN</td>
<td>Smack, skag, H, hammer, slow, harry, homebake, horse, china, gear, junk.1</td>
</tr>
</tbody>
</table>