



EASTLAND WOOD COUNCIL DRUG & ALCOHOL POLICY

2017

DOCUMENT HISTORY

DATE	REVISION
1 ST FEBRUARY 2010	Policy document adopted by the EWC.
1 ST MAY 2012	Updated current list of EWC Members Removed reference to NZFOA Section 6 – Rehabilitation.
10 TH DECEMBER 2012	Amendments to; 2.2 - Prohibited Activities, Definitions - Drugs, 3.3.2 (j) - Post Incident Procedure, 3.5.2 - Random Testing 4.4.1, 4.4 (d) & (e) - Invalid Test, 7 - Privacy.
1 ST OCTOBER 2013	Appendix 2 (List of Rehabilitation Providers) and Appendix 3 (Implementation Schedule) have been removed. Flow Charts adjusted to reflect new numbering and 11.5 altered to give the employer the option to offer rehabilitation as per section 2.5.
1 ST DECEMBER 2015	Policy revised to integrate with the NZFOA publication but retaining the specific requirements of the EWC.
9 TH FEBRUARY 2017	Policy revised by Inscience and accepted by EWC with amendments and reformatting

Contents

1	Introduction	Error! Bookmark not defined.
1.1	Purpose	5
1.2	Aims	6
1.3	Prohibited Activities.....	6
1.4	Testing Categories.....	7
1.4.1	Pre-employment testing	7
1.4.2	Post-accident/Post-incident testing.....	7
1.4.3	Reasonable cause testing.....	7
1.4.4	Random testing	7
1.4.5	Follow-up testing	8
1.4.6	Educational Material	8
1.4.7	Education Programme	8
1.5	Serious Misconduct.....	8
1.6	Use of Legal Drugs.....	8
1.7	Statutory Provisions and Standards.....	9
1.8	Definitions.....	9
2	EDUCATION & TRAINING	15
2.1.1	General awareness (all staff)	15
2.1.2	Policy management & reasonable cause recognition (managers/supervisors)	15
3	TESTING PROCESSES AND PROCEDURES	16
3.1	Pre-employment testing	16
3.1.1	When applied	16
3.1.2	Procedure.....	16
3.2	Internal transfer testing.....	17
3.2.1	When applied	17
3.2.2	Procedure.....	17
3.3	Post accident/incident testing	18
3.3.1	When applied	18

3.3.2	Procedure.....	18
3.3.3	Procedure for an emergency.....	18
3.3.4	Refusal to undergo test.....	19
3.4	Reasonable Cause Testing.....	20
3.4.1	When applied	20
3.4.2	Procedure	20
3.4.3	Drug dog searches (optional)	21
3.5	Random Testing.....	21
3.5.1	When applied	21
3.5.2	Procedure	22
3.5.3	Refusal to undergo test.....	23
4	COMPANY FUNCTIONS & EVENTS	24
4.1	Guidelines for managers	24
4.2	Guidelines for employees	24
5	USE OF PRESCRIBED OR PHARMACEUTICAL OR OTHER MEDICATIONS	25
6	PRIVACY	26
6.1	Sharing information	26
7	ALCOHOL TESTING PROCEDURE.....	27
7.1	Alcohol tolerance	27
7.2	Procedure	27
8	DRUG TESTING PROCEDURE.....	28
8.1	Testing standard: AS/NZS 4308: 2008	28
8.2	Procedure	28
8.3	Oral Fluid Testing to Australian Standard AS4760 : 2006.....	32
8.4	Procedure.....	33
9	CUT-OFF CONCENTRATIONS	35
9.1	Confirmatory test cut-off concentrations (as total drug): AS/NZS 4308: 2008).....	35
9.2	Confirmatory test cut-off concentrations (as total drug): Drugs not listed in AS/NZS 4308: 2006.....	34
10	PROCESS FOR REVIEW	35
11	DETERMINING REASONABLE CAUSE.....	39

1 INTRODUCTION

1.1 Purpose

EWC is committed to ensuring the good health and safety of every Worker and visitor to our workplace. It is the responsibility of all EWC management and workers to maintain and promote a safe and Healthy work environment. To identify, minimise and eliminate the risks presented by the potential risk from the use or abuse of Drugs and or alcohol, we have adopted the following Drug and Alcohol Policy, which prohibits the possession of drugs* or alcohol and/or working or conducting company business under the influence of drugs* and/or alcohol and provides a series of measures we all can utilise to maintain a safer workplace.

This Policy is derived from the New Zealand Forest Owners Association (NZFOA) Workplace Alcohol and Other Drugs Policy and while that document has compatible aims and objectives it does not form part of this Policy. In all matters as they relate to the Members of the EWC this policy supersedes the NZFOA Policy.

This Policy contains the processes and procedures to be followed whenever a person or persons are required to undertake an On-site sample collection and Screening Test for Random Testing, post incident or accident and Reasonable Cause.

This policy applies to all Employees, Contractors and Visitors engaged directly or indirectly by an EWC Member, whenever they are at the Member's Workplace or conducting the business of a Member.

For the purposes of this Policy due to the High-risk classification of our industry, any person located at a Member's Workplace or conducting business on behalf of a Member, either directly or indirectly, are deemed to be in a Safety Sensitive Position, irrespective of their primary duties or responsibilities.

It is proposed that sample collection and initial screening, where practicable, be done at the Workplace, especially random testing. It is also proposed that when random testing is undertaken, it is done by location, i.e. by crew, site or even forest. If an Employee or Contractor is absent for valid reasons when an On-sight screening test is to be conducted, such as pre-arranged annual leave, they may be excluded from that round of testing. However, if there is reasonable cause to believe they were forewarned and absent because of that warning then that individual must be tested before returning to duties.

This policy is the minimum standard/benchmark to which the Members of EWC have agreed to apply Alcohol and Other Drugs testing within the workplace. Each Member may at its own discretion and as cited by EWC, apply a higher standard, than that prescribed here.

1.2 Aims

- To provide and promote a workplace free from alcohol and other drugs
- To establish the minimum Drug and Alcohol testing standards which the Members shall apply when recruiting or testing workers.
- To establish a benchmark Drug and Alcohol testing policy and procedure that shall be agreed and applied by all Contractors engaged by the Members.
- To support Workplace Health and Safety culture so Employees and Contractors can work with confidence in a safe environment and thus the Members can obtain optimum performance, productivity and work quality from its workforce.
- To reduce and wherever possible eliminate harm, accidents or incidents which have Drugs or Alcohol as a contributing factor.
- To support and educate staff with alcohol and/or other drug problems, when the Member, at its discretion, considers this action appropriate.
- To comply with legal obligations under the:
 - Health and Safety in Employment Act 1992 and its 2002 amendment (this will be replaced by the 2015 Health & Safety Reform Bill)
 - Human Rights Act 1993 (or any updated version)
 - Privacy Act 1993 (or any updated version)
- To ensure testing complies with latest international standards, currently:
 - AS/NZS 4308: 2008 'Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine'
 - AS3547-1997/ Amendment 1-2000 (Type 2) 'Breath alcohol testing devices for personal use'
- AS 4760: 2006 'Procedures for specimen collection and the detection and quantitation of drugs in oral fluid'.

Note – or any subsequent amendments or revisions. AS 4760:2006 Currently under revision and to be released as a joint Australian New Zealand Standard

- Overview

1.3 Prohibited Activities

Subject to the provisions within this Policy, the following circumstances, which apply equally to all Employees, Contractors and workplace visitors, are strictly prohibited:

- The use, sale, supply, transfer or possession of Illicit Drugs in the Workplace.
- The inappropriate use or misuse of prescribed or over the counter Drugs.

- The use, sale, supply, transfer or possession of Alcohol in the workplace without the prior and explicit approval of the Member's senior management.
- Reporting to work with Drugs in the person's system that exceeds those as detailed in this policy. Members of EWC may stipulate alternative cut off levels in their policy document if they do not exceed the levels detailed in this policy.
- To have a level of breath Alcohol higher than that allowed to legally drive a motor vehicle as defined by the Land Transport Act 1998. Members of EWC may stipulate alternative cut off levels in their policy document if they do not exceed the levels detailed in this policy.

Any breaches of these prohibited activities are deemed to be *Serious Misconduct*.

Note: If the drug detected does not have a cut-off concentration stipulated in AS/NZS 4308:2008 or AS 4760:2006, the laboratory will determine the appropriate concentration above which to report a positive result which may be "limit of detection or quantitation" and this may require Medical review.

1.4 Testing Categories

Workplace alcohol & other drugs testing will occur in the following circumstances:

1.4.1 Pre-employment testing

All prospective employees must pass a workplace drug & alcohol test. This includes changing jobs within the same company/employer (referred to as an internal transfer).

1.4.2 Post-accident/Post-incident testing

Employees are tested for the presence of alcohol and/or other drugs when they are involved in a significant accident or incident where their actions or the actions of a person or persons within the workplace may have contributed to the event.

1.4.3 Reasonable cause testing

Employees are tested for alcohol and/or other drugs where their actions, appearance, behaviour or conduct suggests alcohol and/or other drugs may be impacting their ability to work effectively and safely or in the event evidence of drugs and or alcohol or the use of drugs are found in their work place/proximity

1.4.4 Random testing

Employees and Contractors tested on a random unannounced basis.

NB: Random testing can mean either the randomly selected Employees and Contractors to be tested, random work sites where all Employees and Contractors on the randomly

selected site will be tested or all Employees and Contractors within a group being retested at random times within a certain period.

1.4.5 Follow-up testing

Random and unannounced follow-up tests will be required of any employee over a 2-year period following any instance of a positive drug test. They may only be considered fit to return to work after providing a urine drug test negative result and they are considered fit to resume normal duties

Education

1.4.6 Educational Material

The 'Workplace Alcohol & other Drugs Policy' and its procedures may be supported by educational material and ongoing training.

1.4.7 Education Programme

In the event of a positive test the Company may decide to assist the affected employee by giving them the opportunity to go through an education programme. This may include the provision of support and counselling. It is the discretion of the Member whether to offer an education programme.

1.5 Serious Misconduct

The Member's Serious Misconduct rule will apply whenever an Employee or Contractor is observed or found to be consuming, selling, supplying, or being in possession of an Illicit Drug, Controlled Substance or Alcohol at a Workplace or when conducting Company Business (other than Alcohol at company controlled functions with prior and explicit approval from the Member's senior management).

NB: This action does not require a Drug/Alcohol test and may result in summary dismissal.

1.6 Use of Legal Drugs

Employees or Contractors who are taking prescribed or over the counter Drugs must report such usage to their immediate supervisor before beginning their workday. If that person is a Contractor the immediate Contractor's Supervisor must advise the Member's Drug and Alcohol Officer before that person commences duties.

Confidentiality Disclosure

Such Drugs may be allowable if the prescribing medical practitioner has determined that they are consistent with safe performance of the Employee's or Contractor's duties and are being used at the prescribed dosage. The Member reserves the right to require the provision of an alternative professional opinion on whether the prescription or non-prescription

legally obtained Drugs will impact job performance or safety. It may be advisable to include this in the employment contract.

Where the use of the Legal (prescribed, or dispensed) Drugs have potential to impact an Employee or Contractor's job performance or safety, the Member's Drug and Alcohol Manager or senior manager or Agent will then determine whether the Employee or Contractor can be assigned to other duties, be required to take leave, or consider other options as appropriate. The Employee or Contractor shall not commence any duties until that decision process has been satisfactorily completed.

