



Legislative Council Legal and Social Issues Committee

Inquiry: Inquiry into workplace drug testing in Victoria

Hearing Date: 22 May 2024

Question[s] taken on notice

Directed to: 360 Edge

Received Date: 14 June 2024

1. Sarah MANSFIELD, page 48

Question Asked:

Yes. Earlier we had some questions asking whether anyone had examples of organisations that do this really well. I do not know if you have seen that in your experience at all?

Katinka van de VEN: I heard that question, and I was thinking I need to look into this. So I will take that on notice, and I will get back to you about it to see if we can think of some workplaces that are a good example, because there is nothing that at the moment comes to mind. So if you do not mind, I will take that on notice as well.

Response:

The following organisations are examples of good practice:

- Sedgman: Sedgman is a mining company with a strict testing regime supported with a well-developed alcohol and other drugs policy.
- BHP: BHP is a mining company with a strict testing regime supported with a well-developed alcohol and other drugs policy and online educational program.
- Melbourne Convention and Exhibition Centre (MCEC): MCEC has a strong fitness for work policy (which includes alcohol and other drugs) (no testing in place).

These policies are however not available in the public domain.

2. David ETTERSANK, page 49

Question Asked:

Okay. I would like to give one more question, if I could, Chair. Thank you. Thank you, Iain. Katinka, can I ask you a question? You talked about the importance of testing, however done, occurring in an appropriate context of policies and procedures, and we have had a lot of evidence about the absence of appropriate policies and procedures and the fact that there is very little or nothing from WorkSafe or other authorities to guide

employers. Is there a framework or some exemplars that you could provide to the committee about, if there was to be something put into guidelines or resource materials for employers, what that would – well, does it exist and can you point to it, or would you like to take it as a question on notice?

Katinka van de VEN: I will have to take it as a question on notice. A lot of our work is for internal purposes, so let me have a think about that and come back to you, because I agree that it would be very beneficial to have some frameworks that could guide us as well.

Response:

We unfortunately do not have examples of frameworks or documents that we could provide to the Committee (that are publicly available).

Additional questions

3. From David ETTERSHANK

Question Asked:

A range of witnesses have suggested that workplace drug testing should apply to workplaces or vocations that are “high risk” and “safety sensitive”. Can you provide any guidance to the Inquiry as to how we might define concepts like “high risk” and “safety sensitive” and or issues associated with attempting to define same?

Response:

High risk and safety sensitive industries include organisations where impaired employee performance could result in a significant incident with serious consequences to the safety of employees or the public and/or environmental damage. Examples are professions involving working with heavy machinery or hazardous materials.

4. From David ETTERSHANK

Question Asked:

You talked about the need for workplace drug testing to be accompanied by appropriate policies and processes. Could you please elaborate on what “appropriate policies and processes” you believe should be apply.

Response:

“Appropriate policies and processes” involve using consultative processes to develop the policies and processes (including employees); having

evidence based measures in place to respond to risk, impairment and fitness for work; an avenue for support; a clear outline of testing procedures and consequences of positive test results; training for staff and managers (not just about the policy but also about for example how to support employees with alcohol and other drugs problems); and processes for monitoring and evaluation.

A best practice alcohol and other drugs policy does not take a punitive approach but instead takes a 'fitness for work' approach. And like other work health and safety related policies aims to reduce risks that impact on workers' health, safety and fitness for work while performing their duties. An effective policy reduces alcohol and other drugs related risks and harms, promotes a healthier culture, increases productivity and creates an environment in which workers feel safe and supported to seek help.