

DRUGS & ALCOHOL POLICY

Policy – OP08-2014

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If you have a suggestion for improving this document, complete and forward a copy to the Guild

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1. PURPOSE

The aim of this procedure is to outline the Guild's policy on the use and or abuse of drugs and alcohol in the workplace, teaching facilities and/or performance venues.

2. SCOPE

This policy applies to all employees, guild members and students of Mildura Ballet & Dance Guild Inc. including those employed on a casual, part-time or fixed term basis. Prohibition of the use of drugs and alcohol whilst on Guild Premises or related venues also applies to contractors employed by Mildura Ballet & Dance Guild Inc.

The procedure applies to the use of all drugs and includes prescription or other legal drugs which have the potential to impact upon a person's ability to safely work and/or perform.

3. DEFINITIONS AND ABBREVIATIONS

3.1 Definition

For the purpose of this procedure, drug and alcohol abuse are defined as a condition where consumption of these substances by an individual has an adverse effect on their health, safety and work performance.

4. AIM

The Guild has a vision of zero harm to our people resulting from our operations. Health and Safety above all else is a foundation value of our Company which we are committed to achieving through the elimination of personal damage.

The Mildura Ballet & Dance Guild Inc. as an organisation has a duty to ensure that employees, students and guild members are not subject to unnecessary hazards. Part of this "duty to take reasonable care" relates to taking practical steps to ensure employees, students, guild members and contractors are both competent and in a fit state to work safely to minimize risks to themselves and their peers and fellow students. The Guild is committed to ensuring that a safe, healthy and productive workplace is provided for all employees, students, guild members and contractors.

Each and every person has a duty of care to take reasonable steps to ensure their own safety and that of their peers and fellow students are not compromised. All employees, students and contractors are legally obligated to be in a fit state for work or class and to work and class safety. The excessive use of alcohol, or the use of drugs, which results in a person not being able to perform their job safely, is a breach of this duty of care.

While the Guild does not wish to intrude into the private lives of employees, students or guild members, if drugs or alcohol have a direct impact on an individual's work or class performance or on safety standards, it is the Guild's responsibility to employees, students, members, contractors, clients and other people in our workplaces to intervene.

This Policy communicates the actions to be taken by The Guild to ensure that any person working with us, or impacted by our works, does not have their health and safety compromised by another person working under the influence of drugs and/or alcohol at our workplaces.

This Policy is applicable to all the organisation's workplaces and worksites, including motor vehicles.

5. STRATEGIES

To assist in achieving our vision of zero harm the Guild will promote this policy to employees, students, members and contractors and advocate drug and alcohol free workplaces during business hours at all our operations. We will use the following strategies to achieve our objectives:

- Increase awareness of the harmful effects of drugs and alcohol in the workplace, on the individual and to others by the inclusion of this issue into induction programs;
- Make available information about the availability of referral and treatment services to overcome drug and alcohol abuse;
- Where appropriate, provide assistance to help reduce addiction or dependency on drugs and alcohol.

6. MANDATORY RULES

Non-compliance with the drug and alcohol policy will be viewed as a serious matter and treated in the same way as any breach of the organisation's policy.

Any individual who is adversely affected by alcohol and another drug will not be allowed to work until they are fit to do so. If an individual affected by alcohol or other drugs are sent home to recover, they will not be paid for the lost time. Disciplinary action may be taken on return to work or class (in line with the Code of Conduct for Employees and Students).

- Where an employee is on prescribed medication which may impair their judgement or performance, they must notify their supervisor and may be required to take sick leave.
- Where a Student is on prescribed medication which may impair their judgement or performance, they must notify their teacher and may be required not to attend class or performance.

The Supervisor/Teacher will:

- a) Act on suspicion of an individual being affected by drugs or alcohol (suspicion may be a result of observing impaired coordination, judgement, intellectual capacity or slurred speech, headache, nausea, vomiting, loss of inhibitions or smell of alcohol).

AND/OR

- b) Act in response to any accident resulting in damage to property or injury to people that is expected to incur an insurance claim, or a near miss that could have resulted in a death, permanent impairment, personal, plant or property damage.