1.7 Statutory Provisions and Standards

Reference to any statute, regulation or standard is a reference to that statute, regulation or standard as amended or replaced from time to time.

1.8 Definitions

Accident – An accident is as defined by the Health and Safety in Employment Act 1992 and means an event that causes any person to be harmed; or in different circumstances, might have caused any person to be harmed.

Accreditation – Assessment by a recognized body of the technical competence of a laboratory conducting specific analysis to be reported in compliance with AS/NZS 4308:2008 or AS 4760:2006

Adulteration – Deliberate use of a substance to compromise, or attempt to compromise, the integrity of a specimen to attempt to 'beat' the drug test. Examples of this might include specimen dilution, using a masking agent, or providing a substitute specimen.

Agent - Any person or organisation nominated by the Member as a representative of the Member.

Alcohol – Includes any intoxicating substance or beverage that contains ethyl alcohol including, but not limited to, beer, cider, wine, pre-mix drinks and spirits.

Alcohol Use – The consumption of any beverage, mixture or preparation including medication, containing alcohol with the potential to intoxicate.

Approved Breath Testing Device – A breath alcohol testing device to measure breath alcohol content (BrAc) that meets the Australian Standard: AS 3547-1997 Amendment 1-2000 (type 2) "Breath Alcohol testing devices for Personal Use".

Australian Standard 3547:1997 – *Breath-Alcohol Testing Devices for Personal Use* (AS 3547:1997) published by Standards Australia, New South Wales. New Zealand allies to this standard.

Australian/New Zealand Standard AS/NZ 4308:2008 Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine – jointly published by Standards Australia International Ltd. and Standards New Zealand.

Australian Standard AS 4760:2006 Procedures for specimen collection and the detection and quantitation of drugs in oral fluid – published by Standards Australia International Ltd. And due for launch as a joint Standard with Standards New Zealand.

Note – AS 4760:2006 is currently being revised and timely confirmatory testing of Oral fluid at an accredited laboratory is not available. Any oral fluid on-site test producing a non-negative result will require a urine sample to be collected and forwarded to a laboratory accredited to AS/NZS4308:2008 for confirmation.

Breath Alcohol Test – A test conducted by a breath-alcohol tester, using an approved Breath Testing Device that meets the requirements of AS 3457:1997, to measure the amount of alcohol concentration in a litre of breath. The cut off concentrations for Alcohol shall be as determined by each EWC but will not exceed NZ Road Transport cut-off levels.

Breath Alcohol Tester – An individual properly trained in the use of an approved breath alcohol testing device.

Chain of Custody – An auditable series of procedures to account for the integrity of each specimen by tracking its handling and storage from the point of collection to final disposal of the specimen.

Collecting Agency or Collector – Is an Agent or organisation appointed by the Member to assume professional, organizational, educational and administrative responsibility for collection, on-site screening or testing, storage and dispatch of specimens.

Collecting Site. A place where a sample is collected for the purposes of a drug and or alcohol test.

Collector – A trained person responsible for specimen collection and On-site Screening (if applicable), handling, storage and dispatch and who were required to have received a statement of attainment in accordance with the relevant Australian Quality Framework or New Zealand Qualification Authority.

Company – A member of the Eastland Wood Council or an employer engaged directly or indirectly by a member of the Eastland Wood Council.

Company Business – Work undertaken for a Member by an Employee or Contractor, whether at the Member's Workplace or elsewhere, including driving for work or travelling to or from the workplace, on public or private roads.

Confirmatory Test for Alcohol – A second breath test following an initial test with a result that exceeds the cut off concentrations as set by the Member. The Confirmatory Test must use a new mouthpiece and the same approved breath testing device as the first test. There should be a time limit of 15 to 20 minutes between tests.

Confirmatory Test for Drugs – An analytical procedure that uses mass spectrometry (e.g. gas chromatography/mass spectrometry (GCMS), gas chromatography/mass spectrometry/mass spectrometry (GCMSMS) or liquid chromatography/mass spectrometry (LCMSMS) to unequivocally identify the presence of a specific drug and/or metabolite.

Contractor – Contractor is any person engaged by a Member by way of a contract agreement including the Principal Contractor and all staff or Contractors employed or otherwise engaged by the Principal Contractor.

Control Specimen – A specimen containing drugs or drug metabolites at a recognized concentration and prepared wherever possible from a different source to the calibration standard for evaluating the acceptability of test results.

Creatinine Test – A test to evaluate concentration of a urine sample. A urinary creatinine concentration of less than 200 milligrams per litre may indicate direct or indirect dilution of the urine specimen.

Cut Off Concentration – A value, expressed in µg/L, at or above which the drug/metabolite is deemed to be 'detected' (or positive) and below which the drug is deemed to be 'not detected' (or negative).

Drugs – Legal Drugs, Illicit Drugs, Controlled Substances and Misused Prescription Drugs.

- a. Legal Drugs – Medication prescribed by a medical practitioner or non-prescription over the counter medication used in a manner consistent with the directions provided, by the person for whom the medication was intended.
- b. Illicit Drugs include any substance identified in the NZ Misuse of Drugs Act (1975).
- c. Controlled Substances for this policy include synthetic THC and other party pills whether they are considered legal or illegal.
- d. Misused Prescription Drugs – Includes legally or illegally obtained prescription Drugs being misused or used in any way whatsoever contrary to the directions of a medical practitioner.

Drug Test – A scientifically reliable method of determining the presence of a drug class and/or its metabolite in a urine specimen or oral fluid specimen, performed in accordance with manufacturer's instructions and with procedures specified in the relevant Australian and or New Zealand Standard.

EAP - The Employee Assistance Programme that may be provided by the Member to assist employees in dealing with personal problems (including Drug and Alcohol abuse or dependency) which can impact on work safety and performance.

Eastland Wood Council - The Eastland Wood Council is an incorporated body which has as its Members forest owners or managers and other companies associated with the wood industry within the Tairāwhiti Gisborne District.

Employee – An Employee is any person engaged directly or indirectly by a Member under the terms and conditions of an Employment Agreement.

Forestry Services – Forestry Services are all those services required as the primary business of Forestry. For the sake of clarity this shall include but is not limited to, land preparation, tree planting, silviculture, harvesting and log or wood product processing, handling or transportation.

Gas or Liquid Chromatography/Tandem Mass Spectrometry – An approved analytical procedure that uses mass spectrometry to unequivocally confirm the identity of a specific drug and or metabolite. This method will withstand legal challenge.

Hazard – Any actual or potential cause of harm. It includes a situation where a person's behaviour may be an actual or potential cause or source of harm to themselves or someone else.

Impairment – Any loss, reduction or abnormality of a psychological, physiological or physical function.

Incident – An unusual event or occurrence attracting attention, concern or which is noteworthy in some way.

Integrity Testing – Tests to confirm whether another liquid has been provided in place of a genuine specimen, or whether the specimen has been adulterated by substances that may affect the ability of a drug test to accurately detect the presence or concentration of drugs or metabolites.

For more detail see Section **Error! Reference source not found.** Drug Testing

Laboratory – An accredited testing facility at which the analytical procedures are carried out to screen for and/or confirm the presence of a specific drug or its metabolite(s) and report results in compliance with the relevant international Standards.

Member – A Member is any company or organisation who is a Member or Associate of the Eastland Wood Council.

Metabolite - A metabolite is a breakdown or metabolised product of a drug that may be less toxic and easier to excrete than the substance taken. Some drugs are not broken down, but they are converted into a form that is more water soluble. They are also metabolites.

Not-negative Test Result – A Non-negative or Not Negative Test result shall be one where the On-site Screening test does not show negative and may require to be sent to a laboratory for confirmation.

On-site Drug Screening Device – An approved and or verified immunoassay device used to exclude the presence of drug classes, drugs and/or metabolites in urine or saliva at the site of specimen collection.

On-site Screening or Testing – A screening test carried out at the point of collection to exclude the presence a drug or class of drug or alcohol.

Place of Work (Workplace) – A place where any person is to work, is working, for the time being works, or customarily works, for gain or reward; and, in relation to an employee, includes a place, or part of a place, under the control of the employer (not being domestic accommodation provided for the employee).

Included within the definition of Workplace are all places;

- where the employee comes, or may come to eat, rest, or get first-aid or pay; or
- where the employee comes, or may come as part of the employee's duties to report in or out, get instructions, or deliver goods or vehicles; or
- through which the employee may or must pass to reach a place of work. It includes all premises (whether owned by the Company or leased), including offices, operational sites, company vehicles.

Positive Drug Test Result – a result of accredited laboratory confirmatory testing of the sample, the concentration(s) of drug(s) and/ or metabolite(s) recorded are:

- at or above the confirmatory cut-off concentration(s) specified in Table 2 of AS/NZS 4308:2008; or
- at or above the cut-off concentration determined by the laboratory for a drug not listed in AS/NZS 4308:2008
- if approved oral fluid confirmatory testing is available, at or above the confirmatory cut-off concentration(s) specified in AS 4760:2006 or any subsequent revision;

Principal Contractor – The Principal Contractor is the person or representative of the company with whom the Member has a Contract to undertake forestry related services. The Principal Contractor will usually engage employees or contractors to perform the work.

Rehabilitation – means Alcohol and/or Drug Rehabilitation. It is the process that involves assessment of an individual for abuse or dependency of Drugs and/or Alcohol, possible treatment in an individual counselling, group outpatient or group residential setting and the case management of the referral (which may involve the Member).

Risk Management – The rational process that enable a business to achieve its goals while not exposing staff, contractors, customers and the public to unacceptable levels of risk.

Safety Sensitive Positions – For the purposes of this Policy all Employees or Contractors engaged directly or indirectly to undertake or are undertaking the Company Business of the Member, irrespective of their primary duties or responsibilities, are deemed to be in Safety Sensitive Positions.

Sample – A portion or aliquot taken from a specimen on which the test or assay is carried out.

Screening Tests – Methods used to exclude the presence of a Drug or class of Drugs and to identify whether specimen integrity is compromised.

Serious Harm – Serious harm means death, or harm of a kind or description declared by the Governor-General by Order in Council to be serious for the purposes of the Health and Safety in Employment Act 1992.

Serious Misconduct – Whenever a situation arises that is considered by the Member to be Serious Misconduct, the relevant terms and conditions within the Member's or Principal Contractor's Employment Agreement or Contract shall apply.

Service Supplier – A Service Supplier is any person who is engaged to provide services within a Member's Workplace but is not the supplier of Forestry Services. For the sake of clarity, a Service Supplier would include services such as equipment maintenance, hose doctor, equipment supply etc.

Specimen – Any substance collected, including urine, blood, saliva or breath from the donor for the purposes of screening or testing for the presence of drugs and or alcohol.

Split Specimen – The original collected Specimen is split into two or three prior to dispatch to the accredited Laboratory. This allows for the individual to challenge the result via an independent analysis conducted by the same Laboratory or another Laboratory accredited to AS/NZS 4308:2008 on one of the portions retained by the laboratory for that purpose.

