

Drug and Alcohol Impairment Procedure

1. PURPOSE

To establish consistent, proportionate and transparent processes for addressing the risks associated with drugs and alcohol in the workplace. Please note this procedure relates to VicRoads Drug and Alcohol Policy only. Any drug and alcohol management requirements under the Rail Safety Act 2006 are separate to this procedure.

2. SCOPE

This procedure and VicRoads Drug and Alcohol Policy apply to all VicRoads employees, contractors, agency staff and visitors.

3. DEFINITIONS

Drugs and Alcohol	Prescribed or other substances that, when consumed may impair the normal function of the mind and/or body.
Drug and Alcohol Impairment Training	The training required to be successfully completed by VicRoads employees with responsibility in accordance with the Drug and Alcohol Impairment Procedure. Refresher training should occur every two years.
Incident of Breach	An occurrence that creates impaired work performance or causes a risk to a person's health and safety although not necessarily resulting in any injury.
Reasonable Suspicion Guidelines	Guidelines for VicRoads Drug and Alcohol Policy used by Trained Staff Members when a person is reasonably suspected of being impaired by drugs or alcohol.
Reasonably Suspected	The agreement by a manager / supervisor and (where possible), a Trained Staff Member that observable indicators of impairment exist in accordance with the Reasonable Suspicion Guidelines.
Trained Staff Member	A VicRoads employee, volunteer or requested, who has completed a Drug and Alcohol Impairment Training package. This can include such persons as Statewide People Services Consultants, Health and Safety Representative or Union delegates. The number of Trained Staff Members at VicRoads workplaces should be proportionate to the level of risk and availability of staff.

Recognised Treatment Facility	A residential or outpatient treatment service that is recognised by VicHealth.
VicRoads Workplace	Any permanent or temporary place or structure, including plant and vehicles, occupied, used or under the control of VicRoads or its employees.
Independent Test Provider	VicRoads approved independent test provider, Integrity Sampling.
Drug and Alcohol Test	Oral fluid test and breath test carried out by Independent provider that detects the presence of drugs and alcohol in a persons system.
Oral fluid test	AS 4760:2006 Procedures for Specimen Collection and the Detection and Quantification of Drugs in Oral Fluid.
Breath test	Test approximates blood alcohol concentration by measuring the amount of alcohol on a persons breath

4. KEY RESPONSIBILITIES

Position/ Role	Responsibilities
Business Area Manager	To ensure all staff are familiar with the Policy and (if at a shared workplace), in conjunction with other Business Area Managers, determine the number of Trained Staff Members who should be available at VicRoads workplaces. To issue Reprimand letter/s or approve recommendation to take no further action.
Manager/Supervisor	To ensure the effective implementation of the Policy in accordance with the Drug and Alcohol Impairment Procedure.
Trained Staff Member	To ensure familiarity with and when required, apply the Drug and Alcohol Impairment Procedure and Reasonable Suspicion Guidelines. To successfully complete refresher training every two years.
Manager Payroll / Statewide People Services Consultant	To ensure that records associated with drug and alcohol incidents are kept on the personal file and kept confidential and secure.
Return to Work Coordinator	To develop Return to Work Plan when required.

4.6 Employees	<p>To cooperate with managers in the implementation of the Policy.</p> <p>To advise the Chief Executive where they are found by the Police to be driving a VicRoads vehicle, where their blood alcohol concentration is above that prescribed by the law or is found by the police to be driving a VicRoads vehicle whilst exceeding the prescribed concentration of an illicit drug. (Action may be taken against the employee in accordance with the relevant disciplinary procedures).</p>
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5. PROCESS

