

## Drugs and Alcohol Policy

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PPC-104	25/09/2020	23/06/2023	Approved

### 1. PURPOSE

The purpose of the Australian Grand Prix Corporation’s (AGPC) Drugs and Alcohol Policy is to provide structure, clarity and guidance to employees and managers in the effective management of employees’ fitness for work and for addressing the health and safety risks associated with employees affected by drugs and alcohol in the workplace.

This policy forms part of the AGPC Health and Safety framework and represents AGPC’s obligations under the Occupational Health and Safety Act 2004 (Vic) (OHS Act) to, so far as is reasonably practicable, provide and maintain a safe and healthy work environment for employees and contractors.

### 2. SCOPE

The scope of this Policy applies to all Australian Grand Prix Corporation employees, including permanent, long-term and short-term contract, and casual employees. The policy also applies to temporary labour hire workers who work on behalf of AGPC. For the purposes of this policy, these persons are referred to as “employee/s”, or “individual”.

### 3. POLICY

The Australian Grand Prix Corporation is committed to providing and maintaining a safe and positive working environment in which employees are not exposed to physical and psychological hazards arising from the use of alcohol and drugs. All employees have a fundamental obligation to report for work in a fit and proper condition in order to perform their duties in a safe and responsible manner.

First and foremost, it is AGPC’s policy that employees must not attend the workplace if they are under the influence of an illicit substance or alcohol, since an employee’s ability to work safely and productively may be impaired by the use of drugs or consumption of alcohol. Under the influence, in this instance, is defined as being physically or mentally impaired or compromised.

Any employee who is in a condition that impairs their ability to perform their job, endanger their own or others’ safety, risk damage to equipment/assets or otherwise expose AGPC to potential liability, will not be allowed to continue working or remain in the workplace until such time as they are in a fit state to return to work.

The consumption of drugs and alcohol is prohibited in the workplace, except for prescription and over the counter drugs for medical needs, and consuming alcohol in moderation at work-related social events. This applies during work hours, while on company premises (even if outside work hours), while

in command of an AGPC vehicle or any other vehicle used for work-related purposes, and at work-sponsored or work-related functions.

Failing a Victoria Police drugs or alcohol test whilst driving would be considered a breach of this policy in instances where the individual is driving to or from work or to or from a function whilst representing the AGPC (regardless of whether the individual is in AGPC uniform or not).

Employees are expected to observe and manage their own behaviours. Where an employee becomes aware that their consumption of drugs or alcohol may lead them to contravene the expectations in this policy, they are expected to notify their manager.

Where an employee notes that the behaviour of a colleague may risk contravening this policy, or any other AGPC policies, it is recommended that they consult with their General Manager and a member of the People, Culture & Capability team. Approaching a colleague who may be under the influence of alcohol and/or drugs may inadvertently increase the risk of incident or conflict. It is important to have a plan in place before approaching the affected employee, including any necessary travel requirements, exit plans, medical support and security considerations.

Employees who are identified as being under the influence of drugs and alcohol in the work environment will be considered sensitively and with care and treated consistently alongside all other employees and in line with AGPC policies and regulation.

AGPC's approach regarding drugs and alcohol in the workplace is based on clarification, prevention, education, and counselling, so that the risks associated with the use of alcohol and drugs in the workplace are reduced or eliminated where possible. Resources to support employees and managers with matters relating to drugs and alcohol are outlined in **Appendix B** of this policy.

An employee who voluntarily advises their manager that they are having problems with alcohol and/or drugs that may affect their work and provides documentation from a qualified medical practitioner may elect to take sick leave, annual leave or long service leave while attending treatment.

### **3.1 Drugs**

#### **3.1.1 Illegal Drugs**

Employees are prohibited from using, possessing, purchasing, manufacturing, selling or distributing illegal drugs at any AGPC workplace, a work-sponsored or related-function, or while in command of an AGPC vehicle or any other vehicle used for work-related purposes.

