

Fitness For Work

1 Purpose

The purpose of this policy is to ensure a safe working environment is provided to all employees and contractors (person or people) at Allight Pty Ltd (Company). This policy also applies to any visitor on our Company site with a different ruling around positive test results (see relevant section).

This policy assists in creating a culture where fitness for work is taken seriously and our people understand that is not acceptable to come to work unless they are fully fit for work.

The Company is committed to providing a safe system of work and a safe work environment by eliminating conditions and work practices that could lead to illness or personal injury, equipment or other property damage and disruption to its operations.

2 Scope

This policy applies throughout the Company for all Company employees or contractors, in addition to those engaged with the Company such as suppliers and visitors who are on our Australian sites.

This policy also applies for all Company controlled activities and work related activities, including those at branches and locations external to the Company workplaces including client and supplier offices, physical Company facilities, Company vehicles and working from home spaces (workplace).

Duty holders include the person conducting business or undertaking (PCBU), officers and workers including employees and managers, contractors or subcontractors, labour hire workers and work experience students (employees).

It is expected all people have read and understood this policy.

3 Responsibilities

3.1 Person Conducting Business or Undertaking (duty holder)

As the primary duty of care, the person conducting business or undertaking (PCBU) is to ensure, so far as reasonably practicable to provide a safe work environment.

Refer to PCS-ALL-POL-0097 WHS Responsibilities.

3.2 Officers (duty holder)

An Officer of the Company has a duty under the Act to exercise due diligence to ensure that the Company complies with its duties and obligations under the Act. To do this, Officers will be responsible for ensuring the requirements of this policy and any other requirements prescribed are implemented within their area of responsibility.

As an Officer, so far as reasonably practicable, you must exercise due diligence to ensure the Company meets its obligations in the Act.

Refer to PCS-ALL-POL-0097 WHS Responsibilities.

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3.3 Person or people (duty holder)

As a person or people (as defined in scope), so far as reasonably practicable, you must ensure take reasonable care of their health and safety and the health and safety of others who may be affected by their acts or omissions in the workplace and comply with reasonable instructions.

Refer to PCS-ALL-POL-0097 WHS Responsibilities, in addition, and more specifically related to the use of alcohol or other drugs, our people must:

- come to work free of potential influence of alcohol or other drugs and fit for work
- provide samples for alcohol or other drug tests in accordance with Australian AS/NZ standards
- notify their manager or PCS if they have a genuine concern in the workplace that another person is under the influence, is in possession of, or consumes unauthorised alcohol or other drugs
- ensure that people affected by alcohol and other drugs are not admitted in their worksites
- consult their doctor about the possible side effects of prescribed drugs
- take appropriate action to ensure that prescribed or non-prescribed drugs that they are taking do not effect their ability to safely carry out the work
- discuss with their immediate manager or PCS, before commencing work, if they are taking prescription or other medication that may potentially affect fitness for work
- ensure that all information, regarding to this procedure, is dealt with in confidence
- report to the Company, including through the option of the whistle-blower process, any injury or harm to health that could impact their fitness for work

3.4 People leaders and supervisors (part of person or people)

Refer to PCS-ALL-POL-0097 WHS Responsibilities, Person or people section of this procedure, and in addition people leaders and supervisors are required to:

- ensure this policy is communicated to their teams, new starters, visitors and suppliers to site
- understand this policy and their obligations
- understand that fitness for work is broader than being under the influence of alcohol and other drugs (prescribed and unprescribed), including fatigue and work related / non work related injuries
- take immediate action when they become aware of a person breaching this policy and escalate to PCS

3.5 People, Culture and Safety

People, Culture and Safety (PCS) will:

- coordinate and organise fitness for work assessment including alcohol and drug testing
- provide fitness for work training
- lead and support return to work programs
- ensure this policy remains up to date and supervisors and managers are made aware of any changes to engage their people
- ensure the employee assistance program is in place
- be an escalation point for all people being management and employees
- record completion of policy awareness on individual employees personnel file
- ensure this policy remains up to date and our people are made aware of changes
- be an escalation point for our people
- fulfil responsibilities as per workflows

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4 Expectations of All People

We expect all people to arrive at work, and attend the workplace fully fit for duty unless a formal plan is in place for that person (such as a return to work plan for an existing workplace injury).