5.1 Immediate action by the Manager / Supervisor on suspicion of impairment by VicRoads Employee.

- 5.1.1 Where possible, locate and consult with a Trained Staff Member and, using these procedures and the *Reasonable Suspicion Guidelines*, ask them to verify that there is reasonable suspicion that the employee is impaired by drugs and/or alcohol.
- 5.1.2 Where a Trained Staff Member observes indicators of impairment in the behaviour of a supervisor or manager, that staff member will contact another supervisor or manager immediately.
- 5.1.3 If there is no consensus between the Manager/Supervisor and a Trained Staff Member, they may decide to recommend no further action.
- 5.1.4 **It remains at the Manager/Supervisor's discretion to alter or reallocate work tasks should they be unable to consult with a Trained Staff Member or following consultation, they still feel a genuine safety risk exists.**
- 5.1.5 If a Trained Staff Member has been consulted and agrees that reasonable suspicion exists, the Manager / Supervisor and the Trained Staff Member are to approach the employee together and as far as is reasonably possible, discuss the matter with the employee in a private location away from others. **As it may not always be possible to have a Trained Staff Member available, the immediate supervisor has the authority to make the decision on impairment.**
- 5.1.6 They explain to the employee that they have been approached for a breach of the Drug and Alcohol Policy. It is to be made clear that both the Manager/Supervisor and the Trained Staff Member consider there is reasonable suspicion that the employee is impaired by drugs and/or alcohol.
- 5.1.7 The employee is given an opportunity to explain the observed behaviour.
- 5.1.8 There may be occasions where no further action should be taken under the Drug and Alcohol Policy. For example, there may be mitigating factors in accordance with the *Reasonable Suspicion Guidelines*.

- 5.1.9 If required, the Manager/Supervisor and the Trained Staff Member (if available), may engage an independent test provider to conduct an oral fluid test for drugs and a breath test for alcohol on the employee.
- 5.1.10 If the employee requests a drug and alcohol test it remains at the Manger/Supervisor's discretion to engage an independent test provider to conduct the test.
- 5.1.11 The employee may elect to have an available support person present during the test for reasonable suspicion and any subsequent drug and alcohol tests.

5.2 Action by Manager / Supervisor where reasonable suspicion is confirmed and a drug and alcohol test is not conducted.

- 5.2.1 Where reasonable suspicion is confirmed and the employee admits impairment, a test is not required. The employee is released from duty without loss of pay for the remainder of that day. The employee may be required to take accrued leave in relation to any subsequent periods of absence.
- 5.2.2 Inform the employee they are to return to work on the next scheduled working day when they are not impaired by drugs and / or alcohol and that a follow up meeting will be held. The employee is to be informed that they have the right to request the presence of an employee representative at the meeting.
- 5.2.3 Make suitable arrangements to get the employee home or to a doctor safely, or hospital by ambulance if necessary. Where the employee is camping or staying away from home they should be conveyed safely to the base location (such as the motel).

5.3 Action by Manager / Supervisor where reasonable suspicion is confirmed and a drug and alcohol test is conducted.

- 5.3.1 Where reasonable suspicion is confirmed and a drug and alcohol test is required, the Manager/Supervisor should advise the employee they are to remain at the workplace until the independent test provider arrives and conducts the test.
- 5.3.2 The employee must be informed that a refusal to undertake a test will be managed in the same way as a positive test result.
- 5.3.3 **If an alcohol test is positive**, further consultation with the employee must take place. The test result is taken into consideration by manager/supervisor and Trained Staff Member (if available) in determining whether a genuine safety risk exists and what action should be taken.
- 5.3.4 **If a drug test is positive**, the employee is advised that they are released from duty without loss of pay for the remainder of that day. The employee may be required to take accrued leave in relation to any subsequent periods of absence.
- 5.3.5 Inform the employee they are to return to work on the next scheduled working day when they are not impaired by drugs and / or alcohol and that a follow up meeting will be held. The employee is to be informed that they have the right to request the presence of an employee representative at the meeting.

5.3.6 Make suitable arrangements to get the employee home or to a doctor safely, or hospital by ambulance if necessary. Where the employee is camping or staying away from home they should be conveyed safely to the base location (such as the motel).

