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WHC-PRO-ALCOHOL AND OTHER DRUGS

WHITEHAVEN COAL

PROCEDURE

ALCOHOL AND OTHER DRUGS

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"If it's not safe, don't do it."

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WHC-PRO-ALCOHOL AND OTHER DRUGS

1 PURPOSE

Whitehaven Coal (WHC) is committed to providing a workplace free of risks associated with alcohol and other drug use and which complies with applicable legislative requirements. WHC seeks to reduce at risk behaviour by persons and organisational exposure to the potentially harmful consequences of alcohol and other drugs in the workplace.

The testing program is intended to verify compliance with the WHC requirement to be fit for work.

2 SCOPE

This Procedure applies to all WHC controlled areas, sites, operations, and workers. The Procedure supports the WHC Health and Hygiene Standard.

3 PROCEDURE

Workers and visitors will be required to participate in the testing for alcohol and drugs.

It is a condition of employment for all workers at WHC to submit to testing.

3.1 ASSESSMENT OF FITNESS FOR WORK

It is a requirement of all workers and visitors that they present to workplaces fit for work (FFW). This includes being free of alcohol and other drugs.

It is a requirement that Supervisors undertake fitness for work assessments of workers as part of their normal duties.

As a worker's fitness for work may be affected by a variety of factors, including alcohol and other drugs, Frontline leaders must still make an assessment about a worker's FFW and take appropriate action regardless of the outcome of alcohol and drug testing.

3.2 EMPLOYEE ASSISTANCE PROGRAM

Counselling and support for employees regarding the use or misuse of alcohol or drugs is available through the employee assistance program (EAP).

The EAP provider is external to WHC and is a professional service provider engaged to provide confidential counselling and support for employees (and their families) who are experiencing personal difficulties, including problems with the use or misuse of alcohol or drugs. Workers who are unclear about treatment options for alcohol or drugs should access the EAP for assistance.

Participation in the EAP is voluntary and confidential.

3.3 COMPANY REQUIREMENTS

No worker may work at WHC where their fitness for work may be adversely affected by the presence of alcohol or other drugs.

The consumption of alcohol is not permitted at a WHC organised event, with the exception of approved social events.

3.3.1 ALCOHOL AND OTHER DRUGS CONCENTRATION LEVELS

The current prescribed limit for alcohol is 0.00 grams of alcohol per 100ml of blood. Urine testing is used as the initial screening test which is an indicator that a substance may be within the worker's system. The concentration levels for an indicative positive result for other drugs for urine testing are detailed in AS/NZS 4308 and presented in Table 1.



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Substance	Micrograms / Litre
Cannabis metabolites	50
Opiates	300
Benzodiazepines	200
Cocaine metabolites	300
Methyl amphetamines	300

Table 1: Detection levels for immunoassay screening tests

At a minimum, if the screening test returns a result that exceeds the applicable detection levels in Table 1, the sample will be sent for confirmatory testing at an accredited laboratory. WHC may send any sample for confirmatory laboratory testing regardless of the result of the screening test.

The concentration levels for a confirmed positive result for other drugs for urine testing are presented in Table 2:

Compound	Micrograms / Litre
11-nor-delta-9-tetrahydrocannabinol-9-carboxylic acid	15
Codeine	300
Morphine	300
Diazepam	200
Nordiazepam	200
Oxazepam	200
Temazepam	200
α-hydroxy-alprazolam 7	100
-amino-clonazepam	100
7-amino-flunitrazepam	100
7-amino-nitrazepam	100
Benzoylecgonine	150
Ecgonine methyl ester	150
Amphetamine	150
Methylamphetamine	150
Methylenedioxymethylamphetamine	150
Methylenedioxyamphetamine	150
Benzylpiperazine	500
Phentermine	500



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Ephedrine	500
Pseudoephedrine	500

Table 2: Confirmation levels for other drug test

3.4 TESTING

3.4.1 ALCOHOL TESTING

Alcohol testing at WHC will be undertaken by a suitably trained person from an independent testing agency, a suitably trained WHC employee or by using the fixed wall mounted breathalyser when logging into site. Alcohol testing equipment will be tested and re-calibrated according to the manufacturer's instructions and AS 3547.