People found in the workplace to be:

- under the influence of alcohol (above 0.000% BAC) or unprescribed or illegal drugs;
- impaired by prescribed or over the counter drugs;
- consuming unauthorised alcohol or unprescribed or illegal drugs;
- consuming an excessive dose of prescribed or over the counter drugs;
- fatigued;
- carrying an unreported non-work related injury or condition; or
- carrying an unreported work related injury

are not deemed fit for work.

If a person is found not fit for work; or is in possession of alcohol or unprescribed or illegal drugs in the workplace, they may be subject to disciplinary action and being reported to the relevant authorities.

5 Assessing Fitness for Work

5.1 Alcohol and Other Drugs (Prescribed, Unprescribed, Over the Counter or Illegal)

The Company has a zero tolerance of all people attending our workplace affected by alcohol and unprescribed or illegal drugs, or those who have had excessive use of prescribed or over the counter drugs (affected). When someone is affected the impact it can have is significant. It puts the affected person and those around them at serious risk. Due to the seriousness of this risk, the Company reserves the right to ensure our people are not affected in the workplace.

To ensure safety of all our people, the Company will facilitate various types of testing with collection methods being through breath, saliva and urine.

Employees, contractors or visitors are required to undertake a drug and alcohol test when requested. The following types of testing will be used:

- random testing
- for cause testing
- voluntary 'without prejudice' testing
- pre-employment testing

Should a visitor not want to participate in a drug and alcohol test when requested, they are required to leave the workplace. Circumstances depending, the visitor may be required to complete a drug and alcohol test prior to returning to our workplace.

5.1.1 Random Testing

Random drug and alcohol testing will apply to all people on our sites and may constitute a random selection across sites and teams. From mid December 2022 random testing will occur on a regular basis with an undefined testing period i.e. it could be on consecutive days, or once per year. The Company reserves the right to amend and adjust the random system from time to time as appropriate.

All selected people, including others on our sites such as visitors, may be required to provide a sample for testing as a result of the random selection process.

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When an employee is deemed to have tested positive to drugs where it is not consistent with any stated medication the employee will be stood down immediately while confirmation results are obtained.

A person does not become exempt from testing due to being part of a prior testing group.

People must follow the instruction of the independent person conducting the instant test which will include declaring any prescription or over the counter drugs as this could impact the results.

This clause also applies to any Company workplaces including customer sites.

5.1.2 For Cause Testing

Any person who believes another person may be affected must immediately report their concern to their supervisor, manager or the People, Culture and Safety team.

If reported to the supervisor or manager, they are to report it to PCS to determine next steps. The General Manager People, Culture and Safety (or delegated person) must be included in this process.

If it is determined the person is potentially affected, an appointment at the closest Company approved medical clinic (such as Sonic Health or other approved clinic) will be arranged for an instant drug and alcohol screen.

A written report must be placed on the person's file with an explanation as to how this determination has been made including the people involved in making the determination.

For cause testing can also be undertaken due to:

- a vehicle accident during work hours or involving a Company vehicle
- an incident within the workplace including work related injuries and workplace property damage
- near misses
- aggressive, unusual, erratic or dangerous behaviour that raises concerns.

5.1.3 Voluntary 'Without Prejudice' Testing

Any person who is unsure if they are fit for work, is able to request a 'without prejudice' test prior to commencement of work.

No disciplinary action will be taken against a person who requests a voluntary test prior to their commencement of work unless there are behavioural, performance or misconduct concerns or violations of this policy or Code of Conduct and Ethics.

However, repeated requests by a person for voluntary tests prior to their commencement of work which result in continued absences will be treated as a performance matter, which may result in disciplinary action.

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5.1.4 Pre-Employment Testing

Any person employed by our Company is required to undertake a pre-employment drug and alcohol test. This process applies equally to all persons regardless of role or type of employment.

The purpose of the pre-employment testing, including medical examination and drug and alcohol test, is to verify that the person is “fit to perform the inherent duties of the position” including to not put others at risk, and is to help guard against work-related illness and injury occurring subsequent to the person's employment.

Offers of employment will not be given until a satisfactory medical examination and drug and alcohol test is provided.

From time to time this type of testing will also be requested by customers.

5.2 Fatigue

Fatigue is more than feeling tired and drowsy. In a work context, fatigue is mental and/or physical exhaustion that reduces your ability to perform your work safely and effectively.

