Why conduct drug and alcohol testing?

As an employer, you have a lawful duty to provide a safe place of work to all your employees and visitors to your workplace.

If a worker is impaired by drugs or alcohol they pose an increased risk of harm to themselves and to others and you must act to eliminate or control those risks.

Drug and alcohol testing is an effective deterrent you can deploy to discourage workers from attending the workplace when adversely affected by drugs and alcohol.

This guide outlines:

- the reasons for drug and alcohol testing your workers;
- the available testing methods;
- what you can test for; and
- how to act on the results.

YOUR EXPERTS

Michael Selinger LLB, BA (Hons) (ANU)

Editor-in-Chief, Health & Safety Handbook

Michael is a Partner in the Sydney office of Holding Redlich. He practices in all areas of workplace relations with a special focus on occupational health and safety. Michael acts for a diverse range of clients, including construction and manufacturing companies, media, education and not-for-profit organisations, and government bodies.

Before joining Holding Redlich, Michael's practice included acting on behalf of WorkCover NSW in prosecuting breaches of the Occupational Health & Safety Act (NSW).

Michael has extensive litigation experience in employment disputes and defending occupational health and safety prosecutions and regularly appears in state and federal courts and tribunals. Michael is a regular presenter of seminars and training on workplace issues, in particular on occupational health and safety issues.

Dr Charles Appleton MBBS, FRCPA

Charles is the Director of Biochemistry and Toxicology at QML Pathology (Queensland Medical Laboratory), one of the largest private pathology laboratories in Australia. He has occupied this position for more than 30 years.

He is a senior lecturer in pathology for the University of Queensland and occupies a position on the Education Faculty of the Australasian Medical Review Officers Association.

He is a member of the Forensic and Clinical Toxicology Association, the Society of Hair Testing, the Australia & New Zealand Association for Occupational Medicine and the Australasian Association of Clinical Biochemists.

 QML performs drug testing for government departments, as well as occupational and medical services throughout Australia.

ExampleImage: constantImage: constant

Quick Reference Guide



Caution



Case Law

CONTENTS

CHAPTER 1 RISKS ASSOCIATED WITH DRUGS AND ALCOHOL IN THE WORKPLACE

Drug and alcohol abuse in Australia	1
Why drugs and alcohol are a problem for workplaces	2
Negative effects of drug and alcohol abuse in your business	3
Common illicit drugs and their effects	4
Checklist: Identifying warning signs of drug or alcohol abuse in a worker	4

CHAPTER 2 YOUR HEALTH AND SAFETY OBLIGATIONS IN RELATION TO DRUGS AND ALCOHOL

What are your health and safety obligations?	. 5
How to meet your health and safety obligations	. 5
Identifying drug and alcohol risks in your workplace	. 5
Assessing drug and alcohol risks in your workplace	. 6
Control measures to manage drug and alcohol risks	. 8
Template: Control measures at work functions	. 9

CHAPTER 3 CONDUCTING DRUG AND ALCOHOL TESTING

Why might you conduct drug and alcohol testing?	10
What should you test for?	10
Who should you test?	11
When should you test?	12
Who should administer the testing?	13

Which testing method should you use?	13
Oral fluid testing versus urine testing	15
Australian standards governing drug and alcohol testing	17
Which drugs the Standards test for	17

CHAPTER 4 IMPLEMENTING AN EFFECTIVE DRUG AND ALCOHOL POLICY

Why you need to implement a drug and alcohol policy	19
What type of policy should you implement?	20
ls a zero tolerance policy appropriate for your workplace?	23
Drug and alcohol testing clauses	23
Can you discipline a worker who refuses to be tested?	24
Template: Drug and Alcohol Policy	25

CHAPTER 5 WHAT TO DO IF A WORKER TESTS POSITIVE

Should you discipline a worker who tests positive to a drug or alcohol test?	27
Checklist: What to consider if a worker tests positive to drugs or alcohol	28
Can you discipline a worker who uses drugs or alcohol away from the workplace?	29
What if a worker has a drug or alcohol addiction?	30
What non-negative (positive) results imply	31
What non-negative results confirm – and what it may mean	31
Prescription medication	32
Using a medical review officer if there is a positive finding	33
Creating a healthier and safer workplace	33