3.4.2 OTHER DRUGS TESTING

Urine specimens for other drug testing will be taken by a suitably trained person from an independent testing agency or a suitably trained WHC employee.

All specimen collection and testing procedures will be in accordance with AS/NZS 4308 or as otherwise specified. An individual may be requested to provide more than one specimen. Refer to WHC-PRO-Alcohol and Other Drugs Testing.

Synthetic drugs which are designed to mimic the effects of banned or illicit substances may be included in the other drugs testing program, this may include substances not listed on table 2. This may involve sending negative screening samples to the accredited laboratory.

3.4.3 EVASION OR REFUSAL TO UNDERTAKE A TEST

Refusal by a worker to submit to, or cooperate fully with the administration of an alcohol or other drug test, will be treated as a positive result. Refer to section 3.7 for management of positive results.

If a person is not able to provide a sample within 2 hours this may be considered as refusal to undertake a test and treated as a positive result. Refer to section 3.7 for management of positive results.

If an individual refuses to undergo or evades a test for alcohol and drugs as required by this procedure, this will be treated as a positive result.

Refusal to submit a test may include:

- Failure to provide adequate breath sample for alcohol testing
- Failure to provide adequate urine for testing without a valid medical explanation
- Leaving the scene of an incident or site when the worker has been called for testing

3.4.4 FALSIFICATION OF ALCOHOL OR DRUG TESTING

If an individual attempts to falsify or adulterate the results of an alcohol or drug test, including the use of synthetic urine, this will be treated as a positive result.

If a tester suspects that a specimen has been adulterated or tampered with, they will request additional specimen be provided.

3.4.5 PRESCRIPTION AND OVER THE COUNTER MEDICATION

The use of some prescription or over-the-counter medications may adversely affect a worker's ability to perform work safely particularly when working shift work. Certain over the counter medications and prescription medications may increase risk, and also produce a non-negative result in the urine screening test. These include, but not limited to:

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- Anti-hypnotics
- Anti-depressants and anti-anxiety medications
- Antihistamines
- Stimulants and weight loss medications
- Analgesics including codeine
- Muscle relaxants and sleep medications

Whenever a worker is prescribed medication by a doctor, or using an over-the-counter medication, they will:

- Inform the doctor or pharmacist that WHC has an alcohol and other drugs Procedure and ask
 if the medication will interfere with a urine drug test, or if it may affect their fitness for work
- Obtain advice from their medical practitioner or pharmacist to establish whether the medication may affect their fitness for work
- Look for medication warning labels regarding driving or operating machinery while taking the medication. Note that when labels or packets indicate the medication may cause drowsiness, the worker may be affected by that medication.

If a worker is taking a medication which may affect fitness for work, they must inform their supervisor and complete the WHC-FRM-Declaration of Medication. This form is to be provided to the Site WHS Department for review and recorded in the worker's personal file.

3.4.6 MEDICINAL CANNABIS

A worker prescribed with Medicinal Cannabis must follow the process outlined in 3.4.5. WHC will not accept levels (consistent with this procedure) of Tetrahydrocannabinol (THC) in a worker's system, medicinal or otherwise.

3.5 PROGRAM OF TESTING

Alcohol and/or other drug dependency is recognised as a treatable medical condition, and WHC encourages those employees who may be affected to seek assistance from WHC, Employee Assistance Program (EAP) or other relevant providers.

3.5.1 RANDOM TESTING

WHC will facilitate random testing for alcohol and other drugs at any time. This may include random selection for testing by date, shift, time in shift, crew or any group of workers including contractors. A random alcohol and other drug testing program will apply to all workers at the site at that time. Random tests will be conducted on a regular basis.

3.5.2 BLANKET TESTING

WHC may arrange for alcohol and/or other drug testing for a crew, workgroup, or site at any time.

3.5.3 TESTING FOR CAUSE

Screening tests will be carried out for alcohol and/or other drug use in accordance with this Procedure on any worker where there is justifiable cause. Justifiable cause can include the following matters:

- Involved in any incidents.
- If management become aware of potential use of or impairment from alcohol or other drugs.



