

## **POLICIES AND ASSOCIATED PROCEDURES**

<b>POLICY NUMBER:</b>	<b>POH120125001</b>
<b>PREVIOUS POLICY NUMBERS:</b>	<b>POH060822000</b> ( <i>updated 25/01/12</i> ) <b>POH040809007</b> ( <i>updated 05/09/06</i> )
<b>POLICY NAME:</b>	<b>OHS Drugs and Alcohol</b>
<b>DATE APPROVED:</b>	<b>29 August 2006</b>
<b>POLICY TYPE AND CATEGORY:</b>	<b>General (People and Culture)</b>
<b>POLICY OWNER:</b>	<b>Vice-President, People and Culture</b>
<b>POLICY ADVISOR:</b>	<b>General Manager, Workplace Environment and Culture</b>
<b>FIRST EFFECTIVE FROM:</b>	<b>7 May 2003</b>

### **1.0 PURPOSE**

- 1.1 To ensure that in providing a healthy and safe work environment, Victoria University encourages responsible attitudes towards the legal consumption of alcohol and drugs on University premises;
- 1.2 To establish a management approach which seeks to reduce the adverse health, social and economic consequences of the misuse of alcohol and other drugs, for both the community and the individual;
- 1.3 To assist managers and supervisors when considering how to manage alcohol and drug related issues in their area(s) of responsibility.

### **2.0 BACKGROUND**

Victoria University recognises that drug misuse is a social phenomenon, which can lead to a range of social and health problems.

The University seeks to set policy that establishes preventive strategies to avoid and/or overcome a broad range of drug-related issues among all members of the University community.

This policy is underpinned by the need for employees to be well informed about drug-related concerns, to address issues that may arise and to ensure that confidential and non-judgmental responses are forthcoming and that treatment options are identified and promoted.

### 3.0 DEFINITIONS

**Drugs** include a range of substances incorporating prescribed medications, over the counter or non-prescription medications, alcohol, tobacco and illicit drugs. For the purposes of this policy the following categories of drugs are used:

- i) illicit drugs (e.g. heroin, cocaine, etc.)
- ii) legal drugs (e.g. alcohol, tobacco, etc.)
- iii) prescription medication
- iv) over-the-counter or non prescription medication

**Duty of Care** is the University's obligation to take reasonable steps to avoid foreseeable harm to staff, students, contractors and visitors to the University

**Employee**, for the purposes of this policy means all staff, students and contractors as defined below:

- *Staff*: any person who has a current employment contract with Victoria University
- *Contractor*: any person paid for providing services for Victoria University that is not under a current employment contract
- *Student*: any person enrolled in any approved unit, course or degree offered by Victoria University

**Harm Minimisation** refers to an approach which seeks to reduce the adverse health, social and economic consequences of the misuse of alcohol and other drugs, for both the community and the individual.

**Illicit drugs** refer to drugs that the law deems illegal to use, possess, cultivate or traffic, such as heroin and cannabis.

**Possession** is a term generally used to describe the having, holding having in one's power or command any quantity of illegal drugs.

**Trafficking** is a term generally used to describe illegal trade, sale and exchange of specified quantities of drugs.

**University** refers to all Victoria University campuses and locations where University related activities including teaching, learning, assessment and graduation activities of Victoria University take place.

**Visitor** means any person attending a University function, engaged in business related to the University, or serving as a volunteer within the University.

### 4.0 KEY WORDS

OHS, Harm Minimisation; Drug; Substance; Illicit drugs; Prescription medication; Non prescription medication; Alcohol; Tobacco.

### 5.0 POLICY

#### 5.1 Principles

##### 5.1.1 General

This Alcohol and Drugs policy applies to all employees of the University (which includes staff, contractors and students as defined in section 3.0) and visitors where specified. The policy applies on all campuses of the University and environments where University activities are being conducted.

The main principles underlying the policy are:

- i) for the University to be responsive and committed to preserving and promoting the health, welfare and safety of employees and visitors; and
- ii) for the University to fulfill its legal obligations.

The purpose of the policy is to ensure, as far as is reasonably practicable, that employees undertake their duties unaffected by use of illicit drugs; that where legal substances are used, this occurs with responsibility and moderation; and to create an environment free of inadvertent social pressure to use drugs or consume alcohol.

The University recognises its legislative duty of care obligations under the *Occupational Health and Safety Act 2004* ("the Act").