5.3.7 **If the test is negative**, the Manager/Supervisor and the Trained Staff Member (if available), will review their assessment and re examine the mitigating factors as specified in the *Reasonable Suspicion Guidelines*. It remains at the Manager/Supervisor's discretion to alter or reallocate works tasks should they feel a genuine safety risk exists.

5.4 Action by Manager / Supervisor once the employee has left the workplace.

5.4.1 Inform the Business Area Manager and together with the Trained Staff Member (if available), complete Section One of the *VicRoads Drug and Alcohol Notification – Record of Incident of Breach* form.

5.4.2 Schedule a meeting in a private area on the employee's expected return to duties.

5.5 Action by Manager / Supervisor at the meeting on the employee's return to duties (wherever reasonably practicable, within three days of the incident).

5.5.1 Explain the reasons why the employee was released from duty.

5.5.2 Provide an opportunity for the employee to respond to the reasons, explain the incident or further comment on the incident.

5.5.3 At this stage, the Manager/Supervisor may choose to recommend to the Business Area Manager that no further action be taken. This must only be done in accordance with mitigating factors as specified in the *Reasonable Suspicion Guidelines*.

5.5.4 Advise the employee that they will be issued with a written Reprimand letter regarding the incident.

5.5.5 Ensure the employee is aware that three breaches will result in the commencement of disciplinary procedures and they may result in termination of employment.

5.5.6 Provide the employee with copies of the Policy, Procedures and Reasonable Suspicion Guidelines which include information on self-identification and support services.

5.5.7 Complete section 2 of the *VicRoads Drug and Alcohol Notification – Record of Incident of Breach* form and forward to Business Area Manager.

5.6 Issuing the Reprimand letters by Business Area Manager (wherever reasonably practicable, within 7 days of receiving the form).

5.6.1 On receipt of *VicRoads Drug and Alcohol Notification – Record of Incident of Breach* form, complete section 3 of the form.

5.6.2 Issue Reprimand letter, or approve a recommendation to take no further action. Where a Reprimand letter is to be issued, the Business Area Manager should conduct such investigation as is necessary to be satisfied that this course of action is appropriate and in line with the *Drug and Alcohol Policy* and *Drug and Alcohol Impairment Procedures*.

5.6.3 Ensure all original documents are placed on the employee's personal file and any local copies destroyed.

5.7 Disciplinary Action

5.7.1 If an employee breaches the Policy three times, disciplinary procedures will commence.

5.7.2 On issuing a letter of breach for a third offence, the Business Area Manager will:

- i. Make a recommendation to the Executive General Manager – People Services that the employee involved should be directed to attend a disciplinary interview; and
- ii. Proceed in accordance with the Discipline Policy in the People Services Manual.

5.8 Breach of Policy by Contractor, Agency Staff and Other Persons.

5.8.1 **Contractors** must not be impaired by drugs or alcohol at VicRoads workplaces.

5.8.2 Where the person in breach of the Policy is the employee of a company under contract to VicRoads the Manager/Supervisor will, if reasonably practicable, after consultation with a Trained Staff Member (if available):

- i. Direct the contractor to leave VicRoads workplace;
- ii. Inform the Contract Superintendent and Business Area Manager;
- iii. Inform the contractor's employer of the breach; and
- iv. Take appropriate action under the contract to minimise recurrence.

5.8.3 **Agency staff** must not be impaired by drugs or alcohol at VicRoads workplaces.

5.8.4 Where the person in breach of the Policy is the employee of an Agency under contract to VicRoads the Manager/Supervisor will, if reasonably practicable, after consultation with a Trained Staff Member (if available):

- i. Inform the Agency of the breach;
- ii. Direct the Agency staff member to leave VicRoads workplace;
- iii. Inform the Business Area Manager;
- iv. Take action as appropriate under the contract to minimise the risk of a reoccurrence.