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- If the worker is observed as showing signs of alcohol and/or other drug impairment including, but not limited to:
 - o dizziness, drowsiness or falling asleep
 - problems with vision
 - slurred speech, extreme emotional highs and lows or sudden aggressive behaviour
 - o lack of self-control, inhibition, judgement or coordination/reflects, and
 - 'hangover' effects such as headaches, nausea or shaking

In a case where the worker is injured to the extent that they are unable to provide a breath test or urine specimen, other means to obtain these may be sought from a medical practitioner.

First aid and medical treatment will always take precedence over alcohol and other drug testing.

3.5.4 CHALLENGE TO FITNESS

Any worker who has reason to believe that another worker is under the influence of alcohol and/or other drugs has an obligation to refer the matter to their supervisor. Their supervisor will then determine whether to initiate testing for cause of that worker in accordance with this Procedure.

3.5.5 SELF TESTING

Workers will have the opportunity to self-test with the testing equipment available at the relevant operation. If, as a result of the test a worker notifies their supervisor that they will not be commencing work, then that worker will be transported to their accommodation and their absence may be recorded as annual leave or, if the worker has no annual leave available, leave without pay.

Self-testing must occur prior to next signing on to work.

If this behaviour occurs on two or more occasions within a 12 month period the employee will be offered the WHC Employee Assistance Program.

3.5.6 PRE-EMPLOYMENT TESTING

Alcohol and other drug screening will be conducted as a standard component of the pre-employment medical assessment process.

3.6 RESULTS OF TESTING

3.6.1 MANAGEMENT OF ALCOHOL TEST

If the reading from the initial test indicates a breath alcohol reading equivalent to the blood alcohol level above 0.00 grams of alcohol per 100ml of blood the worker will be subject to a second breath test. The second test will occur 15 minutes after the first test. Until the second test is conducted the worker will not be permitted food, drink or any other substance. The worker is required to remain in the testing area under observation.

If the reading at the second test is 0.00 grams of alcohol per 100ml of blood, the worker undergoing the test has tested negative.

If the reading at the second test is greater than 0.00 grams of alcohol per 100ml of blood, the worker has tested positive to alcohol and will be managed in accordance with section 3.6 management of positive results. The worker will not be permitted to commence or return to work for the remainder of the shift. The worker will be offered transport to their local accommodation, and offered the EAP service

If a worker refusals transportation when the alcohol test result is above the state legal road limit the police will be notified.



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3.6.2 MANAGEMENT OF OTHER DRUGS TEST

Where a drug other than alcohol is detected as a result of an initial screening test, a sample will be prepared and dispatched to an accredited testing laboratory for confirmatory analysis, following the chain of custody process in accordance with AS/NZS 4308.

For non-negative results from the screening test, the worker and their supervisor will be informed of the test result. The worker will not be permitted to commence or return to work until the confirmatory results are received. The worker will be offered transport to their accommodation.

Refusal to be transported to their accommodation may be treated as serious misconduct. If the person does refuse to be returned to their accommodation when the test result is above the screening test cut-off limits the police will be notified.

Where a non-negative screening result is returned, and it is consistent with a worker's declaration of prescription medication the following process will apply:

- Supervisor will make a fitness for work assessment taking into consideration any medication declared that may adversely affect the worker's fitness for work.
- In determination of the workers' fitness for work, the Supervisor may consult with relevant personnel such as the Health and Safety team.
- Further assessment and opinion from a Medical Practitioner or relevant Health Professional may be arranged.
- If, in the supervisor's opinion, the worker is fit for work they may return to work and resume normal duties.
- If in the supervisor's opinion the worker is unfit for work or further information is required, the worker will not be permitted to commence or return to work for the remainder of that shift. The worker will be offered transport to their accommodation.

The confirmatory test will confirm a positive result. If a positive result is recorded the worker will be managed in accordance with section 3.7 management of positive results.

Where it is confirmed by an accredited testing laboratory analysis that the test results are consistent with the declared prescription medication in type and quantity, then the test will not be deemed or recorded as positive.

Where it is confirmed by an accredited testing laboratory analysis that the test results detect an undeclared prescription medication, evidence of the prescription may be requested.

3.7 MANAGEMENT OF POSITIVE RESULTS

All records of confirmed positive results are to be maintained on a register at the relevant site and on a database managed by Group WHS.

