DRUG AND ALCOHOL POLICY

Human Resources
YASC POL 20 – V8

2026

YARRABAH ABORIGINAL SHIRE COUNCIL
56 Sawmill Rd Yarrabah, QLD 4871

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1. LEGISLATION AND AUTHORITY

Work Health & Safety Act 2011: Part 2
Local Government Act 2009: s13, s197, s199, s200
Local Government Regulation 2012: Part 3 Division 1
Public Sector Ethics Act 1999: Part 4
Drugs Misuse Act 1986
Criminal Code Act 1899
Transport Operations (Road Use Management) Act Qld 1995
Yarrabah Alcohol Management Plan
YASC Code of Conduct POL 01

2. COUNCIL'S STATEMENT

Yarrabah Aboriginal Shire Council ('YASC') conducts its business with integrity, honesty and fairness. All employees are expected to work within the rules and actions of YASC will comply with all relevant laws, regulations, codes and corporate standards.

Everyone representing YASC must reflect the highest standards of behaviour. Our relationships are critical to the ongoing success of our organisation. Our leaders have responsibility for fostering a culture where ethical conduct is recognised, valued and applied at all levels.

This policy is to be read in conjunction with the Code of Conduct, which outlines our standards of behaviour and workplace culture are in accordance with YASC's principles.

3. PURPOSE

YASC aims to provide and maintain a workplace environment that not only protects the health and safety of all workplace participants whilst at work, but also facilitates a productive workplace. It is our policy that YASC workers shall not be involved with the unlawful use, possession, sale or transfer of drugs or narcotics in any manner, which may impair their ability to perform assigned duties or otherwise adversely impact YASC business. The consumption of drugs and/or alcohol can impair a workplace participant's ability to perform work in a safe manner and can also lead to unacceptable behaviour towards others.

YASC will continue to fulfil our responsibly in providing a safe working environment for YASC workers at all times. YASC workers must be physically and mentally fit to perform their duties in a safe and efficient manner. The purpose of this Policy is to reduce the likelihood of injury, damage and/or other negative effects of alcohol and/or drug use.

4. COMMENCEMENT OF POLICY

This Policy replaces all other policies relating to drug and alcohol (whether written or not).

5. APPLICATION OF THIS POLICY

This Policy applies to all employees, agents, apprentices, trainees, volunteers and contractors (including temporary contractors or subcontractors) of YASC (and its related entities), collectively referred to in this Policy as 'workplace participants'.

This Policy is not restricted to the workplace or work hours. The obligations contained in this Policy extend to all functions and places that are work-related. A "work-related function" is any function that is connected to work. For example, conferences, work lunches or meetings, Christmas parties, client

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functions etc. Workplace participants must comply with this Policy at all work-related functions. Any reference to work in this Policy includes a work-related function. This Policy also applies when workplace participants go to other workplaces in connection with work, for example when visiting a customer, client or supplier.

6. DEFINITIONS AND EXPLANATION OF TERMS

In this Policy:

- "**Alcohol**" in everyday use, usually refers to drinks such as beer, wine, or spirits containing ethyl alcohol - a substance that can cause drunkenness and changes in consciousness, mood, and emotions.
- "**CEO**" refers to the Chief Executive Officer, who holds an appointment under section 194 of the Local Government Act.2009. This includes a person acting in this position (in accordance with section 195 of the Act).
- "**Councillor**" refers to the Mayor and/or Councillor/s of Yarrabah Aboriginal Shire Council, within the meaning of the Local Government Act.2009.
- "**Drugs**" includes Illegal drugs and Prescription and Pharmacy Medications as defined below.
- "**Illegal drugs**" includes any drug prohibited by any State, Territory or Federal law in Australia or any other laws (including foreign and international laws) to which YASC is subject or which apply to the work performed by workplace participants for YASC. In this Policy, "Illegal drugs" includes Prescription and Pharmacy Medications (as defined below) which are used without the necessary prescription or for purposes for which they were not intended.
- "**Prescription and Pharmacy Medications**": YASC recognises that workplace participants may have legitimate medical reasons for taking some Medications. This includes where a medical practitioner has properly prescribed lawful Medications for a diagnosed medical purpose or where the Medication is lawfully available at Australian pharmacies (without a prescription) and is required for the treatment of a legitimate condition. These Medications are referred to in this Policy as "Prescription and Pharmacy Medications".
- "**Employee**" refers to a local government employee, including the CEO or any other person holding an appointment under section 196 of the Local Government Act 2009.
- "**Employee Assistance Program (EAP**)" refers to a confidential, professional counselling service available to employees.
- "**Fitness for Work**" refers to a state (physically, mentally and emotionally) to perform assigned tasks competently and in a manner which does not compromise or threaten the health, wellbeing and safety of themselves or other persons.
- "**Impairment**" refers to a symptom of reduced quality, strength or effectiveness of a worker due to the effects of drugs and / or alcohol consumption whilst performing their usual duties.
- "**NATA**" refers to the National Association of Testing Authorities.
- "**Random**" refers to having no specific pattern, purpose, or objective.
- "**Suspicion Testing**" refers to testing undertaken on the suspicion that an employee or Councillor may be at risk of impairment from drugs or alcohol.
- "**Work Hours**" refers to any time where a workplace participant is at the workplace, or is claiming remuneration, including time where the on-call allowance is received.
- "**Worker / Workplace Participant**" refers to any employee, contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company assigned to work for YASC, an apprentice or trainee, work experience student or a volunteer.
- "**Workplace**" refers to any place where work is carried out for a business or undertaking and includes any place where a workplace participant goes, or is likely to be, while at work.
- "**YASC**" refers to Yarrabah Aboriginal Shire Council.

