

# Drug & Alcohol Standard

A guidebook to policy and procedures.



## 1. Scope & Purpose

- 1.1. This procedure applies to all Fletcher Living workers on all Fletcher Living workplaces (including workplaces where the business is the primary PCBU). The objective of this procedure is to provide appropriate knowledge, skills, and tools for the management of drugs and alcohol to:
  - Maintain a safe and healthy work environment.
  - Uphold Fletcher Building's and Fletcher Living's Life Saving Rules, Code of Conduct, and Values.
  - Minimise the risk to workers, customers, visitors, and the public.
  - Encourage individuals affected by alcohol and/or other drugs to seek assistance.
- 1.2. Fletcher Living has a responsibility to ensure the health and safety of its workers and those affected by our work. Consistent with our Life Saving Rule '**We always work free from drugs or alcohol**', this includes a collective responsibility to provide and maintain a drug and alcohol-free workplace and ensure that workers come to work fully fit for work.
- 1.3. Workers have a duty to ensure their own health and safety at work and to not do anything that may put the health and safety of others at risk. Being 'fit for work' and ensuring that workers work safely, free from the influence of drugs or alcohol, is part of that duty.
- 1.4. This procedure details how risks associated with impairment caused by drugs and/or alcohol above prescribed levels are managed in individuals while engaged by Fletcher Living and performing work.

## 2. Definitions

- 2.1 These definitions are in addition to those in FB EHS 111 PL Drug & Alcohol Policy.

**Approved Testing Agency** – The agency engaged by Fletcher Living to undertake drug and alcohol testing on behalf of Fletcher Living. They will have successfully maintained certifications relevant to specimen collection and, on site screening, storage, handling, and dispatch, and has received a statement of attainment in accordance with the NZQA standards.

**BAC** – Blood Alcohol Concentration

**Chain of Custody** – A series of procedures to account for the integrity of each specimen by tracking its handling and storage from point of specimen collection to final disposal of the specimen. This includes a signed declaration and agreement to provide a specimen.

**Business Unit** – Fletcher Residential Limited trading as Fletcher Living, its subsidiaries, and joint ventures.

**Confirmed Negative** – A test result below the target concentration following confirmatory drug testing as per AS/NZS 4760:2019 AS/NZS 4308:2023.

**Confirmed Positive** – A test result at or above the target concentration following confirmatory drug testing as per AS/NZS 4760:2019, AS/NZS 4308:2023.

**FB** – Fletcher Building

**Fit for Duty** – That an individual is in a state (physical, mental, and emotional) which enables them to perform assigned tasks competently and in a manner which does not threaten or compromise the health and safety of themselves or others.

**Follow up testing** – Occurs after an individual, who has been in rehabilitation for drugs or alcohol, has returned to work.

**Initial Testing** – An on-site testing process, using an oral fluid test device which is used to exclude the presence of a drug or a class of drugs. The result will be either 'negative' or 'non-negative'. Where a non-negative test result is returned, a 'confirmatory' test is required to verify the result.

**Medical Review Officer (MRO)** – A registered medical practitioner who is responsible for receiving and reviewing laboratory results generated by an employer's drug and alcohol testing programme and evaluating medical explanations for certain drug test results.

**Negative Test Result** – A visual result from an initial oral fluid screen which shows no presence of drugs.

**Prescription Medication** – Medications that are prescribed by a medically registered professional which may or may not affect performance. This also includes medication obtained over the counter or from a pharmacist.

**Worker** – Includes all directors, officers, employees, independent contractors and subcontractors, consultants, temporary agency workers and secondees who work for Fletcher Living (and subsidiaries).

**Workplace** – Any Fletcher Living place of work including Business Unit property, other properties controlled by the Business Unit and Business Unit vehicles, or vehicles being used in the course of work.

## 3. Roles & Responsibilities

### 3.1 Business Unit

- Develop a drug and alcohol testing programme, and standard/ procedure.
- Ensure all workers are aware of the FB Policy and Fletcher Living Standard as part of induction.
- Ensure any amendments to the FB Policy and/or the Fletcher Living Standard is communicated to all workers.
- Ensuring the FB Policy and Fletcher Living Standard is applied consistently across all workers on all Business Unit owned or leased sites.

- Implement a national programme of drug and alcohol testing for all workers at the following times:
  - o Pre-employment
  - o Internal transfer/re-employment
  - o Post incident /near miss
  - o Reasonable (Just) cause
  - o Random
  - o Working in a safety sensitive role or accessing a safety sensitive area like a construction site
- Educate workers about the effect of drugs and alcohol.
- Offer support (through the Employee Assistance Programme, EAP or equivalent) as appropriate, considering the individual's right to privacy and confidentiality.

### 3.2 Workers

- Participate in drug and alcohol tests if requested.
- Adhere to the Life Saving Rules.
- Present at work fit for duty, free from the influence of drugs or alcohol.
- Take reasonable care for their own health and safety.
- Take reasonable care that their actions or admissions don't adversely affect the health and safety of others.
- Notify their Manager/ Supervisor, if:
  - o They suspect others in the workplace are taking, selling, supplying, being in possession of or being under the influence of drugs; or any person taking, selling supplying or being under the influence of alcohol.
  - o There is any risk to themselves or others due to drugs or alcohol.
  - o If they are taking medication (prescribed or non-prescribed) that may affect their ability to perform their duties.
- Fletcher Living will meet contractors/ subcontractors/ temporary agency workers' costs for any laboratory confirmatory drug testing. Subsequent confirmation test costs will be the responsibility of that individual's employer.

### 3.3 Leaders (People Managers, including Project, Site, and Branch Managers)

- Ensure compliance with all requirements of the Drug & Alcohol Policy and Standard.
- Conduct annual refresher training (toolbox) of the Drug & Alcohol Policy and Standard with all workers with documented sign off.
- Conduct biennial drug and alcohol awareness refresher training with all people managers and site employees.

- Keep a record of annual and biennial training, and any ad hoc training on Policy and/ or Standard that may be undertaken.
- Display and communicate on noticeboards around Fletcher Living's expectations regarding drugs and alcohol at work i.e., Life Savings Rules poster and other relevant information such as Fletcher Building Protect Value.
- Monitor their team for signs of impairment and respond if concerns are raised within the team.
- Work with P&P and/or EHS on a suitable duties plan if an individual volunteers their use of prescription or non-prescription medication, drugs or alcohol which may cause impairment.
- Ensure that any incident relating to a confirmed positive result for drugs or alcohol is documented and the P&P team is notified.
- Maintain privacy and confidentiality, including acting on reports of concern about privacy and confidentiality.