All meetings regarding the management of a positive result will be formally documented and both parties offered the opportunity for a witness to be present.

Any worker returning a positive result will have potentially placed themselves and others at unnecessary risk which is in breach of this Procedure and their obligations under work health and safety legislation. As a result, a breach of this Procedure (whether by a positive test result or any other failure to comply with this Procedure) may result in disciplinary action up to and including termination of employment.



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The responsible manager will be notified immediately of the worker's positive result, which will be confirmed in writing as soon as possible. A copy of a confirmatory letter will be given to the worker and a copy placed on the alcohol and other drug records file and personal file.

For employees, the initial absence from work will be treated as annual leave. If the employee has exhausted their annual leave the absence will be taken as leave without pay.

Alcohol and other drug positive results will remain effective for a 5-year period. For each positive result a 5-year validation period will apply, regardless whether it is alcohol or other drugs. At the end of the 5-year period the applicable positive result will not be considered in any disciplinary process.

Positive results will be transferrable to all operations within the WHC Group. This includes results, termination of employment and removal from operations.

This Procedure will apply to contractors who will also be subject to the process detailed below for a first and second positive result.

3.7.1 FIRST POSITIVE RESULT

Subject to the worker returning to work in accordance with section 3.7 return to work following a non-negative test or positive result, the responsible manager will discuss the positive result with the worker who will be advised of the EAP services available and encouraged to take part in this confidential support and counselling service.

All subsequent positive results may lead to further disciplinary action.

Upon return to work a first written warning will be recorded on the person's personal file.

3.7.2 SECOND POSITIVE RESULT

A second positive result may result in termination of employment. For termination to occur the second positive must be recorded within 5 years of the first positive result.

3.8 RETURN TO WORK FOLLOWING A NON NEGATIVE TEST OR POSITIVE RESULT

The following processes returning to work following a non-negative test or positive result should be adhered to:

- For non-negative drug tests that are not consistent with the worker's declaration of medication, the worker must not resume work until the confirmatory results from laboratory testing are available.
- If the confirmatory results from the laboratory confirm a negative result or consistent with declared medication, the worker may resume work.
- Any worker returning a result above the prescribed limit for alcohol or at, or above, the prescribed limits for other drugs, must report to the workplace within 3 weeks of the initial test and will be required to submit to another screening test for alcohol or other drugs in order to return to work.
 - This test must be arranged by WHC and take place within a 3 week time period from the date of the initial screening test.
- The worker must provide a negative result and demonstrate to the satisfaction of the Manager that they are fit for work.
- WHC may send the screening test, regardless of the result, to the laboratory for confirmatory testing as per the process outline in section 3.2.

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- If the worker does not return a negative result within 3 weeks of the first positive result, then they will face disciplinary action which may include termination of employment.
- Where a worker returns to work, they will be issued with a written warning and a monitoring program will be implemented which will include:
 - At least two screening tests within a six month time period from the date of returning to work (excluding the return to work clearance test);
 - The first screening test will occur within the first month of return to work, in addition to the initial return to work clearance test; and
 - o All subsequent positive results may lead to further disciplinary action.

3.9 <u>DISPUTED TEST RESULT</u>

3.9.1 ALCOHOL TESTING

If a worker disputes a reading, they may request to be re-tested on another breathalyser in order to confirm the validity of the initial reading. This request must be made as soon as the result of the screening test is known.

3.9.2 DRUG TESTING

If a worker disputes a positive confirmatory test result, they may request that their "B" sample held by the laboratory be analysed by another independent appropriately certified laboratory or analysed by the same laboratory, at the expense of the employer.

3.10 USE OF WITNESSES

Anyone involved in a random test may request a witness or support person. This witness or support person may not interfere with the testing.

3.11 <u>AVOIDANCE, FALSIFICATION OR TAMPERING WITH AN ALCOHOL OR URINE TEST</u> SAMPLE

Avoidance, falsification or tampering with an alcohol or drug sample, or evidence of intent to tamper with or falsify the results will be considered to be serious misconduct and may result in termination of employment.

If there is a potential conflict of interest between the tester, person being tested or supervisor a witness is required.