Substance Abuse Professional (SAP) – A licensed medical practitioner, licensed or certified psychologist, social worker, employee assistance professional, addiction councillor (certified by the Drug and Alcohol Practitioners Association of Aotearoa New Zealand or the National Association of Alcoholism and Drug Abuse Counsellors – New Zealand Certification Board), or any other professional approved by the Member, with knowledge of and clinical experience in the diagnosis and treatment of Drug and Alcohol related disorders.

Treatment Period – The Treatment period is all that time from when an Employee or Contractor enters an approved Rehabilitation Programme to when the person is approved by the Member's Drug and Alcohol Officer to return to full duties. The stand down period of two years applies to any employee that is registered on the Drug & Alcohol register held by CEO (Eastland Wood Council).

2 EDUCATION & TRAINING

Education and training material will be prepared and/or conducted by expert trainers who are qualified in the relevant specialist fields. For general awareness, E-learning options will be available. NZFOA has brochures available explaining the alcohol and other drugs-free programme and these can be sourced from the Eastland Wood Council.

2.1.1 General awareness (all staff)

An educational programme available to all employees covering:

- a. Drug and alcohol trends and their adverse effects
- b. Use/misuse/abuse/dependency
- c. The implications of the Company's alcohol & other drugs policy
- d. The testing options
- e. How alcohol & other drug tests are conducted
- f. How long substances can be detected after use
- g. How to access the alcohol & other drugs rehabilitation programme

2.1.2 Policy management & reasonable cause recognition (managers/supervisors)

Training workshops for managers and supervisors will cover in more detail the topics in 2.1.1 and will also focus on:

- Signs and symptoms to recognise alcohol & other drugs misuse
- Reasonable cause for testing
- Understanding the Company's alcohol & other drugs policy and how to manage it
- Understanding the testing processes
- Understanding when to request for the urine to be forwarded to the laboratory for 'other drugs testing'

3 TESTING PROCESSES AND PROCEDURES

3.1 Pre-employment testing

3.1.1 When applied

Appointment of a new employee is conditional on the applicant returning negative alcohol & other drugs tests, i.e. the applicant will not be offered a position or commence employment without negative drug and alcohol test results being obtained by an approved collecting agency or collector.

See Flowchart 1: Pre-employment testing

3.1.2 Procedure

- The applicant is to provide verification of identity. Ideally this should be photo ID such as a driver's licence or passport, but if these are not available for legitimate reasons other identification acceptable to the employer and/or the Member must be provided.
- The applicant is informed that any offer of employment is subject to an alcohol and other drugs test.
- The employer will request a check of the Eastland Wood Council Drug and Alcohol Register to check for previous positive tests.
- The applicant will be required to sign informed consent forms after receiving appropriate information as to what is being consented to.
- Any applicant refusing to take the tests will not be considered for employment.
- The applicant will be directed to a NZQA qualified specimen collector and on-site screener to collect a urine sample and to conduct an on-site screening test.
- Any specimen giving either a 'not negative' screen for a drug class or failing the integrity test for an adulteration of the specimen forwarded to an accredited laboratory for confirmatory testing and/or screening unless the applicant confirms in writing that they do not want to proceed and they withdraw from the employment application on the grounds of failing the drug test. The applicant is responsible to pay for the cost of any confirmatory testing that is performed.
- If the specimen integrity fails, the applicant may be required to stay at the collection site and be supervised always until s/he can provide a second urine specimen. Both specimens will also be forwarded to the accredited laboratory for drug and specimen integrity testing. Both the original and the second specimen will be uniquely labelled and accompanied by individual chain of custody forms that are cross referenced.
- Failure to supply a second specimen will be deemed to be a failure to provide a negative test result and the applicant will not be considered for employment.

- An applicant returning a positive test for either drugs or alcohol or adulterating substances will not be considered for employment.

3.2 Internal transfer testing

3.2.1 When applied

Internal transfer alcohol & other drugs testing should be applied to staff where the employee has applied for and been offered a new appointment where the offer places the employee in an entirely new role.

3.2.2 Procedure

- The employee is informed that their transfer is conditional on returning negative alcohol & other drugs tests.
- The employee will be required to sign informed consent forms after receiving appropriate information as to what is being consented to.
- Any applicant refusing to take the tests will not be considered for a position.
- The employee will be directed to a NZQA qualified specimen collector and on-site screener to collect a urine sample and to conduct an on-site screening test.
- Breath alcohol testing may be conducted on site if the Member has an approved calibrated testing device and a qualified tester.
- Any specimen giving either a 'not negative' screen for a drug class or failing the integrity test for an adulteration of the specimen could be forwarded to an accredited laboratory for confirmatory testing and/or screening unless the applicant confirms in writing that they do not want to proceed and they withdraw from the employment application on the grounds of failing the drug test. The applicant is responsible to pay for the cost of any confirmatory testing that is performed.
- If the specimen integrity fails the applicant may be required to stay at the collection site and be supervised at all times until s/he can provide a second urine specimen. Both specimens will also be forwarded to the accredited laboratory for drug and specimen integrity testing. Both the original and the second specimen will be uniquely labelled and accompanied by individual chain of custody forms that are crossed referenced.

Failure to supply a second specimen will be deemed to be a failure to provide a negative test result and the employee will not be considered for transfer and other consequences applicable to employees as detailed in this policy may apply.

An applicant returning a positive test result for either drugs or alcohol will not be considered for transfer and the Member's Serious Misconduct provisions will apply.

3.3 Post accident/Incident testing

3.3.1 When applied

At the discretion of the site supervisor or Member, any person in the vicinity at the time of an accident or incident will be required to be tested for the presence of alcohol and/or drugs and other drugs where any of the following circumstances affecting a person or property at the workplace:

- An incident involving death or a lost time injury
- An incident requiring treatment by a medical professional
- An incident or near miss that had potential to cause serious harm or loss
- An incident involving damage to vehicle, property, plant or equipment.
- An accident or incident no matter how minor where the effects of drug and or alcohol use may have contributed

3.3.2 Procedure

See Flowchart 2: Post accident/incident testing PI1, and
Flowchart 4: Post accident/incident, Reasonable cause.

The manager or the employee's supervisor must:

- a. Assess whether it is practical to require a test (see 5.4 for emergency situations).
- b. Determine whether the circumstances listed in 3.3.1 exist and if they do then all individuals directly or indirectly involved in the incident to be advised that they are required to undergo drug and alcohol testing and advise them that while they may consult their representative now, the testing cannot be delayed. If possible, the alcohol test should be conducted within one hour and the urine specimen collected within three hours.
- c. Obtain written consent from the employee (Schedules B & C).
- d. Confirm the identity of all individuals required to be tested. The ID must be documented on the chain-of-custody by the collector. It is recommended that managers have copies of employee's ID available on site.
- e. At the earliest possible time, arrange for the individuals to be supervised to prevent the opportunity for adulteration or modification of a specimen or test result and to be escorted to the designated NZQA qualified collector and on-site screener and trained breath testing provider.
- f. If the alcohol test and the urine on-site screening tests are negative, the employment relationship may continue as usual provided it is determined that further testing i.e Other drugs, blood glucose, medical exam is not required and the responsible person or supervisor is sure the worker is safe to resume work.

- g. If the alcohol test is positive, the urine drug screen is conducted and the employee is removed from the employment site (*must state in company procedures whether on full pay or not paid during this period*) until the disciplinary hearing. This is a suggested clause in the employment contract.
- h. If the urine specimen returns a 'not negative' screening result or its integrity is suspect the employee is removed from the employment site or if already off site, not allowed to return, while the urine is sent to the laboratory for confirmatory only or screening plus confirmatory testing and the results are available from the laboratory. The company procedures should state the employee's remuneration entitlements while confirmatory testing is being completed.
- i. If the specimen integrity test fails, the employee shall stay at the collection site (or an alternative suitable location) and be supervised always until s/he can provide a second urine specimen. This second specimen will also be forwarded to the laboratory for both drug and specimen integrity testing. Both the original and further specimens shall be uniquely labelled and accompanied by individual chain-of-custody forms that are cross-referenced.
- j. For post-accident/incident and reasonable cause testing, it is strongly recommended that consideration be given to specimens, which have screened negative using the on-site testing option, being subsequently forwarded to the accredited confirmatory laboratory for "other drug" testing. The Company may request that an accredited laboratory tests for additional drugs (eg synthetic cannabinoids, party drugs, LSD, cathinone derivatives, kava, krokodil, NBOMe) that will not be covered by the classic drug screening panel.
- k. It is necessary to inform the laboratory that these additional tests are required.
- l. If the confirmed result is positive for alcohol and/or drugs or other drugs, or the specimen integrity has been compromised, the serious misconduct rule will apply and disciplinary procedures will follow.

3.3.3 Procedure for an emergency

Where it is not practical for a test to be carried out immediately due to injuries to the employee or where other corrective actions are required (injury, fire, spill, etc), the manager or supervisor must:

- a. Attend to the other corrective actions
- b. Ensure that a Company representative accompanies the employee to the hospital/doctor so that the required tests can be carried out as soon as practicable
- c. If the injuries/corrective actions preclude immediate tests, ensure the tests are carried out at the first practical opportunity.

3.3.4 Refusal to undergo test

Where an employee refuses to undergo a test or to provide an unadulterated specimen, the refusal shall be treated under the serious misconduct procedures in the Company's rules and the disciplinary procedure may lead to dismissal.

Behaviour that constitutes a refusal to submit to a test includes, but is not limited to, the following:

- Refusal to consent to a test
- Failing to advise, as soon as practical, of an accident/incident where the nature of the accident/incident is such that it may require drug or alcohol testing
- Inability to provide sufficient quantities of breath, oral fluid or urine to be tested without a valid medical explanation.
- Tampering with or attempting to adulterate the specimen or collection procedure
- Not cooperating with the chain-of-custody procedures.
- Leaving the scene of an accident without a valid reason before the test has been conducted.

3.4 Reasonable Cause testing

3.4.1 When applied

The procedure will be used where there is reason to suspect that an employee's actions, appearance, behaviour or performance may be affected by alcohol and/or other drugs or the presence of drug and or alcohol use or paraphernalia has been found. In practice and where possible, there should be at least two people who have observed the employee and both have reason to believe that the person may be affected. One of these people should be a manager/supervisor who has received instruction on the topic and an approved person – a credible person who has also observed the signs and symptoms.

The discovery of alcohol and/or other drugs by any means in the possession of an individual or at a workplace will be reasonable cause to conduct testing.

Some reasonable cause indicators and grounds for testing are listed in Schedule A. The process for the manager/supervisor to follow to document a reasonable cause assessment is also included.

3.4.2 Procedure

See Flowchart 3: Reasonable cause testing and

Flowchart 4: Post accident/incident, Reasonable cause

If sufficient cause to test for alcohol and/or other drugs is determined, the manager/supervisor must:

- Advise the employee that they are required to undergo the test and advise them that while they may consult their representative now, the testing cannot be delayed.

- The employee will be required to sign informed consent forms after receiving appropriate information as to what is being consented to.
- Where an employee refuses to undergo a test, the refusal shall be treated under the serious misconduct procedures in the Company's rules and the disciplinary procedure is likely to lead to dismissal.
- If the onsite test returns a not negative result the employee will be stood down from work immediately and not return until the Companies disciplinary processes have been commenced and completed which may take place on site.
- For reasonable cause testing, it is strongly recommended that consideration be given to specimens, which have screened negative using the on-site testing options, being also forwarded to the accredited confirmatory laboratory for "other drug" testing. The Company may request that the laboratory tests for additional drugs (eg synthetic cannabinoids, party drugs, LSD, cathinone derivatives, kava, krokodil, NBOMe) that will not be covered by the classic drug screening panel.
- It is necessary to inform the laboratory that these additional tests are required.
- If the confirmed result is positive for alcohol and/or other drugs, or the specimen integrity has been compromised, the serious misconduct rule will apply and disciplinary procedures will follow.