#### **3.1.2 Medications**

Employees taking prescription drugs or over the counter medications should obtain information from their medical practitioner or pharmacist about the impact on their fitness for work, including the ability to safely operate plant, machinery, equipment and vehicles. Where medication may adversely affect or impair the ability to perform duties safely, the employee should inform their manager prior

to commencing work, so that suitable arrangements can be made to ensure that the employee is able to work in a safe and productive manner.

If it is not practicable to make adjustments to the work requirements, employees may be required to access their personal leave entitlement.

### **3.2 Alcohol**

A Blood Alcohol Concentration (BAC) under 0.05 is generally considered as acceptable for the purposes of this policy. However, for some work-related tasks and activities, and some license conditions, it is mandatory to have a zero BAC. These include:

- Driving a motor vehicle with a probationary license (P plates) or learner permit (L plates).
- Driving a motor vehicle with a zero BAC conditional license.
- Driving an AGPC vehicle of any description (eg cars, utes, forklifts, electric bikes, golf buggies, Polaris vehicles) regardless of license type.
- Employees engaged in high-risk work undertaken at TSY and event sites.

Under no circumstances should alcohol be consumed in the vicinity where machinery or other vehicles (such as forklifts, electric bikes, golf buggies, Polaris vehicles) are to be operated on AGPC premises, including at TSY and each event site.

Any employee found to be over the BAC limit applicable to their vehicle license by a member of Victoria Police whilst operating a vehicle for work related purposes must report the event to their General Manager and PC&C immediately.

#### **3.2.1 Alcohol at Workplace Related Events**

From time to time as part of the Corporation's normal operations, employees may have the opportunity to meet with clients, sponsors, suppliers or other related parties where alcohol is provided. Additionally, AGPC may sponsor an event which staff attend where alcohol is permitted and provided, including functions such as a staff lunch, Christmas party or post-event function.

AGPC expects that employees participating in any of these types of events who choose to consume alcohol, do so responsibly and in consideration of their own capacity and tolerances, and the health, safety and wellbeing of themselves and those around them. At all times employees are expected to behave professionally and respectfully towards AGPC managers and colleagues, venue staff and other patrons, maintain behaviours consistent with the AGPC values, societal behavioural expectations and standards, and ensure the reputation of AGPC is not harmed or tarnished in any way.

Whilst AGPC may make alcohol available at these events, this should not be construed as an encouragement or other direction to consume alcohol. AGPC will ensure that a suitable range of non-alcoholic beverages, including water, is available at company sponsored functions.

At their own expense, employees must arrange for themselves (or be supported to do so by a manager or colleague) safe transport to their home or accommodation after the event. Under no circumstances should employees drive where there is any doubt about their blood alcohol content

exceeding the legal limits.

#### 4. TESTING FOR DRUGS AND ALCOHOL

The Australian Grand Prix Corporation may conduct drug and alcohol testing for the purpose of determining an employee's fitness for work. Testing will be conducted at the following AGPC locations where high-risk work is undertaken:

- Tottenham Storage Yard (TSY)
- Albert Park and Phillip Island event sites

High risk work is work that is designated high risk by AGPC and includes but is not limited to:

- Forklift operations
- Vehicle and Polaris operations
- Welding, plasma cutting, grinding, drop saw operations

AGPC's preferred sampling method will primarily be oral fluid (saliva) for drugs and breathalyser for alcohol. Testing may be carried out on a random basis, or following a safety incident or where there is reasonable cause (as described in section 12 of this policy). An accredited Sample Collection Agency will be engaged to perform the testing.

Employees who have taken prescribed medication or over the counter medication will not be in contravention of the testing procedure if they return a positive result provided the medication is taken in strict accordance with the recommended dose, directions and warnings from their medical practitioner or pharmacist with respect to the impact any medication may have on their ability to work safely.

If an employee refuses to undertake testing, the employee will be asked to explain the refusal and AGPC will consider the explanation. If AGPC considers the explanation is unacceptable or unreasonable in the circumstances, the employee will be again instructed to take the drug and/or alcohol test. If the employee continues to refuse, it is treated as a positive test. The employee will be removed from site and may not return to site until a negative test result is produced.

