

Managing Drugs and Alcohol in the Workplace

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General Statistics

- 1 in 9 drove a motor vehicle under the influence of alcohol
- 1 in 17 verbally abused someone under the influence of alcohol
- 1 in 4 were verbally abused by someone under the influence of alcohol
- 1 in 50 were physically abused by someone affected by illicit drugs

Workplace Statistics

- 10% of workplace deaths drug or alcohol related
- 20-25% of workplace accidents drug or alcohol related
- 61 % of people reporting frequent use of drugs and/or alcohol were in full time employment

Why take positive action?

- Protect health and safety
- Minimise risk of inappropriate behaviour
- Improve work performance
- Reduce cost of absenteeism and benefits claims
- Decreased alertness and impaired judgement
- Higher staff turnover

OHS Obligations (Common Law)

Employer Duties

- Duty to take reasonable care to ensure the safety and welfare of employees.

Employee Duties

- Duty to exercise reasonable care and to attend to the work with skill and competence.

OHS Obligations (Legislation)

Employer Duties

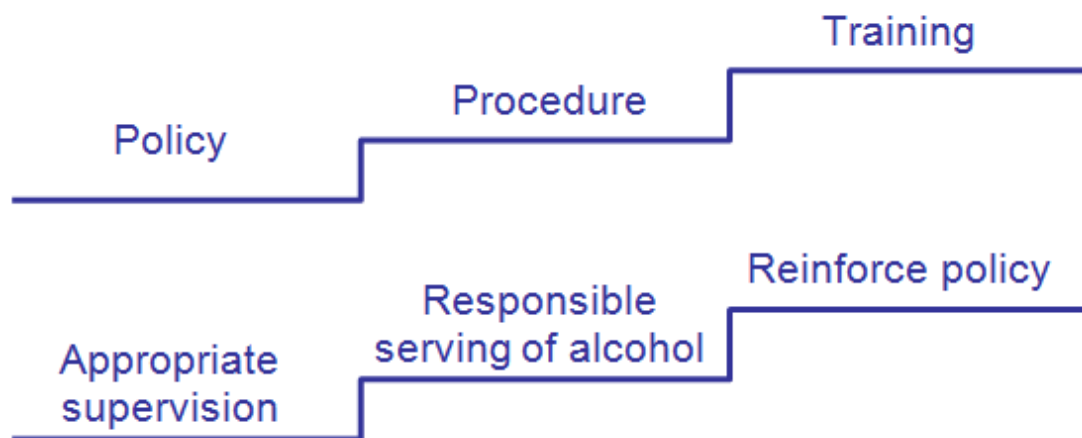
- Employer must, so far as is reasonably practicable, provide and maintain a working environment that is safe and without risks to health. Includes: plant, systems of work, instruction and training.
- Employer must, so far as is reasonably practicable, monitor the health and safety of employees.
- Duties extend to persons other than employees (i.e. the public).

Employee Duties

- Employees must take reasonable care for their own health and safety and that of others (eg. by ensuring they are not affected by drugs/alcohol in a way that may put themselves or others at risk); and cooperate with the employer with respect to action taken by the employer to comply with OHS obligations

Note: Words vary from State to State but these are the General Principles

Reasonable Steps



Drug addiction as a disability

“a disorder, illness or disease that affects a person’s thought processes, perception of reality, emotions or judgement or that results in disturbed behaviour”

Drug and Alcohol Policy

- Standards required
- Coverage
- Consequences of breaching policy
- Testing
- Procedures
- Practical Measures including: training, distribution of and education on policy, consistent application, employee acknowledgement of policy, is the policy reasonable and relevant to work performed?

Responding to an Incident

- Advice/observation of potential policy breach
- Private meeting with individual
- Outline behaviour observed
- Determine whether employee should remain in workplace
- Drug and Alcohol Testing
- Attend meeting following day/shift

The Investigation

- Detailed Records
 - observations of others
 - records of discussions including initial interview
 - record arrangements for follow-up meeting
- Maintain Confidentiality
- Follow Up Interview
 - provide opportunity to respond

- Determine appropriate Outcome

Influencing Outcome

- Degree of risk
- Workplace policies
- Strength of evidence
- Seriousness of breach
- Previous work history
- Any previous incidents

Options Available

- No disciplinary action
- Counselling
- Warning / first and final warning
- Referral to EAP
- Termination of employment

Impairment Considerations