3.4.3 Drug dog searches

A specialist drug detection dog team may conduct periodic unannounced inspections of any Company's workplaces including private vehicles used to travel to or from a workplace. The purpose of these inspections is to detect the presence of drugs.

The reasonable cause to test component of these procedures will be applied when a drug detection dog provides a positive indication of recent possession and/or use of drug(s):

On an employee

- In a vehicle that an employee has either driven to work in, or travelled in as a passenger on the way to work or during that shift (meal breaks etc)
- In a locker, clothing, or possessions/equipment that is the employees or that an employee has been using.

A person found in possession of a drug will be immediately suspended pending an investigation.

3.5 Random Testing

3.5.1 When applied

Unannounced random testing will be undertaken periodically as a deterrent to drugs and alcohol use/misuse. Random testing must be carried out at a minimum rate equal to 50% of the workforce being randomly selected and tested annually. The Member may require a more intensive rate of random testing.

For transparency and fairness, the selection process must use a valid random generator process and the selection should be conducted either by an external service provider or alternatively a senior person in the Company who is removed from operations and remote from those being randomly selected.

3.5.2 Procedure

See Flowchart 4: Random Testing

Refer to Sections 11 & 12 for alcohol & other drug testing procedures.

The person delegated the responsibility for managing the random testing process will:

- a. Advise the employee that s/he has been randomly selected
 - Arrange for the individuals to be supervised always to prevent the opportunity for adulteration or modification of a specimen collection and to be accompanied always to the designated NZQA qualified collector and on-site screener and trained breath testing provider.
 - Confirm the identity of the individual required to be tested. It is recommended that managers have copies of employees' ID available on site.
- b. The employee will be requested to sign informed consent forms after receiving appropriate information as to what is being consented to.
- m. If the alcohol test and the urine or oral fluids on-site screening tests are negative, the employment relationship may continue as usual.
- n. If the alcohol test is positive the employee is removed from the workplace and the Companies serious misconduct rules may be applied.
 - If oral fluid is the specimen being tested and a not negative result is returned a urine specimen will be immediately required for the confirmatory process by an accredited Laboratory.
 - If the urine is the specimen and returns a 'not negative' screening result or its fails the integrity test the employee is removed from the employment site or if already off site, not allowed to return, while the urine is sent to an accredited laboratory for confirmatory only or screening plus confirmatory testing and the results are available from that laboratory. (see paid and unpaid leave in previous sections)
 - The employees ID must be documented on the chain-of-custody by the collector.
 - The company procedures should state the employee's remuneration entitlements while confirmatory testing is being completed.
 - If the specimen integrity is suspect, the employee shall stay at the collection site (or an alternative suitable location) and be supervised always until s/he can provide a second urine specimen. Both specimen will be forwarded to the laboratory for drug and specimen integrity testing. Both the original and further specimens shall be uniquely

labelled and accompanied by individual chain-of-custody forms that are cross-referenced.

- If the confirmed result is positive for alcohol and/or other drugs, or the specimen integrity has been compromised, the serious misconduct rule may apply and disciplinary procedures may follow.

3.5.3 Refusal to undergo test

Where an employee refuses to undergo a test, the refusal may be treated under the serious misconduct procedures in the Company's rules and the disciplinary procedure may lead to dismissal.

Behaviour that constitutes a refusal to submit to a test includes, but is not limited to, the following:

- d. Refusal to consent to a test
- e. Inability to provide sufficient quantities of breath or urine to be tested without a valid medical explanation.
- f. Tampering with or attempting to adulterate the specimen or collection procedure
- g. Not cooperating with the chain-of-custody procedures.
- h. Leaving the workplace or location where the test is to be conducted without a valid reason before the test has been conducted.

4 COMPANY FUNCTIONS & EVENTS

Alcohol will only be permitted and supplied for company functions and events at the discretion of the site manager who is responsible for the management and control of consumption for all the Company functions and events (both on-site and off-site).

4.1 Guidelines for managers

Managers are responsible for managing the use and availability of alcohol on their sites. They are also responsible for managing the use of alcohol by their staff, whether on-site or off-site, while their staff are representing the Company. It is recommended that in carrying out this responsibility, all managers follow the guidelines set out below:

- A designated Company representative with responsibility for the function must be present at the function always. If this person leaves, they will delegate responsibility to another appropriate person
- A designated area and clear time limits will be stipulated and adhered to
- Food and non-alcoholic drinks will be provided
- Spirits are not provided (ie beer and wine only)
- Careful consideration will be given to alternative transportation arrangements
- Inappropriate and anti-social behaviour will be managed in the same way as if the incident occurred in the ordinary workplace.
- Regular social club or after work drinks held on-site are a privilege and not a right. As such, the protocol for such events will be clearly defined in writing (including the consequences of not adhering to that protocol).
- Managers will take into consideration that their approach to alcohol in the workplace plays a key role in setting an example to staff as to what is acceptable.

4.2 Guidelines for employees

All employees must take personal responsibility for their own behaviour and actions about the consumption of alcohol at Company functions and events, and other occasions. Due consideration must be given to:

- Personal and collective health and safety always
- The requirement for employees to meet the same standard of behaviour required from them in their ordinary workplace. Drinking to excess will not be considered as an excuse for failing to meet this standard
- The need for employees to present themselves for work, in a fit and proper state.
- Careful consideration will be given to alternative transportation arrangements

5 USE OF PRESCRIBED OR PHARMACEUTICAL OR OTHER MEDICATIONS

If an employee or contractor is on a medication which is either prescribed or purchased from a pharmacy or other 'over the counter', it is their responsibility to advise their employee to ensure they have been honest & transparent about their health situation.

If an employee or contractor is on a medication which is either prescribed or purchased from a pharmacy or other 'over the counter', it is their responsibility to seek advice from their doctor, pharmacist or other authority on whether any side effects from the medication could affect the safe performance of their job (eg dizziness, fatigue, drowsiness, altered perception, mood swings, or loss of coordination).

The employee or contractor should immediately notify their manager or Human Resources so that the Company can take any necessary steps with a view to providing a safe workplace for the employee – such as providing temporary alternative duties or appropriate leave entitlement. A medical opinion may be sought on the effects of any such prescribed drugs or medication in the workplace and how best to effectively manage those effects.

All advice received on the use of prescribed drugs will be treated by the manager in strictest confidence to protect the privacy of the employee.

6 PRIVACY

All information gathered because of alcohol and/or other drug testing is collected for implementing the Members policy and achieving its objectives and will comply with the Privacy Act. The manager responsible will hold the information in a secure filing system. Information may be disclosed only to managers on a “need to know” or if required by legal entities in the furtherance of any prosecution or accident investigation. Disclosure of this information to other parties (including future employers) will require the consent of the employee. The information shall be destroyed by the Company three calendar months after termination of employment with the Company.

6.1 Sharing information

The Health and Safety in Employment Act obliges every employer to take all practicable steps to ensure the safety of its employees and to ensure a safe workplace. These obligations are also owed to independent contractors.

It is reasonable for forest companies to identify drug use as having the potential to cause significant harm to employees in the forestry workplace which has a high-risk designation. Following on from this, it is proactive, responsible and reasonable for forestry companies to share a register of employees tested positive within these policy guidelines to ensure that all those operating in the forestry workplace are working in a safer workplace.

The consent forms used before any alcohol and other drug tests contains the provision that a positive result will be forwarded to the Drug & Alcohol Manager of the Eastland Wood Council and this fact will be advised to the individual as part of the informed consent process. This information is available as part of the pre-employment process only to the Members responsible manager and will be held by the Eastland Wood Council.

The non-negative tested employee will be recorded – name, crew name, date of birth, day of testing non-negative.

This registration will be held for two years from the day of testing non-negative then officially removed.

7 ALCOHOL TESTING PROCEDURE

7.1 Alcohol tolerance

The Member's policy is for 'Zero Alcohol Tolerance'.

For the purposes of this policy this is deemed to be:

a level of alcohol in the employee's breath at or greater than 250 micrograms per litre (250µg/L) or at a lower rate if so elected by the Member.

7.2 Procedure

All aspects of the testing procedure will be carried out in a confidential and private manner.

The test for alcohol will be carried out by using a breath alcohol testing device, which complies with the AS3547: 1997/Amendment 1: 2000 (Type 2), for the measurement of alcohol. The person conducting the test will have been trained in the procedures and use of the testing device.

- a. An alcohol testing informed consent form will be signed (Schedule C)
- b. Verification of ID must be available to show to the collector.
- c. The applicant/employee will be closely observed for 10 minutes prior to the test to ensure they have not taken any fluid, food or other substances into the mouth
- d. The first test will require the employee to blow into the device with a disposable mouthpiece
- e. If the result is less than 100ug/l no further test follows
- f. If the result is at or above 100ug/l , a confirmatory test on the same device (using a new mouthpiece) will be conducted after 15-20 minute period. The person must be supervised (as described above) during this period
- g. The time and result of the confirmatory test will be recorded
- h. The applicant/employee, witness, and person doing the test will sign acknowledgment of the result and date and time of testing.

8 DRUG TESTING PROCEDURE

8.1 Testing standard: AS/NZS 4308: 2008

All aspects of the testing procedure will be carried out in a confidential and private manner. The procedures will comply with the strict criteria dictated by AS/NZS 4308: 2008: 'Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine'.

NZQA qualified collectors will collect specimens, conduct an on-site screening test using a fully verified device and processes which comply with AS/NZS 4308: 2008, and forward any 'not negative' specimens to the accredited laboratory for confirmation testing.

8.2 Procedure

- a. An informed consent form will be signed by the applicant/employee (Schedule B).
NB: This is the responsibility of the Company and a copy must be presented to the collector to place with their files.
- b. The donor will report to (pre-employment) or be accompanied to (internal transfer, post-accident/incident, reasonable cause, random, follow-up) the NZQA qualified collector
- c. The donor will be required to provide verification of identity before the collection can proceed.
- d. The donor will be able to observe the entire specimen collection, processing, on-site screening test and chain-of-custody procedure, including the splitting of the specimen (if it requires further laboratory additional testing and/or confirmation) into two or three tubes.
- e. A chain-of-custody form will be partially completed initially, with final signatures being applied after the specimen has been collected and processed. This form contains as a minimum:
 - Verification of the donor's identity.
 - Two identifiers unique to the donor (eg full name and date of birth)
 - Date and time of collection
 - Name and signature of collector
 - The Company's details
 - Any medications or drugs consumed in the previous 2 weeks
- f. A urine specimen will be provided in a manner that allows for individual privacy.
- g. The specimen temperature will be noted from the collection cup and recorded on the form
- h. Further tests for specimen integrity (eg dilution, masking agent, substitution) will be conducted in the presence of the employee and recorded.
- i. The donor will be asked to voluntarily provide information on drugs/medication they have used recently. This information is only for the laboratory and will not be made available to the

Company unless the laboratory analyses the declared medication or drug as the cause of the drug screen “not negative”.

