

# Frequently Asked Questions

## How do I know if someone is intoxicated at work?

It's not possible to definitively identify if someone is intoxicated just by observation. What you can do is observe the person's behaviour and note any changes in their presentation or behaviour.

There can be other health related reasons as to why someone might appear intoxicated.

A more effective approach is to focus on 'fitness for work'. This looks at the capacity for workers to work without risk to the individual's health and safety, rather than just being focused only on the possibility that they may be under the influence of alcohol or other drugs. The focus is on changes in the person's usual behaviour.

These may include things like: physical coordination, speech, concentration, behaviour like irritability or aggression.

## What if we don't have an EAP?

Employee Assistance Programs (EAP) are designed to help employees with personal problems that affect their job performance. EAP are usually paid for and monitored by the employer and offer a range of different support and services, including alcohol and other drug issues.

As an alternative to a formal EAP, your organisation can identify services within your local community that deal with a range of issues including alcohol and other drug problems. These services can then be promoted to all workers.

Even with a formal EAP in place, it can still be useful to promote access to local community resources so that you raise the awareness level for your workers and so they know where to go for help at anytime.

## Are we liable if a worker tests positive and they drive home?

Under workplace health and safety legislation, all employers have a duty of care to their workers and contractors. Therefore, if the employer has knowledge or suspects that a worker may be impaired by alcohol or other drugs, then it should take all necessary precautions to ensure the worker or contractor gets home safely (e.g. arrange a taxi or a lift for them).

## Can workers refuse an alcohol or drug test?

It is an accepted principle by courts and tribunals that drug testing is an intrusion on the privacy of the individual, which can only be justified on health and safety grounds.

The employer has a legitimate right (and obligation) to try to eliminate the risk that workers and contractors might come to work impaired by alcohol or other drugs such that they could pose a risk to health and safety.

If a worker refuses to undergo a drug or alcohol test and their contract of employment refers to the employer's company policy, which expressly requires them to comply with the policy, then this may be a valid reason for disciplinary action and grounds for dismissal for refusing to obey a lawful and reasonable direction by the employer.

A worker may refuse to submit to a drug or alcohol test for any reason, however an employer can require consent as a condition to employment.

A worker may face disciplinary action for refusing to obey a lawful and reasonable direction by the employer particularly if their contract refers to the employer's company policy, which expressly requires workers and contractors to comply with the policy.

## The WorkWell program.

WorkWell is the workplace policy program of 360Edge. You can be confident in the results you will achieve with WorkWell because it is backed by the latest scientific evidence.

Our best practice policy program ensures that your organisation complies with its legal and duty of care obligations, while promoting a workplace culture that values the safety and wellbeing of all.

The WorkWell program can be tailored to suit your organisation's needs. It consists of the following components:

- Rapid review
- Policy development and implementation
- Expert review
- Resources

### Rapid review

Our Rapid Review service involves a fast and effective assessment of your current workplace policies and programs using our scientifically informed measurement and review system.

Following a Rapid Review, workplaces are presented with a comprehensive report of our finding and a set of recommendations for improving your policies and programs.

### Policy development and implementation

An all-inclusive, comprehensive service to review your existing policies, customise and deliver a state of the art drug and alcohol policy backed by the latest evidence and legal review. Includes resources, full support during implementation and a progress check at 6 months.

## Expert review

360Edge is composed of [leading experts](#) in alcohol and other drug matters including evidence-based prevention, treatment and harm reduction.

Our Expert Support program can help with:

- Responding to alcohol and other drug issues which impact productivity and workplace safety.
- Designing effective employee assistance programs and referrals for alcohol and other drug problems.
- Implementing effective programs and policies which shift problematic workplace cultures in relation to alcohol and other drugs.
- Workforce training and development on alcohol and other drug matters.
- Managerial training on effective behaviour change through our evidence-based Moventium® team motivation training.

## Resources

We offer a full suite of resources for self-directed policy implementation:

- Toolbox topics on alcohol and other drugs for workers
- Toolbox topics information brochures to post in the work site
- Training for managers and team leaders in how to deliver Toolbox topics
- Self-completed policy templates that meet best practice standards and are legally sound
- Policy dissemination posters
- Video implementation guides

## Previous clients



# About 360Edge.

We are a leading Australian health consultancy, specialising in the alcohol and other drug, and allied, sectors. We provide a full suite of advisory services to help organisations accelerate change. We work with leading international organisations, governments and not for profit agencies across Australia and internationally.

Our vision is for a thriving community that provides the best policy and practice responses right across the spectrum of alcohol and other drug use. Our mission is to ensure governments and services have the tools they need to respond effectively and efficiently to people who use alcohol and other drugs to reduce harms.

We are driven to make a positive impact in the world and strongly believe in social justice and human rights, and it drives all of our work. We believe that everyone has the right to the opportunities and privileges that society has to offer. Our values of excellence, transparency and integrity are at the core of everything we do. We live these values within the team and with our customers and collaborators.

Our team of experienced ‘pracademics’ take a 360 approach to viewing situations from multiple perspectives. We collaboratively and holistically work with our clients at every stage, wherever they are in the cycle of change, to achieve their goals.

*In the spirit of reconciliation, we acknowledge the traditional custodians of country throughout Australia and their connection to land, sea and community. We pay our deep respects to elders past, present and future, and to all Aboriginal and Torres Strait Islander people*