Any employee who refuses to undertake a drug and/or alcohol test if required to do so or tampers or interferes with test sample collection or test results will be considered in breach of this policy. Disciplinary action may be taken as described in Section 8 of this policy, which may include termination of employment.

The AGPC drug and alcohol testing procedure is set out in **Appendix C** of this policy.

## 5. CONSENT

Employees consent to complying with AGPC Policies and Procedures as part of general employment conditions. If an employee is subject to a drug and alcohol test for any reason, they will be required to complete a consent form in the presence of the Sample Collection Agency at the time of testing. In the event a second sample is required, further consent will be required from the employee.

## 6. EDUCATION / TRAINING

AGPC will provide employees with awareness training about the presence of drugs and/or alcohol and their physical, psychological, and social impacts. Employees are required to complete all mandatory training organised by AGPC in relation to this policy.

## 7. PRIVACY AND CONFIDENTIALITY

When addressing issues relating to drug and alcohol misuse, all parties should be sensitive to the individual's right to confidentiality, privacy and dignity. All employees involved or exposed to the situation may discuss the matter with their General Manager, Manager or PC&C if they are concerned for the performance of operations or the health and safety of the workplace, otherwise must not engage in casual conversation on the matter.

AGPC will not collect health information about any employees other than for the purpose of ascertaining fitness for work relating to drugs and alcohol, or as required under other AGPC policies. Records completed as a result of participating in the drug and alcohol testing will be retained by the authorised sample collection agency in accordance with the Health Records Act 2001 (Vic).

All information generated as a result of this policy will be treated in the strictest confidence and will only be provided to those people within AGPC who have a legitimate need to know to ensure safety, health or performance. Identifying information and individual test results shall not be released to any third parties without the employee's written consent. Exceptions to this are for the purpose of AGPC seeking professional advice or if required to do so by law.

## 8. DISCIPLINARY MEASURES FOR A BREACH OF THIS POLICY

Where a breach of this policy is suspected or identified, the employee(s) will immediately be stood down with pay, while an investigation is undertaken. Investigation findings will determine the course of action to be taken as follows:

### 8.1 Illegal drug activity in the workplace

Employees found to be using, possessing, purchasing, manufacturing, selling or distributing illegal drugs at any AGPC workplace, a work-sponsored or related-function held during or outside normal work hours, or while in command of an AGPC vehicle or any other vehicle being used for work related purposes will have their employment immediately terminated without notice.

### **8.2 Confirmed positive test for drugs and/or alcohol following a safety or workplace reported incident**

In the case of a confirmed positive test to illicit drugs and/or alcohol that exceeds the limits described in this policy following a reported safety or workplace incident where an injury to self or others, or property damage occurs, the employee's employment will be immediately terminated without notice.

### **8.3 Confirmed positive test for drugs and/or alcohol arising from a reasonable cause test (i.e. not arising from a reported safety or workplace incident, as per 8.2 above)**

In the case of a confirmed positive test for illicit drugs and/or a positive alcohol test that exceeds the BAC applicable under this policy, disciplinary action will be as follows:

#### **First and final warning**

In the first instance of receiving a confirmed positive test result, the employee's General Manager, in conjunction with PC&C, will provide the employee with a written warning advising that any subsequent confirmed positive tests will result in employment being terminated.

The General Manager and/or PC&C will discuss the availability of professional counselling in relation to the impact of drugs and alcohol in the workplace.

The General Manager and/or PC&C must complete and submit an incident report, with a copy provided to the employee. The incident report will be securely saved to the employee's file and kept confidential.

AGPC reserves the right to terminate employment in the first instance of receiving a confirmed positive test result if the circumstances warrant such action.

#### **Termination of Employment**

The second instance of an employee receiving a confirmed positive test to drugs and/or alcohol will result in their employment being terminated.