- j. The specimen will be screened at the collection site using a verified on-site immunoassay device and process which complies with AS/NZS 4308: 2008. A negative report can be issued provided all drug classes tested for give negative results and the integrity of the specimen is not in question.

NB: It is strongly recommended that Ffr Post accident/incident or reasonable cause the Company may also send the specimen to the laboratory for testing for ‘Other drugs’ which would not be detected with the classic on-site screen panel. For some random testing events the Company may also decide to do additional laboratory testing. If testing for additional drugs is required, the laboratory may be instructed which substances to analyse for (eg synthetic cannabinoids, LSD, cathinone derivatives, kava, NBOMe).

- k. All specimens screening ‘not negative’, failing the integrity tests or considered to be suspicious by the trained collector, will be sent to the accredited laboratory for confirmatory testing.
- l. If the integrity test fails or the specimen is suspected of adulteration, the donor will stay at the collection site (or another suitable location) and be supervised always until s/he can provide a second urine specimen. Both specimens will also be forwarded to the laboratory for additional drug and specimen integrity testing.

Both the original and further specimens will be uniquely labelled and accompanied by their individual chain-of-custody forms, which will be cross-referenced. The confirmatory process is described below.

- a. If the specimen is being sent to the laboratory, it is split into two or three samples, one of which is set aside on laboratory receipt as the donor’s reserve sample.
- b. The Member will receive an interim report, which only advises that the specimen requires further testing by the laboratory. There will be no indication from the collector, at this stage, as to the reason for further testing. This is in accordance with the requirements of the Standards

The donor will be asked to read, sign and date the chain-of-custody statement certifying that the specimen is theirs and has not been changed or altered at the time of the collection.

NB: This step is not carried out until the on-site screening test has been completed and again (if required) once the specimen has been processed for dispatching to the laboratory.

- c. The laboratory uses a more specific confirmatory test, either gas chromatography mass spectrometry (GCMS or GCMSMS) or liquid chromatography mass spectrometry mass spectrometry (LCMSMS) to confirm the identity of the drug compound or metabolite and accurately measure the quantity of drug present. These methods are considered by scientific and medical experts to be the most reliable procedures available. Diluents, masking agents and other substances affecting the specimen may also be confirmed.
- d. The laboratory will report all the drug classes tested for. Those either not detected or detected but with concentrations below the confirmation cut-off will be reported as ‘negative’. Individual drugs and/or metabolites confirmed by GCMS or LCMSMS and present at concentrations equal to or above the confirmation cut-off (tabulated in Section 12.3.1) will be reported as ‘positive’.

- e. For reported confirmed positive results for the additional drugs not covered in Section 12.3.1, the laboratory will advise what level of detection or quantification was applied.
- f. Abnormal dilution or any other confirmed specimen integrity failure will also be reported.
- g. If a current employee disagrees with an initial positive test result, they have the option of having the reserved split sample tested at the same or another accredited laboratory. This request should be made within fourteen days of receiving the initial result, and this reanalysis will look for the presence of any amount of the drug (ie it is not restricted to cut-off concentrations).
- h. If the second test result proves positive, this will be accepted as a conclusive result and costs associated with this test will be borne by the donor. If the second test result proves negative, this will be accepted as a conclusive result and costs associated with this test will be reimbursed by the Company.

8.3 Oral Fluids testing to Australian Standard AS 4760:2006

Oral Fluids testing to Australian Standard AS 4760:2006 - *Procedures for specimen collection and the detection and quantitation of drugs in oral fluid*, may be used as a test for the presence of drugs for random testing. As this standard is under review and no timely confirmatory laboratory testing is available a not negative result will require a urine sample be taken immediately and that process be followed to completion.

8.4 Procedure

- f. An informed consent form will be signed by the applicant/employee (Schedule B).
NB: This is the responsibility of the Company and a copy must be presented to the collector to place with their files.
- g. The donor will report be accompanied, (random) the qualified collector
- h. The donor must remove any food or otherwise from their mouths. They may consume a small glass of water 15 minutes prior to specimen collection if required.
- i. The donor will be required to provide verification of identity before the collection can proceed.
- j. The donor will be able to observe the entire specimen collection, processing, on-site screening test and chain-of-custody procedure.
- k. A chain-of-custody form will be partially completed initially, with final signatures being applied after the specimen has been collected and processed. This form contains as a minimum:
 - Verification of the donor's identity.
 - Two identifiers unique to the donor (eg full name and date of birth)
 - Date and time of collection
 - Name and signature of collector
 - The Company's details
 - Any medications or drugs consumed.

- m. An oral fluid(saliva) specimen will be provided in a manner that allows for individual privacy and as instructed by the qualified collector/screener.
- n. The specimen adequacy will be noted and judged by the qualified collector and recorded on the form
- o. The donor will be asked to voluntarily provide information on drugs/medication they have used recently. This information is only for the laboratory and will not be made available to the Company unless the laboratory analyses the declared medication or drug as the cause of the drug screen “not negative”.
- p. The specimen will be screened at the collection site using a the DT5000 analyser as a suitable on-site immunoassay device and process which complies with AS4760:2006. A negative report can be issued provided all drug classes tested for give negative results
- q. For some random testing events the Company may also decide to do additional laboratory testing on a urine specimen/sample collected for that purpose. If testing for additional drugs is required, the laboratory may be instructed which substances to analyse for (eg synthetic cannabinoids, LSD, cathinone derivatives, kava, NBOMe).
- r. All specimens screening ‘not negative’ will be sent to the accredited laboratory for confirmatory testing.

The confirmatory process is described below.

See urine collection process

- l. The donor will be able to observe the entire specimen collection, processing and chain-of-custody procedure, including the splitting of the specimen into two or three tubes.
- m. A chain-of-custody form will be partially completed initially, with final signatures being applied after the specimen has been collected and processed. This form contains as a minimum:
 - Verification of the donor’s identity.
 - Two identifiers unique to the donor (eg full name and date of birth)
 - Date and time of collection
 - Name and signature of collector
 - The Company’s details
 - Any medications or drugs consumed in the previous 2 weeks
- s. A urine specimen will be provided in a manner that allows for individual privacy.
- t. The specimen temperature will be noted from the collection cup and recorded on the form
- u. Further tests for specimen integrity (eg dilution, masking agent, substitution) will be conducted in the presence of the employee and recorded.
- v. The donor will be asked to voluntarily provide information on drugs/medication they have used recently. This information is only for the laboratory and will not be made available to the

Company unless the laboratory analyses the declared medication or drug as the cause of the drug screen “not negative”.

- w. If the integrity test fails or the specimen is suspected of adulteration, the donor will stay at the collection site (or another suitable location) and be supervised always until s/he can provide a second urine specimen. Both specimens will also be forwarded to the laboratory for additional drug and specimen integrity testing.

Both the original and further specimens will be uniquely labelled and accompanied by their individual chain-of-custody forms, which will be cross-referenced. The confirmatory process is described below.

- i. If the specimen is being sent to the laboratory, it is split into two or three samples, one of which is set aside on laboratory receipt as the donor’s reserve sample.
- j. The Member will receive an interim report, which only advises that the specimen requires further testing by the laboratory. There will be no indication from the collector, at this stage, as to the reason for further testing. This is in accordance with the requirements of the Standards

The donor will be asked to read, sign and date the chain-of-custody statement certifying that the specimen is theirs and has not been changed or altered at the time of the collection.

NB: This step is not carried out until the on-site screening test has been completed and again (if required) once the specimen has been processed for dispatching to the laboratory.

- k. The laboratory uses a scientifically specific confirmatory test, either gas chromatography mass spectrometry (GCMS or GCMSMS) or liquid chromatography mass spectrometry mass spectrometry (LCMSMS) to confirm the identity of the drug compound or metabolite and accurately measure the quantity of drug present. These methods are considered by scientific and medical experts to be the most reliable procedures and withstand legal challenge. Diluents, masking agents and other substances affecting the specimen may also be confirmed.
- l. The laboratory will report all the drug classes tested for. Those either not detected or detected but with concentrations below the confirmation cut-off will be reported as ‘negative’. Individual drugs and/or metabolites confirmed by GCMS or LCMSMS and present at concentrations equal to or above the confirmation cut-off (tabulated in Section 12.3.1) will be reported as ‘positive’.
- m. For reported confirmed positive results for the additional drugs not covered in Section 12.3.1, the laboratory will advise what level of detection or quantification was applied.
- n. Confirmed specimen integrity failure will also be reported.
- o. If a current employee disagrees with an initial positive test result, they have the option of having the reserved split sample tested at the same or another accredited laboratory. This request should be made within fourteen days of receiving the initial result, and this reanalysis will look for the presence of any amount of the drug (ie it is not restricted to cut-off concentrations).
- p. If the second test result proves positive, this will be accepted as a conclusive result and costs associated with this test will be borne by the donor. If the second test result proves negative, this will be accepted as a conclusive result and costs associated with this test will be reimbursed by the Company.

9 CUT-OFF CONCENTRATIONS

9.1 Confirmatory test cut-off concentrations (as total drug): AS/NZS 4308: 2008)

Compound	Cut-off level (Micrograms/litre)
Morphine	300
Codeine	300
6-Acetylmorphine	10
Amphetamine	150
Methylamphetamine	150
Methylenedioxymethylamphetamine	150
Methylenedioxyamphetamine	150
Benzylpiperazine*	500
Ephedrine*	500
Phentermine *	500
Pseudoephedrine*	500
11-nor- D9- tetrahydrocannabinol-9- carboxylic acid	15
Benzoyllecgonine	150
Ecgonine methyl ester	150
Oxazepam	200
Temazepam	200
Diazepam	200
Nordiazepam	200
α -hydroxy-alprazolam	100
7-amino-clonazepam	100
7-amino-flunitrazepam	100
7-amino-nitrazepam	100

* These drugs may be optionally tested within each class and the specified cut-off levels shall apply.

9.2 Confirmatory test cut-off concentrations (as total drug): Drugs not listed in AS/NZS 4308: 2008

For the drugs/ metabolites not listed in AS.NZS 4308: 2008, the laboratory will determine what the appropriate cut-off concentration is and advise the client.

10 PROCESS FOR REVIEW

The Member's 'Workplace Alcohol & other Drugs Policy' and its procedures will be reviewed periodically and changes may occur at the discretion of the Member where they are deemed to be necessary. These changes will be deemed to be in force once the employees have been notified via the appropriate consultative process

APPENDICES

- Appendix 1. Reasonable cause indicators:
 - * Physical symptoms
 - * Behaviour
- Appendix 2. Consent for drug Testing : Job applicant & existing employee
- Appendix 3. Consent for Breath Alcohol Testing : Job applicant & existing employee
- Appendix 4. Drug & Alcohol Rehabilitation (optional)
- Appendix 4A. Drug & Alcohol Rehabilitation Contract
- Appendix 5. Decision Making Flow Charts
 - 5.1 Pre-employment testing
 - 5.2 Initiating Post Accident/Post Incident Testing
 - 5.3 Initiating Reasonable Cause Testing
 - 5.4 Testing Process for All Employee and Contractor Testing
Including Random Testing
 - 5.5 Consequences of Positive Drug or Alcohol Test Results
- Appendix 6. Reasonable Cause Indicators

APPENDIX 1 - Reasonable cause indicators

When assessing 'reasonable cause', physical symptoms and/or unusual out of character behaviour must be considered. There will usually be more than one indicator present.