The Supervisor/Teacher will instruct any such persona to immediately leave the workplace and/or venue. That person must comply with the direction given by the Guild. If necessary the Supervisor/Teacher shall assist with arrangements to ensure the individual arrives home safely.

The affected individuals are not to be permitted back into the workplace until they are deemed to be free of any influence of drugs or alcohol.

Employees, students, members and contractors are required to abide by the site rules in workplaces/venues not controlled by the Guild.

No intoxicating liquor or drugs shall be brought into a Guild's workplace and/or venue.

6.1 Responsible Serving of Alcohol

The Executive Committee shall have the discretion to permit limited alcohol consumption for events, functions and the like.

7. TESTING FOR DRUGS AND ALCOHOL

The Guild does not currently operate a blanket testing programs for drugs and alcohol. The teacher can implement such a program at their discretion with the approval of the Executive Committee.

The Guild is aware that some of our clients operate strict, zero-tolerance levels for venues under their control. In those situations, as a service provider, the Guild is usually required to agree that zero tolerance policy will apply to all of our employees, students, members and contractors whilst on site for that client.

In those situations the Guild requires its employees, students, members and contractors to submit to any testing requirements of the client. Any employee, student, member or contractor, who declines to participate, or who fails any such test will not be allowed onto any Mildura Ballet & Dance Guild Inc. worksite or venue until their fitness for duty and/or to dance is confirmed and any subsequent disciplinary/regulatory matters have been dealt with.

8. RESPONSIBILITIES

8.1 Management

Supervisors and Teachers are responsible for the effective implementation of this Policy in their workplaces and venues. Specifically they will;

- Lead by example in the implementation of the policy through demonstrated behaviour.
- Reiterate the induction briefing.

- Ensure the policy is applied fairly and consistently across their work group(s) and classes.
- Respect the confidentiality of all employee personal issues.
- Ensure that all students, members and sub-contractors are aware of the Policy with any particular variations in regards to its implementation and enforcement on the work being performed (eg: client zero tolerance requirement).
- Ensure timely, appropriate and effective provision of assistance.

8.2 Employee/Contractor

All employees and contractors have a duty of care to take reasonable care so as not to expose themselves or work colleagues or students to unnecessary risks. They are required to:

- Present themselves for work in a condition free from the effects of drugs and/or alcohol.
- Notify their Supervisor of any concerns as to the condition of any personal in their workplace.
- Comply with this policy, including agreeing to leave the workplace if so directed by their Supervisor.

9. Disciplinary Process

The following guidelines have been prepared to assist supervisors and teachers to manage the disciplinary process.

Reference Documents

9.1 Work Standard

- Email
- Internet
- Performance Management

9.2 Form

- Record of Counselling
- Record of Verbal Warning
- Written Warning

9.3 Work Procedure

- Drug and Alcohol Testing
- Equal Employment Opportunity (EEO) Grievances

When to Take Disciplinary Action

Disciplinary action will be taken by the Committee of Management when you:

- fail to meet the performance standards of your job;
- breach our CHARTER, standards and/or procedures;
- engage in behaviour that constitutes misconduct;
- fail a drug and alcohol test.

Disciplinary Action

For other than serious misconduct, or failed drug and alcohol test, the Committee of Management will undertake performance counselling, or issue one of the following:

- Verbal Warning

- Written Warning
- Final Written Warning
- First and Final Warning
- Termination of employment
- Expulsion from the Guild as a Student Member or Member

Each occasion will take into account previous performance, warnings etc.

A copy of the disciplinary record will be given to you and a copy kept on your employment and/or student record.

9.4 Serious Misconduct

Serious misconduct may include, but not be limited to, insubordination, theft, dishonesty, fraud, assault, serious harassment or bullying, serious safety breach.

The Committee of Management will determine what constitutes serious misconduct and may suspend you from work and/or class pending further investigations.

Serious misconduct will result in termination without notice.

9.5 Failed Drug and/or Alcohol Test

The Committee of Management and/or Teacher may request you take a drug and alcohol screening test, prior to attending work, class or performance. If you fail a drug and alcohol screening test, you will be subject to the following:

Employees

For alcohol tests:

1. If an employee has commenced work, you will be terminated without notice.
2. If an employee has not commenced work (ie. you are subject to a pre-start screening test), you will be stood down without pay for 24 hours and issued a Written Warning.