## **9. ROLES AND RESPONSIBILITIES**

<b>Department / Area</b>	<b>Role / Responsibility</b>
AGPC Leadership Team	Responsible for overseeing and supporting the policy and ensuring that the policy commitments are communicated and achieved collaboratively with all personnel.
People, Culture and Capability	Responsible for providing advice to individuals and managers in relation to this policy. Responsible for organising training that may be required under this policy.

Managers	Responsible for communicating and implementing the Policy and managing any non-conformances relating to this policy.
Employees	<p>Responsible for meeting the requirements outlined in this Policy.</p> <p>Responsible for raising concerns or opportunities for improvement in accordance with this Policy.</p> <p>Responsible for completing training organised by AGPC in relation to this policy.</p>

## 10. MONITORING / EVALUATION / REVIEW

This policy will be reviewed every 2 years.

## 11. SUPPORTING DOCUMENTS (PROCEDURES, LEGISLATION, FORMS, GUIDELINES)

Reference / Details:
Occupational Health and Safety Act 2004 (Vic)
Privacy and Data Protection Act 2014 (Vic)
Health Records Act 2001 (Vic)
AGPC Health and Safety Policy
AGPC Health and Wellbeing Policy
AGPC Performance and Disciplinary Management Policy
Victorian Public Sector Code of Conduct
AS/NZ 4760:2019 Procedure for specimen collection and the detection and quantification of drugs in oral fluid

## 12. DEFINITIONS

Term	Definition
AGPC	Australian Grand Prix Corporation
Accredited Laboratory	means a testing facility accredited by the National Association of Testing Authorities (NATA) to conduct testing under AS/NZS 4308:2008.
BAC	Blood Alcohol Concentration
High risk activities	Activities assessed by AGPC as high risk for which a Safe Work Method Statement is required.
Illegal Drugs	<p>Illegal drugs include (noting this is not exhaustive and any other drug which is deemed illegal by authorities should be automatically assumed to be part of this list):</p> <ul style="list-style-type: none"> <li>• amphetamines</li> <li>• cannabis (marijuana)</li> <li>• ecstasy (MDMA)</li> <li>• heroin.</li> </ul>
Illicit Drugs	<p>Illicit drug use includes:</p> <ul style="list-style-type: none"> <li>• illegal drugs</li> </ul>

	<ul style="list-style-type: none"> <li>• misuse or non-prescribed use of prescription drugs</li> <li>• inappropriate use of other substances – for example, sniffing glue or other inhalants.</li> </ul>
Impairment	<p>The inability to perform one’s job in the manner prescribed for that function or in accordance with established practice. Impairment includes, but is not limited to, the inability to:</p> <ul style="list-style-type: none"> <li>• use or operate equipment properly</li> <li>• communicate clearly or coherently</li> <li>• exercise reasonable judgement in making decisions</li> <li>• interact with others and act in an appropriate manner.</li> </ul>
Reasonable cause testing	<p>Testing on the basis that a person has reasonable grounds for forming a suspicion or a belief that another person in the workplace may be under the influence of drugs and/or alcohol (see Appendix D for reasonable cause indicators).</p>
Test Result - negative	<p>The result from the first test of a drug or alcohol test sample that indicates no presence of the substance being tested for.</p>
Test result – non-negative	<p>The presence of a drug class cannot be excluded using an on-site drug screening device. Non-negative results require further confirmation testing.</p>
Test result - positive	<p>A positive result following confirmation testing by a NATA-accredited laboratory.</p>
Work Related Function	<p>An authorised internal or external social event organised by Australian Grand Prix Corporation or by a client, supplier or partner of AGPC at which attendance is mandated.</p>

### 13. APPROVAL AND REVIEW

#### Approved By

<b>Name:</b>	Anthony Connelly
<b>Position:</b>	General Manager – Business Services
<b>Effective Date:</b>	25/09/2020
<b>Review Date:</b>	26/06/2023
<b>Policy Owner:</b>	People, Culture & Capability

### 14. AMENDMENTS

Version	Date	Author	Change Description
V1	25/09/2020	PPC	Policy created and issued for first time
V2	23/06/2023	PC&C	Review – drugs and alcohol testing added, policy wording/format updated to improve clarity and readability

