

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 AllightSykes Pty Ltd ('the Company') within our Australian business. 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').

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

3 General Duty

3.1 The Company

The Company has a general duty to ensure the safety of our people therefore must, so far as practicable:

- provide a workplace and safe system of work so that our people are not exposed to hazards
- provide our people with information, instruction, training and supervision to allow them to work in a safe manner
- consult and co-operate with safety and health representatives and other people in matters related to safety and health at work
- provide adequate protective clothing and equipment where hazards cannot be eliminated
- provide for the safe use, transport and disposal of machinery and substances

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3.2 All people

It is expected that our people understand they have a general duty to ensure their own safety and the safety of those around them and:

- ensure their own safety and health at work
- avoid adversely affecting the safety and health of other persons at the workplace
- report to the Company any situation they believe could constitute a hazard the person cannot reasonably correct themselves (for example, another person’s behaviour or actions)
- 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

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 the People, Culture and Safety team 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 the People, Culture and Safety team, 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

4 Responsibilities

Responsibilities are included throughout this policy, however general duties are included within this section. All people have a responsibility to ensure they have read and understood this policy.

4.1 Supervisors and Managers

In addition to what is outlined in the general duty section, supervisors and managers have a responsibility to ensure:

- 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 General Manager People, Culture and Safety

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4.2 People, Culture and Safety team

In addition to what is outlined in the general duty section, the People, Culture and Safety team 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

4.3 All people

Responsibilities are included in the General Duty section and within the policy.

5 Expectations of all people

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

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, or an excessive dose of prescribed or over the counter drugs;
- fatigued;
- carrying an unreported non-work related injury or condition that could be exacerbated by the role being fulfilled; 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.

6 Assessing Fitness for Work

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

We have a zero tolerance of all people attending our workplace affected by alcohol and unprescribed or illegal drugs, or those who excessively use prescribed or over the counter drugs ('affected'). When someone is affected the impact it can have is significant as 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.

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To ensure safety of all our people, the Company will conduct various types of testing within our workplaces 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.

6.1.1 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 2020 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.

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 client sites.

6.1.2 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 the People, Culture and Safety team 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.

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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

6.1.3 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 the Code of Conduct and Ethics.

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

6.1.4 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.

6.2 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

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If a person is showing signs of fatigue, they will be required to complete the Personal Fatigue Assessment form. This can be requested by the person or by another person who may have concern.

6.3 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
- cold and flu symptoms

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 the People, Culture and Safety team 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.

Depending on the result, the person may be able to return to work on light duties or they may 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 their sick leave accrual or as unpaid leave.

6.4 Work related injury or condition

It is important that all work related injuries or conditions are reported immediately and the Incident Reporting procedure is followed. The People, Culture and Safety team will work closely with our injured workers to facilitate a return to work.

7 Participation 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.

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7.1 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).

7.2 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.

7.3 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 at the site location, 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.

7.4 Tampering of sample for drug and alcohol test

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

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

8 Test Results

All test results will be provided to the tested person.

8.1 Negative 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.

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

8.2 Non-Negative Test Result – 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.

8.3 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, foodstuffs 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.

8.4 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 Company will contact an independent party for a medical review through the relevant medical provider
- 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
- at a reasonable time, the affected person will attend a meeting with the General Manager People, Culture and Safety 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

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- advise they may be subject to ongoing monitoring until three 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.

8.5 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 the General Manager People, Culture and Safety 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 three 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.

9 Support

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

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Our employee assistance program is available for all people and their families. For those who return a positive rest 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 People, Culture and Safety team). 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.

10 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 the People, Culture and Safety team. 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.

11 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
POLINTPCS007	Code of Conduct and Ethics

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

12 Document Amendment History

Revision	Date	Description	Approved by
1	23 November 2020	First release	CEO

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