5.8.5 **Visitors** must not be impaired by drugs or alcohol at VicRoads workplaces.

5.8.6 Where a visitor is in breach of the Policy, the matter must be reported to the person in charge of the workplace and any Security Officer. They should be immediately directed to leave VicRoads workplace.

6. REFERENCES

ENQUIRY	CONTACT DETAILS
Internal	
Enquiries relating to the policy	Manager – Work Health Safety and Welfare (ext 2937) Manager – Workplace Relations (ext 2402)
External	
General drugs or alcohol issues including Victorian treatment services	VicRoads Employee Assistance Provider – 1300 361 008 Victoria Alcohol and Drug Information Services – 1800 888 236 Alcoholics Anonymous - (03) 9429 1833 Narcotics Anonymous - (03) 9525 2833
Independent Test Provider	TBA Contact Andrew Kerr, VicRoads OHS Officer 9854 2537

6.2 Reasonable Suspicion Guidelines for VicRoads Drug and Alcohol Policy



Reasonable Suspicion Guidelines for VicRoads Drug and Alcohol Policy

This guideline must be read in conjunction with VicRoads Drug and Alcohol Policy and Drug and Alcohol Impairment Procedure.

Purpose

The following guidelines are for use by appropriately trained staff members in accordance with VicRoads Drug and Alcohol Policy. These trained VicRoads employees will be referred to as 'Trained Staff Members' in this document.

When and how should these guidelines be used?

1. These guidelines are for use when a Manager/Supervisor requests a Trained Staff Member to verify that an employee is reasonably suspected of being impaired by drugs or alcohol in the workplace. Reasonable Suspicion of impairment **must** be based on the attached list of objective indicators set out at Appendix 1.
2. If another employee is concerned that a person on or in a VicRoads workplace is impaired, they should report their suspicion to a Manager/Supervisor.
3. The basis for this policy is a test of reasonable suspicion. This means a suspicion that is reasonably held (using the observable indicators of impairment) by a Manager/Supervisor in consultation with a Trained Staff Member, when available. If a Trained Staff Member is not available there is an obligation on management to be aware that changes in the normal appearance or behaviour of a person may indicate that the person is impaired by drugs or alcohol. It is not the responsibility of supervisors / managers or staff representatives to diagnose personal or health problems or determine what the cause of impairment may be.
4. Assessment of a person's impairment is to be made in accordance with the list of observable indicators (Appendix 1) and is to be made in the context of **changes** to a person's behaviour. The assessment is **not** to be made on assumptions based on an employee's previous behaviour or work record.
5. At least one (1) of the *physical indicators* in Appendix 1 must be satisfied and agreed if available between the supervisor / manager and the Trained Staff Member for reasonable suspicion to be established. Emotional effects (as contained in the second part of the table) should **not** be used as indicators of reasonable suspicion but may be recorded as additional information on the Form: *VicRoads Drug and Alcohol Notification Record of Incident of Breach under VicRoads Drug and Alcohol Policy*.

Consulting with staff

1. The guidelines are to be applied proportionately, fairly, objectively and equitably. It is important that supervisors / managers and Trained Staff Members act in an ethical and professional manner and with consistency on each occasion and across all employees. The provisions of VicRoads Drug and Alcohol Policy and Procedures must be adhered to.
2. Supervisors / managers and if available Trained Staff Members are to request a discussion with the employee in a private location away from others, where possible. The privacy of the employee is to be prioritised at all times.
3. The Manager/Supervisor should use wording such as:

“I am concerned that [list indicators forming basis of reasonable suspicion]. Is there a reason for this?”

4. Employees should be clearly informed by the Manager/Supervisor of the indicator or indicators upon which reasonable suspicion was based.
5. Supervisors / managers and when applicable Trained Staff Members should speak assertively. Judgemental or confrontational language is not to be used and debate is not to be entered into with the employee.