3.12 POSSESSION OF ALCOHOL AND ILLEGAL DRUGS

Incidences of workers found to be in the possession of alcohol or illegal other drugs in the workplace with the intent to consume will be considered serious misconduct.

Incidences of workers found to be consuming alcohol or using illegal other drugs on WHC operations will be considered serious misconduct.

Incidences of workers found to be in possession of illegal other drug associated utensil/s other than required for the administration of prescription medication will be considered serious misconduct.

The possession of illegal drugs or associated utensil/s may also result in notification to the Police.

3.13 CONFIDENTIALITY

WHC will take all reasonable steps to protect the confidentiality of workers involved in alcohol and drug testing by:



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- Not disclosing the results of tests to other workers concerned (with the exception of supervisors, managers and any others involved in managing the issue);
- Not disclosing the name of workers required for retesting or why retesting is required; and
- Providing their consent to disclose or WHC is required to disclose information by law.

3.14 RECORDS OF TESTING

Test records will be placed in a suitably secure location at the relevant site and maintained in a central database at Group WHS. All results will remain confidential and retained in accordance with the WHC-PRO-Records Management. Only the General Manager, Manager, Supervisor, and Workplace Health and Safety personnel or other persons assisting with managing the issue will have access to the individual results. Results of post-incident tests will be made available to investigative authorities.

The test records may be used to assist with the management of the positive results if applicable, consistent with this Procedure.

The worker may request and obtain a copy of their own test records if they wish to do so.

3.15 EDUCATION AND AWARENESS

Information and training will be provided to all workers to whom this Procedure applies. The resources available for counselling and the procedures for obtaining assistance or referring workers for assistance will be explained to all our workers.

The program will promote awareness of the work health and safety implications of alcohol and other drug abuse.

Persons conducting Fitness for Work Assessments are to be trained to conduct these against the WHC fitness for work criteria.

4 ACCOUNTABILITIES

Role	Accountability
General Managers	Initiate discretionary testing where appropriate.
	 Monitor implementation of the Alcohol and Other Drugs Procedure within their area of responsibility.
	Monitor compliance and make sure audits and reviews are conducted.
Managers and Supervisors	 Make sure that all employees under their supervision are aware of the contents of, Alcohol & Other Drug Procedures.
	 Initiate for cause testing for workers if appropriate.
	 Take immediate action when a breach of this Procedure has occurred. This may include transporting an employee to their accommodation and arranging for counselling and/or rehabilitation.
	Maintain proper records when breaches of this Procedure occur.
	 Determine (with consultation) what alternative duties or actions are required for a worker whose work may be affected by prescription other drugs and/or other medication.



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	 Train sufficient people to operate the testing equipment from a cross section of employees. Carry out Alcohol and Other Drug testing if trained and authorised.
Group Manager WHS	 Assist with organising random breath testing and Other Drug testing program. Manage external service provider. Assist EAP arrangements.
All Workers	 Comply with the requirements of this Procedure Attend work, free of the potential influence of Alcohol or Other Drugs and in a fit state. Submit to Alcohol or Other Drug tests in accordance with testing procedures. Notify appropriate manager or supervisor, if they have genuine concerns that a person is under the influence of alcohol or other drugs and/or involved in the unauthorised possession or consumption of alcohol or other drugs in the workplace. Consult their doctor or medical practitioner about the possible side effects of prescribed medication or over the counter medication. Discuss with their immediate manager, before commencing work, if they are taking prescription or other medication that may adversely

5 <u>DEFINITIONS</u>

Term	Definition
Confirmatory Test Result	Result obtained from re-testing of a sample of urine, previously screened during on site drug testing, in an accredited testing laboratory in Accordance with AS/NZS 4308 to verify the result.
Fitness for Work	Fit for work means that a person is in a state (physically, mentally and emotionally) which enables him/her to perform assigned tasks competently and in a manner which does not compromise or threaten his/her own safety or health or that of others.
Initial Absence	Period of absence from work when the worker leaves site after an initial test and prior to the confirmatory result review by a manager.
Manager	Refers to persons working for WHC with the term 'Manager' in their role title and role description. The responsibilities associated with this