## APPENDIX A – INCIDENT MANAGEMENT

1. Where a workplace incident relates to the impact of drugs or alcohol, or where an employee is identified as not fit for work as a result of alcohol and/or other drug use, the primary concern must be the health and safety of both the employee/s suspected of being under the influence, and the people they may come into contact with. Secondly, the reputational impact to AGPC needs to be considered and managed. Where it is likely that an incident in which an employee under the influence of alcohol or drugs is involved in takes place publicly, or is likely to attract public attention, the General Manager, Corporate Affairs and Communications along with the CEO should be notified without unreasonable delay.
2. Where an employee observes that the behaviour of a colleague may be influenced, or is being impacted, by drugs or alcohol, rather than directly approach the person, it is recommended that they consult with their General Manager, and a member of the People, Culture & Capability team.
3. The General Manager and PC&C rep may then develop a plan before approaching the affected employee, including considering if drug/alcohol testing is warranted, and any necessary, travel requirements, exit plans, medical support and security considerations.
4. The General Manager may then approach the employee with care. Care needs to be taken when approaching an employee in case the employee is ill or injured, taking prescribed medication or in some other form of distress, which may account for their behaviour.
5. The General Manager should direct the employee to meet with them in a quiet and confidential location, rather than in the open environment.
6. It is recommended to approach the matter with the impacted employee from the perspective of health and safety – to ensure that they feel safe and well. If there are mitigating circumstances, discuss with the employee how to best support the employee to recovery without undue impact on the operations of the corporation.
7. If there are no mitigating circumstances, and the employee confirms that their behaviour is due to an influence of drugs and/or alcohol, the General Manager will direct the employee to return home immediately. Ensure the employee is able to get home safely, noting they should not be permitted to drive. The employee must be directed to not make any unnecessary contact with colleagues, or disrupt the workplace as they leave the workplace, and to leave in an orderly manner.
8. Upon the employee's return to work, the employee's General Manager may commence the disciplinary investigation process as per the AGPC Performance and Disciplinary Management Policy.

## APPENDIX B – PREVENTION AND SUPPORT

AGPC promotes a workplace that is free from the undue influence of drugs and alcohol. The first line of defense is to provide information and support to people to support the prevention of incidents in the workplace created or influenced by drugs and alcohol.

Alcohol and other drug use, whether it occurs in or away from the workplace, becomes an occupational health and safety issue if an employee's ability to exercise judgment, coordination, motor control, concentration and alertness at work is impaired. The impacts of drugs and alcohol in the workplace may be as follows:

- Employees unfit for work as a result of alcohol or other drug use putting themselves and other people at the workplace at risk of harm;
- Colleagues may feel pressure to cover unsafe work practices or not report an affected employee due to friendship, loyalty or fear of consequence;
- For the Corporation, the impact may be lateness, inefficiency and absenteeism, an impact on a productive, collaborative and harmonious workplace culture, lost time and productivity as a result of accidents, damage to equipment and other property.

### Employee Assistance Program (EAP)

Any person or their families impacted by drugs and alcohol in their personal or professional lives may access AGPC's Employee Assistance Program provided by Telus Health for one-on-one counselling and support.

The number to call for a confidential counselling session is 1300 361 008.

### Additional information and support

The following online materials are provided to support employees facing an issue of any kind in relation to drugs and alcohol, people looking for further education, research and statistics on the topic of drugs and alcohol, and managers of AGPC looking to support a safe working environment:

Alcohol and Drug Foundation:

<https://adf.org.au/insights/alcohol-and-other-drugs-in-the-workplace/>

Safe Work Australia

<https://www.safeworkaustralia.gov.au/topics/drugs-and-alcohol>

WorkSafe Victoria

<https://www.worksafe.vic.gov.au/alcohol-and-drugs>

Family Drug Support

<http://www.fds.org.au/>

## APPENDIX C – AGPC TESTING PROCESS

### Testing Locations

Employees may be subject to drug and alcohol testing whilst in attendance at an AGPC workplace where high risk work is undertaken. Testing is applicable at AGPC's Tottenham Storage Yard (TSY) and Albert Park and Phillip Island event sites.