Mitigating Factors

These factors are to be taken into consideration as per clauses 5.1.6, 5.1.7, 5.3.6 and 5.4.3 of the *VicRoads Drug and Alcohol Policy Impairment Procedures*.

1. The employee is to be given an opportunity to explain their behaviour. A person may appear to be impaired from drugs or alcohol but not necessarily have taken any such substances. For example, the employee may be suffering the side effects of medication prescribed by their treating doctor or suffering from sleep deprivation because of a personal trauma or concern. Such a situation is a *mitigating factor* for the purposes of this policy.
2. *Mitigating factors* include things such as:
 - a. Unexpected impairment from prescription or over the counter medication;
 - b. Side effects from medical treatment or an illness or injury;
 - c. Impairment from fatigue due to a personal trauma, sleep deprivation or other issue;
or
 - d. Any similar factor that may cause impairment but is not the result of drug or alcohol consumption.
3. Where the supervisor / manager and if available Trained Staff Member are satisfied that a person is impaired due to a *mitigating factor* they may decide to recommend no further action. See point (5) below for guidance on repeated impairment from a *mitigating factor*.
4. Where the employee concerned is at risk of injury to themselves or others the manager / supervisor will:
 - a. Release the employee from duty without loss of pay for the remainder of the day
 - b. Consider short or long term alternative duties or other control measures to ensure the employee's own safety and the safety of others in the workplace.
5. Repeated presentation at work by an employee whilst impaired from fatigue or over the counter medication may result in a breach of policy being recorded. Any employee identified as impaired from either of these causes is to be reminded that any impairment is a safety risk and that they should not present for work impaired. Where prescribed or over the counter medication is taken, employees are encouraged to notify their supervisor or manager in advance. Repeated failure to notify may result in a breach of policy being recorded.

Dealing with Aggressive or Abusive Behaviour

1. If the employee displays aggressive or violent behaviour, the Manager/Supervisor and Trained Staff Member should remain calm and not argue with or mirror the employee's behaviour.
2. Emphasis should be placed on getting the employee to calm down and discussion kept away from personal issues. The employee should be asked to comply with the

management direction and be informed that they will have the opportunity to dispute the decision when they return to work.

3. If the employee refuses to modify their behaviour, they should be advised that the discussion is terminated and that they must leave the workplace immediately. Employees should be reminded that acts of aggression or violence in the workplace are in breach of the Code of Conduct and may result in dismissal.
4. In the case of actual or apprehended violent behaviour, the employee should be advised that the Police will be called. This option is to be used as a last resort.

Appendix 1

Observable Indicators of Impairment

- Assessment of a person is to be made in accordance with this list of observable indicators in the context of changes to a person's behaviour.
- At least one of the physical indicators must be satisfied and agreed between the Manager/Supervisor and Trained Staff Member (if available) for reasonable suspicion to be confirmed. Reasonable suspicion must be confirmed before a drug and alcohol test can be requested by the manager/supervisor.
- Emotional effects (the second part of the table) should not be used as indicators of reasonable suspicion but may be recorded as additional information on Form *VicRoads Drug and Alcohol Notification Record of Incident of Breach under VicRoads Drug and Alcohol Policy*.

Physical Indicator	Observed
Strong smell of alcohol on the breath	
Slurred, incoherent or disjointed speech (losing track)	
Unsteadiness on the feet	
Poor coordination/ muscle control	
Drowsiness or sleeping on the job or during work breaks	
Inability to follow simple instructions	
Nausea/vomiting	
Reddened or bloodshot eyes	
Jaw clenching	
Sweating/hot and cold flushes	
Emotional Effect (Not a basis for reasonable suspicion)	
Loss of inhibitions	
Aggressive or argumentative behaviour	
Irrational	
Intense moods (sad, happy, angry)	
Quiet and reflective	
Talkative	
Increased confidence	
Appearance or behaviour is 'out of character'	

Indicators of Impairment by Drug (for information only)