Signs of fatigue include:

- tiredness even after sleep
- reduced hand-eye coordination or slow reflexes
- short term memory problems and an inability to concentrate
- blurred vision or impaired visual perception
- a need for extended sleep during days off work

If a person is showing signs of fatigue, they may be required to undertake an independent assessment conducted by Sonic Health. This can be requested by the person or by another person who may have concern.

5.3 Non-work Related Injury or Condition

It is important that all non-work related injuries or conditions that could be exacerbated by the workplace, or could impact others, are reported. This gives the Company the opportunity to support our people and their overall wellbeing and ensure the rest of our team remains safe.

Examples of non-work related injuries or conditions that could be exacerbated by the workplace, or could impact others, are:

- muscle strain
- infectious diseases
- mental health
- recovery after surgery

When a person becomes aware of their non work related injury or condition they must advise their supervisor or manager immediately who will then contact PCS to determine next steps.

To assess the person's capacity and fitness for work, in some instances they will be required to attend a medical appointment and gain a fully fit for duty certificate before they can return to work. If the person is unable to gain a fully fit for duty certificate, we may provide them with a document to give to their doctor to undertake a capacity assessment, or alternatively attend an appointment with a company nominated doctor. The person is responsible for any costs associated.

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Depending on the result, the person may be able to return to work on light duties however in most cases they will need to remain at home until they are fully fit. Any absences for non-work related injuries, including when the Company directs the person to return home, are to be taken out of the persons sick leave accrual or as unpaid leave.

5.4 Work Related Injury or Condition

It is important that all work related injuries or conditions are reported immediately and PCS-ALL-PRO-0028 Incident Reporting and Investigation is followed. PCS will work closely with our injured workers to facilitate a return to work.

6 Participating in Assessing Fitness for Work

All people within the scope of this policy are required to comply with Company requests for fitness for work assessments.

Should a visitor not want to participate in a drug and alcohol test when requested, they are required to leave the workplace. Circumstances depending, the visitor may be required to complete a drug and alcohol test prior to returning to our workplace.

6.1 Testing Process

Where practicable, tests will be conducted at company facilities by a third party, or alternatively will be undertaken at an independent provider facility.

Urine samples will be required and will follow AS/NZS 4308:2008 (Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine).

6.2 Refusal to Participate and Avoidance

On the first occurrence, refusal by a person to participate in an assessment will be deemed to return a non-compliant result, an investigation will follow and may result in a disciplinary action being taken. On the second occurrence independent of the first (i.e. being at a different time) refusal by a person to participate will be considered misconduct and may result in termination.

6.3 Invalid Sample or Inability to Provide a Sample for Drug and Alcohol Test

People who are unable to provide a sample or who provide an invalid sample for a test will be required to comply with all reasonable instructions to ensure the provision of a valid sample.

Where a person is unable to provide a sample initially, or an invalid sample is given the person will remain in the vicinity of the testing area and re-attempt within 30 minutes. If the person is still unable to provide a sample by the time testing has been completed they must report to Company nominated medical provider and provide a valid sample for testing within 12 hours of notification. They may not return to work until this has been completed. The absence will be taken out of the person's sick leave accrual or as unpaid leave.

In the absence of medical evidence deemed acceptable to the Company, if a sample is unable to be provided within 12 hours, it will be classified as refusal to participate.

6.4 Tampering of Sample for Drug and Alcohol Test

Where there is evidence of adulteration / tampering, the sample will be classified as refusal to participate.

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All potential adulterated/tampered samples will be investigated, and if found to be substantiated, disciplinary action up to termination of employment may occur.

7 Test Results

All test results will be provided to the tested person.

7.1 Negative Test Result – Alcohol and Drugs

Test results are assessed by a third party against AS/NZS 4308:2008 (Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine).

A negative result means no alcohol and drugs were detected in the provided sample, and this result can be returned during the initial test or following a confirmation test.

If this result is found for a visitor, they will be provided with the result and will continue with their duties in our workplace.

7.2 Non-Negative Test Result – Alcohol and Drugs

Test results are assessed by a third party against AS/NZS 4308:2008 (Procedures for specimen collection and the detection and quantitation of drugs of abuse in urine).

A non-negative drug test will be sent for confirmation testing to determine whether it will be deemed a confirmed positive result by a laboratory. Whilst the results are being assessed, the person, if an employee, will be placed on special paid leave.