Examples of physical symptoms and behaviour include, but are not limited to, the following:

Physical symptoms

- Bad breath, body odour, clothes
- Slurred speech
- Unsteady on feet
- Eyes – bloodshot, dilated pupils, pin-point pupils
- Excessive sweating
- Flushed/red complexion
- Loss of weight

Behaviour

- Unusual or out of character on-site behaviour
- Continual involvement in small accidents or inattention
- Obvious continual drop in performance
- Changes in personality or mood swings
- Excessive lateness
- Absences often on Monday, Friday or in conjunction with holidays
- Increased health problems or complaints about health
- Emotional signs – outbursts, anger, aggression, mood swings, irritability
- Paranoia
- Changes in alertness – difficulty with attention span
- Changes in appearance – clothing, hair, personal hygiene
- Less energy
- Feigning sickness or emergencies to get out of work early
- Going to the bathroom more than normal
- Defensive when confronted about behaviour
- Dizziness
- Hangovers
- Violent behaviour
- Impaired motor skills
- Impaired or reduced short term memory
- Reduced ability to perform tasks requiring concentration and co-ordination

- Intense anxiety or panic attacks or depression
- Impairments in learning and memory, perception and judgement

Reasonable Cause Testing

Reasonable grounds testing may also take place where the Company learns, from a credible source, that the employee/contractor is working under the influence of alcohol and/or other drugs, or where the employee/contractor is observed using, possessing, distributing or consuming alcohol and/or other drugs during work time or during any breaks, whether on or off the Company premises.

Employee/Contractor's name: _____ Department: _____

Date(s): _____

Support person: Yes ☐ No ☐ Name: _____

Supervisor's name: _____ Department: _____

Approved person's name: _____ Department: _____

Date(s): _____

Supervisor to record below the physical symptoms or behaviour observed:

Comments/explanation of Employee/Contractor (if offered)

Comments of Supervisor/Approved Person

i. DETERMINING REASONABLE CAUSE

From your observation is there a risk to the health and safety of this person and others? Yes ☐ No ☐

Are you satisfied that it is reasonably possible that the risk is a result of the possible use of drugs or alcohol? Yes ☐ No ☐

Do NOT proceed with reasonable cause testing unless the above questions are answered with a YES.

j. TAKING ACTION

Reasonable cause established: Yes ☐ No ☐

Date: / / Time: _____

Action taken:

Supervisor's signature: _____

Date: / / Time: _____

Approved person's signature: _____

Date: / / Time: _____

APPENDIX 2 Consent for drug testing: Job applicant & existing employee

☐ Pre-employment ☐ Post accident/incident ☐ Reasonable cause
☐ Random ☐ Internal Transfer ☐ Follow-up

I consent to undergo a urine drug test, to be undertaken by a NZQA qualified collector and urine drug screener and an accredited laboratory appointed by the Company which I acknowledge is for the purpose of determining whether I have a level(s) of a drug(s) (as defined by the Company's policy) at or higher than:

The accepted international standard as defined by the Australian/New Zealand Standard AS/NZS 4308: 2008, or

The level determined by the laboratory.

I understand that a urine specimen will be collected and the drugs being tested for are cannabinoids, opiates, amphetamine type substances (including party pills containing benzylpiperazine), cocaine and benzodiazepines.

I understand that other illicit drugs (eg LSD, synthetic cannabinoids, cathinone derivatives, NBOMe), restricted and legal party substances, prescription drugs and other mind altering substances can also be tested for.

I undertake to advise the qualified collector of any medication that I am taking. I also agree to provide the collector with verification of my identity (photo ID and signature) and two unique identifiers (eg full name and date of birth).

I consent to the confidential communication of the drug test(s) results to the Company. Any collection, storage or exchange of information concerning the drug test will be in accordance with the requirements of the Privacy Act and results will only be used for the purposes for which they were obtained.

I also **irrevocably** consent to (use either option a or b):

Disclosure of this information to [a. A specified association] or [b. Members of a regional forestry association]. If I wish to apply for a job with another forestry company, such information will only be disclosed on a 'need to know' basis. The purpose will be to ascertain whether I have tested positive while working for another forestry company.

Existing employees only: I understand that I may request that a second test be conducted on the reserve sample that was split from the original urine sample and is stored at the laboratory. This request must be made within seven days of receiving the result.

For the second test to be positive there need only be the presence of a drug or metabolite detected (ie no cut-off limits). This will be accepted as a conclusive result and costs associated with this test will be borne by me. If the second test proves negative this will be accepted as a conclusive result and costs associated with this test will be reimbursed by the Company.

I understand that refusing to sign this form, or the return of a positive result, means that:

☐ **Pre-employment** ☐ **Internal transfer:** The job offered/applied for will not be confirmed or offered to me
☐ **Existing employee:** The Company's disciplinary procedure for serious misconduct will follow.

I have read and understood the terms of this consent form.

Applicant/Employee: Signature: _____ Date: / /

Name: _____

Witness: Signature: _____ Date: / /

Name: _____

APPENDIX 3 Consent for Breath Alcohol Testing: Job applicant & existing employee

☐ Pre-employment ☐ Post accident/incident ☐ Reasonable cause
☐ Random ☐ Internal transfer ☐ Follow-up

I consent to undergo a breath alcohol test, which I acknowledge is for the purpose of determining whether I have a level of alcohol in my breath at or higher than 100 micrograms per litre (µg/L) (zero alcohol tolerance).

Results of the breath alcohol test will only be used for the purposes for which it was obtained, as set out in the Company's 'Workplace Alcohol and other Drugs Policy'.

I also agree to provide the collector with verification of my identity (photo ID and signature) and two unique identifiers (eg full name and date of birth).

I consent to the confidential communication of the breath alcohol test(s) results to the Company. Any collection, storage or exchange of information concerning the breath alcohol test will be in accordance with the requirements of the Privacy Act and results will only be used for the purposes for which they were obtained.

I also **irrevocably** consent to (use either option a or b):

Disclosure of this information to [a. A specified association] or [b. Members of a regional forestry association]. If I wish to apply for a job with another forestry company, such information will only be disclosed on a 'need to know' basis. The purpose will be to ascertain whether I have tested positive while working for another forestry company.

I understand that refusing to sign this form, or the return of a positive result, means that:

☐ **Pre-employment or** ☐ **Internal transfer:** The job offered/ applied for will not be confirmed or offered to me
☐ **Existing employee:** The Company's disciplinary procedure for serious misconduct will follow.

I hereby authorise the collection and testing of a breath sample for alcohol, and the release of the test results to the authorised representative of the Company.

I have read and understood the terms of this consent form.

Applicant/Employee: Signature: _____

Date: / /

Name: _____

Witness: Signature: _____

Date: / /

Name: _____

Breath Alcohol Test**Applicant/Employee:**

Verification of ID: _____ Date / /

Breathalyser

Model: _____ Serial#: _____ Next recalibration date / /

Test

Administered at: _____ Name of Tester: _____

1st Test	2nd Test Result	k.	Time between	RESULT (tick box)
Result (μ g/L) <input type="text"/>	if required (μ g/L) <input type="text"/>	tests (mins) <input type="text"/>		Positive <input type="checkbox"/> Negative <input type="checkbox"/>

Date & time of testing (final test):

Signature of Tester: _____

Signature of Applicant/Employee: _____

Signature of Witness: _____ Date: / /

APPENDIX 4 Drug & Alcohol Rehabilitation (Optional)

l. 1 Voluntary

All employees will be offered the opportunity to voluntarily join the Company's supported alcohol and other drugs rehabilitation programme.

Voluntary rehabilitation is not an option for employees after they have been requested to undertake an alcohol and/or other drug test post-accident/incident, for reasonable cause or if randomly selected.

m. 2 Company referred

Current employees returning a positive test for the first time, who want to continue employment, may be given the opportunity to join the Company's supported alcohol and other drugs rehabilitation programme. Failure to take part or complete the programme may result in the serious misconduct procedure and disciplinary action is likely to include dismissal.

NB: The Company reserves the right not to offer rehabilitation in situations where it can justify taking disciplinary action including dismissal.

n. 3 Funding

Use either option 3a or 3b.

o. Option 3a

The Company will fund rehabilitation as follows:

Initial assessment by a substance abuse professional

Up to six sessions with a drug and alcohol substance abuse specialist

Up to six unannounced follow-up tests per year over two years (see Section 6).

p. Option 3b

The Company will provide partial or no funds

The employee will fund part or all of the rehabilitation including the follow-up tests

The sessions shall be taken outside work hours or leave entitlements may be taken.

q. 4 Procedure

- a. The employee must sign a contract agreeing to the rehabilitation programme (see Schedule D2) and follow up testing.
- b. The employee will be prohibited from working until negative tests for both alcohol and other drugs are obtained and the specialist deems the person fit to return to normal duties.
- c. The employee will be required to take leave entitlement or unpaid leave during this period.
- d. The manager will arrange an initial appointment for the employee to meet with the substance abuse specialist.
- e. All communications between the specialist and employee will remain confidential. However the specialist will be required to communicate with the manager on the expected period for treatment, progress being made and the frequency of comparison testing to monitor progress. There will be a maximum of four weeks allowed for the employee to be ready to return to work.
- f. The substance abuse specialist will report to the manager, after the agreed number of sessions, on the necessity or value of further treatment.

The employee is required to fund any sessions required beyond those provided by the Company.

NB: If the employee is responsible for funding their own rehabilitation programme Section 4 will need modifying where appropriate.

r. 5 Return to work decision

On advice from the rehabilitation service provider and drug testing provider the Company will make a return to work decision, based upon:

- a. A comprehensive drug and/or alcohol assessment report from the rehabilitation service provider. This report will indicate the employee's ability and readiness to change.

Note that in some instances, the rehabilitation service provider will recommend that the employee abstains from drugs and/or alcohol as part of their treatment programme. In such circumstance, 'zero' results will be expected which is a higher standard than that required for 'return to work'.

- b. Comparison drug and/or alcohol test result:

During the rehabilitation process, urine specimens will be collected at intervals (unannounced) and forwarded directly to the laboratory for comparison testing. The laboratory compares the level of drug in these subsequent specimens with the level in the original urine to determine whether the level is dropping at the expected rate. For alcohol related rehabilitation, periodic alcohol testing will be scheduled.

s. 6 Follow-up testing

- a. On completion of the programme the employee will be subject to up to six unannounced follow-up drug and/or alcohol tests per year over the next two years.
- b. The drug tests will always be conducted by the accredited laboratory (ie not just rely on the on-site screening test) and the laboratory will be asked to test for all drugs including the additional panel.
- c. These tests may look for the presence of any amount of the drug (ie it is not restricted to cut-off levels).
- d. A second positive test outside the treatment period may result in disciplinary action including dismissal.

APPENDIX 4A Drug & Alcohol Rehabilitation Contract

Employee's name _____

I _____ acknowledge that I have been entered into the Company's health rehabilitation plan and my continued employment with the Company is subject to the following:

I am committed to full participation in the health rehabilitation plan with the service provider(s) specified by the Company.

