



Drug & Alcohol Policy

H2Off

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1. Purpose

H2Off is committed to providing a safe working environment where drugs and alcohol do not adversely affect or compromise workplace safety through a fair and consistent Drug and Alcohol Policy.

Due to the nature of our operations there are multiple hazards and many potential risk and we have determined that the worksite is a safety sensitive environment. For that reason it is critical that all our people are 'fit for work' whilst on our site and whilst undertaking activities on our behalf. We believe that people with unacceptable levels of alcohol and drugs are at risk of impairment due to these levels and therefore place themselves and others at risk. It is H2Off's responsibility to take all practicable steps to minimise those risks.

2. Scope

This Drug and Alcohol policy will apply to all employees (including independent contractors and hired temporary employees) on the employer's property and all employees conducting work on or on behalf of the employer at any location or in vehicles being used for work purposes (whether employer or privately owned).

3. General

The following circumstances are strictly prohibited by an employee/contractor as defined in this policy, and are likely to constitute serious misconduct:

- a. Consuming or being under the influence of alcohol at work other than at an approved event or bringing alcohol on to the premises.
- b. Consuming or being under the influence of any illicit or restricted drug at work.
- c. Being under the influence of any prescription or other legal drug which impairs an employee's ability to perform their duties properly and safely, other than where H2Off has given the employee approval in advance to be at work while being under the influence of that drug.
- d. Returning a positive test for drugs and/or alcohol, as defined in this policy.
- e. Selling, supplying, transferring or being in possession of alcohol (other than at approved events).
- f. Selling, supplying, transferring or being in possession of any illicit or restricted drug, or misusing any prescription or other legal drug (including at any H2Off related function).
- g. Driving a company vehicle under, or at the risk of being under, the influence of drugs or alcohol at any time.

Approved Events

Alcohol may be served or consumed at social events in designated areas, with prior approval from the General Manager/Chief Executive Officer.

- Employees/ Contractors are responsible for ensuring that they remain in a condition to be able to get home safely and ensure that if they are required to work the following day that they are not in breach of this Policy on their return.
- Consumption should not be excessive to a point where the employee may endanger themselves or others, or behave in a manner detrimental to our reputation.
- Employees/Contractors are not to use any tools or operate machinery after consuming alcohol.
- Alcohol at approved events on H2Off premises:
 - is restricted to the office premises only;
 - is not to be consumed after 8pm;
 - requires a nominated Supervisor/Manager to be present at all times;
 - can only be supplied by the nominated Supervisor/Manager.

Prescription and Non-Prescription Medication

It is the employee's responsibility to advise your manager if you are taking prescribed or non-prescribed medication which may affect your ability to perform your role. H2Off reserves the right to require the provision of an alternative professional opinion on whether any prescription or non-prescription drug may impair an employee's performance or safety.

4. Testing

The employer will be entitled to conduct drug and/or alcohol testing (immediately and without delay) in the following circumstances:

- a. **Pre-employment Testing** – pre-employment drug and alcohol testing will be conducted on any external applicants applying for roles at H2Off. Where the test is positive, we will not proceed with their application.
- b. **Reasonable cause Testing** – reasonable cause testing may be required where:
 - i. An employee is thought to be affected by drugs and/or alcohol (*see Appendix 1 – Determining whether an employee is affected*)
 - ii. Drug and/or alcohol use is suspected, whether or not any particular employee is thought to be affected by drugs and/or alcohol
 - iii. Drugs and/or alcohol are found, either in, around, or anywhere associated with a place of work.
- c. **Post-accident/Post incident testing** – employees may be tested for the presence of drugs and/or alcohol where they are involved in any of the following circumstances:
 - i. An accident or incident involving death, injury or harm
 - ii. An accident or incident requiring treatment by a medical professional

- iii. An accident or incident or near miss that has or had potential to cause death, injury, harm, or require treatment by a medical professional
- iv. An accident or incident that has or had potential to cause damage to a vehicle, property, plant, equipment or the employer's reputation
- v. An accident or incident that has or may breach any law, rule or regulation or any contractual requirement or other obligation on the employer and/or any other employee or party

We have two service providers for testing. The Drug Detection Agency (TDDA) collect the test samples and do preliminary testing. Confirmation testing services are supplied by ESR, based in Wellington.

- Alcohol testing will be carried out by using a breath alcohol screening device
- Drug testing will be carried out by providing a urine specimen

Both of our testing providers work in accordance with the prevailing NZ/Australian standards for testing.

You will be required to comply with all the testing providers' procedures including signing a consent form and informing the testing provider of any medication you are taking.

5. Invalid Tests/Samples

The testing provider may determine that your drug test is 'invalid' either due to the sample being too dilute, or the sample temperature not being consistent with having been recently produced by yourself or the sample is contaminated.

If this is identified at the preliminary test stage, you will be advised by the test provider that your sample is invalid, and you will be required to remain on-site until you are able to produce a valid sample.

If your preliminary test is assessed as valid (and negative) but your confirmation (ESR) test is invalid you will be required to undertake a further test on the commencement of your next shift at work.

Invalid samples that are supplied deliberately will be subject to an investigation and will be subject to disciplinary action with a possible outcome up to and including dismissal.