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Procedure apply to the manager's area of responsibility. Additionally, statutory roles will have specific accountabilities under legislation
An initial screening test which shows no indication of other drugs, unless proven otherwise by a confirmatory test result; or
A confirmatory test result from an accredited testing laboratory below the prescribed limit as detailed in AS/NZS 4308; or
A confirmatory test result from an accredited testing laboratory which confirms the person's declared prescription or other medication both in type and quantity; or
A blood alcohol reading of 0.00 grams of alcohol per 100ml of blood or the equivalent breath reading of 0.00 grams of alcohol per 210 litres of breath.
The result of an onsite screening test that is not negative – it cannot be considered as positive as that requires the GCMS Confirmatory testing conducted by an accredited testing laboratory.
Any substance that can be purchased without a prescription from a medical practitioner and may or may not affect a worker's fitness for work.
Any prescription or non-prescription drug or other substance, which may reasonably create a potential for a person being adversely affected and is therefore likely to create a risk to an individual or others safe and efficient performance.
The Narcotic Drugs Act 1967 defines 'medicinal cannabis product' to mean a product, including but not limited to, a substance, composition, preparation or mixture, that:
a. includes, or is from, any part of the cannabis plant; and
 b. is for use for the purposes of curing, or alleviating the symptoms of, a disease, ailment or injury
Furthermore, the use of the term 'medicinal cannabis' in this document implies that a valid prescription can be produced.
A Confirmatory Test Result from an Accredited Testing Laboratory at or above the prescribed limit as detailed in Australian Standard 4308; or
A Confirmatory Test Result from an Accredited Testing Laboratory which differs from the person's declared prescription or other medication in either type or quantity; or
A Blood Alcohol reading above 0.00 grams of Alcohol per 100mL of blood (or an equivalent breath reading above 0.00 grams of alcohol per 210 litres of breath); or



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	A refusal to undertake a blood Alcohol or Other Drug test, which will be treated as a Positive Result.
Prescription Medication	Any substance prescribed by a medical practitioner that has restriction on activities or specific instructions associated with its use that may or may not affect a worker's fitness for work
Screening Test	An approved method used to identify the presence of alcohol or other drugs. This is also known as an initial test.
Self-Testing	When a person voluntarily takes a drug or alcohol test prior to the commencement of work.
Worker	Any person who carries out work in any capacity at a WHC operation including work as an employee, a contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company who has been assigned to work in the person's business or undertaking, an outworker, an apprentice or trainee, a student gaining work experience, a volunteer or a visitor.

6 REFERENCES

This Procedure has been designed to meet the requirements contained in the following reference material:

6.1 **LEGISLATION**

- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulations 2017 (NSW)
- Work Health and Safety (Mines and Petroleum Sites) Act 2013 (NSW)
- Work Health and Safety (Mines and Petroleum Sites) Regulation 2022 (NSW)
- Coal Mining Safety and Health Act 1999 (Qld)
- Coal Mining Safety and Health Regulation 2017 (Qld)
- Recognised Standard 7 Criteria for the assessment of drugs in coal mines (Qld)
- Queensland Guidance Note 16 Fatigue Risk Management (Qld)

6.2 **AUSTRALIAN STANDARDS**

- Australian Standard AS/NZS 4308 Procedures for Specimen Collection and the Detection and Quantification of Drugs of Abuse in Urine
- Australian Standard AS 3547 Breath Alcohol Testing Devices for Personal Use



Document Owner:	Principal - Health & Hygiene
Document Approver:	Group Manager WHS
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WHC-PRO-ALCOHOL AND OTHER DRUGS

7 SUPPORTING DOCUMENTATION

The following supporting documentation which includes associated training materials may need to be consulted and, where appropriate, used when applying this Procedure and/or any subordinate procedures:

- WHC-PRO-Alcohol and Other Drugs Testing
- Laboratory Chain of Custody Form
- WHC-FRM-Alcohol and Other Drugs Screening Test
- WHC-FRM-Declaration of Medication
- WHC-FRM-Fitness for Work
- WHC-PRO-Records Management
- WHC-STD-Health and Hygiene

Revisions	Revision Description	Who Consulted	Date
1	Document Developed – transfer from Standard to procedure	All sites	10/6/2022
2	Addition of section re: medicinal cannabis, change to 2 hour for time to produce sample, and changes to options for random testing	All sites	2/2024