



DRUG AND ALCOHOL MANAGEMENT PLAN

Work Health and Safety Program

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Document Control

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2.0	28 October 2020	Full review of document		
2.1	4 January 2021	Sections 2.1 and 2.4		Inclusion of third parties in scope and clarification of non-negative v positive.
2.2	1 February 2021		ELT 3 February 2021	Inclusion of landside areas for post-incident testing.



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1. POLICY STATEMENT

Alcohol or drug misuse is known to potentially impair an individual's ability to perform work safely. Consequently, whilst performing work at, or on behalf of, BAC, the Corporation requires that its employees, direct engaged workers and contractors performing safety sensitive aviation activities (SSAAs) are within prescribed limits for the presence of testable drugs and/or alcohol as detailed in the *Civil Aviation Safety Regulations 1998* (Cth) Part 99 ('CASR Part 99').

Implementation of the drug and alcohol policy will be supported through the education, testing and response programs further detailed in this Drug and Alcohol Management Plan (DAMP).

The aim of this Policy is to reinforce BAC's commitment to health and safety, by ensuring all workers understand their responsibilities when it comes to the effects of drugs and alcohol in the workplace. If you take prescription medication (including antibiotics, painkillers or anti-inflammatory medication), it is your responsibility to ensure the use of these does not affect your work performance.

Whilst BAC recognises that drug and alcohol dependencies are medical conditions and encourages anyone affected by these to seek confidential support and treatment, breaches of this policy are treated very seriously and will be subject to disciplinary processes in accordance with this Plan and any applicable contract.

2. DRUG AND ALCOHOL PROGRAM

2.1 Application

This Plan applies to BAC (as a “DAMP organisation”) and its employees, direct engaged workers, contractors (“DAMP contractors”), sub-contractors (“DAMP sub-contractors”) and others (including visitors, volunteers and work experience students) performing safety sensitive aviation activities (SSAAs). It also applies to non-SSAA workers where indicated.

A SSAA is defined in the *Civil Aviation Act 1988* (Cth) s33(1) as “activities that impact directly or indirectly on the safety of civil air operations in Australian territory; or the operation of Australian aircraft outside Australian territory” and includes “any activity undertaken by a person, other than as a passenger, in an aerodrome testing area”. A full list of applicable SSAA’s is attached in Appendix B.

Within BAC, this includes activities associated with:

- The conduct of work in the aerodrome testing area (including planning, survey and delivery of projects and maintenance activities);
- Monitoring and inspection activities in the aerodrome testing area (including those related to maintenance and projects as well as security, environmental, WHS and aviation safety activities);
- Escorting media and other corporate relations activities in the airside area; and
- Administering terminal or airside leases and services contracts (including retail and cleaning services).

A worker is considered to perform regular SSAA activities if they perform, or could reasonably be expected to perform, any of these activities on two or more occasions in any 90 day period.

BAC staff who do not perform regular SSAA’s (and who, therefore, may not have undergone pre-deployment testing) will still be required to participate in any significant incident or reasonable suspicion testing whilst at work.

BAC’s Code of Conduct operates in addition to the CASR Part 99 requirements set out in this document, including areas of the airport not covered by this DAMP (e.g. ‘landside’).

It should be noted that Principal Contractors engaged by BAC who are working in the aerodrome testing area are considered “DAMP Contractors” (and any sub-contractors as “DAMP sub-contractors”) and are therefore subject to the requirements of this DAMP in addition to any specified in their own company processes.

Tenants and other organisations operating in the aerodrome testing area (including government agencies and screening authorities) are required to have their own DAMP that is compliant with the requirements of CASR Part 99.

2.2 Education

All BAC employees, as well as contractors and direct engaged workers performing regular SSAA duties, must complete the online DAMP training program (via ELMO or Beakon as applicable to role). The training program is made available at commencement of employment (or engagement) and covers:

- Awareness of BAC’s DAMP Policy and this Plan;
- Testing in the workplace;
- Support and assistance services for people who engage in problematic use of drugs and/or alcohol; and
- Information about the potential risks to aviation safety from problematic use of drugs and/or alcohol.