I authorise the service provider to release the following information to the Company:

Whether I have kept appointments

Whether the service provider has recommended a course of treatment

Whether I am following that course

Whether a return to work is appropriate and within what timeframe

Whether I have completed the required treatment

Whether return to work is to full or alternative duties

Whether I have undertaken the comparison drug (or alcohol) tests when requested to do so.

I authorise the Company to permit the service provider to discuss results of drug and/or alcohol tests, undertaken during rehabilitation, with the accredited laboratory, toxicologist and medical advisor (if available).

I agree to use leave entitlements (or unpaid leave) whilst undergoing rehabilitation and until I have both returned a negative test(s) and am considered fit to return to my normal or alternative duties.

I agree to take six subsequent follow-up drug/alcohol tests per year in the 24 months following treatment and agree that the results are to be released to my employer. I understand that the drug tests will be conducted at the accredited laboratory and additional drugs will always be tested for (ie not just the substance I initially tested positive for).

I accept that if:

- I do not attend or complete the required course
- On any future occasion, including the subsequent tests above, I return a positive drug/alcohol test
- I refuse to take any of the subsequent tests

the consequence may be dismissal without notice.

I accept the terms of this contract, which I acknowledge may be in addition to the terms of my current contract and agree to be bound by both contracts.

Employee _____

Signature: _____

Date: / /

Regional manager

Name: _____

Signature: _____

Date: / /

Witness

Name: _____

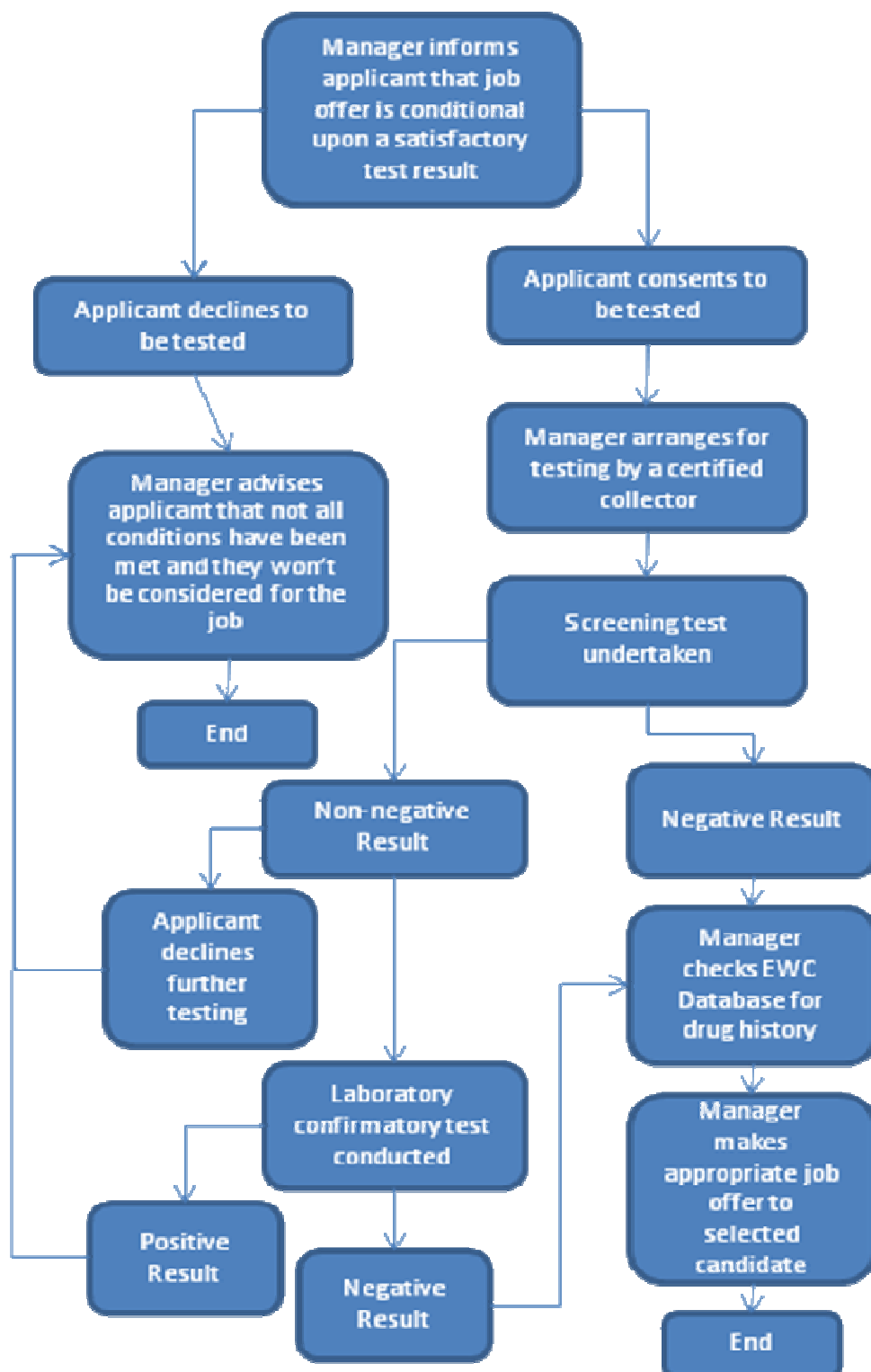
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Date: / /

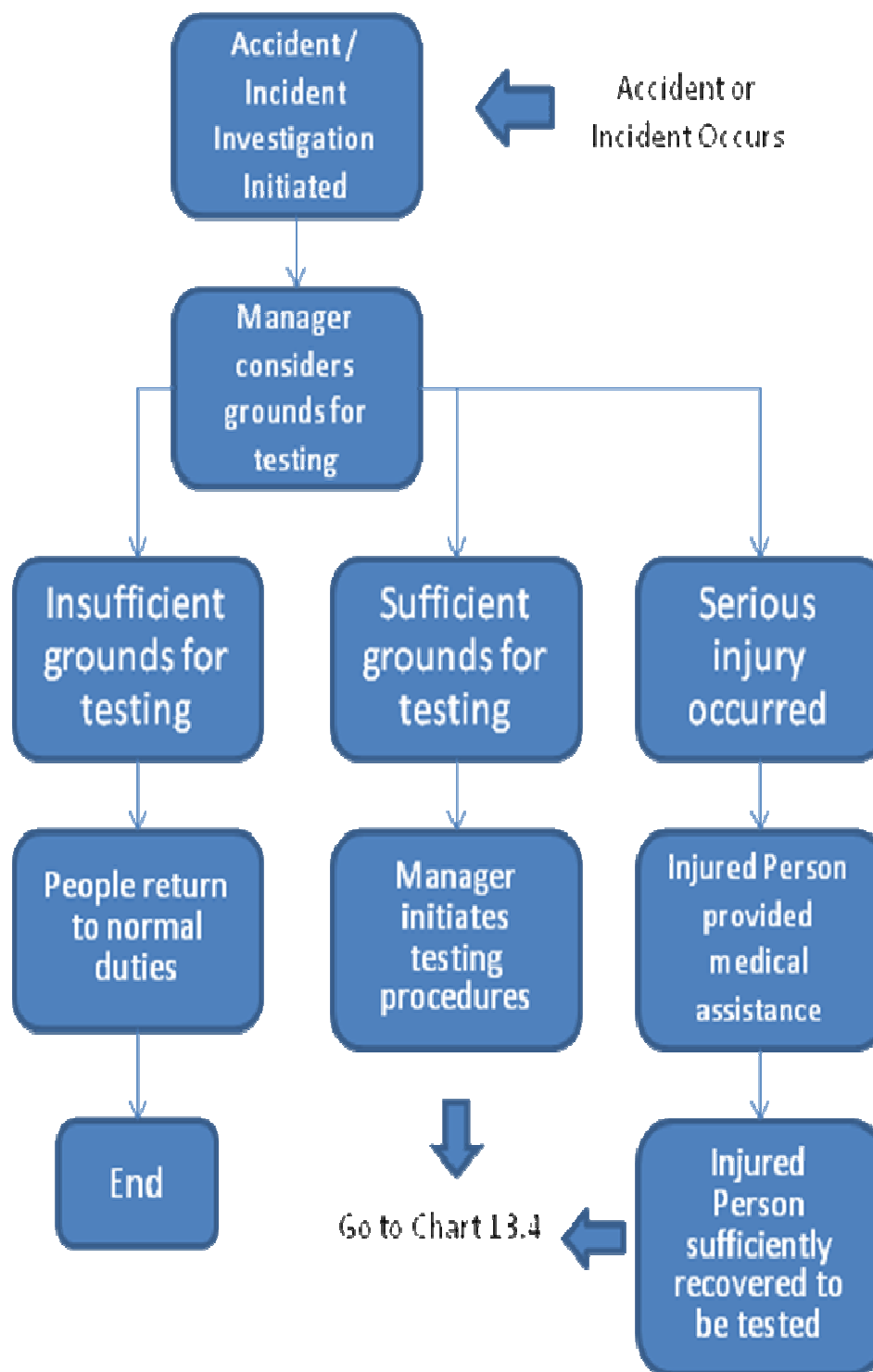
APPENDIX 5 Decision Making Flow Charts

Note – The term Employee in these Decision Making Flow Charts is inclusive of Contractors and any other person who come within the requirements of this Policy.