### **5.1.2 Harm minimisation**

The management of all drug use, drug related issues and associated activities are underpinned by the framework and philosophy of 'harm minimisation'. The primary considerations in the management of drug use, drug related issues and associated activities are:

- i) the safety of employees and any persons they come into contact with during University business and activities;
- ii) the health of employees; and
- iii) compliance with legal requirements.

It is not the intention of this policy to prohibit the use of alcohol or other legal drugs, but rather to ensure that any potential negative impact in the workplace arising from their legal use is minimised as much as possible. Additionally, the policy should assist both employees and supervisors in understanding their respective obligations when or if an issue arises with respect to the negative impact of the use of alcohol or other drugs in the workplace.

## **5.2 Advice and information**

Occasionally it may be appropriate for an employee to seek advice or treatment for a problem they identify in respect to the use of alcohol or other drugs. Such a decision will rest with the employee. However, in certain circumstances it may be appropriate for the University to formally initiate a particular action to remedy an issue that might be having, or has the potential to have, an impact in the workplace.

The University will respond to staff requests for assistance in relation to drug use by:

- i) the provision of confidential assistance and advice to staff and their families seeking assistance with their drug use issues;
- ii) the provision of assistance and advice to staff who seek to support colleagues or family members with drug use issues;
- iii) referrals, made in confidence, to relevant specialist agencies;
- iv) ensuring that information provided by staff or families regarding drug use is handled with discretion at all times.

## **5.3 Specific Drugs**

### **5.3.1 Illicit drugs**

Illicit drugs are not to be bought, sold, carried or used in any part of the University, nor to be bought, sold, carried or used by any staff, visitors, contractors or students when engaged in University business. The same requirements apply to the extent possible, within an agency that has entered into a partnership agreement for learning, teaching or assessment for students and/or staff/contractors.

Inappropriate behaviour associated with the use of illicit drugs by staff will be dealt with according to existing University disciplinary procedures in accordance with relevant awards and agreements and in the case of contractors or their sub-contractors, in accordance with relevant contract provisions. Additionally, if the University becomes aware of illegal behaviour occurring on campus the police will be contacted.

### **5.3.2 Prescription/Over-the-Counter Drugs**

Prescription or over-the-counter drugs may be consumed on University premises in accordance with medical advice, or as detailed on the medication packaging. Employees using prescribed drugs, which may affect their motor skill co-ordination (including use of motor vehicles) or their ability to safely perform any of their duties, should discuss this with their supervisor, to ensure that safety aspects are addressed. Alternatively, a medical certificate setting out the work restrictions may be provided. This information will be treated in confidence.

### **5.3.3 Tobacco**

University Regulation 10.2.1 provides that smoking is prohibited inside University premises (buildings and structures) or in University property (including motor vehicles, plant and equipment) or within 10 metres of a doorway. Employees should refer to this regulation for specific direction.

Employees must be aware that their smoking may impact on other staff members, contractors, visitors, students and members of the public. Employees should ensure that the rights of others to be protected from passive smoking are respected, and if need be, should smoke in areas where others will not be adversely impacted. Cigarette butts and packaging must be disposed of in a butt bin so as to reduce fire risk, harm to environmental amenity and damage to waterways.. Employees and visitors must observe any signage that relates to smoking in public areas of the University.

### **5.3.4 Alcohol**

While alcohol may be consumed on University premises at certain functions, such consumption is to be in accordance with all relevant licensing and other legal requirements and in a manner that reflects responsible service and consumption.

#### **5.3.4.1 Licensed University Premises**

Where alcohol is served at designated licensed University premises the provisions of the Liquor Control Reform Act (1998) and any other relevant legislation (local, state or commonwealth) must be observed. The University has adopted Responsible Service

Guidelines as recommended by *Liquor Licensing Victoria*. These guidelines must be observed in all licensed areas of the University. These guidelines are detailed in [Appendix 1](#).

#### **5.3.4.2 University functions**

Where alcohol is served in situations not covered by the Liquor Control Reform Act (1998) such as University functions or social functions organised by the University, the University must meet duty of care obligation to employees, contractors and visitors under Occupational Health and Safety legislation. In such cases the appropriate senior manager should ensure that the service of alcohol occurs responsibly. As a guide, the Responsible Service Guidelines should be adopted as far as is reasonably practicable. No charge may be made for alcohol supplied outside licensed areas (including charges for the combined supply of alcohol and food).

It is recognised that some official functions involve entertaining guests of Victoria University and this may possibly involve the serving of alcoholic beverages. No employee should feel obligated to consume alcohol in these work related situations. Each employee must ensure that their consumption of alcohol is kept to appropriate limits and that they maintain appropriate standards of behaviour. Supervisors must also ensure they take all reasonably practicable steps to maintain a safe working environment during the function.