Refresher training is required every two years.

DAMP Supervisors (listed in section 2.6) receive additional education and training to identify and manage employees who engage in problematic use of drugs and/or alcohol.

2.3 Testing

2.3.1 When testing will be undertaken

BAC will perform, facilitate or require evidence of drug and alcohol testing as follows:

1. Pre-deployment to regular SSAA duties.
 - a. All BAC SSAA employees (and any direct engaged worker performing SSAAs) will undergo a drug and alcohol screening test in conjunction with the BAC pre-employment medical and undertaken by BAC's Company Doctor.
 - b. All BAC contractors will be required to produce evidence of testing from an accredited testing organisation prior to being approved to perform regular SSAA duties. This evidence must be dated within the 90 day period immediately preceding receipt by BAC. The arrangement of, and payment for, this testing is the responsibility of the contractor. (Note: where a number of contractor employees will require testing prior to works commencing, BAC's testing agency may be able to provide bulk on-site testing on behalf of the contractor and at their expense. Contact the WHS team for further information).
2. After any significant DAMP incident involving a BAC employee, direct engaged worker and/or contractor.
 - a. A significant DAMP incident for BAC employees or direct engaged worker is any BAC workplace incident which results in any of the following:
 - i. Death or serious harm to a person;
 - ii. Potential for death or serious harm to a person;
 - iii. Serious damage to an aircraft or property; or
 - iv. A workplace incident in an aerodrome testing area which is notifiable by BAC to a safety regulator under law.
 - b. A significant DAMP incident involving contractors and subcontractors is as one that meets the criteria in 2a and that arises out of the contractor or subcontractor performing, or being able to perform, a SSAA
 - c. For this Plan, "serious harm" means an injury or illness caused by a workplace incident that requires an ambulance to be called to site and the injured/unwell person being transported to hospital.
 - d. "Serious damage" means damage to plant, equipment (including navigational aids) or a structure which results in the item being unable to be used for a purpose for which it was required; or which requires a technical expert (e.g. engineer) to certify that the item is safe to be used for the purpose for which it was designed.
3. On return to regular SSAA duties following a previous confirmed positive test result (where a negative test is required before such duties can be resumed); and
4. Where a DAMP Supervisor reasonably believes that a BAC employee, direct engaged worker and/or contractor performing SSAA duties is under the influence of drugs and/or alcohol (determined and documented on BAC's Reasonable Suspicion Checklist).

In addition, CASA will undertake a random testing program under the requirements of CASR Part 99 Subpart C.

Appendix A contains the DAMP testing process chart.

2.3.2 Permitted levels of alcohol and testable drugs

2.3.2.1 Alcohol

SSAA workers must have less than 0.02 grams of alcohol in 210 litres of breath.

2.3.2.2 Drugs

All workers must return a negative drug test for CASA testable drugs at all time while in the aerodrome testing area or performing SSAAs on behalf of BAC. In accordance with the permitted levels specified by CASR Part 99, onsite initial (oral fluid) drug testing will assess the following drug classes and concentrations:

Testable drug	Concentration (µg/mL)
Δ9-tetrahydrocannabinol	10
6-Acetylcocaine	10
Amphetamine	25
Benzoyllecgonine	25
Cocaine	25
Codeine	25
Ecgonine methyl ester	25
Methylamphetamine	25
Methylenedioxyamphetamine	25
Methylenedioxymethylamphetamine	25
Morphine	25

2.3.3 Testing processes

Pre-employment/pre-deployment testing of BAC employees (and any direct engaged workers performing SSAAs) will be conducted by BAC's Company Doctor and will be in the form of urine testing for drugs and breath testing for alcohol.

Initial onsite testing for alcohol will be performed using a handheld breath alcohol analyser. Onsite initial drug screening will be in the form of urine testing.

CASA onsite testing for drugs will be oral fluid (saliva) testing.

