

Drug and Alcohol Policy

This policy supersedes all previous versions and is valid until further notice.

Purpose

The purpose of this policy is to outline:

- Our expectations regarding the use of drugs and alcohol in the workplace.
- When alcohol and drug testing may be carried out.
- What support our employees can access for alcohol and drug issues.

Manaaki tangata

Toitū Te Whenua (LINZ) is committed to ensuring we have a diverse and inclusive organisation and that we are an employer of choice. Manaaki Tangata is the framework we have developed to ensure that our people policies are developed with this firmly in mind.

The relevant concepts of Manaaki Tangata that are reflected in this policy are set out in the following table:

Concept	Description
Manaakitanga	It is important that our people are safe at work. The drug and alcohol policy has the aim of ensuring that all of our people are safe at work. We are also committed to supporting our people to deal with their drug and alcohol issues through support for rehabilitation.
Kotahitanga	Unity and connectedness is enhanced through a workplace where we prioritise the health and safety of our people and through our support for our people to address dependency issues.

(Refer to Manaaki Tangata – Diversity and Inclusion at LINZ for more information on our policy and the framework we are using).

Drug and Alcohol Policy

Effective Date: 24 February 2022

Policy Owner: Head of People

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Policy

All members of the LINZ whānau have a responsibility to themselves and each other to provide and maintain a safe place of work. This includes safety from impairment caused by being under the influence of drugs or alcohol.

Impairment, or risk of impairment, from drugs or alcohol is a serious health and safety risk not only to the individual involved, but also their colleagues and members of the public. The effects of drugs and alcohol can also impair performance. Our people are expected to perform their duties free from the influence of substances (drugs and alcohol) that impair performance and judgement.

LINZ is committed to providing a healthy and safe work environment, to preventing harm to our people and to maintaining high standards of integrity and performance as a public entity.

We expect all of our people to be personally responsible for ensuring they are fit to work, and that they remain in a condition to perform duties in a safe, productive and healthy manner that does not put themselves, their colleagues or our clients/stakeholders at risk.

This obligation is particularly important for individuals in safety sensitive roles.

Conduct or behaviour that is inconsistent with this policy may amount to serious misconduct, resulting in disciplinary action and ultimately dismissal (in respect of employees) or termination of engagement (in respect of contractors)

Who this applies to

Our expectations and principles apply to all the people we employ (whether open term, fixed term or casual) and at all levels of our organisation. The expectations set out in this policy also apply to the secondees, contractors and consultants we engage. This policy has particular relevance to those engaged in safety sensitive roles. Some specific parts of this policy will only apply to our employees.

1 Policy in detail

1.1 Drugs

We expect that our people will not possess, consume, sell or supply illegal drugs in LINZ-associated workplaces or properties, or while working for or representing us.

Prescription drugs, even when used in accordance with medical advice, can run the risk of impairment and can pose a threat to health and safety. For our people in safety sensitive roles, disclosure of the use of prescription drugs that could have an impact on safety to managers is obligatory.

Abuse of prescription drugs (meaning that they are being taken inconsistently with medical advice) in relation to work you perform for us will be treated the same as the use of illegal drugs under this policy and could result in disciplinary action.

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1.2 Alcohol

We expect that our people will not attend work under the influence of alcohol and will not consume it in a way that impacts on their work or on their ability to attend work.

Consumption and supply of alcohol, other than in pre-approved circumstances (for example FEST or with DCE approval), is not permitted at any LINZ premises or worksites.

Where consumption of alcohol is permitted by LINZ, such as at work related functions, all of our people are personally responsible for their behaviour and conduct. We expect and require that our people will not drink excessively to the point of intoxication, and will ensure their own safety and that of others.

1.3 Testing for drugs or alcohol

1.3.1 Post-incident testing

Any individual who works for or with us may be asked to undergo testing for the presence of drugs or alcohol where they are involved in an incident during the course of their employment or work.

Incidents that may invoke post-incident testing include, but are not limited to:

- An incident resulting in injury or illness
- An incident involving an accident or death
- An incident requiring treatment by a medical professional
- An incident or near-miss that had the potential to cause harm or loss
- An incident involving damage to a vehicle, property or equipment

1.3.2 Reasonable cause testing

Any individual who works for or with us may be asked to undergo testing for drugs or alcohol where a leader may have reasonable cause to suspect they are under the influence of, or impaired by, drugs or alcohol.

1.3.3 Outcomes

Refusal to undergo a test when we require you to do so, or any interference with the testing apparatus used, may amount to serious misconduct.

A positive test result may amount to serious misconduct and could result in disciplinary action, including dismissal (in respect of employees) or termination of engagement.

1.4 Support and rehabilitation (employees)

We care about the people we employ. In appropriate circumstances, we may take reasonable steps as an employer to provide our people with support and assistance to deal with drug or alcohol issues. This may include:

- Providing relevant resource material to get support and rehabilitation
- Meeting the cost of EAP counselling
- Approving paid or unpaid time off to attend rehabilitation
- Altering work duties and/or hours

If we believe that it is unsafe for an individual to attend work during any period they are seeking support or assistance, we may direct them to take paid or unpaid leave until such time as we are confident their return will not compromise our obligation to provide everyone with a safe and healthy workplace.

The supportive approach we aim to take is contingent on our people taking self-responsibility and raising any problems they have with drugs or alcohol with LINZ.