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7. CONSULTATION, AWARENESS AND TRAINING

YASC will ensure that the implementation and continual improvement of this Drug and Alcohol Policy (and associated Procedures) occurs in consultation with all relevant stakeholders including employees, management, relevant unions, nominated testing provider/s and Health and Safety representatives.

YASC recognises that it is important to develop a workplace culture through awareness and training where employees are prepared to encourage each other to be safe and fit for work.

Employees will be provided with drug and alcohol awareness and training. In addition, a range of information on drug and alcohol consumption will be made available to employees including the different types of drugs and the risks they pose to peoples' health.

Drug and alcohol awareness and training for employees will cover, but not be limited to, the points below:

- The importance of being fit for work ;
- The effects of the consumption of drugs and/or alcohol on health, safety and performance in the workplace;
- What constitutes unacceptable drug or alcohol consumption;
- How to recognise workers who may not be fit for work due to the consumption of drugs and/or alcohol;
- Basic knowledge and understanding of the different types of drugs and their effects;
- Ways of dealing with the consumption of alcohol and other drugs and assisting employees who are consuming drugs and alcohol to avoid developing further problems;
- Counselling, treatment and rehabilitation services available to workers to enable those who have problems or concerns to seek effective solutions and suitable treatment of their choosing; and
- How an employee who has a problem with drugs and/or alcohol can self-disclose.
- YASC's Drug and Alcohol Policy and Procedure.

8. RESPONSIBILITIES

Detailed responsibilities are contained in YASC's Drug and Alcohol Procedure.

9. POLICY REQUIREMENTS

Workers are not to present themselves for work if they have consumed alcohol and/or other drugs where they may be at risk of impairment during work hours.

Alcohol and Drugs may not be consumed at any YASC workplace, in any YASC owned vehicle or plant, or at any time as a worker of YASC whilst undertaking their respective duties.

An exception for the consumption of alcohol will be made for special occasions or locations as determined by the CEO and where the provision of hospitality is within the bounds of normal customary hospitality.

Consistent with YASC's obligations and commitment to ensuring a safe workplace, workers will be required to undergo drug and alcohol testing in accordance with the Drug and Alcohol Procedure.

10. BREACH OF THIS POLICY

Workplace participants must comply with this Policy at all times. If an employee is found to have breached this Policy, they may be subjected to disciplinary action. The type and severity of the

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disciplinary action will depend upon the circumstances of the case and the seriousness of the breach. In serious cases, this may include termination of employment.

Examples of disciplinary action that may be taken include (but are not limited to):

- Counselling;
- A formal warning;
- Demotion;
- Transfer to another area;
- Suspension;
- Termination of employment.

In circumstances where a workplace participant's behaviour or conduct may involve a breach of any Australian laws, (or any other laws including foreign and international laws to which YASC is subject or which apply to the work performed by workplace participants for YASC), YASC may notify the police or other relevant authority.

11. CONFIDENTIALITY

All alcohol and drug testing results are to be treated with the strictest confidentiality. Any positive testing results will only be supplied to the Director - Human Resources, Risk & Regulations for any necessary action in accordance with this policy.

12. FURTHER INFORMATION

This Policy does not form part of any contract between any workplace participant and YASC.

If a workplace participant is unsure about any matter covered by this Policy, they should seek the assistance of the Director - Human Resources, Risk & Regulations.

13. VARIATIONS

YASC reserves the right to vary, replace or terminate this policy from time to time.

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14. DOCUMENT CONTROL

Adoption Date:	28 July 2015	Resolution No.	Version No. 1
Amended Date:	27 March 2018	Resolution No.	Version No. 2
Amended Date:	30 January 2020	Resolution No. 03/01/2020	Version No. 3
Amended Date:	17 February 2021	Resolution No. 05:17/02/2021	Version No. 4
Amended Date:	18 May 2022	Resolution No. 09:18/05/2022	Version No. 5
Amended Date:	29 June 2023	Resolution No. 11:29/06/2023	Version No. 6
Reviewed Date:	26 July 2024	Resolution No. 12:26/07/2024	Version No. 7
Reviewed Date:	19 August 2026	Resolution No. 28:19/08/2026	Version No. 8
Next Review Date:	2027		
Responsible Officer:	Chief Executive Officer		

Richard Wright
Chief Executive Officer

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