### **3.4 People & Performance and EHS**

- Assist leaders and Fletcher Living to disseminate the Drug & Alcohol Policy and Standard to all workers.
- Assist leaders and Fletcher Living with annual refresher training (toolbox) of Policy and Standard.
- Communicate and confirm testing requirements with the approved testing agency.
- Review laboratory confirmatory results, and support leaders to initiate action, if required.
- Maintain worker records in relation to drug and alcohol testing results.
- Maintain privacy and confidentiality, including acting on reports of concern about privacy and confidentiality.

#### **3.4.1 The EHS team will also assist leaders by:**

- Coordinate a national testing schedule with approved testing agency.
- Determine and approve targeted testing based on safety incident information or official drug and alcohol confidential results from approved testing agency.
- Periodically review the Drug & Drug and Alcohol Policy and Standard.
- Ensure adequate resources for carrying out testing, as required, on all worksites and locations.

## 4. Education/Training

- 4.1 All workers will have access to the Drug & Alcohol Policy and Standard and associated material via FB Matrix and Fletcher Living intranet and website.
- 4.2 Scheduled testing shall be used to refresh the procedure requirements every two years. As part of this, the following key points will be reinforced and discussed:
- When testing is carried out (post incident, random, etc) and how.
  - Fletcher Living will support individuals who voluntarily offer information pertaining to their use or potential impairment due to the use of prescription or non-prescription medication, drugs, or alcohol as per the Drug & Alcohol Policy.
  - Everyone has a responsibility to report if an individual appears to be under the influence, or in possession, of drugs or alcohol (reasonable cause).
  - Who receives the results of testing and what are the consequences of non-negative and positive tests.
- 4.3 The Employee Assistance Programme (EAP) consultants and/ or the Approved Drug Testing Agency can provide further education and information as required.

## 5. Prescription & Non-Prescription Medication

- 5.1 Fletcher Living recognises some individuals take prescription and/or non-prescription medication which may affect their fitness for duty.
- 5.2 Individuals using these medications should:
- Advise their Medical Practitioner/Pharmacist of the type of work they do at the time of obtaining the prescription or medication and obtain relevant information about the possible side effects.
  - Consult their Medical Practitioner/Pharmacist to ensure that, they are made aware of the potential to return a positive drug test.
  - Advise their supervisor and/or manager of any medications they are taking, which could affect their safety or performance at work, as per the Drug & Alcohol Policy.
  - Take medication only as prescribed or instructed; and take note of warnings or instructions on packaging.
  - Declare all prescribed and non-prescribed medication at the time of drug and alcohol testing.
  - Participate in a documented return to work plan if applicable.
- 5.3 Upon disclosure of usage from an individual, the Business Unit may seek independent medical advice, from an MRO, to assist in the determination of fit for duty. If the advice is to carry out drug testing the Business Unit will discuss this with the individual.

5.4 Alongside the *Drug & Alcohol Policy* and this Standard, the *FB 111 GUI Prescription Medication Guideline for Managers* will apply when managing situations that involve prescription medications (including over the counter medications) that could affect fitness for duty.

## 6. Privacy, Confidentiality & Consent/Management of Results

6.1 Any information gathered because of drug or alcohol testing is only collected for the purpose of implementing the Drug & Alcohol Policy and Standard and achieving its objectives. All documentation and requests for disclosure will be handled according to relevant legislation. Information will only be used for the purposes of determining fitness for duty, and assignment of appropriate duties. Such information will be held for the duration of the individual's term at Fletcher Living, or longer were deemed necessary.

6.2 Fletcher Living will only release information to a third party as required by law and with the written permission of the individual concerned. Records of test results are not to be passed on to any future employer (except in the case of transmission of business where the worker transfer's their employment to the new owner).

6.3 Fletcher Living take all reasonable steps to respect the privacy and confidentiality of all workers participating in testing. Concerns about privacy and confidentiality should be reported to their supervisor/manager or the respective People and Performance representative. Breaches of confidentiality are considered a serious matter and will be regarded as a breach of Business Unit rules and may result in disciplinary action.

6.4 Where relevant to a workplace incident, the records will only be referenced in the investigation. These records will be kept in accordance with regulatory requirements.

## 7. Testing

7.1 Our drug and alcohol testing programme is informed by the FB Drug & Alcohol Policy (FB EHS 111 PL).

7.2 This testing programme is in place to satisfy the requirement for employers and workers, who both have a duty under law to ensure that the workplace is safe.

7.3 Drug and/or alcohol testing shall only be conducted when a worker is on our site at a point in time when the worker should be free from impairment.

7.4 Testing may include, but is not limited to, screening for the following classes of drugs:

- Amphetamines
- Methamphetamines
- Opiates
- Cannabis

- Cocaine
- Oxycodone and
- Benzodiazepines

7.5 Drug types and cut-off levels screened to confirm a result as positive at an accredited laboratory are outlined in the relevant standards.

7.6 Both oral and urine testing will be accepted testing methods. Oral testing (fluid collection from the oral cavity), and urine testing will be in accordance with AS/NZS 4308:2023, AS/NZS 4760:2019 and AS 3547.1:2019. The Business Unit has the discretion to determine the method of testing that will be applied. Drug and/or alcohol testing will be conducted in two stages:

1. **'Initial tests'** – these are done on site and the results are instantly understood as either:
  - a. Negative – There is no evidence of any drug and/or alcohol above the prescribed levels.
  - b. Non-Negative – There is evidence of drugs and/or alcohol above the prescribed levels. The result has not been verified through a confirmatory test.
2. **'Confirmatory tests'** – these are done in the laboratory on non-negative tests to determine conclusively:
  - a. Positive – There is confirmed evidence of drugs and/or alcohol above the prescribed levels.
  - b. Negative – There is no evidence of any drug and/or alcohol above the prescribed levels.

### 7.7 Initial Testing

- All initial drug and/or alcohol testing shall be undertaken in accordance with the relevant New Zealand standards and testing agency procedures by an appropriately trained and qualified collector from an approved testing agency.
- Where geographic isolation precludes timely attendance by an approved tester, arrangements may be made for specimens to be taken by a medical practitioner.
- Workers are required to comply with the collector's instructions.
- The responsible manager/supervisor and the collector will ensure that the testing is conducted in a place and in a way that protects the privacy and personal dignity of the individual being tested.
- If taking any medication, it is the responsibility of the individual to declare it to the tester at the time of a drug test.