For drug tests:

- You will be stood down with pay pending confirmation of the initial positive test.

For confirmed drug tests:

3. If you had commenced work, you will be terminated without notice.
4. If you had not commenced work (ie. you are subject to a pre-start screening test), the following will apply:
 - You will be stood down without pay until such time as you produce a clear result at your own cost and you will be issued a Written Warning.
 - If you do not return to work with a clear drug result within 1 month you will be terminated.

If you again test positive for either a drug or alcohol screening test within 12 months; or you refuse, attempt to avoid, or falsify a drug or alcohol test, you will be terminated.

If you are not able to return to work within 1 working day of your suspension, you will be required to vacate your camp accommodation or in the case of company provided housing pay for it, if applicable.

We are under no obligation to provide pre-start testing.

Students

For alcohol tests:

5. If a Student has commenced class, you will be expelled without notice.
6. If a Student has not commenced class (ie. been subject to a screening test), you will be requested not to attend class and issued a Written Warning.

For drug tests:

- You will be suspended pending confirmation of the initial positive test.

For confirmed drug tests:

7. If you had commenced class, you will be suspended without notice.
8. If you had not commenced class (ie. you are subject to a screening test), the following will apply:
 - You will be asked not to attend Guild classes or events until such time as you produce a clear result at your own cost and you will be issued a Written Warning.
 - If you do not return to the Guild Classes with a clear drug result within 1 month you will be withdrawn as a student of the Guild.

If you again test positive for either a drug or alcohol screening test within 12 months; or you refuse, attempt to avoid, or falsify a drug or alcohol test, you will be expelled from the Guild. If you are not able to return to class within 1 working day of your suspension, you will be required to vacate the guild premises and pay any outstanding fees due.

We are under no obligation to provide screening testing.

Members

For alcohol tests:

9. If a Member has attended studio and/or venue, you will be expelled without notice.
10. If a Member has not attended class and/or venue (ie, been subject to a screening test), you will be requested not to attend class and/or venue and issued with a written warning.

For drug tests:

- You will be suspended pay pending confirmation of the initial positive test.

For confirmed drug tests:

11. If you are in attendance on Guild Premises or venues, you will be expelled without notice.
12. If you had not attended Guild Premises or venues (ie. you are subject to a screening test), the following will apply:
 - You will be suspended until such time as you produce a clear result at your own cost and you will be issued a Written Warning.
 - If you do not provide the Guild with a clear drug result within 1 month you will be expelled as a member.

If you again test positive for either a drug or alcohol screening test within 12 months; or you refuse, attempt to avoid, or falsify a drug or alcohol test, you will be expelled as a member.

We are under no obligation to provide screening testing.

10. Documents

This Policy is implemented in conjunction with the following documents:

- Mildura Ballet & Dance Guild Inc. Handbook
- Medication Administration Policy OP08/2013
- Complaints Management Policy OP02-2014
- Mildura Ballet & Dance Guild Inc. 2013 Model Rules
- Code of Conduct for Teachers
- Code of Conduct Policy OP06/2014

11. Risk Assessment

Please tick the corporate risk(s) that this policy is addressing.

Risk Category	✓	Risk Category	✓
Asset Management		Financial Sustainability	
Committees	✓	Human Resource Management	✓
Compliance – Legal & Regulatory	✓	Leadership & Organisational Culture	
Contract Management		Occupational Health & Safety	✓
Contract Tendering & Procurement		Organisational Risk Management	✓
Management & Operations	✓	Project Management	
Environmental Sustainability		Public Image and Reputation	✓

12. REVISION CONTROL

REV	DATE	REVISION DESCRIPTION	ORIG	Committee for review	Adopted
DRAFT	12/12/2014	Draft for review to Executive & Teaching Staff	JHA	12/12/14	
Rev 1		Draft for Review to Committee OP08-2014	JHA		
Rev 2		Implementation of OP08-2014	JHA		
Rev 3					
Rev 4					
Rev 5					
Rev 6					
Rev 7					
Rev 8					
Rev 9					