#### **5.3.5 Staff**

Staff must ensure that any alcohol consumed does not affect their performance at work. Furthermore, particular care needs to be exercised where staff drive University vehicles or use other equipment, to ensure that any alcohol consumption at work does not affect motor skill co-ordination. All staff must comply with the provisions of the Road Safety Act 1986 in relation to alcohol and driving University vehicles.

Staff who are adversely affected by the consumption of alcohol while on official duty will normally be dealt with according to University disciplinary procedures (in accordance with relevant awards and agreements) and in the case of contractors or their sub-contractors, in accordance with relevant contract provisions. (Refer to the section 6.3: Assessment.)

#### **5.3.6 Promotional Activities and Gifts**

The University will avoid promotional activities that encourage excessive alcohol consumption or condone activities within the University that exert social pressure on employees to consume alcohol.

The provision of alcohol as a gift or expression of thanks can be culturally inappropriate and potentially harmful for many employees. The provision of gifts other than alcohol is encouraged. Victoria University sponsored gifts for employees should not include alcohol.

## **6.0 PROCEDURES**

### **6.1 Identification**

While there are a number of work related issues (absenteeism, poor health, poor work performance, etc.), which may be caused by alcohol or drug misuse, they may also be caused by other personal or work issues. Unless an employee identifies himself/herself as having an issue with alcohol or other drugs, the Supervisor or Manager should not assume the issue is alcohol or drug related. The focus should remain on clearly identified work performance issues.

### **6.2 Assistance**

Staff who think they may have an alcohol or other drug issue are encouraged to seek assistance through Victoria University's confidential Employee Assistance Program (EAP). In the context of a manager providing counsel to staff, it may be appropriate for the staff member to be encouraged to initiate contact with the EAP provider.

For those staff experiencing problems with alcohol or other drug use (who may have identified themselves voluntarily or who may have been identified through a process of documented deteriorated work performance) there are a number of different types of assistance that are available.

These include:

- i) self-help resource materials to help people cut down their drinking or drug use (these materials can be obtained through resources specified on the OHS Intranet page);
- ii) referral to external advisory and counselling services (EAP program as specified on the OHS Intranet page);
- iii) access to leave such as Sick Leave and Leave Without Pay - if the staff member is wishing to undertake a professionally approved rehabilitation or detoxification program. Such periods of leave should be specified and agreed to in conjunction with their Supervisor/Manager.

### **6.3 Assessment**

Any staff member or contractor who is suspected of being adversely affected by alcohol or any other drug is not allowed to work until they are fit to safely and productively perform their job. The staff member or contractor who is suspected of being adversely affected by alcohol or any other drug should not be accused of being drunk or of using drugs. The supervisor should inform the staff member or contractor of work performance concerns in terms of their behaviour and their ability to perform all tasks safely. If this person is assessed as not being fit for duty, safe transportation home is to be arranged by the supervisor.

If a staff member affected by alcohol or another drug is sent home to recover, normal sick leave entitlements apply.

### **6.4 Dealing with drug related incidents**

Employees may observe or be confronted by incidents involving drugs.

These include the following:

- i) persons using drugs;
- ii) persons collapsed evidently due to drug or alcohol use;
- iii) persons trafficking drugs;
- iv) persons behaving under the influence of drugs or alcohol; and
- v) drug related paraphernalia (syringes etc) having been discarded.

Depending on the circumstances the employee should take appropriate action while ensuring their own safety and the safety of others is preserved. Such action includes calling relevant emergency services, seeking first aid assistance from University staff First Aiders and notifying University Security. An incident report should be completed in all cases involving risk or actual injury (e.g. needle stick injury).

## **6.5 Handling injecting equipment and associated paraphernalia**

Employees should avoid touching any injecting equipment and other paraphernalia that may be associated with drug use. Employees are required to report the location of injecting equipment and associated paraphernalia to Facilities Management or Security to ensure safe collection and disposal by appropriately trained personnel. It should be noted that action to protect others from damage (e.g. erecting a barrier) should be taken pending disposal of such items. Refer to OHS Hazardous Materials Policy.

## **7.0 CONGRUENCE WITH LEGISLATION AND RELATED POLICIES**

Occupational Health and Safety Act 2004  
Road Safety Act 1986  
Liquor Control Act 1998  
Victoria University Student Alcohol and other Drugs Policy  
Regulation 10.2.1 – Smoking in University Premises and Property.  
Victorian Tobacco (Amendment) Act 2005  
Tobacco Act 1987  
Tobacco Regulations 1997  
Transport Act 1983

## **8.0 ACKNOWLEDGEMENT**

'Alcohol in the Workplace' WorkSafe Victoria

## **9.0 CONSULTATION**

To all University OHS Committees and a 5 week University wide consultation period.