## 7.8 Confirmatory Testing

- If a worker returns a non-negative initial test result for drugs and/or alcohol, a confirmatory test will be undertaken to verify the initial test.

## 7.9 Alcohol

- Individuals will be considered to be under the influence of alcohol if breathalyser test results are equivalent to or exceed the Fletcher Living breath alcohol detectable tolerance level of **0.01% BAC**.

## 7.10 Drugs

- The prescribed levels adopted by Fletcher Living as a measure of impairment from drugs reflect the thresholds specified in AS/NZS 4308:2023. Individuals will be considered to have returned a non-negative initial (or positive confirmatory) test result if the results show that they have one or more drugs in their system at or above the levels detailed in AS/NZS 4308:2023 and AS/NZS 4760:2019.
- Fletcher Living may also choose to extended testing post incident/ accident or during just cause testing. This means that the specimen taken could also be tested for the presence of any drug/ metabolite which would not be detected with a standard “onsite screening” test e.g., synthetic THC, LSD, cathinone derivatives, etc. Non-negative samples will be forwarded to the laboratory for confirmation.

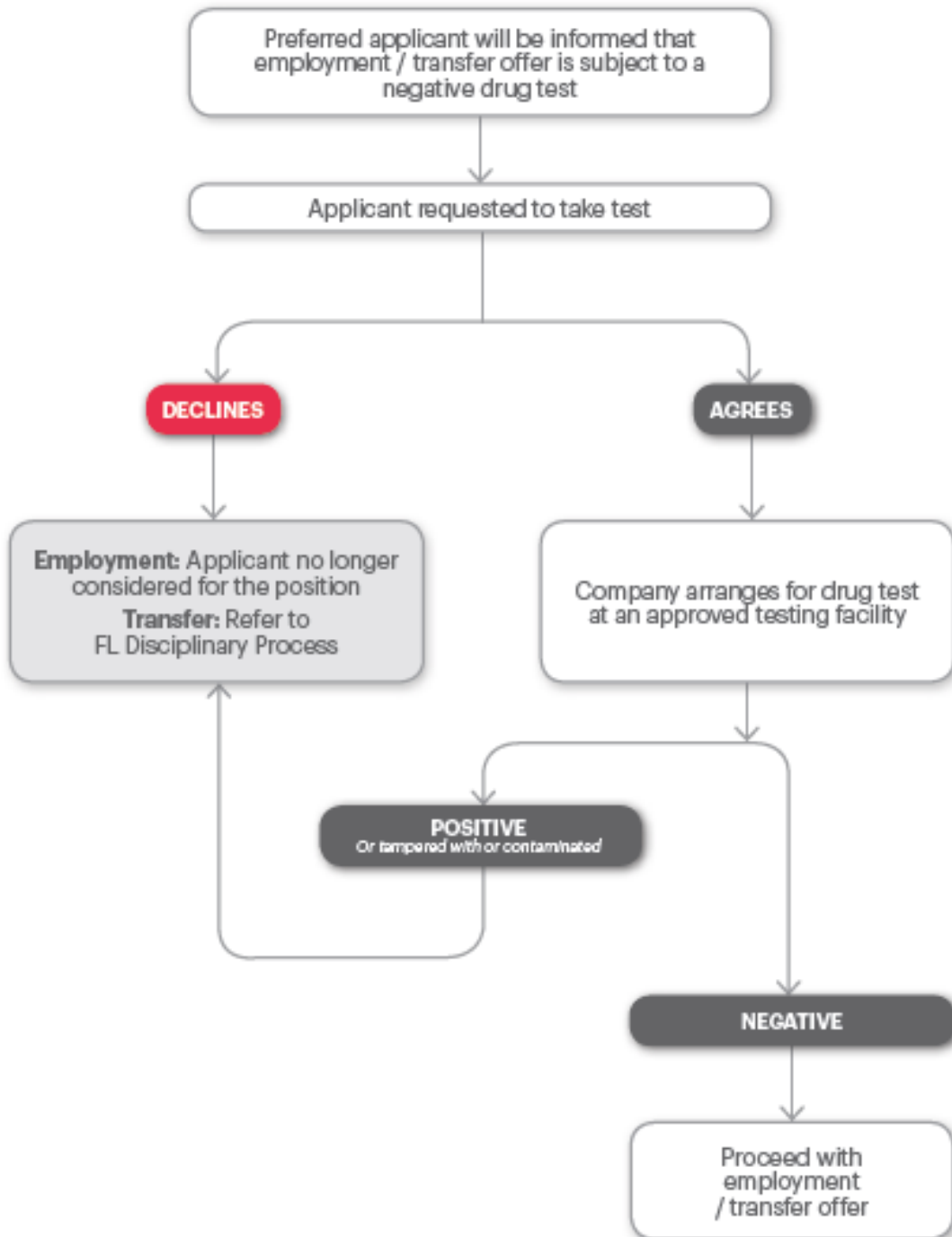
## 7.11 Pre-Employment Testing

- The Business Unit may require candidates to undertake a pre-employment drug and alcohol testing. Where pre-employment drug and alcohol testing is required, this should be a condition of the employment, and set out in the letter of offer.

## 7.12 Internal Transfer Testing

- Where a worker is transferring from one Business Unit or FB workplace/department to another, they may be required to undertake a drug and alcohol test prior to starting work in the new site or department.
- This also applies to existing workers who are being appointed internally to a position or transferring between Business Units.