All initial onsite drug and alcohol screening (i.e. post-incident or reasonable suspicion testing) will be performed by an accredited technician in accordance with the following Australian Standards:

- Alcohol – AS 3547, *Breath alcohol testing devices for personal use*; or NMI R 126, *Pattern Approval Specifications for Evidential Breath Analysers*

- Drugs – AS/NZS 4308, *Procedures for specimen collection and the detection and quantitation for drugs of abuse in urine*, or AS 4760, *Procedures for specimen collection and the detection and quantitation for drugs in oral fluid*

Refusal to submit to, or co-operate fully with, the administration of an alcohol or other drug test will be deemed a breach of BAC's Drug and Alcohol Management Policy and will be treated as a positive screening result. Likewise, adulteration of a sample will also be regarded as a breach and treated as a positive screening result.

Failure to provide a sample to an authorised CASA tester is an offence under CASR Part 99 and penalties apply.

2.4 Response

2.4.1 Non-negative initial drug or alcohol test

Where an individual returns a positive alcohol reading (i.e. a reading of 0.02 breath alcohol content or above), a confirmatory test will be conducted by the technician 15 minutes after the initial test. Where an individual returns a positive onsite drug test, they will be required to provide a second sample for confirmatory screening at an accredited laboratory. These results will be considered "non-negative" until confirmed by an accredited laboratory to be a true positive result. Confirmatory tests may take up to three working days.

2.4.2 Positive drug or alcohol confirmatory test

Following a confirmed positive breath alcohol and/or drug test, and subject to the involvement of BAC's DAMP Medical Review Officer (MRO), the following processes will apply:

2.4.2.1 First positive test result

BAC's DAMP Contact (or their delegate) will discuss the drug and alcohol policy breach with the employee and the employee will be removed from SSAA duties for the remainder of the shift. They will not be permitted to return to SSAA duties until:

- a. the confirmatory test reveals the positive result was due to legitimate therapeutic treatment or another innocuous source; or
- b. they have met all requirements of CASR Part 99 regarding returning to SSAA's following a confirmed positive result. Employees will be entitled to apply for annual leave, if they have sufficient accrual.

The employee will be required to re-complete BAC's drug and alcohol policy and management plan awareness training module.

If the positive result was not due to legitimate therapeutic treatment or other innocuous source, the employee will also be required to undergo a comprehensive assessment for drug or alcohol use and participate in any nominated drug or alcohol intervention program. The employee will be required to provide BAC's DAMP Contact (or their delegate) with satisfactory evidence that the cause of the positive result has been addressed before they will be permitted to return to SSAA duties.

2.4.2.2 Second positive test result

The above steps apply, with the addition of a negative test requirement before the employee can return to SSAA duties (where the positive result was not due to legitimate therapeutic treatment or other innocuous source).

2.4.2.3 Third positive test result

Where an employee returns a third positive test result, the employee will be suspended immediately and further action taken subject to a detailed investigation from the Executive General Manager Human Resources (or their delegate). All disciplinary processes will be conducted in accordance with BAC's Discipline Policy (as updated and amended from time to time) and any other applicable Human Resource or Workplace Health and Safety policies and procedures.

Records of all above processes will be documented and retained on the employee's personnel file.

2.4.3 Management processes (contractors and direct engaged workers)

Any contractor or direct engaged worker found to be in violation of BAC's Drug and Alcohol Policy or Management plan will be refused entry onto, or removed from, site and/or may be temporarily or permanently restricted from access to BAC locations or providing services to the Corporation.

Any rehabilitation support for non-BAC employees will be provided by the contractor company/labour hire employer.

2.4.4 Drug and alcohol rehabilitation

Alcohol and drug dependencies are treatable medical conditions and continuity of employment can be an essential factor in rehabilitation success. Therefore, the employment of participant employees will not be placed in jeopardy, providing that:

1. The employee seeks treatment, and the rehabilitation process proceeds satisfactorily;
2. Job performance becomes satisfactory within a reasonable time after treatment begins; and
3. The employee is not in violation of any other Corporation policies, procedures or other requirements.

All BAC employees have access to a confidential Employee Assistance Program (EAP). The details of BAC's EAP provider are available on the Hangar.

