

Background for developing and implementing your farm policy on Drugs and Alcohol

See the *Drug and Alcohol Farm Policy* template at: http://bit.ly/drug_alcohol_T

This is an important area of policy on farms. Policies and procedures provide the underpinning 'structure' to a business to help everyone understand how and why things should be done. Workplace policies define acceptable workplace behaviours and set out implications for not complying.

If your Drug and Alcohol Policy and Procedure plays a role in termination of employment of a worker or contractor at some stage in the future, it could be assessed by a court. If you decide to include a routine testing procedure, personnel may see this as intrusive unless they are clear about the reasons and methods to be used.

It is important to develop and implement this policy carefully and in accordance with the relevant laws.

Consultation

The first step in implementing a Drug and Alcohol Policy in the workplace is to consult with all employees and other personnel who may be affected by the Policy.

What does the law say?

The Work Health and Safety Laws require employers to consult with affected workers when developing procedures to resolve work health and safety issues [Section 49 (e) Work Health and Safety Act 2011]. This is called a 'duty to consult'.

The duty to consult is based on the recognition that worker input and participation improves decision-making about health and safety matters and assists in reducing work-related injuries and disease. Effective health and safety consultation also has other benefits such as greater awareness and commitment (because workers better understand how health and safety decisions are made) and more positive working relationships (because understanding the views of others leads to greater cooperation and trust).

Consultation is a two-way process between you and your workers where you:

- Talk to each other
- Listen to their concerns and raise your concerns
- Seek and share views and information, and
- Consider what your workers say.

How you consult will depend on your particular workplace. You may consult with each worker independently or in a group or a number of groups.

Consultation can also be undertaken through health and safety representatives and health and safety committees. However, the Act does not require the establishment of these consultation mechanisms, unless:

- In relation to a health and safety representative – a request is made by a worker
- In relation to a health and safety committee – a request is made by five or more workers or a health and safety representative.

The Work Health and Safety Laws require that consultation involves the following:

- Relevant work health and safety information is shared with workers
- Workers are given a reasonable opportunity to express their views and to raise work health and safety issues
- Workers are given a reasonable opportunity to contribute to the decision-making process relating to the health and safety matter
- The views of workers are taken into account; and
- Workers are advised of the outcome of any consultation in a timely manner.

What is the best consultation process to use?

The key steps to include are:

- Discuss the need for the employer and all employees to be compliant with Work Health and Safety laws
- Discuss the perceived problem of drugs and alcohol in the community and the workplace
- Discuss factors in the workplace that may contribute to harmful drug and alcohol use
- Discuss what support services might be appropriate for the workplace
- Discuss the need for a testing program and when and how it would occur
- Give the workers a copy of the draft Policy
- Give them time to consider the contents and provide feedback on their content
- Consider if drug and alcohol training might be appropriate

Remember that consultation does not require consensus or agreement so long as you have allowed your workers the opportunity to contribute to the process of making health and safety decisions in your business.

✓ **Learn more**

Codes of Practice provide practical guidance on how to identify and manage risks in the workplace.

- See the Safe Work Australia's Model Code of Practice: Work health and safety consultation, co-operation and co-ordination (Dec 2011) for more information about consultation, including tips on getting worker participation
<https://www.safeworkaustralia.gov.au/doc/model-code-practice-work-health-and-safety-consultation-co-operation-and-co-ordination>

Drug and alcohol testing

Is a testing program the right step for us?

Consider whether implementing drug and alcohol testing in your workplace is likely to provide sufficient benefits. Consider the size of your workplace, the cost of testing and the extent of the problem. In general, good all-round management is the most effective method for achieving higher productivity, enhanced safety, low absentee rates, low staff turnover and a reliable and responsible workforce. Investment in management training and systems may have more impact on safety, performance and productivity than introducing workplace drug and alcohol testing.

If testing is the best option, then be sure to have a clear written policy. Use the template policy (available from The People in Dairy website) which includes provision for testing by a commercial testing service provider. You must consult with all personnel and be attentive of their concerns and objections before implementing a testing program.

New employees should be informed about the drug and alcohol testing program before commencing employment. They should also be reminded that drugs and alcohol used outside of the workplace may remain in their system after returning to work and can affect work performance.

Drug and alcohol testing must only be conducted by a registered Drug and Alcohol Testing Service Provider which conducts testing in accordance with Australian Standards: AS 3547/1997 (alcohol) and AS 4760/2006 (drugs). Check with your Regional Development Program for a current list of Agencies operating in your region.

Discuss with your testing service provider whether you wish to implement a zero cut off level or another level. (Note that the template policy has a zero level).