Indicator (Physical)	Alcohol	Cannabis	Amphetamines/ Methamphetamines
Smell on the breath	x		
Slurred speech/ speech disjointed (lose track)	x	x	
Unsteadiness	x	x	x (dizziness)
Poor coordination/ muscle control	x	x	
Drowsiness/ sleepy	x	x	
Can't follow instructions	x	x	
Blurred vision	x	x	
Lack of judgement	x	x	
Confused	x	x	x
Nausea/vomiting	x		x
Reddened eyes		x	
More awake and alert			x
Jaw clenching			x
Sweating/hot and cold flushes			x
Effect (Emotional)	Alcohol	Cannabis	Amphetamines/ Methamphetamines
Loss of inhibitions	x	x	
Aggressive or argumentative	x		x
Irrational	x	x	x
Intense moods (sad, happy, angry)	x	x	X (happy, positive)
Quiet and reflective		x	
Talkative			x
Increased confidence	x		x
Appearance or behaviour is 'out of character'	x	x	x

7. RELEVANT INSTRUCTIONS

7.1. Employee Voluntary Self -Identification and Treatment

7.1.1. VicRoads encourages any employee who is having difficulty controlling their use of drugs or alcohol to self identify and enter into a recognised rehabilitation program. If an employee self identifies, VicRoads will be supportive and assist the employee. Where absence from work is required for attendance at treatment VicRoads will assist the employee in returning to work within a reasonable period of time.

7.1.2 The employee may self identify to:

Their Supervisor / Manager;

- i. VicRoads Employee Assistance Provider (1300 361 008);
- ii. Executive General Manager - People Services;
- iii. Work health Safety and Welfare Group;
- iv. Union Representative.

7.1.3 VicRoads employees will be entitled to use accrued leave or leave without pay whilst attending treatment as set out below:

- i. Sick Leave;
- ii. Annual Leave; or
- iii. Long Service Leave.

7.1.4 Access to leave entitlements must be supported by production of a doctor's certificate, or in the case of referral to VicRoads Employee Assistance Provider, a completed attendance form. If an employee is referred to another treatment provider, evidence of ongoing attendance is required.

7.1.5 Where sick leave is used for the purposes of attending recognised treatment the supervisor is to sight and verify a certificate of attendance for the day (or part thereof), leave is claimed.

7.1.6 For privacy purposes certificates of attendance, consent forms and medical certificates relating to drug and/or alcohol rehabilitation need only be sighted by the employee's direct manager and then filed on their personal file.

7.1.7 Where an employee who self identifies performs high-risk tasks, modified duties should be provided if available.

7.2 Return to Work After Treatment

7.2.1 VicRoads provides Return to Work services for ill or injured staff. This service will be available to all employees in drug or alcohol related treatment. Supervisors / managers should consult with the Return to Work Coordinator for more information.

7.3 Training

7.3.1 Any VicRoads employee acting as a Trained Staff Member under the Policy must first complete the Drug and Alcohol Impairment Training package.

7.3.2 Recommended training includes programs such as:

- i. Managing Aggression / Confrontation in the Workplace.
- ii. Drug and Alcohol Education and Awareness Training

7.4 Privacy

7.4.1 VicRoads acknowledges that privacy of individuals is paramount when dealing with drug or alcohol related problems in the workplace. VicRoads managers and employees must maintain privacy and act ethically when they are involved in applying this procedure. This includes, but is not limited to:

7.4.2 Keeping confidential any information or records relating to an individual who has self notified or breached the Drug and Alcohol Policy;

7.4.3 Information relating to counselling or treatment. VicRoads or a representative of VicRoads can only request such information from a treatment provider with the written consent of the employee involved. Such information should only be requested when necessary for a work related reason;

7.4.4 Conducting discussions in relation to drug or alcohol issues in a private location; and

7.4.5 Any VicRoads employee or manager who breaches these confidentiality requirements may be subject to disciplinary action.