2.4.5 DAMP Medical Review Officer

BAC will consult a DAMP MRO in the following circumstances:

1. If a drug test conducted under the program returns a positive confirmatory drug test result – to confirm if the presence and level of a testable drug could be the result of legitimate therapeutic treatment or some other innocuous source;
2. To review medical information concerning a person's failure to give a body sample for drug or alcohol testing because of a claimed medical condition;
3. To determine, in consultation with an employee's treating clinician (if any), if the employee is fit to resume performing SSAA duties after a suspension for a drug or alcohol testing related incident.

2.4.6 Returning to safety sensitive aviation activities

Where an employee or other worker has not been permitted to perform regular SSAA duties as a result of a drug or alcohol testing related suspension, the following conditions must be met prior to them returning to SSAA duties:

1. The employee or other worker has undergone a comprehensive assessment for drug or alcohol use (including any further testing required by CASA); and
2. If the comprehensive assessment recommended the employee or other worker commence a drug or alcohol intervention program – the worker has begun participating in such a program; and

3. The worker is considered fit to resume performing regular SSAA duties by a DAMP MRO and any treating clinician.

2.5 Exemptions

There may be exemptions where another DAMP organisation performs activities for BAC, however particular conditions apply and advice must be sought from BAC's DAMP Contact Officer.

2.6 Record keeping and review

All records associated with the implementation and application of BAC's DAMP will be collected and maintained in accordance with the requirements of the *Privacy Act 1988* (Cth) and CASR Part 99. Records of training will be kept in ELMO or Beakon (as applicable) and test results retained for a period of 5 years within BAC's document management system (personal or contractor files as applicable). Test results are destroyed and/or deleted within 6 months of the expiry of the 5 year record keeping period.

A copy of this Drug and Alcohol Management Plan is accessible to all employees via the Hangar.

This Plan will be reviewed, and updated as required, at least every 5 years or following changes to applicable legislation or BAC processes, or as directed by CASA.



2.7 Roles and responsibilities

Role	Position and current incumbent	Responsibilities
DAMP Contact Officer	Kersty Christensen Head of Workplace Health and Safety	<ul style="list-style-type: none"> Primary liaison point for CASA in relation to BAC’s responsibilities under CASR Part 99(B). Facilitate implementation and ongoing system maintenance of the DAMP. Retain confidential records relating to drug and alcohol testing. Coordinate disciplinary and support processes relating to drugs and alcohol.
DAMP Supervisors	Kersty Christensen Head of Workplace Health and Safety <hr/> Matthew Bugler Senior WHS Advisor <hr/> Sean Taylor WHS Advisor <hr/> Calum Taylor WHS Advisor <hr/> Mandy Sargent WHS Training and Wellbeing Advisor	<ul style="list-style-type: none"> Form an opinion as to whether a person may be adversely affected by a testable drug or under the influence of alcohol. Require BAC employees, direct engaged workers and contractors to cease performing SSAA duties until testing can occur. Undertake training as required to develop and maintain knowledge relevant to their role as a DAMP Supervisor.
Employees	In relation to BAC, means all employees and direct engaged workers, as well as contractors, sub-contractors and others (including visitors, volunteers and work experience students) performing safety sensitive aviation activities (SSAAs). Refer section 2.1.	<ul style="list-style-type: none"> Must not perform, or be available to perform, work if adversely affected by alcohol or drugs. Are subject to testing under this DAMP while performing or being available to perform work as indicated. Provide a body sample if they are to be testing for alcohol or drugs under this Plan. Immediately cease performing, or being available to perform, SSAAs because of an incident covered by this Plan.