We encourage all of our people to proactively address drug or alcohol issues by self-reporting before it becomes a bigger problem.

Where drug or alcohol problems come to our attention by means other than self-reporting (such as through an investigation, incident, test or complaint) we may treat the issue as a disciplinary concern.

The relationship that LINZ has with its employees and the responsibilities and obligations that go with this are different to the relationship LINZ has with its contractors. For this reason, rehabilitation and support is only available to employees and is not available to LINZ contractors.

1.5 Privacy

All information gathered, including through drug or alcohol testing, attendance at rehabilitation programmes or through the application of this policy is collected for the purpose of implementing this policy and achieving our commitments under it.

We will comply at all times with the Privacy Act 1993. Information will be collected and stored confidentially with the Human Resources team.

Information may be disclosed to relevant leaders on a strictly need-to-know basis for the purposes of disciplinary action, health and safety and/or managing rehabilitation.

2 LINZ commitments and obligations

Our leaders are expected to:

- **Promote health and safety in the workplace**
Ensure that LINZ and their teams maintain a safe and healthy workplace, work sites and work practices
- **Encourage people to come forward with drug and alcohol abuse issues**
Provide a non-judgmental workplace that encourages people to come forward to discuss drug and alcohol abuse issues
- **Support individual rehabilitation efforts**
Regularly check in and monitor the progress of any of their team members who have proactively sought help, or who have a supported rehabilitation plan, and provide further assistance when it is required
- **Promote awareness of rehabilitation options**
Educate and provide information and assistance to their teams about the support and rehabilitation options available
- **Act immediately on issues of drug and alcohol abuse impacting the workplace**
Where appropriate, initiate disciplinary processes to deal with conduct in breach of this policy or our Code of Conduct.
- **Seek advice from Human Resources**
Talk to your Human Resources Business Partner for advice and support for any action required under this policy.

Human Resources is available to assist leaders by:

- **Supporting them to deal with issues under this policy**
Providing advice and support to our leaders to enable them to support and assist our people with the help they may need

3 Employee commitments and obligations

Our people are required/need to:

- **Comply with this policy**
Comply with the expectations we set in relation to drug and alcohol use and impairment in and out of the workplace

- **Report drug and alcohol use that may put health and safety at risk**
Speak up and notify leaders should they identify any potential risks to health and safety
- **Seek help when struggling with drug and alcohol issues**
Ask for help when struggling with drug and alcohol issues
- **Engage in rehabilitation planning and the plan itself**
Actively participate in any rehabilitative measures we can support you with
- **Our people are encouraged to speak up about the potential misuse of drugs and alcohol**
Our people are encouraged to speak up if they have witnessed or they have reasonable grounds to believe a colleague or leader is affected by drugs or alcohol while working. If the person is engaged in safety sensitive work, immediate steps should be taken to report and stop risky activities

4 Delegated authority

Decisions under this or any policy must be made in accordance with the authority delegated by the Chief Executive. Reference should be made to the schedule of delegated Human Resources authority which is included in the links below. Care is recommended as exceeding your authority to make decisions may be considered a disciplinary matter.

Definitions

Term	Definition
Under the influence of alcohol	Affected by the consumption of alcohol.
Safety Sensitive	<p>A safety sensitive position is one in which job performance can affect the safety of the employee and/or others. This includes positions where an employee's inability or impaired ability to perform a job-related task could result in a threat to health and safety.</p> <p>A non-exhaustive list of the types of roles included are those that relate to:</p> <ul style="list-style-type: none"> • Forestry • Farming • Demolition • Construction/building sites • Operation of vehicles (including motor vehicles, boats and any other forms of transport) • Horse riding
Drugs and Alcohol	Alcohol refers to any beverage that contains ethyl alcohol (ethanol), including but not limited to beer, wine and distilled spirits.

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Drugs refers to any mind altering or legally controlled substance, including prescribed drugs not used in accordance with medical directions. This includes any drugs listed in the Misuse of Drugs Act 1975 and psychoactive substances defined under the Psychoactive Substances Act 2013.

Reasonable Cause

Reasonable cause occurs where, based on all the facts and circumstances, a reasonable person may reasonably conclude, or at least suspect, something has happened.

This may include, but is not limited to:

- Physical signs:
 - Changes in appearance e.g. smellie breath, body odour, clothes; slurred speech; unsteady on feet; bloodshot eyes, dilated pupils, pin-point pupils; excessive sweating; flushed/ red complexion; loss of weight.
- Unusual or out of character on-site behaviour;
- Continual involvement in small accidents or inattention;
- Obvious continual drop in performance;
- Changes in personality or mood swings;
- Excessive lateness;
- Absences often on Monday, Friday or in conjunction with holidays;
- Increased health problems or complaints about health;
- Emotional signs: outbursts, anger, aggression, mood swings, irritability;
- Paranoia;
- Changes in alertness – difficulty with attention span;
- Less energy;
- Feigning sickness or emergencies to get out of work early;
- Going to the bathroom more than normal;
- Defensive when confronted about behaviour;
- Dizziness;
- Hangovers;
- Violent behaviour;
- Impaired motor skills;

Of course, a number of reasons can cause these issues so due care and reason must be exercised.

Useful links

[Code of Conduct](#)

[Misuse of Drugs Act 1975](#)

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[Psychoactive Substances Act 2013](#)

[Health and Safety Policy](#)

HR Delegations

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Te Tumu Whakarae

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Released under the Official Information Act 1982

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