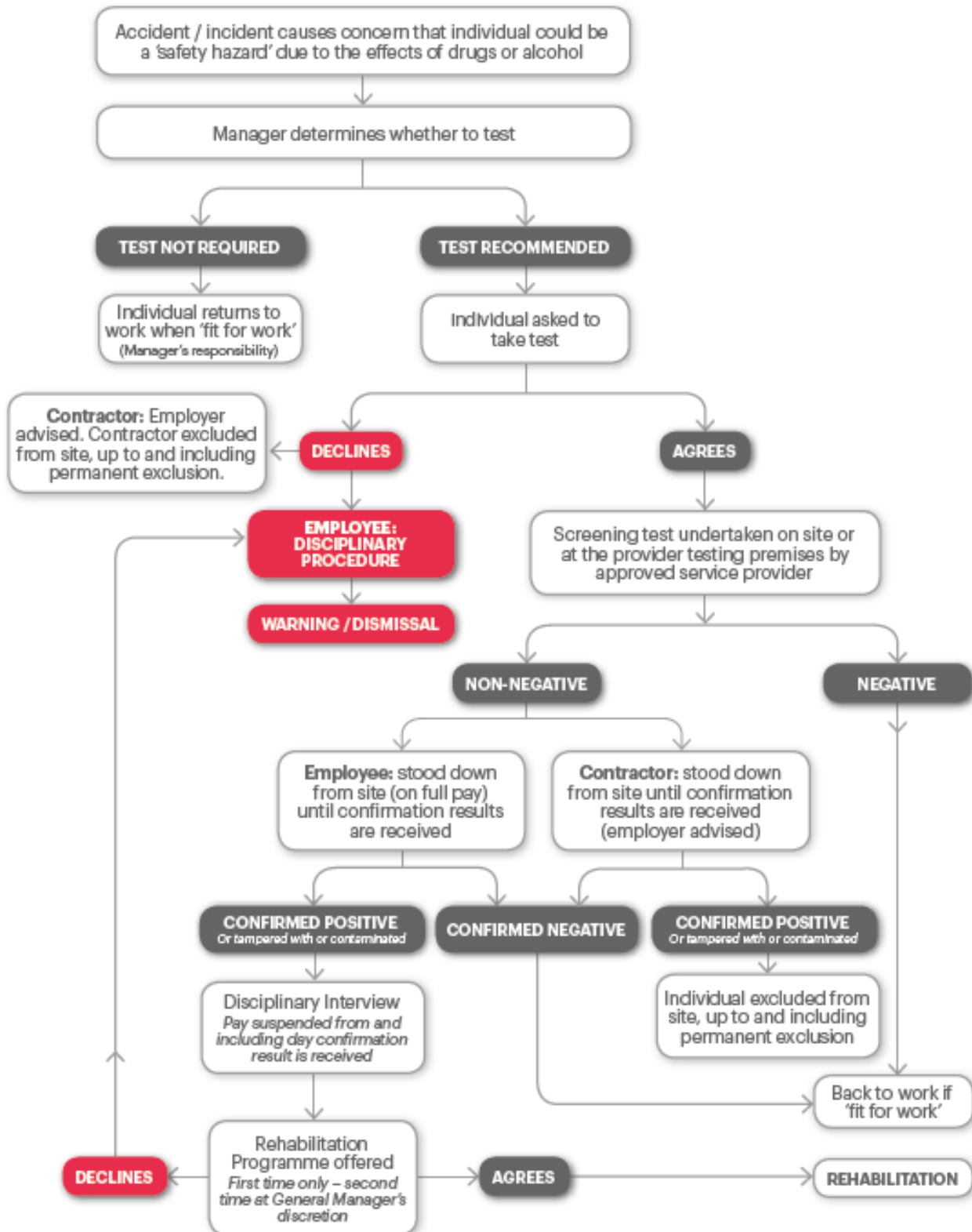
# Pre-employment / internal transfer testing process.



### 7.13 Post Incident/Near Miss Testing

- 7.13.1 If an incident that occurred in the workplace is being investigated and caused, or could have caused, a serious injury, a significant or potentially significant incident medical treatment injury and/or lost time injury (Refer to FB EHS 132 STD Incident Reporting & Response Standard) to an individual and/or caused serious damage to plant and equipment, the individual(s) involved should be tested as soon as practical for drugs and/or alcohol, including shifts that occur across afternoon/night and weekends.
- 7.13.2 Any testing and results will form part of the incident investigation process.
- 7.13.3 On occasion, testing may occur within reasonable timeframes outside the worker's shift either before or after the shift, while the worker is on site, or at the next scheduled shift when they return.
- 7.13.4 Where it is not practicable for a test to be carried out immediately due to injuries to the individual or where other corrective actions are required (injury, fire, spill etc.), the manager/supervisor must:
- Attend to the other corrective actions.
  - Ensure that a Business Unit representative always accompanies the individual, including to the hospital/doctor.
  - If the injuries preclude immediate tests, ensure the drug and alcohol tests are carried out at the first practicable opportunity.
- 7.13.5 Tests should be considered for all individuals who were directly involved in the occurrence and not limited to the operator or injured individual.