## **10.0 REVIEW**

The Policy will be reviewed in three years.

## **11.0 ACCOUNTABILITIES**

### **11.1 RESPONSIBILITY**

#### **11.1.1 University Managers and Supervisors**

The role of Managers and Supervisors is to ensure a safe, healthy and productive workplace. This can be achieved by:

- i) advocating a health promoting, non-judgmental and anti-discriminatory workplace and learning environment;
- ii) establishing and/or observing procedures in the workplace for identification and management of drug related health and safety issues;
- iii) ensuring that assistance, advice and support are provided to any employee with drug related issues of any kind. This includes using internal and external sources of help and advice;
- iv) ensuring that where alcohol is served at University functions, responsible serving practices are observed;
- v) ensuring incident reporting mechanisms are implemented using standardised incident report forms; and
- vi) ensuring emergency first aid is available.

#### **11.1.2 Staff**

- i) Staff should not attend for duty if they are affected by alcohol or other drugs and should seek appropriate leave approval for such absences.
- ii) When staff attend University functions (including social functions) where alcohol is served they should act in accordance with this and other related policies to ensure their own safety, and the safety of others.
- iii) When staff are representing the University at functions sponsored by another organisation, company or institution where alcohol is available, care should be taken to ensure that their performance is not adversely affected by alcohol consumption.
- iv) Staff who think they may have an alcohol or other drug issue are encouraged to seek assistance through Victoria University's confidential Employee Assistance Program.

#### **11.1.3 Visitors**

Visitors to the University must comply with this policy at all times while participating in official University activities or while on University premises.

### **11.2 IMPLEMENTATION PLAN**

Maintain a current copy of the policy on the Victoria University Central Policy Register On-Line and on the People and Culture OHS Intranet site.

Considered integral to the implementation of the OHS Improvement Plan (OHSIP).

This policy forms a part of the OHS Management System (OHSMS)

### **11.3 TRAINING PLAN**

As detailed in the OHS Training Policy



*"The current official version of this policy is maintained on the Victoria University Central Policy Register and downloading and printing of this policy will produce an uncontrolled copy which may not be current."*

#### **11.4 COMPLIANCE**

Compliance will be maintained through internal and external audit and inspection programs of the OHSIP and through management consultation with Health & Safety Representatives and University OHS Committees.

#### **11.5 EFFECTIVENESS OF THIS POLICY**

Implementation of corrective actions identified through audit and inspection will be monitored by University OHS Committees

#### **12.0 FORMS**

[Victoria University OHS Incident Report Form](#)

#### **13.0 APPENDICES**

[Appendix 1 'Responsible Service Guidelines' - Liquor Licensing Victoria.](#)

## **Appendix 1**

### **Responsible Service Guidelines – Liquor Licensing Victoria**

The following guidelines apply to the serving of alcohol at Victoria University designated licensed facilities which are subject to provisions of the Liquor Control Reform Act 1998. The guidelines should also be followed (as far as is practicable) in other circumstances where alcohol is served at University functions (including social functions).

- At all times the University must observe licensing and other legal requirements
- Where possible, personnel serving alcohol shall have undertaken training in responsible alcohol service and must be aware of this policy.
- Alcohol will be served in units equivalent to "standard drinks" to assist individuals to monitor their alcohol consumption.
- Alcohol may not be served to, or be consumed by children under 18 years of age unless they are in the company of their parents and they are consuming a meal.
- Signs will be displayed in designated licensed areas, informing persons that:
  - they must be over 18 to obtain alcoholic drinks,
  - apprentices have contractual obligations that preclude the consumption of alcohol during working hours; and
  - people who appear to be intoxicated will not be served.
- Alcohol is not to be served to, or be consumed by a person who is intoxicated.
- A variety of non-alcoholic drinks are to be provided.
- If alcohol is served, low-alcohol beers and low-alcohol wines (where available) are to be provided (this does not preclude full-strength alcoholic beverages also being served, but preference is given to low-alcohol beverages).
- The time period during which alcohol is served is to be limited.
- Appropriate and healthy food accompaniments are served with alcohol (minimal use of salty snack foods is recommended).
- Safe transportation home strategies (such as designated driver arrangements or taxis) are encouraged.