If this result is found for a visitor, they will be provided with the result, be required to leave our workplace and their employer will be contacted for managing moving forward.

7.3 Confirmation Test - Drugs

Non-negative results require a sample to be sent for confirmation (GCMS/LCMS) testing in a NATA accredited laboratory. The confirmatory testing can determine drug concentration levels and if the result may be consistent with medications, food or illegal drug use.

The original instant urine sample can usually be divided up and sent for testing. Saliva confirmation testing requires a second saliva sample to be sent to the laboratory. The second sample is collected immediately after the instant test result is available.

7.4 Confirmed Positive Result - Drugs

A positive drug result can only come from a report provided by a laboratory. It is important to note that a positive test may not mean the use of illegal drugs, as medications including painkillers and sleeping tablets, can return positive drug test results. In this instance, the report will comment that the drug use is consistent with declared medication and the appropriate dosage.

If a person directly employed by our Company, records a positive test result which does show inappropriate drug use (as prescribed in AS/NZS 4308:2008) then the following will apply:

- the medical provider will contact an independent party for a medical review
- the person will present themselves for another test on their next normal workday
- if the test is positive and not showing a decreasing level then this occurrence will be treated as another independent positive

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- at a reasonable time, the affected person will attend a meeting with PCS and their manager regarding the test results and discuss:
 - the breach and provide the test results
 - identify the source of the breach and understand any contributing factors
 - reinforce the Company expectations
 - advise they may be subject to ongoing monitoring until two consecutive negative tests are returned over a period of no more than 12 months
 - provide support material and plan
 - assuming there are no further mitigating factors, deliver a disciplinary outcome, which could be termination of employment

- the affected person can have a support person present if requested.

The affected person will be required to provide a negative test prior to returning to the workplace.

Any absences for positive results are taken from person's sick leave accrual or as unpaid leave.

If this result is found for a visitor, they will be provided with the result, be required to leave our workplace and their employer will be contacted for managing moving forward.

7.5 Confirmed Positive Result - Alcohol

A person can be positive to alcohol testing in two ways:

1. when blood alcohol concentration is recorded over 0.000% BAC; and
2. when an initial breath test delivers a result over 0.000% BAC, and a secondary breath alcohol test is completed within 20 minutes after the initial test and the second test registers over 0.000%.

If a person records a positive test result then the following will apply:

- at a reasonable time, the affected person will attend a meeting with PCS and their manager regarding the positive result and discuss:
 - the breach and provide the test results
 - identify the source of the breach and understand any contributing factors
 - reinforce the Company expectations
 - advise they will be subject to ongoing monitoring until two consecutive negative tests are returned over a period of no more than 12 months
 - provide support material and plan
 - assuming there are no further mitigating factors, deliver a disciplinary outcome, which could be termination of employment

The affected person will be required to provide a negative test prior to returning to the workplace.

The affected person is able to have a support person present if requested.

If this result is found for a visitor, they will be provided with the result, be required to leave our workplace and their employer will be contacted for managing moving forward.

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8 Support

All positive test results will undergo a medical review to ensure all options to keep the person in the workplace are explored.

Our employee assistance program is available for all people and their families. For those who return a positive test result, it will be supported that they attend counselling. The Company will support the person attending the counselling during working hours without the use of a leave type (approval required from PCS). This option is also available for people who voluntarily advise they have a drug or alcohol dependency.

If the person is terminated due to this policy, they will be able to access Company funded counselling sessions for a period of six months following termination.

9 Reporting

All people have a responsibility to each other. If a person has a concern about another person, they are required to report the concern to their manager or PCS. The person should respect the confidentiality of the reported person, and not share any information with others.

All reports will be taken seriously however if vexatious reports are made, the Company will take the appropriate action.

10 Related Documents

This policy should be read in conjunction with the following internal documents (i.e. internal documents such as policies, procedures, forms).

Document Number	Title
PCS-AUS-POL-0007	Code of Conduct and Ethics
PCS-ALL-POL-0097	Work Health and Safety Responsibilities
PCS-ALL-PRO-0172	Individual Performance

This policy should be read in conjunction with applicable legislation and regulations.

11 Document Amendment History

Rev	Date	Description	Prepared by	Reviewed by	Final approval by
.00-.03	2020-2022	Creation and updates	GM PCS	People Leaders	CEO
.04	October 2023	Scheduled review	GM PCS	GM PCS	GM PCS

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