



ALCOHOL, DRUGS AND OTHER SUBSTANCES POLICY

January 2021

1. Purpose

Water Polo Australia Limited ("WPA") are committed to providing a safe, healthy and productive work environment. WPA also endeavours to maintain a positive professional profile with customers, suppliers and other members of the public.

In this context, it is WPA policy to promote and maintain a Workplace that is free from the risks associated with Alcohol, Drugs and Other Substances and to support the health and wellbeing of all persons in the Workplace.

2. Application

This policy applies to all Workers who have cause to be on WPA's workplaces.

3. Definitions

- **"Alcohol"** means any alcoholic beverage.
- **"Drugs"** means Prohibited Drugs and Non-Prohibited Drugs.
- **"Non-Prohibited Drugs"** mean prescription or over-the-counter drugs.
- **"Prohibited Drugs"** means all Drugs whose use, possession, sale or manufacture is prohibited by law.
- **"Other Substances"** means any chemical substance (excluding tobacco) that may physically or psychologically impair an individual.
- **"Workplace"** means any of WPA premises; the premises of WPA customers and suppliers; the premises of a WPA function or event; a WPA owned or leased motor vehicle and any venue at which the person is acting as a representative of WPA or performing their duties.
- **"Worker"** means employees, independent contractors or representatives of independent contractors, work experience students or other volunteers, WPA Officers or other agents of WPA for the purposes of work health and safety laws.

4. Use of Alcohol, Drugs and Other Substances

- For the safety of others, Workers must carry out their work unimpaired by Alcohol, Drugs or Other Substances.
- WPA will consider as serious misconduct, a Worker causing or allowing themselves to present for or attend work, perform work during designated work hours, or travel to or from work:
 - in possession of or when impaired by Alcohol, Drugs or other Substances or reasonably likely to be so impaired and where this is done knowingly, recklessly or in circumstances where the Worker could reasonably have been expected to foresee or be aware of the risk of impairment;
 - making an offer to sell or buy Alcohol, Drugs or Other Substances at the Workplace.
- Under no circumstances may a Worker drive to or from work or undertake WPA business using a private vehicle whilst impaired by (or over the legal limit) of Drugs, Alcohol or Other Substances.
- WPA may take whatever action it deems necessary, or action it is required to take by law, when dealing with allegations of misconduct by Workers covered by this policy.

5. Non-Prohibited Drugs

- Any Worker who is prescribed Non-Prohibited Drugs or wishes to take Non-Prohibited Drugs of any kind for medicinal/therapeutic reasons must actively consider and, where reasonably practicable, obtain professional advice about any potential risks or hazards associated with the use of those Non-Prohibited Drugs in connection with their work. The Worker must provide WPA with any and all information relevant to the Worker taking the Non-Prohibited Drug and which is necessary for WPA to have knowledge of, so that WPA can ensure the Worker's safety whilst the Worker is at work or performing work.
- Where any potential work health and safety risk is identified (or ought reasonably to be identified), the Worker is to:
 - obtain medical advice about alternatives to taking the Non-Prohibited Drugs which pose no or lesser potential risks; and
 - if, after consideration of the alternatives, the medical advice is or remains to take the Non-Prohibited Drugs, then provide their manager with a medical certificate certifying that they will be fit for their duties when taking the Non-Prohibited Drugs and/or, where applicable, outlining any potential risks or restrictions on their ability to perform their duties.
- WPA reserves its right to require a person to undergo a medical assessment by WPA choice of medical practitioner for the purpose of ascertaining the effect of the Non-Prohibited Drug on the worker's ability to perform their work in a safe manner.
- When requested by WPA, a person is required to submit to examination by WPA choice of medical practitioner and to authorise WPA and the examining medical practitioner to exchange information relating to their work or employment at WPA and the examination findings.

6. Business and Social Functions

- Business and social functions hosted by WPA are work related functions for the purposes of this policy, and the terms of this policy will apply regardless of whether the function is during or outside ordinary working hours, paid or unpaid and on WPA premises or an offsite location.
- In circumstances where the Chief Executive Officer authorises the consumption or supply of Alcohol at social functions, Workers should assume that the same standards of conduct and restrictions on impairment, including intoxication that apply while the Worker is at work or whilst performing work for WPA, apply to the function.

7. Testing for Alcohol and Other Drugs

- Where WPA has reason to suspect that a Worker is under the influence of Alcohol or Drugs and in possible contravention of this policy, WPA may require the Worker to submit to Alcohol and/or Drug testing at work or at other agreed times.
- Alcohol and/or Drug testing may include:
 - testing prior to the commencement of employment or engagement;
 - testing triggered by a reasonable suspicion that this policy has been breached and/or that a person may be impaired;
 - random or scheduled testing conducted to audit or verify compliance with this policy;

- routine testing following safety or behavioural incidents at work; and
- routine testing as part of a rehabilitation or support plan (e.g. where a person has self-identified as having a drug or alcohol issue, or where the person is known to have used impairing drugs as part of a course of medical treatment).
- If a Worker is directed to participate in an Alcohol and/or Drug test and he or she refuses to submit or consent to reasonable Drug or Alcohol testing, this may be considered to be a refusal of a reasonable and lawful direction which may result in disciplinary action, which may include termination of employment or services for refusal to obey a lawful and reasonable direction.
- The particular methods and standards used for the collection, transportation and chain of custody of samples for testing purposes may vary and may include urine testing (where appropriate), breath testing and/or oral fluid testing. However, any process used will comply with any applicable Australian Standards and/or laws current at the time of testing.
- Testing may be conducted at WPA premises or at an offsite testing facility. Unless agreed or otherwise required by a law enforcement body, offsite testing will be conducted during work time and WPA may provide transport to and from the facility.
- If a Worker is selected for a Drug or Alcohol test at work, they will be:
 - notified in private that they have been selected for a Drug or Alcohol test and provided with the opportunity to have a support person present during the testing procedures;
 - relieved from their usual duties until such time as the testing process has been completed;
 - given reasonable particulars of the testing procedures that will be used and an opportunity to ask any questions about the process before testing commences;
 - notified that if they refuse to consent or submit to reasonable Drug or Alcohol testing procedures, this may be treated by WPA as an admission that the Workers has breached this policy; and
 - given the opportunity to admit to the presence of Drugs or Alcohol prior to the commencement of testing, to refuse the test or to note any objections they have to the testing process.
- Drug and Alcohol testing under this policy will be performed at WPA expense.

8. Drug and Alcohol Test Results

- If a Worker returns a non-negative result in relation to their Drug or Alcohol test, WPA may stand an employee down on ordinary pay or suspend services until disciplinary proceedings have concluded or receipt of confirmation of the secondary test result (if required by WPA).
- In circumstances where the test results indicate the presence of Drugs or Alcohol, the test may not measure the degree to which the Worker is impaired by Drugs or Alcohol. In such circumstances, WPA, in conjunction with the appointed testing professional, may form a view as to the level of impairment. Workers who return a non-negative result and who are subsequently impaired from work, will be subject to disciplinary action up to and including termination of employment or engagement.
- If the test results are negative, the Worker will be permitted to return to work.

- A copy of the results of any Drug and Alcohol test will be provided to the Chief Executive Officer. Results may be used in evidence or disclosed in disciplinary or legal proceedings. In all other respects, material and information used or obtained from testing will be kept strictly confidential.

9. Breach of this Policy

- All Workers are required to comply with this policy as amended from time to time.
- Any breach of this policy may result in disciplinary action, up to and including termination of employment or engagement with WPA.

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