8. FORMS

Appendix 2 – First Breach form letter

Appendix 3 – Second Breach form letter

Appendix 4 – Third Breach form letter

Appendix 5 – VicRoads Drug and Alcohol Notification – Record of Incident of Breach under VicRoads Drug and Alcohol Policy Form

Appendix 2.

First Breach form Letter

[Insert date]

[Insert name]

[Insert address]

FAILURE TO COMPLY WITH VICROADS DRUG AND ALCOHOL POLICY

REPRIMAND

I refer to the incident on [insert date] when you were directed to leave VicRoads workplace for being impaired by drugs or alcohol in accordance with the VicRoads Drug and Alcohol Policy. You were reasonably suspected of [insert details of incident]

On your return to work on [insert date] you attended a meeting with [insert names] at which:

- Reasons why you were directed to leave the workplace were discussed;
- VicRoads Drug and Alcohol Policy was explained to you;
- You were counselled regarding your unacceptable behaviour and were informed of the consequences of a repeated breach of the policy; and
- You were offered information on support services and referral services.

This letter serves as a reprimand that your behaviour on [insert date] was unacceptable. The Drug and Alcohol Policy was introduced in an attempt to ensure the safety of you, VicRoads employees and others at VicRoads workplaces. Your behaviour was in breach of this Policy and may have had serious consequences for the safety of both VicRoads employees and others.

As there have been no other breaches of this policy before this reprimand, this matter will not be dealt with as a disciplinary matter. However, if at any time you have three breaches of this policy, at the time of the third breach VicRoads will commence disciplinary procedures which may result in the termination of your employment.

You are reminded that under the Policy, services are available to assist you in obtaining professional advice and counselling. I urge you to take advantage of these services and take steps to modify your behaviour in order to comply with this Policy.

A copy of this letter will be placed on your personal file.

Yours sincerely,

Business Area Manager [Insert name]

[Insert title]

Appendix 3

Second Breach form Letter

[Insert date]

[Insert name]

[Insert address]

FAILURE TO COMPLY WITH VICROADS DRUG AND ALCOHOL POLICY REPRIMAND

I refer to the incident on [insert date] when you were directed to leave VicRoads workplace for being impaired by drugs or alcohol in accordance with the VicRoads Drug and Alcohol Policy. You were reasonably suspected of [insert details of incident]

On your return to work on [insert date] you attended a meeting with [insert names] at which:

- Reasons why you were directed to leave the workplace were discussed;
- VicRoads Drugs and Alcohol Policy were explained to you;
- You were counselled regarding your unacceptable behaviour and were informed of the consequences of a repeated breach of the policy; and
- You were offered information on support services and referral services.

I note that on [insert date of previous reprimand letter] you were provided with a reprimand for a breach of the Drug and Alcohol Policy.

This letter serves as a reprimand that your behaviour on [insert date] was unacceptable. The Drug and Alcohol Policy was introduced in an attempt to ensure the safety of you, VicRoads employees and others at VicRoads workplaces. Your behaviour was in breach of this Policy and may have had serious consequences for the safety of both VicRoads employees and others.

As this is your second breach no disciplinary action will be taken in respect of this matter. However, if you have a third breach VicRoads will commence disciplinary procedures which may result in the termination of your employment.

You are reminded that under the Policy, services are available to assist you in obtaining professional advice and counselling. I urge you to take advantage of these services and take steps to modify your behaviour in order to comply with this Policy.

A copy of this letter will be placed on your personal file.