The drug and alcohol testing service provider will provide their own written Procedure which complies with the Australian Standard for the conduct of testing. This Procedure should be included with information provided to personnel.

Support for personnel with drug or alcohol-related issues

What is reasonable support for a worker with a problem?

An Employee Assistance Program is an effective early intervention service that provides professional and confidential counselling and referral services for employees to assist them resolve personal, health or work-related concerns. Personal issues that may be of concern include relationship problems, legal and financial problems, illness and the use of alcohol and other drugs. Success inevitably relies on the individual's interest, commitment and resolve.

Most small businesses do not have the resources to establish an Employee Assistance Program, however, it is recommended that all workers with drug and alcohol problems be referred for appropriate professional help. This may include referral to their general practitioner.

✓ Learn more

For more information on setting up a drug and alcohol policy, and providing support for personnel, see *Alcohol and other drugs in the workplace*
http://www.safework.nsw.gov.au/data/assets/pdf_file/0003/49962/drugs_alcohol_workplace_guide_1359.pdf

Implementation of your Drug and Alcohol Policy

Once you have consulted and settled on the type of Drug and Alcohol Policy which is appropriate for your workplace you will need to implement it without delay. There are a few important considerations:

Enforcement must be consistent

All staff should be reminded regularly about the Drug and Alcohol Policy which applies at your workplace and you should keep records of these reminders.

If you have determined that you will have a zero tolerance approach, then this means zero tolerance for all management and all workers.

You must ensure that the Policy is followed and Procedures applied consistently and without any exceptions. If you do not do this a worker could claim that they have been unfairly targeted. This is bad for staff morale. If you terminate an employee in accordance with the Policy but have not applied the Procedure consistently across the workforce, the affected employee may be able to claim that they have not been treated fairly.

Procedural fairness

When implementing the disciplinary provisions of the procedure you must ensure that you treat the worker fairly. This means giving them an opportunity in an interview to have their views heard and if termination is likely, allowing them to have a support person present at the interview.

If you do not have a testing program in place then you will need to be sure that the employee has breached the policy before taking disciplinary action. If an employee is behaving erratically or if an incident occurs in the workplace this may involve directing the employee to attend at their General Practitioner for a drug and/or alcohol test.

Legal advice or advice from your state farming organisation's industrial adviser should always be sought before dismissing an employee

For further information about termination of employment and for sample warning letters, see www.thepeopleindairy.org.au/engagement-reward/termination.htm

Responsible Service of Alcohol

What are the guidelines for Responsible Service of Alcohol for work-related functions?

The guidelines are:

- We are committed to the responsible serving of alcohol at our work-related functions because we:
 - aim to provide a safe and friendly environment for our personnel and their families (guests) and the staff at the venue.
 - want to abide by our legal obligations under the state liquor licensing laws.
- We will nominate a responsible person to assist staff with any issues regarding liquor service.
- Minors will be required to be identified, and will not be served alcohol during the function.
- Water and non-alcoholic beverages will be readily available at all times.
- Guests will be asked before glasses are topped up with alcoholic drinks.
- We reserve the right to limit the quantity of alcohol consumed by any particular guest.
- We reserve the right to stop the supply of alcohol to guests, or any particular guest/s if it becomes
 - apparent at any time (even prior to scheduled finish) that the guest/s is/are intoxicated.
- We reserve the right to close down the function if the behaviour of the guest/s becomes unacceptable.
- Guests who are intoxicated will not be served any alcohol and will be required to leave the premises.
- All guests are encouraged to ensure they have safe transport from the function.
- We will offer to call a taxi for any guest/s we consider should not be driving.
- We respect the venue's neighbours, and encourage guests to leave the premises in a manner that does not disturb the amenity of the area.

Information on drugs and alcohol

Legal and illegal drugs can be broadly categorised as depressants, stimulants or hallucinogens. Many drugs, even in very low doses, can affect the capacity of an employee to carry out their duties

safely. Certain chemicals that are used in workplaces can also impair a person's capacity to work safely, and where these are used, a strict hierarchy of hazard control should be employed and employees should be educated in the potential hazards.

DEPRESSANTS

Alcohol

Alcohol is the most commonly used depressant drug. It slows brain activity responses and impairs coordination. The effects vary depending on individual tolerance and in general women have a lower tolerance than men.

A 'standard' drink contains 10 g of alcohol – equal to one glass of full strength beer (285 ml) or two 285 ml glasses of light beer, or five 285 ml glasses of superlight beer. It is also equal to one small (100 ml) glass of wine, one measure (30 ml) of spirits or one 60 ml glass of fortified wine such as sherry or port.