## Post accident / incident testing process.

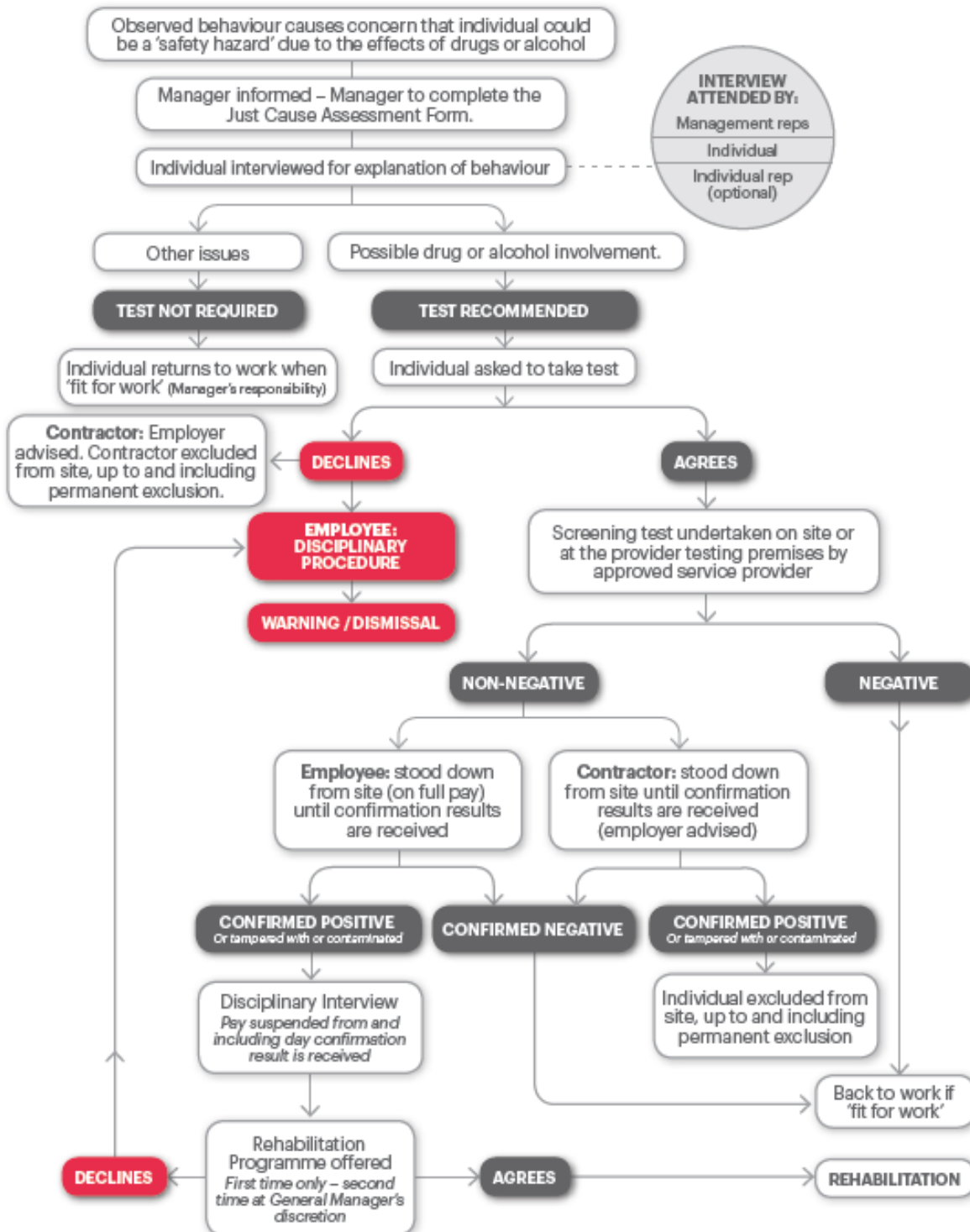


## 7.14 Reasonable (Just) Cause

- 7.14.1 Where behaviour is observed that causes concern that a worker could be a safety risk because of drugs or alcohol, the individual's supervisor/manager should be informed immediately, and they should meet with the individual.
- 7.14.2 If a manager has reasonable suspicion that an individual in the workplace is impaired by drugs or alcohol, they should document signs, symptoms and behaviours displayed by the individual, and put these observations to the individual, before determining whether a reasonable cause test may be appropriate. The Just Cause Assessment form below can be used for this purpose.
- 7.14.3 When determining "reasonable cause", physical symptoms and/or unusual or out of character on-site observable behaviours must be considered. These may occur singularly or in combination. Examples of these include, but are not limited to:
- Sudden unexplained change in performance: i.e., inconsistency in quality of work, high and low periods of productivity, reduced ability to perform tasks requiring concentration and coordination, difficulty with attention span.
  - Unusual behaviours: i.e., withdrawn, avoidance, argumentative, violent, etc.
  - Emotional: i.e., depressed, anxious, irritable, suspicious, mood changes following breaks; outbursts, anger, aggression, defensive when confronted about behaviour.
  - Physical: i.e., constricted/dilated pupils, drowsiness, odour of drugs/alcohol, dizziness, blurred vision, slow/slurred speech; increased health problems or complaints about health, changes in appearance – clothing, hair, personal hygiene.
  - Absenteeism: i.e., increase in absenteeism and tardiness, frequent unreported absences, frequent use of unscheduled leave, unexplained disappearances from the job, difficulty locating the individual, excessive lateness.
  - An individual discloses the use of drugs and/or alcohol.
  - Drug/alcohol paraphernalia is discovered at the workplace.
- 7.14.4 In the event the Business Unit receives claims or allegations from a third party, they will take steps to determine whether there may be substance, before determining whether a reasonable cause test is appropriate. This may include a discussion with the individual, increased observation of behaviours, or investigation.
- 7.14.5 Testing will be subject to approval by the EHS Manager/ P&P Manager or their approved delegates. On occasion, testing may occur within reasonable timeframes outside the individual's shift either before or after the shift, while the individual is on site.
- 7.14.6 Where it is not practical or possible for the individual in question to undertake the reasonable cause test, [insert and outline when this may happen], they may be directed to undertake alternative duties (non-safety sensitive) or be relocated to a non-safety sensitive area until they can be tested.
- 7.14.7 If drug and alcohol testing is not available at the time, the testing may be conducted within 2 days of the direction/informing the individual a reasonable cause test is required. This will be

at the discretion of the Business Unit and may apply in exceptional circumstances. During this time, the Business Unit will work with the individual to identify alternative duties, or where none are available, agree to paid time away from the workplace.

## Just cause testing process.



**Just cause assessment form**

**Fletcher Living**

When assessing for 'Just cause', *physical, behavioural and performance symptoms* and signs must be considered. If a person exhibits signs and / or behaviours as listed below Supervisors / Managers should consider alcohol and / or drug use as a possible cause. The signs may occur singularly or in combination and not necessarily in the order in which they are listed.

**Name** \_\_\_\_\_ **Company** \_\_\_\_\_

**1. Record signs of possible drug and / or alcohol abuse**

The indicators listed below are 'behavioural warning signs' of drug and / or alcohol abuse and may be observed – in particular, look for changes to normal behaviour. Tick boxes where indicators are currently being observed.

**Sudden unexplained change in performance**

- Inconsistency in quality of work
- High and low periods of productivity
- Poor judgement / more mistakes than usual
- Difficulty in recalling instructions
- Increased difficulty in handling complex situations

**Unusual behaviours**

- Withdrawn or improperly talkative
- Argumentative
- Exaggerated sense of self-importance
- Other unusual or out of character behaviour

**Emotional signs**

- Depressed
- Anxious
- Irritable
- Suspicious
- Emotional unsteadiness
- Mood changes after lunch or break

**Accidents**

- Taking needless risks
- Disregard for safety of others
- Higher than average accident rate

**Physical symptoms**

- Constricted / dilated pupils
- Drowsiness / unconsciousness
- Odour of alcohol / marijuana
- Skin sores / needle marks
- Red or watering eyes / droopy eyelids
- Dizziness / nausea or vomiting
- Involuntary eye movements / blurred vision
- Poor muscular coordination
- Stuffy or runny nose
- Excessively active / twitching
- Difficulty concentrating
- Slow and slurred speech
- Bizarre / violent behaviour

**Absenteeism**

- Increase in absenteeism and tardiness, especially Mondays, Fridays, before and after holidays
- Frequent unreported absences, later explained as 'emergencies'
- Frequent use of unscheduled leave
- Unexplained disappearances from the job with difficulty in locating employee
- Requesting to leave work early for various reasons