5.1 Pre-employment Testing

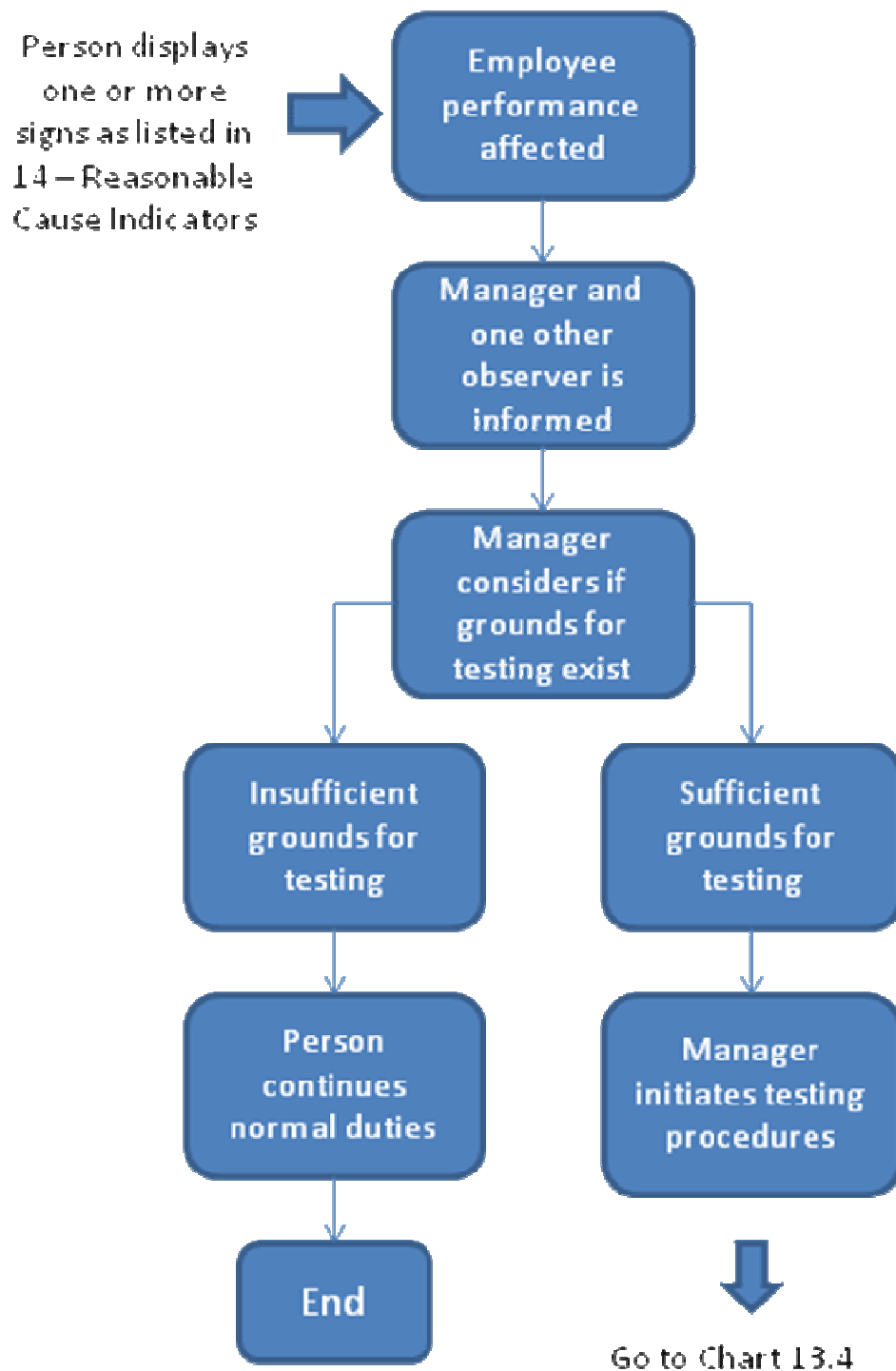


5.2 Initiating Post Accident / Post Incident Testing

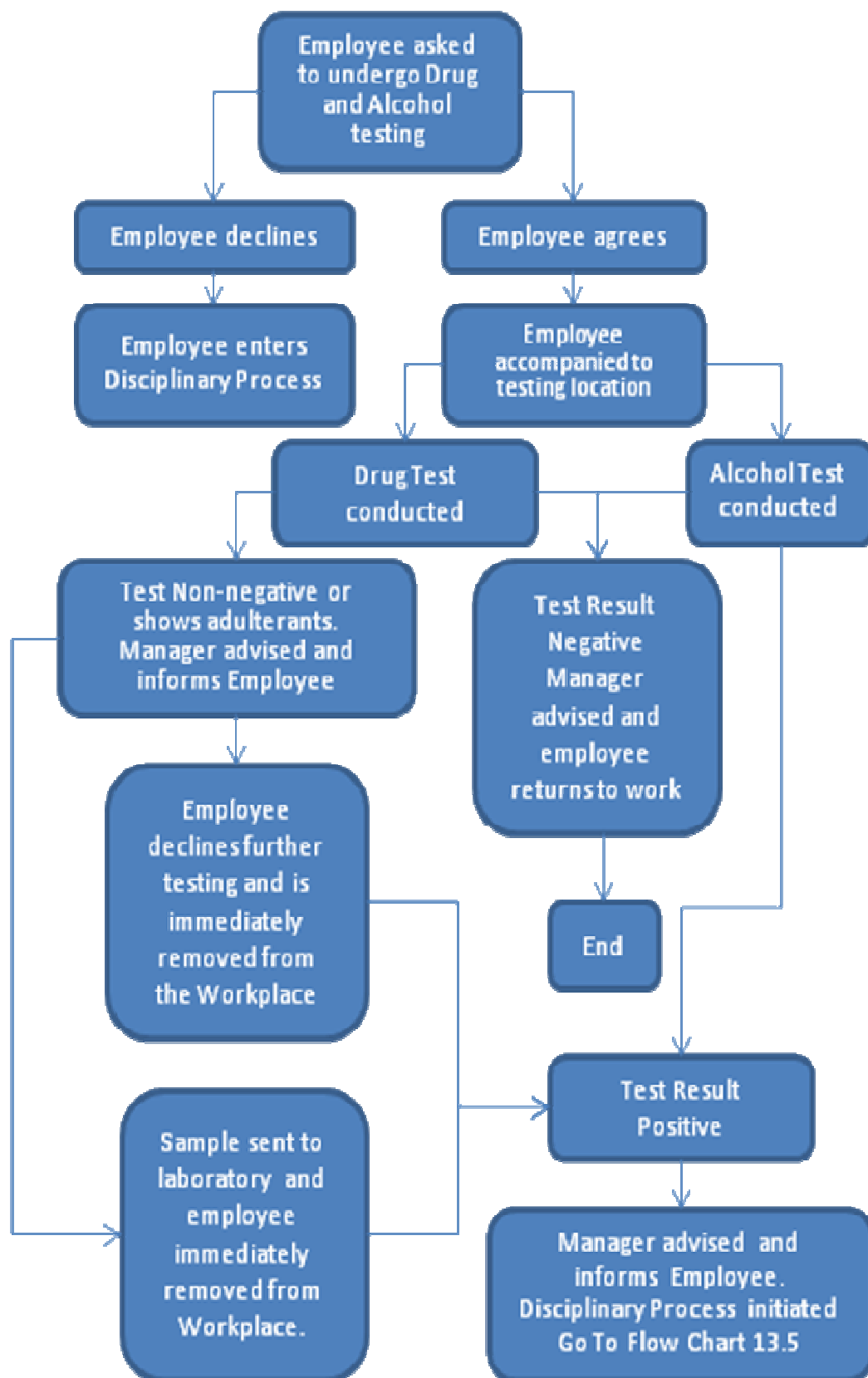


Note: What happens if patient doesn't recover in the short term?

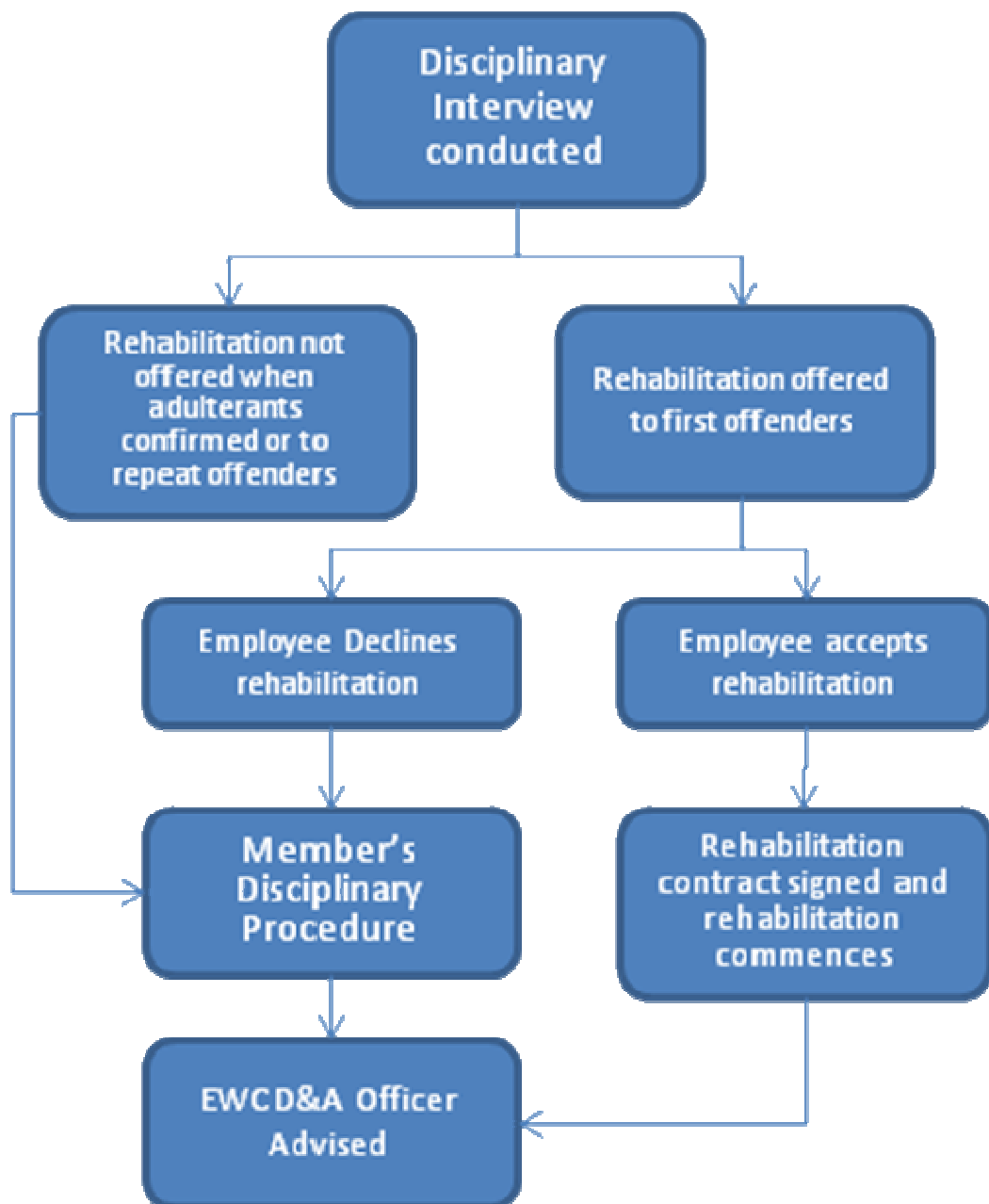
5.3 Initiating Reasonable Cause Testing



5.4 Testing Process For All Employee and Contractor Testing Including Random Testing.



5.5 Consequences of Positive Drug or Alcohol Test Result



APPENDIX 6 Reasonable Cause Indicators

An individual may be showing signs of drug and/or alcohol abuse when contrary to normal behaviour or temperament they display one or more of the following;

1. A sudden unexplained drop in performance
2. Going to vehicle, bathroom, smoko room or similar more often than necessary or normal.
3. Physical signs or behaviour that is unusual for that individual such as dilated pupils, blurred vision, droopy eyelids, bloodshot eyes, stuffy or runny nose, slow and/or slurred speech, slow gait, high energy levels or disorientation.
Note; bloodshot eyes indicated cannabis, fully dilated pupils, methamphetamine and constricted pupils, opiates.
4. Changes in alertness such as falling asleep, attention span difficulties, problems with short term memory.
5. Reduced ability to perform tasks requiring concentration or co-ordination.
6. Impairments in learning, memory, perception and judgement.
7. Impaired motor skills
8. Changes in personality compared with previous history.
9. Changes in appearance, clothing, hair or personal hygiene.
10. Feigning sickness or emergencies to get out of work early.
11. Unplanned absences, often on Monday, Friday or in conjunction with holidays.
12. Increased health problems or complaints about health.
13. Physical signs of abuse or accidents such as bruises, cuts or swellings.
14. Emotional signs such as mood swings, bouts of hilarity, outbursts of anger or aggression.
15. Depression.
16. Intense anxiety or panic attacks.
17. Any other unusual or out-of-character on-site behaviour.
18. Unexplained changes in work habits to unsafe practices.
19. Concerns raised by other employees or workmate observations.
20. Defensive when confronted about behaviour.