2.8 Supporting documents

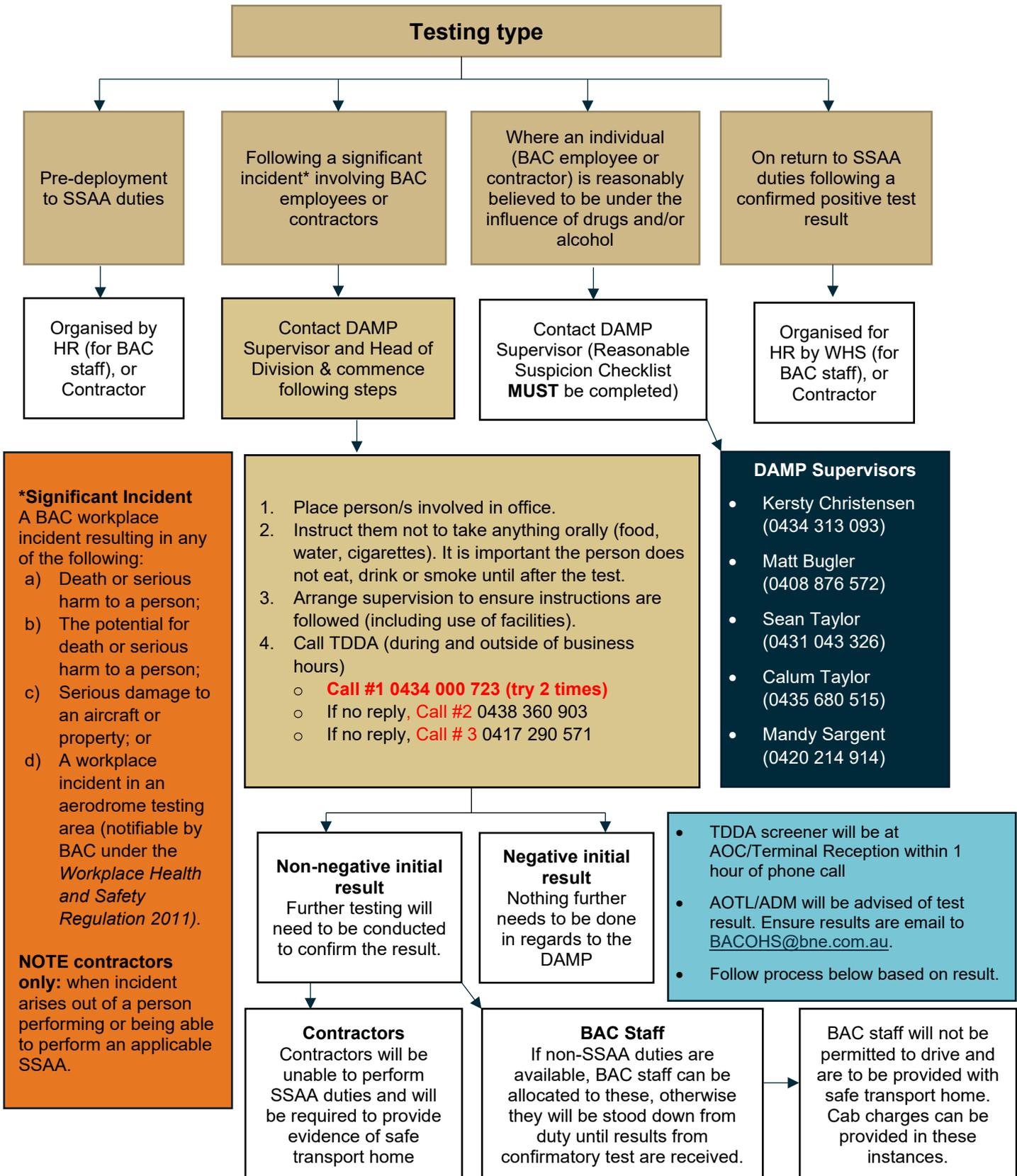
- BAC Medical Program
- BAC Discipline Policy
- BAC Code of Conduct

2.9 Legislation

- *Civil Aviation Safety Regulations 1998 (Cth) Part 99*
- *Civil Aviation Act 1988 (Cth) s33(1)*
- *Privacy Act 1988 (Cth)*
- *AS 3547, Breath alcohol testing devices for personal use; or NMI R 126, Pattern Approval Specifications for Evidential Breath Analysers*
- *AS/NZS 4308, Procedures for specimen collection and the detection and quantitation for drugs of abuse in urine, or AS 4760, Procedures for specimen collection and the detection and quantitation for drugs in oral fluid*



APPENDIX A - DAMP TESTING PROCESS CHART



***Significant Incident**
A BAC workplace incident resulting in any of the following:
 a) Death or serious harm to a person;
 b) The potential for death or serious harm to a person;
 c) Serious damage to an aircraft or property; or
 d) A workplace incident in an aerodrome testing area (notifiable by BAC under the *Workplace Health and Safety Regulation 2011*).