**Relationship to others**

- Overreaction to real or imagined criticism
- Avoiding and withdrawing from peers
- Complaints from co-workers
- Persistent job transfer requests

**2. Record comments and explanations**

Comments / Explanation of person (if offered)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Supervisor / Manager name** \_\_\_\_\_

**Position** \_\_\_\_\_

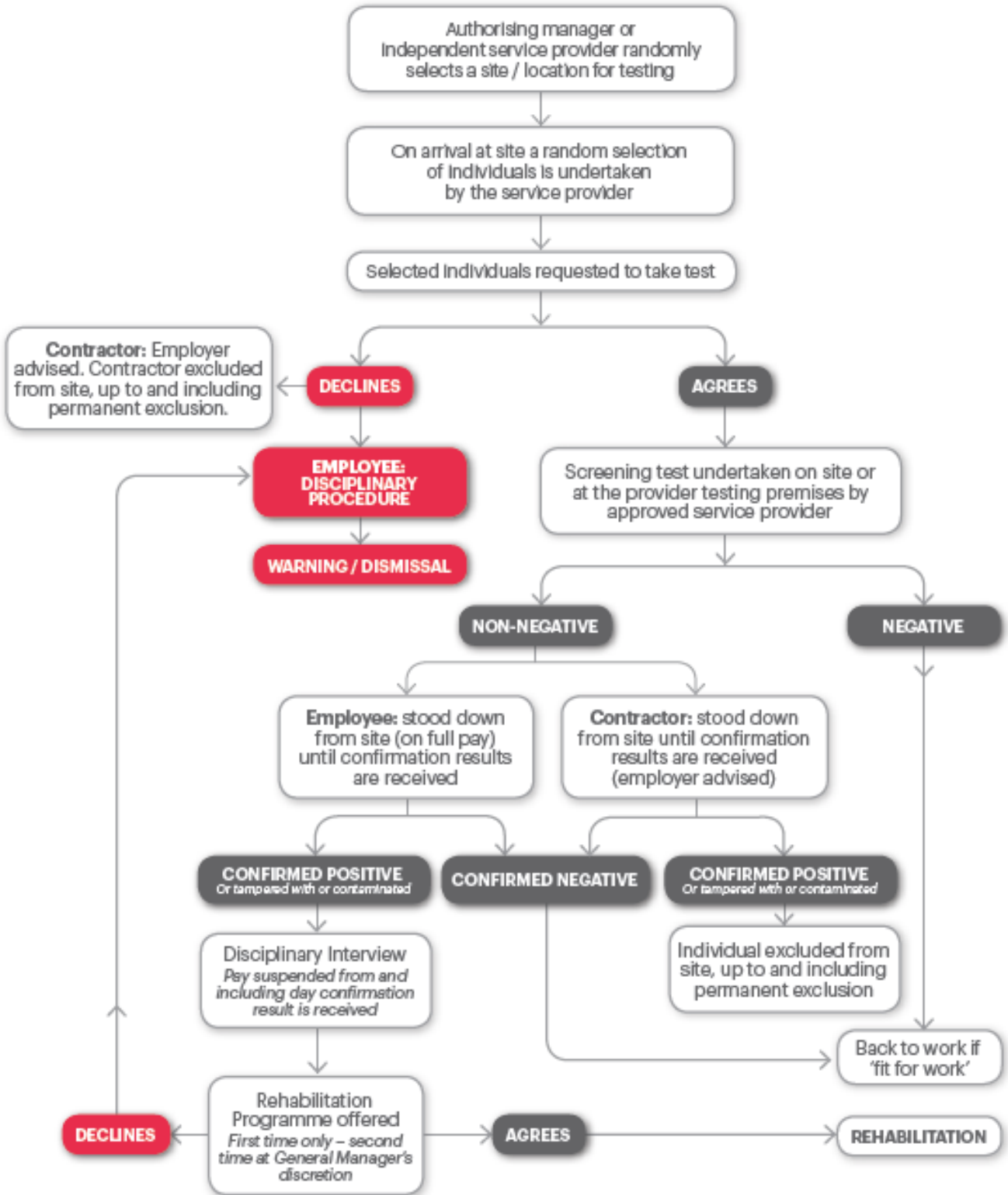
**Date / Time** \_\_\_\_\_

## 7.15 Random Testing

- 7.15.1 The Business Unit may at any time undertake drug and/or alcohol testing of workers, both direct employees and contractors, in a Fletcher Living workplace. Random testing may be undertaken across the business, within a region or in a particular workplace and may be the whole site or team or a percentage of workers.
- 7.15.2 Random drug tests are usually aimed at workers in safety sensitive roles or located in safety sensitive areas. They are undertaken at unknown times. It is pivotal workers are picked in a random manner.
- 7.15.3 Testing will be conducted at random intervals on all Fletcher Living construction sites and will apply to all present on site at the time be they visitor, contractor, subcontractor, or employee. Selection will be based on a percentage of the number of people present, usually ~10%. Golf balls are placed in an opaque, covered bag. The number of coloured balls representing the percentage of people to be tested and the balance being white golf balls. People file past picking a ball and those with coloured balls go for testing. Rest can return to work.
- 7.15.4 Generally, for office-based workers the approved testing agency will be provided a list of all workers on the site, and the agency will randomly select who will be tested. The Business Unit would not be involved with the selection.
- 7.15.5 The selection process will be reviewed following testing and may be changed to suit business or safety requirements.



## Random testing process.



**7.16 Working in a Safety Sensitive Area and/or Position**

7.16.1 Our safety sensitive areas of work which are subject to random testing include:

- Fletcher Living construction sites (for the avoidance of doubt, random testing on our sites extends to anyone accessing a construction site including visitors, company representatives, etc)
- Driving company vehicles
- Note that any Fletcher Living employee who attends any other Fletcher Building construction site will be subject to the policy of the relevant business unit, which may include random testing, and must follow the relevant onboarding and induction procedures of that site

7.16.2 Roles deemed safety sensitive in Fletcher Living are:

- All site-based roles
- All roles that while undertaking their work must attend construction sites and/ or drive a Fletcher Living company vehicle on a regular basis.

**7.17 Testing Criteria**

7.17.1 The approved testing agency will follow the alcohol or drug screening collection protocol in accordance with recognised Australian Standards/New Zealand Standard (AS 4760 and AS/NZS 4308:2023).

7.17.2 Any specimen taken as part of this procedure will be for the sole purpose of drug testing and will not be used for any other purpose.