6. Disciplinary Procedure

Breaches of our Drug and Alcohol policy will be viewed seriously and will result in disciplinary action up to and including dismissal. We wish to ensure that people who continue to breach the policy will not remain employees of H2Ooff. Where an employee self-reports we may agree that they enter into a rehabilitation programme. If we agree to this they will not be subject to disciplinary action but will be required to fully participate in their rehabilitation programme and the rules of that programme will apply.

- a. **Refusal to undertake test** – where an employee refuses to comply with a request to undergo a test under any of the test types set out above this will be grounds for disciplinary action for failure to follow a lawful and reasonable instruction with a possible outcome up to and including dismissal.
- b. **Positive Tests** – where you have returned a positive test for the presence of drugs or alcohol the following process will apply:
 - i. Alcohol – you will be sent home for the rest of day, and required to undertake a further test prior to commencing your next shift. Upon your return to work, a disciplinary meeting will take place. If this is your first incident of a breach of our drug and alcohol policy part of the discussion may involve facilitating the development of a rehabilitation programme which you are required to comply with.
 - ii. Drugs – you will be stood down from work for up to 14 days and required to undertake a further test prior to returning to work. Prior to your return to work, a disciplinary meeting will take place. If this is your first incident of a breach of our Drug and Alcohol policy part of the discussion may involve facilitating the development of a rehabilitation programme which you are required to comply with.
 - iii. If a positive test for either alcohol or drugs has been returned, we will send you home on leave, which will be unpaid for such a period as reasonably necessary.
 - iv. In all circumstances a second incident of a breach of the Drug and Alcohol policy will be deemed to be serious misconduct and is likely to result in the termination of your employment.

7. Definitions

Alcohol – means any beverage or product that contains ethyl alcohol including but not limited to beer, wine and spirits.

Alcohol Testing – shall be conducted using an approved testing device, which meets the Australian Standard AS 3547-1997 ‘Breath alcohol testing devices for personal use.’

Drugs – includes any substance identified in the Misuse of Drugs Act 1975 and any drugs listed in the AS/NZS 4308:2008. These substances include but are not limited to opiates (e.g. heroin and morphine), cocaine, cannabinoids and amphetamine-type substances (e.g. methamphetamine, ‘P’, ecstasy, speed, benzyloperazine (BZP)) and LSD. H2Off may also consider drugs other than those listed in AS/NZS 4308:2008 as illicit and restricted, such as those drugs referred to as “designer drugs”. These may include (but are not limited to) synthetic cannabinoids and herbal highs, as well as other synthetic drugs such as opioids, hallucinogens, piperazines, stimulants and sedatives.

Drug Testing – this will be in accordance with AS/NZS 4308:2008; ‘Procedures for the collection, detection and quantitation of drugs of abuse in urine’.

Positive Test – Means an alcohol or drug test result showing the presence of drugs over the level set out in the AS/NZS 4308:2008 standard. In the case of alcohol, this is the level as defined by the Land Transport Safety Authority to be in control of a motor vehicle.

Safety Sensitive Area or Role – means any area or role that contains any hazard or where there is the potential for an accident or incident to cause injury, harm, serious harm, or damage to property, plant or equipment. Safety sensitive areas include, but are not limited to construction work sites, any areas where machinery and/or vehicles are operating or work sites in proximity to the public.

8. Employee Receipt of Drug and Alcohol Policy

I have received a copy of the H2Off Drug and Alcohol policy. I understand that the Drug and Alcohol policy applies to all contractors and employees at H2Off. I agree to read this policy and follow it during my employment.

I further understand that H2Off may amend the policy from time to time and that the company will endeavour to communicate any changes this policy to me.

I understand and agree that this version of the H2Off Drug and Alcohol policy supersedes all prior versions that may have been issued by the company.

Name: _____

Signature: _____

Date: _____

Appendix 1 – Determining whether an Employee is Affected

Testing may be required where an employee is thought to be affected by alcohol or drugs.

The following indicators should be used to assist with determining whether an employee is thought to be affected by alcohol or drugs.

When assessing whether an employee is thought to be affected by alcohol or drugs, there will usually be more than one indicator present. Examples of such indicators may include, but are not limited to:

- Unusual or out of character on-site behaviour
- Continual small accidents or inattention
- A sudden explained drop in performance
- 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
- Changes in alertness (falling asleep, attention span difficulty, problems with short-term memory)
- Changes in appearance – clothing, hair, hygiene
- Involvement in various minor accidents
- Feigning sickness or emergencies to leave work early
- Going to vehicle, bathroom or break room more than necessary or normal
- Defensive when confronted about behaviour
- Dizziness
- Hangovers
- Violent behaviour
- Impaired motor skills
- Physical signs and behaviour such as dilated pupils, blurred vision, droopy eyelids, bloodshot eyes, stuffy or runny nose, slow and slurred speed, slow gait, high energy levels, or disorientation. (Bloodshot eyes for cannabis, fully dilated pupils for methamphetamine, constricted pupils for opiates).
- Impaired or reduced short term memory
- Physical signs of abuse or accidents (bruises, cuts, swelling)
- Reduced ability to perform tasks requiring concentration and co-ordination
- Intense anxiety or panic attacks
- Concerns raised by other employees – workmate’s observations

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