NOTE contractors only: when incident arises out of a person performing or being able to perform an applicable SSAA.

APPENDIX B DEFINITIONS

Aerodrome testing area means:

- a. Any surface in a certified aerodrome over which an aircraft is able to be moved while in contact with the surface of the aerodrome, including any parking areas; and
- b. Any part of the surface of a certified aerodrome:
 - i. That is not covered by paragraph (a); and
 - ii. That does not have a building on it; and
 - iii. From which access to a surface mentioned in paragraph (a) may be had; and
- c. A building located on a certified aerodrome that is used:
 - i. For maintenance of an aircraft or an aeronautical product; or
 - ii. For the manufacture of aircraft or aeronautical products; or
 - iii. By an air traffic service provider to control air traffic; or
 - iv. By the holder of an AOC for flying training; or
 - v. By a Part 141 operator conducting flying training in an aircraft; and
- d. Any part of an aircraft, aerobridge or other moveable structure in a certified aerodrome.

DAMP contractor means a person, or the employee of a person, who is:

- a. A party to an ongoing written or ongoing oral contract with a DAMP organisation; or
- b. A DAMP subcontractor to an ongoing written or ongoing oral contract with a DAMP organisation.

DAMP medical review officer means a medical practitioner who for drug or alcohol testing under a DAMP has:

- a. Competence in the field of interpreting drug and alcohol test results; and
- b. Knowledge of substance use disorders; and
- c. Knowledge of the contents of this Part (CASR Part 99).

DAMP organisation means a person that is required to have a DAMP under subregulation 99.030(1).

DAMP subcontractor means a person who is a party to:

- a. An ongoing written or oral contract with a DAMP contractor within the meaning of paragraph (a) of the definition of *DAMP contractor*; or
- b. An ongoing written or oral contract with another DAMP subcontractor (under a previous application of this definition).

DAMP supervisor in relation to a DAMP organisation means a person who:

- a. Has had relevant training to form an opinion as to whether a person may be adversely affected by a testable drug or under the influence of alcohol; and
- b. Is authorised by the organisation to do so for the purposes of CASR Part 99, paragraph 99.050(2)(c).

Regular SSAA employee means a SSAA employee who is reasonably likely to perform an applicable SSAA at least 2 or more times every 90 days.

Specified SSAAs are:

- a. Any activity undertaken by a person, other than as a passenger, in an aerodrome testing area; and

- b. Calculation of the position of freight, baggage, passengers and fuel on aircraft; and
- c. The manufacture or maintenance of any of the following:
 - i. Aircraft;
 - ii. Aeronautical products;
 - iii. Aviation radionavigation products;
 - iv. Aviation telecommunication products; and
- d. The certification of maintenance of a kind mentioned in paragraph (c); and
- e. The issuing of a certificate of a release to service for an aircraft or aeronautical product in relation to maintenance carried out on the aircraft or aeronautical product; and
- f. The fuelling and maintenance of vehicles that will be used to fuel aircraft on aerodrome testing areas; and
- g. Activities undertaken by an airport security guard or a screening officer in the course of the person's duties as a guard or officer; and
- h. Activities undertaken by a member of the crew of an aircraft in the course of the person's duties as a crew member; and
- i. The loading and unloading of trolleys containing baggage for loading onto aircraft and the driving of such trolleys; and
- j. Activities undertaken by a holder of an air traffic controller licence in the course of the person's duties as such a supervisor; and
- k. Providing flight information and search and rescue alert services:
 - i. To a pilot or operator of an aircraft immediately before the flight of the aircraft; or
 - ii. To a pilot or operator of an aircraft, during the flight of the aircraft; or
 - iii. As an intermediary for communications between a pilot or operator of the aircraft, and an air traffic controller; and
 - iv. Providing aviation fire fighting services.