Scenarios	Drug Procedure	Alcohol Procedure	Conducted By
<b>Post Accident / Incident / Near Miss; Just Cause / Targeted; Random / Blanket</b>	Oral fluid: Instant drug test Urine Sample: Instant drug test Laboratory confirmation of oral fluid or urine sample if required	Breathalyser test	As soon as practicable, on site or off site, by approved testing agency
<b>Pre-employment Internal transfer; FB BU Transfer</b>	Urine drug screen	Breathalyser test	Off site by approved testing agency

Table 1: Drug & Alcohol different test scenarios

**8. Negative Results**

8.1 Workers that return a negative initial result will be able to resume work immediately, if safe to do so.

**9. Non-Negative Results**

9.1 If a worker returns a non-negative initial test result during initial testing, the tester will notify the relevant leader and the individual must be removed from all duties immediately. The individual will not resume duties until a negative result is returned or as directed by their manager.

9.2 The responsible manager/supervisor must explain to the worker that:

- They have returned a non-negative initial test for drugs and/or alcohol.
- A confirmatory test will be undertaken.
- They will be stood down from duty and not be permitted to perform any work pending the results of the confirmatory test.
- Unless a negative test result can be returned **before** the individual departs, alternative arrangements should be made for them to travel home. The worker's employer will bear the expense of transport for worker(s).

9.3 Workers will continue to receive their normal pay until the results of the confirmatory test are known.

9.4 If an individual has been stood down due to a non-negative result that individual will be given advice regarding the confirmation test and the consequences of the result (which may include disciplinary action, further investigation, or ongoing monitoring).

9.5 The individual will also be advised that they should not drive under the influence of drugs and/or alcohol.

9.6 For contractors, subcontractors, and temporary agency workers, the relevant Fletcher Living representative will liaise with the individual's employer regarding transport home.

9.7 If an individual returns a non-negative test result that is consistent with declared medication, Fletcher Living may, at its discretion elect to offer alternative duties if available until the laboratory confirmation result is available and/ or send the individual home with full pay until the laboratory confirmation result is obtained.

## 10. Positive Results

### 10.1 Alcohol

10.1.1 A worker will be treated as having a positive test result if they:

- o Return a breathalyser test result which is equivalent to or exceeding 0.01% BAC.
- o Refuse to undergo a test.
- o Leave the workplace to avoid testing.

10.1.2 A worker that returns a result equivalent to or exceeding 0.01% BAC will be deemed to be unfit for work. In the interest of the health and safety of the individual and others, Fletcher Living may offer to provide a worker safe transport home, or alternatively a suitable place of rest.

10.1.3 If the worker returns a positive BAC result above that of the New Zealand legal limit depending on their driver's licence class, they should also be advised that they should not drive from the workplace.

10.1.4 Contractors/Subcontractors/Temporary Agency Workers

- When a contractor or temporary agency worker returns a result equivalent to or exceeding 0.01% BAC:

- Their employer and/or site representative shall be informed as soon as possible by both verbal and written notification (i.e., email) sent to the designated manager; and
- They may be refused access to the workplace at the discretion of the site manager and may be refused access to any or all Fletcher Living's sites.

## 10.2 Laboratory Confirmed Positive Results

### 10.2.1 Workers

- Workers that have received a positive confirmation test that is deemed positive will be stood down and will be subject to the disciplinary action process.
- Workers will be offered support as outlined in Section 12, Support/Rehabilitation.

### 10.2.2 Contractors/Subcontractors/Temporary Agency Workers

- A copy of the confirmed positive test report shall be sent to their employer and the individual will be immediately removed from site.

## 10.3 Tests Confirming the Presence of Opiates/Cannabis

10.3.1 If the laboratory analysis confirms the presence of opiates and/or cannabis, the individual shall be required to provide proof within a reasonable timeframe that they hold a legitimate medical prescription for the drug(s) in questions. A certificate from a medical practitioner for medical clearance stating the individual is fit for duty must be sighted and retained.

10.3.2 If an individual fails to provide proof of a legitimate medical prescription, the specimen will be considered positive and will be dealt with in accordance with procedures for confirmed positive results.

10.3.3 Where the laboratory analysis confirms the presence of over-the-counter medications containing Codeine, no further action will be taken, and test results will be considered negative in accordance with procedure for confirmed negative results.

## 10.4 Laboratory Confirmed Negative Results

10.4.1 Where an individual obtains a confirmed negative result below the target concentration following laboratory confirmatory testing the following conditions will apply for managing workers.

- Workers: The individual will be notified and return to full duties if safe to do so.
- Contractors/ Subcontractors/Temporary Agency Workers: A copy of the report shall be sent to the individual concerned and to their employer. They may return to full duties if safe to do so.

## 10.5 Medical Review Officer

10.5.1 Upon receipt of a confirmed positive test result, the Business Unit may consult a (MRO) to inform subsequent actions. Where engaged, the MRO shall make assessments and advise on:

- Whether mitigating circumstances existed for the positive result, including whether the positive result may be attributed to genuine therapeutic use of a substance; and
- Prospects for rehabilitation and whether case management/treatment is appropriate.

## 11. Refusal to Consent or Undertake a Test

11.1 Fletcher Living will ensure that all workers fully understand the consequences of refusing to undertake a test and will be provided with the appropriate advice. Any individual who is requested to undergo testing and refuses such a request will not be permitted to remain in the workplace.

11.2 If an individual refuses to undertake a drug and/or alcohol test, the responsible manager/supervisor shall reinforce that a direction to attend a drug and/or alcohol test is considered a lawful and reasonable direction, based on health and safety grounds, and that refusal to undertake a drug and/or alcohol test will be dealt with as a disciplinary matter in accordance with relevant Fletcher Living policies.

11.3 If a contractor refuses to undertake a drug and/or alcohol test, they shall be removed from duties and referred to their employer for treatment/ management. The contractor may only resume duties for or on behalf of Fletcher Living, at management's discretion after confirmation of a negative test result through their employer to the manager of the contract.

### 11.4 Refusal of Test and/or Intentional leaving of the test site at the time of testing

11.4.1 Any worker refusing to undergo drug and/or alcohol testing stated in this Standard, shall be treated as having returned a confirmed laboratory positive test result. Fletcher Living will ensure that all workers fully understand the consequences of refusing to undertake a test and will be provided with appropriate advice.