Yours sincerely,

Business Area Manager [Insert name]

[Insert title]

Appendix 4

Third breach form Letter

[Insert date]

[Insert name]

[Insert address]

FAILURE TO COMPLY WITH VICROADS DRUG AND ALCOHOL POLICY REPRIMAND

I refer to the incident on [insert date] when you were directed to leave VicRoads workplace for being impaired by drugs or alcohol in accordance with the VicRoads Drug and Alcohol Policy. You were reasonably suspected of [insert details of incident]

On your return to work on (insert date) you attended a meeting with [insert names] at which:

- Reasons why you were directed to leave the workplace were discussed;
- VicRoads Drug and Alcohol Policy was explained to you;
- You were counselled regarding your unacceptable behaviour and were informed of the consequences of a third breach of the policy; and
- You were offered information on support services and referral services.

I note that on [insert date of first and second reprimands] you were provided with two previous reprimands regarding your behaviour. As you know, the Drug and Alcohol Policy was introduced in an attempt to ensure the safety of persons at VicRoads workplaces. Your behaviour was your third breach of this Policy and may have had serious consequences for the safety of both VicRoads employees and others.

As this is your third reprimand, in accordance with the Drug and Alcohol Program Policy disciplinary procedures will be commenced that may include the termination of your employment. VicRoads will write to you further in regard to the disciplinary procedures.

A copy of this letter will be placed on your personal file.

Yours sincerely,

Business Area Manager [Insert name]

[Insert title]

Appendix 5

VicRoads Drug and Alcohol Notification Record of Incident of Breach under VicRoads Drug and Alcohol Policy Form



FORM: VicRoads Drug and Alcohol Notification

Record of Incident of Breach under VicRoads Drug and Alcohol Policy

The details on this form are to be completed after any incident involving a breach under the VicRoads Drug and Alcohol Policy

SECTION 1. To be completed at time of breach by Manager/Supervisor and Trained Staff Member.

Breach No. (circle) 1. 2. 3.

Time of incident: _____ Date of Incident: ___/___/___

Work Location (address): _____

Supervisor's Name: _____

Trained Staff Member's Name: _____

Name of staff member concerned: _____

Employee No: _____

A. Recommendation that no further action be taken.

B. Refusal to undertake Drug and Alcohol test

C. Positive Drug and/or Alcohol test result

D. Date Left Workplace: ___/___/___ Time Left Workplace: _____

Conveyed home by (e.g. public transport, taxi, lift by colleague etc.) _____

Grounds for reasonable suspicion (note the indicators of reasonable suspicion and any additional information that formed the basis of the decision):

Summary of any comments made by staff member at time of incident:

Signature (Manager/Supervisor): _____ date: ___/___/___

Signature (Trained Staff Member): _____ date: ___/___/___

Signature (Business Area Manager): _____ date: ___/___/___

Original – Retained on personal file

SECTION 2. To be completed at follow up meeting.

Date Returned to Workplace: ___/___/___ Time Returned Workplace: _____

Date of Meeting: ___/___/___ Time/s of meeting: _____

Information / advice provided to staff member at meeting. (*Tick*)

- Policy Document
- Procedures
- Self-identification fact sheet
- Support Services fact sheet
- Recommendation for Business Area Manager that Reprimand letter be issued (Y/N)

If "No", please state the grounds upon which recommendation was made.

Summary of any comments made by employee at time of meeting:

Signature (Manager/Supervisor): _____ date: ___/___/___

Signature (Trained Staff Member): _____ date: ___/___/___

Original – Retained on personal file

SECTION 3. To be completed by Business Area Manager when issuing Reprimand letter.

Sections 1 and 2 received date: ___/___/___

Comments:

Reprimand letter/s sent:

First Reprimand letter date: ___/___/___

Second Reprimand letter date: ___/___/___

Third Reprimand letter date: ___/___/___

(Reminder): On issuing a third Reprimand letter, the Business Area Manager will:

1. Make a recommendation to the Manager - Investigations that the staff member involved should be directed to attend a disciplinary interview; and
2. Proceed in accordance with the Discipline Policy in the People Services Manual.

Business Area Manager Name: _____

Business Area Manager Signature: _____

Date: ___/___/___

NOTE: *Ensure all original documents and copies of Reprimand letter/s are retained on personnel file.*