### Testing Provider

Testing will be carried out by an accredited Sample Collection Agency engaged by AGPC.

### Testing Method

Saliva (oral fluid) testing for drugs  
 Breathalyser for alcohol

### Types of Testing:

#### Random Testing

- Due to the potentially dangerous nature of many aspects of AGPC's work at TSY and event sites, random testing may be conducted for any employee working at or visiting these sites.
- Random test selection means that some employees may not be picked to be tested at all, some employees may be tested once, and other employees may be tested more than once.
- The selection process for random testing will be completed by an independent authorised testing service provider.

#### Post Safety Incident and Reasonable Cause Testing

Testing may be carried out when:

- an employee is involved in an accident or incident at work, where there is reasonable cause to suspect drugs and / or alcohol may be a contributing factor;
- an employee's presentation or behaviour in the workplace indicates the person may not be fit for work due to the adverse impacts of drugs and/or alcohol; or
- evidence of alcohol or drug use at the workplace is discovered and the employee or employees concerned can be identified with reasonable certainty.

Refer to **Appendix D** for guidance on reasonable cause indicators.

A request to perform post safety incident and reasonable cause testing must be approved by the employee's General Manager and Head of People, Culture and Capability before testing occurs.

#### Substances in scope of testing

- Alcohol
- Cannabis/Delta-9-THC
- Cocaine
- Methamphetamines
- Amphetamines
- Opiates
- Other illegal drugs as identified by authorities over time

**Response to a negative test result**

- The testing provider will inform the employee of the test outcome.
- The employee returns to work without any further action or consequences to be considered.

**Response to a non-negative test result**

- The testing provider will contact the nominated PC&C rep to advise of the test outcome.
- The PC&C rep will inform the employee of the specific test result.
- A second sample will be collected by the testing provider and delivered directly to an accredited laboratory for analysis and confirmation of test results.
- The PC&C rep is to ensure the person is safely returned home from the workplace and under no circumstances shall be permitted to drive a vehicle or operate machinery.
- AGPC will stand down the employee on ordinary pay until receipt of confirmation of the test result.
- If a confirmed negative laboratory result is the outcome of secondary testing, the non-negative result will be disregarded by AGPC and the employee may return to work.

**Response to a confirmed positive result**

- Where an employee has had a second sample collected and has returned a confirmed positive laboratory result, they will be in breach of this policy which will result in action being taken in accordance with disciplinary actions outlined in this policy.
- In addition, the employee may also be subject to random testing for a further period of time while employed by AGPC. During this period, the employee is required to achieve negative results to be considered compliant with the policy.
- The employee agrees that AGPC will be entitled to treat the suspension period as personal leave and make deductions from the employee's accrued entitlements accordingly.
- Where an employee has initially returned a non-negative result relating to their prescribed medication and the subsequent laboratory test is confirmed positive, but within normal prescribed limits, the result will be disregarded by AGPC and any leave taken will be reinstated.

**Returning to work**

AGPC requires the employee, at their own expense, to undergo a further drug and/or alcohol screening test, and return a negative result, before permitting the employee to return to work.

## APPENDIX D – REASONABLE CAUSE INDICATORS

A request for testing based on reasonable cause must be approved by the employee's General Manager and PC&C.

When determining "reasonable cause", physical symptoms and/or unusual or out of character observable or reported behaviours must be considered.

Examples of physical symptoms or behaviours include, but are not limited to:

- excessive lateness or excessive absences
- changes in personality
- changes in alertness – difficulty with attention span
- changes in appearance – clothing, hair, personal hygiene
- changes in energy levels
- increased involvement in minor accidents
- physical symptoms - slurred speech, bloodshot eyes
- violent behaviour
- impaired motor skills
- inability to walk in a straight line
- reduced ability to perform tasks requiring concentration and co-ordination
- impairments in learning and memory, perception and judgement
- odour or visible evidence of alcohol or drugs