11.4.2 Any worker, who, after being notified of their requirement to be tested, intentionally leaves the workplace to avoid being tested, will be treated as having returned a confirmed positive laboratory test result.

11.4.3 Contractors or temporary agency workers who refuse testing or intentionally avoid testing will have their access to Fletcher Living's workplaces refused.

### 11.5 Tampering

11.5.1 Any worker who provides a substitute specimen or interferes with a specimen in an attempt to prevent detection will be subject to disciplinary action.

11.5.2 A contractor or temporary agency workers who attempts to substitute or tamper with a specimen may have their access to a Business Unit workplace refused permanently.

11.5.3 The approved testing agency representative shall witness, at all times the collection and initial testing until labelling and sealing of the specimen(s) is complete.

11.5.4 The approved testing agency representative shall follow the chain of custody procedure for the collection, testing and transport of samples.

11.5.5 If the testing laboratory confirms the presence of an adulterated substance within the specimen, the specimen will be classified as invalid for further testing.

## 12. Support/Rehabilitation

12.1 Fletcher Living recognises that some workers may require treatment and/or support for drug and/or alcohol related issues. If a worker believes they require assistance, or where Fletcher Living's management considers a worker may require assistance, the individual will be encouraged to obtain treatment and/or support through:

- EAP Counsellors
- Community Health Services
- Support groups or other specialist services
- A medical practitioner

12.2 Fletcher Living encourages workers to be proactive about addressing any drug and/or alcohol problems they may have and to bring this to the attention of their responsible manager/supervisor before any allegation of a breach of the Drug and Alcohol Policy, Standard and/or terms of employment/engagement arises. In such cases Fletcher Living may assist workers overcome the dependency through the application of testing, rehabilitation, and case management support. This will be at the business's discretion, which will be assessed on a case-by-case basis, subject to approval from Management.

12.3 Any worker who participates in an approved treatment to manage a drug or alcohol related issue may be granted leave in accordance with Fletcher Living's leave policy.

12.4 Self-referral will not be accepted by Fletcher Living if it occurs in circumstances which are intended to avoid drug and/or alcohol testing or disciplinary actions.

### 12.5 Employee Assistance Programme (EAP)

12.5.1 Fletcher Living provides access to a confidential Employee Assistance Programme (EAP) through an external provider. This programme is available to all workers and their families free of charge. EAP counselling is designed to be short term, solution focused counselling. Contact details of the EAP are available on each site and on the intranet. Workers are able to contact the EAP service provider directly and anonymously.

12.6 Additional support may be offered based on the discretion of the management team. This decision will be made on a case-by-case basis and consider medical guidance/recommendations and working in a safety sensitive role/area. The success of treatment, and therefore return to work, will be assessed by an independent MRO.

## 13. Business Unit Functions

13.1 Social and sporting functions at Fletcher Living are for the enjoyment of all. It is up to each worker to take personal responsibility for their actions.

13.2 All workers attending a Fletcher Living function (whether on-site or off-site) should be aware that they are subject to Business Unit rules.

13.3 Where there is alcohol at Business Unit functions, Fletcher Living will put in place strategies to promote a safer drinking environment which will include:

- Provision of substantial food.
- Provision of non-alcoholic and low alcohol beverages.
- Serving of alcohol with care and responsibility.
- Identification of and responsible approaches to dealing with intoxicated and underage individuals.

13.4 Workers are expected to consume alcohol responsibly and behave in an acceptable manner. Workers who intend to drive are expected to leave the premises in a condition to legally do so.

13.5 Workers are to take responsibility for driving within legal limits or make alternative arrangements to avoid driving.

13.6 When staying in Business Unit provided accommodation, workers are expected to consume alcohol responsibly and behave in an acceptable manner.

## 14. Disciplinary Action

14.1 Generally, workers who 'self-refer' will not be subject to disciplinary action except in circumstances where:

- There is a history of self-referral, and the worker has already received case management support in response to a previous positive test result; or
- There are compelling reasons for disciplinary action, including but not limited to:
  - Previously documented behavioural or performance issues where it was assessed that drugs and/or alcohol may have been a contributing factor.
  - Previously documented safety breaches where it was assessed that drugs and/or alcohol may have been a contributing factor.

14.2 Where disciplinary action is considered in response to self-referral, this should consider advice from the MRO and/or other medical professionals.

14.3 In other circumstances, disciplinary action, up to and including dismissal, may result from actions, including, but not limited to:

- Using, selling, supplying, transferring, manufacturing, or possessing drugs and/or alcohol while on Business Unit property, business, or worksite (excluding alcohol provided at approved and controlled functions).
- Failure to disclose prescription medication.
- Refusing to undertake a drug and/or alcohol test, in accordance with this procedure.
- Tampering with the testing regime (e.g., taking steps to dilute the test, leaving site).
- Refusing to follow the tester's reasonable instructions.
- Returning a positive confirmed test.
- Failing or refusing to participate in a drug and/or alcohol rehabilitation programme.

14.4 Any individual taking, selling, supplying, being in possession or being under the influence of illicit or restricted drugs or any individual taking, selling supplying or being under the influence of alcohol or drugs in an Iplex workplace is in breach of the Drug and Alcohol Policy, Procedure, Life Saving Rules, and Code of Conduct.

14.5 This breach will be treated as serious misconduct resulting in:

- For workers – disciplinary action, up to and including termination of employment.
- For contractors/subcontractors/temporary agency workers – exclusion from site, up to and including permanent exclusion.

14.6 Generally, voluntary disclosures will not result in disciplinary action. However, this will be at Fletcher Living's discretion, and will depend on the circumstances, including any previous disclosures made by the individual.

## 15. Related Policies/Procedures

- FB EHS 111 PL Drug & Alcohol Policy
- FB EHS 111 GUI Prescription Medication Guideline

## 16. Related documents

16.1 The following documents are available from the P&P team:

- Medical advice for prescription medication form
- Fit for Duty form
- Alternative duties letter
- Suspension letter
- Invitations for formal meetings to discuss results/medical opinion (letter format)
- Process to either terminate or transfer the employment
- Drug & Alcohol Manager Guide – FAQ's





## 17. References

- Procedure for specimen collection and the detection and quantification of drugs in oral fluid. Australian/New Zealand Standard: AS/NZS 4760:2019
- Procedures for specimen collection and the detection and quantitation of drugs in urine. Australian/New Zealand Standard: AS/NZS 4308:2023
- Electronic breath alcohol testing devices for professional use. Australian Standard: AS 3547.1:2019