The effects of alcohol on performance include:

- initial stimulation, euphoria
- loss of inhibition
- impairment of co-ordination, judgment, intellectual capacity and ability to act quickly
- blurred vision
- slurred speech
- hangover-headache, shakiness, nausea and vomiting
- in the longer term, damage to the brain, liver, heart and stomach.

Alcohol is broken down by the liver at a rate of approximately 0.015 per cent per hour. Nothing can speed up the work of the liver – not black coffee, cold showers, exercise, vomiting or any other remedy.

Sedative hypnotics

These are used to reduce anxiety and sleeplessness. They cause drowsiness and impair motor coordination, judgment, reaction time and intellectual capacity. The effects are greatly increased when mixed with alcohol. Sedative hypnotics include:

- minor tranquillizers or benzodiazapines (on prescription) eg valium, serepax
- barbiturates (on prescription) eg phenobarbitone

Opiate analgesics

These drugs relieve pain and can impair the ability to drive and operate machinery. They can cause nausea and vomiting, constipation and depress breathing. Users develop both a tolerance and dependence very quickly. They include:

- opium (illegal)
- morphine
- codeine (on prescription and over the counter mixed with aspirin or paracetamol)
- heroin (illegal)
- pethidine
- methadone.

STIMULANTS

Stimulants are drugs that over stimulate and can elevate the mood and wakefulness but have a variety of negative side effects such as fatigue, restlessness, insomnia, confusion, aggression, poor judgment, tremors, increased blood pressure and heart rate. They include:

Amphetamines (illegal, or on prescription) known as 'speed'. Although amphetamines increase alertness and delay fatigue, actual performance can be impaired. In the short term unwanted effects include restlessness, palpitations, headache, tremors and sleeplessness. Longer-term use can produce paranoia and hallucinations.

Crystal methamphetamine ('ice') is a stimulant drug, which means it speeds up the messages travelling between the brain and the body. It is stronger, more addictive and therefore has more harmful side effects than the powder form of methamphetamine known as speed. High doses of ice and frequent use may cause 'ice psychosis'. This condition is characterised by paranoid delusions, hallucinations and bizarre, aggressive or violent behaviour.

Cocaine (illegal) produces euphoria and excitement. Dose increases can cause anxiety, confusion, rapid pulse, convulsions, nausea and vomiting. Longer-term use can induce paranoid psychosis.

Caffeine (legal) causes increase in metabolism and body temperature and can cause headaches, insomnia, fine tremors and impatient and aggressive behaviour. High dosage (above six cups of coffee per day) can cause chronic insomnia, persistent anxiety, depression and upset stomach.

MDMA (illegal) also known as 'ecstasy'. Effects include an increase in blood pressure, pulse and sweating, teeth grinding, nausea, anxiety and paranoia. High doses can cause hallucinations, irrational behaviour, fits and vomiting.

HALLUCINOGENS

Hallucinogens are capable of producing profound alteration of perception and thought processes. They include:

Cannabis (illegal) known as pot, dope, marijuana and hashish. In the short term can impair motor coordination, short-term memory, tracking ability, sensory functions and perception. In the longer term it may cause decreased sperm count and motility, interfere with ovulation and prenatal development and impair immune responses. (Cannabis can also be classified as a depressant).

LSD (illegal) known as acid. Causes profound alteration to perception and sensory functions.

OTHER DRUGS

Antihistamines

Antihistamines are prescribed or purchased over the counter as allergy or cold remedies. Many can cause drowsiness and should not be mixed with alcohol.

Inhalants

Inhalants are liquid or aerosol products such as petrol, solvents or glues. These are sometimes deliberately used by individuals to get 'high' or can be inhaled inadvertently at work. The effects include drowsiness, disorientation, anxiety and tension, nausea and vomiting, sensitivity to sunlight, eye irritation and double vision. Inhalants can cause death from arrhythmia (irregular heart beat) or suffocation.

Solvents

Solvents are used to dilute solid chemicals and for cleaning. Solvents act as depressants. Effects include slowed reaction time, poor coordination, dizziness, headache, nausea, and tiredness. In higher doses exposure can cause confusion and reduced muscle strength (peripheral neuropathy). The effects can be compounded if an individual is exposed to a mixture of solvents. The adverse effects may be increased if mixed with alcohol.

Organophosphate pesticides

These chemicals can produce effects similar to tranquillizers, including blurred vision, drowsiness, slowed reaction time, headache, giddiness, confusion, ataxia, slurred speech and convulsions. These chemicals can also produce flu-like symptoms and impairment of vision. When mixed with alcohol the effects are increased.

✓ Learn more

For more information on safe storage and handling of farm chemicals such as pesticides, see the Farm Chemicals module in the Dairy Safety, Home Safety Farm Safety Manual:
www.thepeopleindairy.org.au/farm-safety